

In The Matter Of:

***BOARD OF TRUSTEES OF THE JERICHO BAPTIST CHURCH
MINISTRIES INC.***

v.

JOEL R. PEEBLES, SR., ET AL.

ALMA DENISE KILLEN - Vol. 1

May 11, 2011

MERRILL LAD

1325 G Street NW, Suite 200, Washington, DC
Phone: 800.292.4789 Fax: 202.861.3425

IN THE CIRCUIT COURT

FOR PRINCE GEORGE'S COUNTY, MARYLAND

- - - - - x
 Board of Trustees of :
 the Jericho Baptist :
 Church Ministries, :
 Inc., :
 Plaintiff/ :
 Counter-Defendant, : Case No.
 v. : CAL 10-33647
 Joel R. Peebles, :
 Sr., et al., :
 Defendants/ :
 Counter-Plaintiffs, :
 - - - - - x

Videotaped Deposition of ALMA DENISE KILLEN

Greenbelt, Maryland

May 11, 2011

9:55 a.m.

Job No: 1-199106

Pages: 1 - 339

Reported by: Sue A. Terry, RPR/CRR/CLR

Page 2	Page 4
<p>1 Videotaped Deposition of ALMA DENISE KILLEN, 2 taken at the law offices of: 3 Joseph, Greenwald & Laake, P.A. 4 6404 Ivy Lane 5 Suite 400 6 Greenbelt, Maryland 20770 7 8 9 10 11 Pursuant to Notice, before Sue A. Terry, 12 Registered Professional Reporter, Certified Realtime 13 Reporter and Notary Public in and for the State of 14 Maryland. 15 16 17 18 19 20 21 22</p>	<p>1 ALSO PRESENT: (Continued) 2 Pastor Joel Peebles, Sr. 3 William Meadows 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>
Page 3	Page 5
<p>1 A P P E A R A N C E S 2 ON BEHALF OF PLAINTIFF/COUNTER-DEFENDANT: 3 ISAAC H. MARKS, SR., ESQ. 4 11785 Beltsville Drive 5 10th Floor 6 Calverton, Maryland 20705 7 Phone: 301-572-7900 8 ON BEHALF OF DEFENDANTS/COUNTER-PLAINTIFFS: 9 TIMOTHY F. MALONEY, ESQ. 10 Joseph Greenwald & Laake, P.A. 11 6404 Ivy Lane 12 Suite 400 13 Greenbelt, Maryland 20770 14 Phone: 240-553-1206 15 ALSO PRESENT: 16 Akim Graham, Videographer 17 JOSEPH CREED, ESQ. (Present by LiveNote Stream) 18 BOBBY HENRY, ESQ. (Present by LiveNote Stream) 19 Clarence Jackson 20 Clifford Boswell 21 Denise Killen 22 Dorothy Williams</p>	<p>1 C O N T E N T S 2 Witness Name: Page 3 Alma Denise Killen 4 Exm. By Mr. Maloney 7 5 Exm. By Mr. Marks 271 6 Exm. By Mr. Maloney 321 7 8 EXHIBITS (Exhibits held by Mr. Maloney) 9 10 Exhibit Description Page 11 Defts. Fax communication from Bank of 140 12 Ex. 3 America. 13 Defts. Advance Directive Appointment of 177 14 Ex. 4 Health Care Agent. 15 16 17 18 19 20 21 22</p>

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1 PROCEEDINGS
 2 THE VIDEOGRAPHER: Here begins
 3 Videotape Number 1 in the deposition of Denise Killen
 4 in the matter of the Board of Trustees of the Jericho
 5 Baptist Church Ministries, Incorporated, versus Joel
 6 R. Peebles, Sr., et al., in the Circuit Court for
 7 Prince Georges County, Maryland, Case Number
 8 CAL 1033647.
 9 Today's date is May 11, 2011. The time
 10 on the video monitor is 9:55 a.m., and the video
 11 operator today is Akim Graham.
 12 This video deposition is taking place
 13 at Joseph, Greenwald and Laake at 6404 Ivy Lane in
 14 Greenbelt, Maryland.
 15 Counsel, please voice identify
 16 yourselves and state whom you represent.
 17 MR. MALONEY: Timothy Maloney for the
 18 Defendants.
 19 MR. MARKS: Isaac Marks for Plaintiffs,
 20 Jericho Baptist Church Ministries, Inc.
 21 THE VIDEOGRAPHER: The court reporter
 22 today is Sue Terry of Merrill LAD.

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1 Would the reporter please swear in the
 2 witness.
 3 ALMA DENISE KILLEN
 4 having been duly sworn, testified as follows:
 5 EXAMINATION BY COUNSEL FOR
 6 DEFENDANTS/COUNTER-PLAINTIFFS
 7 BY MR. MALONEY:
 8 Q Ms. Killen. Good morning.
 9 A Good morning.
 10 Q Would you tell the reporter your full name
 11 and current address.
 12 A My full name is Alma Denise Killen. My
 13 address is 336 Wesmond Drive -- W-e-s-m-o-n-d --
 14 Drive, Alexandria, Virginia.
 15 Q Have you ever had your deposition taken
 16 before?
 17 A Never.
 18 Q You've sat through the deposition that we
 19 just completed, so you understand that I'll be asking
 20 you a series of questions, and I'll ask you to
 21 respond to the questions as fully and accurately as
 22 you can.

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1 If at any time you do not understand the
 2 questions, just say so and I'll be glad to rephrase
 3 them.
 4 If at any time you need a break, just let me
 5 know.
 6 A Okay.
 7 Q If you don't express any concern or question
 8 about my question, then I'm going to assume that you
 9 understand what you're being asked.
 10 Okay?
 11 A Yes, sir.
 12 Q It's also important for our reporter that
 13 you give her a verbal answer, because she is
 14 preparing a transcript and she can't take down head
 15 nods or "uh-huhs" or anything like that.
 16 Okay?
 17 A Yes, sir.
 18 Q Have you been known by any other name?
 19 A No, I haven't.
 20 Q What is your date of birth?
 21 A April 2nd, 1951.
 22 Q All right. Tell me about your educational

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1 background.
 2 A Elementary, high school.
 3 Q And where did you go to high school?
 4 A In Glassboro, New Jersey -- Glassboro High
 5 School.
 6 Q And when did you graduate?
 7 A In 1969.
 8 Q And after you graduated in 1969, what did
 9 you do?
 10 A I started to work at Columbia Records.
 11 Q Uh-huh.
 12 A I got married --
 13 Q Uh-huh.
 14 A -- still staying in New Jersey.
 15 Q And who did you marry?
 16 A Bobby Brown, my first husband.
 17 Q All right. And how long did you remain
 18 married to Bobby Brown?
 19 A Nine years.
 20 Q And how did that marriage end?
 21 A In divorce.
 22 Q And did you marry again after that?

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1 A Years later, yes.
 2 **Q And who did you marry?**
 3 A Stewart Killen.
 4 **Q When did you marry him?**
 5 A In 199' -- 1989.
 6 **Q All right. Are you still married to him?**
 7 A Yes.
 8 **Q And do you live with Stewart Killen?**
 9 A Yes.
 10 **Q And so in 1969, you went to work for**
 11 **Columbia Records.**
 12 **What did you do for them?**
 13 A Actually labeled the vinyl 45 records.
 14 **Q The old 45s?**
 15 A Yes.
 16 **Q Okay. And how long did you work at**
 17 **Columbia?**
 18 A About a year and-a-half.
 19 **Q And what did you do after that?**
 20 A I had a child, moved to Alabama, stayed
 21 there for about a year and moved -- well, less than a
 22 year and moved back to New Jersey.

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1 **Q And in Alabama, where did you live in**
 2 **Alabama?**
 3 A With my husband's mother -- mother-in-law.
 4 **Q And what city was that?**
 5 A That was Opelika.
 6 **Q Uh-huh. Did you work in Alabama?**
 7 A A short time, I did.
 8 **Q And what did you do there?**
 9 A I actually worked at a company that made
 10 cassette tapes, Ampex Tapes.
 11 **Q And what did you do for them?**
 12 A Actually assembled the cassettes.
 13 **Q Uh-huh. And then you went back to New**
 14 **Jersey?**
 15 A Yes.
 16 **Q To Glassboro or somewhere else?**
 17 A Yes, Glassboro.
 18 **Q And what did you do there?**
 19 A Then I went back -- I went to work for
 20 Vineland State School. They -- there was a residence
 21 for mentally challenged children and adults.
 22 **Q Is that that school right off Route 40 out**

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1 **there?**
 2 A Yes.
 3 **Q And what did you do for them?**
 4 A I worked to take care of the residents.
 5 **Q And when you say "take care of the**
 6 **residents," were you a care assistant?**
 7 A Care assistant, their daily activities,
 8 uh-huh.
 9 **Q Uh-huh. Okay. And how long did you work at**
 10 **the Vineland State School?**
 11 A I was at Vineland State School for about
 12 three years.
 13 **Q Uh-huh. What did you do after that?**
 14 A I then moved to Alexandria.
 15 **Q Alexandria, Virginia?**
 16 A Yes.
 17 **Q And what caused you to move there?**
 18 A I got a job with National Airlines.
 19 **Q What were you doing for National Airlines?**
 20 A Worked in reservations.
 21 **Q And how long did you work for National?**
 22 A I think it was about eight years.

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1 **Q And then after that?**
 2 A After that, Delta Airline -- I'm sorry,
 3 National Airlines and Pan Am. Pan Am -- there was a
 4 merger, and then I went to work for Pan Am --
 5 transitioned to Pan American Airlines.
 6 **Q Uh-huh.**
 7 A And then after that, there was another
 8 buyout and I transitioned over to Delta Airlines.
 9 **Q Okay. And how long were you at Pan Am?**
 10 A I was at Pan Am for, I think, about five
 11 years.
 12 **Q Did you work in reservations there?**
 13 A I did.
 14 **Q And then at Delta, what did you do?**
 15 A Reservations, also.
 16 **Q And how long were you at Delta?**
 17 A Delta, I was there about two years.
 18 **Q And how did your employment end at Delta?**
 19 A Delta Airlines, their reservation office
 20 closed --
 21 **Q Uh-huh.**
 22 A -- and they merged it with another city.

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1 **Q Uh-huh.**
 2 A They offered positions in other cities and I
 3 didn't go, I stayed, so from that point, I quit.
 4 **Q Were you involved in any litigation or**
 5 **employment claims with Delta?**
 6 A No, huh-uh.
 7 **Q All right. So when you quit from Delta,**
 8 **where did you go?**
 9 A After Delta, then I volunteered at Jericho
 10 at the church for a little while, and then in 1998, I
 11 was hired at the church at Jericho.
 12 **Q As an employee?**
 13 A As an employee.
 14 **Q For how long a period of time between Delta**
 15 **and -- your Delta employment ending and becoming a**
 16 **church employee were you a volunteer?**
 17 A I think it was about two years.
 18 **Q Uh-huh. And what did you do as a volunteer?**
 19 A Deacon Iris Palmer was office manager, so I
 20 assisted her with whatever needs -- answered the
 21 phones, helped out with ministry.
 22 **Q How did you come to Jericho?**

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1 A I was riding in my car and I was listening
 2 to the radio and I heard this lady say something
 3 about angels --
 4 **Q Uh-huh.**
 5 A -- and I wanted to know who she was. I
 6 heard it on the radio, but didn't really take full
 7 note of the name, so I went about for a couple of
 8 months trying to find that church for that little
 9 lady that was talking about angels.
 10 **Q Uh-huh.**
 11 A And so some months later, I heard it again,
 12 and then at that time when I heard it, it was about
 13 the New Year's Eve service.
 14 **Q Uh-huh.**
 15 A And so my husband and I went to that
 16 service.
 17 **Q Uh-huh.**
 18 A And that's how I found Jericho.
 19 **Q Were you active in another church at that**
 20 **time?**
 21 A At that time, I wasn't active in another
 22 church, I was being covered by a church in New

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1 Jersey, so we went to another church, but I wasn't an
 2 active -- an active member of another church.
 3 **Q What does it mean to be covered by a church?**
 4 A Meaning that the pastors there made sure
 5 that we were spiritually okay. We tithed to that
 6 church and they looked out for our spiritual
 7 well-being while we were seeking permanent
 8 fellowship.
 9 **Q What was the church you were covered by?**
 10 A Restoration Church in Sicklerville, New
 11 Jersey.
 12 **Q Can you spell the name of that town for our**
 13 **reporter?**
 14 A S-i-c-k-l-e-r-v-i-l-l-e.
 15 **Q And who was the pastor there?**
 16 A Pastor is -- oh, suddenly, it just -- Joe
 17 and Emma Jean -- it will come back to me in a moment.
 18 I know them well. Can we continue and I'll tell you?
 19 **Q Sure. If it pops in your head, you just let**
 20 **me know.**
 21 A Ingram. Ingram.
 22 **Q But you were never active in that church,**

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1 **you simply were covered by them?**
 2 A That's all.
 3 **Q All right. And what church were you active**
 4 **in prior to Jericho?**
 5 A Jericho was actually the first church that I
 6 joined as membership since I was a child, so I wasn't
 7 really active at another church.
 8 **Q So you never really played any meaningful**
 9 **role or were an active participant in any other**
 10 **church prior to coming to Jericho?**
 11 A That's -- that's correct.
 12 **Q Did you ever have any situation where you**
 13 **had an unhappy ending of your relationship with a**
 14 **church?**
 15 A No, huh-uh.
 16 **Q And at Jericho, when you were a volunteer,**
 17 **did you -- were you basically assisting Ms. Palmer**
 18 **during that volunteer service?**
 19 A Yes.
 20 **Q And was that -- did you have any role in**
 21 **assisting the Board of Trustees back then?**
 22 A No.

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1 **Q All right. Now, in 1998, you became an**
 2 **assistant to Ms. Palmer on a salaried basis; is that**
 3 **correct?**
 4 A That's right.
 5 **Q And what was the salary at that time, if you**
 6 **know?**
 7 A It was \$20,000.
 8 **Q And what were your duties as her assistant?**
 9 A I was a receptionist. I answered the
 10 phones, did light typing.
 11 **Q Uh-huh.**
 12 A Make sure -- anything that had to do with
 13 the ministries, make sure everything was well with
 14 them.
 15 **Q And was this a full-time position?**
 16 A It was a full-time position.
 17 **Q Uh-huh. And I would like you if you could**
 18 **to trace for me your history as an employee at**
 19 **Jericho.**
 20 **What did you do from that position to any**
 21 **other positions that you had?**
 22 A From that position as receptionist, I moved

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1 on to work a little closer with Pastor Betty.
 2 **Q Uh-huh.**
 3 A If I say "pastor," I'm speaking about Pastor
 4 Betty.
 5 **Q Why don't we call her the "Apostle," because**
 6 **everybody has been calling her that --**
 7 A Okay.
 8 **Q -- and then we don't want to confuse that**
 9 **with Pastor Joel. Okay?**
 10 A All right. Then I -- then I moved on to
 11 work a little bit closer with the -- with the
 12 Apostle --
 13 **Q Uh-huh.**
 14 A -- but I still maintained my working
 15 relationship with Deacon Iris. That didn't change
 16 for quite some time. So what else did I do?
 17 Pastor called me secretary, so I worked with
 18 her as secretary.
 19 I then moved on to -- the title secretary, I
 20 carried for quite a long time.
 21 **Q Uh-huh.**
 22 A And then in 2009 as assistant administrator.

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1 **Q All right. So you were secretary from when**
 2 **to when?**
 3 A My original employment documents say
 4 secretary from the beginning.
 5 **Q Uh-huh.**
 6 A So -- so from -- from then until -- probably
 7 about five years, I guess.
 8 **Q All right. Well, when did your title change**
 9 **from secretary to --**
 10 A When Pastor actually officially made
 11 announcement that the title was changed, it was
 12 October -- I'm sorry -- September of '09, she called.
 13 She said assistant administrator.
 14 **Q All right. So, in other words, from 1998**
 15 **until September, '09, you basically were secretary;**
 16 **is that correct?**
 17 A Uh-huh.
 18 **Q Is that a yes? You have to give a yes.**
 19 A Yes. Yes, that's a yes.
 20 **Q And that was secretary to whom?**
 21 A To the Apostle.
 22 **Q Okay. You were not the formal church**

Page 21

1 **secretary -- or were you?**
 2 A No, I was not.
 3 **Q Who was that?**
 4 A There wasn't a title formal church
 5 secretary.
 6 **Q Uh-huh.**
 7 A There was not a title.
 8 **Q Was there a clerk of the church?**
 9 A Yes.
 10 **Q And who was --**
 11 A Deacon Anne Wesley was the church of the
 12 clerk, yes.
 13 **Q And was she clerk of the church when you**
 14 **arrived there at the church?**
 15 A Yes, she was.
 16 **Q And is she still the clerk of the church?**
 17 A I would say so.
 18 **Q All right. Has she ever stopped being the**
 19 **clerk of the church?**
 20 A I would say she hasn't stopped being clerk
 21 of the church.
 22 **Q Okay. She is somebody who is highly**

Page 22

1 **respected in the church?**
 2 A Very highly.
 3 **Q Okay. So September of '09, the Apostle**
 4 **announces that you have become the assistant**
 5 **administrator; correct?**
 6 A Yes.
 7 **Q And did she announce that from the pulpit?**
 8 A No, she just announced it to the staff. It
 9 was employment.
 10 **Q Okay. And when you say you were the**
 11 **assistant administrator, who was the administrator?**
 12 A Apostle Betty was the administrator.
 13 **Q All right. So she was the administrator**
 14 **herself; correct?**
 15 A Yes.
 16 **Q And did this promotion to assist**
 17 **administrator also involve a salary change?**
 18 A Yes, it did.
 19 **Q And what was that?**
 20 A I had gotten continued increases, so -- I
 21 should have written that down, but I don't remember.
 22 I think she raised me about \$15,000.

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1 **Q And so what did that bring you to?**
 2 A I think it was like 55,000 or so. It might
 3 have been 60.
 4 **Q All right. And what is your salary today?**
 5 A It's 70.
 6 **Q All right. And when did it go from 55 to**
 7 **70?**
 8 A I'd have to look. I'd have to check. I
 9 cannot remember.
 10 **Q Was it after the death of the Apostle?**
 11 A It was not.
 12 **Q So it was prior to -- while the Apostle was**
 13 **alive?**
 14 A Yes, Apostle made all the salary decisions;
 15 yes.
 16 **Q And how much before her death was that**
 17 **salary increased?**
 18 A Maybe a year before.
 19 **Q Okay. Do you receive any benefits other**
 20 **than the salary -- retirement, health insurance,**
 21 **401-K -- anything like that?**
 22 A Yes.

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1 **Q Uh-huh.**
 2 A I mean, we have health insurance and
 3 we -- we fund our own 401.
 4 **Q Okay.**
 5 A It's a 403-B, but we fund our own.
 6 **Q And is your title still assistant**
 7 **administrator or do you have a new title?**
 8 A I still carry -- I still am carrying the
 9 title assistant administrator in honor of Pastor.
 10 It's not time -- I don't think it's time to change
 11 those titles.
 12 **Q In other words, because of the mourning**
 13 **period, you're leaving her administrator position**
 14 **vacant?**
 15 A Yes.
 16 **Q But, in fact, are you the administrator of**
 17 **the church?**
 18 A I have been doing the business, yes.
 19 **Q All right. And do the other staff report to**
 20 **you on a day-to-day basis?**
 21 A Yes.
 22 **Q And who would they be?**

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1 A Deacon Clarence Jackson, Deacon Dorothy
 2 Williams.
 3 **Q Uh-huh.**
 4 A Sister Betsy Ferguson, Deacon Mary Huntley.
 5 Those are the immediate.
 6 **Q Anyone else?**
 7 A Dr. Karen Scott, she is the principal at the
 8 Jericho Christian Academy at the school.
 9 **Q How many employees does Jericho have?**
 10 A Approximately, 60, 62 employees.
 11 **Q Are these full-time employees?**
 12 A Almost all full-time. There may be
 13 about -- there may be about -- no, they are not all
 14 full-time employees, because some -- some we call
 15 them employees because of the benefits, but we
 16 would -- we would say stipend employees. Some of
 17 them are ministry staff that get a small stipend or
 18 something. We add them in as employees.
 19 **Q Well, of the 60 to 62, how many actually**
 20 **work on a full-time basis?**
 21 A Of the 60 or 62, I would say in
 22 administration, about 10 or 12; at the school, 37. I

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1 think it's like 37.

2 **Q And since the death of the Apostle, have any**

3 **new employees been added, either on a full-time,**

4 **part-time or stipend basis?**

5 A There has been at the school. There's been

6 a couple of employees.

7 **Q How about other than at the school?**

8 A No.

9 **Q Okay. Now, when you say that Clarence**

10 **Jackson reports to you, what is his position?**

11 A He's facilities manager.

12 **Q And when did he become the facilities**

13 **manager?**

14 A I believe he was hired in 1998.

15 **Q Uh-huh. What position was he hired for**

16 **in '98?**

17 A I was a secretary at that time, so I can't

18 tell you exactly what his title was. I don't know if

19 it was facilities manager then or not. I don't know

20 if that was the title or position. That's the

21 position he has worked in all along.

22 **Q Well, what did you observe his duties to be?**

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1 A Taking care of the facility. He took

2 care -- and the transportation and the buses, which

3 is part of transportation, and anything that had to

4 do with the maintenance of the facility.

5 **Q Did transportation include responsibilities**

6 **for driving the Apostle?**

7 A Yes, it did include that, but that wasn't a

8 hired position.

9 **Q But that was something he was responsible**

10 **for?**

11 A Yes, uh-huh.

12 **Q What is his salary?**

13 A His salary is around 75,000, 79, or

14 something like that.

15 **Q And when did it come to that level?**

16 A Before that, I don't know when it changed,

17 but in 2010 -- 2010.

18 **Q Uh-huh. Is that before or after the death**

19 **of the Apostle?**

20 A Pastor -- Apostle made all the salary

21 decisions. That was before.

22 **Q Have any salaries been changed since the**

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1 **death of the Apostle?**

2 A None, huh-uh.

3 **Q And Dorothy Williams, what is her position?**

4 A She is the Chief Financial Officer.

5 **Q And what is her salary?**

6 A Her salary is around 75 or 80,000, as well.

7 **Q And how long has her salary been at that**

8 **level?**

9 A Since 2010.

10 **Q And what was it before that, if you know?**

11 A I don't know what it was before that.

12 **Q And when did Dorothy Williams come to work**

13 **for Jericho?**

14 A She was there when I arrived, so I honestly

15 don't know.

16 **Q And what was her job then?**

17 A When I came to Jericho, she was working with

18 finances at that point, as well.

19 **Q And who else works with Dorothy Williams in**

20 **finance?**

21 A Now, Deacon Jennie Jackson does and Deacon

22 Anne Wesley, as well.

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1 **Q Uh-huh. And are they both compensated?**

2 A Yes.

3 **Q And how much does Jennie Jackson get?**

4 A You know, I don't know. I would have to

5 check.

6 **Q And what is her job?**

7 A She -- she works collecting the funds and

8 making sure all the banking is done, you know,

9 the -- everything is added and counted for banking --

10 **Q Uh-huh.**

11 A -- tithing envelopes, to make sure those are

12 logged properly.

13 **Q And Deacon Anne Wesley, what is her job?**

14 A Deacon Anne Wesley works with the envelopes,

15 and she is also one of the overseers of the finances,

16 the tithes and offerings and everything.

17 **Q Is she a full-time employee, as well?**

18 A She is not.

19 **Q How much a week does she work?**

20 A She works three days a week.

21 **Q And do you know what her salary is?**

22 A I don't.

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1 **Q And how about Deacon Jennie; how many days a**
 2 **week does she work?**
 3 A She is a full-time employee. She is five
 4 days a week.
 5 **Q And who does the church use for any**
 6 **financial services, bookkeeping, accounting,**
 7 **certified public account or otherwise?**
 8 A Our Certified Public Accountant is Scaffold
 9 Forte.
 10 **Q And how long has Scaffold Forte been the**
 11 **Certified Public Accountant?**
 12 A He -- I don't know. I don't know. I have
 13 been working with him the last few years. Apostle
 14 Betty engaged him, so I don't know how long he has
 15 been with her.
 16 **Q And your responsibilities as secretary and**
 17 **then assistant administrator, what did they entail?**
 18 A Just overseeing the day-to-day working with
 19 the -- with the ministries and making sure that the
 20 members were -- were taking care of and anything they
 21 needed was, you know, was prepared and advised, if
 22 they came in for information, then any church

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1 information, we would -- we would provide, make sure
 2 that they knew what time the different classes were
 3 and what time the different ministry happenings at
 4 church and all of those things.
 5 **Q Did you do any work with the Board of**
 6 **Trustees?**
 7 A No.
 8 **Q Were you aware that there was a Board of**
 9 **Trustees?**
 10 A Initially, I wasn't.
 11 **Q When did you first become aware that the**
 12 **church was governed by a Board of Trustees?**
 13 A I think probably around 2000 when there
 14 was -- they were purchasing land. There was a land
 15 purchase or something, and then I realized -- and
 16 still not realizing the governing situation, because
 17 it was just during that time that I saw that there
 18 was an entity that did something else.
 19 **Q Did you believe prior to that time that**
 20 **basically the Apostle had full and complete control**
 21 **of the church?**
 22 A I would imagine so. I mean, I think -- I

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1 think that's probably what I thought, that she and
 2 the bishop, Bishop James R. Peebles, I thought they
 3 had complete control of the church.
 4 And then after he passed, you know, I felt
 5 like she was in control of the church.
 6 **Q Let's take a look at Defense Exhibit 2,**
 7 **which is the binder in front of you. Let's go to Tab**
 8 **18.**
 9 MR. MARKS: I'm sorry, which tab?
 10 MR. MALONEY: Eighteen.
 11 BY MR. MALONEY:
 12 **Q Tab 18 is the Two-Year Report for Nonprofit,**
 13 **Foreign and Domestic Corporations, which was filed on**
 14 **January 23, 2008, with the District of Columbia.**
 15 **Do you see Betty Peebles' signature at the**
 16 **bottom right there listed as president?**
 17 A I do.
 18 **Q All right. Does that appear to be her**
 19 **signature?**
 20 A It does.
 21 **Q All right. And then also listed in the**
 22 **middle of the document are the directors and**

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1 **officers.**
 2 **Do you see that?**
 3 A Yes.
 4 **Q All right. Do you know whose handwriting**
 5 **that's in?**
 6 A One of the volunteers at the church actually
 7 filled this out. It was Sandra Bowden.
 8 **Q And who is Sandra Bowden?**
 9 A Sandra Bowden actually -- she was
 10 volunteering with me. She is my sister.
 11 **Q She is --**
 12 A My sister.
 13 **Q She is your biological sister?**
 14 A Yes, uh-huh.
 15 **Q All right. And has she ever been a church**
 16 **employee?**
 17 A No.
 18 **Q All right. But at that time, she was**
 19 **volunteering?**
 20 A Yes.
 21 **Q And when you say she was volunteering, what**
 22 **was her job?**

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1 A She just came in and helped me in the office
 2 to do things that I needed around the office, so this
 3 was one of those things and she filled it out.
 4 **Q And so how many days a week would she**
 5 **volunteer?**
 6 A Three or four days a week sometimes.
 7 **Q Uh-huh. And how many years did she do that?**
 8 A About two years.
 9 **Q Okay. And do you remember which those years**
 10 **were?**
 11 A I don't exactly honestly -- maybe 2007/2008.
 12 **Q All right. Did you ask her to fill this**
 13 **out?**
 14 A I did.
 15 **Q And did you give her the names and addresses**
 16 **of the directors?**
 17 A Yes.
 18 **Q All right. And were those, to the best of**
 19 **your knowledge, in fact, the accurate names and**
 20 **directors of the members of the Board of Trustees at**
 21 **that point?**
 22 A That's was what I assumed it to be, yes.

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1 **Q All right. And where did you get that**
 2 **information?**
 3 A Actually, I -- I saw it on a prior document,
 4 some of these names, and so under the assumption that
 5 this was who we -- they were, I just filled it out.
 6 So no one gave me the information.
 7 **Q All right. But you saw them on the books**
 8 **and records of the corporation and then gave them to**
 9 **your sister to fill out on this form; is that**
 10 **correct?**
 11 MR. MARKS: Objection. That's a
 12 misstatement.
 13 MR. MALONEY: Excuse me. I haven't
 14 finished the question. Go ahead.
 15 MR. MARKS: Objection. Don't answer
 16 yet. I'm objecting because you're mischaracterizing
 17 the testimony. She didn't say she found that from
 18 the books and records of the corporation.
 19 MR. MALONEY: I'm actually asking her
 20 that, counsel, so she can say yes or she can say no.
 21 That's what a deposition is all about.
 22 MR. MARKS: Repeat the question,

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1 please.
 2 BY MR. MALONEY:
 3 **Q The question is this: So you found this**
 4 **information among the books and records of the**
 5 **corporation and asked your sister to put it on this**
 6 **form; correct?**
 7 A I actually found the information on -- the
 8 1996 document is the document that I was using --
 9 **Q All right.**
 10 A -- to answer that question.
 11 **Q Let's go take a look at the 1996 document,**
 12 **looking at Tab 14. Is that the document you're**
 13 **referring to?**
 14 A Yes.
 15 **Q And is that Betty Peebles' signature there?**
 16 A I'm sorry, Tab 14?
 17 **Q Tab 14, looking at the bottom right, is that**
 18 **Betty Peebles' signature there?**
 19 A Yes, uh-huh.
 20 **Q And --**
 21 A I'm sorry, that's not the document I'm
 22 thinking about.

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1 **Q All right. Well, let's keep looking.**
 2 A Okay. But if you want to look --
 3 **Q That says it's due January 15, 2006 --**
 4 A This document, I had never seen before.
 5 **Q Okay. We'll keep looking. What was the**
 6 **document you relied upon, if you know?**
 7 A It was the one that stated the board -- the
 8 Trustee Board.
 9 **Q Uh-huh. Have you ever seen that document**
 10 **recently?**
 11 A I have. Is it in here?
 12 **Q Well, when you say it stated the Trustee**
 13 **Board --**
 14 A Let's see.
 15 **Q Take your time.**
 16 A Okay.
 17 MR. MARKS: Would that be Tab 3?
 18 THE WITNESS: It is Tab 3.
 19 BY MR. MALONEY:
 20 **Q So you're referring to the Statement of**
 21 **Election to Accept of Jericho Baptist Church filed in**
 22 **1996; is that correct?**

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1 A Uh-huh, that's the one.

2 **Q All right. And so you relied upon this**

3 **document for the names of the directors with a couple**

4 **of exceptions.**

5 **At that point, was Assistant Pastor James**

6 **Peebles, Jr., deceased?**

7 A He was deceased.

8 **Q All right. And Lucy Lane -- Minister Lucy**

9 **Lane, what had become of her?**

10 A She was also deceased.

11 **Q Okay. So you believed at that point that**

12 **the -- when you gave this to your sister, Ms. Bowden,**

13 **that the trustees consisted of those surviving**

14 **members of this October 16th, 1996 document, who**

15 **would, in fact, be Betty Peebles, William Meadows,**

16 **Anne Wesley and Dorothy Williams; is that correct?**

17 A At that time, I assumed that that would

18 be -- that that was the case.

19 **Q All right. Also, at that time, the name of**

20 **Joel Peebles, Sr., was put on here, as well?**

21 A Yes.

22 **Q And how did that come to be?**

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1 A My assumption, I assumed that he should be

2 on the document, so I added it on.

3 **Q All right. Were you aware at that time that**

4 **he had been continuously listed as a trustee on other**

5 **filings since 1996 prior to the date of this**

6 **document?**

7 A No, I wasn't aware.

8 **Q All right. You've since become aware of**

9 **that; is that correct?**

10 A Yes, uh-huh.

11 **Q All right. Do you have any reason to doubt**

12 **that when Betty Peebles signed this document and**

13 **filed it and it was filed with the District of**

14 **Columbia, that the names that are listed here on Tab**

15 **18 -- Betty Peebles, Joel Peebles, William Meadows,**

16 **Anne Wesley and Dorothy Williams -- were, in fact,**

17 **the trustees of Jericho Baptist Church at that time?**

18 A I don't know. I honestly -- when I -- when

19 I filled the document out, I filled it out under the

20 assumption of, so Pastor signed the document.

21 That's, you know --

22 **Q Well, you presented it to Pastor for her**

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1 **signature; correct?**

2 A I did. I did.

3 **Q All right. And you presented it with her**

4 **signature for the purpose of filing it as a true and**

5 **accurate document with the District of Columbia;**

6 **isn't that correct?**

7 A That is correct.

8 **Q And you would not have had Pastor sign a**

9 **document for filing with the District if you did not**

10 **believe that it was true and accurate to the best of**

11 **your knowledge; correct?**

12 A That is correct.

13 **Q All right. And so at the time you presented**

14 **this document to Pastor for her signature, it was a**

15 **true and accurate document in terms of the listing of**

16 **the names of the trustees as you knew them at that**

17 **time; is that correct?**

18 A As I assumed them to be.

19 **Q All right. And since that time, there's**

20 **been no information that has come to your attention**

21 **that has caused you to doubt that or otherwise**

22 **believe that these were not the true and accurate**

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1 **trustees; isn't that correct?**

2 A No, sir, that's not. The reason I say

3 "assumed" is because the Apostle -- Apostle Betty

4 then told me that Joel was not on the Board of

5 Trustees.

6 **Q And when did she tell you that?**

7 A She told me that in 2010.

8 **Q All right. And when in 2010 did she tell**

9 **you that?**

10 A She -- she said it more than once, but I

11 don't -- I couldn't give you the actual month that

12 she said it.

13 **Q And can you tell me the circumstances under**

14 **which she said it?**

15 A Well, the question kept coming up in my

16 mind -- these are questions I had never asked before,

17 and she had mentioned it more than once, but then I

18 actually asked her.

19 **Q Uh-huh.**

20 A And she said -- because I asked a question.

21 **Q Uh-huh.**

22 A My question was, "Was there a document? Did

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1 you sign anything to put Elder Joel on the board?"

2 **Q Uh-huh.**

3 A And she said -- first she said no, and then

4 she said, "No, let me preface that; not to my

5 knowledge."

6 **Q Uh-huh.**

7 A So that is the reason I'm saying, you know,

8 I didn't know, because she told me that she didn't.

9 **Q Uh-huh. And what caused you to ask this**

10 **question of the Apostle?**

11 A Because the question of our board -- we were

12 having meetings, and I didn't understand -- I

13 honestly didn't understand why there was -- there

14 was -- I never really understood what Elder Joel's

15 place was, and you didn't always ask the Apostle all

16 of the questions.

17 So at that point, I just asked.

18 **Q And when you say "our board," are you**

19 **referring to the purported board chaired by**

20 **Ms. McClam-Magruder after March of 2009 or --**

21 A Yes, I'm talking about the current board

22 that's chaired by.

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1 **Q And so you went -- you went to the Pastor**

2 **and you said, "What is Joel's status," or something**

3 **like that?**

4 A No, I just asked her, was there a document

5 that -- which showed that he was ever on the

6 board -- on the old board.

7 **Q And her answer was what?**

8 A Her answer was -- first, she said no, then

9 she said, "No, let me preface that with, not to my

10 knowledge."

11 **Q All right. And when she -- did she dispute**

12 **that he was on the board or whether -- did she say,**

13 **"I'm not sure whether there's a document putting him**

14 **on the board"?**

15 A She said he was not on the board.

16 **Q Uh-huh. Did she say there was not or**

17 **she -- when she said she wasn't sure there was a**

18 **document, did you press her on that or did you just**

19 **leave the statement as it was?**

20 A I just left it. I didn't press her.

21 **Q All right. And when did this**

22 **statement -- when did this conversation take place in**

Page 44

1 **2010?**

2 A I can't tell you exactly. I would say in

3 the summer of 2010.

4 **Q All right. So it would have been the summer**

5 **prior to her death?**

6 A Yes.

7 **Q And what was her medical condition at that**

8 **point?**

9 MR. MARKS: Objection. Calls for

10 a -- there's no foundation that this witness has the

11 background to give a medical diagnoses of the

12 Apostle.

13 BY MR. MALONEY:

14 **Q Well, what was it that you could observe?**

15 A She was recovering. She was -- she was in

16 the healing process after surgery.

17 **Q Was she at home?**

18 A She was at home.

19 **Q Was she bed-bound?**

20 A Yes.

21 **Q And did she continue to have her illness**

22 **from which she finally died?**

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1 A Yes.

2 **Q All right. And was she in her bedroom?**

3 A Was she in her bedroom?

4 **Q Yes, when you had this conversation.**

5 A Yes.

6 **Q All right. And who else was present then?**

7 A No one, just she and I.

8 **Q All right. And there was no specific that**

9 **was going on that caused you at this point while she**

10 **was bed-bound with her final illness to ask this**

11 **question?**

12 A No, it was just a question that had been on

13 my heart.

14 **Q That had been on your heart. How long had**

15 **this question been on your heart?**

16 A Just for a few months.

17 **Q All right.**

18 A For a few months, because I had heard her

19 say that he wasn't on the board.

20 **Q All right.**

21 A She had said it more than once.

22 **Q So prior to that conversation with the**

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1 **bed-bound Apostle, you had not had any doubts about**
 2 **Joel being on the board until a few months earlier;**
 3 **is that right?**
 4 A I never considered it. I never -- I never
 5 thought about it one way or the other.
 6 **Q Well, you knew that she was on the -- that**
 7 **he was on the board at the time that you presented**
 8 **this document for the Apostle to sign; isn't that**
 9 **correct?**
 10 MR. MARKS: Objection. That's a
 11 mischaracterization.
 12 MR. MALONEY: Go ahead.
 13 MR. MARKS: She did not say she knew,
 14 she said she assumed.
 15 MR. MALONEY: Go ahead.
 16 A Yeah, I did assume. I didn't know.
 17 BY MR. MALONEY:
 18 **Q And when you presented this document to the**
 19 **Apostle for her signature, she did not question Joel**
 20 **Peebles' presence on her as a member of the Board of**
 21 **Trustees, did she?**
 22 A She did not.

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1 **Q And she didn't say anything here as far as**
 2 **him not being on the board; isn't that correct?**
 3 A She did not.
 4 **Q All right. And after she signed this**
 5 **document, you, yourself, took pains to make sure that**
 6 **it was filed with the District of Columbia regulatory**
 7 **authorities; isn't that correct?**
 8 A That is correct.
 9 **Q And since that time, you have done nothing**
 10 **to correct the filing that you made in 2008 with the**
 11 **District of Columbia stating that he is a member of**
 12 **the board; isn't that correct?**
 13 A That is correct.
 14 **Q Now, I'm going to ask you to -- and with**
 15 **respect to this particular document right here, was a**
 16 **copy of that continued to be maintained at Jericho**
 17 **today?**
 18 A Yes.
 19 **Q Did you fill out the information on this**
 20 **document as far as the operating church and outreach**
 21 **ministries and all of that or did your sister do**
 22 **that?**

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1 A My sister did.
 2 **Q Okay. And did you give her instructions as**
 3 **to how to fill that out?**
 4 A Yes.
 5 **Q All right. Looking at Tab 19, the personal**
 6 **property returns, the period of 2008, there it lists**
 7 **the directors as Betty Peebles, Joel Peebles, Anne**
 8 **Wesley and Dorothy Williams.**
 9 **Do you see that?**
 10 A Yes.
 11 **Q And who filled that out?**
 12 A Sandra Bowden, also.
 13 **Q All right. And did she fill it out at your**
 14 **direction?**
 15 A Yes.
 16 **Q And did you review this with the Apostle, as**
 17 **well?**
 18 A Yes.
 19 **Q All right. And did she approve it?**
 20 A She did.
 21 **Q And after she approved it, did you then file**
 22 **it with the Maryland Department of Assessments and**

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1 **Taxation, Personal Property Division?**
 2 A I did.
 3 **Q And you understood that this was to be a**
 4 **corporate tax return for the personal property of the**
 5 **Jericho Baptist Church.**
 6 **You understood that; correct?**
 7 A Yes.
 8 **Q And you understood that it was important**
 9 **that it be true and accurate to the best of your**
 10 **ability; is that correct?**
 11 A That's correct.
 12 **Q And at the time you effectuated its filing**
 13 **with the Department of Assessments and Taxation, you**
 14 **made sure that everything on here was true and**
 15 **correct to the best of your knowledge; is that**
 16 **correct?**
 17 A To the best of my knowledge.
 18 **Q And at that point, you believed that Joel**
 19 **Peebles was an officer and director as listed here to**
 20 **the best of your knowledge; is that correct?**
 21 MR. MARKS: Objection. Objection.
 22 That's a mischaracterization of her prior testimony.

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1 MR. MALONEY: Go ahead.
 2 MR. MARKS: She said she assumed.
 3 A Yeah, I did assume that.
 4 BY MR. MALONEY:
 5 Q And that was to the best of your knowledge
 6 at that point; is that correct?
 7 A At that point, it was.
 8 Q All right. And when you reviewed this
 9 document with Joel Peebles name on there as a
 10 director with the Apostle, she did nothing to correct
 11 it or tell you to remove the name -- Joel Peebles'
 12 name from the Board of Trustees?
 13 MR. MARKS: Objection.
 14 MR. MALONEY: Go ahead.
 15 MR. MARKS: Hold on. There's an
 16 objection, counsel.
 17 This document does not say Joel Peebles
 18 was a director. It says -- it lists as vice
 19 president.
 20 BY MR. MALONEY:
 21 Q Did she at any time tell you to remove Joel
 22 Peebles' name from this document?

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1 A She did not.
 2 Q Okay. I'm going to show you now if you
 3 would take a look at Tab 17. This is an unanimous
 4 Consent of Directors in Lieu of a Meeting, the
 5 directors of Jericho Baptist Church with respect to
 6 financing the Jericho Senior Apartments.
 7 And on Page 2, there is a document which
 8 lists the directors as Betty Peebles, Joel Peebles,
 9 Anne Wesley, Dorothy Williams and William Meadows.
 10 Do you see that?
 11 A Yes, I do.
 12 Q All right. Have you seen this document
 13 before today?
 14 A Yes, I have.
 15 Q And when have you seen it?
 16 A During the settlement of the -- for the
 17 senior living, some of these documents were in there.
 18 Q All right. And as part of the settlement
 19 for the senior-living housing, the Board of Trustees
 20 was required to approve a document giving, such as we
 21 see here in Tab 17, which would give the unanimous
 22 consent of the directors to empower Betty Peebles to

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1 execute the settlement documents necessary for this
 2 project; correct?
 3 A Yes.
 4 Q All right. And this is the document that
 5 does that; right?
 6 A Yes.
 7 Q All right. And looking at Page 2, we see
 8 the signature of Betty Peebles that's listed there;
 9 correct?
 10 A Yes, we do.
 11 Q All right. And that's her signature; right?
 12 A Yes, it is.
 13 Q All right. And then we also see the
 14 signatures of Joel Peebles, Anne Wesley, Dorothy
 15 Williams and William Meadows; is that correct?
 16 A Yes.
 17 Q And were all those signatures obtained at
 18 that time?
 19 A I don't know.
 20 Q All right. But this remains on the books
 21 and records of the Jericho Baptist Church; is that
 22 correct?

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1 A Yes.
 2 Q And you saw this contemporaneously; in other
 3 words, at the time that the senior living financing
 4 was taking place; isn't that correct?
 5 A That's correct.
 6 Q And at no time did Betty Peebles ever tell
 7 you to remove Joel Peebles' name as a director at
 8 that time when this document was prepared; is that
 9 correct?
 10 MR. MARKS: Objection. There is no
 11 foundation that this witness is aware of how this
 12 document was prepared.
 13 MR. MALONEY: That's not my question.
 14 BY MR. MALONEY:
 15 Q My question is: 2007 at the time that the
 16 document was executed, do you have any recollection
 17 of Betty Peebles telling you to take Joel Peebles'
 18 name off this document or that his name should not be
 19 on the document?
 20 MR. MARKS: Again, I object. There is
 21 no foundation to show that this witness had any
 22 contact prior to the execution of this document --

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1 any contact with the Apostle.
 2 BY MR. MALONEY:
 3 **Q Were you the Apostle's secretary in 2007?**
 4 A Yes.
 5 **Q Do you have any recollection of her -- or**
 6 **during the period of time that you were her secretary**
 7 **in 2007 telling you to remove the name of Joel**
 8 **Peebles from any documents relating to the financing**
 9 **of senior living?**
 10 MR. MARKS: Objection. There's no
 11 foundation to know that she knew.
 12 MR. MALONEY: Go ahead.
 13 MR. MARKS: You may answer if you know.
 14 A She never asked me to remove his name from a
 15 document --
 16 BY MR. MALONEY:
 17 **Q Okay.**
 18 A -- if that's the answer that you want, she
 19 never --
 20 **Q Not only this document, but any other**
 21 **document that you're aware of where he was listed as**
 22 **a trustee; is that correct?**

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1 A No, she did not.
 2 **Q Let's go to Tab 14. Did you, yourself, by**
 3 **the way, ever participate or attend any meetings of**
 4 **the Board of Trustees prior to her death other than**
 5 **the board that -- the, quote, "new board" that is**
 6 **here?**
 7 A No, I don't remember -- I don't recall
 8 any -- attending any meetings.
 9 **Q Okay. Showing you what is Tab 14, is that**
 10 **the Pastor's signature down at the bottom there?**
 11 A It is.
 12 **Q All right. And are the trustees and**
 13 **directors listed here in the middle of the document?**
 14 A Yes, there is a list.
 15 **Q And whose handwriting is that, if you know?**
 16 A I don't know that I know whose this is.
 17 **Q All right. And did you take -- make efforts**
 18 **to make sure that this document was properly filed**
 19 **with the District of Columbia on or about the filing**
 20 **date, which appears to be April of 2007?**
 21 A I have to say, I have no knowledge. I'm not
 22 sure about this document. I'm not sure that

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1 I -- that I filed this.
 2 **Q You think someone else might have besides**
 3 **you?**
 4 A Someone else may have.
 5 **Q Okay.**
 6 A I'm not familiar with that one.
 7 **Q Okay. Showing you what is now Tab 12, this**
 8 **is a Corporate Resolution to Borrow dated September**
 9 **29th of 2002, and directing your attention to the top**
 10 **of Page 4, is that the Apostle's signature there?**
 11 A It is.
 12 **Q All right. And do you see the names of the**
 13 **other trustees there -- Joel Peebles, John Peebles,**
 14 **William Meadows, Dorothy Williams and Anne Wesley?**
 15 A Okay. Yes, I do. I'm sorry. I do.
 16 **Q Have you seen this document before today?**
 17 A I will tell you in one second. Yes, I have.
 18 **Q And when and under what circumstances?**
 19 A I believe I may have seen it in a settlement
 20 book for the business center, I believe this may be.
 21 **Q All right. And do you have any reason to**
 22 **doubt the authenticity of the signatures or the**

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1 **genuineness of the document?**
 2 A No, I don't.
 3 **Q All right. Do you recall Betty Peebles ever**
 4 **telling you to remove Joel Peebles' name from this**
 5 **document?**
 6 A I had no knowledge of this document when it
 7 was being executed.
 8 **Q But since then, you never -- you have no**
 9 **recollection of Betty Peebles telling you that Joel**
 10 **Peebles' name should not be listed as a trustee?**
 11 A No, she never told me that.
 12 **Q All right. I'm going to show you -- let's**
 13 **now take a look at Tab 11. This is the two-year**
 14 **report of Jericho Baptist Church that appeared to**
 15 **have been filed in September of 2002.**
 16 **Do you see that?**
 17 A Okay. Two thousand two, I see that.
 18 **Q All right. And directing your attention to**
 19 **the bottom right, do you see Joel Peebles' signature**
 20 **there?**
 21 A I do.
 22 **Q All right. And did you make efforts to have**

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1 **this document filed with the District of Columbia at**
 2 **that time?**
 3 A No, I have never seen this document.
 4 **Q And do you know who, in fact, filed this**
 5 **document with the District of Columbia?**
 6 A I don't know.
 7 **Q You would agree that that is Joel Peebles'**
 8 **signature there?**
 9 A It is.
 10 **Q Directing your attention to Exhibit Number**
 11 **10, these are Certificates of Organizational**
 12 **Documents and there are two documents here. Why**
 13 **don't you take a minute and look them over.**
 14 **Directing your attention to the last page**
 15 **when you're ready --**
 16 A Okay.
 17 **Q -- these list the trustees as Betty Peebles,**
 18 **Joel Peebles, John Peebles, William Meadows, Dorothy**
 19 **Williams and Anne Wesley.**
 20 **Do you see that? Does that appear to be**
 21 **Betty Peebles' signature as the first one as trustee?**
 22 A Yes, it is.

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1 **Q Does that appear to be Joel Peebles'**
 2 **signature as the second trustee?**
 3 A His signature is there, yes.
 4 **Q And underneath that, does that appear to be**
 5 **the signature of the now deceased Elder John R.**
 6 **Peebles, Sr.?**
 7 A Yes.
 8 **Q And have you seen this document before among**
 9 **the books and records of the corporation?**
 10 A I haven't seen this document before.
 11 **Q Okay. But you have no doubt that the**
 12 **signatures there are genuine; is that correct?**
 13 A They appear to --
 14 MR. MARKS: Objection, no foundation.
 15 BY MR. MALONEY:
 16 **Q Showing you now what is document at Tab 9,**
 17 **this is the District of Columbia Two-Year Report for**
 18 **January 15th, 2000.**
 19 **Do you see Betty Peebles' signature; is that**
 20 **her signature at the bottom, right?**
 21 A It is.
 22 **Q And at that point, lists the trustees here**

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1 **as Betty Peebles, Clarence Jackson, John Peebles,**
 2 **Betty Peebles, Joel Peebles, Anne Wesley and Dorothy**
 3 **Williams.**
 4 **Do you see that?**
 5 A Yes.
 6 **Q All right. And did you have any role in**
 7 **preparing or submitting this document to the District**
 8 **of Columbia?**
 9 A No, I didn't.
 10 **Q Okay. Directing your attention to Exhibit 8**
 11 **or Tab 8, this is the Certificate of Organizational**
 12 **Documents. Do you see this?**
 13 A Okay.
 14 **Q Have you seen this document before?**
 15 A I don't -- this is not familiar to me.
 16 **Q All right. Do you recognize Betty Peebles'**
 17 **signature twice on Page 2?**
 18 A Yes.
 19 **Q And do you recognize the signature of Anne**
 20 **Wesley, the church clerk at the bottom?**
 21 A Yes.
 22 **Q Okay.**

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1 A Could you explain what the document is,
 2 Adoption of Resolution for --
 3 **Q Well, I'm the one asking questions.**
 4 A I'm sorry.
 5 **Q But I'll be happy to tell you. This is**
 6 **affirming that Exhibit A is a true and correct copy**
 7 **of the organizational documents that bar and**
 8 **basically authorizes borrowing on behalf of the**
 9 **corporation.**
 10 A All right.
 11 MR. MARKS: Okay. Let me ask you, my
 12 Tab 8 does not have any Exhibit A, B or C. Does
 13 yours?
 14 MR. MALONEY: No.
 15 BY MR. MALONEY:
 16 **Q The -- I would like to now direct your**
 17 **attention to Tab 5.**
 18 **Do you recognize this document?**
 19 A I think I have seen this document before.
 20 **Q And when do you think you've seen it before?**
 21 A It may have been in one of the settlement
 22 books, as well. I'm not sure.

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1 **Q All right. And directing your attention to**
 2 **Tab 3, Statement of Election to Accept, Jericho**
 3 **Baptist Church, which we looked at earlier.**
 4 A Oh, yes, this one, I'm familiar with.
 5 **Q And you recognize Betty Peebles' signature**
 6 **at the bottom, right; is that correct?**
 7 A That is correct.
 8 **Q And you recognize the signature of the**
 9 **secretary clerk Deacon Anne Wesley at the bottom,**
 10 **left; is that correct?**
 11 A Yes, I do.
 12 **Q Now, showing you Tab 2, which is the bylaws**
 13 **of the Jericho Baptist Church, Incorporated, have you**
 14 **ever seen this document before?**
 15 A I have.
 16 **Q And when have you seen this?**
 17 A In some of the documents at the church, I
 18 have seen it.
 19 **Q And have you seen it in the form that it**
 20 **appears here today?**
 21 A Yes.
 22 **Q All right. Is this, in fact, the current**

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1 **operative bylaws of the Jericho Baptist Church?**
 2 A No.
 3 **Q Is there a new set of bylaws that has been**
 4 **formally adopted?**
 5 A Yes.
 6 **Q And when was it formally adopted?**
 7 A In December, 2010.
 8 **Q All right. And who adopted it at that time?**
 9 A The current Board of Directors.
 10 **Q Was this --**
 11 A Board of Trustees -- I'm sorry.
 12 **Q Was this the bylaws that was in effect --**
 13 **this Tab 2 -- up until the Board of Trustees adopted**
 14 **new bylaws in December of 2010?**
 15 A Yes.
 16 **Q And would these have been the bylaws that**
 17 **were in effect in March of 2009?**
 18 A Yes.
 19 **Q And with respect to the new bylaws that were**
 20 **adopted in December of 2010, when were they adopted**
 21 **in December; at a meeting?**
 22 **Was there a meeting called for that purpose?**

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1 A There was a meeting called. We worked -- we
 2 worked on them continually, so I cannot recall
 3 exactly.
 4 Yes, I know there was a meeting of the
 5 bylaws. The meeting for the adoption of the bylaws
 6 is what I don't recall, which meeting we adopted
 7 them.
 8 **Q When you say "we worked on them**
 9 **continually," who is "we"?**
 10 A The Apostle --
 11 **Q Uh-huh.**
 12 A -- because she actually started -- she
 13 started the bylaws back in -- I think it was May of
 14 2009 --
 15 **Q Uh-huh.**
 16 A -- because there was a resolution passed
 17 that would give her authority to write new bylaws.
 18 **Q Uh-huh. And who adopted that resolution?**
 19 A The current board.
 20 **Q The board that purportedly took office in**
 21 **March of 2009?**
 22 A The board that the Apostle was a part of on

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1 2009.
 2 **Q We're going to get to that in a minute, but**
 3 **what I'm asking you, in fact, it wasn't the old board**
 4 **that we see reflected in these documents?**
 5 A No.
 6 **Q Okay. And with respect to that resolution,**
 7 **did that resolution have a number, like 02 or 03?**
 8 A I'm sure it has a number, but I don't
 9 remember.
 10 **Q Who prepared that resolution?**
 11 A The Apostle worked with Isaac Marks.
 12 **Q To prepare the Resolution?**
 13 A Uh-huh.
 14 **Q Who prepared the new bylaws?**
 15 A I'm not -- I believe -- I'm only -- the
 16 Apostle worked on those bylaws and then gave them to
 17 us. When we got them, we had a copy. It may have
 18 been Isaac Marks. I'm not sure.
 19 **Q And how did the new bylaws differ from the**
 20 **old bylaws?**
 21 A Well, the Apostle started to put a little
 22 bit more in place than a one-page bylaw.

<p style="text-align: right;">Page 66</p> <p>1 Q Well, in terms of substance, as far as the 2 organization of the church, the membership of the 3 Board of Trustees, the selection procedure and things 4 like that, how, if at all, did the new bylaws differ 5 from the old bylaws? 6 A I don't know how they differed, but now 7 there is something distinct on the bylaws saying that 8 we would have an election of -- of trustees and that 9 there would be three to nine members on the trustee 10 board, that sort of thing. That's different than is 11 on this. 12 Q And who elected the trustees under the new 13 bylaws, the current trustees? 14 A Who elected the trustees? 15 Q What is the election -- who gets to decide 16 who the trustees are? 17 A Oh, I see. Who -- in other words, in 18 upcoming election? 19 Q Yes. 20 A Who would -- yes, uh-huh, the trustee board 21 would. 22 Q So it's a self-perpetuating board; correct?</p>	<p style="text-align: right;">Page 68</p> <p>1 strike that. 2 Did there come a time in March of 2009 when 3 you participated in an effort to remove members of 4 the old board and to create a new board? 5 MR. MARKS: I'm sorry, counsel, what's 6 the question? 7 MR. MALONEY: Read the question back if 8 you would. 9 (Record read.) 10 MR. MALONEY: Go ahead. You may 11 answer. 12 A I didn't participate in removing, no. 13 BY MR. MALONEY: 14 Q Did you have any role -- 15 A I wouldn't say. 16 Q -- whatsoever? 17 A No, the Apostle made the decision to change 18 the board, so I'm not quite sure when you say 19 "participate." 20 Q Did you assist the Apostle in carrying out 21 that decision? 22 A Oh, no, she makes her own decisions. She</p>
<p style="text-align: right;">Page 67</p> <p>1 A Yes, uh-huh. 2 Q And did Mr. Marks assist in the preparing of 3 that document, as well? 4 A I'm not sure. 5 Q Was there an actual meeting with notice that 6 took place of the trustees to adopt the new bylaws in 7 December of 2010? 8 A I would have to -- I would have to go back 9 and think about that. I'm not -- I don't remember 10 exactly. 11 Q So you don't remember any formal adoption 12 one way or the other, you would have to think about 13 it? 14 A I do have to. I have to -- 15 Q And I take it that because the Apostle died 16 on October the 12th of 2010, that during her 17 lifetime, the only bylaws that were in effect was the 18 version we see here at Tab 2? 19 A That would be -- that's correct. 20 Q And I would like to talk to you about the 21 purported election of the new board. 22 Did there come a time in October -- or</p>	<p style="text-align: right;">Page 69</p> <p>1 always made her own decisions. 2 Q I'm not saying in arriving at that decision, 3 I'm saying in implementing the decision; did you 4 assist the Apostle in carrying out the decision once 5 she made it? 6 A Assist her in carrying out the decision? I 7 may have called a couple of people to advise them of 8 the meeting. 9 Q Uh-huh. 10 A Yes. 11 Q What meeting was that? 12 A That, I did. The meeting when she called to 13 have the new trustees sign on to the board. 14 Q When you say "sign on to the board," if you 15 could hand me the document to your right 16 here -- (Handing) 17 I'm going to show you what is styled 18 "Trustee Acknowledgment" dated March 15th, 2009, and 19 that's listed as Plaintiff's Exhibit Number 8. 20 And it appears to have your signature, the 21 5th down; is that correct? 22 A That is correct.</p>

18 (Pages 66 to 69)

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1 **Q All right.**
 2 A That's correct.
 3 **Q And is that Betty Peebles' signature at the**
 4 **top there?**
 5 A It is.
 6 **Q And did you sign that document on or about**
 7 **March 15th of 2009?**
 8 A I did.
 9 **Q And tell me how this old -- tell me how the**
 10 **process came about to create a new board.**
 11 A I can't -- I don't know the process. I
 12 can't tell you how it came about, because the Apostle
 13 did it without me. It wasn't something that I was
 14 involved in the process of.
 15 **Q Who was involved in that process?**
 16 A I don't know, honestly.
 17 **Q Was Mr. Marks involved in the process?**
 18 A I'm sure he was.
 19 **Q And why are you sure that he was?**
 20 A Because I had -- he delivered the documents
 21 to the church.
 22 **Q Uh-huh. And what documents were they that**

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1 **he delivered to the church?**
 2 A The document -- this is one of the
 3 documents --
 4 **Q Uh-huh.**
 5 A -- that he delivered.
 6 **Q Were the other documents including those**
 7 **that purported to elect the new trustees?**
 8 A Yes.
 9 **Q All right.**
 10 A That did elect the new trustees.
 11 **Q Yes. And how was it that Mr. Marks came to**
 12 **the church to do that? Did someone ask him to do**
 13 **that or --**
 14 MR. MARKS: Let me object to that
 15 question. You don't have to answer that.
 16 MR. MALONEY: Go ahead.
 17 MR. MARKS: No, do not answer the
 18 question. That's privileged information.
 19 MR. MALONEY: Bringing the documents to
 20 the church? That's not privileged.
 21 MR. MARKS: That's not what you asked
 22 her.

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1 BY MR. MALONEY:
 2 **Q All right. When did he bring the documents**
 3 **to the church?**
 4 A On the 15th.
 5 **Q All right. And what other documents besides**
 6 **that one did he bring?**
 7 MR. MARKS: Objection to that question.
 8 That's privileged information. You don't have to
 9 answer.
 10 BY MR. MALONEY:
 11 **Q Did he bring the documents for the election**
 12 **of officers?**
 13 A Yes, he did.
 14 **Q Uh-huh. Who else was present on March 15th,**
 15 **2009?**
 16 A Present?
 17 **Q During all these events involving the**
 18 **election of new direction -- new directors.**
 19 A All of the members that are listed on this
 20 document A were present during that -- during that
 21 time.
 22 **Q Well, were they all present at the same**

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1 **time?**
 2 A Not all at the same time, because some
 3 people were late coming in.
 4 **Q All right. Is it basically -- you were**
 5 **present during the testimony of the previous witness;**
 6 **correct?**
 7 A Uh-huh.
 8 **Q Was she accurate when she said that**
 9 **people -- different people came in at different times**
 10 **to sign the document?**
 11 A That is correct.
 12 **Q All right. So there wasn't one, big formal**
 13 **meeting that was called with all the signatories to**
 14 **that document in the same room; is that correct?**
 15 A Actually, the Apostle did call a formal
 16 meeting. It was after church, so people were late
 17 coming into the meeting, so she carried on.
 18 **Q All right. So in other words, people would**
 19 **show up, sign the document and leave; is that**
 20 **correct?**
 21 A Some people just showed up and signed the
 22 document and left, some people stayed for a while.

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1 **Q Okay.**
 2 A It was different. Different people did
 3 different things.
 4 **Q All right. There weren't any minutes kept**
 5 **of any meeting, were there, that you're aware of?**
 6 A There aren't minutes of this meeting.
 7 **Q All right. When did you first learn that**
 8 **there would be some change in the Board of Trustees?**
 9 A On the -- on the 15th.
 10 **Q On that day?**
 11 A No, I'm sorry. Let me preface that with,
 12 the Apostle had already asked me to be -- if I would
 13 be on the Board of Trustees before that day.
 14 **Q Uh-huh. Tell me about that conversation.**
 15 A So that's -- it was as simple as that, that
 16 she was adding to the board or changing the board,
 17 and she asked me if I would be a part and I said yes,
 18 so --
 19 **Q Did you believe the Apostle had the ability**
 20 **by herself to simply change the Board of Trustees**
 21 **without the consent or approval of any other member**
 22 **of the Board of Trustees?**

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1 A Yes.
 2 **Q And why did you believe that?**
 3 A Because she always operated -- that's the
 4 way the church operated. The Apostle had the ability
 5 and the authority to do anything at the church that
 6 she so chose. That's what we saw and that's the way
 7 the church operated.
 8 **Q And what was the source of that authority?**
 9 A What was the source of that authority?
 10 **Q Yes.**
 11 A It was her authority. That's the way we saw
 12 it operate.
 13 **Q Was this from the power of her personality**
 14 **or from divine intervention or what?**
 15 MR. MARKS: She was the Apostle.
 16 MR. MALONEY: That's what I'm asking.
 17 A Yeah, she was the Apostle, and if the
 18 Apostle asked us to do it and she said it and it was
 19 within the will of God, we did it, so yes, she
 20 operated the church.
 21 BY MR. MALONEY:
 22 **Q And how would you determine if this change**

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1 **in this Board of Trustees was within the will of God?**
 2 A Oh, I wouldn't determine that. The Apostle
 3 said she was going to make a change and I accepted
 4 the fact she was making a change, so I would know
 5 that she already prayed about it.
 6 **Q All right. So your belief that she could**
 7 **change the composition of the Board of Trustees**
 8 **without approval from any other trustee, was that**
 9 **based on your review of any of the bylaws or the**
 10 **documents or the law of the District of Columbia or**
 11 **anything like that?**
 12 A It was not.
 13 **Q Okay. And so she came to you and asked you**
 14 **to serve on the Board of Trustees and it was as**
 15 **simple as that; correct?**
 16 A Yes.
 17 **Q Were you working in your office that day?**
 18 A Yes.
 19 **Q What else did she tell you other than that?**
 20 A Not much more than that. That was it.
 21 **Q Did she tell you she wanted you to join the**
 22 **Board of Trustees?**

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1 A Yes.
 2 **Q Did she say anything else expressing in any**
 3 **way her dissatisfaction with the previous trustees or**
 4 **why she wanted new trustees or anything like that?**
 5 A She did not share that with me.
 6 **Q Did she tell you who the other trustees were**
 7 **going to be?**
 8 A She did not share that either.
 9 **Q All right. And you said yes when she told**
 10 **you that?**
 11 A Yes.
 12 **Q How far in advance of this date, March 15,**
 13 **2009, did that conversation take place?**
 14 A Probably a couple of weeks.
 15 **Q All right. Do you recall anything -- and**
 16 **that's the first time you had any inkling there was**
 17 **going to be a change on the board?**
 18 A Yes.
 19 **Q Who were the members of the board at that**
 20 **time?**
 21 A The members that I knew to be was Elder
 22 Meadows, Deacon Anne Wesley, Deacon Dorothy Williams

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1 and, as I said, I assumed that Elder Peebles was.

2 **Q And did you discuss with her or did she say**

3 **anything about what she was going to do in terms of**

4 **removing any members of the old board?**

5 A We didn't discuss it.

6 **Q Uh-huh.**

7 A It never occurred to me to even ask that

8 question.

9 **Q Did she say anything to you about what**

10 **procedures she was going to follow to lawfully remove**

11 **those members from the board?**

12 A She never told me that she was going to

13 remove them.

14 **Q Are you aware of anything that was done by**

15 **the church or the Board of Trustees to lawfully**

16 **obtain the removal of Joel Peebles or William Meadows**

17 **or Ms. Wesley or anyone else --**

18 MR. MARKS: Objection.

19 MR. MALONEY: -- from the board?

20 MR. MARKS: There's no foundation. You

21 may answer if you know.

22 THE WITNESS: I need to understand the

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1 question now.

2 BY MR. MALONEY:

3 **Q The question is: Are you aware of anything**

4 **that the Apostle did or anyone else at Jericho to**

5 **lawfully obtain the removal of any of the directors**

6 **who purportedly no long every served as directors**

7 **after March 15th, 2009; specifically, Joel Peebles or**

8 **Mr. Meadows or Ms. Wesley or any of those**

9 **individuals?**

10 MR. MARKS: Objection to the

11 characterization of Joel Peebles being a board

12 member, but you may answer if you know.

13 A I don't know.

14 BY MR. MALONEY:

15 **Q Okay.**

16 A I don't know.

17 **Q And so after she told -- asked you to be on**

18 **the board and you said yes a couple weeks prior to**

19 **March 15th, 2009, did anything else happen as far as**

20 **the board or did you observe anything going on?**

21 **Were there meetings at the church with**

22 **Mr. Marks or anything else and the Apostle or**

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1 **anything else happening?**

2 MR. MARKS: Objection to the reference

3 to meetings with me, but you may answer to the extent

4 it does not include meetings with me.

5 A I didn't observe any meetings at the church.

6 BY MR. MALONEY:

7 **Q Now, in terms of the Elder Peebles who was**

8 **on the board, at that point, which of the Peebles'**

9 **children had survived March 15th -- March 15th of**

10 **2009? Who was still alive? Joel Peebles was the**

11 **surviving Peebles; correct?**

12 A Yes, that's correct.

13 **Q All right. So when you say you assumed that**

14 **Elder Peebles was on the board, you were referring to**

15 **Joel?**

16 A Yes. Yes, I'm sorry.

17 **Q And with respect to -- who was the corporate**

18 **counsel to the church in March of 2009?**

19 A Who was the corporate counsel?

20 **Q Right.**

21 A I don't want to lead or mislead. Are we

22 talking about Bobby Henry as being our General

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1 Counsel for the church?

2 **Q Well, let's ask specifically about that.**

3 **Who is Bobby Henry?**

4 A He was the General Counsel of the church.

5 **Q Was he General Counsel when you came to the**

6 **church as an employee in 1998?**

7 A You know, I don't know when Pastor brought

8 Bobby Henry on as counsel, so I'm not sure.

9 **Q Was he corporate counsel throughout most of**

10 **the time that you worked there?**

11 A Yes.

12 **Q All right. Did there come a time that he**

13 **stopped being corporate counsel?**

14 A During that time; no.

15 **Q At any time?**

16 A Yes.

17 **Q When was that?**

18 A Well, actually, I think it was the end of

19 February, March, 2011, we discontinued his services

20 as counsel.

21 MR. MARKS: Let's take a five-minute

22 break if we could. Now would be a good time.

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1 MR. MALONEY: Sure.
 2 THE VIDEOGRAPHER: Going off the
 3 record.
 4 The time is 11:01 a.m.
 5 (Whereupon, a recess was held from
 6 11:01 a.m. to 11:17 a.m.)
 7 THE VIDEOGRAPHER: Back on the record.
 8 The time is 11:17 a.m.
 9 BY MR. MALONEY:
 10 **Q So prior to March 15th of 2009, the only**
 11 **thing you were aware of about the change in the board**
 12 **was the Apostle asking you to serve on the board; is**
 13 **that correct?**
 14 A That's correct.
 15 **Q Now, March 15th, 2009, was a Sunday. I**
 16 **assume there were regular 8:00 o'clock and 11:00**
 17 **o'clock services that day?**
 18 A It was.
 19 **Q All right. Did you know in advance of March**
 20 **15th that there were going to be some action taken**
 21 **that day with respect to the board?**
 22 A I knew that Apostle told me she was going to

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1 have a meeting that day and she had given me a couple
 2 of names of people to call.
 3 **Q And who was that?**
 4 A And I -- I honestly don't remember at this
 5 point. I thought back on it and I was trying to
 6 remember who I actually called and I don't remember.
 7 **Q All right. And then what happened that day?**
 8 A I took the envelope -- she -- Apostle called
 9 me before 11:00 o'clock service. She called me at
 10 home and she said I would receive an envelope, and
 11 that I was to take it and put it in her office, and
 12 that, I did. I received the envelope and I took it,
 13 I put it in her office. It was sealed and --
 14 **Q What kind of -- was this a big, brown,**
 15 **Manilla envelope?**
 16 A White -- I think it was a white envelope.
 17 **Q It was not a small number 10, but a large --**
 18 A Large, large documents.
 19 **Q Who did you get the envelope from?**
 20 A Isaac Marks.
 21 **Q Was he present there for the services?**
 22 A Yes, uh-huh.

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1 **Q All right. And did there appear to be a**
 2 **thick envelope, but it had documents in it?**
 3 A It had documents in it, I could tell that.
 4 **Q Were those the documents that you later saw**
 5 **to be the ones relating to the election of officers?**
 6 A Yes, when the Apostle opened it then.
 7 **Q All right. So you got those from Mr. Marks.**
 8 **Where did you see Mr. Marks when you got the**
 9 **documents from him?**
 10 A Actually in service.
 11 **Q Was this the 8:00 o'clock or the 11:00**
 12 **o'clock?**
 13 A The 11:00 o'clock.
 14 **Q Do you have a service that you regularly**
 15 **attend?**
 16 A Usually 11:00 o'clock.
 17 **Q Okay. And then about what time of day did**
 18 **you get the documents from Mr. Marks, do you think?**
 19 A Might have been around 11:30 maybe. I don't
 20 remember exactly.
 21 **Q And who was preaching that day?**
 22 A Apostle Betty.

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1 **Q Okay. So you got the document about 11:30.**
 2 **What did you do with them?**
 3 A Took them to her office, followed her
 4 instructions, put them in the drawer that she told me
 5 to put them in.
 6 **Q What next happened with respect to the issue**
 7 **of the officers that day if you can recall?**
 8 A When Apostle finished ministering, she came
 9 to the office --
 10 **Q Uh-huh.**
 11 A -- and started to gather the folks that she
 12 had called to the meeting, so she had me going back
 13 and forth, making sure that folks were coming in
 14 because they were coming in slowly, and so she -- she
 15 said to wait for everybody to come in, and different
 16 people came in at different times, so -- and I was in
 17 and out because I was getting people or making sure
 18 that someone was coming and they hadn't gotten there
 19 yet, that sort of thing.
 20 **Q When you say you were getting people, were**
 21 **you having ushers or others go out and get the people**
 22 **for you?**

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1 A No, service was over.
 2 **Q Uh-huh.**
 3 A Service was over, so it was just a matter of
 4 going downstairs to see, are they coming over to the
 5 Administration Building to her office, you know, that
 6 sort of thing.
 7 **Q Uh-huh.**
 8 A It wasn't -- I didn't have anybody go get
 9 anyone.
 10 **Q And where was Joel Peebles, Sr., that day?**
 11 A I don't know.
 12 **Q Was he present at the church?**
 13 A Yes, he was at service.
 14 **Q Did he participate in the services?**
 15 A Yes.
 16 **Q And what, if anything, did she tell you**
 17 **about Joel Peebles, Sr., that day?**
 18 A She didn't tell me anything.
 19 **Q So she just never asked you to get him?**
 20 A No, she didn't.
 21 **Q All right. Did she ever express to you that**
 22 **she was going to remove Joel Peebles from the Board**

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1 **of Trustees?**
 2 A No.
 3 **Q Did she ever say anything to you that she**
 4 **was dissatisfied with Joel Peebles' service on the**
 5 **Board of Trustees?**
 6 A She never discussed that he was on the Board
 7 of Trustees.
 8 **Q Did she ever say anything to you that she**
 9 **was dissatisfied with his role in the church or**
 10 **anything like that?**
 11 A She would be -- sometimes mention that she
 12 was dissatisfied with each of us, so I'm not
 13 saying -- yes. So, yes, she was dissatisfied with
 14 him sometimes.
 15 **Q And when was that?**
 16 A I mean, I don't know that I can mention a
 17 specific instance right this -- right off the top of
 18 my head, but yeah, there were many times when she was
 19 dissatisfied. She was -- one of the main things that
 20 she would always mention is that he would go over
 21 8:00 o'clock service into 11:00 o'clock, so that
 22 would be a tension or dissatisfaction for her.

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1 That's an example.
 2 **Q Anything else you can think of?**
 3 A Not right at this second, there isn't.
 4 **Q So Joel Peebles was not asked to come here,**
 5 **but you don't know why. You don't know anything**
 6 **about what was going on with Joel Peebles at that**
 7 **point; is that correct?**
 8 A I don't. I really don't.
 9 **Q Okay. And so are you in her office when**
 10 **people begin to gather?**
 11 A Yes.
 12 **Q Now, there are people who come in to sign**
 13 **this document that we've seen -- this waiver as**
 14 **Exhibit A.**
 15 **Did some people just simply come in and sign**
 16 **the document and leave?**
 17 A She was talking to -- to individuals. She
 18 is talking to people, so no, they didn't just come in
 19 and sign and leave, but I cannot say I saw her have
 20 conversations with all of the different people; no, I
 21 didn't.
 22 **Q All right. So, in other words, some of**

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1 **these individuals, she would have one-on-one**
 2 **conversations, others would simply show up, sign the**
 3 **document and leave?**
 4 A Everyone was in the same room, so they
 5 weren't one-on-one conversations.
 6 But did some of them just show up and sign
 7 the document; no, she had conversation with each and
 8 every person that came into the room.
 9 **Q I understand that, but my question is: Were**
 10 **there some people who simply signed the document and**
 11 **left and others who stayed longer?**
 12 A Oh, yes.
 13 **Q Who were the ones who simply signed the**
 14 **document and left?**
 15 A I don't remember.
 16 **Q All right. How about William Meadows; what**
 17 **do you remember about Mr. Meadows that day, if**
 18 **anything?**
 19 A I remember Apostle Betty asking me where he
 20 was.
 21 **Q Uh-huh.**
 22 A And that she was expecting him. And so she

<p style="text-align: right;">Page 90</p> <p>1 said -- asked me to go see where he was. I went 2 downstairs and he was already about to come up on the 3 elevator, so he was already on his way. 4 Q And did he then show up? 5 A He did, uh-huh. 6 Q And what do you recall about Mr. Meadows 7 that day besides that? 8 A They had -- they had a cordial conversation 9 for a while. He stayed and talked with Apostle for 10 awhile. 11 At what point he signed the documents, I 12 don't remember, but I know he signed the documents, 13 and they talked about just general things, you know, 14 things -- they always had cordial, general 15 conversation, so they had some good conversation, and 16 then after that, he left. 17 Q Do you recall anything they talked about? 18 A I wouldn't be able to tell you. 19 Q Do you recall them discussing at all the 20 substance of what these documents represented? 21 A I don't remember them discussing it. 22 Q And you don't recall how long he stayed or</p>	<p style="text-align: right;">Page 92</p> <p>1 A For a Sunday afternoon like that, if she has 2 explained already -- this is an assumption -- my 3 assumption was that everyone knew why they were 4 coming. I knew why I was coming, so it was my 5 assumption that everyone already knew why they were 6 come to the meeting. 7 I didn't hear all of the conversation, as I 8 said, because I was in and out, so I don't know how 9 much she explained or not. 10 Normally, she would say something. She 11 would address everyone, let them know why they were 12 there. That would be her normal process. 13 And she did do some of that, but I didn't 14 hear all of that because I was in and out, so -- 15 Q So you were operating on the assumption that 16 anybody who came up already knew that they were there 17 to sign the documents and why they were there to sign 18 the documents; is that correct? 19 A Yes. 20 Q And you're basing that on your 21 communications with the Apostle; correct? 22 A Yes.</p>
<p style="text-align: right;">Page 91</p> <p>1 how long he left; is that correct? 2 A I don't. 3 Q All right. And with respect to Anne Wesley, 4 do you recall her specifically being there that day? 5 A Yes. 6 Q And do you know how long she stayed? 7 A She didn't stay very long. 8 Q Uh-huh. And with respect to -- I understand 9 from your conversation that there was never a formal 10 meeting where people were called to order and, you 11 know, a meeting was held. It was more people coming 12 and going; is that correct? 13 A Pastor had prayer and she continued on with 14 the -- with the meeting, but it was -- it was her 15 normal meeting process, so no, it -- 16 Q I don't know what her normal meeting process 17 is so why don't you describe that. 18 A I know. So in this situation, it wasn't 19 a -- I don't remember a call-to-order meeting like a 20 board meeting called to order. 21 Q What was the Apostle's normal meeting 22 process, just so I understand that?</p>	<p style="text-align: right;">Page 93</p> <p>1 Q All right. But you don't know for sure one 2 way or the other what actual communications she had 3 with any of the individuals who are listed in Exhibit 4 A; is that correct? 5 A That is correct. 6 Q All right. And you were in and out that 7 day, so you can't say for sure what was actually said 8 while you were out of the room, obviously? 9 A Absolutely. 10 Q And with respect to her communications, 11 there was not a situation where a meeting was 12 formally called to order and people took past 13 resolutions or took action or anything like that that 14 you can recall? 15 A No. 16 Q All right. This was basically people coming 17 and going and having informal conversations with the 18 Apostle; is that correct? 19 MR. MARKS: Objection to the 20 characterization. The testimony was that she didn't 21 know what the conversations were. 22 MR. MALONEY: Go ahead.</p>

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1 MR. MARKS: But you may answer if you
 2 know.
 3 A And I don't. I don't.
 4 BY MR. MALONEY:
 5 Q All right. But what you could
 6 actually -- you couldn't hear the conversation, but
 7 these would be conversations that the Apostle would
 8 be having with various individuals; is that correct?
 9 A I -- anyone that was in the room and if she
 10 was having conversation with an individual would have
 11 been able to hear it, because everyone was there
 12 together. It was not a -- she wasn't taking people
 13 aside or anything.
 14 Q All right. But my question is different.
 15 My question is: Was there a formal meeting called in
 16 which people were called to order and resolutions
 17 were introduced and people voted on them and things
 18 like that?
 19 Do you have any recollection of that
 20 happening?
 21 A No, I don't.
 22 Q Okay. And how long were people just sort of

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1 in the situation where they came in, talked to her
 2 and left? How long did that go on for?
 3 A Probably like an hour, hour and-a-half or
 4 so.
 5 Q All right. And was this a social thing at
 6 that point or --
 7 A No.
 8 Q -- spiritual, or what?
 9 A No.
 10 Q Okay. And after it was all over, then what
 11 happened?
 12 A Then we gathered the documents and prepared
 13 them so that we could send them back to the attorney.
 14 Q And was that done?
 15 A Yes, it was.
 16 Q Were all the signatures that are here on
 17 Exhibit A -- were they obtained that day?
 18 A Yes, uh-huh. Uh-huh.
 19 Q Okay. And show you -- if you could take a
 20 look at your binder here, let's take a look at Tab
 21 20. This is Resolution 01-109.
 22 Was this one of the documents that was in

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1 the packet that you obtained that day?
 2 A It was.
 3 Q And did you witness any of these signatures
 4 yourself or was that Ms. Wesley's job?
 5 A It was my job.
 6 Q All right. And did you -- which of these
 7 individuals do you have a recollection sitting here
 8 today of actually watching them sign it, if any?
 9 A I remember Gloria signing. I witnessed the
 10 Apostle's signature. I'm sure someone else probably
 11 did, too. I think I remember Norma Lewis signing,
 12 and I don't know who else I saw.
 13 Q All right. Do you have any recollection
 14 with respect to William Meadows, Anne Wesley or
 15 Dorothy Williams and them signing one way or the
 16 other?
 17 A I remember Dorothy being in the room. Did I
 18 actually notice her signing the document; I don't
 19 remember.
 20 Q How about William Meadows and Anne Wesley?
 21 A I was in and out. I saw it, Cousin Anne --
 22 we call her Cousin Anne -- I saw her in the room. I

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1 saw Dorothy in the room. I saw Elder Meadows in the
 2 room, and all of the documents were signed --
 3 Q My question --
 4 A -- so I can't say that I witnessed it.
 5 Q Right. And the second page of the document
 6 here that's Tab 20, was that held out separately so
 7 that people could sign it or do you have a
 8 recollection one way or the other?
 9 A Everything was laid out on the desk, so
 10 nothing was held out separately.
 11 Q Well --
 12 A Is that what you mean?
 13 Q Yes. And whose desk was it laid out on?
 14 A On the Apostle's desk.
 15 Q All right. The -- after the documents were
 16 obtained and signed, were the documents
 17 actually -- now, you don't know for sure that the
 18 Apostle had a conversation with each and every person
 19 in the room, do you?
 20 A No, I can't tell you that positively. I can
 21 only tell you that would be the norm. She wouldn't
 22 have someone come to her office and not have a

Page 98

1 conversation with him.

2 **Q And you don't know which of the individuals**

3 **she spoke with and which she did not; is that**

4 **correct?**

5 A That's correct.

6 **Q And you don't know what was said to the**

7 **individuals she did speak with either; is that**

8 **correct?**

9 A That's correct.

10 **Q There was no -- was there ever a time when a**

11 **meeting was called with the purported new trustees**

12 **for the Apostle or anyone else to tell them what**

13 **their role was going to be or what the agenda was**

14 **going to be or anything like that?**

15 **Do you recall anything like that?**

16 A After -- let me think now. Nothing that

17 day, of course.

18 There was a meeting called later. I can't

19 remember when, but she did meet with everyone again.

20 **Q And the meeting that was called later, how**

21 **long after March 15th, 2009, was that meeting?**

22 A I can't remember exactly. I want to say

Page 99

1 April, but I could be wrong.

2 **Q Uh-huh.**

3 A But I know it was before. It could have

4 been May.

5 **Q Uh-huh. Was Mr. Marks present that day in**

6 **the Apostle's office on March 15th, 2009?**

7 A No.

8 **Q All right. And the meeting that you think**

9 **might have been called later -- April or later --**

10 **what was the purpose of that meeting, if you can**

11 **recall?**

12 A She -- to talk with the board, and after a

13 point, she also decided to -- to make the board a

14 smaller group, so there was a meeting called for

15 that.

16 **Q And what do you recall about making the**

17 **board a smaller group?**

18 A That she met with those individuals

19 individually --

20 **Q Uh-huh.**

21 A -- to talk with them about who -- who she

22 wanted to --

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1 **Q So she decided there were certain people she**

2 **wanted to have resign?**

3 A Yes.

4 **Q And why did she want to make the board a**

5 **smaller group?**

6 A She said -- she just said it would be easier

7 to work with a smaller group at this time.

8 **Q Uh-huh.**

9 A And she didn't -- she didn't tell them that

10 they were going to be removed forever. She didn't

11 say that to me. I did not meet with her with them,

12 she met with them individually.

13 **Q Uh-huh.**

14 A But she just decided that it would work for

15 a smaller --

16 **Q And how did these individuals react to that**

17 **news?**

18 A Everyone that I saw was -- was just as

19 pleased as when she asked them to be a part, because

20 we always adhered to the Apostle's wishes.

21 If she was asking you to do something for

22 her and we felt like it was within the realm of what

Page 101

1 the Lord was saying, and we always felt that, then

2 that's what they did.

3 So everybody was -- everybody was cordial

4 about it.

5 **Q I will show you what is marked as Tab 22 in**

6 **the book.**

7 A Okay.

8 **Q That's a resignation letter from Jennie**

9 **Jackson dated May 27th, 2009.**

10 **Do you see that?**

11 A Yes.

12 **Q Is that on or about the time when this**

13 **meeting was held?**

14 A It could be, yes.

15 **Q All right. And there are similar letters**

16 **from Bruce Landsdowne, Norma Lewis, Dorothy Wood and**

17 **Dorothy Williams. Were those -- that follow in Tabs**

18 **24, 25 and -- 25.**

19 **Were those individuals also asked to resign?**

20 A Yes.

21 **Q All right. Did Dorothy Williams resign and**

22 **later rejoin the board or did she remain off the**

Page 102

1 board?

2 A She resigned and rejoined the board.

3 Q All right. And when did she rejoin the

4 board?

5 A I think it's October-ish of 2010, I believe.

6 Q So it's after the death of the Apostle?

7 A Yes.

8 Q How was it that Dorothy Williams came to

9 rejoin the board?

10 A The Apostle said she wanted her back on the

11 board. She had already told us that.

12 Q You mean, prior to her death?

13 A Yes, uh-huh.

14 Q So after her death, the Apostle's wishes

15 were carried out?

16 A That is correct.

17 Q And how was that done?

18 A We did it by vote and resolution.

19 Q Is there a formal resolution of the board

20 that appointed Dorothy Williams?

21 A Yes.

22 Q And when you say "board," are you referring

Page 103

1 to the group that purportedly is led by Gloria

2 McClam-Magruder?

3 A Yes, I am referring to the current board.

4 Q And with respect to the phrase that's used

5 in these resignations, "due to the elimination of the

6 number of trustees per the bylaws of the church," are

7 you aware of there being any limitation in the

8 bylaws -- referring you to Tab Number 2 -- on the

9 number of trustees who may serve?

10 A No, I'm not aware and I wasn't aware then

11 either.

12 Q Were these individuals who resigned -- were

13 they told that there was a limitation on the number

14 of trustees under the bylaws?

15 A Pastor met with them individually.

16 Q That's not my question. My question is:

17 Were they told that there was a limitation on the

18 number of trustees in the bylaws?

19 A I have no knowledge of that.

20 Q Where did this come from, this business

21 about the bylaws limiting the number of trustees?

22 A I have no knowledge of that.

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1 Q And with respect to the new Board of

2 Trustees, was that a formal meeting where the

3 resignations were taken or did she just sit down

4 individually with each of trees trustees who

5 resigned?

6 A I wasn't in the meeting, so I don't know. I

7 don't know. I know she spoke with each of them

8 individually, but I don't know if it was a formal

9 meeting.

10 Q All right. Did you believe that you were

11 elected to the board on March 15, 2009?

12 A Yes.

13 Q All right. Did you have any -- once you

14 believed you were elected in March, 2009, did you

15 have any meetings of the board? Did you attend any

16 meetings of the board that you are aware of?

17 A Not until -- not until May.

18 Q Until May 27th of 2000?

19 A Until May -- I don't know if it was the 27.

20 Q All right.

21 A I didn't attend this session where these

22 people were -- gave their resignations, but we did

Page 105

1 have a meeting in May.

2 Q All right. So that when you say "that

3 session," you believe that each of these individuals

4 met individually with the Apostle to submit their

5 resignations?

6 A Just -- I have to say, I don't have a

7 knowledge. I don't know if she called them in

8 together and then met individually or not.

9 Q All right. But you believe there was then a

10 meeting in May?

11 A There was, yes.

12 Q And what happened at that meeting?

13 A During that meeting, we did -- the board did

14 a couple of things. The Apostle called a formal

15 meeting at that point.

16 Q Uh-huh.

17 A And we voted Clifford Boswell onto the

18 board.

19 Q Uh-huh.

20 A We made a resolution for the name change of

21 the church in the District of Columbia.

22 Q Uh-huh.

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1 A And we may have done some other things, and
 2 we also made a resolution to be able to fund the
 3 parsonage and the residences during that time.
 4 **Q Uh-huh. And directing your attention to Tab**
 5 **26, there is a -- this is a resolution dated May 28,**
 6 **2009, appointing Clifford Boswell as the trustee.**
 7 **Do you see that?**
 8 A Yes.
 9 **Q All right. And was that, in fact, the date**
 10 **of the meeting you're just describing, May 28th,**
 11 **2009?**
 12 A It is.
 13 **Q And were those the individuals who were**
 14 **present that day -- Betty Peebles, Gloria**
 15 **McClam-Magruder, Denise Killen and Clarence Jackson?**
 16 A Yes.
 17 **Q All right. And is that your signature right**
 18 **there?**
 19 A It is.
 20 **Q Was Joel Peebles, Sr., present that day?**
 21 A He was not.
 22 **Q Was he ever given notice of this meeting on**

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1 **May 28th, 2009?**
 2 A I have no knowledge of that.
 3 **Q Was there any discussion at the meeting**
 4 **about whether or not Joel Peebles had been given**
 5 **notice of a meeting on May 28, 2009?**
 6 A No discussion.
 7 **Q How about any of the trustees who were in**
 8 **office prior to March 15th of 2009; were they given**
 9 **notice of this meeting on May 28th of 2009?**
 10 A I have no knowledge of that.
 11 **Q What was resolutions -- what were**
 12 **Resolutions 02 and 03?**
 13 A One of them would have probably been -- I
 14 would have to look. One of them would probably be
 15 the parsonage.
 16 We made a resolution to fund the parsonage
 17 for the Apostle at the Jericho Residences at the
 18 apartment building.
 19 **Q All right. When I say -- when I refer to**
 20 **the year, I'm referring to 2009, not 2008; you**
 21 **understand that to be true?**
 22 A Yes, 2009.

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1 **Q Were there any resolutions with respect to**
 2 **the academy that were considered or any action taken**
 3 **concerning the academy at the May 28, 2009 meeting?**
 4 A No.
 5 **Q And with respect to Clifford Boswell, how is**
 6 **it that Clifford Boswell came to be a member of the**
 7 **board? How did this come about?**
 8 A The same way I came to be, the Apostle asked
 9 him to be a member of the board.
 10 **Q All right. So the Apostle just decided she**
 11 **wanted Mr. Boswell to be a trustee?**
 12 A Yes.
 13 **Q And so it happened?**
 14 A Yes.
 15 **Q The -- with respect to this meeting, was**
 16 **this meeting announced to the public or to the**
 17 **congregation?**
 18 A It was not.
 19 **Q Was your appointment and the appointment of**
 20 **the other trustees who were listed here announced to**
 21 **the congregation?**
 22 A It was not.

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1 **Q After this May 28th, 2009 meeting, when is**
 2 **the next time that the Board of Trustees met?**
 3 A I don't recall.
 4 **Q Did the Board of Trustees ever meet again**
 5 **prior to the death of the Apostle on October the 12th**
 6 **of 2010?**
 7 A Yes.
 8 **Q And when was that?**
 9 A During the year 2009 -- I would have to look
 10 back at minutes to see if we actually, physically met
 11 again, but we had many phone meetings that the
 12 Apostle called, because she worked on the bylaws with
 13 us, you know.
 14 **Q Was there ever a formal notice prepared of**
 15 **this meeting that was held on May 28th of 2009?**
 16 A It was not.
 17 **Q All right. Well, how did it happen to come**
 18 **together, if you can recall?**
 19 A Apostle called a meeting and she asked that
 20 all of us come to the meeting.
 21 **Q And was this held in her office?**
 22 A In her conference room.

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1 **Q And how long did the meeting take?**
 2 A About an hour, hour and-a-half.
 3 **Q What else was said at the meeting other than**
 4 **this?**
 5 A I believe we talked about -- at that point,
 6 we actually talked about Dorothy Williams.
 7 **Q Uh-huh.**
 8 A At that point, her title "CFO" and she
 9 wasn't on the board, and that's when the Apostle
 10 started to think about -- make the decision on
 11 whether she wanted her back on the board or not.
 12 That discussion was had, but there was not a
 13 resolution or there was no vote. It didn't take
 14 place at that time.
 15 **Q Were there any votes that were held at that**
 16 **meeting on May 28, 2009?**
 17 A Yes.
 18 **Q And what votes were those?**
 19 A For the parsonage.
 20 **Q And what was the decision that was made on**
 21 **the parsonage?**
 22 A That there would be funding for the

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1 parsonage from the church.
 2 **Q And for the record, what was the parsonage?**
 3 A It was the Jericho Residences. There's an
 4 apartment -- three-bedroom apartment in the apartment
 5 building, and we were going to use that for the
 6 Apostle.
 7 **Q Was the Apostle ill at this time or what was**
 8 **her --**
 9 A Not to my knowledge.
 10 **Q Not at this point in May of 2009? When did**
 11 **you first become aware that she was suffering from**
 12 **any illness?**
 13 A I believe in September of '09, I begun
 14 to -- I honestly thought she was tired.
 15 **Q Uh-huh.**
 16 A I cannot say that I absolutely knew she was
 17 suffering from an illness. I thought she was tired.
 18 **Q When did you become aware that she had been**
 19 **diagnosed with an illness?**
 20 A No one ever told me, so when you say
 21 "aware" --
 22 **Q Uh-huh.**

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1 A -- I can assume, but that's not something
 2 the Apostle talked to everybody about, so she never
 3 told me she was diagnosed.
 4 Back in 2003, we knew she had an illness,
 5 but did I know that she was absolutely rediagnosed
 6 with an illness; she did not tell me.
 7 **Q When did you become aware that she appeared**
 8 **to be seriously ill?**
 9 A It was probably sometime in November.
 10 **Q Of what year?**
 11 A Of 2009.
 12 **Q Uh-huh. And how did you become aware?**
 13 A Pastor went into the hospital --
 14 **Q Uh-huh.**
 15 A -- and at that time, I realized it was more
 16 serious than I recognized.
 17 **Q And when did she stop preaching?**
 18 A I think her last sermon was in September
 19 of '09.
 20 **Q Uh-huh. And she stopped then because she**
 21 **was too ill to continue preaching?**
 22 A Well, she was still working. I thought she

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1 stopped then because she was tired.
 2 **Q Uh-huh.**
 3 A So I don't know that she stopped because she
 4 was too ill.
 5 In October, she was in service.
 6 **Q Uh-huh. And when you say "in service," what**
 7 **do you mean by that?**
 8 A She came to the 11:00 o'clock service. It
 9 was a Sunday in October, I believe -- I want to say
 10 October -- and one of the other elders ministered
 11 that Sunday.
 12 **Q Who was that?**
 13 A I think it was Elder Bessy -- Elder Bessy
 14 Ashworth.
 15 **Q Is that the last time she attended a**
 16 **service, October of 2009?**
 17 A I think so.
 18 **Q And when was the last time she came to the**
 19 **office?**
 20 A Sometime in September.
 21 **Q Of 2009?**
 22 A Yes.

<p style="text-align: right;">Page 114</p> <p>1 Q And was it your belief that she stopped 2 coming to the service and the office because of her 3 illness? 4 A Honestly, I thought she was resting, not 5 because of an illness. 6 Q Resting from what? 7 A Pastor was -- Pastor worked 24 hours a day, 8 seven days a week. She ran a corporation, she 9 preached on Sunday. She did classes. She did an 10 awful lot, and I thought she had gotten to the point 11 where she just needed a rest. That was my honest 12 thought on this. 13 Q Well, there did come a time when you 14 realized she was not preaching or coming to the 15 office because of illness; correct? I mean, she 16 obviously died from her final illness. 17 A She did. Yes, she did. 18 Q All right. When did you become aware that 19 she was not coming to work -- not coming to the 20 office and not preaching, not because of a need to 21 rest, but because of the illness, which ultimately 22 claimed her life?</p>	<p style="text-align: right;">Page 116</p> <p>1 Q -- she was certainly bed-bound? 2 A Right, uh-huh. 3 Q All right. When did that condition 4 first -- when did she become bed-bound prior to the 5 summer of 2010? 6 A I guess after she went into the hospital. 7 She went into the hospital in November. 8 Q Of '09? 9 A Of '09 -- I'm sorry. 10 Q All right. And how long was she in the 11 hospital at that point? 12 A About four months. 13 Q Uh-huh. And which hospital was that? 14 A Northwest Hospital -- 15 Q All right. 16 A -- in Baltimore. 17 Q That's the rehabilitation center there? 18 A The actual hospital is Northwest. 19 Q The one that's run by the University of 20 Maryland Medical System? 21 A It could be. 22 Q And did you visit her at Northwest?</p>
<p style="text-align: right;">Page 115</p> <p>1 A I really believed it was like maybe in 2 September that I -- no, let me preface that, because 3 you're saying -- that makes it sound like I knew that 4 there was an illness to claim her life. I did not -- 5 Q I'm not asking you whether or not you knew 6 the illness would result in her death. That's not my 7 question. 8 A But I did not know. I did not know that the 9 illness was present. 10 Q When did you become aware that she was not 11 preaching or coming to the office because of illness? 12 A I think it was September. 13 Q Of '09? 14 A Of '09, uh-huh. 15 Q Okay. And was she basically bed-bound at 16 that point? 17 A No. 18 Q When did she become bed-bound? 19 A I don't know that she was. 20 Q Well, you've told us you were aware that in 21 the summer of 2010 -- 22 A Uh-huh.</p>	<p style="text-align: right;">Page 117</p> <p>1 A I did. 2 Q How often did you visit her there? 3 A I think maybe I visited her about three 4 times. 5 Q And she was in a hospital room there when 6 you saw her? 7 A Yes, uh-huh. 8 Q And from that point, she was discharged to 9 her home; is that right, or not? 10 A She was discharged to a rehab center 11 initially. 12 Q Uh-huh. 13 A And I visited her there. 14 Q Uh-huh. 15 A And then after that -- after her 16 recuperation period, she was discharged to home. 17 Q Okay. And what was the rehab center that 18 she was discharged to? 19 A Levindale -- I think it was called 20 Levindale. 21 Q How long was she at Levindale? 22 A I don't remember -- six weeks or so.</p>

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1 **Q And then was she discharged from there to**
 2 **home?**
 3 A To home.
 4 **Q And did she have any form of custodial care**
 5 **or assisted living assistance when she was at home?**
 6 A Yes.
 7 **Q And who provided that?**
 8 A Her insurance provided for nursing -- a
 9 nurse, and she also subsidized with nursing care and
 10 she had someone with her 24 hours a day.
 11 **Q All right. So she had a nurse paid for by**
 12 **insurance, someone she subsidized?**
 13 A Yes.
 14 **Q And then there was someone else there 24**
 15 **hours a day?**
 16 A Uh-huh.
 17 **Q Who was there 24 hours a day?**
 18 A Zain Sasay.
 19 **Q And who is that person?**
 20 A One of the members of the church.
 21 **Q Was that person compensated to be there?**
 22 A Yes.

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1 **Q Uh-huh. And what was that compensation?**
 2 A It was a stipend of like \$300.
 3 **Q And the person that the Apostle subsidized,**
 4 **who was that?**
 5 A The person that was subsidized?
 6 **Q That the Apostle subsidized.**
 7 A It was another nurse. What was her name?
 8 We hadn't -- it will have to come to me. There was
 9 another nurse that she subsidized.
 10 **Q And who was the nurse that was paid for by**
 11 **insurance?**
 12 A Nina, whose last name escapes me, as well.
 13 **Q And when the Apostle was at Northwest**
 14 **Hospital, why was the Apostle in the hospital?**
 15 A She told me that she had gone in for a
 16 reversal in a colostomy. That's why she was there.
 17 **Q Did you ever find out whether that was true**
 18 **or not?**
 19 A Well, that's -- it was true that that's why
 20 she went there, yes.
 21 **Q Well, and why did she end up spending four**
 22 **months there, if you know?**

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1 A Because when they did the reversal, then
 2 that's when they found -- that's when they found that
 3 she had cancer. That's when I found out.
 4 **Q All right. And was that colon cancer?**
 5 A Yes.
 6 **Q Okay. And was she treated for that at**
 7 **Northwest?**
 8 A She was.
 9 **Q Okay. The -- was that ever announced to the**
 10 **congregation?**
 11 A No.
 12 **Q Did she direct anyone not to announce it to**
 13 **the congregation?**
 14 A She did. She did not want it announced.
 15 **Q All right. Did she give a reason for that?**
 16 A She said she would give her own testimony
 17 and she would tell her babies when she got back.
 18 **Q All right. Did she ever get a chance to do**
 19 **that?**
 20 A No, she didn't.
 21 **Q Okay. Now, I take it once she was diagnosed**
 22 **with colon cancer that that limited her ability to be**

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1 **active in the day-to-day management of the church?**
 2 A Yes.
 3 **Q All right. And how did it limit her?**
 4 A Pastor had already given instructions
 5 basically on how she wanted to proceed and what we
 6 were to do, so I would just -- after she did allow me
 7 access, that I would just take her reports on what
 8 was happening at church and keep her informed and ask
 9 her questions and she would still give instructions.
 10 **Q And what instructions did she give?**
 11 A She would give instructions on who was to
 12 minister on Sundays at 11:00 o'clock service.
 13 **Q Uh-huh.**
 14 A She would still get a report on the finances
 15 of the church, the tithes and offerings and that sort
 16 of thing.
 17 She would still get reports and give
 18 instructions on the senior citizen project, basic
 19 things like that.
 20 **Q And would you basically try to carry these**
 21 **out?**
 22 A I did carry them out. We all did. We

Page 122

1 followed her instructions.

2 **Q Uh-huh. The -- with respect to the 8:00**

3 **o'clock service, was Joel Peebles, Sr., preaching the**

4 **8:00 o'clock service?**

5 A Yes, he was.

6 **Q And how long had he been preaching the 8:00**

7 **o'clock service?**

8 A Gosh, as long as I can remember -- probably

9 since -- since Jamie passed, so he was ministering

10 before we moved to Landover, so 2000 -- I'm sorry,

11 that would be 1996 or '5 or so.

12 **Q And I understand from yesterday's testimony**

13 **that the Apostle would preach the 11:00 o'clock**

14 **service, and I take it after she stopped preaching,**

15 **there were a series of elders who would do it, and**

16 **then at some point, Joel took over preaching the**

17 **11:00 o'clock; is that correct?**

18 A That is correct.

19 **Q All right. And so based on what you've told**

20 **us, the Apostle stopped preaching the 11:00 o'clock**

21 **service in about September of '09; is that correct?**

22 A Yes.

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1 **Q And for how many months did others preach**

2 **before Joel took over?**

3 A Actually, when the Apostle gave me

4 the -- the list of elders and ministers that she

5 wanted to minister at 11:00 --

6 **Q Uh-huh.**

7 A -- Elder Joel was included in that list.

8 **Q Uh-huh.**

9 A So the services rotated with the speakers,

10 and then I would have to go back and look to see when

11 he actually took it, but throughout the summer

12 basically, it still rotated. When I say "summer,"

13 summer of 2010.

14 **Q Uh-huh.**

15 A I don't remember exactly when he actually

16 took it. I want to say it was -- it could have been

17 October of 2010 or the end of September or so.

18 The Apostle had given instructions at that

19 point in September -- I remember September -- she had

20 given instructions for the speakers, and the

21 last -- the last instructor person that she gave me

22 was Elder Terry, and Elder Joel insisted that he

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1 minister that Sunday and he didn't allow Elder Terry

2 to minister.

3 So at that point, he took it.

4 **Q And from that point forward, he did it all**

5 **on his own?**

6 A He did, against Pastor's wishes.

7 **Q Against the Apostle's wishes?**

8 A Yes.

9 **Q Okay. And the Apostle -- this is September**

10 **of 2010, a month before her death?**

11 A Yes.

12 **Q And what was her condition at that point?**

13 A She was weak. She was weak.

14 **Q Was she on any form of pain killer or**

15 **medication or --**

16 A She was, but minimal, but she was on some.

17 **Q What was she taking, if you know, or being**

18 **administered?**

19 A I wouldn't be able to explain or tell you

20 that.

21 **Q All right. Did there come a time when the**

22 **Pastor or the Apostle appeared to you to be unable to**

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1 **make and communicate decisions?**

2 A No.

3 **Q So right up to the moment of her death, she**

4 **was able to make and communicate decisions; is that**

5 **your testimony?**

6 A Yes.

7 **Q Okay.**

8 A That is.

9 **Q The -- who selected the hospitals and the**

10 **rehabilitation center for the Apostle?**

11 A I -- I'm not aware. She didn't -- I wasn't

12 privy to that.

13 **Q Was Pastor Joel notified when the Apostle**

14 **went into the hospital?**

15 A I don't know.

16 **Q Well, did she ever tell you not to tell him?**

17 A When she told me, she told me this: She

18 said, "Denise, I'm leaving you to take care of the

19 business of the church. Carry out my instructions

20 and that's what you do," and that's what we did and

21 that was what we always did. When the Apostle gave

22 us an instruction, we just followed that instruction.

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1 We didn't go beyond that.

2 **Q Well, with respect to Pastor Joel, did she**

3 **tell you to let him know she was in the hospital or**

4 **not to tell him or was she silent on the question?**

5 A She was silent on it. She didn't discuss it

6 with me.

7 **Q Did she tell you -- did you ever say to her,**

8 **"Should I let your son know, Joel Peebles, that**

9 **you're in the hospital"?**

10 A No, I didn't ask her.

11 **Q Do you know whether Joel Peebles was aware**

12 **that she was in the hospital?**

13 A He said he wasn't aware.

14 **Q Do you have any reason to doubt that?**

15 A I have no reason to doubt it.

16 **Q All right. Did you ever feel that it would**

17 **be important to ask the Apostle whether Joel should**

18 **be told of her hospital admission and her condition?**

19 A I -- I did not, because she had other people

20 that she had working on that, and so that she

21 always -- my place was to make sure that her

22 instructions were carried out and administered, and I

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1 did not go beyond that place.

2 **Q And who were those people?**

3 A She didn't tell me at that time.

4 **Q Well, how did you know?**

5 A I later found out that she had Zain Sasay --

6 I've mentioned her name -- there with her.

7 **Q Uh-huh.**

8 A And she had others that she had, but she

9 didn't tell me initially.

10 **Q Well, how did you find out then or later**

11 **that others were instructed to let Joel know what was**

12 **going on with her condition?**

13 A She didn't -- I didn't know that others were

14 instructed or not instructed.

15 **Q But you didn't feel it was important**

16 **yourself to let Joel know?**

17 A It's not a -- it wasn't a feeling or not a

18 feeling. The Apostle asked me to administer the

19 duties of the ministry, and that -- and leave the

20 other -- her personal was to be left to her, so I

21 could not cross that line.

22 **Q Did there ever come a time either when she**

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1 **was at the hospital or the rehab center or at home**

2 **when the Apostle told you to limit or restrict who**

3 **could come to see her?**

4 A No.

5 **Q Did the Apostle ever tell you that she did**

6 **not want to see her son --**

7 A I'm sorry, forgive me. Would you repeat

8 that question?

9 MR. MALONEY: Can you read that

10 question back, Madam reporter?

11 (Record read.)

12 A Okay. All right. I answered that now. She

13 never told me that.

14 BY MR. MALONEY:

15 **Q Did the Apostle ever tell you that she**

16 **didn't want Joel to come see her or know about her**

17 **condition?**

18 A No, she didn't tell me that, because that

19 was not a conversation she would have had with me.

20 **Q Well, are you aware of the Apostle ever**

21 **taking steps in any way to make sure that Joel could**

22 **not see her or know about her condition?**

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1 A Yes.

2 **Q Tell me about that.**

3 A I just know that she -- that I understand

4 that folks were told that she would let them know

5 when she wanted to tell him. She would determine

6 when she wanted him to know.

7 **Q And who did she say that to?**

8 A She said it to Zain.

9 **Q Anyone else?**

10 A I don't know.

11 **Q Did she ever say it to you?**

12 A She didn't say it to me.

13 **Q Did the Apostle ever enter a hospital or a**

14 **rehab center under an assumed name?**

15 A She did.

16 **Q And what was that name?**

17 A Wooton.

18 **Q What was her first name?**

19 A Betty.

20 **Q And how do you spell Wooton?**

21 A W-o-o-t-o-n, I think they spelled it.

22 **Q And why did the Apostle go into the hospital**

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1 **under an assumed name?**
 2 A I don't know. I didn't know she was going
 3 in under an assumed name.
 4 **Q Was that Northwest Hospital?**
 5 A Yes.
 6 **Q How about the rehab facility; did she go**
 7 **there under an assumed name, as well?**
 8 A Yes.
 9 **Q Is it true that the members of the church**
 10 **congregation did not know the whereabouts of the**
 11 **Apostle for months at a time?**
 12 A During those months, they did not.
 13 **Q Yes.**
 14 A That's right. That's right.
 15 **Q When did you learn that she went into the**
 16 **hospital and how did you learn it?**
 17 A She told me the day before she was going
 18 that she would be going and that she was -- that I
 19 was to take care of the ministry.
 20 **Q Uh-huh.**
 21 A She didn't tell me where. She didn't tell
 22 me who. She didn't tell me how. She didn't give me

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1 other information or details.
 2 **Q And how did she happen to get to the**
 3 **hospital?**
 4 A I don't know.
 5 **Q The -- with respect to the management of her**
 6 **hospital bill payments and everything else, who**
 7 **handled that?**
 8 A I handled it once I -- once I understood
 9 where she was, what was going on. Then I handled
 10 later on when -- by the time she got to rehab, then I
 11 handled that piece. Before that, she handled it, I
 12 guess.
 13 **Q Did there ever come a time when Joel Peebles**
 14 **asked you where his mother was?**
 15 A Yes.
 16 **Q And when was that?**
 17 A I don't remember when, but during
 18 that -- during that time, he did ask me.
 19 **Q And what did you tell him?**
 20 A I told him that there was nothing I could
 21 tell him.
 22 **Q All right. So did you know that she was in**

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1 **the hospital at that point?**
 2 A Yes.
 3 **Q And did you tell him -- but you didn't tell**
 4 **him she was in the hospital?**
 5 A No.
 6 **Q Did you know that she had been diagnosed**
 7 **with colon cancer at that point?**
 8 A At that point, initially, I didn't. I
 9 can't -- I can't exactly tell you when I found out
 10 that the cancer was -- was absolutely present.
 11 **Q Did you tell the Apostle that Joel had asked**
 12 **where she was?**
 13 A I didn't have those conversations with her.
 14 **Q Why not?**
 15 A Because I wasn't seeing her. I was at the
 16 church.
 17 **Q Well, you were talking to her on the phone**
 18 **frequently, weren't you?**
 19 A I was sending her messages.
 20 **Q And how were you sending her messages?**
 21 A I would tell -- I would send it to Zain and
 22 Zain would -- I would give her the information and I

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1 would get a response.
 2 **Q Did you ever send Zain a message that her**
 3 **son, Joel, wanted to know where she was?**
 4 A Yes.
 5 **Q And what response did you get?**
 6 A Pastor would let him know when she was ready
 7 to let him know.
 8 **Q Did there come a time --**
 9 A The Apostle, I'm sorry.
 10 **Q Did there come a time when the Apostle's**
 11 **calls were redirected to your phone?**
 12 A No.
 13 **Q Was there ever a time when the Apostle was**
 14 **unable to or unwilling to answer her own phone calls?**
 15 A Unable? Probably in those first weeks of
 16 the hospital, she was probably not able -- well, I'm
 17 sure she wasn't.
 18 **Q How about after that?**
 19 A After that, she didn't want -- later on, she
 20 didn't want the calls. She chose who she called.
 21 **Q Did there come a time when she stopped**
 22 **taking calls from basically everyone?**

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1 A Not -- no, I don't think so.

2 **Q Well, who -- at the -- for the last six**

3 **months of her life, who did she take calls from?**

4 A Anyone that she wanted to talk to. She

5 talked to Elder Meadows, she talked to Elder Terry,

6 she talked to Elder Barbara, Elder Linda. She would

7 call into the church.

8 THE VIDEOGRAPHER: Excuse me.

9 MR. MALONEY: We're going to have to

10 change the tape right now. Take a minute.

11 THE VIDEOGRAPHER: This marks the end

12 of Volume 1, Tape Number 1, in the deposition of

13 Denise Killen.

14 Going off the record. The time is

15 12:04 p.m.

16 (Whereupon, a recess was held from

17 12:04 p.m to 12:06 p.m.)

18 THE VIDEOGRAPHER: Back on the record.

19 Here marks the beginning of Volume 1, Tape Number 2,

20 in the deposition of Denise Killen. The time is

21 12:06 p.m.

22 BY MR. MALONEY:

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1 **Q Did the Apostle ever tell you or anyone**

2 **else, to your knowledge, that she did not wish to**

3 **either see or speak to Pastor Peebles -- Joel?**

4 A Are you talking about at any time?

5 **Q At any time.**

6 A At any time? I know when she was in the

7 nursing facility -- when she was in the nursing

8 facility, she wanted to talk with him and she called

9 him and told him where she was.

10 **Q And did they have a conversation?**

11 A Yes, they did.

12 **Q And how do you know about that?**

13 A Because I dialed the number.

14 **Q Were you at the nursing facility on that**

15 **day?**

16 A On that day.

17 **Q And how long did that call take, if you**

18 **know?**

19 A I don't remember how long they talked.

20 **Q And was that on the Apostle's cell phone?**

21 A Yes.

22 **Q What was that number?**

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1 A It was not her -- it was a cell phone from

2 the church, but it was not her cell phone/cell phone.

3 And I don't remember the number, because she -- she

4 has the iPhone, which was a touch screen.

5 **Q Uh-huh.**

6 A And it was easier for her to handle the

7 regular dial phone, so I had taken a regular phone

8 over to her. It was a cell phone though. I don't

9 remember the number.

10 **Q And who was the provider for that phone?**

11 A Sprint.

12 **Q Do you have a church-provided cell phone, as**

13 **well?**

14 A Yes.

15 **Q What is that number?**

16 A 240-375 --

17 MR. MARKS: That's good enough. I'm

18 going to object to that and I'm going to instruct her

19 to not give her number.

20 MR. MALONEY: No, actually we're going

21 to get the judge on the phone in a little bit if you

22 do that, because we have the right to get the phone

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1 records, which we intend to do here, and this is a

2 church-provided business cell phone.

3 So, I think, counsel you may want to

4 reconsider.

5 MR. MARKS: We'll provide you with the

6 records.

7 MR. MALONEY: Well --

8 MR. MARKS: I'm instructing her to not

9 answer.

10 MR. MALONEY: Well, we don't have to

11 put it on the record, but I want you to tell me so I

12 will know what it is and can check it out with Sprint

13 directly.

14 Go ahead.

15 MR. MARKS: We'll provide you with

16 records.

17 MR. MALONEY: Go ahead.

18 MR. MARKS: No, do not write that down.

19 MR. MALONEY: All right. We're going

20 to get the judge on the phone at 1:30 to deal with

21 this issue, because you're not entitled to obstruct

22 the deposition.

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1 MR. MARKS: We're not obstructing.
 2 MR. MALONEY: You're obstructing her
 3 not to answer a legitimate question as to a
 4 church-provided cell phone.
 5 Please call Judge Jackson's chambers
 6 and tell them we'd like to have a phone conference
 7 this afternoon and see when he -- we're having a
 8 problem in a deposition regarding Jericho and see
 9 when he can take the call.
 10 MR. MARKS: You're not authorized to
 11 represent that I am requesting a cell -- a conference
 12 call.
 13 MR. MALONEY: I'm requesting the
 14 conference call because you're obstructing this
 15 deposition.
 16 MR. MARKS: You didn't make that clear
 17 it to whoever you spoke with.
 18 MR. MALONEY: We are going -- I am
 19 requesting the call and we're going to have it.
 20 MR. MARKS: You should make that clear.
 21 MR. MALONEY: We'll make that clear to
 22 Judge Jackson when he is on the phone.

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1 MR. MARKS: Okay. We have no
 2 obligation to attend that then.
 3 MR. MALONEY: Well, if you choose not
 4 to, it will be your choice, and we're going to do it
 5 right here in the presence of the court reporter.
 6 BY MR. MALONEY:
 7 **Q How many other officers or employees of the**
 8 **church have cell phones that are provided by the**
 9 **church?**
 10 A I don't remember -- maybe five.
 11 **Q And who are they?**
 12 A Deacon Jackson, Clarence Jackson, Elder
 13 Joel, Yolanda has a phone. She is not an employee,
 14 but she has a phone, Phillippe. Jackson, what is
 15 Phillippe's last name? I don't remember.
 16 Oh, and Phil Campbell.
 17 **Q And Betty Peebles, did she have a phone**
 18 **provided by the church?**
 19 A Yes.
 20 **Q Yes. And what was her phone number?**
 21 A It's 301-440-5964.
 22 **Q You also have a fax number at your house?**

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1 A Yes.
 2 **Q Is that 703-683-5368?**
 3 A Yes.
 4 **Q Is that your home number, as well?**
 5 A That's my home number, as well.
 6 **Q Okay. I want to show you -- let's mark this**
 7 **as an exhibit, please.**
 8 **(Whereupon, Defendants Exhibit 3:**
 9 **Marked for identification.)**
 10 **BY MR. MALONEY:**
 11 **Q I'm going to show you what is marked as**
 12 **Exhibit Number 3 and ask if that number at the top is**
 13 **your fax number and home number, looking at the fax**
 14 **line?**
 15 A Yes.
 16 **Q And did you fax this from your home?**
 17 A I did.
 18 **Q Who did you fax it to?**
 19 A Who did I fax that to? Isaac Marks.
 20 **Q And why did you send it to him?**
 21 MR. MARKS: Don't answer that. That's
 22 privileged information.

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1 BY MR. MALONEY:
 2 **Q Now, this is a letter from Patricia Brooks**
 3 **Noble, Senior Vice President of Marketing, executive**
 4 **at Bank of America.**
 5 **Do you know that individual?**
 6 A I don't -- I have spoken with her in the
 7 past. I don't really know her.
 8 **Q All right. And did you take this letter and**
 9 **fax it to Mr. Marks after you received it?**
 10 A Yes.
 11 **Q Did you also give it to Joel Peebles when it**
 12 **came in?**
 13 A The secretary did.
 14 **Q All right. Was this something that you had**
 15 **seen come into the office?**
 16 A Yes, I saw it come in.
 17 **Q Who else did you give this to besides**
 18 **Mr. Marks?**
 19 A No one.
 20 **Q And when you gave it to Mr. Marks, did you**
 21 **do so on or about the time that it came in?**
 22 A Yes.

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1 **Q Did you open the envelope that had this**
 2 **addressed to Joel Peebles?**
 3 A No, I think that was a fax.
 4 **Q All right. So this was a fax to Elder Joel?**
 5 **Are you the person that got it off the fax machine?**
 6 A I don't remember if I -- I may have. I may
 7 have.
 8 **Q Uh-huh. And I take it because it has your**
 9 **home fax number, that you actually took this to your**
 10 **home, the letter, and then faxed it to Mr. Marks from**
 11 **your home?**
 12 A I did.
 13 **Q Why did you do it that way?**
 14 A I don't remember, honestly.
 15 **Q All right. And this individual who signed**
 16 **the letter, Ms. Brooks, she is the vice president of**
 17 **the organization for marketing for the Mid-Atlantic;**
 18 **isn't that correct?**
 19 A That's what the letter says. I'm not that
 20 familiar with her.
 21 **Q Right. Do you also know -- strike that.**
 22 **With respect to the phone of the Apostle, did you or**

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1 **anyone else, to your knowledge, ever contact any**
 2 **phone carrier to have her phone numbers forwarded or**
 3 **any of her phones or phone numbers forwarded?**
 4 A I did.
 5 **Q And when did you do that?**
 6 A I honestly don't remember.
 7 **Q Uh-huh. And why did you do that?**
 8 A So that while she was away, she didn't miss
 9 any calls, because it was easier to pick them up on
 10 her cell phone.
 11 **Q And when you say "while she was away," was**
 12 **this when she was at Northwest Hospital the first**
 13 **time?**
 14 A Yes.
 15 **Q And whose number did you forward it to?**
 16 A Her cell phone number.
 17 **Q Okay. Now, whose number -- her cell phone**
 18 **number, whose number did you forward it to?**
 19 A Oh, I did not forward her cell phone number.
 20 **Q Uh-huh.**
 21 A I forwarded her home calls to her cell
 22 phone.

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1 **Q Okay. Now, did you ever have a time when**
 2 **you had her cell numbers forwarded?**
 3 A No, I never forwarded her cell phone; no.
 4 **Q All right. So she had her cell number going**
 5 **directly to her to the end?**
 6 A Yes.
 7 **Q Did you ever have her home number forwarded**
 8 **to any home number except her cell number?**
 9 A No.
 10 **Q Did you ever take possession of her cell**
 11 **phone?**
 12 A I have it now.
 13 **Q When did you take possession of it?**
 14 A In October -- probably at the end of October
 15 of 2010.
 16 **Q After her death?**
 17 A Yes.
 18 **Q Did you ever have possession of her cell**
 19 **phone prior to her death?**
 20 A No.
 21 **Q Do you know why she never saw Joel Peebles**
 22 **during the last year of her life?**

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1 A She did see him.
 2 **Q No, but why she didn't regularly -- when I**
 3 **say "see," I'm referring to regularly see him?**
 4 A I mean, I only -- no, I don't. I only know
 5 she saw him when she wanted to. She saw -- anyone
 6 that she wanted to see, she saw.
 7 **Q Do you know why it was not more frequent?**
 8 **Do you have any reason?**
 9 A No.
 10 **Q Do you know any reason?**
 11 A I don't.
 12 **Q Did she ever at any time express any**
 13 **dissatisfaction with Joel Peebles during the last**
 14 **year of her life?**
 15 A Yes.
 16 **Q Tell me about that.**
 17 A It was -- for her, I believe it was the
 18 church matters. She just felt that he was going to
 19 try to take the church away.
 20 **Q To take the church away from whom?**
 21 A From her.
 22 **Q You mean, after her death?**

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<p>1 A I know the church belongs to God, but she 2 was feeling that he was going to try to take over the 3 church.</p> <p>4 Q And when was he going to do this?</p> <p>5 A She didn't express when. She felt -- that 6 was her feelings. That's what she expressed.</p> <p>7 Q When did she say this to you?</p> <p>8 A She said it to me a number of times over the 9 year.</p> <p>10 Q Was this when she was bed-bound?</p> <p>11 A Yes.</p> <p>12 Q And who else was present, if anyone, when 13 she said this to you?</p> <p>14 A I cannot say that anyone else was present.</p> <p>15 Q Did she tell you how Joel Peebles was going 16 to take over the church?</p> <p>17 A No, she did not.</p> <p>18 Q And did she ask you to do anything as a 19 result of Joel Peebles -- her concern that Joel 20 Peebles was going to take over the church?</p> <p>21 A No, she did not, but she did ask him not to 22 try to take the church.</p>	<p>1 work with him. She wanted them to work together and 2 be a part of the ministry together, and that she 3 wanted him to -- they talked a long time about them 4 and personal things, but then she said she wanted him 5 to give her his ideas of how he wanted the ministry, 6 what he wanted for the ministry, and then they would 7 get together and go over them together, that she 8 really wanted to begin to work with him.</p> <p>9 So during that time, she let him know that 10 she would have him come, but one of the things 11 he -- one of the criteria was for him please to 12 acknowledge that he would not take over the ministry.</p> <p>13 Q And I take it you could not hear his end of 14 the conversation, only her end of the conversation; 15 is that correct?</p> <p>16 A Only her end.</p> <p>17 Q All right. And when -- and in this 18 conversation, she said she would see him only if he 19 would agree not to take over the church?</p> <p>20 A No, she didn't say that.</p> <p>21 Q What was it that she said?</p> <p>22 A She just gave those -- she said, "I want to</p>
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<p>1 Q She asked Joel Peebles himself not to try to 2 take the church?</p> <p>3 A Yes.</p> <p>4 Q When did she do that?</p> <p>5 A On the initial phone call when she asked him 6 to come see her, that was one of the things that she 7 mentioned to him.</p> <p>8 Q That's the phone call at the hospital?</p> <p>9 A Yes.</p> <p>10 Q And you were sitting right there at the 11 bedside?</p> <p>12 A I was there with her. She was holding the 13 phone, but I was nearby.</p> <p>14 Q You were nearby, so you heard her end of the 15 conversation?</p> <p>16 A Yes.</p> <p>17 Q And what is it that she said to Joel Peebles 18 during that phone call?</p> <p>19 A I don't remember the entire call, but she 20 mentioned a number of things she wanted to do. She 21 was extremely glad to hear his voice, and so she 22 cried and she asked him -- she told him she wanted to</p>	<p>1 see you, but please tell me that you won't try to 2 take the church."</p> <p>3 But she didn't make that -- she didn't make 4 it sound like, "If you say no, I'm not going to see 5 you." That's not the way it was.</p> <p>6 Q All right. But she simply asked him not to 7 take over the church; is that correct?</p> <p>8 A Not to try to take over the church.</p> <p>9 Q And did she seem pleased when -- after she 10 said that when he answered the question?</p> <p>11 A Yes.</p> <p>12 Q Okay. And you don't know what he said to 13 her; is that correct?</p> <p>14 A No.</p> <p>15 Q Did she place any limitations or conditions 16 on whether or when or how she would see Joel?</p> <p>17 A She did say she would then call him back and 18 let him know when.</p> <p>19 Q And did she do that?</p> <p>20 A She did.</p> <p>21 Q And when did she call him back?</p> <p>22 A I don't remember if it was that -- the next</p>

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1 day or the day after. I don't remember.
 2 **Q The Apostle had previously been diagnosed**
 3 **with colon cancer in '03; is that correct?**
 4 A Uh-huh.
 5 **Q You have to give a --**
 6 A That is correct -- sorry.
 7 **Q And so she had been in remission up**
 8 **until '09; is that correct?**
 9 A I don't know.
 10 **Q All right. But she was out for a number of**
 11 **months in '03 -- four months actually?**
 12 A Yes. Yes.
 13 **Q And at that time, the congregation was told**
 14 **that she was out for colon cancer?**
 15 A Correct.
 16 **Q In fact, the congregation was asked**
 17 **repeatedly to pray for her; correct?**
 18 A Yes, they were. Was the congregation told
 19 she was out with colon cancer?
 20 **Q Or were they told she was out sick?**
 21 A She was out sick.
 22 **Q And they were asked to pray for her; is that**

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1 correct?
 2 A Yes.
 3 **Q And when she returned, she was so frail that**
 4 **she had trouble actually climbing the pulpit;**
 5 **correct?**
 6 A Yes.
 7 **Q And the congregation knew and could see that**
 8 **she was ill at that point; is that correct?**
 9 A Oh, yes.
 10 **Q Why was this different in '09? Why was her**
 11 **illness concealed from the congregation in '09**
 12 **and 2010?**
 13 A She didn't tell me why.
 14 **Q But it was basically her direction?**
 15 A It was her direction.
 16 **Q And it's your testimony that neither you or**
 17 **anyone else had any role in concealing her illness**
 18 **from the congregation?**
 19 A I had no role in concealing an illness; no,
 20 absolutely not.
 21 **Q When did the congregation become aware that**
 22 **she was ill?**

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1 A I think people started to ask more questions
 2 as time went on because she, you know -- she wasn't
 3 there and folks had questions, so I'm sure they were
 4 asking Elder Joel.
 5 **Q Well, and when did the congregation actually**
 6 **become aware that she was ill?**
 7 A At some point, Elder Joel kind of let them
 8 know, because she -- Pastor still told, even Elder
 9 Joel, "Don't tell" -- "I will talk to them myself
 10 when I come back."
 11 So he had a way of letting them know that
 12 she was, you know -- that she needed continued
 13 prayer.
 14 **Q Uh-huh.**
 15 A So I can't tell you when exactly.
 16 **Q Well, how much time before her death?**
 17 A I can't -- I honestly --
 18 **Q Did her death appear to be a surprise to the**
 19 **congregation?**
 20 A Yes.
 21 **Q How much time passed between the time that**
 22 **she actually died and the time the congregation was**

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1 **advised of her death?**
 2 A Well, the congregation started to hear it
 3 that same day.
 4 **Q That same day?**
 5 A Uh-huh.
 6 **Q Now, you mentioned a minute ago, when I**
 7 **asked you the question, "During the last year of her**
 8 **life, did she express any dissatisfaction with Joel,"**
 9 **you mentioned that she was concerned that he was**
 10 **trying to take over the church.**
 11 **Other than that, did she express any**
 12 **dissatisfaction with Joel during the last year of her**
 13 **life that you can recall?**
 14 A She did.
 15 **Q And what was that?**
 16 A I would have to go back to the ministry,
 17 when she was assigning the list of ministers that she
 18 wanted to minister on Sunday, he would just give her
 19 a real hard time with it.
 20 So that was the major crux of the
 21 dissatisfaction that I was privy to.
 22 **Q Anything else that you can think of today?**

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1 A Nothing else this moment.
 2 **Q All right. And did there come a time when**
 3 **you discussed with the Apostle her Last Will and**
 4 **Testament?**
 5 A No.
 6 **Q Did the Apostle ever review with you**
 7 **anything that she was thinking about doing with her**
 8 **Will or not thinking about doing?**
 9 A No.
 10 **Q Did the Apostle ever tell you that she felt**
 11 **that Joel Peebles needed tutelage?**
 12 A No.
 13 **Q Did the Apostle ever tell you who she was**
 14 **thinking about leaving or not leaving specific**
 15 **property to or making specific bequests to?**
 16 A No.
 17 **Q Did the Apostle ever ask you to arrange to**
 18 **have any lawyers -- estate lawyers or other lawyers**
 19 **to come to prepare or revise her Will?**
 20 A Yes.
 21 **Q Tell me about that.**
 22 A I can't remember when it was. I want to say

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1 2006'ish or so, she had an attorney come in and she
 2 worked with -- it was a lady. I don't remember the
 3 name though, and she worked with her on her Will.
 4 **Q Uh-huh.**
 5 A I don't remember her, who the attorney was.
 6 **Q And what did she do with respect to her Will**
 7 **then?**
 8 A I don't know.
 9 **Q Uh-huh. Did she ever finalize the Will at**
 10 **that point?**
 11 A I don't know.
 12 **Q Uh-huh. Did the attorney come to the**
 13 **offices of the -- of Jericho to meet with her?**
 14 A Yes.
 15 **Q All right. And what do you remember about**
 16 **the attorney? What did she look like or where was**
 17 **her office, anything that --**
 18 A I don't remember where her office was.
 19 **Q Uh-huh.**
 20 A She was just a middle-aged lady.
 21 **Q Was her name Bernedette O'Neill?**
 22 A No, she wasn't a member of the church.

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1 **Q Do you know Bernedette O'Neill?**
 2 A Yes.
 3 **Q Is she an attorney?**
 4 A I think so.
 5 **Q All right. Has she ever had any role in**
 6 **preparing a Will that you're aware of?**
 7 A Not that I ever knew, huh-uh.
 8 **Q Okay. But this other attorney came in about**
 9 **'06; is that correct?**
 10 A Yeah, I think.
 11 **Q How many times did that lawyer visit the**
 12 **office?**
 13 A Maybe twice.
 14 **Q And were any documents ever sent to you by**
 15 **this attorney to give to her?**
 16 A No, they -- they handled it between
 17 themselves.
 18 **Q Who -- and was this attorney paid from any**
 19 **funds that you were aware of, either by the Apostle**
 20 **or by the church?**
 21 A I'm sure Apostle paid her.
 22 **Q Uh-huh. And who managed the Apostle's**

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1 **checkbook?**
 2 A She managed her own checkbook.
 3 **Q How about during her final illness?**
 4 A The last few months of her illness, I would
 5 help her with it. I did.
 6 **Q When you say "help her with it," what did**
 7 **you do?**
 8 A I would make payments. I paid the nurses,
 9 made sure that her bills were taken care of, that
 10 sort of thing.
 11 **Q And did you sign the checks or did she?**
 12 A I did.
 13 **Q Okay. And when you say you signed them, did**
 14 **you sign your own name or did you sign the Apostle's**
 15 **name?**
 16 A I signed my own name.
 17 **Q Did you have your name on her checking**
 18 **account?**
 19 A Yes, uh-huh.
 20 **Q And when did your name get on her checking**
 21 **account?**
 22 A Oh, gosh, seemed like it was about three

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1 years earlier than that.

2 **Q How did it come to be that your name ended**

3 **up on her checking account?**

4 A She asked me would I put my name on the

5 account.

6 **Q And what bank was that?**

7 A Bank of America.

8 **Q And was this a personal checking account?**

9 A Yes.

10 **Q Did you have your name on any checking**

11 **accounts other than the checking account?**

12 A On any --

13 **Q Any other accounts besides the checking**

14 **account?**

15 A I don't think so, no.

16 **Q And once your name was on the checking**

17 **account, did you start paying her bills yourself?**

18 A Yes, uh-huh.

19 **Q And what did you do then? Did she stop**

20 **writing checks then?**

21 A She would write some checks. She still

22 wrote some, and -- but basically, the bills, if there

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1 was a bill or something, I would take care of it.

2 **Q Uh-huh. And did there come a time when she**

3 **was unable to write checks?**

4 A I would say in the last few weeks, I

5 would -- I would say she wouldn't have.

6 **Q When did she stop writing checks herself?**

7 A I don't -- if I guessed, I would say maybe

8 May was the last one possibly, could have been

9 later -- May of '10.

10 **Q Is that because of her illness that she**

11 **stopped writing checks?**

12 A I think so.

13 **Q All right. And at that point, you took over**

14 **writing the checks at that point?**

15 A Uh-huh.

16 **Q Is that a yes?**

17 A Yes, that's a yes. I'm sorry.

18 **Q Did you ever write any checks to any**

19 **attorneys or law firms from her personal checking**

20 **account?**

21 A Yes, uh-huh.

22 **Q And who were they?**

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1 A I think -- it was Shelton and Hinn. I know

2 I wrote them a check, because he did some personal

3 things for her.

4 **Q Paul Shelton?**

5 A Paul Shelton.

6 **Q Uh-huh.**

7 A It could have been someone else. It could

8 have been. I'd have to look.

9 **Q And what did you write a check to Paul**

10 **Shelton for?**

11 A I'd have to look back at the document -- at

12 the invoice to see what it was for.

13 **Q Did he ever come to see her when she was**

14 **bed-bound?**

15 A Oh, yeah, many times.

16 **Q What was the purpose of him coming to see**

17 **her?**

18 A He did -- he consulted with her on her

19 personal and on the business -- and on the

20 residences -- the Jericho Residences.

21 **Q Did he have anything to do with the Will?**

22 A I believe he did.

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1 **Q Uh-huh.**

2 A I believe he did.

3 **Q You believe he was in the final Will that**

4 **she signed? You believe he had a role in that?**

5 A I think so.

6 **Q Okay. And Mr. Shelton, is he a member of**

7 **the congregation, as well?**

8 A No.

9 **Q All right. He had no role in the**

10 **congregation; is that right?**

11 A No, huh-uh.

12 **Q Any other law firms other than Mr. Shelton**

13 **that checks were written to that you know?**

14 A It seems to me there may have been another

15 attorney, but I don't remember the name.

16 **Q What kind of attorney was that?**

17 A I don't remember.

18 MR. MALONEY: Okay. We're now at

19 12:30, so we're going to take a little break. What

20 time do we want to come back here?

21 MR. MARKS: Let's say 1:30, and I have

22 given Ms. Killen her cell phone number to give to

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1 make sure it's accurate.
 2 MR. MALONEY: All right.
 3 MR. MARKS: I'm going to withdraw that.
 4 MR. MALONEY: All right. Fair enough.
 5 MR. MARKS: Good.
 6 MR. MALONEY: I'll withdraw the call.
 7 Okay. So we'll be back here at 1:30.
 8 THE VIDEOGRAPHER: Going off the
 9 record.
 10 The time is 12:29 p.m.
 11 (Off the video record.)
 12 MR. MARKS: I don't know if this needs
 13 to be on the record, but my initial reluctance was
 14 for safety issues, but I think everybody at this
 15 table knows the number anyway, so I'm not going to
 16 worry about that --
 17 MR. MALONEY: Nobody is --
 18 MR. MARKS: Harassing phone calls. I
 19 prefer that it not be in the transcript, but you have
 20 the number now.
 21 MR. MALONEY: Well, we're here all
 22 about the business of the Lord, so let's keep it at

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1 that.
 2 xxx THE VIDEOGRAPHER: Back on the
 3 record. The time is 1:34 p.m.
 4 BY MR. MALONEY:
 5 **Q When you before lunch referred to "Northwest**
 6 **Hospital," did you really mean Sinai Hospital?**
 7 A Oh, yes, it was Sinai.
 8 **Q All right. So whenever you referred**
 9 **to "Northwest" in the deposition today, I think you**
 10 **meant Sinai; correct?**
 11 A I meant Sinai, yes.
 12 **Q All right. So as far as you know, she never**
 13 **went to Northwest; is that correct?**
 14 A She was at Northwest once. I think that's
 15 why it came up in my mind.
 16 **Q And when was that that she was at Northwest**
 17 **if you know?**
 18 A I think that was the final hospital she was
 19 in.
 20 **Q Okay.**
 21 A I'm trying to remember. I'm not sure.
 22 Maybe I have the name wrong.

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1 **Q And the name "Wooton" that was used to -- as**
 2 **her fake name in the hospital, that was used at**
 3 **Sinai?**
 4 A Yes, uh-huh.
 5 **Q All right. And how was that name selected?**
 6 A I don't know.
 7 MR. MARKS: Mr. Maloney, I'm sorry. I
 8 meant to do this before you got started, you got
 9 started so quickly.
 10 We're calling a rule on witnesses for
 11 the deposition, so I saw Yolanda Peebles here.
 12 MR. MALONEY: Right.
 13 MR. MARKS: And we talked about Bobby
 14 Henry here.
 15 MR. MALONEY: Right.
 16 MR. MARKS: And we're doing LiveNotes.
 17 To the extent they are reviewing the LiveNotes, we're
 18 calling that rule on witnesses and ask that they be
 19 cut off, that they not be allowed to review LiveNotes
 20 of this deposition.
 21 MR. MALONEY: The rule of witnesses
 22 applies to not allow a witness to be exposed to

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1 testimony prior to their own testimony.
 2 MR. MARKS: Uh-huh.
 3 MR. MALONEY: They are fully allowed to
 4 read deposition transcripts. That is well within
 5 their rights to do.
 6 You have asked that Mr. Henry withdraw
 7 from this case --
 8 MR. MARKS: Right.
 9 MR. MALONEY: -- which we'll be happy
 10 to do.
 11 MR. MARKS: Right. He is a potential
 12 witness.
 13 MR. MALONEY: You've asked that he be
 14 excluded from this case, but he, like every other
 15 person in the room who is a potential witness, is
 16 more than free to read deposition transcripts, and
 17 indeed, it is a part of the regular preparation
 18 practice for a deposition to have the witness read
 19 the transcripts of others' depositions.
 20 MR. MARKS: These are not transcripts.
 21 MR. MALONEY: Of course, they are.
 22 They are live transcripts. That's exactly what they

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1 are. They are -- LiveNotes is a live transcription
 2 program.
 3 MR. MARKS: I understand that.
 4 MR. MALONEY: And we have made it clear
 5 on the record since yesterday that we're using
 6 LiveNotes, and you, yourself -- I told you yesterday
 7 and I think you're logged into it right now -- are
 8 free for anyone on your side you want who wants to
 9 review LiveNotes, log into it, read these transcripts
 10 and get them either in -- right now or when they come
 11 in printed form to read them. These are not secret
 12 proceedings.
 13 MR. MARKS: You did not disclose though
 14 that Bobby Henry, Yolanda Peebles or any other
 15 potential witnesses were reviewing this on LiveNotes.
 16 MR. MALONEY: Nor are we required to do
 17 that.
 18 MR. MARKS: I disagree.
 19 MR. MALONEY: There's absolutely --
 20 Maryland Rule 2-431 and all the other rules
 21 associated with it contain no requirement whatsoever
 22 and they are more than entitled to review LiveNotes,

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1 as well as anyone else on our litigation team. We've
 2 got paralegals who are reviewing it, we have lawyers
 3 who are reviewing it.
 4 MR. MARKS: They are not potential
 5 witnesses though.
 6 MR. MALONEY: Well, so what?
 7 MR. MARKS: Okay. We've made our
 8 objection on the record.
 9 MR. MALONEY: Your objection is noted.
 10 MR. MARKS: We'll follow it up.
 11 MR. MALONEY: And anyone on your side
 12 who wishes to review LiveNotes and read that version
 13 of it as opposed to a printed version is entitled to
 14 do that. LiveNotes is now an accepted part of the
 15 practice of law.
 16 MR. MARKS: But not of the rules.
 17 That's all right. We've made our objection. You can
 18 proceed.
 19 MR. MALONEY: If you can cite me some
 20 rule that precludes it, I'm happy to take a look at
 21 it, but I --
 22 MR. MARKS: You'll see it in our motion

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1 to the court.
 2 MR. MALONEY: All right. Then we'll
 3 look forward to seeing it.
 4 BY MR. MALONEY:
 5 **Q Now, let's get back to where we are. With**
 6 **respect to Sinai, is there a Dr. Wooton at Sinai?**
 7 A Yes.
 8 **Q And who is Dr. Wooton?**
 9 A I forgot her first name. I didn't -- I
 10 didn't know Dr. Wooton until Pastor was in the
 11 hospital. She is a family member of the Freemans --
 12 of Drs. Mike and Dede Freeman.
 13 **Q She is their niece; is that correct?**
 14 A I think so.
 15 **Q What type of doctor is she?**
 16 A I don't know.
 17 **Q Did she render care to Betty Peebles?**
 18 A I don't think so. I don't know. I'm not
 19 sure.
 20 **Q All right. And who are the doctors who**
 21 **rendered care to Betty Peebles once she came home?**
 22 A Once she came home?

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1 **Q Uh-huh.**
 2 A Dr. Miriam Martin. Dr. O was her surgeon,
 3 but if you ask me his name, I don't know. I don't
 4 remember his full name. They always called him
 5 Dr. O.
 6 **Q And Dr. Martin -- do you know Dr. Martin to**
 7 **be a fair and honest person?**
 8 A Yes.
 9 **Q Do you know Dr. Martin to be a competent**
 10 **doctor?**
 11 A Uh-huh.
 12 **Q Is that a yes?**
 13 A Yes, yes, yes, yes.
 14 **Q And did Dr. Martin -- what type of care did**
 15 **Dr. Martin render to Ms. Peebles?**
 16 MR. MARKS: Objection. We're
 17 going -- we're not going to authorize the release of
 18 that information, because medical information
 19 is -- there's a privilege. We're going to maintain
 20 the privilege on that.
 21 MR. MALONEY: Well, there is no medical
 22 privilege. Medical records are confidential, but

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1 they are not privileged by statute, and we actually
 2 have a lot of the medical records. They are
 3 not -- there's no such thing as a health care
 4 provider privilege.
 5 There's a psychiatrist patient
 6 privilege, there's a psychologist patient privilege,
 7 but there's no doctor privilege.
 8 MR. MARKS: If you have the records,
 9 you don't need her to disclose. You don't have to
 10 answer that question.
 11 MR. MALONEY: Well, no, I want to know
 12 what she was doing, that doctor there.
 13 MR. MARKS: I'm advising her to not
 14 answer that question.
 15 MR. MALONEY: Are you telling her not
 16 to --
 17 MR. MARKS: I have advised her to not
 18 answer that question.
 19 MR. MALONEY: Are you following that
 20 advice or not?
 21 MR. MARKS: Yes, she is. You may go on
 22 and ask your next question. I have advised her not

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1 to.
 2 BY MR. MALONEY:
 3 **Q How often would Dr. Martin come to the**
 4 **house?**
 5 A Not very often.
 6 **Q And when Dr. Martin would come to the house,**
 7 **what would Dr. Martin do?**
 8 MR. MARKS: Objection. Do not answer
 9 that question.
 10 MR. MALONEY: Are you declining to
 11 answer that question?
 12 MR. MARKS: On legal advice of counsel.
 13 MR. MALONEY: I want to hear -- I want
 14 to hear it from her lips, not yours, counsel.
 15 MR. MARKS: No, sir. I have advised
 16 her not to answer. Ask your next question. You will
 17 not badger this witness.
 18 MR. MALONEY: Under the rules, she has
 19 an independent decision to make.
 20 MR. MARKS: No, sir. She has been
 21 advised by counsel to not answer your question.
 22 MR. MALONEY: That's the first half of

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1 the analysis. The second half is, she has to say
 2 whether or not she is going to answer it or not, and
 3 if you're going to say, "I'm not going to answer the
 4 question on advice of counsel," then we'll move on to
 5 the next question.
 6 MR. MARKS: She has been advised to not
 7 answer.
 8 MR. MALONEY: I understand she has been
 9 advised. I want to know what her position is.
 10 MR. MARKS: You don't have to answer
 11 that. Ask your next question or we're going to be
 12 here a long time.
 13 MR. MALONEY: We sure will.
 14 MR. MARKS: Okay. Feel free to call
 15 the judge if you like.
 16 MR. MALONEY: Well, we're going to do
 17 that in a minute.
 18 MR. MARKS: Do not answer the question.
 19 MR. MALONEY: Are you declining to
 20 answer the question?
 21 MR. MARKS: She is not going to answer
 22 the question.

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1 MR. MALONEY: Are you declining to
 2 answer the question?
 3 MR. MARKS: She is not going to answer
 4 the question, Mr. Maloney. You can go back and forth
 5 as long as you want to, but she's not going to --
 6 MR. MALONEY: What is your basis for
 7 refusing to answer the question?
 8 MR. MARKS: On advice of counsel, she
 9 has been told not to answer the question. You can
 10 certify the question and you can move on.
 11 MR. MALONEY: I want to hear it from
 12 her.
 13 MR. MARKS: No, sir, you've heard it
 14 from me.
 15 MR. MALONEY: You are not the witness.
 16 MR. MARKS: I'm her counsel.
 17 MR. MALONEY: We're going to sit here
 18 for quite awhile.
 19 MR. MARKS: That's fine, because at
 20 5:00 o'clock, we're leaving.
 21 MR. MALONEY: The time now is 1:41 p.m.
 22 (Discussion off the record.)

<p style="text-align: right;">Page 174</p> <p>1 MR. MARKS: Mr. Maloney, please 2 represent that you would like a conference call with 3 the judge, not that the parties would like a 4 conference call. 5 MR. MALONEY: I have never represented 6 the parties wanted one. 7 Hi. We have a situation where the 8 witness is being instructed not to answer questions 9 in the Jericho case. Please see if we can get Judge 10 Jackson on the phone, that I, not Mr. Marks, would 11 like to have a conference call about the obstruction. 12 If we can't reach him, I would like to talk to the 13 Civil Chambers Judge, whoever that happens to be for 14 the day. 15 Right. Exactly. Thank you. 16 The Chamber Judge is out for another 17 twenty minutes. Paul, we will deal with the Court on 18 the open phone right here. 19 BY MR. MALONEY: 20 Q Are you refusing to answer any questions 21 that deal with the issue of any role of the doctors 22 in this case?</p>	<p style="text-align: right;">Page 176</p> <p>1 BY MR. MALONEY: 2 Q What was in the IV, if you know? 3 A Saline fluid, I thought. 4 Q And did you -- was that for hydration 5 purposes, if you know? 6 A That's what I thought. 7 Q And did you ever tell the doctor or take 8 any -- 9 MR. MARKS: Don't guess. 10 BY MR. MALONEY: 11 Q Did you, yourself -- I'm not talking about 12 anybody else -- did you, yourself, ever say or do 13 anything to try to make sure that she was on or 14 continued to be on or was returned to an IV unit? 15 A I, myself, didn't do anything. 16 Q Are you aware of anyone else doing that? 17 A No. 18 Q Did any doctor ever tell you that she should 19 not be on that IV? 20 A No, not that I remember; no. 21 Q Did you hear any other doctor take the 22 position that she should not be on the IV?</p>
<p style="text-align: right;">Page 175</p> <p>1 A I don't know most of those -- the answers to 2 those questions, so I'm not saying I'm refusing, I 3 don't -- I probably don't have the information that 4 you need. 5 Q Did Dr. Martin ever tell you that he wanted 6 to place Betty Peebles -- that she wanted to place 7 Betty Peebles back, take her off the drip? 8 A Take her off the drip? 9 Q Yes. Was there a drip that Betty Peebles 10 was on -- an IV? 11 MR. MARKS: Object to the question. 12 You may answer that if you know. 13 A I don't remember her telling me that. 14 BY MR. MALONEY: 15 Q Do you remember there being an IV that you 16 could see? 17 A Yes. 18 Q And did the IV have pain killers in it, 19 morphine or other things? 20 MR. MARKS: Objection. No foundation. 21 You may answer if you know. 22 A Not that I know. I don't know.</p>	<p style="text-align: right;">Page 177</p> <p>1 MR. MARKS: I would like a continuing 2 objection to this line of questioning. 3 MR. MALONEY: You have it. 4 A I don't recall. 5 BY MR. MALONEY: 6 Q Did you ever take any steps in terms of the 7 care of Betty Peebles that was against medical 8 advice? 9 A Not that I -- no, I didn't, because I 10 wasn't -- I didn't take care of her medically, so -- 11 Q Who took care of her medically? 12 A Her doctors and the people that she had put 13 in charge. 14 Q Did you ever communicate any medical 15 decisions to her? 16 A No. 17 MR. MALONEY: Show her this. Let's 18 mark this. 19 (Whereupon, Defendants' Exhibit 4: 20 Marked for identification.) 21 BY MR. MALONEY: 22 Q I show you what is marked as Defendants'</p>

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1 **Exhibit Number 4, which is the Advanced Directive**
 2 **Part A, Appointment of a Health Care Agent, and it**
 3 **appears to be signed on November 13th, 2009, by Betty**
 4 **Peebles.**
 5 **Directing your attention to Page 3, is that**
 6 **her signature there?**
 7 A Yes.
 8 **Q Her signature appears different than some of**
 9 **the other signatures of her that we've seen before.**
 10 **Was there a change in her signature during**
 11 **her illness?**
 12 MR. MARKS: Objection. No foundation.
 13 You may answer if you know.
 14 A I don't see a change in her signature, no.
 15 BY MR. MALONEY:
 16 **Q All right. So this appears to be the same**
 17 **to you?**
 18 A Yes.
 19 **Q That's fine. And the two witnesses here,**
 20 **who are they?**
 21 A Betsy Ferguson is one of your ladies that's
 22 the receptionist in our church office, and this must

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1 be Paul Shelton.
 2 **Q Okay. And what are the circumstances under**
 3 **which the Apostle executed this Advanced Directive?**
 4 A I don't know.
 5 **Q Do you know where she was when she signed**
 6 **it?**
 7 A At home.
 8 **Q And were you there when she signed it?**
 9 A I was there. I took -- I took Betsy over to
 10 her house. I wasn't in the room when she signed it.
 11 **Q You took Betsy over to the house for**
 12 **purposes of witnessing this document?**
 13 A Yes, uh-huh.
 14 **Q How come you didn't witness it yourself?**
 15 A I didn't know there was a document to
 16 witness. Apostle called me and asked me if I would
 17 bring her over and she said yes, she would go. I
 18 didn't know that this document was being drawn up or
 19 being prepared.
 20 **Q Until you got there?**
 21 A No.
 22 **Q Even afterwards?**

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1 A This is the first time I have seen this
 2 document.
 3 **Q Okay. So you knew she was there for that**
 4 **purpose, but you never actually saw the document?**
 5 A No, I knew she was there to witness
 6 something that Apostle had for her to do, but I
 7 didn't know what it was.
 8 **Q Was Mr. Stern there that same day?**
 9 A Shelton.
 10 **Q Mr. Shelton was there?**
 11 A Yes.
 12 **Q Who else was there that day?**
 13 A I don't remember.
 14 **Q Was either Michael or Dede -- Delores**
 15 **Freeman -- there?**
 16 A I honestly don't -- do not remember.
 17 **Q How about Gloria Magruder?**
 18 A I would -- I don't remember. I really don't
 19 recall.
 20 **Q How about her caretaker, Mr. Sasay?**
 21 A Was Zain there? I believe Zain was there.
 22 **Q Okay. And was he present upstairs? Was**

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1 **this signed in the bedroom, as far as you know?**
 2 A Her church office.
 3 **Q Her church office?**
 4 A Uh-huh, I think.
 5 **Q Oh, so this was signed at the church**
 6 **administrative offices?**
 7 A No, no, she -- I'm sorry, her home office.
 8 **Q Her home office?**
 9 A I'm sorry, her home office.
 10 **Q And where was that physically located in the**
 11 **house?**
 12 A It's the next room after the living room.
 13 **Q And where was her bedroom physically located**
 14 **in the house?**
 15 A Two rooms from that office.
 16 **Q To your knowledge, has this appointment of a**
 17 **health care agent -- was that ever exercised by Betty**
 18 **Peebles during her lifetime?**
 19 A I believe -- yes, I believe it was.
 20 **Q When and under what circumstances?**
 21 A I believe that they helped her when she went
 22 into the hospital.

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1 **Q "They" being who?**
 2 A "They" being the Freemans, Michael and Dede
 3 Freeman.
 4 **Q And how about Zain; did he ever exercise the**
 5 **health care?**
 6 A Yes.
 7 **Q Excuse me. Thank you.**
 8 A Yes, the three of them, I found out later.
 9 **Q And how about Gloria Magruder?**
 10 A No, Gloria did not.
 11 **Q What decisions did they make under this**
 12 **appointment of a health care agent?**
 13 A I don't know.
 14 **Q You know they made decisions, you just don't**
 15 **know what they are?**
 16 A Yeah, exactly, I have no idea.
 17 **Q All right. The -- when did you learn that**
 18 **one of these was executed?**
 19 A I believe after -- it was after Pastor was
 20 in the hospital that I learned that the Freemans were
 21 a part of her medical directive.
 22 **Q Now, you told us a little earlier that there**

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1 **were individual meetings with the directors who were**
 2 **going to resign. One of them was Jennie Jackson.**
 3 A Uh-huh.
 4 **Q You weren't in that meeting, were you?**
 5 A No, I wasn't in any of those when they
 6 resigned.
 7 **Q Were you aware -- well, were you in a**
 8 **meeting with Bruce Landsdowne to discuss resignation?**
 9 A I don't remember.
 10 **Q All right. Are you saying it didn't happen**
 11 **or you just don't remember?**
 12 A I'm saying I don't recall. I'm not saying
 13 it didn't happen.
 14 **Q All right. How about Gloria Magruder; would**
 15 **she have been in a meeting with you and Bruce**
 16 **Landsdowne during the discussion of resignation?**
 17 A Like I said, I don't recall.
 18 **Q Are you aware of Jennie Jackson meeting with**
 19 **Gloria?**
 20 A No, I'm not.
 21 **Q You're not aware of that at all?**
 22 A Huh-uh.

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1 **Q Was there ever any discussion by the Board**
 2 **of Trustees of -- or any decisions made by the Board**
 3 **of Trustees of issues relating to the academy?**
 4 A The Apostle did talk with the Board of
 5 Trustees about the -- about the academy and the
 6 looming deficit, that the expenses were overwhelming,
 7 yes.
 8 **Q And when was that? What meeting was that**
 9 **at?**
 10 A She actually mentioned it at some point in
 11 March. I don't know if that was a board meeting
 12 though. Some of the members may have been there.
 13 She mentioned in March of '09. She mentioned
 14 it -- she mentioned it all the time, so it came up so
 15 often until, I mean, it was a very sensitive,
 16 happening thing at that time.
 17 So I can't say that -- there was not an
 18 official meeting called just for that.
 19 **Q Well, my question is none of those things.**
 20 A Okay.
 21 **Q I simply want to know, was it ever discussed**
 22 **at a meeting of the Board of Trustees that was called**

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1 **for any purpose, including that, was there either any**
 2 **discussion or decisions made at a Board of Trustees**
 3 **meeting about the academy that you can recall -- not**
 4 **informal conversations with you or anybody else, but**
 5 **at a meeting of the Board of Trustees where**
 6 **the -- where the item was discussed by the board and**
 7 **either action taken or not taken?**
 8 A There was a meeting where there was a
 9 discussion, but I don't -- there wasn't -- I don't
 10 remember an action --
 11 **Q And when was that meeting?**
 12 A -- being taken. I don't recall. It's
 13 sometime between that March, '09, and May, '09.
 14 **Q And what was the discussion if you know?**
 15 A Whether the school should be closed
 16 completely or just scaled back to lower grades.
 17 **Q And was a decision made at that meeting?**
 18 A A decision was not made at that meeting.
 19 **Q So the -- so when the school was scaled back**
 20 **from K-12 to K-5, that was not a decision that was**
 21 **ever made by the board?**
 22 A The Pastor got everyone's opinion on it, but

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1 there wasn't a board vote on it.

2 **Q In other words, she made the decision after**

3 **getting people's opinions?**

4 A Yes.

5 **Q Okay. But, to your knowledge, it was never**

6 **either decided or ratified by the board itself?**

7 A That's right.

8 **Q Okay. Other than the May 28th, 2009 meeting**

9 **that you told us about, did the board ever meet in**

10 **person as a board at any time from March 15th of 2009**

11 **until 18 months later when the Apostle died?**

12 A No, all of the meetings after the May

13 meeting, as I recall, were by phone.

14 **Q And the phone meetings, do you recall when**

15 **those meetings were?**

16 A No, I don't, actually. There were a number

17 of them throughout the months.

18 **Q Were there ever any minutes taken of those**

19 **meetings?**

20 A I have -- there are -- there are

21 some -- very short minutes, because it was all

22 bylaws. We worked on the bylaws with the Apostle on

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1 the phone.

2 **Q So is it an accurate statement that the only**

3 **subject ever discussed in these phone meetings were**

4 **the bylaws?**

5 A That's correct. I don't think we had any

6 other discussions as a board.

7 **Q So, in other words, the board from the time**

8 **it was appointed in March of 2009 until the Apostle's**

9 **death on October -- in October of 2010, never**

10 **discussed any other item other than the appointment**

11 **of the one successor trustee, the one discussion they**

12 **had about the academy and then the phone**

13 **conversations about the bylaws; is that correct?**

14 A And the putting in place of her parsonage,

15 and I think that was it.

16 **Q And the parsonage would have occurred at**

17 **that May meeting as best you can recall?**

18 A Yes, uh-huh. Uh-huh.

19 **Q Did the board ever have any meetings, either**

20 **in person or by phone, during the last year of the**

21 **Apostle's life?**

22 A Actually, we did. We had a couple of

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1 meetings about the academy, and we had a

2 meeting -- we had a -- it seems like we had an issue

3 with the snow or something and I think we had a

4 meeting there, so there was a couple of meetings.

5 **Q Are there any minutes of those meetings?**

6 A Yes.

7 **Q Were those meetings in person?**

8 A Those meetings were in person.

9 **Q And did Betty Peebles chair those meetings?**

10 A No.

11 **Q Who chaired those meetings?**

12 A Actually, in this case -- in this case,

13 Deacon Boswell, Deacon Jackson and I met.

14 **Q All right. So this wasn't really a formal**

15 **meeting of the board, this was just three of the**

16 **directors; right?**

17 A Right.

18 **Q So you're not aware of any formal meeting of**

19 **the board being held during the last year of the**

20 **Apostle's life?**

21 A No, I don't recall.

22 **Q When was -- you were appointed March 15th of**

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1 **2009, you believe, along with the other directors.**

2 **When was this new Board of Trustees**

3 **announced to the congregation?**

4 A It was not announced to the congregation.

5 **Q Ever?**

6 A No.

7 **Q Is it still a secret from the congregation?**

8 A No.

9 MR. MARKS: Objection to the

10 characterization as secret, but you may answer if you

11 know.

12 A Not a secret.

13 BY MR. MALONEY:

14 **Q Well, has there been any public announcement**

15 **at any time as to the identity of the Board of**

16 **Trustees?**

17 A No, there hasn't.

18 **Q Why not?**

19 A The reason that we didn't announce it

20 previously, because Pastor asked November of '09 that

21 it -- just like everything else, that we wait until

22 she was back to make any announcements and to -- to

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1 tell the people. She wanted to do it.
 2 **Q She said that in November of '09?**
 3 A Yes, uh-huh.
 4 **Q Well, how about in March of '09 when --**
 5 A I'm sorry, forgive me. That was -- that
 6 wasn't March of '09, that was -- yeah, that was
 7 November of '09. I'm sorry.
 8 **Q But how about in March of '09 when you**
 9 **believe you and the other trustees were appointed;**
 10 **why wasn't it announced then?**
 11 A Because the Apostle didn't announce it.
 12 **Q Do you know why it wasn't announced?**
 13 A It wasn't unusual, because usually when she
 14 did church business, it wasn't always announced at
 15 the congregation, so no, I don't know why, but it
 16 wasn't something I would have questioned.
 17 **Q So those are reasons known only to her; is**
 18 **that right?**
 19 A Yes.
 20 **Q And we heard testimony yesterday from the**
 21 **purported chair, Ms. Magruder, that Joel Peebles was**
 22 **not told until September -- late September of 2010.**

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1 **And my question to you is: Why was Joel**
 2 **Peebles not told about this purported Board of**
 3 **Trustees until that date?**
 4 A He wasn't told because the Apostle said that
 5 she would make the announcement.
 6 So when she said she would make the
 7 announcement, for me, that meant to anyone that she
 8 wanted to announce it to.
 9 So that's not something I would have
 10 questioned either.
 11 **Q So did she ever tell you specifically not to**
 12 **tell Joel Peebles, Sr.?**
 13 A The Apostle didn't have to say specifically.
 14 When she wanted you to tell someone something, she
 15 would tell you to tell them, and if she didn't
 16 want -- if she didn't tell you directly to tell that
 17 person, then you did not tell that person.
 18 **Q So anything that went on with her or went on**
 19 **with the church was to be confidential unless and**
 20 **until she told you?**
 21 A Unless she told me to mention it, then I
 22 wouldn't have mentioned it.

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1 **Q Did you ever yourself -- so as far**
 2 **as -- you're not aware of Joel Peebles being notified**
 3 **about this new Board of Trustees at any time prior to**
 4 **September of 2010; is that correct?**
 5 A I have no knowledge of it.
 6 **Q All right. So that would be -- as far as**
 7 **you know, that's the first time that he would have**
 8 **found out; correct?**
 9 A Yes, uh-huh.
 10 **Q And did -- have you ever had a discussion**
 11 **with Joel Peebles about this Board of Trustees or**
 12 **what's going on with the church or what's happening**
 13 **here?**
 14 A Yeah, we have had some discussion.
 15 **Q Tell me about that.**
 16 A Basically, it's the reason we're here. He
 17 is -- he feels that we're not a board and that his
 18 mother did not put this board in place, which Apostle
 19 Betty put this board in place and was the chairman of
 20 and operated with this board, so that's -- that was
 21 basically our discussion.
 22 His -- his side is, we're not; I know that

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1 we are.
 2 **Q And when you said you know what you are, how**
 3 **is it that you know that you are?**
 4 A Apostle Betty asked me to be on the board
 5 and I signed the document that she asked me to sign
 6 to become a trustee of the board.
 7 **Q Uh-huh. And did you tell him that?**
 8 A Yes, I did.
 9 **Q And what did he say?**
 10 A He said that I wasn't a board member because
 11 there was no board. I can't give you exact words, he
 12 would have to give those to you.
 13 **Q When did this conversation take place?**
 14 A I can't say exactly. It took place a number
 15 of times after he realized there was a board -- at
 16 least that he acknowledged that there was.
 17 **Q Now, has the board ever considered the issue**
 18 **of the Redskins parking?**
 19 A The issue of the Redskins parking?
 20 **Q Right.**
 21 A Considered the issue? I don't know that
 22 there is an issue.

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1 **Q Well, did there come a time when the**
 2 **management of the Redskins parking changed from a**
 3 **situation where the Redskins would make a guaranteed**
 4 **annual payment to one in which the church actually**
 5 **collected the parking from the parking patrons?**
 6 A Uh-huh, there came a time. The Apostle met
 7 with Michael Dillow more than once, and he expressed
 8 to her that the Redskins were changing their policy
 9 and that -- the way they were setting up the
 10 contracts, and he gave her, I believe -- I believe he
 11 gave her a draft of a contract and asked her -- asked
 12 her if she wanted to put it in place before he left
 13 the company, because he was leaving.
 14 **Q Right.**
 15 A And she didn't like it, so she didn't take
 16 it.
 17 **Q And when did this take place?**
 18 A I don't remember the date.
 19 **Q Were you present during the meeting with**
 20 **Mike Dillow?**
 21 A I was.
 22 **Q All right. And who else was present?**

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1 A I know there was someone else. I don't
 2 remember -- I don't remember who else was present.
 3 **Q And so -- and what was the objections that**
 4 **were expressed by the Apostle to the new Redskins**
 5 **contract?**
 6 A The finances was totally different than in
 7 the past on that draft.
 8 **Q Uh-huh.**
 9 A And it wasn't -- I can only possibly recall
 10 that it wasn't as lucrative as in the past.
 11 **Q Uh-huh.**
 12 A And it wasn't giving -- I almost want to
 13 say, it wasn't giving us a guarantee of funds, but
 14 the main issue, it seemed to me, for Pastor, it felt
 15 like to her -- I don't know if it was in the
 16 agreement, because I didn't read the agreement, but
 17 it felt like to her they were saying, "We'll use your
 18 parking for what we want, but we will not -- if we
 19 don't, the portion we don't use, you can't use."
 20 **Q Uh-huh.**
 21 A So if they take a certain amount of spaces
 22 and it didn't fill our lots, then -- so there was

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1 things in the contract she didn't like.
 2 **Q What was the guaranteed payment prior to**
 3 **that approximately?**
 4 A Oh, gosh. I don't remember.
 5 **Q Was it about 1.2 million a year?**
 6 A It could have been. A million dollars
 7 sounds familiar.
 8 **Q All right. And what's happened to the**
 9 **revenue now that the church collects it itself?**
 10 A Actually, the revenue is down. It is down
 11 from 1. -- 1.2.
 12 **Q What's it down to?**
 13 A So also, it's the economy. It wasn't just
 14 that, it's down. It's the -- the folks that's coming
 15 to park on the lot.
 16 **Q Uh-huh.**
 17 A But I would have to check to see what it was
 18 down to.
 19 **Q What's the neighborhood that it's in now?**
 20 A Probably around 800,000.
 21 **Q And with respect to church attendance,**
 22 **Pastor Joel Peebles has always to recent years done**

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1 **the 8:00 o'clock service; correct?**
 2 A Yes, uh-huh.
 3 **Q How is attendance determined at the church?**
 4 **Is there any clicker or formal way or is it just what**
 5 **you see when you look around?**
 6 A It's just what you see when you look around.
 7 **Q And what has been the history of attendance**
 8 **AT Pastor Joel Peebles' 8:00 a.m. service for the**
 9 **last several years that you're aware of?**
 10 A It was -- I think a few years ago, it was
 11 extremely good, and then I think it just kind of
 12 dropped some. It's gone down some.
 13 **Q Uh-huh. Is it still good, just not**
 14 **extremely good?**
 15 A Still good, yes.
 16 **Q And do you know whether there's been a major**
 17 **drop or just a drop or what?**
 18 A After three, four years ago, seemed like it
 19 was a major drop, and now it seems to be kind of
 20 consistent.
 21 **Q And is this based on your personal**
 22 **observations or what you're hearing?**

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1 A Personal observation.

2 **Q From your attending the 8:00 o'clock**

3 **service?**

4 A I only attend sometimes.

5 **Q All right. So just what you see sometimes;**

6 **is that correct?**

7 A Uh-huh.

8 **Q Do you have any biblical objections to like**

9 **we heard yesterday to the foundation of some of his**

10 **preaching?**

11 A Elder Joel did Bible study last Wednesday,

12 and I sat in and took a page of notes -- good

13 notes -- good Word.

14 **Q So the answer is no?**

15 A The answer is no.

16 **Q Okay. The -- with respect to the collection**

17 **coming out of the 8:00 o'clock -- the offering coming**

18 **out of the 8:00 o'clock service, what's been the**

19 **history of that over the last two or three years?**

20 A I'm sorry, the --

21 **Q The offering from the 8:00 o'clock; what's**

22 **been the history of the offering for the last two or**

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1 **three years? Has it been consistent? Gone up or**

2 **down?**

3 A It's been consistently down.

4 **Q Is that because of the economy?**

5 A I think the economy was some and the fact

6 that the Apostle was out also contributed heavily to

7 that to an extent.

8 **Q And how has the 8:00 o'clock service done**

9 **for the last year? Has it been consistent?**

10 A It's been gradually -- I guess it's -- it's

11 consistent, but much lower than it used to be.

12 **Q And what is that amount approximately on**

13 **Sunday?**

14 A I don't have the amounts. I would have to

15 get them.

16 **Q In the neighborhood, what do you think?**

17 A I can't even give you -- I would have to go

18 back and do an average of them.

19 **Q Do you have any idea whatsoever what's**

20 **coming out of the 8:00 o'clock service or is that**

21 **just something you don't have a clue about?**

22 A Right now, I don't know at this moment. At

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1 this moment, I don't.

2 **Q How about the 11:00 o'clock service; what's**

3 **been the history of that for the last couple of**

4 **years?**

5 A Last couple of years, that's gone down, as

6 well.

7 **Q Uh-huh. And what --**

8 A The economy is some of it.

9 **Q And what's been the approximate amount for**

10 **the 11:00 o'clock service?**

11 A I would need to go back and get both of

12 those, because I -- lately, I haven't looked at

13 either one of them in the last --

14 **Q What's the total amount of the offering on a**

15 **Sunday average?**

16 A I would have to ask Dorothy Williams. I

17 don't have the average.

18 **Q All right. So you're telling me that you**

19 **don't have any idea as to what -- as the**

20 **administrator -- the acting administrator -- what the**

21 **actual offering is on Sunday? That's not something**

22 **you're aware of?**

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1 A It's -- I don't want to misstate it. I

2 just -- it's something I can get for you.

3 **Q All right. But you don't -- you can't even**

4 **make an estimate sitting here today?**

5 A If I could -- if I could estimate that a

6 first Sunday would be around 50,000.

7 **Q Okay. The first Sunday?**

8 A But I could be wrong.

9 **Q Is there a difference between a first Sunday**

10 **and any other date?**

11 A Yes, usually first Sunday is a little bit

12 higher.

13 **Q Okay. And you were present yesterday when**

14 **there was a discussion about financial reports.**

15 A Uh-huh.

16 **Q What's going on with these financial**

17 **reports?**

18 A Nothing is going on with them.

19 **Q Well, the Chairman of the Board testified**

20 **yesterday the board has never been provided with a**

21 **financial report other than that from the third**

22 **quarter of calendar year --**

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1 A Oh, I see what you're saying, the third
 2 quarter of 2010.
 3 **Q Right.**
 4 A The fourth quarter 2010, I should have this
 5 week. It's coming from the accountant. It just
 6 wasn't ready. It wasn't ready yet.
 7 **Q Do you know what held it up?**
 8 A No, this is our normal -- normal time line.
 9 **Q Well, does the finance office provide you**
 10 **with weeklies or monthlies?**
 11 A Yes.
 12 **Q And have you gotten weeklies or monthlies**
 13 **for any of the months in calendar 2011?**
 14 A Yes, I have.
 15 **Q All right. And what are they showing on a**
 16 **monthly basis?**
 17 A Well, I would have to get the report. I
 18 wouldn't be able to just tell you what it's showing.
 19 **Q Well, what has happened to the financial**
 20 **performance of the church since the death of the**
 21 **Apostle? Has it improved? Has it deteriorated or**
 22 **has it remained the same?**

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1 A It has not improved at all.
 2 **Q Well, has it deteriorated?**
 3 A Yes, it has.
 4 **Q And when you say it's deteriorated, how**
 5 **would you describe the deterioration?**
 6 A I wouldn't be able to describe it in a -- in
 7 an actual dollar amount, but I would say I would have
 8 to get the report.
 9 **Q Well, in your judgment as the administrator**
 10 **who is responsible for the day-to-day operation of**
 11 **Jericho, what's happening in terms of the**
 12 **performance -- the financial performance of the**
 13 **institution?**
 14 **What's your -- can you provide any**
 15 **assessment or is that something you're just not aware**
 16 **of?**
 17 A Oh, I'm aware that the tithes and offerings
 18 are down, and that's the main income of the church.
 19 **Q Okay. And is that the main reason that's**
 20 **really leading to this decline in the financial**
 21 **performance of the church?**
 22 A Yes.

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1 **Q How about expenses; have expenses remained**
 2 **the same, increased or decreased?**
 3 A Expenses have remained the same and we're
 4 looking at ways to decrease.
 5 **Q Okay. And what ways are you looking at**
 6 **right now?**
 7 A We're looking at the utilities in ways that
 8 we can cut back on some of the lights and the -- just
 9 the basic things we're going through first.
 10 **Q How about staffing and personnel?**
 11 A That would be the last thing we would look
 12 at.
 13 **Q How about the academy?**
 14 A The academy, we are going to take a look at
 15 staffing there.
 16 **Q Is the academy continuing to lose money?**
 17 A Yes, but the academy has always lost money.
 18 **Q Is -- go ahead.**
 19 A That's has always -- that's a consistent
 20 history.
 21 **Q Was the academy basically never expected to**
 22 **be a money-maker, more of an educator than a**

Page 205

1 **money-maker?**
 2 A That is true.
 3 **Q Was there ever a limit to the amount of**
 4 **losses that were deemed to be appropriate or**
 5 **acceptable consistent with the mission of the church?**
 6 A The Apostle always kind of earmarked 300,000
 7 or so to be lost.
 8 **Q To be lost?**
 9 A Uh-huh.
 10 **Q As a loss from the academy; is that correct?**
 11 A Yes.
 12 **Q How much are the losses from the academy**
 13 **right now?**
 14 A It's probably at like 174,000.
 15 **Q We had testimony yesterday about the fact**
 16 **that Joel Peebles is the acting or the assistant**
 17 **preacher; that is an accurate statement -- that he is**
 18 **not the full-time pastor, that he is the assistant**
 19 **pastor; is that correct?**
 20 A He is the assistant pastor.
 21 **Q And the pastor's position that was held by**
 22 **the Apostle remains vacant; is that correct?**

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1 A That's correct.

2 **Q And is that done out of respect for a**

3 **one-year mourning period?**

4 A That is correct.

5 **Q And what are the plans of the church with**

6 **respect to filling the Pastor's position on a**

7 **full-time basis?**

8 A That's something the board is going to meet

9 and talk about.

10 **Q Well, have you or anyone else on the board,**

11 **to your knowledge, talked to any prospective pastors**

12 **other than Joel Peebles, Sr., about that position?**

13 A No, absolutely not.

14 **Q Is Joel -- is the board going to offer Joel**

15 **Peebles a permanent position? Is that your view?**

16 A I -- I honestly don't -- can't speak for the

17 board on that issue. The board needs to meet and

18 talk about that issue.

19 **Q Has the board done that yet?**

20 A No, we haven't.

21 **Q What's your understanding of the views of**

22 **the board now on that question?**

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1 MR. MARKS: Objection. Calls for

2 speculation. You may answer if you know.

3 MR. MALONEY: Just tell me what you

4 know.

5 A That we want to work through this situation

6 and come to a resolution and put everything in place

7 the way it should be.

8 BY MR. MALONEY:

9 **Q And when you say "work through this**

10 **situation," you're talking about the litigation**

11 **that's pending now?**

12 A I'm talking about the litigation.

13 **Q And what do you consider to be working**

14 **through the situation for an acceptable resolution?**

15 A I can't explain what I -- exactly what I

16 accept as an acceptable resolution, but I certainly

17 would -- and I have expressed this to Elder Joel many

18 times -- I would -- my resolution is on a personal

19 basis, I would love to be able to settle things

20 between him and I and we'd be able to work together.

21 **Q Do you think that's possible?**

22 A I do.

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1 **Q And what would it take to make that happen?**

2 A We would have to -- we would have to talk

3 and come to some resolution of how to make that

4 happen.

5 **Q The -- with respect to -- when did you have**

6 **that discussion with Joel Peebles?**

7 A We've talked about it a number of times.

8 **Q Is Joel continuing to handle the weekly**

9 **television show?**

10 A Is he continually on TV?

11 **Q Yes.**

12 A Yes, he is on TV and so is the Apostle. She

13 is still on, as well.

14 **Q Well, reruns of her are on there; right?**

15 A And reruns of him.

16 **Q And he has been on the TV for the last 17**

17 **years; correct?**

18 A I'm not sure how many years, but it's been a

19 long time, yes.

20 **Q Okay. Is he continuing to do the weekly**

21 **radio show?**

22 A We don't have a radio right now.

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1 **Q Well, has he been on the radio in the past?**

2 A In the past, yes, he has.

3 **Q Okay. Does he continue to officiate at**

4 **weddings and funerals?**

5 A He does, yes.

6 **Q Does he continue to officiate to council**

7 **members of the church?**

8 A Yes, he does.

9 **Q And are you aware of any deficiencies or**

10 **problems in his discharge of his duties as assistant**

11 **pastor?**

12 A I -- I think I would say no, there's nothing

13 that I would say here.

14 **Q Are you aware of any -- well, when you say,**

15 **"say here" --**

16 A Well, I don't -- I don't mean -- there's

17 nothing I would say, no.

18 **Q And nothing that you can think of, is**

19 **that -- I don't want something that you believe is a**

20 **problem with him popping up later in this litigation,**

21 **so now is the time to say it, okay?**

22 **If you think that there's been a way in**

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1 **which he has not been appropriately discharging his**
 2 **duties as the assistant pastor, you should articulate**
 3 **that now. You don't get to surprise people at trial**
 4 **with this. That's why we have depositions.**
 5 A Okay.
 6 **Q Okay? Is there anything in his performance**
 7 **of the duties of assistant pastor that you consider**
 8 **to be deficient?**
 9 MR. MARKS: Let me just object to that
 10 little -- the comments provided to you that were not
 11 questions. If you do not recall everything now and
 12 you recall something later, you are entitled to
 13 disclose that when you recall it.
 14 At this time, whatever comes to your
 15 mind, whatever you know, you may respond.
 16 A And at this time, there's nothing that I
 17 would -- I would say that -- that would -- there's
 18 nothing that I would say at this moment that would
 19 tell -- say to you that he is not performing duties.
 20 BY MR. MALONEY:
 21 **Q And sitting here today, is there any reason**
 22 **that you can think of that he would not be an**

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1 **appropriate full-time pastor for Jericho?**
 2 MR. MARKS: Objection. Calls for
 3 speculation. You may answer if you know.
 4 A That's -- that's really not a hard question
 5 for me, I know. It's not a hard question for me.
 6 I -- there are -- there are things that I'm
 7 concerned about, but do I think he would be a pastor
 8 of the church; I think he could, yes, absolutely.
 9 BY MR. MALONEY:
 10 **Q Well, do you think he would be a good pastor**
 11 **is really the question?**
 12 A I think he --
 13 MR. MARKS: Objection. Calls for
 14 speculation. You may answer if you know.
 15 A I think he has a good heart, I really do.
 16 BY MR. MALONEY:
 17 **Q Well, hopefully, everybody in this room has**
 18 **a good heart. My question is whether he would be a**
 19 **good pastor.**
 20 A We would have to see.
 21 **Q And what would be the concerns that you**
 22 **would have?**

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1 A My concern is -- is the leadership -- the
 2 leadership with me. Let's -- I have to leave it with
 3 me.
 4 I -- I don't know all the time if -- if you
 5 can lay your feelings aside and actually lead the
 6 people -- and I'm one of them -- and that's where
 7 I -- that's where my question would lie. You know,
 8 some things, we just have to work through, and we
 9 work through things and we don't always agree, but
 10 that doesn't mean that we have to be at
 11 odds -- totally at odds with each other. I don't
 12 agree, but I'm not at odds, and that's the piece for
 13 me.
 14 And if I'm in that circumstance -- and I'm
 15 saying I, Denise -- not the board -- but I, Denise,
 16 if I'm in that circumstance, will I have other
 17 members -- will the members, the people that you're
 18 leading, well, then, will that be the same
 19 circumstance?
 20 **Q In other words, is your question, "Can we**
 21 **put the litigation behind us?" Is what you're really**
 22 **saying?**

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1 A No, I'm talking -- moving litigation and
 2 moving out the whole board situation and speak on
 3 behalf of Denise, Elder Joel feels that he cannot
 4 lead me. He feels like he cannot work with me.
 5 Well, at a point, you have to grow past some
 6 of the those things and do what is not
 7 always -- doesn't always feel good to do. That's my
 8 piece. That's -- so that's -- I don't know if I
 9 explained it well, but --
 10 **Q I think I get it. Has the litigation**
 11 **divided the congregation?**
 12 MR. MARKS: Objection. Calls for
 13 speculation. You may answer if you know.
 14 A The first -- the first week, I heard that
 15 statement, and I didn't believe that to be true.
 16 No, the litigation, I don't believe, divided
 17 the people.
 18 I believe constant statements that were made
 19 and constant things that are being put out -- out
 20 there divided the people. I don't believe it was the
 21 litigation, because I believe we could have worked
 22 through this without all of the hoopla.

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1 BY MR. MALONEY:
 2 **Q And when you say "hoopla," what are you**
 3 **referring to?**
 4 A Referring to the -- well, one example is
 5 right now, we got friends with an anonymous letter
 6 going around -- to make sure that they approach us
 7 and that they -- that they ask us questions.
 8 So suddenly -- and the name that's on one of
 9 those documents is Morris. Just so happens that
 10 Morris is -- could be any number of members, because
 11 we have a number of those members on the roll, but I
 12 don't know, but I'm -- I'm just -- I'm concerned that
 13 it's been so much being put out to the people.
 14 My concern is for the people. We can work
 15 through this and we're all going to come out of this
 16 somehow, but it's not necessary to include -- involve
 17 the people in it.
 18 **Q Do you have any knowledge that Joel Peebles,**
 19 **Sr., has been involved in what you just referred to**
 20 **at all directly or indirectly?**
 21 A I have no knowledge and I'm not saying that
 22 he has directly or indirectly.

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1 **Q All right. The -- with respect to the**
 2 **financial performance of the congregation -- of the**
 3 **church, have there ever been any published reports**
 4 **given to the congregation as to how its church is**
 5 **performing?**
 6 A No, it hasn't, because the Apostle never
 7 gave out the public reports.
 8 **Q Has there been any board discussion of**
 9 **making such reports public?**
 10 A We have been talking about it; yes, uh-huh.
 11 **Q And with respect to the financial reports,**
 12 **does the board have any banking relationship with any**
 13 **entity other than Bank of America?**
 14 A Yes, we do.
 15 **Q And with whom?**
 16 A There's a couple other banks, PNC, I want to
 17 say Industrial or Harbor Bank.
 18 **Q The one on Mitchell.**
 19 A Couple other.
 20 **Q All right. With respect to PNC, when did**
 21 **the banking relationship with PNC begin?**
 22 A Years ago. Dorothy Williams would probably

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1 have to tell you when it started.
 2 **Q And what generally does PNC do for Jericho?**
 3 A Some of our tithes and offerings go into
 4 that -- into that bank.
 5 **Q And other --**
 6 A And people that do direct deposits.
 7 **Q So they handle the direct deposits aspect of**
 8 **them?**
 9 A Some of them.
 10 **Q How is it decided what goes into PNC and**
 11 **what goes into Bank of America?**
 12 A That was before me and it's already set in
 13 place, so I don't know how that was decided at the
 14 time.
 15 **Q And how about Industrial Bank or Harbor**
 16 **Bank?**
 17 A Those are just small accounts.
 18 **Q When were they established?**
 19 A Years ago, pastor establishes -- established
 20 them and she never closed them.
 21 **Q Was that simply to establish a relationship**
 22 **with those institutions?**

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1 A I'm not sure why she kept the accounts,
 2 but --
 3 **Q Is it a fair statement that the principal**
 4 **financial institution that the church deals with is**
 5 **the Bank of America?**
 6 A That is a fair statement.
 7 **Q And who do you deal with there?**
 8 A Vanessa -- Vanessa Smith is our client
 9 manager.
 10 **Q Where is she located -- which branch?**
 11 A In Baltimore.
 12 **Q Okay. And where in Baltimore, if you know?**
 13 A I don't know the address.
 14 **Q How come a Baltimore office of the Bank of**
 15 **America is being used, just out of curiosity?**
 16 A It's not being used. They transferred
 17 our -- our -- our client account there, because they
 18 handled the nonprofit and the -- the nonprofit and
 19 the -- they also handle hospitals and things like
 20 that, so it's a certain entity of the bank, so that
 21 was a Bank of America decision.
 22 **Q Is there a Prince George's branch office**

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1 **that is utilized, as well?**
 2 A Yes, for daily operations, there is.
 3 **Q Uh-huh. And which one is that?**
 4 A I think it's Campus Way.
 5 **Q And who did you deal with there?**
 6 A Dorothy would know. I don't know the -- I
 7 don't know the person at -- at that branch, because I
 8 always deal directly with the client manager.
 9 **Q Since the death of the Apostle, has any new**
 10 **debt been undertaken by the Board of Trustees or has**
 11 **any existing debt been modified, restructured or**
 12 **extended?**
 13 A We have a project that's going on,
 14 the -- the senior living, and the church is obligated
 15 to that entity for a whole lot of money, so yes, in
 16 that regard.
 17 But other than that, no, there's no other
 18 debt that's been taken on.
 19 **Q And when you say -- some of that debt**
 20 **preexisted the death of the Apostle; correct?**
 21 A Yes, it did.
 22 **Q All right. Has any lending institution**

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1 **given an indication to Jericho that these current**
 2 **litigation matters need to be resolved prior to the**
 3 **extension of any debt?**
 4 A Actually, Vanessa Smith told me that after
 5 you subpoenaed Bank of America, then they decided
 6 that they would not extend -- they would not give us
 7 another Letter of Credit.
 8 I talked with Vanessa three weeks before
 9 that and Vanessa said there was no -- and they were
 10 very clear on the litigation, that we were
 11 all -- that's all on the table with them.
 12 **Q Uh-huh.**
 13 A And so they had -- I asked her would that
 14 impact our Letters of Credit or anything --
 15 **Q Uh-huh.**
 16 A -- because we were going to seek an
 17 extension and we hadn't decided yet.
 18 **Q Uh-huh.**
 19 A And she checked and she said, "No, you're
 20 not going to have a problem," and then they got the
 21 subpoena and so it became a problem.
 22 So I think in this regard, you all impacted

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1 our relationship with Bank of America.
 2 **Q Well, when you say "you all" and "we,"**
 3 **presumably, everybody is part of the church; right?**
 4 A It wasn't our subpoena.
 5 **Q And the -- and the extension of credit that**
 6 **was being sought or the Letter of Credit, what was**
 7 **that?**
 8 A What was the Letter of Credit that we
 9 needed?
 10 **Q Yes.**
 11 A We already had one with them in place for
 12 6.1 million, and we needed another -- gosh, another
 13 two point something million.
 14 **Q And what are the plans to obtain that \$2.1**
 15 **million in view of the Smith decision?**
 16 A In view of this decision?
 17 **Q Yes.**
 18 A Well, you know what we did, we went to
 19 PNC --
 20 **Q Uh-huh.**
 21 A -- and we had a talk with them and explained
 22 to them --

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1 **Q Uh-huh.**
 2 A -- that we should put the money in place
 3 without a Letter of Credit, without all the fees --
 4 **Q Uh-huh.**
 5 A -- and they agreed, so we just put up the
 6 pledge, so now we don't have all the fees for the
 7 Letter of Credit.
 8 **Q In other words, you're pledging deposits?**
 9 A That's all.
 10 **Q Okay. And about how much is on deposit at**
 11 **PNC, if you know?**
 12 A It is probably around \$3 million right now.
 13 **Q And Harbor and Industrial are just nominal**
 14 **amounts; is that right?**
 15 A Uh-huh.
 16 **Q Is that a yes? You have to give a yes.**
 17 A Yes.
 18 **Q Bank of America, how much is on deposit**
 19 **there?**
 20 A Gosh, Bank of America, probably -- I'm
 21 guessing 8 or 9 million, I think.
 22 **Q And how about with respect to the church's**

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1 **investments; does the church have any investments**
 2 **outside of what it has with those four financial**
 3 **institutions?**
 4 A No.
 5 **Q And what's happening -- is there any debt on**
 6 **the office park?**
 7 A No, Pastor paid it off.
 8 **Q Prior to her death?**
 9 A Yes.
 10 **Q All right. And how about the leases on the**
 11 **office park; what are the status of those?**
 12 A They are all current.
 13 **Q All right.**
 14 A We have one space that's not occupied that
 15 we're working on.
 16 **Q That you're working on?**
 17 A Uh-huh.
 18 **Q Are there any that are expiring any time**
 19 **soon?**
 20 A There is one. Our largest tenant over there
 21 is expiring soon, but they are going to renew. They
 22 have already determined they are going to renew.

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1 **Q What is that?**
 2 A Artex.
 3 **Q Did you ever have any position at the church**
 4 **with regard to the warehouses, any specific**
 5 **assignments there?**
 6 A Yeah, property manager.
 7 **Q And when was that?**
 8 A After Elder John Peebles passed --
 9 **Q Uh-huh.**
 10 A -- then Apostle Betty gave me that
 11 assignment, so since around 2005.
 12 **Q Did you get any separate compensation as**
 13 **property manager?**
 14 A Usually, once a year, Pastor would give me
 15 something for that.
 16 **Q And how much was that typically?**
 17 A It would be 8 to 10,000.
 18 **Q Are you still getting that?**
 19 A Yes.
 20 **Q Are you getting any other additional**
 21 **compensations for any other duties in any**
 22 **Jericho-related affiliate other than that and other**

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1 **than what you've told us about?**
 2 A No, none; huh-huh.
 3 MR. MARKS: Let me ask you, is this a
 4 good time to take a quick break?
 5 MR. MALONEY: Sure.
 6 THE VIDEOGRAPHER: This marks the end
 7 of Volume 1, Tape Number 2, in the deposition of
 8 Denise Killen.
 9 Going off the record. The time is 2:36
 10 p.m.
 11 (Whereupon, a recess was held from 2:36
 12 p.m. to 2:55 p.m.)
 13 THE VIDEOGRAPHER: Back on the record.
 14 Here marks the beginning of Volume 1, Tape Number 3,
 15 in the deposition of Denise Killen.
 16 The time is 2:55 p.m.
 17 BY MR. MALONEY:
 18 **Q Who is the banking officer you deal with at**
 19 **PNC?**
 20 A David Rouse.
 21 **Q And where is his office located?**
 22 A Where is he? David is in -- I think he is

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1 in Tennessee.
 2 **Q And where in Tennessee?**
 3 A I would have to look. I don't -- I don't
 4 know for sure.
 5 **Q Who are the signatories on the PNC account?**
 6 A Because of the way that that account
 7 is -- is pledged for the Jericho residences,
 8 actually, the way it's pledged, they have control of
 9 the account.
 10 **Q So, in other words, you actually -- because**
 11 **it is pledged to secure the debt on the residences,**
 12 **no one at Jericho has the authority to make**
 13 **disbursements on that?**
 14 A That's right.
 15 **Q And who are the signatories on the Bank of**
 16 **America account?**
 17 A I am, Dorothy Williams and Clarence Jackson.
 18 **Q Any of those signatories added recently?**
 19 A Yes, uh-huh.
 20 **Q And why -- who was added recently?**
 21 A Dorothy Williams and Clarence Johnson.
 22 **Q And why were they added?**

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<p>1 A Because the board felt that it would be 2 better to have more than one person as signing on the 3 account.</p> <p>4 Q Well, does each person have independent 5 signature authority?</p> <p>6 A Yes.</p> <p>7 Q So, in other words, any person can write a 8 check for any amount?</p> <p>9 A Yes. However, the next meeting, we were 10 working on putting an actual limit on the amount that 11 a check could be written for, so we're working on 12 that.</p> <p>13 Q All right. But for the meantime, any of 14 those three independently can write a check?</p> <p>15 A Yes, uh-huh.</p> <p>16 Q Was there ever a time when any money, either 17 before or after the Pastor's death -- the Apostle's 18 death -- was wired out of the Bank of America 19 account?</p> <p>20 A Yes.</p> <p>21 Q When was that?</p> <p>22 A I wire out the fees for the -- for the</p>	<p>1 Q And what's the arrangement with Red 2 Capital -- the brokerage arrangement?</p> <p>3 A I think they are negotiating and brokering 4 back and forth with Fanny Mae trying to work out a 5 permanent financing for us.</p> <p>6 Q And who is LsShonda Terrell?</p> <p>7 A LsShonda is -- well, she was a member of the 8 church. She is not now, but she was -- and she was 9 also -- she helped Pastor.</p> <p>10 Q And showing you Exhibit 21 -- Tab 21 of the 11 book in front of you, can you take a look at it?</p> <p>12 A Yes, I see it.</p> <p>13 Q Do you recall that she resigned from the 14 Board of Trustees and revoked her membership from 15 this branch of Zion?</p> <p>16 A Uh-huh.</p> <p>17 Q And did you ever discuss this with her?</p> <p>18 A Not her reasons for leaving, no.</p> <p>19 Q Did you ever discuss her membership on the 20 board or her status with the church or just generally 21 where she was with Jericho?</p> <p>22 A I -- the discussion with her was that I was</p>
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<p>1 pledge accounts or the Letter of Credit fees, so it 2 would -- April would have been the last time I wired 3 money out.</p> <p>4 Q And where did you wire it to?</p> <p>5 A To PNC Bank and to -- and to Red Capital 6 Mortgage.</p> <p>7 Q And who is Red Capital Mortgage?</p> <p>8 A They are our broker working on the senior 9 citizen project.</p> <p>10 Q And was that to insure that there was a 11 sufficient amount of money to meet the pledge 12 requirements of PNC?</p> <p>13 A The fees that they charge for -- for the -- 14 for the Letter -- Letter of Credit extension.</p> <p>15 Q And where did --</p> <p>16 A I'm sorry, for the extension of the loan, 17 the loan extension.</p> <p>18 Q What do they charge with that?</p> <p>19 A I don't remember what it was charged. I 20 would have to look at it.</p> <p>21 Q And who are you dealing with at Red Capital?</p> <p>22 A Sherri Thompson.</p>	<p>1 sorry. I cried. I was sorry that she left the 2 church -- that she left the ministry.</p> <p>3 Q Why did she do that?</p> <p>4 A She and Pastor had some type of disagreement 5 and she thought it was best that she move on.</p> <p>6 Q And when you say "Pastor," you're referring 7 to the Apostle?</p> <p>8 A Apostle, uh-huh.</p> <p>9 Q And what was the disagreement?</p> <p>10 A I don't know.</p> <p>11 Q And has she since moved on?</p> <p>12 A Yes, uh-huh.</p> <p>13 Q Did you ever discuss this with the Apostle?</p> <p>14 A She briefly said that there was something 15 LsShonda did that she wasn't pleased with. She never 16 told me what it was.</p> <p>17 Q I would like to direct your attention to Tab 18 28.</p> <p>19 A Okay.</p> <p>20 Q And have you seen this letter prior to 21 today?</p> <p>22 A Yes, I have.</p>

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1 **Q What do you recall about this letter?**
 2 A This letter -- I think I first got it on an
 3 E-mail.
 4 **Q Uh-huh.**
 5 A And that was from Elder Joel.
 6 **Q Uh-huh.**
 7 A And he asked for the information in the
 8 letter.
 9 **Q Uh-huh. And when you received it, what did**
 10 **you do?**
 11 A Apostle Betty had already -- had already
 12 informed all of us -- informed us that she was in
 13 charge of the church and to leave all of those things
 14 with her, and so, therefore, I just told her about
 15 it. I didn't do anything else about it.
 16 **Q This was less than a month prior to her**
 17 **death, wasn't it?**
 18 A Yes.
 19 **Q And when you told her about it, what did she**
 20 **say?**
 21 A She said, "Leave this with me." She had
 22 control.

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1 **Q That was the end of it; is that right?**
 2 A Yes, uh-huh.
 3 **Q So you had no other discussions about it**
 4 **other than that; is that correct?**
 5 A Not that I remember.
 6 **Q Show you Tab 29, this letter here. Have you**
 7 **seen this letter -- this is dated September 21 to**
 8 **Joel -- to Joel Peebles from Dorothy Williams.**
 9 **Have you seen this prior to today?**
 10 A Yes, I have. I have.
 11 **Q Who drafted this letter?**
 12 A Dorothy Williams, I believe.
 13 **Q Did she review it with you prior to the time**
 14 **it was sent?**
 15 A Yes.
 16 **Q Did you make any changes to it?**
 17 A No.
 18 **Q Did you help her draft it?**
 19 A No, I didn't.
 20 **Q Did you give her your approval in the**
 21 **letter?**
 22 A No, huh-uh.

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1 **Q And did you discuss this letter with Betty**
 2 **Peebles?**
 3 A No, I did not.
 4 **Q When she says, "In my last conversation with**
 5 **the Pastor, she was competent and in full control and**
 6 **I have no information she authorized this meeting."**
 7 **Do you know when that conversation was in**
 8 **which she claims the Pastor was "competent and in**
 9 **full control"?**
 10 A Dorothy had been to visit Pastor a number of
 11 times, so I wouldn't be able to tell you at what
 12 point she -- at what point -- at what visit that she
 13 is using to make that determination, but she was
 14 fully competent and in control.
 15 **Q And how is it that she came to visit the**
 16 **Pastor?**
 17 A Pastor asked her to come.
 18 **Q And with respect to the last Will and**
 19 **testaments of the various ones that Pastor had, did**
 20 **Pastor ever discuss with you that she wanted to give**
 21 **Clarence Jackson her Mercedes 600 sedan?**
 22 A Pastor didn't discuss her Will with me at

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1 all.
 2 **Q All right. You're aware she had a Mercedes**
 3 **600 sedan?**
 4 A Yes.
 5 **Q All right. Where is that sedan now, if you**
 6 **know?**
 7 A It's probably at her house.
 8 **Q Where is her house located?**
 9 A At 11900 Pleasant Prospect Road.
 10 **Q Who is living in that house right now?**
 11 A Right now, no one.
 12 **Q So it's just sitting empty?**
 13 A Yes, uh-huh.
 14 **Q Has it been rented out to anyone?**
 15 A No.
 16 **Q Has anyone lived in the house since the time**
 17 **of her death?**
 18 A No.
 19 **Q Did Pastor ever discuss with you that she**
 20 **wanted to give Gloria Magruder a mink coat and her**
 21 **gold Rolex watch?**
 22 A No, she never did.

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1 **Q Where is the mink coat and gold Rolex now if**
 2 **you know?**
 3 A I don't know where Pastor's personal things
 4 are.
 5 **Q Are you familiar with the Revocable Trust of**
 6 **Betty Peebles?**
 7 A I'm not.
 8 **Q You've never seen anything about --**
 9 A I have never seen it.
 10 **Q Uh-huh. Did Pastor have a Rolls-Royce that**
 11 **she drove?**
 12 A At one point, she had a Rolls-Royce.
 13 **Q What color was it?**
 14 A What color was that; beige?
 15 **Q What year was it?**
 16 A I don't remember.
 17 **Q When you say "one point," did there come a**
 18 **time she stopped having a Rolls-Royce?**
 19 A Yeah, and she -- she then got a Bentley -- a
 20 black Bentley.
 21 **Q And who did she get -- did she trade it in**
 22 **or sell it or what did she do?**

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1 A Belongs to the church.
 2 **Q Where is the Rolls-Royce right now?**
 3 A At her house.
 4 **Q Just sitting there?**
 5 A Uh-huh.
 6 **Q Is that a yes?**
 7 A Yes, that's a yes. I'm sorry.
 8 **Q Since her death, was anyone driven the**
 9 **Rolls-Royce?**
 10 A No.
 11 **Q So it's just sitting there in front of the**
 12 **house?**
 13 A Sitting in her garage.
 14 **Q In her garage?**
 15 A Uh-huh.
 16 **Q And it hasn't been driven by anyone?**
 17 A Huh-uh.
 18 **Q Is that a no?**
 19 A That's a no. That's a no.
 20 **Q Why doesn't the church just sell it?**
 21 A We're thinking about it.
 22 **Q How about the Bentley; what happened to the**

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1 **that?**
 2 A That's the Bentley. That is the Bentley.
 3 **Q What happened to the Rolls-Royce; was it**
 4 **traded in for the Bentley?**
 5 A Oh, it was traded in, uh-huh, some years
 6 earlier.
 7 **Q To the seller of the Bentley or someone**
 8 **else?**
 9 A I don't know.
 10 **Q Okay. And you don't know anything about the**
 11 **status of the trust or who administers the trust; is**
 12 **that right?**
 13 A I don't.
 14 **Q Are you aware that you're supposed to get a**
 15 **\$15,000 proceed from the trust?**
 16 A Yes, I heard that I was.
 17 **Q And who did you hear that from?**
 18 A I heard it from members of the church. I
 19 heard it from the newspaper.
 20 **Q Did you expect to receive that from the**
 21 **trust?**
 22 A No, I did not. I did not.

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1 **Q What is the status of the Apostle Betty's**
 2 **Youth Center?**
 3 A I'm not sure what that -- I'm not sure what
 4 the --
 5 **Q Have you ever heard of such a thing, the**
 6 **Youth Center?**
 7 A We have a Youth Center, but we didn't name
 8 it Betty Peebles Youth Center.
 9 **Q Okay. And describe for the record what the**
 10 **Youth Center is.**
 11 A That's -- one of our elders, he -- he
 12 ministers to the youth and they use that facility for
 13 their activities and some of their services and for
 14 the -- so the youth go there and have a good time.
 15 **Q And which elder is that?**
 16 A Elder Ricky Macklin.
 17 **Q And does the Youth Center have a separate**
 18 **governing board?**
 19 A No, it's the church.
 20 **Q Has the church governing board discussed**
 21 **this matter -- the operation of the Youth Center --**
 22 **since the death of Betty Peebles?**

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1 A We've talked -- we've talked to Elder Ricky.
 2 We talk about the youth, but the operation of the
 3 Youth Center, it operates -- I mean, it's an ongoing
 4 ministry, so they -- we haven't had any big
 5 discussions about it at all.
 6 **Q I would like to -- how many meetings of the**
 7 **Board of Trustees in person have there been -- the**
 8 **group that you believe to be the board -- since the**
 9 **death of Betty Peebles?**
 10 A I would only be guessing. Maybe we have
 11 had --
 12 MR. MARKS: Don't guess.
 13 A That's right, don't guess.
 14 BY MR. MALONEY:
 15 **Q Give me your best estimate.**
 16 A My guess as best estimate is like 10 or 12.
 17 **Q Now, Betty Peebles died on October the 12th,**
 18 **2010; right?**
 19 A Yes.
 20 **Q Were you aware that a lawsuit had been filed**
 21 **against Joel Peebles shortly before that?**
 22 A Yes.

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1 **Q How did you become aware of that?**
 2 A I became a part of that litigation, so I
 3 knew about it when it was filed.
 4 **Q And how did you know about it?**
 5 A How did I know about it?
 6 **Q Yeah.**
 7 A About the lawsuit being filed?
 8 **Q Right.**
 9 A I talked with our attorney.
 10 **Q Well, was there ever a meeting of the Board**
 11 **of Trustees to authorize the filing of the lawsuit?**
 12 A We did have meetings, yes.
 13 **Q That's not my question. My question is:**
 14 **Prior to the time that the lawsuit was filed, was**
 15 **there any meeting of the Board of Trustees to**
 16 **authorize the filing of the lawsuit?**
 17 A A meeting to authorize it; we all -- yes,
 18 there was. There was.
 19 **Q When and where was that meeting?**
 20 A I would have to look back at notes. It was
 21 a phone meeting. We all had a phone meeting on it.
 22 **Q Was there any notice of this meeting?**

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1 A There wasn't a written notice. There was a
 2 telephonic and electronic -- we may have done E-mail.
 3 **Q So it's your testimony that a telephonic**
 4 **meeting of the board was called prior to the filing**
 5 **of the lawsuit to authorize the filing of the**
 6 **lawsuit; is that your testimony?**
 7 A Uh-huh.
 8 **Q You have to give a --**
 9 A Yes. Yes, yes, I'm sorry.
 10 **Q And how soon prior to Betty Peebles' death**
 11 **was that meeting called?**
 12 A I would have to look at my notes to see what
 13 day the meeting was. It was a -- prior to
 14 her -- prior to her death?
 15 **Q Yes.**
 16 A It wasn't called prior to her death.
 17 **Q So it was not called until after her death?**
 18 A We had meetings before her death, but not a
 19 meeting about -- that's an interesting question,
 20 because we did discuss it.
 21 MR. MARKS: Don't guess.
 22 A I'm not going to guess. We had at least one

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1 meeting prior to her death concerning it.
 2 BY MR. MALONEY:
 3 **Q My question is --**
 4 A I know, I understand your question, but I
 5 would have to -- I would have to go back to notes. I
 6 can't remember.
 7 **Q Are you sure that the board actually met and**
 8 **authorized the lawsuit prior to the time it was**
 9 **filed?**
 10 A I'm sure we did.
 11 **Q And how are you sure of that?**
 12 A Because I -- we had a telephone -- we all
 13 got on the phone and had a phone meeting concerning
 14 what we were going to do in this instance.
 15 **Q Did you review that -- the lawsuit prior to**
 16 **it being filed?**
 17 A Yes.
 18 **Q Who else reviewed it besides yourself, if**
 19 **you know?**
 20 A Each of us reviewed it. Each of the board
 21 members.
 22 **Q What was the purpose of filing the lawsuit**

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1 **in the name of the church against its own Pastor?**
 2 A Against -- I'm sorry.
 3 **Q Against its own Assistant Pastor?**
 4 A The church's own Assistant Pastor on the
 5 21st of September of 2010 voted his own Apostle out
 6 of office as CEO of his own ministry, so at that
 7 point, we have a board that's not the actual board
 8 taking legal action against the Apostle.
 9 **Q And when you say the -- he took legal action**
 10 **against the Apostle, what was it that he did?**
 11 A They made a resolution --
 12 **Q Uh-huh.**
 13 A -- voting him in office as CEO of the
 14 church.
 15 **Q And how do you know that they did that?**
 16 A Well, since then, I have seen the document
 17 that shows that he did it.
 18 **Q I'm going to direct your attention to Tab**
 19 **31. First of all, look at Tab 30 before we get**
 20 **there. Let's look at 31 first.**
 21 **Tab 31 affirms who the directors are,**
 22 **including Betty Peebles is actually president of the**

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1 **board; isn't that correct?**
 2 A That is correct.
 3 **Q And that was on -- executed and signed by**
 4 **Anne Wesley on September 21, 2010; isn't that**
 5 **correct?**
 6 A That is correct.
 7 **Q And then directing your attention to Tab 30,**
 8 **which is before this, Elder Peebles is actually**
 9 **appointed Chief Executive Officer "until the Apostle**
 10 **and Chief Executive Officer of the organization,**
 11 **Dr. Betty Peebles, is medically cleared to return to**
 12 **office and its act and deed be hereby authorized and**
 13 **empowered."**
 14 **So this was only an interim measure until**
 15 **she was medically cleared to return to office; isn't**
 16 **that correct?**
 17 A It's correct that she had asked him not to
 18 do anything to try to take any responsibility to take
 19 over the church. That part is correct.
 20 **Q You would agree, would you not, that on**
 21 **September 21st, 2010, 21 days before the death of the**
 22 **Apostle, that she was under no condition to discharge**

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1 **on a full-time basis the duties of Chief Executive**
 2 **Officer?**
 3 A She asked -- she asked each of us, including
 4 Elder Joel, to leave in place what she had -- and
 5 Elder Meadows to leave in place what she had put in
 6 place for the time that she was out, so there was no
 7 need for any actions like this.
 8 **Q Maybe you didn't understand my question.**
 9 MR. MALONEY: Madam reporter, if you
 10 could read it back.
 11 (Record read.)
 12 A I would agree on a full-time basis, she was
 13 not able to, but she had already discharged duties.
 14 BY MR. MALONEY:
 15 **Q She was bedridden and dying of cancer,**
 16 **wasn't she?**
 17 A She was bedridden. I would not say she was
 18 dying.
 19 **Q You don't think she was dying on September**
 20 **21st?**
 21 A I didn't think so on the 21st of September,
 22 I did not.

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1 **Q She was dead 21 days later; correct?**
 2 A She may have been, but I did not think that
 3 she was dying on the 21st of September.
 4 **Q She -- not "may have been," she was deceased**
 5 **21 days later; correct?**
 6 A She was on the 12th of October.
 7 **Q Now, the medical certificate says she died**
 8 **of aspiration.**
 9 **Do you know -- that's the primary cause, and**
 10 **there are a number of other causes.**
 11 **Do you know anything about the circumstances**
 12 **of her dying from aspiration?**
 13 A No, I don't.
 14 **Q Is this the first time you have heard about**
 15 **that?**
 16 A Aspiration, yes.
 17 **Q And have you ever seen the death**
 18 **certificate?**
 19 A No.
 20 **Q Okay. Has the congregation ever been**
 21 **advised that their donations and offerings are being**
 22 **used to sue Joel Peebles?**

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1 A Have they ever been advised that some of
 2 their -- some of the tithes and offerings are being
 3 used for our attorney expenses; no, they haven't
 4 been, but that wasn't usual. Apostle never advised
 5 them when she was using any of the expenses that the
 6 congregation wasn't advised.

7 **Q Well, I'm not asking what Apostle did. I'm**
 8 **asking simply this question: Has the congregation**
 9 **been advised that some of their offerings and tithes**
 10 **are being used to finance the lawsuit against their**
 11 **own pastor?**

12 MR. MARKS: Let me object to the
 13 characterization of Joel Peebles as the pastor. He
 14 is not the pastor, he is the assistant pastor.

15 MR. MALONEY: Go ahead. You may
 16 answer.

17 A The congregation has not been advised.

18 BY MR. MALONEY:

19 **Q Has the board considered whether it's**
 20 **appropriate to use offerings and tithes to sue Joel**
 21 **Peebles, whether he is the pastor or assistant**
 22 **pastor?**

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1 A We -- we understand that it is appropriate
 2 as this is what the Apostle left in place. She left
 3 a board in place. She asked us to operate as the
 4 board, and this is the way she left it in place, so
 5 it is appropriate.

6 **Q Has -- three of your five board members are**
 7 **compensated employees of the church; is that correct?**

8 A That is correct.

9 **Q What, if anything, has the board done to**
 10 **deal with the conflict of having board members who**
 11 **are also compensated employees of the corporation?**

12 A We have had one meeting on it and we are
 13 setting policies in place to -- to make sure that
 14 that's in order.

15 **Q And who is preparing those policies?**

16 A We have looked at two -- actually, two firms
 17 to determine which one, so we are interviewing now to
 18 make sure that all our policies and procedures are in
 19 place.

20 **Q Who are you interviewing? Go ahead and**
 21 **answer.**

22 MR. MARKS: Let me object to that. Do

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1 not answer because it involves legal representation.

2 BY MR. MALONEY:

3 **Q Is Mr. Marks' firm one of them?**

4 A No, they are not.

5 MR. MARKS: Don't answer.

6 BY MR. MALONEY:

7 **Q Has the board authorized any expenditures**
 8 **over \$10,000 since March of 2009?**

9 A Yes.

10 **Q What is that?**

11 A The expenses for the senior citizen project
 12 has been tremendous, so the board is aware of all of
 13 those expenditures.

14 **Q Anything besides those?**

15 A I would have to look.

16 **Q And sitting here today, are you aware of**
 17 **any?**

18 MR. MARKS: Let me object. The
 19 question has been asked and answered. She -- the
 20 witness has explained she doesn't know, she would
 21 have to look.

22 BY MR. MALONEY:

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1 **Q Well, I'm asking you, sitting here today, do**
 2 **any come to mind other than the senior citizens**
 3 **center?**

4 MR. MARKS: And let me renew my
 5 objection. The question has been asked and answered.

6 MR. MALONEY: Go ahead.

7 MR. MARKS: You may answer if you know,
 8 if something else comes to mind.

9 A It doesn't come to mind, but I would still
 10 have to take a look at it.

11 BY MR. MALONEY:

12 **Q Has the board -- we've talked about the**
 13 **bylaw amendments.**

14 **Has the board amended the charter?**

15 A No.

16 **Q Did there come a time when the locks were**
 17 **changed at Jericho?**

18 A Yes.

19 **Q Tell me about that.**

20 A There were some locks changed. I forgot
 21 which locks were changed.

22 The other day, Elder Joel's changed the

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1 locks on Apostle Betty's office and her suite, and
 2 then Deacon Jackson changed them back and then Elder
 3 Joel changed them back.
 4 **Q And besides that, any other time that you're**
 5 **aware of?**
 6 A On Pastor's suite, the lock was changed
 7 early back in October.
 8 **Q Who did that?**
 9 A Deacon Jackson.
 10 **Q And on whose authority did he do that, if**
 11 **you know?**
 12 A He let the board know that he was going to
 13 lock up the suite.
 14 **Q And what happened after that?**
 15 A Nothing, it just -- it was just -- and then
 16 Elder Joel changed it the other day.
 17 **Q Did the Apostle ever sue anyone in the name**
 18 **of the church?**
 19 A Not that I know of.
 20 **Q Did the Apostle ever suggest or authorize**
 21 **that you or anyone else, to your knowledge, to file**
 22 **suit against her son?**

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1 A No.
 2 **Q Did you ever have any discussion with the**
 3 **Apostle about -- or hear the Apostle say anything**
 4 **about whether it would be appropriate or not**
 5 **appropriate to sue her only surviving son?**
 6 A No, I just heard her discussions about
 7 with -- about him not taking the ministry and going
 8 in a direction that she did not want him to go.
 9 **Q Which was running into the 11:00 o'clock**
 10 **service?**
 11 A Running into the 11:00 o'clock service and
 12 taking authority to -- control over the church.
 13 **Q When she was not able to perform her duties;**
 14 **correct?**
 15 A Well, she said that a number of times,
 16 besides not during those last couple of months, that
 17 she had said it a number of times.
 18 **Q I would like to direct your attention to Tab**
 19 **37. This is your affidavit filed in this litigation,**
 20 **and directing you to Page 3, is that your signature?**
 21 A Yes, it is.
 22 **Q Now, directing your attention to paragraph**

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1 **10, you state in paragraph 10 that "In 2008, Pastor**
 2 **Betty Peebles removed Joel Peebles as headmaster of**
 3 **the school for mismanagement, which resulted in the**
 4 **reduction of grades pre-K to 12 to pre-KK to 5 in**
 5 **order for the school to continue operation."**
 6 **That's a statement that you have made under**
 7 **oath?**
 8 A Yes.
 9 **Q And what do you recall about that?**
 10 A She reduced the school because of the
 11 finances. What she found was that many of the
 12 students there were -- were not paying tuition or
 13 were authorized to be there without tuition and she
 14 was not aware of it, so when she found out,
 15 she -- first, she tried to rectify it, and then after
 16 she realized it was still going to run into a huge
 17 deficit, she decided to reduce the grade levels of
 18 the school rather than close it.
 19 **Q Did she ever tell you that her son, Joel**
 20 **Peebles, mismanaged the academy?**
 21 A Yes.
 22 **Q What did she say?**

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1 A She said it many times. Well, she -- the
 2 example is, she realized, she found -- when she come
 3 to realize, she got the report showing that many of
 4 the students there were free and very discounted,
 5 especially in the high school, and that she wasn't
 6 aware of, then that was one of the instances that she
 7 was talking about.
 8 **Q Are there any church documents that reflect**
 9 **that Joel was removed from the position or removed**
 10 **for mismanagement?**
 11 A I -- there is a document that -- that Pastor
 12 wrote to the staff showing that she was now taking
 13 over as headmaster.
 14 **Q But is there any document that said Joel was**
 15 **removed for mismanagement?**
 16 A Oh, no, I don't believe there was a document
 17 showing that he was removed calling it mismanagement,
 18 no.
 19 **Q And she never told you she was removing Joel**
 20 **for mismanagement, did she? She never expressly told**
 21 **you that, did she?**
 22 A Yes, she did.

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1 **Q She said, "I'm removing Joel for**
 2 **mismanagement." Did she use that word?**
 3 A "Mismanagement" may not have been the word.
 4 **Q Okay. And it's fact, is it not, that Joel**
 5 **asked the Apostle for close to nine years to make**
 6 **changes at the school?**
 7 A Yes, he did.
 8 **Q And what changes did he ask her to make?**
 9 A I don't know what they were, because I
 10 didn't work with as closely with the school then.
 11 **Q And he was persistent over nine years in**
 12 **asking her to make changes at the school to improve**
 13 **its performance, didn't he?**
 14 A I know he had asked a number of times.
 15 **Q And the reason he asked her is because she**
 16 **was the one that had the authority to make the**
 17 **decisions; right?**
 18 A She did have the authority to make the
 19 decisions.
 20 **Q And she did not grant his repeated request**
 21 **to make changes; isn't that correct?**
 22 A She did not grant all of his requests to

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1 make changes; no, she didn't.
 2 **Q How did you learn that the Apostle died?**
 3 A I was there.
 4 **Q And who else was there at the time of her**
 5 **death?**
 6 A Elder Joel and Zain Seesay and Yolanda
 7 Peebles was out in the hallway at the time.
 8 **Q Were there any health care providers there?**
 9 A She was in the hospital, so they came in
 10 immediately.
 11 **Q You were present during testimony yesterday**
 12 **about Yolanda Peebles?**
 13 A Yes.
 14 **Q Is that correct?**
 15 A Yes.
 16 **Q Are you aware of Yolanda Peebles taking any**
 17 **inappropriate role in the affairs of the church?**
 18 A Inappropriate roles; that's --
 19 **Q Doing anything that you find objectionable?**
 20 A Yes.
 21 **Q What is that?**
 22 A It seems that she is controlling the

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1 pulpit and -- and that's what the people say,
 2 just -- and that's what it looks like.
 3 **Q And does it look like that to you?**
 4 A It does.
 5 **Q And why do you think Yolanda Peebles is**
 6 **controlling the pulpit? Does she have a little**
 7 **mechanical device there or something or --**
 8 A No, it's just -- it's the way she directs
 9 her people, the people up there.
 10 **Q Did she direct the Apostle?**
 11 A No.
 12 **Q I didn't think so. Anything else besides**
 13 **she appearing to direct the pulpit?**
 14 A Nothing else at this time.
 15 **Q Well, is there anything else that comes to**
 16 **your mind right now?**
 17 A Yes, sir, but I will not --
 18 **Q You prefer not to ask?**
 19 A I prefer not to answer that.
 20 **Q I tell you what, I'm not going to push you**
 21 **on it.**
 22 A Thank you, sir.

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1 **Q You're welcome. Directing your attention to**
 2 **Paragraph 2, this indicates that "Pastor Peebles,**
 3 **Dorothy Williams, William Meadows, Anne Wesley, who**
 4 **were the surviving members of the original Board of**
 5 **Trustees, elected to the current Board of Trustees**
 6 **except for Clifford Boswell, successor trustees**
 7 **pursuant to Resolution 109."**
 8 **What do you know about that?**
 9 A That was a meeting that from March '09, that
 10 some of those documents that were signed --
 11 **Q So you believed that William Meadows was**
 12 **actually elected to the current Board of Trustees?**
 13 A I can only believe from the document that
 14 was signed that -- that he -- that he did that. He
 15 signed a document stating that.
 16 **Q Have you ever discussed this with William**
 17 **Meadows?**
 18 A I did not.
 19 **Q Do you have any personal knowledge that**
 20 **William Meadows actually voted to remove himself from**
 21 **the Board of Trustees and elect these new trustees?**
 22 A I don't have any personal knowledge of it

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<p>1 other than him signing the documents.</p> <p>2 Q Well, you don't even have personal knowledge</p> <p>3 of that. You testified earlier you saw his signature</p> <p>4 on it, but you never saw him sign it; right?</p> <p>5 A Right.</p> <p>6 Q Okay. Where are the church files actually</p> <p>7 maintained?</p> <p>8 A The church files?</p> <p>9 Q Yeah, the church records.</p> <p>10 A When you say "church records," what --</p> <p>11 Q Books and records of the church, the</p> <p>12 financial records, the meeting minutes, the</p> <p>13 attendance records -- all those things -- all the</p> <p>14 books and records?</p> <p>15 A In the administration building.</p> <p>16 Q Have there been any records that have been</p> <p>17 shredded, destroyed, removed or otherwise changed in</p> <p>18 condition since March of 2009?</p> <p>19 A No, there hasn't, except I see that there is</p> <p>20 a lot of things -- records and things missing out of</p> <p>21 pastor's office -- now Apostle's -- out of her</p> <p>22 office. There's many files that looks like they are</p>	<p>1 A No, huh-uh.</p> <p>2 Q Okay. Is Norma Lewis still active in the</p> <p>3 church?</p> <p>4 A She is.</p> <p>5 Q And what role does she play in the church</p> <p>6 right now?</p> <p>7 A She is a Deacon.</p> <p>8 Q I'm just about finished.</p> <p>9 A Oh, thank you.</p> <p>10 Q In the last month of Betty Peebles' life,</p> <p>11 did you -- how often were you there to see her?</p> <p>12 A I was there 24 hours a day.</p> <p>13 Q And what were you doing there 24 hours a</p> <p>14 day?</p> <p>15 A I would sit with her.</p> <p>16 Q Uh-huh.</p> <p>17 A I would continue to remind her of the daily</p> <p>18 workings of the church.</p> <p>19 During those last months, we would make sure</p> <p>20 that she called into the church to say Hi to the</p> <p>21 congregation or to talk, she would call in to sing a</p> <p>22 song or something. Whatever she wanted to do that</p>
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<p>1 gone. I don't know where they are.</p> <p>2 Q What files do those appear to be?</p> <p>3 A Well, some of them were academy. Some were</p> <p>4 her -- she had a file cabinet in her study and</p> <p>5 someone broke in there and took those files and</p> <p>6 things out.</p> <p>7 Q Uh-huh.</p> <p>8 A There's still some in there, but someone</p> <p>9 broke in the cabinet and took some of those things.</p> <p>10 Q What else besides the academy records was in</p> <p>11 there?</p> <p>12 A The academy records wasn't in that file, but</p> <p>13 there was land records, there was audit records and</p> <p>14 maybe the -- it may have been like the information</p> <p>15 about some of her personal homes might have been in</p> <p>16 there, but it was church business, land records and</p> <p>17 things like that was in there.</p> <p>18 Q Do you know what happened to those records?</p> <p>19 A I have no idea.</p> <p>20 Q But other than those records, you're not</p> <p>21 aware of any other records being shredded, destroyed,</p> <p>22 removed or otherwise altered or changed in character?</p>	<p>1 had to do with the workings of the day, whatever she</p> <p>2 wanted to do, I was available to do it with her.</p> <p>3 Q And for how long a period of time prior to</p> <p>4 her death did you stay there 24 hours a day?</p> <p>5 A Since the middle of June of 2010.</p> <p>6 Q So you basically moved in in June of 2010?</p> <p>7 A Uh-huh.</p> <p>8 Q Is that a yes?</p> <p>9 A That's a yes.</p> <p>10 Q Did you have your own room in the house?</p> <p>11 A Actually, I kind of slept on the sofa.</p> <p>12 Q Uh-huh. But you kept your clothes and your</p> <p>13 other personal things there?</p> <p>14 A A change of clothes, yes.</p> <p>15 Q Uh-huh. Why did you find it necessary in</p> <p>16 June of 2010 to move into that house?</p> <p>17 A She called me and asked me to come, and</p> <p>18 so -- and I went at her request.</p> <p>19 Q And did anybody else live in the house at</p> <p>20 that time besides you?</p> <p>21 A Zain Seesay was there taking care of her.</p> <p>22 Q And could the pastor have lived</p>

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1 **independently in June, 2010, do you believe?**
 2 A No, she could not have.
 3 **Q Why was that?**
 4 A Because she was bedridden and she needed
 5 assistance.
 6 **Q When did her mental faculties begin to**
 7 **decline?**
 8 A They did not.
 9 **Q So it's your testimony that her mental**
 10 **faculties at no time ever declined up until the time**
 11 **of her death?**
 12 A Huh-uh, they did not.
 13 **Q So her memory, her recollection, her ability**
 14 **to express herself and her decision-making process**
 15 **remained unchanged and intact at the time of her**
 16 **death; is that your testimony?**
 17 A At the time of her death, I would say -- I
 18 would say she probably -- I would not have asked her
 19 to make a major decision during that time -- during
 20 that week -- that last couple of weeks. I hope that
 21 answers the question, because that's the only way I
 22 think I can answer it.

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1 **Q Was she under any medication that would**
 2 **affect her decision-making capacity?**
 3 A She was not.
 4 **Q Did she ever express to you any concern**
 5 **about her caretaker?**
 6 A No.
 7 **Q Did she ever tell you that she wanted you to**
 8 **stay with her because she did not trust Zain?**
 9 A Yes, she did.
 10 **Q Tell me what she said.**
 11 A That's what she said. She wanted me to stay
 12 with her because she wasn't sure about Zain, and then
 13 she would tell Zain that she wanted Zain to stay with
 14 me because she wasn't sure about me. That was -- but
 15 that was -- she would have said that a year or two
 16 years earlier. That was not a -- that was not
 17 because of a mental capacity.
 18 **Q Was that just her way?**
 19 A That was -- that was the way that she was.
 20 **Q Was she basically at some level distrustful**
 21 **of everyone?**
 22 A She was basically -- she always was

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1 concerned -- always concerned, and there was times
 2 when even others -- the visitors would come, she
 3 would ask us not to leave her alone. That
 4 was -- that was her way.
 5 **Q All right. So any distrust she expressed**
 6 **about her son, was that also something she would have**
 7 **expressed about everyone else who was in her life?**
 8 A To -- to an extent. She had her moments
 9 when -- well, I can speak for me. She said, "Denise,
 10 sometimes, I'm not sure about you."
 11 And then other times, she said, "Denise, I
 12 do trust you."
 13 That was Pastor's way. She said that to me
 14 five years before that, because that was her
 15 personality to a certain extent.
 16 However, if she asked me not to leave the
 17 room when she had a visitor, then I would -- I would
 18 be obedient to that.
 19 MR. MALONEY: That's all I have. Thank
 20 you.
 21 MR. MARKS: Do you want to take a
 22 five-minute break before we get started?

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1 THE WITNESS: No.
 2 MR. MALONEY: Well, let me ask one
 3 question.
 4 BY MR. MALONEY:
 5 **Q Is it true that Attorney Shelton told you or**
 6 **others that Betty Peebles could not execute documents**
 7 **near the end of her life?**
 8 A No.
 9 **Q They never -- Attorney Shelton never told**
 10 **you that there would be issues concerning her**
 11 **capacity if she executed documents at that point late**
 12 **in her life? You never heard that?**
 13 A I can give you this example. We
 14 had -- there was a board meeting for the Center of
 15 Hope -- for the Jericho Center of Hope on the 4th of
 16 October, and during that board meeting, the question
 17 came up, who should sign the documents --
 18 **Q Uh-huh.**
 19 A -- and some of the board felt that Elder
 20 Joel should sign the documents, and Pastor was on the
 21 phone, and she said on the phone in the meeting that
 22 she would sign the documents.

<p style="text-align: right;">Page 266</p> <p>1 So we all left -- Elder Joel, myself, Paul 2 Shelton. We went -- Geneva Boswell, who was the 3 notary, we went to the house for Pastor Apostle to 4 sign the documents. 5 Paul Shelton met with her, explained to her 6 exactly what the documents were, let him -- letting 7 her know exactly what they were for and what they 8 were going to do, and then he called Joel and I in 9 the room and he explained it to her again, and asked 10 her what did she want to do, and she asked the 11 question, "Does it impact the church in any way? 12 Does it put the church in any jeopardy?" 13 And Paul Shelton said no, and she said, 14 "It's okay then for Joel to sign the papers." 15 She did not say okay because she could not 16 sign the papers, but it was okay for the situation 17 for him to sign the document. 18 Q And explain your second-to-the-last comment, 19 "She did not say okay because she could not sign the 20 papers." 21 A Well, you -- I think your question was, did 22 Paul Shelton ever say to me.</p>	<p style="text-align: right;">Page 268</p> <p>1 explained to her the situation and what was needed, 2 and that she was physically able to do so, but she 3 said it would be all right for Joel to sign instead 4 of her? 5 A Right. That's right. 6 Q And Joel was present during this time? 7 A Yes, he was. 8 Q And who -- Mr. Shelton was present? 9 A Yes. 10 Q And you were present? 11 A Yes. 12 Q And is this the week before she died? 13 A Yes. 14 Q And after she said that, did Joel, in fact, 15 sign on behalf of the board instead of her? 16 A Yes, and this was the Jericho Center of Hope 17 Board. 18 Q This is the Jericho Center of Hope Board? 19 A Yes. 20 Q This is a separate board -- 21 A Yes. 22 Q -- than the church board?</p>
<p style="text-align: right;">Page 267</p> <p>1 Q So you're saying she physically was able to 2 sign the papers -- 3 A Yes. 4 Q -- but decided to let Joel sign it? 5 A Absolutely. 6 Q What were the papers she asked Joel to sign? 7 A That was in October the day before her 8 birthday. That would have been the extension of the 9 loan documents at that time. At that time, we had an 10 extension in loan in October of 2010 and we've just 11 done another one, so -- 12 Q So that would have been an extension of the 13 loan documents for the church? 14 A For the -- it was for the -- yes, the loan 15 for the Jericho Residences. 16 Q For the residences, but the church was the 17 borrower under those documents; right? 18 A Yes. Yes, uh-huh. 19 Q And they needed someone on behalf of the 20 board to sign the extension; correct? 21 A Right, uh-huh. 22 Q And you're telling me that Mr. Shelton</p>	<p style="text-align: right;">Page 269</p> <p>1 A Yes. 2 Q And who serves on that board? 3 A Well, a number of people. Of course, while 4 Apostle Betty was on the board, Elder Joel, Bobby 5 Henry, Clarence Jackson, Dorothy Williams, Gloria 6 Magruder, Trenella Walters, Jeanette Brown, someone 7 else, Robert George. 8 Q And how do you know that Joel -- how do you 9 know that the Apostle could have signed herself 10 physically? 11 A She said she would sign it. 12 Q Well, she said she would, but how do you 13 know she was physically capable of doing it -- or do 14 you know that? 15 A I mean, she was obviously -- she was 16 physically capable of doing it, because she looked 17 like she was physically capable. 18 Q And how many separate boards are affiliated 19 with Jericho? 20 A We have the two boards. 21 Q The residence board and the main board? 22 A Uh-huh.</p>

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1 **Q Has there ever been more than one board for**
 2 **the church or has there only been a single board?**
 3 A Only been a single board.
 4 **Q When the name "directors" has been used, is**
 5 **that the synonym for trustee; in other words, it**
 6 **means the same?**
 7 A Means the same.
 8 **Q All right. And there's only been a Board of**
 9 **Trustees, there's never been two boards?**
 10 A Never been two boards.
 11 **Q And for the two corporations, the Maryland**
 12 **corporation or D.C., still been governed by the same**
 13 **board?**
 14 A That's right.
 15 MR. MALONEY: Okay. That's all I have.
 16 BY MR. MALONEY:
 17 **Q Well, who signed for the debt prior to that**
 18 **time for residences prior to that time in October?**
 19 A Signed the debt prior to that time? Who
 20 signed for the debt?
 21 **Q For the residences? Who was signing the**
 22 **documents prior to October of 2010?**

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1 A Pastor Betty did -- Apostle Betty.
 2 MR. MALONEY: Thank you.
 3 THE WITNESS: Uh-huh.
 4 MR. MALONEY: Counsel, I don't know if
 5 you have any questions or not.
 6 MR. MARKS: I do.
 7 EXAMINATION BY COUNSEL FOR THE
 8 PLAINTIFF/COUNTER-DEFENDANT
 9 BY MR. MARKS:
 10 **Q Ms. Killen, I want to clarify a couple of**
 11 **things.**
 12 **Did there ever come a time you served as**
 13 **secretary of the church for the purpose of signing**
 14 **documents -- the corporate secretary?**
 15 A Yes.
 16 **Q When did you start serving as corporate**
 17 **secretary?**
 18 A When the board was put in place.
 19 **Q That's March --**
 20 A March of 2009.
 21 **Q Okay. And after the church became a**
 22 **Maryland corporation, did the board also elect**

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1 **officers?**
 2 A Yes.
 3 **Q Who are the current officers of the church**
 4 **or what positions were appointed?**
 5 A At that point, Deacon Gloria Magruder was
 6 made vice president of the church -- I'm trying to
 7 remember the other members. I was made as Chief
 8 Operating Officer because I do the daily operations
 9 of the church, and Deacon Clarence Jackson was made
 10 Assistant Chief Operating Officer, and Dorothy
 11 Williams was already and still remained the Chief
 12 Financial Officer.
 13 **Q And when did that take place approximately?**
 14 A When did we do that? I do not remember the
 15 dates. I don't remember if it was December or if it
 16 was this year or '11, but it was not too many months
 17 ago.
 18 **Q I want to refer you to Defendant's Exhibit**
 19 **2, the big binder of documents, and ask you to look**
 20 **at Tabs 14 and 18.**
 21 A Fourteen.
 22 **Q Tab 14 is the 2006 District of Columbia**

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1 **Two-Year Report for Nonprofit --**
 2 A Okay.
 3 **Q -- Corporations. Tab 18 is the 2008**
 4 **Two-Year Report for the District of Columbia.**
 5 **And is the information in those reports**
 6 **identical, with the exception of Paragraph 4 naming**
 7 **the resident agent for the church?**
 8 A Yes, it looks like it's identical.
 9 **Q And then also the street address in**
 10 **Paragraph 6 is different?**
 11 A Oh, it is different; yes.
 12 **Q Now, what address was the 4315 22nd Street**
 13 **Northeast in Washington?**
 14 A That's one of our elders. Apostle Betty had
 15 asked her to be a resident agent, so that's the
 16 address for the resident agent.
 17 **Q But that was not the principal office of the**
 18 **church?**
 19 A No, it was not.
 20 **Q And you see in Paragraph Number 6 "If a**
 21 **domestic corporation, the address, including the**
 22 **street and number, of the principal office in the**

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1 **District of Columbia"?**
 2 A Uh-huh.
 3 **Q But it's your testimony that that address**
 4 **was not the principal office of the church?**
 5 A That was not the principal office.
 6 **Q And referring to Tab 14, Paragraph 6, the**
 7 **address is listed as 4419 Douglas Street, Northeast,**
 8 **Washington, D.C., 20018; that was not the principal**
 9 **office?**
 10 A That was not the principal office.
 11 **Q That was the -- that's the address of the**
 12 **church --**
 13 A The former.
 14 **Q The former church; correct?**
 15 A Yes.
 16 **Q And the church sold that church?**
 17 A Yes.
 18 **Q And it did not retain ownership of it?**
 19 A No.
 20 **Q And, to your knowledge, it did no business**
 21 **at this address?**
 22 A No, it did not.

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1 **Q Do you know if any mail was received at this**
 2 **address on behalf of the church?**
 3 A No, there wasn't.
 4 **Q And knowing that the 4419 Douglas Street**
 5 **address was not the principal office of the church**
 6 **nor the 4315 22nd Street, Northeast, address was also**
 7 **not the principal address of the church, did that**
 8 **have any bearing on the church wanting to become a**
 9 **Maryland corporation, if you know?**
 10 A I only know -- I remember Apostle Betty
 11 saying that that was one of the things that she had
 12 planned to change, but I don't know honestly if the
 13 principal addresses had any bearing on it.
 14 **Q But the Apostle did reference that and talk**
 15 **with you about that?**
 16 A Yeah, she mentioned that, but she was
 17 putting it off until later.
 18 **Q Also, you mentioned Sandra Bowden prepared**
 19 **the 2008 Two-Year Report, which is Tab 18.**
 20 **Do you know if she used the 2006 report,**
 21 **which is Tab 14, as a guide or guideline in preparing**
 22 **the 2008 report, since the information is identical?**

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1 A I don't know, because I don't remember
 2 seeing the 2006 report. I -- I can't say for sure.
 3 **Q You said that in 2009, it was your testimony**
 4 **that the Apostle told you more than once that Joel**
 5 **Peebles was not a trustee of the church?**
 6 A Yes.
 7 **Q Do you recall what year she first told you**
 8 **that?**
 9 A I don't believe us ever discussing it before
 10 2009. I don't remember her ever -- I don't remember
 11 the subject ever coming up for any reason.
 12 **Q You were very close with the Apostle,**
 13 **weren't you?**
 14 A Yes.
 15 **Q When did you first start working with her**
 16 **closely?**
 17 A Probably got a little closer starting around
 18 2006 and then on and closer and closer from there.
 19 **Q 2006?**
 20 A Uh-huh.
 21 **Q From 2006 until the date of her death, do**
 22 **you ever recall -- strike that.**

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1 **Let me refer you to Tab 12 and Defendants'**
 2 **Exhibit 2, the Corporate Resolution to Borrow?**
 3 A Uh-huh.
 4 **Q Who prepared that document, if you know?**
 5 A I don't know.
 6 **Q But you'll see on Page 4, Bobby Henry**
 7 **notarized that -- that document?**
 8 A Yes, he did.
 9 **Q And at that time, he was the church legal**
 10 **counsel?**
 11 A Yes, uh-huh.
 12 **Q Now, did there come a time that the Apostle**
 13 **started using attorneys other than Bobby Henry to**
 14 **do -- to handle her personal affairs?**
 15 A Yes.
 16 **Q And when was that approximately?**
 17 A And that, I would have to think back on the
 18 date, but that's when she called in the attorneys,
 19 whose name I would have to find. It was a female.
 20 **Q Do you recall what year that was?**
 21 A I'm only guessing. It could have been
 22 around 2006/07, or something like that.

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1 **Q And did she ever use any other attorneys for**
 2 **the church's legal work after 2006?**
 3 A Yes.
 4 **Q But Bobby Henry remained on the payroll?**
 5 A Yes.
 6 **Q Do you know why she did not remove him off**
 7 **the payroll?**
 8 A She wasn't ready to do that yet.
 9 **Q But she had talked about removing him**
 10 **from -- as legal counsel --**
 11 A Yes.
 12 **Q -- at some point?**
 13 A Yes.
 14 **Q Do you know why she talked about removing**
 15 **Bobby Henry as legal counsel?**
 16 A She just wasn't pleased with the caliber of
 17 work that he was doing. She was just -- she was
 18 uncomfortable with some of the things -- the way he
 19 did some of the things he did.
 20 **Q Have you ever seen any deeds for real**
 21 **property to the church or from the church in the name**
 22 **of Jericho Baptist Church, Inc.?**

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1 A Yes, I believe I have.
 2 **Q Were those deeds that Bobby Henry prepared?**
 3 A I believe -- I believe there was a deed or a
 4 transfer when we sold the 4419 Douglas Street
 5 property. That's familiar to me.
 6 **Q Let me move on and ask you, you were asked**
 7 **earlier about the Apostle's dissatisfaction with Joel**
 8 **Peebles, and did you prepare a list of anything -- of**
 9 **any of the items?**
 10 A No.
 11 **Q This was just from memory?**
 12 A No, I didn't --
 13 **Q Your testimony was based on your -- on your**
 14 **recollection?**
 15 A Yes. Yes.
 16 **Q We talked about her dissatisfaction**
 17 **regarding the Jericho City Academy.**
 18 **Refresh my memory if I'm forgetting. It's**
 19 **getting late in the day.**
 20 **The Pastor also expressed a dissatisfaction**
 21 **about Yolanda, Joel Peebles' wife?**
 22 A She did.

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1 **Q And what was her dissatisfaction, if you**
 2 **recall?**
 3 A I would prefer not to answer that question
 4 right now.
 5 **Q Fair enough. Did the Apostle ever express**
 6 **to you a dissatisfaction with Joel Peebles over his**
 7 **handling of the District of Columbia home? Did she**
 8 **deed it to him?**
 9 A She was -- she was hurt and upset about that
 10 property. She was concerned about it because she
 11 was -- she thought it was going to be lost. She
 12 mentioned that to me.
 13 **Q Why was she hurt and upset about that?**
 14 A Because she had heard or saw -- or I don't
 15 know if she heard it or saw it that it was up for tax
 16 sale or something.
 17 **Q For the nonpayment of taxes?**
 18 A Yeah, and that -- that was concerning her,
 19 and I think -- I think her discussion with me was
 20 trying to determine whether she should regain it or
 21 pay the -- pay the debt or something.
 22 **Q Did she ever express dissatisfaction to you**

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1 **regarding Joel Peebles' money management abilities or**
 2 **how he managed money or his finances -- his personal**
 3 **finances?**
 4 A Yeah, she was always concerned about it.
 5 **Q And what was her concern?**
 6 A She just felt that she was always worried
 7 that he wasn't taking care of things properly, that
 8 something was going to be lost or she was always
 9 looking to see, is there something that she needed to
 10 help him with or something because she was just
 11 concerned that, you know, something would be left
 12 unattended to.
 13 **Q Did she ever express a dissatisfaction with**
 14 **Joel Peebles -- express to you a dissatisfaction with**
 15 **Joel Peebles regarding his failure to visit her?**
 16 A Yeah, at one point, she said that he hadn't
 17 visited her in months.
 18 **Q Do you recall what year that was?**
 19 A I don't. I don't. And I just -- it just
 20 seems to me it was around the time when they
 21 were -- when we were going through the school -- the
 22 school issues and changes and everything.

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1 **Q Did the Apostle ever express to you her**
 2 **dissatisfaction with Joel Peebles over the time she**
 3 **was ill in, I think, approximately 2003 and any**
 4 **efforts by him to take over the church from her?**
 5 A Yes.
 6 **Q And what did she express to you?**
 7 A It was later. It wasn't at the very
 8 beginning, but she -- she would say to me from
 9 time-to-time, she felt that Elder Joel and Bobby were
 10 going to try to take the church.
 11 **Q And that was Bobby Henry --**
 12 A Yes.
 13 **Q -- the church attorney?**
 14 A Yes.
 15 **Q The then church attorney?**
 16 A Yes, uh-huh.
 17 **Q And did she say anything specifically**
 18 **regarding her illness as to what, if any, actions**
 19 **they took to take the church from her?**
 20 A She did not say. I don't -- I don't know
 21 what prompted -- prompted it, but --
 22 **Q In September -- or on September 18, 2010,**

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1 **was there an incident where Joel Peebles called the**
 2 **police while at the Apostle's house?**
 3 A Yes.
 4 **Q Tell me, what happened that night? First,**
 5 **were you at the house?**
 6 A Yes, I was.
 7 **Q Okay. And tell me what happened.**
 8 A I wouldn't be able to tell you word-for-word
 9 at this point.
 10 **Q Just describe it in your words.**
 11 A He had come by to visit Apostle Betty. In
 12 this case, he came by to visit his mother. He --
 13 Pastor said no during that time. Her nurse
 14 was there -- one of the nurses whose name I said I
 15 was going to think of -- it will come to me -- but
 16 one of the nurses was there, and she was actually
 17 getting a bath at the time, and so she said no, to
 18 tell him that she didn't want to see him right now,
 19 and he was told that she didn't want to see him right
 20 now and he knocked and banged on the door and knocked
 21 and banged on the door and she said no, so I don't
 22 know the full detail.

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1 I believe Zain may have gone to her and
 2 asked him to -- asked Pastor to talk directly to him.
 3 And then Joel called back in at some point
 4 and said, "If you don't let me in, I'm going to call
 5 the police."
 6 And I think he left and came back. I
 7 believe he pulled out of the drive. He left and then
 8 he came back, and he said he was going to call the
 9 police.
 10 So Zain said, "Your mom said you
 11 can't -- she doesn't want to see you right now, so I
 12 can't open the door."
 13 And after that, they waited for the police
 14 to come and they called the police.
 15 **Q And what happened when the police arrived?**
 16 A The police arrived. They talked to Elder
 17 Joel, then they knocked on the door and they asked
 18 who was the responsible person and what -- I think
 19 just before that, Bobby Henry pulled into the yard,
 20 and the police asked him -- asked Joel who was that,
 21 and he said, "That's my attorney."
 22 **Q Referring to Bobby Henry?**

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1 A Bobby Henry.
 2 **Q The church's -- their legal counsel?**
 3 A Yes, uh-huh. And then the police then asked
 4 at the door, was someone -- who was the responsible
 5 party and Zain said she was here -- said she was
 6 there as a caretaker, but that Apostle Betty was
 7 responsible for her own home and she had said no,
 8 that she didn't want to visit her then.
 9 So they asked to see if she had any
 10 documentation and she showed them, and then they
 11 asked if they could come in and see Apostle Betty and
 12 they did. They came in to see her.
 13 Then somebody else would have to give you
 14 details, because I kind of blanked out, I think.
 15 And they came in to see her and then they
 16 went back out, but at the time, they asked if it was
 17 okay for Joel to come in for a few minutes, and so
 18 he -- they went back and got him and brought him in
 19 for a few minutes to stay.
 20 A couple words were passed back and forth
 21 and then the police officer, he visited with her, and
 22 then the police officer walked him back out.

<p style="text-align: right;">Page 286</p> <p>1 And then they -- they talked to him for a 2 while outside, and then they left. 3 Then he called back and said, "We're going 4 to call the police again." 5 Q Joey called back? 6 A Yes, said he was just going to call the 7 police again. 8 I actually called Elder Meadows, not because 9 I was -- because I was just looking for somebody to 10 help, and Elder Meadows said that he wouldn't get 11 involved with anything except the church. 12 So once I understood that, there was nothing 13 else I could do to talk with him. 14 And then because it was the wedding day of 15 Elder Barbara, she came over with Elder Linda, not 16 playing for that time, but Pastor had previously made 17 an appointment with Elder Barbara to come. 18 She had told her, if she weren't able to be 19 at the wedding, that she would -- wanted to see her 20 that day, and so Elder Barbara came by after the 21 wedding -- after her reception, she came over to the 22 church and Elder Linda came with her, and at that</p>	<p style="text-align: right;">Page 288</p> <p>1 know, gone through all the ritual with her, it 2 was -- she was tired anyway, so she was asleep for a 3 while. 4 Q About what time in the evening was this? 5 A Probably around 6:00'ish. 6 Q Around 6:00'ish that the police came? 7 A Well, that was earlier, because it was still 8 daylight. It was still daylight then. It was 9 September, so that could have been around 4:00'ish, 10 but by the time -- because after the police came and 11 they went back out, they sat outside for a while, and 12 then it was later on, the pizza man came. 13 So I don't know how much time in between 14 there, it begun to get dark, so it could have been 15 5:00'ish, 5:30 maybe. 16 Q Well, the police were sitting out in front 17 of the house. 18 Did Joel Peebles stay at the house or did he 19 leave? 20 A He stayed. 21 Q But he was outside the house? 22 A Uh-huh.</p>
<p style="text-align: right;">Page 287</p> <p>1 point, Elder Joel had come back in the house and so 2 then he and Elder Linda, they talked and ministered, 3 and later on, he left. 4 So there's probably more in between that, 5 but someone else would probably have to explain it. 6 Q So after the police left the first time, 7 Joel Peebles came back in the house? 8 A He did; yeah. 9 Q Did he come back in with Elder Linda and -- 10 A No, he came before that. Zain had ordered 11 pizza, so when the pizza came, Zain went to the door 12 for the pizza, then he came in. 13 Q The pizza delivery man? 14 A Uh-huh. 15 Q Was Joel Peebles invited in the house or he 16 just came in? 17 A No, he just came in. 18 Q Did he go back to talk with Pastor -- with 19 the Apostle? 20 A Yes, he went back. She was asleep though. 21 Her nurse was still there and -- and that was her 22 normal -- after she had been with a nurse and, you</p>	<p style="text-align: right;">Page 289</p> <p>1 Q How would you describe in your observation 2 the Apostle and Joel Peebles; how would you describe 3 their relationship? 4 A I -- I don't know what word I would use, but 5 I would say it wasn't the greatest relationship. It 6 was not that good. 7 Q And what makes you say it wasn't good -- it 8 wasn't that good? 9 A I just -- she wasn't -- she wasn't happy 10 with the relationship, so that's what makes me say, 11 she just was not happy with him. 12 Q Did she ever express to you why she wasn't 13 happy with the relationship? 14 And let me just qualify that to ask, we're 15 talking about the relationship as mother and son? 16 A Yeah, mother and son. I -- I would pass on 17 that right at this moment. 18 Q Okay. Was there -- would you say there was 19 a different relationship between the Apostle and Joel 20 Peebles as the Apostle and Assistant Pastor or were 21 they the same? 22 A I didn't see -- I didn't see a line between</p>

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1 it. It looked like the same relationship to me.

2 **Q Were there other times where Joel Peebles**

3 **came to the Apostle's house uninvited and she said**

4 **she did not want to see him?**

5 A Yes.

6 **Q How many times would you say approximately?**

7 A I couldn't -- I couldn't say exactly how

8 many times, but it happened a few times.

9 **Q And would Joel Peebles be allowed in the**

10 **house?**

11 A No, she was -- sometimes, she would;

12 sometimes, she would just say no. She would just say

13 no, and if she said no, then he was distraught.

14 **Q And what would happen?**

15 A He would bang on the door and yell at the

16 door and ring the doorbell. Sometimes, he would go

17 around to the -- her bedroom sliding doors and bang

18 on the windows.

19 For me, the times that I saw that happen

20 more so was on the evening or the day that he knew

21 that someone else was ministering on Sundays when

22 those times for me became prominent.

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1 **Q Did he do this during times that the Pastor**

2 **was up out of bed or in bed?**

3 A Well, the times that I am talking about, she

4 was in bed. I mean, during that time, she was in

5 bed, you know. She was bedridden at that point.

6 **Q I'm sorry, you said she was bedridden at the**

7 **time?**

8 A Uh-huh, during that time that I am thinking

9 of.

10 **Q Well, let me ask you: Do you know -- and**

11 **these are times you were at the house?**

12 A Yes.

13 **Q Prior to coming to the house, did Joel**

14 **Peebles call to say he was coming by?**

15 A Sometimes, he would call.

16 **Q And were those the times that the Apostle**

17 **would say she did not want to see him?**

18 A Sometimes; sometimes, she would say, "No,

19 not now." Sometimes, she would say, "Later," or

20 sometimes, she would say, "Come."

21 So on the times when -- so every time she

22 said, "No, not now," it didn't mean that he came

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1 over, but some of those times, he would come over

2 anyway -- not always though.

3 **Q But when she said, "Come over," did he come**

4 **over then?**

5 A Most of the time lately, he would come.

6 **Q Okay. And she -- I'm sorry.**

7 A There's a couple of occasions that he

8 didn't, you know, he would come right away, but most

9 of the time, he would come.

10 **Q And she would let him in the house during**

11 **those times?**

12 A If she said come, she was going to let him

13 in, yes.

14 **Q When he came by the house uninvited and she**

15 **did not want to see Joel Peebles, when he would ring**

16 **the doorbell and beat on the door and beat on the**

17 **glass window to her bedroom, did that have any effect**

18 **on her?**

19 A Well, the one occasion, it was a Saturday

20 afternoon, and this time, it was -- I think it might

21 have even been a phone call, and I told her and then

22 he came and I said -- I said, "Your son just pulled

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1 up outside," which she could see because she had her

2 monitor. She could see outside anyway.

3 And she said, "There's Joel." And I said,

4 "He just pulled up. What do you want me to do? What

5 do you -- you just told him no, he couldn't come.

6 So she said, "Don't open the door." And I

7 said, Oh, Pastor," you know, "We need to tell him

8 something."

9 I said, "So do you want to talk to him?" So

10 she would talk to him sometimes and tell him, "Joel,

11 not now," but --

12 **Q How would she talk to him?**

13 A On the phone -- by phone.

14 **Q She would call him or he would call her?**

15 A Sometimes both or he would ring my phone or

16 I would ring his phone, uh-huh.

17 **Q And he would call from out -- from out in**

18 **front of the house?**

19 A Uh-huh, from out in front of the house and I

20 would give her the phone and she would talk to him.

21 **Q And after she would talk with him, would he**

22 **just leave or is that when he would still demand to**

<p style="text-align: right;">Page 294</p> <p>1 come into the house?</p> <p>2 A Sometimes he would leave, sometimes he would</p> <p>3 sit out there and wait for a while, and sometimes, he</p> <p>4 would still demand to come in the house.</p> <p>5 Q And when he made those demands, would she</p> <p>6 ever let him in the house?</p> <p>7 A No, I can't remember -- for me -- during</p> <p>8 those moments, he might leave, and later on, she</p> <p>9 might say, "Call Joel and tell him to come on over,"</p> <p>10 after that, but I don't remember a time when he was</p> <p>11 having those moments that she went on and opened the</p> <p>12 door.</p> <p>13 Q Was she ever upset during the times where</p> <p>14 she told him, "Not now," or to not come over where he</p> <p>15 would beat on the door and on the glass window to her</p> <p>16 bedroom and ring the doorbell? Did that ever upset</p> <p>17 her?</p> <p>18 A She was upset.</p> <p>19 Q How would that upset her?</p> <p>20 A She said to me one of those times that it</p> <p>21 happened on a Saturday, she said, "Do you realize how</p> <p>22 much that upsets me?"</p>	<p style="text-align: right;">Page 296</p> <p>1 would beat on the door, ring the doorbell, beat on</p> <p>2 the glass door of her bedroom, did he ever do it</p> <p>3 after she told him?</p> <p>4 A Yeah, he did.</p> <p>5 Q How many times would you approximate?</p> <p>6 A A number of times, but I wouldn't be able to</p> <p>7 approximate.</p> <p>8 Q And this was September, 2010?</p> <p>9 A This was not just -- I mean, it was</p> <p>10 throughout the summer, things would happen, because</p> <p>11 throughout that time, we were assigning people to</p> <p>12 minister, so some of those times would happen, but I</p> <p>13 just -- I wouldn't be able to tell you how many</p> <p>14 times.</p> <p>15 Q And did it occur primarily on Saturdays or</p> <p>16 other days of the week?</p> <p>17 A It could have been other -- it could have</p> <p>18 been another day. It could have been a Friday night</p> <p>19 or not necessarily. It depends on when she didn't</p> <p>20 want to see him, you know.</p> <p>21 So for me -- I guess for me, it's prominent,</p> <p>22 because that's when I had that involvement, when I</p>
<p style="text-align: right;">Page 295</p> <p>1 And I said, "Oh, yes, Ma'am." She says, "So</p> <p>2 why are you worrying me with this? I don't want to</p> <p>3 deal with that, I just want to feel better, so --</p> <p>4 Q I'm sorry.</p> <p>5 A I said, "Well, Pastor, I have no choice.</p> <p>6 You have to talk with him."</p> <p>7 And in this case, as I said, as I say</p> <p>8 "Pastor," I mean the Apostle.</p> <p>9 Q Did the Apostle or you ever tell Joel</p> <p>10 Peebles how upsetting it was to the Apostle when he</p> <p>11 would bang on the door and ring the doorbell and beat</p> <p>12 on her glass door when she did not want to see him?</p> <p>13 A She had those conversations with him.</p> <p>14 I -- I didn't hear a whole conversation about it</p> <p>15 though.</p> <p>16 Q But did you hear her tell him that over the</p> <p>17 telephone?</p> <p>18 A Yes.</p> <p>19 Q Did you hear his response?</p> <p>20 A No, I can't say that I did.</p> <p>21 Q And after you -- after you heard her tell</p> <p>22 Joel Peebles how upsetting it was to her when he</p>	<p style="text-align: right;">Page 297</p> <p>1 was trying to get -- let him know who was</p> <p>2 ministering, and then that would happen. So that's</p> <p>3 why that sticks in my mind, but I'm sure there were</p> <p>4 other times.</p> <p>5 Q And the times that stick in your mind were</p> <p>6 the times when he beat on the door, rang the</p> <p>7 doorbell, beat on the glass door of her bedroom when</p> <p>8 she didn't want to see him, that came on the weekends</p> <p>9 when someone else was assigned to give the sermon at</p> <p>10 the church?</p> <p>11 A Yes. Yes.</p> <p>12 Q And that would have been the 11:00 o'clock</p> <p>13 sermon or --</p> <p>14 A The 11:00 o'clock -- 11:00 a.m.</p> <p>15 Q Did Joel Peebles ever express his</p> <p>16 dissatisfaction with the Apostle assigning someone</p> <p>17 else to minister at the 11:00 o'clock service?</p> <p>18 A Oh, yeah, constantly. He was dissatisfied</p> <p>19 with it. He said it was -- I can't remember his</p> <p>20 word -- it was a reckless way to run the church. He</p> <p>21 said another pastor told him it was a reckless way to</p> <p>22 run the church.</p>

1 **Q But that -- he was just repeating what**
 2 **another pastor had told him?**
 3 A Uh-huh, Yes.
 4 **Q Do you know if Joel Peebles ever expressed**
 5 **to the Apostle that sentiment -- that assigning**
 6 **someone else to minister at the 11:00 o'clock service**
 7 **was a reckless way to run the church?**
 8 A I didn't hear him express it to her, but she
 9 did say that he was -- he didn't like it and that he
 10 was not pleased.
 11 **Q In your opinion, was the Apostle's**
 12 **dissatisfaction with Joel Peebles regarding Jericho**
 13 **Christian Academy with his wife Yolanda, with his**
 14 **money management, with the tax sale foreclosure**
 15 **proceeding with the D.C. house that she deeded to**
 16 **him, with the months that she said he did not come to**
 17 **visit her, with the take-over attempt where he tried**
 18 **to take over the church in 2003 when she was sick,**
 19 **with him trying to force his way into her home when**
 20 **she didn't want to see him -- did those have any**
 21 **bearing on her opinion of him succeeding her --**
 22 MR. MALONEY: Objection to the form of

1 **Q Pastor -- Apostle Peebles had a home office;**
 2 **right?**
 3 A Yes.
 4 **Q Did there come a time that she stopped going**
 5 **to the church office and worked solely from her home**
 6 **office?**
 7 A Basically, she stopped coming in a lot and I
 8 would go to her, yes.
 9 **Q And when did she start using her home office**
 10 **primarily?**
 11 A Well, she always used it. Pastor worked at
 12 home every day. Every day of the week, except Sunday
 13 when she was on the pulpit, she worked from her home
 14 office, and usually, she would work from her home
 15 office all day. She would start her day early in the
 16 mornings most days and she would call the bank and do
 17 all the things that had to do with those things.
 18 Then in the afternoon or evening, then she
 19 would come over to the church and work all evening
 20 with us.
 21 So that was primarily why my hours were
 22 later in the day.

1 the question.
 2 MR. MARKS: -- as pastor of the church?
 3 You may answer if you know.
 4 A I can only answer that question by this way:
 5 Pastor never told me that she didn't want him to be
 6 pastor of the church. She never told me that.
 7 BY MR. MARKS:
 8 **Q Okay.**
 9 A So I don't know whether that had any bearing
 10 or not.
 11 **Q Did the Apostle have reservations? Did she**
 12 **ever express to you reservations about Joel Peebles**
 13 **becoming pastor of the church?**
 14 A Yes, because she felt that he wasn't ready
 15 now, that she just felt he really wasn't ready. That
 16 was her reservation.
 17 **Q And were some of the areas of her**
 18 **dissatisfaction with him that I just enumerated --**
 19 **did that play into her opinion that he wasn't ready**
 20 **to take over as Pastor?**
 21 A I don't -- I can't say that that was -- that
 22 that's the case.

1 So -- but later, she started spending more
 2 time at home office, so I would just go there and
 3 work with her there. So she worked -- her home
 4 office was her workplace.
 5 **Q And did there come a time she stopped going**
 6 **into the church office and just worked from home**
 7 **solely?**
 8 A Most -- just about. She would come over and
 9 in the car, then she would stop by the church, but
 10 she wouldn't stay long. That meant that two or three
 11 days an a week then, I would go to her house to work.
 12 **Q Prior to her death, when was the last time**
 13 **you recall she worked from her home office?**
 14 A My goodness. I would say -- I would say
 15 November of 2009.
 16 **Q And she died October, 2010?**
 17 A Uh-huh. That's -- that would be the last
 18 time she actually worked -- like worked in the
 19 office, then I worked with her. She was -- she was
 20 not up and about, but she was up and aware. I would
 21 just work with her.
 22 **Q So it was almost eleven months that she**

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1 **didn't work from her home office?**
 2 A She did not. She did not work in the
 3 office, no.
 4 **Q I mean from her home office?**
 5 A Work from the home, yes.
 6 **Q When was the last time that you recall that**
 7 **she worked from her home office?**
 8 A It was.
 9 **Q When?**
 10 A Almost -- it was November, 2009 was the last
 11 time I recall her -- I'm saying it this way: The
 12 last time I recall her sitting in her chair at her
 13 desk.
 14 **Q Okay. Is that to say -- is your testimony**
 15 **that she ceased doing church business?**
 16 A Oh, no, no, no. She did church business all
 17 the time, but she didn't work from her bedroom.
 18 No, I'm sorry, I was thinking about -- she
 19 did business of the church up until -- as I had said,
 20 even on the 4th of October, that was church business
 21 when we all went to her bedroom with Paul Shelton for
 22 her to make a decision for Joel to sign the papers.

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1 So when I say that, I'm saying that she
 2 worked from her bedroom, she was still working and
 3 aware.
 4 **Q Even when she became bed-bound, she would**
 5 **still conduct church business?**
 6 A Oh, yes, uh-huh.
 7 **Q And in your mind, there came a point where**
 8 **she stopped going to her home office and sitting at**
 9 **her desk?**
 10 A That's what I would say, yes.
 11 **Q Okay. And in her home office, she would**
 12 **receive visitors?**
 13 A Yes.
 14 **Q Now, I mentioned earlier about the pastor**
 15 **talking about the time when she went to the hospital**
 16 **around 2003 that Joel attempted to take over the**
 17 **church.**
 18 **Did she talk with you about that explicitly?**
 19 A No, she did not.
 20 MR. MALONEY: Objection. Misstates the
 21 testimony.
 22 BY MR. MARKS:

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1 **Q You were also asked about actions taken**
 2 **about -- taken by the current Board of Trustees.**
 3 **Did there come a time the board took action**
 4 **regarding a change of the church's name?**
 5 A Yes, that was in May of 2009, I believe.
 6 **Q And what was the name changed to?**
 7 A From Jericho Baptist Church, Inc., to
 8 Jericho Baptist Church Ministries, Inc.
 9 **Q And why was that change made?**
 10 A Pastor was actually getting -- at one point,
 11 there was something that still had her name on it as
 12 resident agent, so she was having servers come to her
 13 door serving her church -- serving her court
 14 documents, and it was not our ministry, it was the
 15 other Jericho Baptist Church.
 16 So -- and that other church was in court on
 17 some matter and had been in court for a while and had
 18 outstanding debt, so she even called in at that point
 19 another -- she didn't hire another attorney, but she
 20 called in another young man that had legal knowledge
 21 and had him help me with that to make sure that
 22 that -- that was taken off of our information that

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1 we -- that the court would know that that was not us,
 2 Jericho, so --
 3 **Q So there were two churches named "Jericho**
 4 **Baptist Church, Inc." --**
 5 A Right.
 6 **Q -- and it caused confusion?**
 7 A Uh-huh.
 8 **Q You were also asked earlier if there was any**
 9 **reason that Joel Peebles would not be an appropriate**
 10 **pastor.**
 11 **Do you know if there are currently any**
 12 **procedures in place for the selection of the next**
 13 **pastor of the church?**
 14 A No, there aren't any at this time.
 15 **Q You say, "at this time." Are there any**
 16 **plans to establish procedures?**
 17 A Yes.
 18 **Q But that has not been done yet?**
 19 A No.
 20 **Q You were also asked if the congregation has**
 21 **been advised that tithes and offerings are being used**
 22 **to sue the assistant pastor.**

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1 **Has the congregation ever been informed of**
 2 **the day-to-day administration of the church expenses?**
 3 A No.
 4 **Q Is the congregation even informed of the**
 5 **salaries of the apostle and assistant pastor?**
 6 A No.
 7 **Q Are there church meetings where financial**
 8 **reports are given to the congregation?**
 9 A No.
 10 **Q Following the Apostle's death, did you ever**
 11 **see anyone in her office going through records?**
 12 A No.
 13 **Q Following her death, did you ever see signs**
 14 **that someone had been in her office going through**
 15 **records?**
 16 A Yes.
 17 **Q And what signs were those?**
 18 A Well, there are many things missing. There
 19 are many things that were taken out -- out of her
 20 office, so --
 21 **Q Just -- what things were taken out?**
 22 A I actually cannot say. I know that -- I

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1 know how the file was set up and I -- so from the
 2 visual, you can see that there are many things that
 3 are not there because it was so jam-packed and now
 4 it's not. Some financial records were moved and some
 5 academy things -- some of the academy
 6 things -- records are not there.
 7 **Q Were any property taken? Was any property**
 8 **taken?**
 9 A I don't know -- probably taken --
 10 **Q Like office artifacts, furniture, anything**
 11 **like that?**
 12 A Well, they would -- I mean, Elder Joel took
 13 things out and gave it away to some of the members of
 14 the church.
 15 **Q Things such as what?**
 16 A Some of her -- some of her little items, her
 17 little knickknacks and things that -- angels and
 18 things that folks had given her. Some things are
 19 gone, yeah.
 20 **Q How do you know Joel Peebles took those**
 21 **items and gave them to members of the church?**
 22 A Well, maybe he didn't. I didn't see him

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1 take them, but I was there when he gave them out. He
 2 gave them to, you know, people in the dinner that we
 3 were in.
 4 **Q You saw Joel Peebles give other members of**
 5 **the congregation items that were taken, whether by**
 6 **him or someone else, from the Apostle's office?**
 7 A Yes, uh-huh.
 8 **Q Do you recall how many items there were?**
 9 A No, I don't. It could have been like five
 10 or six. I'm not sure.
 11 **Q Did you observe any damage to a file cabinet**
 12 **in the Apostle's office?**
 13 A Yes, the lock was broken. The locks -- it
 14 was drilled -- not broken -- you can't break it, it
 15 had to be drilled open or something.
 16 **Q Do you know who drilled it open?**
 17 A I don't.
 18 **Q Do you know when that occurred?**
 19 A I don't remember exactly.
 20 **Q Approximately?**
 21 A Couple two or three months ago, couple
 22 months ago.

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1 **Q When was the board for the Jericho Center of**
 2 **Hope established?**
 3 A In 2000, I believe.
 4 **Q And what's the purpose of the board for the**
 5 **Jericho Center of Hope?**
 6 A To -- the purpose of the board, the Jericho
 7 Center of Hope started out as an outreach ministry --
 8 **Q Uh-huh.**
 9 A -- for the food pantry, for homeless, to
 10 help unwed mothers, and Pastor had a full vision set
 11 forth and that was Bishop and Apostle had set forth a
 12 full vision for an entity and it became the Center of
 13 Hope.
 14 And so under that entity, it was decided at
 15 some point, Apostle decided somehow to put the
 16 Jericho residences, which is the apartment building,
 17 but there's -- Jericho Center of Hope was initially
 18 established as outreach ministry.
 19 **Q So today, the Jericho Center of Hope is the**
 20 **owner of the Jericho senior living residences?**
 21 A Kind of, yes.
 22 **Q Okay.**

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1 A I could say that.

2 **Q All right. Because the Jericho Baptist**

3 **Church Ministries, Inc., is not the owner of the**

4 **senior living residence?**

5 A That's right. That is true.

6 **Q And when the board of the Jericho Center of**

7 **Hope was set up, who were the -- who was the**

8 **chairperson?**

9 A Apostle Betty was the chairperson of the

10 Center of Hope Board.

11 **Q And after she passed, Joel Peebles became**

12 **the chair?**

13 A Yes.

14 **Q And how did he become the chairperson?**

15 A I believe they had a meeting and voted

16 officers.

17 **Q Aside from the Jericho Senior Residences,**

18 **does the Jericho Center of Hope have any other**

19 **assets?**

20 A No.

21 **Q Let me refer you to Tab 28 and Defendants'**

22 **Exhibit 2, and that is the September 15, 2010 letter**

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1 **from Joel Peebles?**

2 A Yes.

3 **Q Now, when you got this letter, did it -- did**

4 **you have an opinion after receiving this letter as to**

5 **whether or not Joel Peebles was attempting to take**

6 **over the operation of the church?**

7 A I did feel like he was trying to take over

8 the operations of the church.

9 **Q Did you respond to that letter?**

10 A I did not respond. I just asked Apostle

11 Betty what she wanted me to do and she said nothing,

12 just leave it with her.

13 **Q And let me refer you to Tab 30. The**

14 **corporate resolution dated September 21, 2010, the**

15 **names Joel R. Peebles, Sr., as chief executive over**

16 **the daily operations of the corporation, and I just**

17 **wanted to make sure, this was not approved by the**

18 **Apostle -- this resolution?**

19 A Not to my knowledge, it was not.

20 **Q And the Apostle never expressed any**

21 **indication that Joel Peebles serve as the Chief**

22 **Executive Officer?**

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1 A Not to my knowledge, no.

2 **Q And prior to -- when did you receive this**

3 **resolution?**

4 A Actually, I did not receive -- I didn't get

5 a copy of it until I saw it, I think, on the court

6 documents.

7 **Q Prior to your review of this document, had**

8 **there ever been a Chief Executive Officer of the**

9 **church?**

10 A Apostle Betty.

11 **Q She was the chief?**

12 A Exactly.

13 **Q Was she the Chief Executive Officer by title**

14 **or the president?**

15 A She used both titles.

16 **Q And there was never a board action by the**

17 **current board to designate Joel R. Peebles, Sr., as**

18 **the Chief Executive Officer?**

19 A No.

20 **Q And I refer you to Page 2 of that document.**

21 **Do you see it is signed by Elder William Meadows, who**

22 **is listed as chairman of the deacon board and member**

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1 **of the Board of Trustees?**

2 A (Nodding.)

3 **Q And looking at that, did you know William**

4 **Meadows to be a member of the Board of Trustees on**

5 **September 21, 2010?**

6 A No.

7 **Q I'm sorry?**

8 A I did not know, no.

9 **Q And if I could see Plaintiffs' Exhibit 1.**

10 MR. MALONEY: I don't think I have it.

11 MR. MARKS: It's here with the

12 documents. I left it here. That's the trustee

13 acknowledgment.

14 MR. MALONEY: That's A.

15 MR. MARKS: That's right, we're

16 letters, sorry. There's lots of copies of that

17 around. Here is one.

18 BY MR. MALONEY:

19 **Q I show you Plaintiffs' Deposition Exhibit A,**

20 **which is the trustee acknowledgment.**

21 **Is that one of the documents on which you**

22 **base your knowledge that William Meadows was no**

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1 longer a member of the Board of Trustees?
 2 A Uh-huh, that's -- that's one of the
 3 documents.
 4 Q And let me refer you to Tab 37 of Exhibit 2.
 5 And it's the -- it would be Page 4 of that exhibit.
 6 It's the fourth -- the page after your signature page
 7 starting right here.
 8 Referring you to the March 15, 2009
 9 Resolution 1-09 of the Board of Trustees appointing
 10 successor trustees of the Jericho Baptist Church, on
 11 the first page, do you see that the -- there are
 12 several names of individuals who are -- it says,
 13 "Resolved that the following individuals are hereby
 14 elected by unanimous vote of this Board of Trustees
 15 as successor trustees to serve as members of the
 16 Board of Trustees, and where applicable, officers of
 17 the church until their successors are elected as
 18 follows."
 19 A Yes.
 20 Q And William Meadows' name was not among that
 21 list of names, is it?
 22 A It is not.

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1 Q And let me refer you to Page 2 where at the
 2 top of the page, it says, "Resolved, the elected
 3 successor trustees and officers set forth above shall
 4 serve until duly elected successors are elected by
 5 this Board of Trustees," and it says, "Witness the
 6 execution of this resolution on the date and year set
 7 forth above," and it has the name and signature of
 8 William A. Meadows, trustee?
 9 A Yes.
 10 Q And it also has the name and signature of
 11 Deacon Anne F. Wesley, trustee?
 12 A Yes.
 13 Q And it was -- was it your opinion that this
 14 resolution is the resolution that appointed the
 15 current board, of which William Meadows and Anne
 16 Wesley were no longer part of?
 17 A Yes.
 18 Q So referring you back to Tab 20 -- I'm
 19 sorry, Tab 30 -- I'm sorry, let's go back to
 20 28 -- Tab 28.
 21 So when you saw -- you did receive the
 22 September 15, 2010 letter; right.

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1 A Yes.
 2 Q And when you got this letter, did you
 3 believe Joel Peebles had any authority to make the
 4 request for this information?
 5 A No, I didn't.
 6 Q And now referring you to Tab 30, when you
 7 saw this corporate resolution, did you believe at any
 8 time that William Meadows or Anne Wesley or Joel
 9 Peebles had the authority to vote Joel Peebles as the
 10 Chief Executive over the daily operations on behalf
 11 of the church?
 12 A No, I didn't believe that.
 13 Q Now, you were asked to look at Tabs 7, 8, 9,
 14 10, 11 and 12, along with Tabs 14, 17, 19 and 20 of
 15 Defendants' Exhibit 2, and those are all documents
 16 that list Joel R. Peebles, Sr., as a trustee.
 17 It was your testimony that you assumed that
 18 Joel R. Peebles, Sr., was a trustee of the church.
 19 During the course of this proceeding, has
 20 there -- have you reviewed anything that would
 21 indicate to you that your assumption was not
 22 correct -- your assumption that Joel R. Peebles was a

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1 trustee of the church was not correct?
 2 A No, I haven't reviewed anything that -- that
 3 establishes for me that it's absolutely so that he is
 4 a trustee, and the Apostle told me that he wasn't.
 5 Q Okay. Did the Apostle ever share with you
 6 what she -- what type of training and mentorship she
 7 believed Joel Peebles should receive?
 8 A No, she did not.
 9 Q You were also asked earlier if the current
 10 board was meant to remain -- if the identity of the
 11 current board was meant to remain confidential.
 12 In your opinion or to your understanding,
 13 was it ever meant for the current board to remain
 14 confidential to anyone?
 15 A Not to my knowledge, it was not meant to.
 16 It was just that the Apostle would tell it or say it
 17 whenever she wanted to.
 18 Q And that -- I'm sorry, go ahead.
 19 A So whether she did or not, I don't know that
 20 she didn't express it to someone. She never told me
 21 that she did or did not, but that would have been for
 22 her to -- to tell someone.

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1 **Q And she told you that she would, in fact,**
 2 **take care of that; correct?**
 3 A She always took care of those things.
 4 **Q So it would not be correct to characterize**
 5 **the knowledge of the board as being kept**
 6 **confidential, would it?**
 7 A No, it would not.
 8 **Q You also testified earlier that you want to**
 9 **be able to have a dialogue or talk with Joel Peebles**
 10 **about the operation, the running of the church; is**
 11 **that correct?**
 12 A Yes.
 13 **Q Have you been able to have that conversation**
 14 **to date?**
 15 A Not thus far.
 16 **Q Do you hold out hope that you will able**
 17 **to --**
 18 A I trust God that we will be able to.
 19 **Q And I believe -- correct me if I am**
 20 **wrong -- due to the lateness of the day, that the**
 21 **reason that you're not able to have that conversation**
 22 **with Joel Peebles is because he told you that he**

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1 **could not work with you?**
 2 A He did tell me he couldn't work with me.
 3 **Q Is there any other reason he gave you for**
 4 **not having that conversation?**
 5 A That's the one that's prominent in my mind
 6 because he said it to me more than once, so --
 7 **Q And did he say why he could not work with**
 8 **you?**
 9 A He said he could never trust me.
 10 **Q Do you know what it was that prompted him to**
 11 **not have trust in you?**
 12 A I would be assuming that I am -- I am
 13 assuming it's this situation.
 14 **Q Have you been approached by members of the**
 15 **congregation -- any of the members of the**
 16 **congregation about the current litigation?**
 17 A Yes.
 18 **Q Once or twice? Frequently? A lot?**
 19 A Last Sunday, there was a -- something left
 20 on my car last night, and even while we're sitting
 21 here today, people are putting notes up on the church
 22 as we speak.

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1 **Q What do you mean, putting notes up on the**
 2 **church?**
 3 A "To the unauthorized board, we want you to
 4 leave," that sort of thing, being posted on the doors
 5 of the church.
 6 **Q Do you have any idea who is posting that?**
 7 A I have no idea.
 8 **Q What was left on your car?**
 9 A A CD was left on my car of a prophecy from
 10 Elder Edith Jones. It was on my windshield last
 11 night when I went outside.
 12 **Q Who is Elder Edith Jones?**
 13 A One of the members of the church, one of our
 14 elders.
 15 **Q What was her prophecy?**
 16 A I wasn't -- I didn't get to church in time
 17 to hear her prophecy last Sunday, so I planned to
 18 listen anyway, so I'm not real sure what she was
 19 saying so -- and I didn't get to listen to it last
 20 night because I was preparing for today.
 21 MR. MARKS: Thank you. No further
 22 questions.

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1 EXAMINATION BY COUNSEL FOR THE
 2 DEFEDANTS/COUNTER-PLAINTIFFS
 3 BY MR. MALONEY:
 4 **Q The visit with the Apostle where you say the**
 5 **police were called, how many people actually showed**
 6 **up at the Apostle's house that day?**
 7 A How many people showed up?
 8 **Q Yeah, any stripe showed up in one form or**
 9 **another that day?**
 10 A Probably about six or so.
 11 **Q And who were they?**
 12 A The nurse.
 13 **Q Uh-huh?**
 14 A Elder Joel.
 15 **Q Uh-huh.**
 16 A Yolanda.
 17 **Q Uh-huh.**
 18 A Bobby Henry. I think -- I think I saw a
 19 car -- these are not all people that came in the
 20 house though.
 21 **Q Uh-huh.**
 22 A I think I saw another car out there. I'll

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1 have to think about it. I think it was Pastor Steve
 2 Young, I believe. I could be wrong. It might have
 3 been.
 4 Then later on in the evening, Elder Linda
 5 Pyles, Elder Barbara Colvin and her husband, and I
 6 think that's it.
 7 **Q And of that group, how many actually got in**
 8 **to see the Apostle?**
 9 A Elder Joel, Elder Linda, Elder Barbara and
 10 her husband and the police officers.
 11 **Q And by the time the police officers got in**
 12 **to see her, she fell asleep while she was talking to**
 13 **them; right?**
 14 A Yes, she did.
 15 **Q Okay.**
 16 A Yes, she did.
 17 **Q Okay. Then she was not really coherent in**
 18 **her communications with the police, was she?**
 19 A Yes, they understood clearly.
 20 **Q Well, while they were talking to her, she**
 21 **fell asleep in the middle of the conversation; right?**
 22 A She did go to sleep.

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1 **Q All right.**
 2 A They understood what she was saying.
 3 **Q Not while she was sleeping; right?**
 4 A Because they are -- they asked if she could
 5 bring -- if it was okay to bring her son in and she
 6 acknowledged that it was okay, and they acknowledged
 7 that and they did it.
 8 **Q All right. So when the police were called**
 9 **by Joel to get a chance to see his mother, the police**
 10 **asked, "Do you want to see her son," she said yes;**
 11 **that happened; correct?**
 12 A That did happen, yes. She said from
 13 time-to-time.
 14 **Q All right. And you, yourself, did not have**
 15 **Power of Attorney from the Apostle, did you?**
 16 A Did I not have Power of Attorney?
 17 **Q You didn't have any Power of Attorney**
 18 **authorizing you to take action; isn't that correct?**
 19 MR. MARKS: Let me object. That
 20 question goes beyond the scope of my Cross
 21 Examination, but you may answer if you know.
 22 A I'm not sure if I had authority or not, so

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1 I'll say: Not to my knowledge.
 2 BY MR. MALONEY:
 3 **Q Well, did she ever sign any written document**
 4 **that you're aware of which gave you either the**
 5 **authority to make financial decisions, health care**
 6 **decisions or decisions for her well-being?**
 7 A Yes.
 8 **Q What document was that?**
 9 A I had a Power of Attorney.
 10 **Q And when was that signed?**
 11 A Where was it signed?
 12 **Q When?**
 13 A When? I think it was 2007.
 14 **Q Okay. And who prepared the Power of**
 15 **Attorney document?**
 16 MR. MARKS: If I could just have a
 17 continuing objection to the line of questioning --
 18 MR. MALONEY: Sure.
 19 MR. MARKS: -- regarding Power of
 20 Attorney --
 21 MR. MALONEY: Sure.
 22 MR. MARKS: -- medical directive.

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1 MR. MALONEY: Sure.
 2 THE WITNESS: Who prepared that?
 3 MR. MARKS: I prepared it.
 4 THE WITNESS: I think --
 5 BY MR. MALONEY:
 6 **Q Mr. Marks prepared the document?**
 7 A Okay, yes. I was thinking. I was thinking.
 8 **Q And why was the Power of Attorney prepared?**
 9 A Because Pastor felt like she wanted to have
 10 someone to have Power of Attorney, so she asked me if
 11 I would be that, one more of those questions, and I
 12 said I would do it for her.
 13 MR. MARKS: For the record, it was a
 14 medical directive.
 15 MR. MALONEY: All right.
 16 BY MR. MALONEY:
 17 **Q Other than the medical directive, did you**
 18 **have any other authority -- any other Power of**
 19 **Attorney -- financial? Nonfinancial?**
 20 A I had a Power of Attorney and a medical
 21 directive.
 22 MR. MARKS: Okay.

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1 BY MR. MALONEY:
 2 **Q And where are those documents now?**
 3 A At my house.
 4 MR. MARKS: And on my desk.
 5 BY MR. MALONEY:
 6 **Q And was anyone else named Power of Attorney**
 7 **besides you in those documents?**
 8 A Clarence Jackson.
 9 **Q And did you ever use those Power of Attorney**
 10 **documents?**
 11 A I never used -- I never showed them to
 12 anyone, no.
 13 **Q And with respect to using them, did you ever**
 14 **go to a financial institution or any other entity to**
 15 **attempt to use those documents?**
 16 A No, I did not.
 17 **Q And with respect to your -- the ability to**
 18 **see the Apostle, who made the final decision among**
 19 **your group as to how to carry out the Apostle's**
 20 **decisions? Was it you? Was it Zain? Was it the**
 21 **Freemans? Who did that?**
 22 A On behalf of the church, I carried out the

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1 instructions that Apostle gave me.
 2 **Q Right.**
 3 A On the medical, and so on, then that was
 4 between the Freemans. I didn't do that.
 5 **Q Well, in other words, you didn't make any**
 6 **medical decisions on behalf of the Pastor --**
 7 A Uh-huh.
 8 **Q -- you're saying the Freemans were making**
 9 **those decisions?**
 10 A Freemans and Zain.
 11 **Q And how often were the Freemans at the**
 12 **house?**
 13 A Not often -- not often.
 14 **Q All right. You were asked lots of questions**
 15 **about Mr. Bobby Henry.**
 16 A Uh-huh.
 17 **Q Did there ever come a time when the pastor**
 18 **asked you to terminate the services of Bobby Henry?**
 19 A Yes.
 20 **Q And when was that?**
 21 A I think it was around the end of August, she
 22 had asked me to call Bobby Henry and ask him what he

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1 had done on two items that she had given him -- she
 2 had given him direction to take care of, and he
 3 explained -- at that point, he explained what he had
 4 done on both of those, and when we finished, she
 5 listened to his explanation and everything and when
 6 we hung up, she said, "Well, why is he still working
 7 for the church?"
 8 **Q Okay. And then what happened after that?**
 9 A At that point, nothing.
 10 **Q All right. So you weren't directed to**
 11 **terminate him or cut his salary or payment or**
 12 **anything like that; is that right?**
 13 A No, she just asked me why didn't I, she did
 14 not direct me to. She asked me why didn't I go ahead
 15 and do it.
 16 **Q And it wasn't within your authority to**
 17 **basically fire the church's attorney, was it?**
 18 A Well, yes, as a trustee of the board, it
 19 was, but as the Apostle, I would have waited for her
 20 to give me those instructions.
 21 **Q Was there ever a time when the Apostle**
 22 **terminated the services of Isaac Marks?**

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1 A There was a time when she decided not to
 2 have the retainer with Isaac Marks, yes.
 3 **Q When was that?**
 4 A I don't remember what dates it was, because
 5 she worked directly with him on that.
 6 **Q Well, how soon prior to her death?**
 7 A Oh, gosh. I don't remember -- maybe a year
 8 or so.
 9 **Q And did she order to stop payment to**
 10 **Mr. Marks and his firm, as well?**
 11 A Yes, she -- yeah, she decided not to pay the
 12 monthly retainer.
 13 **Q And that was about a year before the death?**
 14 A A year, year and-a-half or so.
 15 **Q Did she tell you why?**
 16 A Because she didn't want to be --
 17 MR. MARKS: Objection. You don't have
 18 to answer that.
 19 THE WITNESS: I can tell him?
 20 MR. MALONEY: Sure, if we can ask about
 21 Mr. Henry, we can ask about you. Go ahead.
 22 MR. MARKS: I'm advising the witness

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<p>1 not to answer.</p> <p>2 BY MR. MALONEY:</p> <p>3 Q Did she say she didn't want to pay his</p> <p>4 retainer?</p> <p>5 A She didn't want to pay any of us. Pastor</p> <p>6 was like that.</p> <p>7 MR. MALONEY: All right. Let's just</p> <p>8 take about a two-minute break because -- we have two</p> <p>9 minutes left on the video, so go ahead and change the</p> <p>10 video and then we'll go right up until 5:00 o'clock.</p> <p>11 THE VIDEOGRAPHER: This marks the end</p> <p>12 of Volume 1, Tape Number 3, in the deposition of</p> <p>13 Denise Killen.</p> <p>14 Going off the record. The time is 4:46</p> <p>15 p.m.</p> <p>16 (Whereupon, a recess was held from 4:46</p> <p>17 p.m. to 4:52 p.m.)</p> <p>18 THE VIDEOGRAPHER: Back on the record.</p> <p>19 Here marks the beginning of Volume 1, Tape Number 4,</p> <p>20 in the deposition of Denise Killen.</p> <p>21 The time is 4:53 p.m.</p> <p>22 MR. MALONEY: At this point, we have no</p>	<p>1 morning of the 26th for a carryover in the event we</p> <p>2 have to.</p> <p>3 Actually, let's do Dorothy Williams on</p> <p>4 that day -- on those days, as well, and that will</p> <p>5 allow us to sort of knock this series out right here.</p> <p>6 And if you want to give me some</p> <p>7 dates -- give me names of individuals you want to</p> <p>8 depose on our side, we'll be delighted to get you</p> <p>9 dates.</p> <p>10 MR. MARKS: These aren't -- sure. Do</p> <p>11 you want to tell me what days are not good for you</p> <p>12 this month and early June?</p> <p>13 MR. MALONEY: All of next week is not</p> <p>14 good.</p> <p>15 MR. MARKS: Okay.</p> <p>16 MR. MALONEY: And the following week is</p> <p>17 not good.</p> <p>18 The week of June 1st, 2nd, 3rd and 4th,</p> <p>19 I'm in a trial for the Circuit Court for Prince</p> <p>20 Georges County. The following week is probably good.</p> <p>21 So if you want to get with Mr. Creed</p> <p>22 and me, we can probably plan on looking for that week</p>
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<p>1 further questions.</p> <p>2 I understand that with the remaining</p> <p>3 depositions that have been noted, we will, because</p> <p>4 counsel, you have to leave at 5:00 p.m.; is that</p> <p>5 correct?</p> <p>6 MR. MARKS: Yes.</p> <p>7 MR. MALONEY: All right. Then we will</p> <p>8 suspend the day pending any further questions that</p> <p>9 might arise in the document production. I'll notify</p> <p>10 counsel if that is the case.</p> <p>11 And for those two remaining depositions</p> <p>12 that are currently noted, counsel will contact me in</p> <p>13 the morning as we previously discussed and agreed to</p> <p>14 get dates for those in the near future.</p> <p>15 MR. MARKS: That's fine. I will tell</p> <p>16 you now, May 25 and 26, I can give you those dates</p> <p>17 now. Let me know if those work for you.</p> <p>18 MR. MALONEY: I can actually tell you</p> <p>19 right now -- May 25th works, so let's plan on doing</p> <p>20 it May 25th.</p> <p>21 MR. MARKS: Just one day for both?</p> <p>22 MR. MALONEY: Let's use the 26th -- the</p>	<p>1 for doing those.</p> <p>2 MR. MARKS: Okay.</p> <p>3 MR. MALONEY: Okay? Good. All right,</p> <p>4 very good. You're going to give me some document</p> <p>5 requests.</p> <p>6 MR. MARKS: I am. One last</p> <p>7 housekeeping matter, aside from Bobby Henry and</p> <p>8 Yolanda Peebles, is there any other nonlawyer who is</p> <p>9 following the LiveNotes?</p> <p>10 MR. MALONEY: Well, I'm not telling you</p> <p>11 who is or who is not following the LiveNotes, and</p> <p>12 frankly, it's our work product as to what we do with</p> <p>13 LiveNotes.</p> <p>14 MR. MARKS: I didn't ask what you're</p> <p>15 going to do with it, I simply asked who was</p> <p>16 following.</p> <p>17 MR. MALONEY: It's really not any of</p> <p>18 your business as to who or who is not reviewing</p> <p>19 LiveNotes. That's confidential information, and I'm</p> <p>20 not confirming or denying the existence of anyone who</p> <p>21 is or is not in our firm or anywhere else. We have</p> <p>22 the right to use LiveNotes, as do you, and we have</p>

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1 extended to you the opportunity to use it if you
 2 wish.
 3 MR. MARKS: So you are refusing to
 4 disclose any potential witnesses who may be reviewing
 5 LiveNotes?
 6 MR. MALONEY: If you take the
 7 deposition of any witnesses, you are more than
 8 entitled to ask those witnesses what materials they
 9 have reviewed, including written discovery and the
 10 LiveNotes form or otherwise, and I would fully expect
 11 that your witnesses, if they are properly prepared,
 12 will be reviewing deposition transcripts, as well.
 13 MR. MARKS: Very well. Thank you.
 14 MR. MALONEY: Thank you.
 15 THE VIDEOGRAPHER: Here marks the end
 16 of Volume 1, Tape Number 4, in the deposition of
 17 Denise Killen.
 18 Going off the record. The time is 4:56
 19 p.m.
 20 (Off the video record.)
 21 MR. MARKS: We would like a copy of the
 22 CD, as well as transcript with the mini-transcript.

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1 MR. MALONEY: Mini.
 2 MR. MARKS: And we will review.
 3 (Signature having not been waived, the
 4 deposition of ALMA DENISE KILLEN was concluded at
 5 4:56 p.m.)
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1 ACKNOWLEDGMENT OF DEPONENT
 2 I, ALMA DENISE KILLEN, do hereby acknowledge
 3 that I have read and examined the foregoing
 4 testimony, and the same is a true, correct and
 5 complete transcription of the testimony given by me
 6 and any corrections appear on the attached Errata
 7 sheet signed by me.
 8
 9 _____
 10 (DATE) (SIGNATURE)
 11 At _____ in said County of
 12 _____, this ____ day of _____, 2011,
 13 personally appeared ALMA DENISE KILLEN, and he/she
 14 made oath to the truth of the foregoing corrections
 15 by him/her subscribed.
 16
 17 Before me, _____, Notary Public.
 18 My Commission Expires: _____
 19
 20
 21
 22

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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC
 2 I, Sue A. Terry, RPR/CRR/CLR, the
 3 officer before whom the foregoing proceedings were
 4 taken, do hereby certify that the foregoing
 5 transcript is a true and correct record of the
 6 proceedings; that said proceedings were taken by me
 7 stenographically and thereafter reduced to
 8 typewriting under my supervision; and that I am
 9 neither counsel for, related to nor employed by any
 10 of the parties to this case and have no interest,
 11 financial or otherwise, in its outcome.
 12 IN WITNESS WHEREOF, I have hereunto set my
 13 hand and affixed my notarial seal this 24th day of
 14 May, 2011.
 15 My Commission Expires:
 16 10-30-2013
 17 _____
 18 Notary Public in and for the State of Maryland
 19
 20
 21
 22

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1 ERRATA SHEET
2 IN RE: Board of Trustees of the Jericho Baptist
3 Church Ministries, Inc., v. Joel R. Peebles, Sr.,
4 et al.,
5 RETURN BY:
6 PAGE LINE CORRECTION AND REASON
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22 (DATE) (SIGNATURE)

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1 ERRATA SHEET (Continued)
2 IN RE: Board of Trustees of the Jericho Baptist
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6 PAGE LINE CORRECTION AND REASON
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