

IN THE CIRCUIT COURT FOR
PRINCE GEORGE'S COUNTY, MARYLAND

:
RODERICK CHAVEZ, ET AL., :
:
Plaintiffs, :
:
vs. : CASE NO.: CAL12-13537
:
JERICHO BAPTIST CHURCH :
MINISTRIES, INC., ET AL., :
:
Defendant. :

Friday, January 3, 2014

Deposition of

DENISE KILLEN,

a Defendant, called for examination by counsel for the
Plaintiffs, pursuant to Notice, at the law offices of
Henry & Associates, 9701 Apollo Drive, Suite 201,
Largo, Maryland 20774, commencing at 10:10 a.m., there
being present on behalf of the respective parties:

ON BEHALF OF THE PLAINTIFFS:

JIBRIL BROWN, ESQUIRE
RAOUF ABDULLAH, ESQUIRE
R.M.A & Associates, LLC
14714 Main Street
Upper Marlboro, Maryland 20772

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ON BEHALF OF THE DEFENDANTS:

ANTHONY P. ASHTON, ESQUIRE
DLA Piper US, LLP
The Marbury Building
6225 Smith Avenue
Baltimore, Maryland 21209-3600

DENNIS WHITLEY, III, ESQUIRE
Shipley & Horne, P.A.
1101 Mercantile Lane
Suite 240
Largo, Maryland 20774

ALSO PRESENT:

CLIFFORD BOSWELL
RODERICK CHAVEZ

VIDEO TAPED BY: BASHIR ABDULLAH

REPORTED BY: KATHLEEN A. COYLE, Notary Public

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1 P R O C E E D I N G S

2 Whereupon,

3 DENISE KILLEN,

4 a Defendant, called for examination by counsel for the
5 Plaintiffs, was duly sworn and was examined and
6 testified as follows:

7 MR. BROWN: Before we begin, would everybody
8 present please announce themselves. Jibril Brown
9 appearing on behalf of the plaintiffs, Mr. Roderick
10 Chavez and Trenillo Walters.

11 MR. CHAVEZ: Rod Chavez, plaintiff.

12 MR. WHITLEY: Denis Whitley, III, here on
13 behalf of the defendants.

14 MR. ASHTON: Anthony Peter Ashton on behalf
15 of the defendants.

16 MR. BOSWELL: Clifford Boswell.

17 THE REPORTER: Kathy Coyle, Hunt Reporting.

18 THE VIDEOGRAPHER: Bashir Abdullah,
19 videographer.

20 MS. KILLEN: And Denise Killen.

21 .

1 EXAMINATION BY COUNSEL FOR THE PLAINTIFFS

2 BY MR. BROWN:

3 Q Good morning, Ms. Killen. Before we begin,
4 if at any time you would like to take a bathroom break,
5 I would not object to that provided there is no
6 question pending before you.

7 Can you state your full name?

8 A Alma Denise Killen.

9 Q And how far did you go in school?

10 A High school.

11 Q When you say high school, you graduated?

12 A I graduated from high school.

13 Q Do you have any college education?

14 A Jericho Christian Training Center College.

15 Q And did you obtain a degree of any type or
16 sort from there?

17 A No.

18 Q How long have you been affiliated with
19 Jericho?

20 MR. ASHTON: Objection.

21 MR. BROWN: You can answer.

1 THE WITNESS: Since 1991.

2 Q Nineteen ninety-one. And in 1991 what was
3 your -- how were you affiliated with Jericho?

4 MR. ASHTON: Objection to form.

5 THE WITNESS: A member of the church.

6 BY MR. BROWN:

7 Q A member of the church?

8 A Uh-huh.

9 Q In 1991 where was the -- where was the
10 physical structure for the church located at?

11 A 4419 Douglas Street, NE, Washington, DC.

12 Q Okay. To the best of your knowledge was that
13 a Maryland or a DC corporation?

14 A I was assuming when I joined that it was --
15 it was in DC, so I assumed it was DC.

16 Q Okay. That was your knowledge then. As to
17 your knowledge now, in 1991 was Jericho a DC
18 corporation or a Maryland corporation?

19 MR. ASHTON: Objection.

20 THE WITNESS: It was a DC corporation.

21 BY MR. BROWN:

1 Q Okay. And how do you know it was a DC
2 corporation?

3 A First of all, Pastor Betty told me that it
4 was.

5 MR. ASHTON: Objection. Calls for hearsay.

6 BY MR. BROWN:

7 Q Is that your only source for -- is that the
8 only source of information that you have that would
9 lead you to believe today that in 1991 Jericho was a DC
10 corporation?

11 A Today there are documents that show that it
12 was a DC corporation.

13 Q Okay. Have you seen those documents?

14 A Yes.

15 Q Okay. Is that where -- is that part of the
16 reason why you believe that in 1991 Jericho was a DC
17 corporation?

18 A Yes.

19 Q Okay. Outside of your -- in 1991, outside of
20 your capacity or affiliation as a member of the church
21 did you have any other role, capacity or affiliation

1 with Jericho?

2 A I joined the college in 1991. I think that's
3 basically what I did.

4 Q Were you ever employed with the church in
5 1991?

6 A No.

7 Q Were you a member of the Board of Trustees?

8 A No.

9 Q Were you a officer?

10 A No.

11 Q Did there ever come a point in time where you
12 began to take a more active role in Jericho?

13 MR. ASHTON: Objection to form.

14 THE WITNESS: Are we -- which period are we
15 talking about now? Are we same place, 1991?

16 BY MR. BROWN:

17 Q Any time from 1991 to present.

18 A Okay. I became a deacon.

19 Q When did you become a deacon?

20 A I think it was around 1993, four.

21 Q Were you ever employed with Jericho while

1 they were -- while -- were you ever employed with
2 Jericho while it was a DC corporation?

3 A Yes.

4 Q And what were you employed as?

5 A Pastor Betty's assistant.

6 Q Assistant?

7 A Uh-huh.

8 Q And what time was that?

9 A That was 1998.

10 Q You said you were her assistant. Were you
11 her personal assistant, were you the corporation
12 assistant, what type of assistant were you?

13 A I was her personal assistant.

14 Q Her personal assistant?

15 A Uh-huh.

16 Q And what does -- what did that job entail?

17 A Any duties that she determined. So it
18 entailed answering calls, writing letters, making
19 appointments, scheduling ministry duties.

20 Q Okay. Did she have any other assistants?

21 A Yes, she did.

1 Q How many -- when I say assistants I'm talking
2 about personal assistants. How many personal
3 assistants did she have?

4 A One. One other.

5 Q Just one? And was that one just you?

6 A No. One other.

7 Q One other?

8 A Uh-huh.

9 Q Okay. Who was the other?

10 A Deacon Iris Palmer.

11 Q Iris Palmer. Okay. And as your capacity as
12 a personal assistant did you have any supervisory
13 responsibilities?

14 A When I started with a pastor, no. When I
15 started I did not have, initially have supervisory
16 responsibility. Deacon Iris Palmer had those.

17 Q And this time in 1998, was this a DC
18 corporation or a Maryland corporation?

19 MR. ASHTON: Objection.

20 THE WITNESS: It was a DC corporation.

21 (Whereupon, Mr. Jackson entered the

1 room.)

2 BY MR. BROWN:

3 Q And around this time in 1998 were you
4 attending services regularly?

5 A Yes.

6 Q What do you consider regularly?

7 A Every Sunday.

8 Q Every Sunday. Okay. And approximately how
9 many individuals would you typically see at a service,
10 roughly?

11 A Roughly --

12 MR. ASHTON: Objection.

13 THE WITNESS: This is my own speculation.
14 Around 4,000ish.

15 BY MR. BROWN:

16 Q How long were you the apostle's personal
17 assistant?

18 A Actually, I operated in that capacity until
19 her death.

20 Q And when was that?

21 A October the 12th, 2010.

1 Q Okay. So you were her -- would you say you
2 were familiar with the apostle's signature since you
3 were her personal assistant?

4 A I would say so.

5 (Whereupon, documents were marked for
6 identification, Plaintiff's Exhibit Nos. 18A through
7 18E.)

8 BY MR. BROWN:

9 Q Did there ever come a time when the apostle
10 became ill?

11 A Yes.

12 Q And approximately when was that time?

13 A Two thousand and three.

14 Q Two thousand and three?

15 A Uh-huh.

16 Q And what was her ailment?

17 MR. ASHTON: Objection. Calls for
18 speculation.

19 THE WITNESS: She had surgery. I didn't know
20 exactly what her ailment was.

21 BY MR. BROWN:

1 Q Okay. Did there ever become -- well, did you
2 ever ask her? You were her personal assistant, did you
3 ever say --

4 A You didn't just ask Pastor Betty what her
5 illness was. No, I didn't. You wouldn't do that.
6 That was her personal business.

7 Q When you say you wouldn't do that, why do you
8 say you wouldn't do that?

9 A Because that's not the way we work. You do
10 not just ask her her personal business like that.

11 Q Are you saying she wasn't an open person?

12 A No. I'm just saying she did not disclose her
13 illness to us.

14 Q Did you ever ask out of concern?

15 A I asked how she was feeling out of concern.

16 Q Okay. Did there ever become a -- well, in
17 let's say 2010, what was the apostle's condition in
18 2010?

19 MR. ASHTON: Objection.

20 MR. ASHTON: Objection.

21 MR. BROWN: Medical condition?

1 THE WITNESS: She was ill.

2 BY MR. BROWN:

3 Q What do you mean by ill?

4 A She was sick. She had been sick. She had had
5 surgery at the end.

6 Q What type of surgery?

7 A Um, I don't know exactly what type of
8 surgery. Do you know, what was the surgery for?

9 MR. ASHTON: Objection. Calls for
10 speculation. Calls for hearsay.

11 MR. BROWN: You can answer.

12 THE WITNESS: The fact that she was extremely
13 ill, and she was sick at that time, that really should
14 be enough. That should be enough. This is Pastor
15 Betty Peebles we're talking about. So now, make your
16 point, and I'll be glad to answer. But don't ask me
17 her personal business, please.

18 BY MR. BROWN:

19 Q Are you refusing to answer the question?

20 A I did answer the question. She was ill.

21 MR. BROWN: Madam Reporter, can you repeat

1 the question?

2 THE REPORTER: Sure.

3 (Whereupon, the court reporter read back
4 the last question.)

5 MR. BROWN: Please answer the question.

6 MR. ASHTON: And I'm going to object. The
7 witness has to make a decision on this. To the extent
8 that information was confided in you as a minister of
9 the gospel, then I would assert the -- and I don't know
10 this, that's why I'm doing this, to the extent --

11 MR. BROWN: Okay. Well, if you don't --

12 MR. ASHTON: I'm allowed to -- let me finish
13 objecting. She said that she's -- that she was a
14 deacon. I cannot tell you what those things, what that
15 entails. So to protect the -- to the extent that
16 information was confided in you as a minister of the
17 gospel, which is subject to a privilege under Maryland
18 law, then she has the right to maintain that
19 confidence. If it was not confided as a minister of
20 the gospel, in her as a minister of the gospel, then
21 it's something that -- then I am not objecting on that

1 forum and I am not instructing her to assert that
2 privilege.

3 MR. BROWN: Please answer the question.

4 THE WITNESS: And I still just -- I maintain
5 the fact that Pastor Betty was very ill.

6 BY MR. BROWN:

7 Q Are you saying --

8 A That is the answer to the question.

9 Q Are you saying you don't know what her
10 illness was?

11 A I'm saying she was very ill.

12 MR. BROWN: Madam reporter, can you repeat
13 the question?

14 THE WITNESS: Madam reporter, you really
15 don't have to repeat the question. I understand the
16 question very clearly. She was ill, extremely. I
17 answered the question.

18 Q Do you know what her ailment was?

19 A Yes.

20 A What was it?

21 A I do now. I am not saying it in this forum.

1 I'm not saying that.

2 MR. BROWN: Can you certify that question.

3 THE WITNESS: Okay. Let's move on and let me
4 help you with everything else you need to know.

5 Q In 2010, when the apostle was ill, being her
6 personal assistant, were you concerned about her well
7 being?

8 A Of course.

9 Q Who did the apostle confide in?

10 MR. ASHTON: Objection. Calls for
11 speculation.

12 THE WITNESS: I'm not sure what you mean by
13 that?

14 BY MR. BROWN:

15 Q Confide. Do you not know what that word
16 means?

17 A Yes.

18 Q Okay.

19 A I understand that word.

20 Q Okay. So --

21 A In what manner, confide? What are you

1 saying? What are you asking me when you say --

2 Q At all?

3 A Then I would have to say I don't know.

4 Q You don't know? Okay. Did she confide in
5 those who were closest to her?

6 MR. ASHTON: Objection. Calls for
7 speculation.

8 THE WITNESS: I'm not sure what you're asking
9 me.

10 BY MR. BROWN:

11 Q Did she confide in those who were closest to
12 her?

13 A I don't know.

14 Q Were you one of the ones who was closest to
15 her?

16 A I'm close to her.

17 Q Did she ever confide in you?

18 A Some things. Business.

19 Q Business? Okay. Did she ever seek spiritual
20 guidance from you?

21 A We prayed together.

1 Q Okay. Did she ever seek spiritual guidance
2 from you?

3 A You know, let me explain one thing about
4 spiritual guidance. Spiritual guidance comes from the
5 Lord Jesus Christ. God is the one that gives spiritual
6 guidance. So if you're asking me did she come and
7 asked me was she saved. Did she have salvation? She
8 was very much -- well, she was saved. She new the Lord
9 Jesus Christ was her lord and savior. So when you say
10 spiritual guidance, I'm not quite -- I don't understand
11 exactly what you're -- you have to ask me a specific
12 question and I'll give you a specific answer.

13 Q Okay. As a deacon did you give spiritual
14 guidance to --

15 A To many people.

16 Q Okay. And when you gave spiritual guidance
17 describe the scenario how you would give this guidance?

18 A Sometimes it was because of marriage
19 situation, sometimes it was financial, sometimes it was
20 salvation, sometimes some people just wanted to talk.
21 So in those different ways I gave spiritual guidance.

1 Q Okay. Did you give that same type of
2 spiritual guidance to the apostle?

3 A Okay. No. I did not.

4 Q All right. Ever?

5 A No, I didn't. She guided me.

6 Q Okay. So back to in 2010 was was he apostle
7 suffering from?

8 MR. ASHTON: Objection. Calls for
9 speculation. Objection. Calls for and expert opinion
10 from a lay witness. Objection. Irrelevant.

11 THE WITNESS: Her doctor at that time was Dr.
12 Miriam Martin. And if you want to talk with her about
13 her suffering and what her medical condition was,
14 that's the way you should go. I cannot speak about her
15 medical condition.

16 BY MR. BROWN:

17 Q Was the congregation concerned about the
18 apostle?

19 MR. ASHTON: Objection. Calls for
20 speculation.

21 THE WITNESS: I would say so.

1 BY MR. BROWN:

2 Q Okay. Why would you say so?

3 A Because we were all concerned. They would be
4 concerned about me if I were out, if I weren't feeling
5 well. That's what we do with each other. We'd be
6 concerned. We'd pray for each other. So that was a
7 normal process.

8 Q Without speculating again, what makes you say
9 that the congregation was concerned about the welfare
10 of the apostle?

11 A Well, Pastor Betty would call in to the
12 church. She'd call in and speak to the congregation.
13 And during that time she would encourage them, she
14 would sing to them sometimes, and sometimes she'd
15 minister a word to them. But she was not in service.
16 So that would mean that people would still be concerned
17 that she was not in church yet. But when you say
18 concerned, they heard from her, they spoke with her,
19 they yelled and screamed when she called in, and she
20 ministered, she sang. And they were looking forward to
21 her coming back to service. So that kind of concern.

1 Q Okay. Was any -- was the congregation
2 concerned about her health? Not her absence, but her
3 health?

4 MR. ASHTON: Objection. Calls for
5 speculation.

6 THE WITNESS: Well, that I can't say.

7 BY MR. BROWN:

8 Q Why can't you say?

9 A Because I don't know that they were concerned
10 about her health. I know they wanted their pastor back
11 in the pulpit.

12 Q Okay. Did anybody ask why the pastor is
13 gone, why she was absent?

14 A Nobody asked me.

15 Q Nobody asked you? Did you ever, being her
16 personal assistant, did you ever wonder why?

17 A I didn't have to wonder why. I saw her.

18 Q Okay. When did you see her?

19 A At her house.

20 Q Okay.

21 A Yeah. I wasn't wondering. I understood that

1 she was out. She was recovering.

2 Q She was recovering from what?

3 A From her illness.

4 Q Which was?

5 A The illness that Dr. Mariam Martin is going
6 to explain to you if you want to talk to her.

7 Q Okay. This medical illness, out of the 4,000
8 congregants/members that you say were present, did
9 anyone know the apostle had taken ill?

10 MR. ASHTON: Objection. Misstates prior
11 testimony. Calls for speculation.

12 THE WITNESS: I don't know.

13 BY MR. BROWN:

14 Q Did you -- well, you were her personal
15 assistant, right?

16 A Yes, sir.

17 Q Okay. You were a member of the church?

18 A Yes.

19 Q You were attending regularly?

20 A Yes.

21 Q Did you talk to other members of the

1 congregation?

2 A Yes. Yes.

3 Q Okay. Were you a social person?

4 A I am.

5 (Laughter.)

6 Q With respect to your church membership?

7 A I'm a social person.

8 Q Okay. And what do you consider a social
9 person?

10 A I come in to service, I hug and kiss and love
11 up on folks, and they do the same for me, and we have
12 social conversations, and we fellowship together.

13 Q Okay. Social conversations and fellowship.
14 All right. Let's talk about those. In these social
15 conversations do you ever ask, How are you doing?

16 A I do.

17 Q Okay. Did anybody ever ask how the apostle
18 is doing?

19 A I'm sure the probably did. They just didn't
20 ask me.

21 Q They didn't ask you? Okay. Nobody asked you

1 even though you were her personal assistant?

2 A (No response.)

3 Q Did you say no?

4 A I am thinking.

5 Q Is that your answer?

6 A I just said nobody asked me.

7 Q Okay.

8 A They really didn't.

9 Q Okay. Let's say in the three months prior to
10 the apostle's passing, do you remember that time?

11 A Yes.

12 Q Okay. Where was the apostle at during that
13 time?

14 A She might have been at home.

15 MR. ASHTON: Objection. Calls for
16 speculation.

17 BY MR. BROWN:

18 Q Were you still acting as her personal
19 assistant during this time?

20 A Uh-huh. I was.

21 Q Okay. Where was the apostle at?

1 MR. ASHTON: Objection. Calls for
2 speculation.

3 THE WITNESS: She was either at home or she
4 was in the hospital. She went -- sometimes she was at
5 home and sometimes she was in the hospital. And we
6 could always ask Joel. He was with her.

7 BY MR. BROWN:

8 Q For the record, who is Joel?

9 A Joel Peebles, her son.

10 Q Okay. Well, this time she was in the -- how
11 did you know she was in t hospital during the times
12 that she was in the hospital?

13 A Because they always let me know when she was
14 going to the hospital.

15 Q Who is they?

16 A Depending. Sometimes it was Joel, sometimes
17 it was someone else that may have been assisting her,
18 or sometimes she would let me know that she was going.

19 Q And was this the social conversation that you
20 were talking about prior?

21 A No, no, no. These aren't social. This was

1 Pastor Betty sometimes let me know that she was going
2 to the hospital.

3 Q So are you saying sometimes she was open and
4 other times she was reserved?

5 MR. ASHTON: Objection. Misstates
6 testimony. And objection to form.

7 THE WITNESS: Letting me know that she was
8 going to the hospital is not telling me her personal
9 business because the church still had to run, and we
10 were concerned about the business of the church. So
11 she always kept me informed on where she was so that we
12 can operate the church.

13 BY MR. BROWN:

14 Q Did you ever go visit the apostle in the
15 hospital?

16 A Yes.

17 Q Okay. And what was her overall general
18 condition?

19 MR. ASHTON: Objection. Calls for
20 speculation. Calls for the medical opinion from a lay
21 witness.

1 MR. BROWN: You can answer.

2 THE WITNESS: I cannot answer because I
3 visited her more than once and it depended. Most of
4 the time she was doing real well when she was in the
5 hospital.

6 BY MR. BROWN:

7 Q The three months -- I'm talking about that
8 three-month time span before her passing?

9 A She was doing well. She went in for tests
10 sometimes. It wasn't always that she was extremely
11 ill, ill. She would go in for tests sometimes.

12 BY MR. BROWN:

13 Q Okay. During this time, the three month time
14 span you're talking about prior to her passing, was she
15 mobile?

16 A Sometimes. Sometimes she'd be up, sometimes
17 she wasn't.

18 Q Okay. When you say up, what do you mean up?

19 A Up as in I saw her walk during that time. Is
20 that what you mean by up? She was up. I saw her walk.

21 Q Okay. Was she cognizant?

1 A Yes.

2 MR. ASHTON: Objection.

3 THE WITNESS: She was still running the
4 church, the business, the corporation. She was still
5 ministering. She was very cognizant.

6 BY MR. BROWN:

7 Q Okay. Was there ever a time when she became
8 immobile?

9 A The last few weeks before she passed she was.

10 Q Okay. And was she cognizant during those,
11 that time span?

12 A Yes, she was.

13 MR. ASHTON: Objection. Calls for a medical
14 and psychological conclusion from a lay witness.

15 BY MR. BROWN:

16 Q Okay. Was she able to write her name?

17 MR. ASHTON: Objection. Calls for
18 speculation. Calls for a medical conclusion from a lay
19 witness.

20 BY MR. BROWN:

21 Q Please answer the question.

1 A I think maybe we would have to consult with
2 Paul Shelton, one of her attorneys, on that issue.
3 Because he ad some workings with her during that time,
4 in those last weeks. So that's an easy answer for you
5 to get. You can get it from Paul Shelton.

6 Q I'm asking you.

7 MR. ASHTON: Objection. Calls for
8 speculation.

9 THE WITNESS: Did she write her name? Yes.

10 BY MR. BROWN:

11 Q Was it -- did you, -- in the two weeks prior
12 to her passing, was she at home or the hospital?

13 A She was at home and in the hospital.

14 Q Did you have a chance to visit her in the
15 hospital during that two-week time span?

16 A Yes.

17 Q Did you have a chance to witness her at home
18 during that two-week time span?

19 A Yes.

20 Q Okay. Did you have a chance to witness her
21 signature during that time?

1 A I don't recall. I don't recall.

2 Q Okay. Where was the apostle one week before
3 her passing?

4 A A week prior? I don't remember. I'd have to
5 think back on it. I'm not sure.

6 Q Would you like some time?

7 A Uh-uh.

8 Q Where was the apostle approximately five days
9 before her passing?

10 A She might have been in the hospital.

11 MR. ASHTON: Objection. Calls for
12 speculation.

13 BY MR. BROWN:

14 Q What about three days?

15 MR. ASHTON: Objection. Calls for
16 speculation.

17 THE WITNESS: I would think -- I think she
18 was in the hospital.

19 BY MR. BROWN:

20 Q And why do you think she was in the hospital?

21 A I'm just -- it's just -- I'm just trying to

1 recall where I think she was.

2 Q What -- I mean -- Okay. So are you just
3 guessing or did something trigger in your mind to
4 further that thinking?

5 A I probably need something to further the
6 thinking. I don't remember. She was in and out of the
7 hospital during that time. I think she might have been
8 in the hospital.

9 Q During the last week prior to her passing did
10 you visit her?

11 A Yes.

12 Q Okay. Approximately how many times did you
13 visit her?

14 A I don't remember.

15 Q I'm sorry?

16 A I don't remember.

17 Q Was it more than once?

18 A Probably.

19 Q Okay. Was it more than twice?

20 A I really, honestly don't remember.

21 Q Was it more than three times?

1 A It could have been.

2 Q Okay. And when you visited her that week
3 before she passed did you ever go to her home?

4 A Yes.

5 Q Okay.

6 A But I don't -- I mean, I visited her at home
7 and the hospital. So where she was during that last
8 week I don't -- I remember saying I don't exactly
9 recall.

10 Q Okay. The week before she was passing do you
11 recall ever visiting her in the hospital?

12 A Probably.

13 Q Why do you say probably?

14 A Because I don't remember exactly one week
15 before she passed whether she was in the hospital or
16 out of the hospital. But if she was there, I would
17 have visited her.

18 Q What makes you say you would have visited
19 her?

20 A Because I would have. I would have been
21 there.

1 Q Let the record show that I'm handing the
2 deponent what's been marked as plaintiffs 18 alpha
3 through 18 echo. Take a moment to review those
4 documents.

5 A Okay. I've reviewed those documents.

6 Q Okay. The first one, that is -- can you
7 share with the court reporter what that first document
8 is?

9 A The first document on March 16, 2010, Apostle
10 Betty Peebles is writing a memo to Deacon Gloria
11 Magruder. It has to do with --

12 Q Okay. What -- I don't mean to cut you off.
13 But for the record, could you tell us what exhibit that
14 is?

15 A Exhibit 18A.

16 Q Okay. And is that endorsed by anyone?

17 A The endorsed, you mean signature? Pastor
18 Betty signed it.

19 Q Okay. Well, you said you're familiar with
20 her signature. Does that look like the apostle's
21 signature?

1 A She signed it.

2 Q Okay. For the record, can you -- well,
3 first, what tab is that exhibit sticker?

4 A This exhibit is 18B.

5 Q Okay. Can you share what that document is?

6 A This is check written to Shirley Taylor.

7 Q Okay. Is that check endorsed by anyone?

8 A Uh-huh. Pastor Betty signed it.

9 Q Okay. And does that appear to be her
10 signature?

11 A I know that she signed it.

12 Q Okay.

13 A Uh-huh.

14 MR. ASHTON: When we're talking specifically
15 about checks, can you not use the term "endorsed"
16 because that means something different for checks.

17 MR. BROWN: Right. Right.

18 BY MR. BROWN:

19 Q Okay. Can you share with us what that --
20 this tab is?

21 A Exhibit 18C, as in Charles.

1 Q Okay. And briefly, can you share with us
2 what that one is of?

3 A It's a check written to C. J. Enterprises.

4 Q Okay. And who -- has anyone signed that
5 check?

6 A Pastor Betty signed this check.

7 Q Okay. Well, and does that appear to be the
8 apostle's signature?

9 A Uh-huh. That's her signature.

10 Q Can you share with us what the next document
11 is?

12 A It is a check written to Brustina Dillard.

13 Q Okay. And is that checked signed by anyone?

14 A Signed by Pastor Betty Peebles.

15 Q Okay. Does that appear to be her signature?

16 A It is her signature.

17 Q What is the tab on the next document?

18 A Eighteen "E," as in Edward.

19 Q Okay. And can you share with us what that
20 document is?

21 A This is deposit account documentation

1 signature card.

2 Q Okay. And do you see at the top right, what
3 is the date of this document? Sorry. Top left?

4 A October 7, 2010.

5 Q Okay. And when did the apostle pass?

6 A On the 12th.

7 Q Okay. And did the apostle sign this
8 document?

9 A No, she did not sign this document? This is
10 her signature. She gave me permission to put her
11 signature on this document.

12 Q Okay. How did you get the apostle's
13 signature -- strike that.

14 How did you get authorization from the
15 apostle to sign her name?

16 A She gave it to me.

17 Q When you say she gave it to you, how did she
18 give it to you?

19 A She told me.

20 Q Verbally?

21 A Yes.

1 Q Okay. Was that the only authorization you
2 got?

3 A That's the only authorization I needed.
4 Yeah.

5 Q Okay. Thank you. Okay. Did there ever come
6 a time when the DC corporation, the DC Jericho Church
7 became a -- actually, no. Let's back up some.

8 What is your current position with the
9 church?

10 A Administrator, chief operating officer.

11 Q Okay. Are you on the Board of Trustees?

12 A Yes.

13 Q Okay. Are you -- do you have any -- strike
14 that.

15 Who is on the Board of Trustees?

16 A Deacon Gloria Magruder, Elder Linda Pyles,
17 Deacon Dorothy Williams, Deacon Clarence Jackson,
18 Deacon Clifford Boswell and myself.

19 Q Okay. Is there a chairman of the Board?

20 A Yes.

21 Q Who is the chairman of the Board?

1 A I am.

2 Q Is there a vice chair?

3 A Yes.

4 Q Who is the vice chair?

5 A Elder Linda Pyles.

6 Q Okay. Are there any other suffix or titles
7 that go with trustees or, you know, the trustees, you
8 have a secretary, and titles?

9 A Yes. Deacon Boswell is the secretary.

10 Q Okay. And this Board that you just stated,
11 is that the current Board?

12 A Yes.

13 Q Okay. Was that the same Board for the DC
14 corporation?

15 MR. ASHTON: Objection to form.

16 THE WITNESS: At what point?

17 BY MR. BROWN:

18 Q At any point?

19 A Then I would have to say I don't know.
20 Because I have to know when you're talking about.

21 Q From the time when you joined Jericho, in I

- 1 believe, was it '91?
- 2 A Yes.
- 3 Q Okay. Was that the Board in '91?
- 4 A No.
- 5 Q Was it in 92?
- 6 A No.
- 7 Q Ninety-three?
- 8 A No.
- 9 Q Ninety-four?
- 10 A No.
- 11 Q Ninety-five?
- 12 A No.
- 13 Q Ninety-six?
- 14 A No.
- 15 Q Ninety-seven?
- 16 A No.
- 17 Q Ninety-eight?
- 18 A No.
- 19 Q Ninety-nine?
- 20 A No.
- 21 Q Okay. In 2000?

1 A No.

2 Q Was it ever the Board in any of the 2000s?

3 A Was it ever the Board. The names I just
4 named. Is that what you're asking me? Ask me a
5 question and I'll answer you.

6 Q The current Board.

7 A The current Board.

8 Q Okay. Was that the Board -- was that the
9 same Board for the DC corporation at any time?

10 A Yes.

11 Q When?

12 A It varies.

13 Q How do you say -- explain to me what you mean
14 it varies?

15 A I became Board member on the 15th of March
16 two thousand, in what year? Two thousand and nine I
17 think it was. And people became Board members at
18 different times. So when you're asking if this was the
19 Board the whole time, not necessarily.

20 Q Okay. The question is, this current Board --

21 A Uh-huh.

1 Q -- that six --

2 A Uh-huh.

3 Q -- was that six not an ala carte of sort, --

4 A Uh-huh.

5 Q -- was that six ever the Board for the DC
6 corporation?

7 A Yes.

8 Q Okay. And when did that Board, when did
9 those individuals become the Board for the DC
10 corporation?

11 A Okay. Let's see if I can explain that to
12 you.

13 MR. ASHTON: Objection to relevance as the DC
14 corporation is not a party to this case. And there
15 issues in this case involving the DC corporation. You
16 can go ahead and answer.

17 THE WITNESS: March 15, 2009, I became a Board
18 member, so did Deacon Jackson, Deacon Gloria Magruder,
19 anybody else? Deacon Dorothy Williams was a Board
20 member at that point. So there were four of us that
21 were on the Board March 15, 2009.

1 And then on May 28, of 2009, Apostle Betty
2 called another Board meeting. She called the initial
3 Board meeting and the Board was set up on the 15th in
4 her office. The May 28th, Pastor Betty Peebles called
5 another Board meeting. Now, she was the chair of the
6 Board. And we were in her office, at her Board room.
7 And during that time she elected, or we did as a Board,
8 we had a vote and elected Deacon Clifford Boswell to
9 the Board. So Pastor Betty Peebles was a Board member
10 along with us. She was the chair of the Board. So we
11 don't want to leave her out. So you see, it all
12 happened at different times.

13 BY MR. BROWN:

14 Q How did you become a Board member for the DC
15 church?

16 MR. ASHTON: Objection.

17 THE WITNESS: How did I become a Board
18 member? Pastor Betty Peebles called a Board meeting on
19 March 15th, of 2009, in which she had all of the
20 original Board members there and all of those that were
21 coming onto the Board. And they had a meeting. They

1 had a vote. They signed documents. And I became a
2 trustee of the Board.

3 BY MR. BROWN:

4 Q How did Dorothy Williams become a Board
5 member for the DC corporation?

6 MR. ASHTON: Objection.

7 THE WITNESS: And I honestly cannot tell you
8 because Dorothy Williams was a Board member in 1996.
9 And I don't know if she was a Board member before that,
10 but she's a long-time Board member. So I -- she -- it
11 was before me. It was 1996 when she voted and became a
12 Board member.

13 Q How did Clarence Jackson become a Board
14 member?

15 MR. ASHTON: Objection. Assuming you're
16 talking about a DC corporation. Objection.

17 MR. BROWN: I'm referring to the DC
18 corporation.

19 THE WITNESS: And it was the same time, March
20 15, 2009, Pastor Betty called a Board meeting, had us
21 all in, they voted and became trustees.

1 BY MR. BROWN:

2 Q Did you know Mr. Jackson prior to him being a
3 Board member?

4 A Yes.

5 Q How did you know him?

6 A I worked with him.

7 Q Okay.

8 A He was a member of the church, also a deacon.
9 We were on the Deacon Board together.

10 Q Okay. Was he employed at the church at that
11 time?

12 A Yes.

13 Q What was he employed as?

14 A Facilities manager.

15 Q What is a facilities -- what do you mean by
16 facilities manager?

17 A It means that he oversaw the facilities to
18 make sure all the lights came on and everything got
19 done that had to be done maintenance wise and
20 everything.

21 Q Okay. Does that -- okay. did that also --

1 did that -- does that include housekeeping matters?
2 When I say housekeeping, I mean was he in charge of
3 pulling trash, make sure the parking lot is clean,
4 those type of things?

5 A Uh-huh.

6 Q Okay.

7 A Yes.

8 Q Was there any officers on the Board for the
9 DC corporation?

10 MR. ASHTON: Objection.

11 THE WITNESS: Any officers on the Board?
12 Apostle Betty P. Peebles was the chair of the Board.
13 Deacon Gloria Magruder was vice chair of the Board.

14 BY MR. BROWN:

15 Q Okay. So I'm going to give you a time span.
16 Were there any officers on the Board from -- well, who
17 -- from let's say June 2010 till December 2010?

18 MR. ASHTON: Objection.

19 THE WITNESS: Again, Deacon Gloria Magruder
20 was -- had -- she was a trustee and had -- she was an
21 officer on the Board. Is that what you mean? I just

1 wasn't sure.

2 BY MR. BROWN:

3 Q That's what I'm asking you.

4 A Okay. Okay.

5 Q What was her position as an officer?

6 A She was vice chair, and then she became
7 chair. I don't remember at what point.

8 Q As an officer, what was her role as an
9 officer?

10 A Then I don't -- then I'm missing your point.

11 Q Okay. The current Board, does the current
12 Board have any officers?

13 A The officers would be the chair, the vice
14 chair, the secretary, and the treasurer.

15 Q Does the current Board, the current Board,
16 does it have a chief financial officer?

17 A Uh-huh. Dorothy Williams.

18 Q Okay.

19 A Deacon Dorothy. Uh-huh.

20 Q And what do you -- is there any other
21 officers?

1 A I'm chair of the Board. I'm an officer.

2 Q Okay. Is there a difference between a
3 trustee and a officer on the current Board?

4 A Well, I'm a trustee, but I hold an officer's
5 position on the Board.

6 Q Is there a difference on the current Board
7 between a trustee and a officer?

8 A Well, yes. I'm a trustee and an officer.

9 Q Okay. What is the difference between a
10 trustee and a officer with respect to the current
11 Board?

12 A I'm a chair of the Board as an officer, and a
13 trustee. So --

14 Q Okay. Are there officers for the
15 corporation?

16 A Yes, there are. Uh-huh.

17 Q Okay. Who were the -- let's go back to June
18 2010, --

19 A Uh-huh.

20 Q -- to December 2010, officers of the DC
21 corporation --

1 MR. ASHTON: Objection.

2 BY MR. BROWN:

3 Q -- who -- did the corporation have any
4 officers?

5 A Did the corporation have any officers?

6 Yes.

7 Q Who were they?

8 A Pastor Betty Peebles was the president of the
9 church. Deacon Gloria Magruder was the vice president
10 of the church at that time. Uh, I can't remember who
11 else.

12 Q Okay. All right let's move up. October,
13 November, December 2010, who were the officers for the
14 corporation, the DC corporation?

15 MR. ASHTON: Objection.

16 THE WITNESS: October, November, December
17 2010, officers of the church?

18 MR. BROWN: The corporation.

19 THE WITNESS: The corporation. Okay. Okay.
20 Denise Killen was the chief operating officer, I think.
21 I think. I don't remember. I have to look at the

1 documents to remind myself.

2 MR. BROWN: You can continue.

3 THE WITNESS: I'm trying to -- I had to stop
4 because I -- you know, I'm speculating. I have to see
5 it. I don't remember. I just tossed around all these
6 dates. At some point I became chief operating officer.

7 BY MR. BROWN:

8 Q Were you an officer of the DC corporation?

9 MR. ASHTON: Objection.

10 BY MR. BROWN:

11 Q Same three-month time span, October, November
12 December 2010?

13 A Let's see, was I -- possibly sometime within
14 that time span.

15 Q Why do you say possibly?

16 A I can't remember. I'd have to go back and
17 I'd have to look and see. I can't remember when we
18 voted officers.

19 Q Were you ever elected to be an officer for
20 the DC corporation?

21 A I m trying to remember. That's what I just

1 said. I don't remember which -- I have to think about
2 it.

3 Q Okay.

4 A Because pastor had just passed. She was the
5 officer, she was the president of the church. We
6 didn't immediately fill that position. I just have to
7 think about I for a minute.

8 Q You can't recollect -- well, just -- okay.
9 Just for clarification, are you saying you can't
10 remember if you were ever an officer for the DC
11 corporation?

12 A No. I'm not saying that at all.

13 Q Okay.

14 A I am saying I would have to go back and look
15 at dates. I don't remember.

16 Q Okay. Were you ever an officer for the DC
17 corporation, ever?

18 MR. ASHTON: I object to relevance.

19 THE WITNESS: I just have to look. I really,
20 honestly, you ask me. I don't remember. I could have
21 been.

1 BY MR. BROWN:

2 Q Were you ever a trustee --

3 A I am a trustee.

4 Q -- on the Board for the DC corporation?

5 A Yes.

6 Q Okay. You remember that one. Were you a
7 trustee October, November, December 2010?

8 MR. ASHTON: Objection.

9 THE WITNESS: October, November, December I
10 was a trustee yes.

11 BY MR. BROWN:

12 Q Okay. And during that time when you were a
13 trustee did you -- were you employed with the DC
14 corporation?

15 A During the time that I was a trustee --

16 Q Not when you were a trustee, ma'am.

17 A Okay.

18 Q October 2010, November 2010, December 2010
19 were you employed with the DC corporation?

20 A Let's see. I was the -- do you want me to
21 tell you I don't know? (Laughing.) I'm sorry, I

1 thought you were telling me to tell you something. Um,
2 I was employed by the church. I was employed by the
3 church. I was working for the church.

4 Q In October, November, December 2010? That's
5 the time span I'm talking about.

6 MR. ASHTON: Objection.

7 THE WITNESS: Uh-huh.

8 BY MR. BROWN:

9 Q Okay.

10 A I can speak for October in particular. I was
11 employed by the DC church.

12 Q Okay were you employed --

13 A By the DC corporation is what you're saying?

14 Q Were you in November 2010 as an employee with
15 the DC church?

16 MR. ASHTON: Objection.

17 THE WITNESS: I'd have to look at my
18 documents to say who I was employed with in November of
19 2010.

20 BY MR. BROWN:

21 Q How many jobs did you have in November 2010?

1 A One.

2 Q And what was that one job?

3 A Administrator of the church.

4 Q Okay. Were you -- how many jobs did you have
5 in October 2010?

6 A One.

7 Q Okay. And where were you employed at?

8 A At the church.

9 Q And what were you employed as?

10 A Administrator.

11 Q When you say administrator, how was --

12 A I was assistant administrator until apostle,
13 while apostle was living.

14 Q Okay. October 2010, you said administrator.
15 What do you mean by you were employed as an
16 administrator?

17 A I helped oversee the operations of the
18 church.

19 Q What do you mean oversee the operations of
20 the church?

21 A And the staff, and employees, and the basic

1 workings of the church.

2 Q Was this a management role?

3 A Oh, yes, it was.

4 Q Okay. Were you employed as a manager?

5 A We didn't use that term. No.

6 Q Okay. You use the term administrator?

7 A Uh-huh.

8 Q What does -- exactly, what does administrator
9 entail outside of these management functions?

10 A Making sure that the ministry runs the way
11 it's supposed to, that the other ministries, their
12 needs are met, and all the other ministries are working
13 and functioning, have the information they need, get
14 the supplies and all those things, along with the
15 volunteer staff.

16 Q As an administrator during this time span,
17 October 2010, were you required to attend corporate
18 meetings?

19 A And let me define administrator in October
20 2010. Apostle Betty Peebles was still here in October
21 2010. She was the administrator until her death. So

1 it was only a few weeks of October that --

2 Q That's what I'm talking about.

3 A -- that I assumed that role. No, I wasn't
4 required. I had already attended -- let me explain how
5 I attended. I -- the best tutor I had in this whole
6 world was Apostle Betty P. Peebles. She taught me.
7 And that was my attention. So, no, I wasn't required
8 to attend another corporate function.

9 Q But you said you --

10 A Just explaining.

11 Q But you did say that you did attend them even
12 though you were required.

13 A I didn't attend any corporate -- I didn't
14 attend any -- Pastor Betty taught me.

15 Q The question is, as an administrator --

16 A Uh-huh.

17 Q All right. When you were an administrator in
18 October, whenever that came, whether it was the last
19 week or the first week of October, at the time when you
20 were administrator for the DC corporation --

21 A Uh-huh.

1 Q -- in October 2010, as an administrator were
2 you required to attend any corporate meetings?

3 MR. ASHTON: Objection.

4 THE WITNESS: Meetings? Required to attend
5 corporate meetings in 2010? As administrator I was not
6 required.

7 BY MR. BROWN:

8 Q Okay. Did you?

9 A I did.

10 Q Okay. And at these corporate meetings who
11 was present?

12 A I can give you an example.

13 Q October 2010.

14 A Okay. Let me -- I can give you an example.

15 In October --

16 Q No, no, no. Ma'am, I don't want you to give
17 me an example.

18 MR. ASHTON: (Laughter.)

19 THE WITNESS: What do you want?

20 BY MR. BROWN:

21 Q The question was, who -- don't guess. Who

1 was present at the meeting in October when you were an
2 administrator?

3 A When I --

4 MR. ASHTON: But you don't want her to give
5 you an example of a meeting where someone was present?

6 THE WITNESS: Let me see if I can do this.
7 October 4, 2010, the Jericho Center of Hope had a Board
8 meeting. Pastor Betty insisted that this Board, this
9 meeting take place. So she sent Paul Shelton to gather
10 this meeting. And so we had a Board meeting. I am not
11 on that Board. But Pastor Betty was in attendance at
12 that meeting by phone. And since she was at
13 attendance, I was in the meeting while she was on the
14 phone attending the meeting. So you're asking me who
15 was there in the meeting. It was probably about 10
16 people or so Joel Peebles was there, Bobby Henry was
17 there, Paul Shelton, who called the Board meeting was
18 there. Kiana Taylor, one of his corporate attorneys,
19 she was there as well. Gloria Magruder was there,
20 Eldor Joy Bell was there, Deacon Clarence Jackson was
21 there, Robert George was there. And I don't remember

1 everybody else.

2 BY MR. BROWN:

3 Q Okay. This time span you're talking about,
4 were you administrator at this time?

5 A No. Pastor Betty was.

6 Q Okay. We're not talking about -- I'm talking
7 about when you were an administrator. When you were an
8 administrator, okay.

9 A Okay.

10 Q Who was present at these corporate -- strike
11 that.

12 Approximately how many corporate meetings did
13 you attend as an administrator?

14 A In October, none.

15 Q None. Okay. What about November?

16 A I just don't remember. I'd have to go back
17 and look.

18 MR. WHITLEY: I'm going to object as to the
19 form of the question because I'm not sure which church
20 you're talking about.

21 BY MR. BROWN:

1 Q Okay. We're still in 2010, October, November
2 2010.

3 A I don't remember. I actually don't remember.

4 Q For the current Maryland church are you an
5 officer for the corporation?

6 A Yes, sir.

7 Q And does -- do you have a title?

8 A Board chair.

9 Q For the corporation?

10 A For the corporation?

11 Q Yes.

12 A Chief operating officer.

13 Q Okay. All right. Is there anyone over you
14 on the -- are there any other officers over you?

15 A No.

16 Q Okay. What are your responsibilities as the
17 chief operating officer? What are your responsibilities
18 as the chief operating officer?

19 A Very similar to administrator, to make sure
20 the corporation runs well, to make sure the staff and
21 employees are, everything is in order for them and

1 they're doing well, make sure that the finances are
2 flowing the way they should, and all those kinds of
3 things.

4 Q These sounds similar to being an
5 administrator. With respect to the DC corporation,
6 when you were administrator did that particular -- did
7 the DC corporation in October, November, December 2010,
8 did it have an officer designation as the chief
9 operating officer?

10 A The bylaws did have. Yes.

11 Q Okay. Was there a chief operating officer?

12 A I just don't remember at what point. I'd
13 have to go back and look.

14 Q Were you ever the chief operating officer for
15 the DC corporation in October 2010, November 2010, or
16 December 2010?

17 MR. ASHTON: Objection.

18 THE WITNESS: I don't know. I'd have to
19 look. I don't -- I don't remember. I'm telling you.

20 BY MR. BROWN:

21 Q Has Dorothy Williams ever been an accountant

1 for the Maryland corporation?

2 A No.

3 Q Whose -- with respect to the Maryland
4 corporation, who is responsible for -- let me back up,
5 actually. Withdraw.

6 Does the Maryland corporation -- is there
7 anyone who is responsible for submitting financial
8 reports to the Board?

9 A Yes.

10 Q Who is that individual?

11 A Dorothy Williams.

12 Q Dorothy Williams.

13 A Uh-huh.

14 Q And what is Dorothy Williams' position?

15 A Chief financial officer, director of finance,
16 she does accounting.

17 Q Okay. When you say she does accounting, what
18 do you mean she does accounting?

19 A Uh-huh. She handles some of the accounting
20 processes. That's what I mean.

21 Q Like what processes?

1 A Like making sure those reports get to us and
2 all the information is in it.

3 Q Okay. Is she -- is she responsible for
4 reviewing the reports or just submitting them to you
5 guys?

6 A We all -- we review them together. So, yes,
7 she's responsible for reviewing them and then
8 submitting them, and then we review.

9 Q Okay. Does Mrs. Williams, does she have an
10 accounting background?

11 MR. ASHTON: Objection. Calls for
12 speculation.

13 THE WITNESS: And it does, because I don't
14 know. I don't know. I have not looked at her
15 credentials to see what her background actually is.
16 Pastor Betty Peebles put Dorothy Williams in that
17 position, and she's been in that position with pastor
18 for so many years. So I'm sure pastor had her
19 credentials. But I don't have them.

20 BY MR. BROWN:

21 Q In your capacity as chief operating officer

1 have you reviewed all the other officer's resumes?

2 A I have reviewed all the resumes for the
3 officers. Of the church you mean?

4 Q Of the Maryland corporation?

5 A Oh, yeah. Yeah. Uh-huh.

6 Q Okay. Have you reviewed Mrs. Williams'?

7 A Yes.

8 Q Okay. Do you recall seeing on there any
9 bachelors of science or arts in accounting?

10 A I don't recall seeing that. No.

11 Q Do you recall her being a college graduate?

12 A I don't recall.

13 Q Do you recall anything about Mrs. Williams'
14 resume?

15 MR. WHITLEY: I'm going to object to this
16 whole line of questioning as irrelevant. You can
17 continue to answer.

18 MR. ASHTON: I'll also object based on the
19 best evidence rule. Assuming that any such document
20 exists, it is the best evidence of its content.

21 MR. BROWN: Please answer.

1 THE WITNESS: And your question was, Did I
2 review her resume and was there -- what was the last
3 part?

4 BY MR. BROWN:

5 Q Do you remember anything?

6 A I'm going to tell you what I remember. I
7 remember that if Pastor Betty Peebles asked her to be
8 it, then she was the right person for it. That's
9 really what I remember.

10 MR. WHITLEY: Jibril, take a lunch break
11 around noon? Give you a half an hour to --

12 (Whereupon, documents were marked for
13 identification, Plaintiff's Exhibit No. 19A through
14 19H.)

15 (Whereupon, the videographer,
16 Mr. Chavez, and Mr. Ashton left the room.)

17 BY MR. BROWN:

18 Q Let the record show I'm now handing to the
19 deponent what's been marked as plaintiff's exhibit 19
20 alpha. Can you review that document? Can you share
21 with us what that document is?

1 A It's a check to me.

2 Q Okay. And how much is that for?

3 A It's \$1,000.

4 Q Okay. And who signed that check?

5 A I signed that check.

6 Q Okay. When you say, I signed that, is that
7 your signature?

8 A That is my signature.

9 Q Let the record show I'm now tendering what
10 has been, a copy of what has been previously marked as
11 plaintiff's exhibit 19 bravo to the deponent; can you
12 review that document?

13 A Yes. It's a check to American Express.

14 Q For how much?

15 A For \$629.99.

16 Q Okay. And who signed that check?

17 A I signed that document.

18 Q Okay. And is that your signature?

19 A That is my signature. And it's for the Youth
20 Center TV.

21 Q Let the record show I'm now tendering a copy

1 of what has been previously marked as plaintiff's 19
2 Charlie to the deponent.

3 A And this is a check to Minister Stewart
4 Killen.

5 Q Okay. And for how much?

6 A It's for \$1,000.

7 Q And who signed that check?

8 A Denise Killen. I signed it and Dorothy
9 Williams signed it.

10 Q Okay.

11 A And it's for an honorarium, and for him
12 speaking at service at church.

13 Q Let the record show I'm now tendering a copy
14 of what has been previously marked as plaintiff's 19
15 delta to the deponent. Can you review that document.

16 (Whereupon, Mr. Chavez came back in the
17 room.)

18 THE WITNESS: Yes. It's a check written to
19 me for \$500. It's an honorarium to me for the work
20 that I did on the revival for a visiting church. My
21 signature is on it and Dorothy Williams' signature is

1 on it.

2 BY MR. BROWN:

3 Q Let the record show I'm now tendering a copy
4 of what's been marked as plaintiff's 19 echo to the
5 deponent.

6 A This is a check to Minister Stewart Killen.
7 It's \$371.20. It's for purchases that he made for the
8 book store for sales, for which he turned in receipts
9 and got reimbursement. My signature is on it and
10 Dorothy Williams' signature is on it.

11 Q Let the record show I'm now tendering what, a
12 copy of what has been previously marked as 19 fox to
13 the deponent.

14 A It's a check written to Minister Stewart
15 Killen, \$274.43, for purchases he made for the book
16 store, for which he turned in receipts. I signed the
17 check and Dorothy Williams signed the check.

18 Q Let the record show I'm now tendering a copy
19 of what's previously marked as plaintiff's 19 golf to
20 the deponent.

21 (Whereupon, Mr. Ashton returned to the

1 room.)

2 THE WITNESS: This check is written to me,
3 Denise Killen, for \$43.85. It's reimbursement for
4 office supplies. And it's signed by Deacon Dorothy
5 Williams.

6 BY MR. BROWN:

7 Q Let the record show I'm now tendering a copy
8 of what's been previously marked as plaintiff's 19
9 hotel to the deponent.

10 A Check written to Stewart Killen, \$324.26,
11 reimbursement for book store items. The check is
12 signed by Deacon Dorothy Williams. And he submitted
13 receipts in order to get reimbursement for this check.

14 (Whereupon, the videographer came back
15 in the room.)

16 (Whereupon, the document was marked for
17 identification, Plaintiff's Exhibit No. 20A through
18 20H.)

19 BY MR. BROWN:

20 Q Let the record show I'm tendering a copy of
21 what's previously marked plaintiff's 20 alpha to the

1 deponent.

2 A It's the same one that I had before. That's
3 the same as the one that you just --

4 Q Let the record show I'm now tendering a copy
5 of what's been previously been marked as plaintiffs 20
6 bravo to the deponent.

7 A This is the same stack. But one of the
8 things you did not --

9 MR. ASHTON: There's no question pending.

10 MR. BROWN: I got the wrong stack.

11 BY MR. BROWN:

12 Q Let the record show I'm now tendering what's
13 previously marked 20 alpha. The real 20 alpha to the
14 deponent. Can you share with us what that document is?

15 A This is a check written to me for
16 reimbursement for Apostle Betty's home going service,
17 for flowers that were, some of the flowers that were
18 purchased.

19 Q And who wrote that check to you?

20 A I signed that check.

21 Q Let the record show I'm now tendering a copy

1 of what's been previously marked as plaintiff's 20
2 bravo to the deponent. Tell me when you're done
3 reviewing it.

4 A I'm ready.

5 Q Okay.

6 A This is a checking/savings withdrawal.

7 Q And what was withdrawn?

8 A This was \$27,000 withdrawn.

9 Q Was it -- when you say 27, was it cash?

10 A This doesn't say whether it was cash or not.

11 Q Who withdrew it?

12 A I signed this.

13 Q Okay.

14 A Denise Killen signed this.

15 Q Do you ever recall withdrawing \$27,000 cash
16 from the church?

17 A No, I don't.

18 Q Are you saying you did not withdraw \$27,000
19 cash?

20 A No. I'm saying I don't recall the document.
21 I'd have to go back and check.

1 Q Is that your signature on the withdrawal
2 slip?

3 A It is. That's my signature.

4 Q Let the record show I'm now tendering a copy
5 of what's been previously marked as plaintiff's 20
6 Charlie to the deponent.

7 A Okay. To Stewart Killen \$200.43,
8 reimbursement for books and hymnals. I signed the
9 check. He submitted a receipt and got reimbursement.

10 Q Let the record show I'm now tendering a copy
11 of what's been previously marked plaintiff's 20 delta
12 to the deponent.

13 A Stewart Killen, this check I asked him to go
14 out and pick up some holy communion. He submitted a
15 receipt for reimbursement for the holy communion. It's
16 \$524.92. And I did sign the check.

17 Q Okay. And who is Stewart Killen?

18 A Stewart Killen is a minister at the Jericho
19 City of Praise. He is what Apostle Betty Peebles
20 always called her fourth son, and he is my husband.

21 Q Let the record show I'm now tendering a copy

1 of what has been previously marked as plaintiff's 20
2 echo to the deponent.

3 A And this is a check to American Express for,
4 let's see, for \$969,50. And it was written to American
5 Express. I signed it. I would have to see the receipt
6 to see what it was a reimbursement for.

7 Q Let the record how I am now tendering a copy
8 of what has been previously marked as plaintiff's
9 exhibit 20 fox to the deponent.

10 A It's a check written to Sandra Bowden for
11 \$1,000. I signed it. Dorothy Williams sign it.

12 Q And who is Sandra Bowen?

13 A Bowden. She's my sister, and she worked for
14 me for the Jericho business center. Pastor Betty had
15 her on as a volunteer, and always gave her a stipend
16 for it.

17 Q Let the record show I'm now tendering a copy
18 of what has been previously marked as plaintiff's 20
19 golf to the deponent.

20 A This is a check written to me for \$8,000,
21 Denise Killen. I signed it. It was my work at the

1 Jericho business center. Each year pastor gave me a
2 stipend for the work that I did at the business center.
3 So I was very much entitled to the \$8,000. In fact, it
4 was lower than some of the others that pastor had given
5 me.

6 Q Let the record show I'm now tendering a copy
7 of what has been previously marked as plaintiff's 20
8 hotel to the deponent.

9 A And this one is Jericho business center
10 again. Each -- at the end of the year is when pastor
11 always settle up with me. And this was \$10,000. I
12 signed the check with pastor's approval, Pastor Betty's
13 approval.

14 Q Let the record show -- actually, can I see
15 that one again?

16 MR. ASHTON: Oh, and Im also objecting with
17 regard to documents -- it's just come to my attention
18 that some of them aren't even from this church.
19 They're from the DC corporation. So they're irrelevant
20 to this case.

21 BY MR. BROWN:

1 Q And drawing your attention back to 20 hotel.
2 You had stated that the apostle had approved this
3 payment?

4 A Yes.

5 Q Is the apostle's signature anywhere on here?

6 MR. ASHTON: Continuing objection because
7 this isn't even related to this, to any party in this
8 case and, therefore, is not the proper subject of any
9 of the questioning here. You can go ahead and answer
10 to whatever his question was.

11 THE WITNESS: Her signature is not on it.
12 Pastor Betty approved that.

13 BY MR. BROWN:

14 Q And how many signature lines are on this
15 particular check?

16 A There are --

17 MR. ASHTON: Objection. The document speaks
18 for itself.

19 BY MR. BROWN:

20 Q For the record?

21 A There are two.

1 Q And are there two signatures?

2 A No. Pastor Betty approved it.

3 Q Let the record show I'm now tendering a copy
4 of what has been previously marked as plaintiff's 20
5 indigo to the deponent.

6 A Jericho business center, a check written to
7 Denise Killen. Denise signed it and Dorothy Williams
8 signed it.

9 Q When you say Denise, is that yourself?

10 A Yes.

11 Q Thank you. Does the church have a, any other
12 businesses that it participates in or runs? Examples,
13 churches, schools?

14 A It's all under the church. Yes. Uh-huh.

15 Q Okay. Were you, in 2010, employed at the
16 Jericho business center?

17 A No. I'm employed for the church, and I do
18 some work for the business center, which is what you
19 saw the checks for, is for the stipend at the end of
20 the year that I get.

21 Q What about the Christian Academy?

1 A Jericho Christian Academy is under the
2 umbrella of the church.

3 Q And what about the Christian College?

4 A The Jericho Christian College is under the
5 umbrella of the church.

6 Q Okay. When you say "under the umbrella of
7 the church," what do you mean under the umbrella of the
8 church?

9 A Meaning, that they're not stand-alone
10 businesses.

11 Q What do you understand a stand alone business
12 to mean?

13 A Doesn't have it's own business identity, it's
14 own set up, organization as a business. They all fall
15 under the church.

16 Q The stipend you were receiving, were you an
17 employee of the church at the time?

18 A Yes.

19 Q Was that your salary? When you say stipend,
20 what do you mean stipend?

21 A Meaning, that was a separate set aside

1 entity, Jericho business center, that worked -- pastor
2 counted it separate. So she always did something
3 separate for that. Can't explain it any other way.
4 That's the way she did it. That's the way we did it.

5 (Whereupon, Mr. Jackson left the room.)

6 THE WITNESS: I'm going to go get lunch
7 though.

8 MR. WHITLEY: Jibril, it's 11:50.

9 MR. BROWN: All right.

10 BY MR. BROWN:

11 Q What is the church's current membership,
12 total, tally, sum?

13 MR. ASHTON: Objection. Irrelevant.

14 THE WITNESS: It's probably like six, seven
15 hundred people.

16 BY MR. BROWN:

17 Q Typically, -- do you attend services
18 regularly for the Maryland corporation, presently?

19 MR. ASHTON: Objection to form.

20 BY MR. BROWN:

21 Q Church/corporation?

1 A Yes.

2 Q And what do you consider regular?

3 A Every Sunday.

4 Q Every Sunday. Okay. And typically on a
5 Sunday how many individuals are present during a
6 service?

7 A More than 40.

8 (Laughter.)

9 THE WITNESS: Sorry. I couldn't help it.
10 (Laughing.) I couldn't help it. Usually two or three
11 hundred, sometimes more, sometimes four or five
12 hundred.

13 BY MR. BROWN:

14 Q Okay. And what was the membership
15 approximately in December 2010?

16 A Not real sure what it was. I know there were
17 some people that were not there because Apostle Betty
18 wasn't there. So it's hard to say at that point how
19 many. Some people were just kind of visiting other
20 churches waiting for her to return.

21 Q If you had to assign a number, what number

1 would you assign?

2 MR. ASHTON: Objection. Calls for
3 speculation.

4 THE WITNESS: (Laughing.) I'd be
5 speculating.

6 (Laughter.)

7 BY MR. BROWN:

8 Q Was it more than 40?

9 A No. Let's not do that. We don't want to do
10 that today. So let's say it might have been around
11 sixteen hundred people or so in October of 2010.
12 That's my speculation is sixteen or so hundred people
13 in service on regular attendance.

14 Q Okay. This time span that you're speaking
15 of, --

16 A Uh-huh.

17 Q -- where services held?

18 A At the Jericho City of Praise, in the main
19 sanctuary.

20 Q In the main sanctuary. Okay. And
21 approximately what is the capacity of that particular

1 sanctuary?

2 A They say it seats 10,000.

3 Q What do you say it seats?

4 A Somewhat less than that.

5 Q What is somewhat less?

6 A Don't know. But it's less than 10. But it's
7 a lot of people. So I think that might get your point.
8 It's a lot of people.

9 Q Were services ever -- in October -- that was
10 the time span you were referencing -- were there ever
11 any times where the sanctuary was full?

12 A No.

13 Q No? Okay. What about 90 percent full?

14 A No.

15 Q Fifty percent full?

16 A No.

17 Q November 2010, approximately how many members
18 of Jericho were there?

19 MR. WHITLEY: Objection as to the form of the
20 question.

21 MR. BROWN: Please answer.

1 THE WITNESS: It was steadily dropping. So
2 1,200, 1,000 maybe.

3 BY MR. BROWN:

4 Q Okay. Does the DC church keep records of
5 membership?

6 A Yes.

7 Q Okay. And who is the custodian of those
8 records?

9 A We have a ministry that does that. So I'm
10 not -- I'd have to go back and check to see.

11 Q Who is in charge of that ministry?

12 MR. ASHTON: Objection. Because you're
13 talking about the DC church. So objection as to
14 relevance.

15 THE WITNESS: That's why I'd have to go back
16 and check. I mean, I don't -- I'd have to see who was
17 doing what at that time. At one point, because Ann was
18 doing some stuff, Deacon Ann Wesley. She's not there
19 at the church now. So I'd have to look. I don't know.
20 I'm not sure.

21 BY MR. BROWN:

1 Q Was that part of -- okay. In this time span,
2 we're talking about October 2010.

3 A Uh-huh.

4 Q No. I'm sorry. November 2010, that was the
5 time span when you were were a administrator?

6 A Uh-huh.

7 Q Was that part of your administrative duties,
8 administrator duties?

9 A Yes. I didn't say I didn't know. I said I'd
10 have to go look.

11 Q December 2010, --

12 A Uh-huh.

13 Q -- approximately what was the membership/
14 congregation?

15 MR. ASHTON: Objection to form.

16 THE WITNESS: The people in the church, I
17 think I answered that. It was around, I was guessing
18 around 1,600 or so.

19 BY MR. BROWN:

20 Q Was that for the entire month of December?

21 A I'm talking about for -- I'm saying for

1 Sunday. I thought you said October though.

2 Q The membership records, how far do the
3 membership with respect to the Maryland corporation,
4 how far back do the membership records go?

5 A They go back to the beginning of the Maryland
6 corporation.

7 Q Okay. Does the Maryland church currently
8 possess any records from the DC church?

9 A I think we do. I think we still have some
10 records. They may not be as accurate because of the
11 members that left and went to the church that Joel has
12 formed. But we probably got something. I don't know
13 how accurate they are.

14 Q What is the church's policy with respect of
15 archiving records?

16 A Well, actually our policy was that after they
17 became a new member and they went back and signed the
18 forms to become members of the church, then we would
19 take those and they would go over to the new members
20 ministry. They would actually document them, and then
21 another set would go to the upper room. And then

1 another set would go to our finance department.
2 However, when Joel started to move -- to take the
3 membership cards, and we don't know what he did with
4 them, I said we don't have accurate records because
5 they put the church in disarray. So I can't say
6 exactly what was happening to them because we weren't
7 getting them.

8 Q Okay. My question is, what is the current
9 church's, the Maryland church/corporation, what is it's
10 policy with respect to archiving records, generally,
11 finance records, membership records, any type of
12 records that the corporation wants to keep a record of;
13 what is the policy?

14 A We normally keep the cards when our members
15 fill them out. So we -- our policy is to keep them.
16 Keep the records.

17 Q And where are those records archived, stored?

18 A Depending on which records you're speaking of
19 determines where they're archived. We have a file room
20 that some things are filed in. We have our new members
21 ministry, where some things are kept. We have our

1 finance office where some things are kept. So at
2 different places.

3 Q How long are the financial records kept
4 before being stored or moved off site?

5 A Usually, we try to keep them three years
6 before they're moved, packed away.

7 Q Okay. And when you say packed away and
8 moved, where are they packed away and moved to?

9 A It depends on what it is.

10 Q Financial records?

11 A Financial records are always kept at the
12 church. They're archived away still, but they're at
13 the church.

14 Q Okay. And how far back do these financial
15 records go, that are actually on site at the church
16 with respect to financial records?

17 A You know, I don't know. I'd have to look to
18 see.

19 Q Okay. Does the Maryland church have any of
20 the DC church's financial records on site?

21 MR. ASHTON: Objection. Irrelevant.

1 THE WITNESS: Possibly. We possibly have
2 some things.

3 BY MR. BROWN:

4 Q Why do you say possibly?

5 A Because I'd have to look. It's not something
6 I -- I didn't come prepared for that one. I can look
7 and let you know what we have, or if we have.

8 Q With respect to records regarding membership,
9 where are those stored at?

10 A Either in the new members room or the finance
11 department. One of the two.

12 Q Okay.

13 A Oh, some of them. Remember, Joel has a whole
14 bunch of them.

15 Q Okay. Does the current Maryland church/
16 corporation, does it have any of the membership
17 receipts, records or documents for the DC church/
18 corporation?

19 MR. ASHTON: Objection. Irrelevant.

20 THE WITNESS: I don't know. I'd have to look
21 and see what we have there. I don't know.

1 BY MR. BROWN:

2 Q Okay. As of the current Board, the current
3 Board/church corporation records, are records stored in
4 hard copy form, paper, or soft copy form, electronic?

5 MR. ASHTON: Objection to form.

6 THE WITNESS: It's probably some of both.

7 BY MR. BROWN:

8 Q Does the church have a policy?

9 A Basically, our policy is to make sure we have
10 what we need and that we don't discard what's important
11 to us.

12 Q Is there some type of directive that lets
13 everyone know what the church needs to archive?

14 A Not really.

15 Q The churches, the campus, has the campus
16 undergone any recent renovations with respect to its
17 computer networking system?

18 A Yes, sir.

19 Q When?

20 A Over these last few months we've done quite a
21 bit of renovating. And changing.

1 Q Okay. When you say renovating and changing,
2 --

3 A In fact, the last couple of years we've been
4 changing things up.

5 Q Okay. When you say renovating, changing the
6 last few months, what -- elaborate on renovating?

7 A Um, we had a company come in and revamp all
8 of the computers over at the Academy and install new,
9 not brand new, but new computers in the computer lab
10 for the students. They installed computers in all of
11 the classrooms. You know, that sort of thing.

12 Q Okay. Absent of the schools and colleges,
13 have there been any renovation of the computer
14 networking system for the administration and staff?

15 A We're working on it. We're not finished yet,
16 but we're working on it.

17 Q What have you done?

18 A Started to sub the network with new server
19 and all that kind of stuff.

20 Q And what company have you contracted with to
21 do that?

1 A Code Red. I know I'm not supposed to speak
2 when I'm not having a question, but when I mention our
3 companies, people call and harass them. I would
4 suggest that you ask your client not to do that.

5 Q With respect to the renovation of the
6 networking system for the staff and administration,
7 does the church -- are you just upgrading servers or
8 are you replacing computers; what does the renovation
9 entail?

10 A I think we replaced computers a couple of
11 years ago. So this is basically upgrading the servers,
12 and network and stuff.

13 Q When you say a couple of years ago, what year
14 are we talking about?

15 A I'm not sure. Within the last three years we
16 have gotten new computers.

17 Q Okay. What happened to the old computers?

18 A I don't know. I told them to trash them.
19 Some of them were redone and given to the Academy. All
20 kinds of things.

21 Q Okay. Before these computers were trashed

1 did the church/corporation back up the files, either
2 electronically or with hard copies?

3 A Most of them. Some files got lost, but most
4 of them are in tact.

5 Q What files got lost?

6 A I don't know. They're lost.

7 (Laughter.)

8 BY MR. BROWN:

9 Q What makes you think that some files got
10 lost?

11 A Because my computer crashed. I know some of
12 my files got lost.

13 Q What type of files were they?

14 A I don't know. Some of pastor's messages. I
15 got important stuff that I lost that I would have loved
16 to have archived.

17 Q Okay. I'm not talking about the pastor's --
18 I'm talking about financial records.

19 A Okay.

20 Q Were any financial records lost?

21 A Not on my computer. No.

1 Q Okay. Were any membership records lost on
2 your computer?

3 A No.

4 MR. WHITLEY: Is this going to be the last
5 question? We're already at like 12:10.

6 MR. BROWN: I know.

7 BY MR. BROWN:

8 Q Okay. The week prior to the apostle's
9 passing, you had stated that you had visited her?

10 A Uh-huh.

11 Q Okay. Well, what was her general overall
12 condition?

13 MR. ASHTON: Objection. Calls for a medical
14 opinion from a lay witness.

15 BY MR. BROWN:

16 Q For clarification, I'm not asking for a
17 medical opinion. I'm asking for your opinion as a
18 woman, someone who's seen people in good health, from
19 you seeing someone in bad health, sick children, well
20 children, happy people, sad people, in all of your
21 travels as a lay person, as a pastor, you can tell when

1 someone is emotionally down, or whatever. What was
2 your impression of the apostle's condition --

3 MR. WHITLEY: I'm going to --

4 MR. BROWN: -- approximately a week before
5 she passed?

6 MR. WHITLEY: I'm going to object as to
7 relevance. And I'm going to do a speaking objection.
8 I know that you don't like -- do you want her to step
9 out of the room?

10 MR. BROWN: I would.

11 (Whereupon, the witness left the room.)

12 MR. WHITLEY: As you are aware, the will was
13 challenged. And that challenge was let go. All the
14 medical records with reference to whether or not she
15 was in her right, whether she contained her faculties
16 is a public record. And I don't believe it's
17 appropriate for this deposition. So to the extent that
18 you want to inquire as to whether the apostle knew what
19 she was doing, what she was signing, that information
20 is available to you. And I'm sure you're aware of it.
21 So to the extent that you're asking her about the

1 apostle's condition prior to her passing, I'm going to
2 object.

3 (Whereupon, the witness came back in the
4 room.)

5 BY MR. BROWN:

6 Q Do you remember the question?

7 THE WITNESS: How was she doing?

8 MR. ASHTON: What was your impression of how
9 she was doing?

10 THE WITNESS: My impression of how she was
11 doing. I can tell you what she was doing.

12 BY MR. BROWN:

13 Q The question was how she -- your impression
14 of how she was doing?

15 A Well, the how she was doing -- how she was
16 doing had to do with what she was doing.

17 Q The question is, what was your impression as
18 to how she was doing?

19 A Well, she was on the phone, on the fourth of
20 October, attending a Board meeting. So my impression
21 was that she was doing well.

1 Q Was that the last time you saw the apostle
2 prior to her passing?

3 A No. Uh-uh.

4 Q When was the last time you seen the apostle
5 prior to her passing?

6 A The day that she passed. I was in the room
7 with her when she took her last breath.

8 Q Okay. And shortly before her passing, let's
9 say four days, what was her overall condition from a
10 lay person's standpoint?

11 A She was working with us on the senior citizen
12 project. That was her last baby before she left here.
13 Pastor's condition always was that when there was work
14 to be done, she did it. So she was working. That's
15 the condition she was in. She was working. So we had,
16 as I said, she attended a Board meeting by phone, she
17 had other Board meetings, she made sure that all these
18 documents were in place so that the senior citizen
19 apartment building could be completed and everything in
20 order. Most of her work she did with Paul Shelton, one
21 of her attorneys. So in that regard I would say she

1 was in good condition because she was working.

2 Q Okay. Drawing your attention to what's been
3 previously marked --

4 MR. WHITLEY: We said 12. It's almost 12:15.
5 I would request that we break for lunch right now. I
6 think we've given you an extra 15 minutes. So if
7 there's one more question, maybe one more question.
8 But I'd like to take a break.

9 MR. BROWN: I've got three. I'll make them
10 quick. Maybe two.

11 MR. WHITLEY: All right.

12 BY MR. BROWN:

13 Q Let the record show I've just handed to the
14 deponent plaintiff's 18 alpha. Can you just -- 18
15 alpha is a letter dated March 16, 2010. And you had
16 stated that that was the apostle's signature?

17 A Yes.

18 Q Okay. Was the apostle's signature, did the
19 apostle's signature always have this appearance?

20 A No. It changed from time to time.

1 Q Okay. Why do you think apostle's signature
2 was this way in 2010?

3 MR. ASHTON: Objection. Calls for
4 speculation.

5 THE WITNESS: I don't know. That's the way
6 she signed it in 2010.

7 BY MR. BROWN:

8 Q Do you think it could have had anything to do
9 with her medical condition?

10 MR. ASHTON: Objection. Calls for
11 speculation. You can answer.

12 THE WITNESS: I don't know.

13 BY MR. BROWN:

14 Q When did you notice the difference in the
15 apostle's signature?

16 A When you showed me the paper. I just -- I
17 never focused on it, really.

18 Q Last question. Promise. Drawing your
19 attention to plaintiff's 18 echo, that is the signature
20 card.

21 A Uh-huh.

1 Q When did the apostle give you verbal
2 authorization to sign her name; was it that day?

3 A I don't remember if it was that day or the
4 day before. I don't remember.

5 MR. BROWN: Okay. We can break for lunch.

6 MR. WHITLEY: Okay. One fifteen or 1:30?

7 THE WITNESS: One thirty. We didn't have any
8 breaks.

9 MR. WHITLEY: One thirty it is.

10 (Whereupon, at 12:15 p.m., there was
11 break for lunch.)

12 (Whereupon, Mr. Abdullah joined the
13 deposition after lunch.)

14 MR. BROWN: We are back from a lunch break.
15 We do have another person in the room. But if everyone
16 would, once again, for the record, announce themselves.
17 We'll go around the room. Jibril Brown on behalf of
18 the plaintiff, Roderick Chavez and Trenillo Walters.

19 MR. CHAVEZ: Rod Chavez.

20 MR. ABDULLAH: Raouf Abdullah, co-counsel for
21 plaintiffs.

1 THE VIDEOGRAPHER: Bashir Abdullah,
2 videographer.

3 THE REPORTER: Kathy Coyle, court reporter.

4 MR. BOSWELL: Clifford Boswell.

5 MR. WHITLEY: Dennis Whitley, III, attorney
6 for defendants.

7 MR. ASHTON: Anthony P. Ashton, attorney for
8 defendants.

9 THE WITNESS: And Denise Killen.

10 BY MR. BROWN:

11 Q You stated earlier that some records were
12 kept -- when I say some records, I'm specifically
13 talking about membership records or financial records.
14 You say that some records were kept on site and some
15 records were kept off site; is that correct?

16 A No. Records are kept on site.

17 Q Are any records kept off site?

18 A No.

19 Q Within the last year, to the best of your
20 knowledge, have any financial or membership records
21 been destroyed?

1 A Not to my knowledge.

2 Q Not to your knowledge. Who is responsible
3 for directing the destruction of financial and/or
4 membership records?

5 A If there was a destruction I would probably
6 be that person. But no records have been destroyed to
7 my knowledge.

8 Q Is anyone, absent of yourself, allowed to
9 destroy records?

10 MR. ASHTON: Objection to form.

11 THE WITNESS: Um, we wouldn't destroy
12 records. So when you say "allowed to," we don't, we
13 just don't arbitrarily destroy records.

14 BY MR. BROWN:

15 Q Absent of yourself is anyone authorized to
16 destroy records?

17 MR. ASHTON: Objection to form.

18 THE WITNESS: I would have to know what
19 records they are and if -- and that person would have
20 to talked with us about what it is that they'd like to
21 remove or destroy.

1 BY MR. BROWN:

2 Q Are financial reports provided at Board
3 meetings? I'm talking about the Maryland corporation.

4 A Yeah. Sometimes they are.

5 Q Sometimes they are. Are they provided at the
6 meeting or prior to the meeting?

7 A Usually at the meeting.

8 Q And who prepares those financial reports?

9 A Deacon Dorothy Williams.

10 Q Are individuals ever given the opportunity,
11 trustees and/or officers the opportunity to review
12 these financial reports prior to a meeting?

13 A I review reports prior to a meeting.

14 Q And what reports are -- do these reports have
15 names?

16 A If I ask for a report on staff and what
17 finances went out for payroll something, it could be
18 payroll, some of that. Uh-huh.

19 Q The reports that Ms. Williams --

20 A Uh-huh.

21 Q -- provides, do those reports have a name?

1 A It could be a payroll report, it could be a
2 profit and loss report.

3 Q Has Mrs. Williams ever provided the Board
4 with a profit and loss report?

5 A Yes.

6 Q When was the last profit and loss report
7 provided to the Board?

8 A Just a few months ago. I don't remember the
9 date.

10 Q A few months ago. Okay. With respect to
11 this profit and loss report, the church's current
12 expenditures -- when I say current expenditures I mean
13 the money it's paying out day to day --

14 A Uh-huh.

15 Q -- does the church have current revenues --
16 when I say current revenues I mean revenues for that
17 particular period -- does the church currently have
18 enough revenues, current revenues to meet its current
19 expenditures? An example of that would be -- I know
20 you're not an accountant -- if the church has \$100
21 going out in the month of February, does the church

1 bring in \$100 in the month of February?

2 MR. ASHTON: Objection.

3 THE WITNESS: That's an interesting question.
4 We had many times with people collecting money in the
5 church that were not authorized to do so. It affected
6 our revenue.

7 BY MR. BROWN:

8 Q Drawing your attention to not -- it's not --
9 the last financial report that you said that you had
10 received a couple of months ago. Did the church have
11 enough current expenditures?

12 A Yes.

13 Q What were the current revenues with respect
14 to this last profit and loss statement or earnings and
15 loss statement? What were the revenues?

16 A I'd have to look. I don't remember.

17 Q Was it in the hundreds?

18 A I'd have to look. I don't remember the
19 amount.

20 Q Was it more or less than a hundred?

21 A Let's not play the game. I don't remember.

1 Q Was it more or less than a hundred?

2 A Dollars?

3 Q Dollars.

4 A It was more.

5 Q Okay. Was it in the thousands?

6 A It was in the thousands?

7 Q Okay. Was it in the tens of thousands?

8 A Probably. I don't remember. I'd have to
9 look.

10 Q Was it more than 25,000?

11 MR. ASHTON: Objection. Calls for
12 speculation.

13 THE WITNESS: I don't know.

14 BY MR. BROWN:

15 Q Was it less than \$25,000?

16 MR. ASHTON: Objection. Calls for
17 speculation.

18 THE WITNESS: I don't remember.

19 BY MR. BROWN:

20 Q Does Mrs. Williams provide the Board with an
21 end-of-the-year financial statement?

1 A In the past she actually has not because a
2 lot of times we'll just do it through our accounting.
3 SO sometimes she does, sometimes no.

4 Q For the year 2013 has she?

5 A No. Not yet.

6 Q Has anyone provided an end-of-the-year
7 accounting?

8 A No.

9 Q What about for the year 2012?

10 A Twenty twelve, our accountant has it. I
11 don't have it yet.

12 Q You don't have it yet?

13 A I don't have it yet.

14 Q And who is your accountant; the church's
15 accountant I assume you were talking about?

16 A Uh-huh.

17 Q Who is the church's accountant?

18 A That's Morris, Wales and Lee.

19 Q Has the report been prepared?

20 A Um, I'm not sure if they finished it yet.
21 We've been having some conversations with them.

1 Q When you say conversations, you directly or
2 --

3 A Me directly.

4 Q And what is the -- what is the hold up with
5 respect to the 2012 end-of-year report?

6 A One of the hold ups is trying to figure out
7 how much money was actually taken from the church
8 during the month of 2012 when Rod Chavez, and Joel
9 Peebles, and all of those were taking money from the
10 church. So we have a lot of things that we have to put
11 together for 2012 to make things make sense. I think
12 some of the money was directed to your office. We
13 don't have that accounting either. And some of it was
14 cash I think. It went to Rod Chavez. I don't have
15 that -- I don't have that report either. So --

16 Q They year 2011 was an end of the report
17 provided?

18 A I think so. I think it was.

19 Q Who --

20 A It was worse in 2011 than it was in 2012.
21 They were taking money all over the place.

1 Q Who provided the report?

2 A I'd have to go back and look. I can't
3 remember which person did that one.

4 Q When you say person, how many persons are you
5 thinking --

6 A Person, persons.

7 Q Persons. What persons do you have in mind
8 who may have submitted this report??

9 A I'd have to go back and think. I don't
10 remember who we were -- I can't remember what we were
11 doing in 2011. I'd have to think about it.

12 Q Does the Maryland corporation/church, does it
13 provide -- does it pay for personal expenditures of
14 employees?

15 A Personal expenditures of employees?

16 Q Debts?

17 MR. ASHTON: Objection to form.

18 MR. BROWN: You can answer the question.

19 THE WITNESS: I'm not sure what you're
20 talking about.

21 BY MR. BROWN:

1 Q Has the church ever paid for an employee's
2 debts?

3 MR. ASHTON: Objection to form. Lack of time
4 frame.

5 THE WITNESS: I don't know what you're
6 talking about. You'd have to show me what debts you're
7 talking about. I'm not -- I'm not -- I don't -- I
8 don't understand.

9 BY MR. BROWN:

10 Q Do you understand what the word "debt" means?

11 A I know what a debt is.

12 Q Okay.

13 A I do. I know what debt means.

14 Q Okay.

15 A I know we paid Rod Chavez personal expenses.

16 Q Okay. Has the church, the Maryland church,
17 okay, in its existence, has it ever paid the personal
18 expenses of any of its employees?

19 A Not that I know of. Maybe. I don't know.
20 I don't know.

21 Q Okay. If the church -- who would approve

1 such an authorization, an expenditure?

2 MR. ASHTON: Objection.

3 THE WITNESS: I'd have to see the
4 authorization.

5 MR. ASHTON: Hypothetical question.

6 THE WITNESS: I'm sorry.

7 MR. ASHTON: Objection. Hypothetical
8 question. Calls for speculation.

9 THE WITNESS: I'd have to see the
10 authorization or expenditure and I could tell you.

11 BY MR. BROWN:

12 Q Is that a policy of the church?

13 MR. ASHTON: Objection to form.

14 THE WITNESS: To?

15 BY MR. BROWN:

16 Q Pay the debts of it's employees?

17 A I don't -- I wouldn't say that's a policy. I
18 wouldn't call it a policy. I don't know that it
19 happened because you haven't shown me what you're
20 talking about.

21 Q Would that be a practice of the church to pay

1 debts of any employees?

2 A Possibly. Possibly not. I need to see what
3 you're talking about.

4 Q In your capacity as chief operating officer
5 would you approve the paying of personal debts from
6 church monies?

7 MR. ASHTON: Hold on. Objection. Assumes
8 facts not in evidence, hypothetical question, calls for
9 speculation. Go ahead.

10 THE WITNESS: It depends. I don't know.
11 I'd have to know the situation.

12 BY MR. BROWN:

13 Q What would it depend on?

14 MR. ASHTON: Objection. Hypothetical
15 question. Calls for speculation.

16 THE WITNESS: Well, it could depend on many
17 things. But I'd have to understand what the situation
18 is and then I could answer that question.

19 BY MR. BROWN:

20 Q Would that be something that would have to be
21 brought before -- if some -- if the corporation was to

1 pay the personal debts of an employee, is that
2 something in your capacity of chief operating officer
3 is that something that you would condone or frown upon?

4 MR. ASHTON: Hold on. Objection. Assumes
5 facts not in evidence. Hypothetical question. Calls
6 for speculation.

7 MR. BROWN: You can answer the question.

8 THE WITNESS: I could possibly agree with it
9 or I could possibly disagree with it, depending on the
10 situation and what the item is. Now, when Rod Chavez
11 got his money, I agreed with it because pastor said it
12 was okay to do it, and we gave it to him, the church
13 did. I mean, it depends.

14 BY MR. BROWN:

15 Q Does the Maryland church in its existence,
16 has it ever paid credit card expenses of any of its
17 employees?

18 A Possibly.

19 Q Is that a practice of the church?

20 A Depending on what you mean by paid credit
21 card expenses. Do we just pay credit card expenses for

1 an employee? No, we do not.

2 Q In your capacity as chief operating officer,
3 the reports that you are given, are those, the
4 financial reports that you're given, are those itemized
5 reports?

6 A Usually not. Usually I don't always -- I
7 don't get itemized reports.

8 Q What kind of reports do you get?

9 A Just basic, I told you profit and loss. That
10 was the last reports that we looked at.

11 Q Okay. Who gets the itemized reports?

12 MR. ASHTON: Objection. Assumes facts not
13 in evidence.

14 THE WITNESS: I didn't say anybody gave out
15 any itemized report. I do day-to-day operations. So I
16 don't have to look at an itemized report to know. So
17 we don't just pass around itemized reports.

18 BY MR. BROWN:

19 Q If an itemized financial report was provided
20 who would receive that itemized report?

21 MR. ASHTON: Hold on. Objection to form.

1 Assumes facts not in evidence. Hypothetical question.
2 Calls for speculation.

3 MR. BROWN: Please answer the question.

4 THE WITNESS: I might receive it.

5 BY MR. BROWN:

6 Q Have you ever received any itemized financial
7 reports?

8 A Probably. Probably so.

9 Q What does probably so mean?

10 Q Probably so means it depends on what you mean
11 by itemized. If I wanted to know how much the school
12 paid for milk for the day, but then I wanted to compare
13 that with what they paid for the month, I could ask for
14 a report on that, on that particular issue, or another
15 issue, or another issue. So I'm saying I can do a
16 itemized report.

17 Q Have you ever seen an itemized report with
18 respect to payroll, to include stipends, cash
19 disbursements and/or bonuses?

20 A Huh. An itemized report for bonuses? I
21 have.

1 Q Have you received one for cash disbursements?

2 A Cash Disbursements?

3 Q Would you like a definition of cash
4 disbursements?

5 A No thank you. But I don't know what you mean
6 by the -- I don't know what the question means.

7 Q Have you ever received any type of financial
8 report or record that says that cash was withdrawn from
9 this day, and cash went to this particular individual
10 or entity on "Y" day?

11 A I have. We moved 11 million dollars in cash
12 on the 12th, on January 2012 to settle on the senior
13 citizen project. I have seen cash moved. Yes.

14 Q Let's narrow it down a little. With respect
15 to employees, have you ever seen cash withdrawals from
16 the church/corporation to an employee of the church/
17 corporation?

18 A No.

19 Q In your capacity as a chief operating officer
20 is that something that you would shun or condone?

21 MR. ASHTON: Object.

1 THE WITNESS: It didn't happen. So it's no
2 shun or condone necessary.

3 BY MR. BROWN:

4 Q You said -- I'm sorry, you said what?

5 A It doesn't happen, so it's not necessary to
6 shun or condone it.

7 Q If it did happen what would your position be
8 as the chief operating officer?

9 MR. ASHTON: Objection. Hypothetical
10 question. Calls for a hypothetical answer. So
11 objection to form.

12 THE WITNESS: No ifs. I'm no going to
13 speculate.

14 BY MR. BROWN:

15 Q Who approves cash disbursements from the
16 corporate -- from the church to any individual entity?

17 MR. ASHTON: Objection. Assumes facts not in
18 evidence.

19 MR. BROWN: Please answer.

20 THE WITNESS: It depends on what the item is,
21 what the situation is, who they -- sometimes it's one

1 person, sometimes it's two, sometimes it's three, four
2 or five of us. It depends.

3 BY MR. BROWN:

4 Q What times would it just be one person?

5 A Rarely.

6 Q Rarely. Okay. But what would be an instance
7 where only one person would have approve a cash
8 disbursement to a individual or entity?

9 A Um, I'd have to see the -- I'd have to see
10 the item to determine whether it was done by one person
11 or a number of persons.

12 Q The question is what situation would only
13 require one signature for a cash disbursement to an
14 employee or entity?

15 A None. Because we don't disburse cash to
16 employees.

17 Q With respect to -- has the -- has the
18 Maryland church/corporation ever paid the credit cards
19 of any of its employees?

20 A I think you asked me that once. No, we don't
21 do that. That's not what we do.

1 Q I mean, the question is has it ever happened?

2 A No.

3 Q If an employee was to make a purchase on
4 behalf of the church/corporation, does that individual
5 have to get some approval?

6 A Yes.

7 Q And who approves the purchase?

8 A Usually myself and Dorothy Williams, usually.
9 Depending on who's doing it.

10 Q Okay. When you say "and," does that mean one
11 or both of you?

12 A Usually it's both of us.

13 Q And what form do you give your approval; is
14 it a verbal approval, is it written approval?

15 A Many times it's verbal.

16 Q When a -- if a trustee or an officer of the
17 Maryland corporation is seeking approval for a
18 expenditure or purchase, is that individual allowed to
19 participate in the voting of the approval of that
20 purchase or expenditure?

21 MR. ASHTON: Objection. Hypothetical

1 question. Calls for speculation.

2 THE WITNESS: I can't think of anything that
3 any of the trustees have ever asked to purchase. I
4 can't think of a scenario where they've asked for
5 anything. You must know of one.

6 (Laughter.)

7 THE WITNESS: I can't think of a time when
8 they -- any of the trustees have ever asked to purchase
9 anything.

10 BY MR. BROWN:

11 Q What about trustees who are employees?

12 A What about them?

13 Q Have they ever requested approval to purchase
14 assets on behalf of the church?

15 A As a trustee or as an employee?

16 Q As an employee.

17 A Uh-huh. Yes. Yes.

18 Q Have you ever?

19 A Have I ever?

20 Q Asked --

21 A Asked to?

1 Q -- the Board to use personal monies to
2 purchase assets on behalf of the corporation?

3 MR. ASHTON: Objection to form.

4 THE WITNESS: To use my personal money to
5 purchase on behalf of the corporation?

6 MR. BROWN: Yes.

7 THE WITNESS: Let's see. I don't remember.
8 I used to ask Pastor Betty. But I know you're talking
9 about the Maryland corporation now. That was her
10 policy, that we could use our personal funds and get
11 reimbursement. Maryland corporation? I don't remember
12 having to ask the Board for approval.

13 BY MR. BROWN:

14 Q Who approved you to use your personal monies
15 to purchase assets for the corporation?

16 MR. ASHTON: Objection.

17 THE WITNESS: What did I purchase? I know
18 I'm not supposed to ask you a question. I don't know.
19 I don't know what you're talking about.

20 BY MR. BROWN:

21 Q Have you ever -- have you ever purchased

1 assets for the church using your own money and later
2 asked for reimbursement?

3 MR. ASHTON: Objection to form.

4 THE WITNESS: Assets sounds like a big word.
5 If you say assets, I think of assets as some major
6 purchase. And I would say no.

7 BY MR. BROWN:

8 Q Okay. Well, when I say assets, things,
9 things, books, pencils, cars, boats?

10 A You just -- you just -- we just saw one. It
11 was one of the exhibits you showed me. It was office
12 supplies. I purchased it, I got reimbursed for it.
13 So, yes, we know that that happens because we have a
14 check that was written back to me for reimbursement
15 for, that I put office supplies on the credit card.

16 Q Who approves -- with respect to your, you
17 being reimbursed, who approves you spending your
18 personal monies to purchase things for the Maryland
19 church/corporation?

20 A It depends. It could be Deacon Jackson, it
21 could be Dorothy Williams. It depends. We were all

1 there together. It could be Elder Linda. We all make
2 sure that we all know what each other is doing.

3 Q Who -- with respect to you, who signs the
4 checks, who signs the reimbursement checks to yourself?

5 A We saw the exhibit and you saw that I signed
6 the check that was written to myself for like, one of
7 them was like forty something dollars. I signed it.

8 Q You said everyone is informed of these
9 purchases of things. How are the remaining trustees
10 and Board members informed that you reimbursed
11 yourself?

12 MR. ASHTON: Objection. Misstates prior
13 testimony. Objection to form. Compound question. Go
14 ahead.

15 THE WITNESS: I don't reimburse myself. I
16 just said that others are involved in the process, and
17 we let each other know what we are doing. So when we
18 agree, we do those things. So it's not Denise alone
19 reimbursing herself for anything. So how does
20 everybody else on the Board get -- we do briefings, not
21 necessarily a full meeting, but we do briefings to keep

1 each other informed. It's real easy.

2 BY MR. BROWN:

3 Q These briefings, what do these briefings
4 entail?

5 A That I wrote a check to myself for 43 dollars
6 and whatever cents it was, and I just want you to know
7 that I signed it myself. Or, would you initial the
8 check or initial the other document or paper for me
9 that I did whatever that was that we did. So we make
10 sure that we're all in the loop on what we're doing.

11 Q With respect to -- is that the practice, to
12 have someone else initial beside your signature?

13 A Not always.

14 Q What would make -- what would make a initial
15 required?

16 A The fact that you were going to ask me this
17 question. Be honest. I'm honest. The fact that you
18 were going to ask me. Because the fact that you did
19 not pull out the payment for Rod Chavez or the payments
20 that Bobby Henry received, those would make me be
21 concerned. And I just want everybody to be aware that

1 this is the way we do operate, and Pastor Betty set it
2 in place. We didn't change it at that point. And so
3 it just makes me be cautious and make sure everybody is
4 aware of what we're doing. That's all. It's real
5 simple.

6 Q What would be a time when an initial would be
7 required by your signature?

8 A I'd have to go back and look. I'd have to
9 look at one.

10 Q Do you have a- okay. Is that -- with respect
11 to you going back and looking, with respect to when a
12 initial is required by your signature, is that an
13 executive decision? When I say executive, I mean you
14 personally, as your role and capacity as chief
15 operating officer, or is that a Board function?

16 A That's a day-to-day operation. That doesn't
17 require a Board to adjourn to do make every day
18 expenditures.

19 Q Are you saying it's an executive
20 determination?

21 A I didn't say that. Because I explained to

1 you that we share with each other what we're doing. So
2 we don't make executive decisions all by ourselves.

3 Q When would be a time when an initial,
4 initials would be needed by your signature?

5 A My initials are on a whole lot of documents.

6 Q No, no, no, no, no. Initials, other than
7 yours.

8 A Other than mine? Ah, it could be, I don't
9 know. I honestly don't know. I'd have to see a
10 situation where I felt like it was necessary that
11 someone else actually, other than a verbal, just
12 actually said, put their initials on the paper. I
13 couldn't tell you. I'd have to see it.

14 Q Have you personally ever made any inquiries
15 to see itemized, detailed financial reports of the
16 corporation/church, the Maryland?

17 A Have I made --

18 MR. ASHTON: Objection to form.

19 BY MR. BROWN:

20 Q A request for an itemized financial report?

21 A Probably. Yeah, I think I have.

1 Q When do you think you have?

2 A I can't remember. It wasn't in the last
3 couple months, so I don't know.

4 Q Was it in the year 2013?

5 A I think so.

6 Q What --

7 MR. WHITLEY: I'm going to object. This
8 question has been asked and answered. She gave you an
9 example of buying milk one day, and saying what the
10 milk cost for that month. So she's done this answer
11 already.

12 BY MR. BROWN:

13 Q With respect to a itemized financial report
14 of expenditures of salaries, bonuses, stipends, have
15 you ever asked for an itemized financial report?

16 A An itemized financial report of salaries,
17 bonuses --

18 Q Any money that have gone to employees?

19 A I'm sure I probably looked at bonuses when
20 they went out. Joel got a bonus before he left. So I
21 looked at that one.

1 Q How many itemized financial reports with
2 respect to bonuses, salaries, and/or stipends have you
3 seen in your tenure as chief operating officer?

4 A I don't remember.

5 Q Was it one?

6 A It was at least one.

7 Q Was it two?

8 A I don't remember.

9 Q Was it three?

10 MR. ASHTON: Calls for speculation. You can
11 answer.

12 THE WITNESS: Yeah. I'm trying to think.
13 I'm trying to think of the answer. It's something I
14 don't remember.

15 BY MR. BROWN:

16 Q Was it four?

17 MR. ASHTON: Calls for speculation.

18 THE WITNESS: Hum, I don't know. I'd have to
19 check. I don't remember.

20 BY MR. BROWN:

21 Q In your capacity as chief operating officer

1 have you ever --

2 (Whereupon, documents were marked for
3 identification, Plaintiff's Exhibit Nos. 21A through
4 21H.)

5 BY MR. BROWN:

6 Q Let the record show I'm now tendering a copy
7 of what's been previously marked as 21 alpha to the
8 deponent. For the record, what is that document?

9 A This is a check written to American Express.

10 Q Who signed the check?

11 A I signed the check.

12 Q And what are the last four of the account
13 number on that check?

14 A One zero zero three.

15 Q That's the routing number.

16 A Oh, you want -- oh, I'm sorry. The routing
17 number -- oh, the checking number 1589; is that what
18 you're asking?

19 Q Is that a credit card of the church?

20 A It's not a credit card of the church.

21 Q Let the record show I'm now tendering a copy

1 of what's previously marked as plaintiff's 21 bravo to
2 the deponent.

3 A It's a check written to American Express.

4 Q In the amount of how much?

5 A Of \$714.59.

6 Q Okay. And what is the checking number on --

7 A It's 1589. And the supporting document is
8 where?

9 Q Is that a bank account of the church?

10 A It's not.

11 Q Okay. Let the record show I'm now tendering
12 a copy of what has been previously marked as
13 plaintiff's 21 Charlie to the deponent. Can you -- for
14 the record, what is that document?

15 A It's American Express. I signed it. It was
16 \$40. It is bank number 1589. It's all reimbursement
17 for Jericho business center.

18 Q Let the record show I'm now tendering a copy
19 of what's been previously marked as plaintiff's 21
20 delta to the deponent. For the record, what's that
21 document?

1 A It's a check, American Express.

2 Q How much is the check for?

3 A One hundred ninety-one dollars and seventy-
4 seven cents. All reimbursements for Jericho business
5 center.

6 Q Let the record show I'm now tendering a copy
7 of what's been previously marked as plaintiff's 21 echo
8 to the deponent. For the record, what is that
9 document?

10 A That is American Express. It's a check
11 written to American Express.

12 Q How much?

13 A Nine hundred forty-nine dollars and seventy-
14 two cents.

15 Q And who signed that check?

16 A Denise Killen.

17 Q Okay.

18 A For reimbursement for the Jericho business
19 center.

20 Q And how many signature lines did that check
21 have on it?

1 MR. ASHTON: Objection. It speaks for
2 itself.

3 THE WITNESS: It has two.

4 BY MR. BROWN:

5 Q And how many signatures are on that check?

6 A One.

7 Q Let the record show I'm now tendering a copy
8 of what's been previously marked as plaintiff's 21 fox
9 to the deponent. For the record, what is that
10 document?

11 A It's a check written to American Express.

12 MR. ASHTON: Go ahead and finish out. That
13 way we can go through this quickly.

14 THE WITNESS: Okay. My signature is on it.
15 It's \$1,315.83. The account, 1589. And it has
16 supporting documentation somewhere. It's a
17 reimbursement for Jericho business center.

18 BY MR. BROWN:

19 Q How many signature lines does that have on
20 it?

21 A It has two.

1 Q How many signatures are on that check?

2 A It has one.

3 Q Let the record show I'm now tendering a copy
4 of what's been previously marked as plaintiff's 21 golf
5 to the deponent. For the record, --

6 A American Express, a check written to American
7 Express, \$82.27.

8 MR. ASHTON: Deal with the rest, including
9 the signature line. That way we can get along with it.

10 THE WITNESS: Two signature lines, 1589, and
11 it has supporting documentation to show that it was a
12 reimbursement.

13 BY MR. BROWN:

14 Q Let the record show I'm now tendering a copy
15 of what's been previously marked as plaintiff's 21
16 hotel to the deponent.

17 A This is also a check for American Express. I
18 signed it. Two signature lines. Four hundred forty-
19 two dollars and sixty-nine cents, 1589. There is
20 absolutely supporting document to show that it's a
21 reimbursement.

1 (Whereupon, the documents were marked
2 for identification, Plaintiff's Exhibit Nos. 22A
3 through 22II.)

4 BY MR. BROWN:

5 Q Let the record show I'm now tendering a copy
6 of what's been previously marked as plaintiff's 22
7 alpha to the deponent. For the record, what is that
8 document?

9 A It is a check written to Bank of America.

10 Q Okay.

11 A For \$3,233.80. I signed it. One signature
12 line. It is bank number 8458.

13 Q And what does the memo section say?

14 A It has the credit card number, and it has
15 Clarence Jackson's name.

16 Q Okay. And the Clarence Jackson indicated in
17 that check, is that the Clarence Jackson that is a
18 trustee and an officer of the church?

19 A It is the same Clarence Jackson. And there
20 is supporting documentation for it.

21 Q Let the record show I'm now tendering a copy

1 --

2 MR. ASHTON: Can I suggest, since these are
3 all the same, just different dates and different
4 amounts, she could look at all of them and you could do
5 this all in two minutes rather than 15? They're all
6 the same, right?

7 BY MR. BROWN:

8 Q Let the record show I'm now tendering a copy
9 of what's been previously marked as plaintiff's 22
10 bravo to the deponent.

11 A A check written to Bank of America, \$411.67.
12 I signed the check. Bank 8458. Clarence Jackson's
13 name is on it. Supporting documentation is, it was a
14 reimbursement for items purchased for the church.

15 Q Let the record show I'm now tendering a copy
16 of what's been previously marked as plaintiff's 22
17 Charlie to the deponent.

18 A Bank of America check written to Bank of
19 America, \$302.06. I signed the check. One signature
20 line. Clarence Jackson's credit card. Bank is 8458.
21 And there is supporting documentation. Reimbursement

1 for items purchased for the church.

2 Q Let the record show I'm now tendering a copy
3 of what's been previously marked as plaintiff's 22
4 delta to the deponent.

5 A Check written to Bank of America, \$1,034.06.
6 Denise Killen signed it. Clarence Jackson's credit
7 card. Bank number 8458. There is supporting
8 documentation. And it was for reimbursement for the
9 church.

10 Q Let the record show the deponent is now being
11 shown exhibit 22 echo.

12 A Check written to Bank of America, \$90.22.
13 Clarence Jackson's name is on it. Denise Killen signed
14 it. Bank number 8458. Reimbursement for something he
15 bought for the church.

16 Q The deponent is now being handed exhibit 22
17 fox.

18 A It's a check written to Bank of America,
19 \$168.37. Denise Killen signed it. Clarence Jackson's
20 credit card. Bank number 8458. Reimbursement for the
21 church.

1 Q Let the record show the deponent is now being
2 handed exhibit 22 golf.

3 A Bank of America received the check. The
4 check was written to Bank of America, \$3,016.71.
5 Clarence Jackson's credit card. Denise Killen signed
6 it. Bank number 8458.

7 Q Let the record show the deponent is now being
8 handed exhibit 22 hotel.

9 A Check written to Bank of America, \$3,444.64.
10 Denise Killen signed it. Clarence Jackson's credit
11 card. Bank number 8458. And it's all for
12 reimbursement for items purchased by the church. And
13 there is supporting documentation.

14 Q Let the record show that the deponent is now
15 being handed exhibit 22 indigo.

16 A Check written to Bank of America, \$1,502.
17 Denise Killen signed it. Clarence Jackson's credit
18 card. Bank number 8458. And ditto on all of that. I
19 hope I don't have to keep saying it all --

20 MR. ASHTON: You have to say it all over
21 again.

1 THE WITNESS: I have to say it?

2 BY MR. BROWN:

3 Q Let the record show the deponent is being
4 handed plaintiff's exhibit 22 Juliet.

5 A Check written to Bank of America, \$61.28.
6 Denise Killen signed it. Clarence Jackson's credit
7 card. Bank number 8458. Reimbursement for
8 expenditures for the church.

9 Q Let the record show the deponent is now being
10 handed exhibit 22 kilo.

11 A A check written to Bank of America, \$655.12.
12 Denise Killen signed it. Clarence Jackson's credit
13 card. It is bank number 8458. Expenditures for the
14 church. There is supporting documentation.

15 Q Let the record show the deponent is now being
16 handed plaintiff's 22 lima.

17 A Um, this is a check written to Bank of
18 America. It was written for \$6,238.61. It's to
19 Clarence Jackson's credit card. Denise Killen signed
20 it. Bank number 8458.

21 Q Let the record show --

1 A And it has supporting documentation. Bank of
2 America. It was a check written to Bank of America,
3 \$1,538.18. Issued to Clarence Jackson's credit card.
4 Denise Killen signed it. It's bank number 8458, and
5 has supporting documentation. It's for expenses for he
6 church.,

7 Q The deponent is now being handed 22 November.

8 A A check written to Bank of America, one
9 thousand -- this is so silly. (Laughing.)

10 MR. ASHTON: You have to go through it.

11 THE WITNESS: I'm sorry. I'm going. I'm
12 going. I'm going. I'm going. Check written to Bank
13 of America, \$1,476.40. Written to Clarence Jackson's
14 credit card. Denise Killen signed it. Bank number
15 8458. And it is for expenses for Jericho Baptist
16 Church Ministries, Inc.

17 Q The deponent is being handed 22 Oscar.

18 A This is a check written to Bank of America.
19 It was issued on August 24, 2010. And I'm interested
20 that we would see this date because this policy is the
21 policy that Apostle Betty Peebles put in place. She's

1 the one that approved that Clarence Jackson use his
2 credit card, and that's the policy that we followed.
3 So Bank of America. It was written to Bank of America.
4 It's \$627.20. Denise Killen signed it because Pastor
5 Betty allowed me to sign the checks. And it was for
6 bank number 8458.

7 Q The deponent is being handed 22 papa.

8 A Okay. It's a check written to Bank of
9 America, \$1,385.35. It was written to Clarence
10 Jackson's credit card. Denise Killen signed it. Bank
11 number 8458. With supporting document. It was issued
12 for church expenses.

13 Q The deponent is now being handed plaintiff's
14 22 Quebec.

15 A Check written to Bank of America, \$4,356.44.
16 It was issued to Clarence Jackson's credit card. And
17 also, back then, for the record, Clarence Jackson would
18 have called Pastor Betty Peebles and asked for
19 permission for this purchase. It was March of 2010.

20 MR. ASHTON: All right. Oh, finish what you
21 were going to say and then I'll --

1 THE WITNESS: And Denise Killen signed it.
2 And it was for expenses for the church.

3 MR. ASHTON: Okay. And I have to make an
4 objection to all the exhibits that are, pre-date the
5 existence of the corporation that is a party to this
6 lawsuit, which will include two exhibits previously,
7 22Q and I think it was 22Q, 22P, 22O, 22N. For those
8 exhibits and it will also be 22V through 22CC, all of
9 those exhibits pre-date the corporation that is a party
10 to this lawsuit. And with the -- ask for limiting
11 instruction with the exception of the reasons that
12 Ms. Killen stated on the record as far as showing a
13 past policy prior to the existence of this corporation.
14 None of it is relevant to this case. But, obviously,
15 counsel will go through them and you can answer the
16 questions.

17 BY MR. BROWN:

18 Q Let the record show the deponent is being
19 handed 22 Sierra.

20 A And that is a check written to Bank of
21 America for \$1,674.90. I signed the check. And that

1 is not Clarence Jackson's credit card. And that bank
2 number is 8458.

3 Q Okay. Drawing your attention back to 22
4 Sierra, whose credit card is that?

5 A I'm not sure.

6 Q Would it be Clarence Jackson?

7 A No.

8 Q The deponent is being handed 22 tango.

9 A Bank -- it's written to Bank of America.
10 It's \$887.56. And I -- Denise Killen signed it. It's
11 8458. I'm not sure whose credit card that is.

12 Q For the record, the memo section, the last
13 four of the account number?

14 A Uh-huh.

15 Q The last four of the account number in the
16 middle section.

17 A You want me to say the account -- you want me
18 to say it; is that what you're asking?

19 Q Yes, ma'am.

20 A It's 8445.

21 Q The deponent is being given plaintiff's 22

1 Victor.

2 MR. ASHTON: The same objection.

3 BY MR. BROWN:

4 Q I'm sorry, uniform. Twenty-two uniform.

5 MR. ASHTON: Oh, I'm sorry. Then I withdraw
6 it.

7 THE WITNESS: And this is Bank of America,
8 \$3,581.07.

9 MR. ASHTON: I'm sorry. I just looked at the
10 date. Same objection. Object to any relevance other
11 than established policy, pre-dating the existence of
12 the corporation defendant in this case.

13 THE WITNESS: I'm going to step out on the
14 limb on this one, if you let me.

15 (Laughter.)

16 THE WITNESS: And speculate. I think this is
17 Pastor Betty's credit card. I think it is. But I'm
18 not positive. But I think it is.

19 BY MR. BROWN:

20 Q The deponent is now being handed 22 Victor.

21 MR. ASHTON: Same objection.

1 THE WITNESS: Um, this is, um, a check
2 written to Bank of America. Um, it's \$9,653.83.
3 Denise Killen signed it. Bank is 8458. Last four
4 digits of the credit card is 8445.

5 BY MR. BROWN:

6 Q The deponent is being given 22 whiskey.

7 MR. ASHTON: Same objection.

8 THE WITNESS: Check written to Bank of
9 America, \$6,764.35. Denise Killen signed it. It is
10 bank number 8458. Last four digits are 8445.

11 BY MR. BROWN:

12 Q Let the record show the deponent is being
13 given 22 x-ray.

14 MR. ASHTON: Same objection.

15 THE WITNESS: Bank of America, the check was
16 written to. It's \$9,440 something dollars, \$9,448.82.
17 Denise Killen signed it. Bank number 8458. Last four
18 digits, 8445. And it was July 2010.

19 BY MR. BROWN:

20 Q Let the record show the deponent is being
21 handed plaintiff's 22 Yankee.

1 MR. ASHTON: Same objection.

2 THE WITNESS: A check written to Bank of
3 America, \$1,046.22. Denise Killen signed it. It is
4 bank number 8458. Last four digits of the credit card
5 8445.

6 BY MR. BROWN:

7 Q The deponent is being given plaintiff's 22
8 zooloo.

9 MR. ASHTON: Same objection.

10 THE WITNESS: And that was a check written to
11 Bank of America, \$3,055.09. Denise Killen signed it.
12 Bank number 8458. And the last four digits 8445.

13 BY MR. BROWN:

14 Q The deponent is being given plaintiff's 22
15 alpha alpha.

16 MR. ASHTON: Same objection.

17 THE WITNESS: Check written to Bank of
18 America, \$2,820.01. Denise Killen signed it. Bank
19 number 8458. Last four digits of the credit card 8445.
20 And I would need to pull supporting document on those
21 to know exactly what they are.

1 BY MR. BROWN:

2 Q The deponent has been handed plaintiff's 22
3 Charlie Charlie.

4 MR. ASHTON: Same objection.

5 THE WITNESS: A check written to Bank of
6 America, \$2,917.30. Denise Killen signed it. The bank
7 number is 8458. And the credit card number is, the
8 last four is 8445. And I'd need to pull supporting
9 document on it.

10 BY MR. BROWN:

11 Q The deponent is being handed plaintiff's 22
12 delta delta.

13 A Check written to Bank of America, \$106.51.
14 Denise Killen signed it. It is bank 8458. Last four
15 of the credit card is 8445.

16 Q Let the record show the deponent is being
17 handed plaintiff's 22 echo echo.

18 A Um, that was a check written to Bank of
19 America, \$1,634.82. Denise signed it. Bank number
20 8458. The last four of the credit card is 8445.

21 Q Let the record show the deponent is being

1 handed plaintiff's 22 fox fox.

2 A That is a check written to Bank of America,
3 \$199.18. Denise Killen signed it. Bank number 8458.
4 And the last four of the credit card is 8445.

5 Q The deponent is being handed plaintiff's 22
6 golf golf.

7 A The check was written to Bank of America,
8 \$137.34. Denise signed it. Bank number 8458. Last
9 four of the credit card 8445.

10 Q Let the record show the deponent is being
11 handed plaintiff's 22 hotel hotel.

12 A Check written to Bank of America, \$119.87.
13 Denise signed it. Bank number 8458. Last four of the
14 credit card 8445.

15 Q Let the record show the deponent is being
16 handed 22 indigo indigo.

17 A Check written to Bank of America in the
18 amount of \$260.18. Denise signed it. Bank number
19 8458. Last four of the credit card 8445.

20 (Whereupon, the document was marked for
21 identification, Plaintiff's Exhibit Nos. 23A through

1 23AA.)

2 MR. ASHTON: Are you done with that set?
3 Because these -- this is exhibits 23A through 23AA, or
4 alpha alpha. They're all checks written to American
5 Express, all reference an account number with Clarence
6 Jackson. All checks written from Jericho, and all are
7 signed by Denise Killen. And we'll stipulate that all
8 of them are checks written to Mr. -- written to
9 American Express in reference Clarence Jackson, all
10 signed by Denise Killen. And that way we can save 20
11 minutes. I mean, obviously, -- I mean, it's up to you.

12 BY MR. BROWN:

13 Q If we could back up. With reference to the
14 group exhibit 22, was that the standard practice of the
15 Maryland church to have Mr. Jackson purchase things
16 with his own money and then later be reimbursed?

17 MR. ASHTON: And I'm only objecting because
18 some of them pre-date the Maryland corporation.

19 THE WITNESS: Apostle Betty Peebles put it
20 into standard practice that credit cards be used the
21 way they were. And we continued to carry that policy.

1 Yes. You're asking about Clarence Jackson in
2 particular. The answer would be no. Because he's not
3 the only one that used a credit card for reimbursement
4 from time to time. We had Deacon Minnie Williams who
5 purchased things for the school. She uses her credit
6 card from time to time. So we're not going to isolate
7 it to one person or another. But was it our practice,
8 and do we still do it? Sometimes yes, we do.

9 BY MR. BROWN:

10 Q Does the church have a credit card?

11 A Yes.

12 Q Is anyone authorized to use that credit card?

13 A No.

14 Q What is the church credit card used for?

15 A Purchases for the church.

16 Q Those -- with respect to 22, group exhibit
17 22, was there any approval, is there a process for
18 approving those reimbursements?

19 A They were all approved. Yes.

20 Q What is the process?

21 A Sometimes it was one signature, sometimes I

1 approved them, sometimes more than one of us approved
2 them. It depends.

3 Q When you say more than one of us, who -- what
4 did the "us" consist of?

5 A Dorothy Williams, Elder Linda.

6 Q The approval process, how is the approval
7 process conducted?

8 A It varied. Do you want me to explain how
9 it's conducted. If we're talking about that stack of
10 documents, when Pastor Betty and Deacon Jackson worked
11 on some of those things, she just approved them. So it
12 depends. What we do now is that, it varies, depending.
13 Sometimes he will tell me what the item is he's
14 purchasing and approximately how much it is, or
15 sometimes he'll bring me a little document of what it
16 cost, or sometimes he'll get a proposal. It all
17 varies.

18 Q Okay. With respect to the time frame, -- I'm
19 talking about the Maryland corporation.

20 A Okay.

21 Q How -- with respect to the documents that

1 are, that coincide with the Maryland corporation time
2 span, how were these approved?

3 A Sometimes he would bring me a proposal,
4 sometimes he'd bring me the cause. That varied too.
5 But usually he would kind of -- he kind of let me know
6 what something was going to cost, that they're going to
7 need to pick up certain items for the HVAC or whatever
8 it is they're doing. So --

9 Q What would require a proposal?

10 A Sometimes it was just a vendor that had a
11 proposal. It didn't -- it wasn't that it was a
12 requirement. It's if that was a vendor that needed to
13 give us a quote, then we got a proposal. If it wasn't
14 a vendor that needed a quote -- because we have
15 maintenance people that do our own work. So if it was
16 something they could repair and we were just getting a
17 part, we would just do that.

18 Q How do you verify the legitimacy of these
19 reimbursements?

20 A With receipts.

21 Q With receipts?

1 A Uh-huh.

2 Q Are those receipts stored on site?

3 A Yes. If we still have them. Depending on
4 what -- you're pointing to a stack that got up to 2010
5 in it. So I'd have to -- do we keep our information on
6 site? We do.

7 Q The deponent is being given plaintiff's 23
8 alpha.

9 A Yes. Yes, sir.

10 MR. ASHTON: Have you rejected our
11 stipulation?

12 MR. BROWN: No. But --

13 MR. ABDULLAH: He hasn't rejected your
14 stipulation, but he has additional questions.

15 MR. ASHTON: Oh, okay.

16 THE WITNESS: yes, sir.

17 BY MR. BROWN:

18 Q For the record, what is that particular
19 document?

20 A It is a check written to American Express for
21 \$1,315.60.

1 Q Okay. And who is that paid to?

2 A Clarence Jackson's credit card.

3 Q Okay. What's the date on that one?

4 A Twelve ten, December 16, 2010.

5 Q What was the particular process -- that
6 should be a good limit. That's when the Maryland
7 corporation came into existence. What was the process
8 with respect to approving this reimbursement for
9 Mr. Jackson?

10 A I would have to see the documentation to tell
11 you. I don't know. I don't know what this is for. So
12 I'd have to see the actual documentation to understand
13 what practice we use for this particular item, or any
14 of these actually. If I don't see the documentation, I
15 can't explain it to you.

16 Q What was the process with respect to
17 verifying legitimacy of this request for reimbursement?

18 A Many times the process was that we saw the
19 item. Like, it was something for the church. It came
20 to the church. It was used for the church. And we
21 know it was for the church.

1 Q Was that an item?

2 A Don't know. Until I see documentation I
3 can't tell you.

4 Q Since it is so close to the inception of the
5 corporation, how many reimbursement slips did
6 Mr. Jackson submit for approval within the first week
7 of the inception of the corporation?

8 MR. ASHTON: Objection to form.

9 THE WITNESS: I don't know. I don't know.

10 BY MR. BROWN:

11 Q Was it more than one?

12 A I don't know.

13 MR. ABDULLAH: Are you going to formally
14 accept that stipulation or -- do we want to accept that
15 --

16 MR. BROWN: Yes.

17 MR. ABDULLAH: So it's agreed that those
18 documents -- actually, we're dealing with the records
19 of the church, exhibits 23A through 23AA, that those
20 were reimbursements that were signed by Ms. Killen or
21 --

1 BY MR. BROWN:

2 Q That one is a -- for the record, just
3 briefly. The date and the amount, for the record?

4 A For the record, the date is April 1, 2011.
5 Pardon me. It's a check for \$7,451.46.

6 Q And what exhibit is that?

7 A Twenty-three "D."

8 Q For that particular reimbursement, that's a
9 rather large reimbursement, what was the process for
10 that reimbursement?

11 A I'd have to see the document. I'd have to
12 see the supporting documents in order to tell you.
13 What was the process for establishing the legitimacy of
14 this particular reimbursement request?

15 A I'd have to see the documents to tell you
16 what the process was.

17 Q Briefly, the exhibit number, the date, and
18 the amount?

19 A Exhibit number 23B, as in boy. The date,
20 January 28, 2011. The amount is \$5,650.11.

21 Q What was the process for approving this

1 reimbursement?

2 A I'd have to see the supporting documents in
3 order to tell you.

4 Q Okay. What was the process for establishing
5 the legitimacy of this particular request?

6 A Id' have to see the documents in order to
7 tell you.

8 Q Briefly, same three things, the exhibit, the
9 amount, and the date?

10 A The exhibit 23. The date is July 2, 2010.
11 It's \$5,046.02.

12 Q What was the practice, policy for approving
13 this request for reimbursement?

14 A Um, this practice was, Pastor Betty said it
15 was okay. When she said it was okay, you did it. And
16 we took care of it.

17 Q Okay. You said the apostle said that. How
18 do you now the apostle said that?

19 A She told me. She would have had to tell me
20 because I signed the check. She saw them.

21 Q How do you know she saw them?

1 A Because I made sure that she did. That was
2 the summer of 2010.

3 Q When you say you made sure she did, how did
4 you make sure she did?

5 A Always. That was a common practice. Pastor
6 saw everything. She approved everything. She saw
7 invoices, she saw receipts. Common practice.

8 Q Do you know that she saw them?

9 A Because I took them to her house. I made
10 sure she saw everything. That was part of what I did.
11 That was part of my job.

12 Q And around this time what, in your lay person
13 opinion, what was her medical impression upon you?

14 A She was still working. That's my impression.
15 She was still working, doing the daily work of the
16 church.

17 Q Did she have all her faculties in order? Did
18 she --

19 MR. ASHTON: Objection. Calls for a
20 psychological evaluation.

21 THE WITNESS: Did they tell you she didn't?

1 They lied if they said it.

2 (Laughter.)

3 BY MR. BROWN:

4 Q The question is, in your opinion, your lay
5 opinion, did she have all of her faculties?

6 MR. ASHTON: Wait a minute. Wait. I have to
7 object. Objection. Her lay opinion on it is
8 irrelevant to the issues in this case, which do not
9 involve the DC corporation. Go ahead and answer.

10 THE WITNESS: She gave me instructions. I
11 followed them.

12 BY MR. BROWN:

13 Q If you brought that to her, why didn't the
14 apostle just sign it?

15 A If the apostle said, Denise sign it, Denise
16 signed it.

17 Q How often did the apostle tell you to sign
18 things for her?

19 MR. ASHTON: Objection.

20 BY MR. BROWN:

21 Q When you were her personal assistant?

1 A I didn't sign things for her.

2 Q Well, withdrawn. Signed things that she
3 could have signed? Since you brought everything --
4 since she was aware.

5 A I can't remember the exact date, but sometime
6 in 2009 I think she started allowing me to sign some of
7 the things for the church.

8 Q The same three things, exhibit, date, amount.

9 A Twenty-three "P," January 25, 2010,
10 \$4,354.90.

11 Q Okay. And that is paid to whom? Oh, we
12 already got the stipulation, Clarence Jackson. I'm
13 sorry.

14 MR. ASHTON: Well, not Clarence Jackson.

15 MR. BROWN: For Clarence Jackson.

16 BY MR. BROWN:

17 Q What was the practice for approving this
18 particular reimbursement request?

19 A Ah, that is, I'll call it the Apostle Betty
20 P. Peebles' practice.

21 Q Okay. And what was the apostle's practice?

1 A She waw them, she said okay to pay them, and
2 then we did that.

3 Q How do you know she seen this particular
4 check?

5 A I didn't say she saw the check. But the
6 invoices, those things that needed to be paid she saw.

7 Q Well, if she didn't see the check how do you
8 know that the apostle approved this check?

9 A I know that on January 25, 2010, apostle was
10 still working, still doing the things at the church.
11 We only did things per her instruction. So I'm
12 standing that it was per her instruction.

13 Q Well, you said it was per her instruction.
14 Did she tell you specifically or did someone else tell
15 you? How do you know this was her instruction?

16 A Because -- no. The work, the business of the
17 church Pastor Betty and I did. So it wasn't someone
18 else that told me.

19 Q Did the apostle tell you?

20 MR. ASHTON: I'm going to object to
21 relevance. And by definition the question asks for

1 hearsay.

2 THE WITNESS: It's the Apostle Betty P.
3 Peebles' policy. That's all I can tell you. I'd have
4 to see the document as to how she told me, what she
5 told me, in what manner. But pastor and I worked
6 together on these items.

7 BY MR. BROWN:

8 Q Okay. You say this was her policy, how do
9 you know it was her policy? Did she sit down and tell
10 you, did she say this in a meeting, how do you know
11 this was her policy?

12 MR. ASHTON: Objection. Expressly calls for
13 hearsay testimony. And it's still irrelevant to this
14 case. You can still answer.

15 THE WITNESS: Yeah. It's the way she worked.
16 I don't know how else to explain it to you. It's the
17 way -- that's Pastor Betty's policy. That's the way
18 she worked.

19 BY MR. BROWN:

20 Q Okay. Are you familiar with the term
21 personal knowledge?

1 A Explain personal knowledge to me.

2 Q Personal knowledge is when you directly,
3 directly witness it. You were there at the scene of
4 the accident. Someone actually told you something.
5 That's personal knowledge.

6 A Uh-huh.

7 Q Okay. Do you have personal knowledge that
8 this was the apostle's policy?

9 A Absolutely.

10 Q And how do you -- and how did you obtain that
11 personal knowledge?

12 A I'm sure she had -- I'm absolutely sure it
13 was her policy. I work with pastor in her office on a
14 daily basis. And it's the way she worked. I watched
15 her do it. I saw her, the way she operated the
16 business. So I think that's kind of personal
17 knowledge.

18 Q Okay. With respect to this document,
19 document 23 papa, do you have personal knowledge that
20 the apostle approved that request?

21 A I'd have to see the documentation.

1 Q When I say personal knowledge, do you
2 recollect, does your memory -- do you have a memory of
3 the apostle approving this?

4 A I don't know what this is.

5 Q This document.

6 A So I cannot have personal knowledge --

7 Q This document.

8 A I only know that it is a check with an amount
9 on it. I would have to see the documentation to
10 refresh my memory on whether I know positively how she
11 approved this.

12 MR. ABDULLAH: Excuse me, can we take a
13 break?

14 THE WITNESS: Surely.

15 MR. WHITLEY: Before we take a break, it's
16 roughly 3:30. We plan on making this deponent
17 available no later than six. So you have two-and-a-
18 half more hours.

19 MR. ASHTON: You don't have two-and-a-half
20 more hours. We're not on the record, are we?

21 MR. ABDULLAH: One at a time. All right.

1 The question is, are we on the record. First answer
2 that question before we go on break.

3 MR. BROWN: We'll take a break.

4 (Whereupon, there was a short break.)

5 BY MR. ABDULLAH:

6 Q Good afternoon, Ms. Killings -- Killen.

7 A Killen.

8 Q It's Dorothy?

9 A Denise.

10 Q Denise.

11 A Yes.

12 Q But your first name is Alma?

13 A Alma.

14 Q Alma Denise Killen. I'm Raouf Abdullah, as
15 you probably know. And we're going to continue with
16 the deposition and try to get through this.

17 Now, you have been on the Board of the
18 Maryland corporation since it's inception?

19 A Yes.

20 Q And I want to talk about that process for a
21 little bit. Now, when the Maryland corporation was

1 initially founded what was the date that it was
2 founded?

3 A The Maryland corporation?

4 Q The one that exists now --

5 A Uh-huh.

6 Q -- in Maryland, what's the date, the founding
7 date?

8 A We gathered on the 30th of October of 2010.

9 Q You said we. Who is we?

10 A There were six of us.

11 Q Did the -- who is -- the persons who are the
12 current members of the Board?

13 A Yes.

14 Q Okay. So you say you gathered. Where did
15 you gather?

16 A I believe we were in the church.

17 Q You were at the church?

18 A Uh-huh.

19 Q Now, when you say you were at the church, are
20 you talking about the -- okay. Well, what facility are
21 you talking about?

1 A Jericho City of Praise.

2 Q Okay. And that's located?

3 A Eighty-five oh one Jericho City Drive,
4 Landover, Maryland.

5 Q And are you saying that's what exists now?

6 A Yes.

7 Q Near the Redskins, blue and white?

8 A Yes.

9 Q Where the Spirit of Faith had their first
10 night celebration this year?

11 A They didn't have their first night
12 celebration. We had joint service on New Years --

13 Q You had joint with whom?

14 A With Spirit of Faith.

15 Q So they were there?

16 A Yes.

17 Q So they had it there with you? So the
18 difference is not that they didn't have it, but they
19 didn't have it alone?

20 A Right.

21 Q But so they did have it there?

1 A Yes, they did.

2 Q Okay. And there was a pastor there that
3 welcomed the people from Jericho; did the pastor from
4 Jericho speak to the people?

5 A Our minister and elder did, yes.

6 Q Okay. What's the name of that person?

7 A Elder Barbara Etheridge.

8 Q And did she introduce herself as the Jericho
9 pastor?

10 A She didn't introduce herself as pastor or
11 elder.

12 Q Okay. You were present?

13 A Yes.

14 Q Okay. How did she introduce herself?

15 A Just Elder Barbara Etheridge.

16 Q Okay.

17 A Jericho City of Praise.

18 Q Was there anyone at that celebration that
19 introduced himself or herself as the pastor of the
20 church?

21 A No one introduced themselves as pastor of

1 either church.

2 Q Okay. So the answer is no?

3 A No.

4 Q Okay. I know you don't want to waste time.
5 So if it's no, if you can say that.

6 A No. Uh-huh.

7 Q But actually, the more you talk the better.
8 So you might want to just say no.

9 A Better for you.

10 Q It's up to you. I shouldn't tell you that,
11 right?

12 A Right.

13 Q I'm encouraging you to -- going back to the
14 founding. You gathered at the church. At the time the
15 church was in existence?

16 MR. ASHTON: Objection to form.

17 THE WITNESS: We gathered -- I'm sorry?

18 BY MR. ABDULLAH:

19 Q You gathered at the facility, the Jericho
20 City of Praise facility?

21 A Uh-huh.

1 Q And that had been in existence for some time?

2 A Yes.

3 Q Okay. And before you gathered the church was
4 in existence?

5 MR. ASHTON: Objection to form.

6 THE WITNESS: The church was in existence.

7 BY MR. ABDULLAH:

8 Q Before that day --

9 A That edifice was there. It was there.

10 Q When was it built?

11 A We moved in in 1997.

12 Q Do you know what month?

13 A December.

14 Q And who built the facility?

15 A The people, the members of Jericho.

16 Q The members?

17 A Uh-huh.

18 Q And when the time that the members of Jericho
19 built that facility approximately how many members were
20 there, in 1997, in December?

21 A Probably, I always here numbers between

1 10,000, 17,000, 12,000. I've heard a number of
2 different numbers.

3 Q Okay. And when the members built that it was
4 a corporation?

5 MR. ASHTON: Objection to form.

6 THE WITNESS: Was the church a corporation?

7 BY MR. ABDULLAH:

8 Q Listen to my question.

9 A Okay.

10 Q Carefully.

11 A Uh-huh.

12 Q In December of 1997, --

13 A Uh-huh.

14 Q -- that group that built this, did they have
15 a corporation? Did they have a DC corporation?

16 A There was a DC corporation.

17 Q So was the DC corporation, did the people
18 build that through the DC corporation, the corporation
19 structure?

20 A Uh-huh. Yes.

21 Q Okay. So that building is an asset; is that

1 correct?

2 MR. ASHTON: Objection to form.

3 BY MR. ABDULLAH:

4 Q The building? The facility? The campus?
5 How many acres is that campus?

6 A Oh, over 160 I think.

7 Q A hundred and sixty acres. How much --
8 what's it worth?

9 A I don't know. It's worth a lot to us because
10 the Holy Spirit dwells there.

11 Q The -- actually, I'm talking about -- stay
12 focused with me.

13 A Okay.

14 Q You have no idea of the value of that
15 property? It has an assessed value. It has a
16 temporal, earthly -- I know it has a spiritual value.

17 A Yes.

18 Q And that can't be estimated, other -- the,
19 you know, the number of souls that have been saved.
20 But what's its value to, you know, to the people who
21 might want to purchase it. Like, let's say Mike

1 Freeman wanted to buy that; what would he pay for that?

2 MR. ASHTON: Objection.

3 THE WITNESS: Let's not say that.

4 MR. ASHTON: Hold on, hold on.

5 BY MR. ABDULLAH:

6 Q No. Just give me the value.

7 MR. ASHTON: Okay. Hold on.

8 MR. ABDULLAH: If you know.

9 MR. ASHTON: You have to give me a chance to
10 object.

11 MR. ABDULLAH: You don't have to give him a
12 chance to object. (Laughing.)

13 MR. ASHTON: I'm going to object to the
14 hypothetical question. Calling for speculation.

15 BY MR. ABDULLAH:

16 Q Now, if I were to want to purchase that do
17 you have any idea of its assessed value?

18 A No. I would say, let's have it appraised.

19 Q Okay. Have you ever had that facility
20 appraised?

21 A It's been a long time.

- 1 Q Is that answer yes?
- 2 A The answer is yes.
- 3 Q When was it appraised?
- 4 A Oh, gosh, probably in 1998.
- 5 Q What was the value at that time?
- 6 A I'd have to look at the books. I don't
- 7 remember.
- 8 Q You don't remember?
- 9 A Uh-uh. I don't.
- 10 Q Certainly in the millions?
- 11 A Oh, yes.
- 12 Q Okay. Now, when -- so the DC corp owned that
- 13 facility, the entire campus?
- 14 A (Nods head affirmatively.)
- 15 Q You're nodding your head. You need to
- 16 answer.
- 17 A Well, the DC -- it was a DC corporation.
- 18 Q Ma'am, answer my question.
- 19 A Okay.
- 20 Q Don't make a statement.
- 21 A Okay.

1 Q If you can't answer it, let me know.

2 A All right.

3 Q Now, let's go back.

4 A Uh-huh.

5 Q The DC corp owned that facility back in
6 December 1997 when it built it?

7 A Okay.

8 Q That's a question, yes or no?

9 MR. ASHTON: Objection. No foundation.

10 THE WITNESS: I don't know that they own --
11 that they owned it. We were taught that the people
12 owned it.

13 BY MR. ABDULLAH:

14 Q Okay. So the people owned it. Meaning, the
15 members of Jericho?

16 A Uh-huh.

17 Q Between the 10 and the 17,000?

18 A Uh-huh.

19 Q Now, did there ever come a time when that 10
20 to \$17,000 (sic) donated that church to the six members
21 of the trustees?

1 A Did there ever a come a time that it did
2 what?

3 Q These members, did there ever come a day
4 where they came together and said that they were going
5 to turn over that asset to you and the other five
6 members of the Board of Trustees? Did that ever -- did
7 that happen?

8 MR. ASHTON: Objection to form.

9 THE WITNESS: I don't know what members would
10 come together to do that.

11 BY MR. ABDULLAH:

12 Q Ma'am, you're asking me.

13 A I'm not asking. I'm making a statement.

14 Q No. But just don't make statements.

15 A Uh-huh. I can make a statement.

16 Q No, you can't. Not now. Not on my time.

17 MR. ASHTON: Actually, she can make a
18 statement.

19 BY MR. ABDULLAH:

20 Q Now, listen to me.

21 A Uh-huh.

1 Q If you don't understand my question --

2 A I do.

3 Q You do?

4 A Uh-huh.

5 Q So just answer it then, please.

6 A I don't know that what you're saying is
7 something I could answer.

8 Q Then say that. Say I can't answer it so we
9 can move on.

10 A Okay.

11 Q All right. Now, the -- on -- you say 11 --
12 November the 1st, 2010, the six of you formed a new
13 corporation?

14 MR. ASHTON: Objection. Misstates prior
15 testimony.

16 THE WITNESS: No.

17 BY MR. ABDULLAH:

18 Q What was the date?

19 A October 30th.

20 Q October 30th.

21 A I said we came together.

1 Q Oh, I'm sorry. You gathered?

2 A Uh-huh.

3 Q Okay. That's where we were. And when you
4 gathered you gathered at someone else's -- you gathered
5 at the facility that was owned by the 10,000 people,
6 correct?

7 A No.

8 Q You gathered at Jericho?

9 A Yes.

10 Q And you just -- I don't want to be
11 argumentative. But did you just say that the Jericho
12 facility was owned by the members?

13 A Uh-huh. I did.

14 Q And that members was between 10,000 and
15 17,000?

16 A No, I didn't say that.

17 Q Okay. What did you say?

18 A You asked me how many members there were when
19 we moved into the Jericho City of Praise. And that was
20 in 1997.

21 Q Okay.

1 A And I said they say that years range between
2 10,000, 12,000, 17,000.

3 Q Okay. Now, --

4 A That's the only thing I said about, with the
5 years for members.

6 Q Okay. Now, so going to October the 30th, how
7 many members existed at Jericho on that date?

8 MR. ASHTON: Objection. Calls for
9 speculation.

10 THE WITNESS: And I'm not sure. I think I
11 answered that earlier. I'm not sure.

12 BY MR. ABDULLAH:

13 Q Answer it again.

14 A I'm not sure.

15 Q You're not sure? Was it approximately 10,000
16 people?

17 A No. Not even close. No.

18 Q Okay. So if it's not even close, then tell
19 me how far away was it?

20 A I think I said before, I guessed it was
21 around, maybe 1,600 people in the church at that time.

1 Q As members?

2 A Uh-huh.

3 Q Okay.

4 A Now, I don't know if they were all members.

5 I shouldn't say that. I don't know if they were all

6 members. But 1,600 people coming to church.

7 Q Coming to church. Right.

8 A Approximately.

9 Q So you would say that -- so you're saying
10 that between 1997 and 2010 that the great majority of
11 the people left the church?

12 A Yeah. Is aid when Pastor Betty was ill some
13 of the people left and were at other churches for
14 ministry. Yeah.

15 Q Right. So -- but there were people attending
16 the church as members?

17 A Yes.

18 Q And you had -- when you say -- okay. Now, at
19 the time, in 2010, did you have a role of members, a
20 list of persons who were tithing? Well, let me just
21 put that down. Back in 2010 did you know who the

1 members were?

2 A Some of them.

3 Q Did you have a list of members? Well, how
4 did you know who the members were?

5 A There were -- there were membership lists.
6 But you're asking me. I can't tell you that I knew who
7 was on the list and who wasn't.

8 Q Okay. Thank you for that. Now, you said
9 there were membership lists? How do you know there
10 were membership lists?

11 A Pastor would talk about it. Sometimes we had
12 a ministry that took care of the new members when they
13 come into the ministry.

14 Q New members were coming in in 2009?

15 A Oh, yes. Uh-huh.

16 Q New members were coming in in 2010?

17 A Yes.

18 Q Okay. And the apostle, she deceased in
19 October of 2010?

20 A Uh-huh.

21 Q Was it the 12th?

1 A The 12th.

2 Q The 12th. Okay. And on the day of her
3 funeral do you remember how many persons were in the
4 membership on that day?

5 A No, I don't.

6 Q Okay. Were you on the Board of Trustees of
7 the DC corporation at that time?

8 A Yes.

9 Q Okay. And who -- how many members were there
10 on that Board of the DC corporation at that time?

11 A Um, --

12 Q Were the six current members on the Board?

13 MR. ASHTON: Objection.

14 THE WITNESS: Of what date are you talking
15 about? At the passing?

16 BY MR. ABDULLAH:

17 Q On October the 12th?

18 A No. All the members weren't on the Board at
19 that time.

20 Q Who was on the Board on -- if you know, who
21 was on the Board on October the 12th, 2010?

1 MR. ASHTON: Objection.

2 THE WITNESS: Um, Apostle Betty was the chair
3 of the Board. She passed, of course. Deacon Gloria
4 Magruder was the vice chair.

5 MR. ABDULLAH: Uh-huh.

6 THE WITNESS: Myself, Deacon Jackson, Deacon
7 Boswell. I think that's it.

8 BY MR. ABDULLAH:

9 Q So you think it was a five-member Board?

10 A Uh-huh.

11 Q Okay. And you would -- was Bishop Joel
12 Peebles on the Board at the time?

13 A No.

14 Q Was he ever on the Board?

15 A No.

16 Q Okay. Did he ever -- were there ever
17 documents signed by you that said he was on the Board,
18 a member of the Board?

19 MR. ASHTON: Objection. All irrelevant to
20 this case.

21 THE WITNESS: I would have to see the

1 document if there was.

2 BY MR. ABDULLAH:

3 Q Okay. So your answer is you don't know?

4 A I don't remember.

5 Q You don't remember. Okay. Okay. Now, when
6 -- so, now, on the -- 18 days later the six persons
7 gathered together and determined that they were going
8 to start a church; am I correct?

9 A (Nods head affirmatively.)

10 Q You've got to answer?

11 A Yes.

12 Q Okay. Now, what type of church did they
13 start?

14 A Well, actually, we went to the book of
15 Matthew, Matthew 18, where it says if any two are
16 gathered in my name, there will I be in the midst. So
17 we didn't have to have a denomination. So we did not
18 call it a denomination.

19 Q Okay. So --

20 A We just --

21 Q I'm sorry.

1 A We just gathered to form the church.

2 Q Is that your way of saying it was
3 nondenominational?

4 A Yes.

5 Q Okay. Now, were you saying -- by your
6 answer, you were saying -- were you saying it was or
7 was not a Catholic church?

8 A It was not.

9 Q It was not a Catholic church. You didn't
10 answer to the Pope in Rome?

11 A No.

12 Q Okay.

13 A I answer to God.

14 Q Okay. Thank you for that. So does he.

15 A Uh-huh.

16 Q According to him. Was it a Greek Orthodox?

17 A No.

18 Q Was it a Presbyterian?

19 A No.

20 Q Methodist?

21 A No.

1 Q Okay. And did you hire an attorney to assist
2 you in the formation of the church?

3 A No.

4 Q All right. So who drew up the articles of
5 incorporation, if you know?

6 A The attorney that Pastor Betty hired.

7 Q Okay. And who was that?

8 A He had been working with her on the corporate
9 documents for some time.

10 Q And who was that person?

11 A Isaac Marks.

12 Q Now, at the time that -- you say she had --
13 the apostle had hired him, and then she passed away?

14 A Uh-huh.

15 Q Did he continue to work for the six of you?

16 A Yes. For the corporation.

17 Q For the -- for the -- well, I'm talking about
18 before -- in the process of forming the corporation did
19 he advise you?

20 A Yes.

21 Q Okay. And he advised you with your consent?

1 A Yes.

2 Q Okay. Now, so the six of you gathered at
3 Jericho and you formed Jericho Baptist Church
4 Ministries, Inc.?

5 A Uh-huh.

6 Q And at the time that you formed the church
7 what assets did the church have when you formed it?

8 A I don't know what assets the church had.

9 Q Did it have a building?

10 A We were in a building.

11 Q I know you were. You gathered in a building.

12 A Uh-huh.

13 Q My question to you is that when you formed
14 the church did you, did the church own the facility
15 that you were in?

16 A Yes.

17 Q Okay. That wasn't that hard.

18 A Yes.

19 Q Okay. Now, what else, did the church own the
20 160-acre campus?

21 MR. ASHTON: Objection to form.

1 MR. ABDULLAH: Let him finish.

2 THE WITNESS: Uh-huh. Because I'm talking
3 about the DC church now.

4 MR. ASHTON: Yeah. That's why I was --

5 THE WITNESS: That's why I'm saying yes.

6 BY MR. ABDULLAH:

7 Q Okay. No, you didn't understand. When you
8 answer a question you're indicating that you understood
9 it. But perhaps I wasn't being clear. The church that
10 you formed back on October -- well, you gathered on
11 October the 30th, 2010?

12 A Yes.

13 Q Did you form a church that day?

14 A Yes.

15 Q Okay. The church that you formed that day,
16 did it have any assets? Did they own anything?

17 A No. It was just a church.

18 Q The answer is no?

19 A No.

20 Q It didn't have a building?

21 A No.

1 Q It didn't have a building?

2 A No, it didn't.

3 Q Did it have a campus? Did it have 160-acre
4 campus?

5 A Um, I don't know how to answer that question.
6 I would say yes.

7 Q Don't -- only answer yes if that's the truth.

8 A It's the truth.

9 Q So it did own 160-acre campus?

10 A Uh-huh.

11 Q Did it own that building that was on that
12 160-acre campus?

13 A Yes.

14 Q Okay.

15 A We, the church, owned it. Yes, we did.

16 Q Okay. All right. So, all right. Now, did
17 you have any bank accounts?

18 A Yes.

19 Q Okay. And the bank accounts that you had,
20 what banks were they located at? How many -- how many
21 -- what banks were they located at?

1 MR. ASHTON: And I have to object to form of
2 all these questions because this is really --

3 MR. ABDULLAH: We'll stipulate that it's a
4 standing objection.

5 BY MR. ABDULLAH:

6 Q Now, what bank accounts did you have?

7 MR. ASHTON: Objection to form.

8 MR. ABDULLAH: I'm --

9 MR. ASHTON: No, no. This is for a different
10 reason, this particular question.

11 MR. ABDULLAH: Okay. Please answer my
12 question.

13 THE WITNESS: We have bank accounts at Bank
14 of America and some of the other banks.

15 BY MR. ABDULLAH:

16 Q Okay. And how do you know what other
17 accounts you have?

18 A Because we had the account.

19 Q That's not an answer. How did Denise Killen
20 know what accounts you had on October the 10th, 2010,
21 when you formed this new corporation?

1 MR. ASHTON: Objection to --

2 BY MR. ABDULLAH:

3 Q How did you know?

4 MR. ASHTON: Objection to form. Objection.

5 Misstates prior testimony. Objection. Calls for a

6 legal conclusion. Go ahead and answer.

7 THE WITNESS: How did I know that we had

8 them? We had them, already had them.

9 BY MR. ABDULLAH:

10 Q But I have a lot of things.

11 A Uh-huh.

12 Q I have debts that are being incurred, but I
13 don't know about them until they send me a bill. How
14 did you know about these bank accounts?

15 MR. ASHTON: Objection to form.

16 THE WITNESS: Well, in that case, they send
17 us statements.

18 BY MR. ABDULLAH:

19 Q Okay. So you saw statements?

20 A (Nods head affirmatively.)

21 Q In those statements, were they in the name of

1 the DC corp or he new corp that you had founded?

2 MR. ASHTON: Objection to form. Objection.
3 Misstates prior testimony.

4 THE WITNESS: Well, at one point they were in
5 the name of the DC corporation, at the second point
6 they were in the name of the Maryland corporation.

7 BY MR. ABDULLAH:

8 Q Okay. The same bank accounts?

9 A Yes.

10 Q Okay. So the bank accounts were transferred
11 from the DC corp to the Maryland corp, yes or no?

12 MR. ASHTON: Objection. Lack of foundation.

13 THE WITNESS: I don't know what you mean by
14 transfer. They already existed.

15 BY MR. ABDULLAH:

16 Q Are you --

17 MR. ASHTON: Objection to form.

18 BY MR. ABDULLAH:

19 Q You're testifying that there were bank
20 accounts. And these bank accounts belonged initially
21 to what corporation?

1 A They belong to Jericho Baptist Church
2 Ministries, Inc. They belong to -- they belong to
3 Maryland. Pastor Betty had already changed the name of
4 those accounts to doing business as a Maryland
5 organization. So I don't know what you're saying.

6 Q I'm asking questions. You're the one who's
7 saying things. Now, let's back up a little bit.

8 MR. ASHTON: Objection. Counsel is arguing
9 with the witness.

10 BY MR. ABDULLAH:

11 Q Now, there was a time when there was a DC
12 corporation --

13 A Uh-huh.

14 Q -- called -- what was the name of this
15 corporation?

16 A Jericho Baptist Church, --

17 Q Jericho Baptist Church?

18 A -- Inc. At one point.

19 Q And it was located on 8501 Betty Peebles
20 Drive, or the campus that's located there?

21 A Yes.

1 Q And that's the same place that your church is
2 located?

3 A Yes.

4 Q And it's in fact in the same exact facility?

5 A Yes.

6 Q Now, that DC corporation was -- that church
7 back on October the 29, 2010, was not a Maryland
8 corporation, yes or no?

9 A No.

10 Q No, it was not? It was a District of
11 Columbia corporation?

12 A Yes.

13 Q Okay. And you and several other people were
14 members of the Board of Trustees of that District of
15 Columbia corporation?

16 A Yes.

17 Q Okay. And that District of Columbia
18 corporation had bank accounts?

19 A Yes.

20 Q And it had the 160-acre campus that we were
21 talking about?

1 A Yes.

2 Q And it had that facility that's located on
3 that campus that you now consider your church, it
4 belonged to the DC corporation?

5 A Yes.

6 Q And at some -- and -- but the same exact bank
7 accounts, 160-acre campus and building, and all the
8 appertinents, all the other properly located there now
9 are the property and assets of the Maryland
10 corporation; is that correct?

11 A That's correct.

12 Q You're saying yes?

13 A Yes.

14 Q Okay. So how did those assets go from the
15 District of Columbia church to the Maryland church?

16 MR. ASHTON: Give me a chance to object.

17 THE WITNESS: Uh-huh.

18 MR. ASHTON: Objection. Calls for a legal
19 conclusion. You can go ahead and answer.

20 MR. ABDULLAH: Did you understand the
21 question?

1 THE WITNESS: I did.

2 BY MR. ABDULLAH:

3 Q Okay. What's your answer?

4 A Somebody had the -- I understand your
5 question, but someone would have to explain to me how
6 it went from the one to the other.

7 Q Okay. Well, so you're saying that you don't
8 know? Is that what you're saying?

9 A I'm saying someone would have to explain it
10 to me.

11 Q No. Well, my answer -- I'm asking you how it
12 happened. So what's your answer?

13 A How it happened?

14 Q Yes.

15 MR. ASHTON: Objection. Calls for a legal
16 conclusion.

17 THE WITNESS: Yeah. I wouldn't say -- huh.
18 I don't know. I'm not sure that I know.

19 BY MR. ABDULLAH:

20 Q Okay. Now, when you formed this corporation
21 in Maryland on October the 30th, 2010, aside from the

1 assets that belonged to the DC corporation what assets
2 did the new corporation have?

3 MR. ASHTON: Objection. Misstates prior
4 testimony. Calls for a legal conclusion. You may
5 answer.

6 THE WITNESS: I don't know what assets.

7 BY MR. ABDULLAH:

8 Q Okay. Thank you. Now, did you make any
9 contributions, financial contributions to establishment
10 of the new corporation?

11 A Explain what you mean by make contributions?
12 Did I give tithes and offerings to the church? Is that
13 what you mean?

14 Q Well, you were a member of the DC corporation
15 church and you made tithes and offerings?

16 A Uh-huh.

17 Q So to form the new church you had assets in
18 the new church?

19 MR. ASHTON: Objection.

20 THE WITNESS: You just asked me that.

21 BY MR. ABDULLAH:

1 Q And what's your answer? To establish an
2 interest did you have assets?

3 MR. ASHTON: Objection.

4 THE WITNESS: I'm not sure what assets would
5 have been in the new church.

6 BY MR. ABDULLAH:

7 Q Okay. Did you have property, real estate?

8 A We had a church.

9 MR. ASHTON: Objection to form.

10 BY MR. ABDULLAH:

11 Q You had a church. And it was the church that
12 was existing that the DC corporation, that's the church
13 you're talking about that you had; is that correct?

14 A Well, we were trustees of that Board. Yes.
15 Uh-huh. I am talking about that church.

16 Q But I'm talking about the new church now, you
17 formed that. Other -- okay. Other than that -- so you
18 -- at some point were you the trustee of both churches?

19 A At some point we were.

20 Q Okay.

21 A Yes.

1 Q Okay. And what happened to the District of
2 Columbia church?

3 MR. ASHTON: Objection. Calls for a legal
4 conclusion.

5 THE WITNESS: It's gone. It's dissolved.

6 BY MR. ABDULLAH:

7 Q It was dissolved. Who dissolved it?

8 A The trustees.

9 Q What trustees?

10 A The voting members. The trustees --

11 Q Okay.

12 A -- of the church. Uh-huh.

13 Q And when did the voting -- okay. When you
14 say the voting members, what persons are you talking
15 about?

16 A Those same -- oh, Elder Linda --

17 Q Linda Pyles?

18 A -- Pyles. Uh-huh. Deacon Dorothy Williams,
19 and then these other names that I've already given.

20 Q Okay. So the persons who dissolved the
21 District of Columbia corporation would have been Elder

1 Boswell, Deacon Jackson, Elder Pyles, Elder Williams,
2 yourself; did I name everyone?

3 A Gloria Magruder.

4 MR. ASHTON: Objection. Calls for a legal
5 conclusion.

6 BY MR. ABDULLAH:

7 Q Okay. Now, when the decision was made to
8 dissolve the District of Columbia corporation what
9 steps were taken?

10 MR. WHITLEY: I'm going to object, to the
11 extent that you can answer that question without
12 divulging any conversations you might have had with
13 legal counsel.

14 THE WITNESS: We came together and voted to
15 form the new entity.

16 BY MR. ABDULLAH:

17 Q And when you say we, who is we?

18 A The names that we just discussed. Uh-huh.

19 Q And was the congregation, the members of the
20 DC corporation, were they informed of that coming
21 together?

1 MR. ASHTON: Objection. Irrelevant.

2 THE WITNESS: The DC, the members of the DC
3 church had never been informed of any Board actions in
4 the history of the ministry. So it wasn't necessary to
5 inform them.

6 BY MR. ABDULLAH:

7 Q Ma'am, that's not responsive.

8 MR. ASHTON: Yes, it was.

9 BY MR. ABDULLAH:

10 Q Listen to my question.

11 A Uh-huh.

12 Q Did you inform the members? Not -- I'm not
13 asking you about the history, and I'm not asking you
14 why you didn't inform if you did. I'm simply asking,
15 did you inform the members of the DC corporation that
16 you were going to dissolve the corporation?

17 MR. ASHTON: And objection. The issue
18 reference is not a matter in this case. But you can
19 answer his question.

20 THE WITNESS: I did answer his question. I
21 did answer your question.

1 BY MR. ABDULLAH:

2 Q And your answer was?

3 A In the history of Jericho Baptist Church
4 Ministries Corporation the members have never been
5 called to a Board meeting or informed of anything that
6 had to do with Board issues for the church itself.

7 Q And are you saying you're including this
8 matter, that they were not informed of the decision to
9 dissolve it?

10 A It was the normal history of -- yes.

11 Q Right. But I -- just to be clear, --

12 A Uh-huh.

13 Q -- did you inform them of that particular
14 act?

15 MR. ASHTON: Same objection.

16 THE WITNESS: I answered your question.

17 BY MR. ABDULLAH:

18 Q No, you didn't. You said that they never
19 were informed. But just to be clear, are you including
20 this action when you say they were never informed of
21 any actions? Are you including this?

1 MR. ASHTON: Still irrelevant to this case.

2 THE WITNESS: The voting members of the
3 corporation who were there were informed.

4 BY MR. ABDULLAH:

5 Q Okay. And the voting members of the District
6 of Columbia corporation were informed?

7 A Yes.

8 Q Okay. So -- and how many voting members were
9 there of the District of Columbia corporation?

10 A Six.

11 Q It was six? And these six voting members,
12 they voted to dissolve the DC corporation?

13 MR. ASHTON: Still irrelevant to this case.

14 MR. WHITLEY: And objection as to form.

15 THE WITNESS: We voted to merge the
16 corporation, and we did that.

17 BY MR. ABDULLAH:

18 Q Okay. And when was that vote taken?

19 A October 30, 2010.

20 Q Okay. And the other members of the DC
21 corporation, were they notified of that vote?

1 MR. ASHTON: Objection to form.

2 THE WITNESS: I'm sorry, the other members?

3 BY MR. ABDULLAH:

4 Q The Congr -- the members of the church who
5 were -- other than the six, the non-voting members,
6 were they notified about that vote?

7 A No.

8 Q Were they told at some point that the church
9 became a Maryland corporation?

10 MR. ASHTON: Objection.

11 THE WITNESS: I don't remember.

12 BY MR. ABDULLAH:

13 Q Okay. And what was the -- were you involved
14 in the transferring, the ownership of the assets from
15 the District of Columbia corporation to the Maryland
16 corporation?

17 MR. ASHTON: Objection. Calls for a legal
18 conclusion.

19 THE WITNESS: I would have to -- I'm not
20 sure. I'm not sure what that means, transferring
21 assets.

1 BY MR. ABDULLAH:

2 Q Well, did you change the bank account, the
3 ownership name from a District of Columbia corporation
4 to a Maryland corporation; were you personally involved
5 in doing that?

6 A I don't know. Pastor Betty Peebles had
7 already changed the name of those bank accounts. So I
8 don't know that that was necessary. She had already
9 done that in 2009, or we did as a Board.

10 Q So when I asked the question, were you
11 involved? Are you answer no, or answering yes, or you
12 don't recall, or you don't know?

13 A Huh, um, --

14 MR. ASHTON: Objection to form.

15 THE WITNESS: I don't remember as a trustee
16 -- oh, I must have been involved because she changed --
17 the name was changed in 2009. I would say I was
18 involved.

19 BY MR. ABDULLAH:

20 Q So in 2009 you're saying that the Maryland
21 corporation took control of the bank account before it

1 was formed?

2 MR. ASHTON: Objection. Misstates prior
3 testimony.

4 THE WITNESS: No. I'm not saying that.

5 BY MR. ABDULLAH:

6 Q Okay. What are you saying?

7 A I'm said Pastor Betty, along with her legal
8 counsel, changed the name in Maryland to Jericho
9 Baptist Church Ministries, and all of those accounts
10 were already set because it was her plan to change the
11 corporation over into Maryland. So that was just that
12 step number one had already been taken. So I'm not
13 saying that some assets were taken. I'm saying the
14 name was changed.

15 Q I see. But when the Apostle Betty Peebles
16 did that change, that was in 2009?

17 A Uh-huh. Yes.

18 Q And the Maryland corporation had not yet been
19 formed?

20 A That's right.

21 Q But right -- but at some point she passed

1 before the Maryland corporation was formed?

2 A Uh-huh.

3 Q So she did not transfer those assets to the
4 Maryland corporation?

5 A That's right.

6 Q That's a physical impossibility, correct?

7 A That's right.

8 Q And did she leave some written document
9 authorizing that transfer?

10 MR. ASHTON: Objection.

11 THE WITNESS: You'd have to check with the
12 attorney on that. Because that was her conversations
13 with the attorney.

14 BY MR. ABDULLAH:

15 Q Are you saying you don't know?

16 A I don't know.

17 Q Okay. And at some point -- at what point did
18 the Maryland corporation begin to exercise control over
19 the bank accounts?

20 A The trustees had control of the bank accounts
21 anyway.

1 Q The DC trustees.

2 A Both DC and Maryland.

3 Q Okay.

4 A So it was -- I don't know what point.

5 Everything started -- everything new started on October
6 30th, of 2010. So exercise take over, there was no
7 take over. It just flowed one right after the other.

8 Q So on the October -- are you testifying that
9 on October the 29th the bank accounts were the property
10 of the DC corporation, and those bank accounts became
11 the property of the Maryland corporation on October the
12 30th?

13 MR. ASHTON: Objection.

14 BY MR. ABDULLAH:

15 Q Is that what you're saying?

16 MR. ASHTON: Objection. Misstates prior
17 testimony. Calls for a legal conclusion.

18 THE WITNESS: I'm saying everyting was merged
19 together.

20 BY MR. ABDULLAH:

21 Q On the 30th --

1 A Yes.

2 MR. ASHTON: Objection.

3 BY MR. ABDULLAH:

4 Q -- of October 2010?

5 MR. ASHTON: Misstates prior testimony.

6 BY MR. ABDULLAH:

7 Q Is that what you're saying?

8 A No.

9 Q Well, explain what you mean?

10 A I am saying that we formed a church and we
11 merged the two, the DC church with the Maryland church.
12 That's all I'm saying.

13 Q Right. And the we means the persons you
14 named?

15 A Yes.

16 Q The six trustees?

17 A Uh-huh.

18 Q And the -- other than the Board members
19 you're also saying that the members of the congregation
20 were not -- did not have a voice in that decision,
21 correct?

1 MR. ASHTON: Objection to form, and misstate
2 prior testimony.

3 THE WITNESS: I'm saying when the corporation
4 indeed was set up originally in DC the members of the
5 church never had a voice because that's the way Apostle
6 Betty and Bishop James R. Peebles set it up. The
7 trustees were the only voice, and the only voting
8 voice. So that was not something different or new.
9 The members did not have a voting voice. No, they
10 didn't.

11 BY MR. ABDULLAH:

12 Q And is that the way it continues today in the
13 Maryland corporation?

14 A Yes.

15 Q Okay. And so that the members in the
16 Maryland corporation -- at the time you formed the
17 church in, back on October the 30th did you still have
18 that 1,600, approximately 1,600 members in the church?

19 MR. ASHTON: Objection to form.

20 THE WITNESS: It was probably a few less than
21 that.

1 BY MR. ABDULLAH:

2 Q Okay. How many do you believe it was fewer
3 to?

4 A I think --

5 MR. ASHTON: Objection. Calls for
6 speculation.

7 THE WITNESS: And I speculated the numbers
8 going from, was it less than 10, or more than 10, or
9 more than 11, and more than 12. So I speculated, and I
10 think I said before I speculated around 1,200.

11 BY MR. ABDULLAH:

12 Q I didn't ask you to speculate.

13 MR. ASHTON: No. Before you got here he
14 asked her to speculate.

15 BY MR. ABDULLAH:

16 Q Well, I asked you to do is tell me whether
17 you were familiar with the roles back on October the
18 30th, 2010. Were you familiar with the roles?

19 A The roles has nothing to do with the number
20 of people sitting in the seats. That's two separate
21 issues.

1 Q And I'm not asking about the people sitting
2 in the seats. I'm asking you about members.

3 A Then I would have to say I don't know.

4 Q Okay.

5 A Yeah. I don't know.

6 Q But the records would be able to establish
7 that number, correct?

8 MR. ASHTON: Objection. Calls for
9 speculation.

10 THE WITNESS: The records would not
11 necessarily be able to establish that number because
12 many of our records were put into disarray by Joel.
13 They were moving things, taking things. So I wouldn't
14 say that the records are totally accurate.

15 BY MR. ABDULLAH:

16 Q Okay. Now, the records that you have today,
17 are they accurate?

18 A Uh-huh.

19 Q Okay. Are you -- you're saying that -- when
20 you say Joel, who are you referring to?

21 A Joel Peebles.

1 Q Okay. And what are you saying Joel Peebles
2 did?

3 A When members would come in he would take the
4 membership cards, the membership roles, and they would
5 take them. And where they took them to, I don't know
6 if it was on property or off. But they took them. And
7 so we didn't have an accurate accounting of the
8 membership.

9 Q Now, you say they. Who is they?

10 A Whoever he assigned to do those things.

11 Q And what did he assign to do those things?

12 A Anaya. I forgot Anaya's name. There's a
13 number of people. Rod Chavez is assigned to do this.
14 I mean, they're all on assignment. So --

15 Q Okay. Well, what day did he assign people to
16 -- are you saying they stole the records?

17 A I would consider it stolen when you're taking
18 something from the church that you shouldn't be taking.
19 Uh-huh.

20 Q Okay. So -- and we'll kind of get to that.
21 But when did he assign these people to steal the

1 records?

2 A I don't know when he assigned them.

3 Q So --

4 A It was happening.

5 Q So you weren't there when he assigned them?

6 A No.

7 Q You were not there? Okay. And do you know
8 what date it happened?

9 A No, I don't know what date it happened. We
10 just saw it happening.

11 Q You saw -- what did you see?

12 A I saw people go into the new members room,
13 and they take information, and then they leave and go
14 someplace else with it.

15 Q Okay. What date did this happen?

16 A Different dates.

17 Q Well, give me the first date you saw it?

18 A It happened later in 2010, and on in into
19 2011, and really on into 2012.

20 Q What was the date in 2010 that you, this
21 first day you saw that happen?

1 A I don't have a date. I probably could go
2 back and look at some video or something. But I don't
3 have a date.

4 Q Okay. You don't have a date?

5 A (Shakes head negatively.)

6 Q Okay. And what persons did you see -- I know
7 you don't know the date, but what persons did you see
8 that day that you don't remember? Who did it?

9 MR. ASHTON: Objection to form. Misstates
10 prior testimony.

11 THE WITNESS: I'll be happy to go back and
12 look --

13 MR. ASHTON: Let me finish my objection.

14 THE WITNESS: Yes. Yes. Yes. Yes.

15 (Laughing.)

16 MR. ASHTON: Objection to form. Misstates
17 prior testimony. And the counsel is baiting and
18 arguing with the witness. You can go ahead and answer
19 that.

20 THE WITNESS: I don't know.

21 BY MR. ABDULLAH:

1 Q Okay. Now, you don't -- so you don't
2 remember who did this?

3 A Not right off the top of my head.

4 Q Okay. And you -- did you see them take the
5 records, these persons, you don't remember? The date
6 you don't remember? Did you see them do that?

7 A I can go back and check dates.

8 Q Is that a yes or a no? Did you see them take
9 the records?

10 A Oh, yes. I saw them.

11 Q Okay. Where did they get -- okay. Where did
12 they get the records from? These unknown persons on
13 this unknown date, where did they get the records from?

14 MR. ASHTON: Objection. Misstates prior
15 testimony. And again, counsel is phrasing questions so
16 as to argue with the witness. Go ahead and answer his
17 question.

18 THE WITNESS: I explained that already.

19 BY MR. ABDULLAH:

20 Q Okay. You did not explain where they got the
21 records from. So explain that?

1 MR. ASHTON: Objection. He's not allowed to
2 argue with you, which is what he's doing. And those
3 statements to you aren't questions, so they're
4 improper. So objection. Counsel is arguing with the
5 witness.

6 MR. ABDULLAH: And he's not allowed to coach
7 you and to instruct you. But I don't mind because it's
8 recorded.

9 BY MR. ABDULLAH:

10 Q Now, where did they get the records from?
11 These are your statements. I'm just asking you to
12 clarify.

13 A When they would take the members to the new
14 members room to invite them to be members, oh, Robby
15 George was one of them. They would then take the
16 records. The people would sign their information, and
17 they took them.

18 Q Were you in the room when this happened?

19 A Other folks were in the room when it
20 happened.

21 Q But answer my question. Were you in the room

1 when this happened?

2 A No, I was not.

3 Q Okay. So you have no personal knowledge of
4 what you're saying?

5 A The personal knowledge is this, they did not
6 turn it into the church.

7 Q Okay. Let's back up. The personal knowledge
8 is if you saw, smelled, taste or touched it. So what
9 personal knowledge did you have of what you just said?

10 MR. ASHTON: Objection. Counsel has
11 misstated the law and the definition of personal
12 knowledge. Go ahead and answer his question.

13 BY MR. ABDULLAH:

14 Q What form of personal knowledge did you have
15 of what happened in the room that you were not in?

16 A The personal knowledge is that the records --
17 when that -- when those records were not turned over to
18 the church that meant they were not left in the room.
19 My personal knowledge, you go to the room, the records
20 are not there. Someone took them.

21 Q Okay. So that's the basis of your personal

1 knowledge? Anything else?

2 A That's all at the moment.

3 Q What I'm asking you, other than what you just
4 said, is there any other basis for your knowledge of
5 these people being appointed or assigned by Bishop Joel
6 Peebles for stealing records? Other than what you just
7 said, is there any other basis for that knowledge, for
8 that statement?

9 A That's enough at this moment.

10 Q Okay. All right. So now, the --

11 MR. BROWN: Can we certify that question
12 since the witness is refusing to answer.

13 MR. ASHTON: The witness did answer the
14 question repeatedly.

15 MR. ABDULLAH: I'm satisfied that she
16 answered her basis of personal knowledge.

17 BY MR. ABDULLAH:

18 Q Now, the vote that was taken by the trustees
19 of the new church, did that -- was that vote ever --
20 was there ever a vote of the other members of the
21 Maryland -- not the DC church, but the Maryland church

1 --

2 MR. ASHTON: Objection to form.

3 BY MR. ABDULLAH:

4 Q -- to accept the assets be transferred from
5 the District of Columbia corporation to the Maryland
6 corporation?

7 MR. ASHTON: Objection to form.

8 THE WITNESS: I'd have to look. I'm not
9 sure.

10 BY MR. ABDULLAH:

11 Q Well, at the time what was your position in
12 the corporation, the District -- the Maryland
13 corporation on -- after October the 30th, 2010? On
14 that date what was your position in the corporation,
15 the Maryland corporation?

16 MR. ASHTON: Objection to form. Calls for a
17 legal conclusion.

18 THE WITNESS: What was my position?

19 BY MR. ABDULLAH:

20 Q Were you a member of the Board of Trustees?

21 A Yes.

1 Q Were you an officer?

2 A I was secretary.

3 Q You were the secretary of the corporation?

4 A Uh-huh.

5 MR. ASHTON: Objection. Calls for a legal
6 conclusion.

7 BY MR. ABDULLAH:

8 Q Is that yes or no?

9 A Yes.

10 Q Okay. As the secretary were you the keeper
11 of the records?

12 A Yes.

13 Q Okay. Did you attend Board meetings?

14 A Yes.

15 Q Okay. Did the Board ever at any meeting that
16 you attended, after October 30, 2010, pass a resolution
17 to take a vote of the members to get their approval for
18 the transfer of the assets from the District of
19 Columbia corporation to the Maryland corporation?

20 A The members of the Board you're asking? The
21 vote of the members of the Board?

1 Q My question was, in essence, were you present
2 at any meeting during which the Board of Trustees of
3 the Maryland corporation passed a resolution to permit
4 the members of the church, besides the Board members to
5 vote on the transfer of the assets from the District of
6 Columbia corporation to the Maryland corporation?

7 A The members of the church? No.

8 Q No, you were not present at any such meeting?

9 A I'm -- I don't believe there was any such
10 meeting to include the members of the church. The
11 voting members of the church were at the meeting.

12 Q Right. And when you say voting members,
13 you're talking about the six persons of the Board of
14 Trustees?

15 A Yes.

16 Q And the persons who voted for the six members
17 to be the members of the Board of Trustees were the
18 same persons who are the members of the Board of
19 Trustees?

20 A Yes.

21 Q So they voted for themselves?

1 A Yes.

2 Q Okay. And they're the only ones permitted to
3 vote?

4 A Yes.

5 Q Okay. Now, the -- was there ever a vote of
6 the members of the congregation to elect the members of
7 the Board of Trustees of the Maryland corporation?

8 MR. ASHTON: Objection to form.

9 THE WITNESS: You're asking me if the non-
10 voting members were allowed to vote? I think that's
11 what you're asking me. Because we already determined
12 that the -- there were non-voting members. And they
13 didn't have the ability to vote.

14 BY MR. ABDULLAH:

15 Q We haven't determined anything. So you don't
16 understand the question?

17 A I think that's -- I summarized it the way I
18 understood it.

19 Q Okay. So what's your answer?

20 MR. ASHTON: Objection to form. Calls for a
21 legal conclusion.

1 THE WITNESS: I just answered it.

2 BY MR. ABDULLAH:

3 Q You didn't answer it. You summarized the
4 question. You did not answer it.

5 A Well, that's all I know how to do it that
6 way.

7 Q No. Well, you know, summarizing is nice, but
8 answering is better.

9 A Okay.

10 Q So could you -- now that you summarized,
11 would you answer the question?

12 A So --

13 MR. ASHTON: Objection.

14 MR. ABDULLAH: I'm sorry?

15 THE WITNESS: So you want to know if the non-
16 voting members voted?

17 BY MR. ABDULLAH:

18 Q Well, that's not my question, ma'am. But
19 let's -- I'm going to -- in order so that we don't get
20 caught in this loop here. You said that there are
21 voting members of the Maryland corporation?

1 A Yes.

2 Q And there are non-voting members of the
3 corporation?

4 A Uh-huh.

5 Q Explain that?

6 A There were voting members of the DC
7 corporation and non-voting members of the DC
8 corporation.

9 Q Okay.

10 A And it's the same as it was. We just did the
11 same thing apostle had done.

12 Q And you said you did the same thing, are you
13 saying when you formed the Maryland corporation you
14 followed the same format that you had in the District
15 of Columbia corporation; is that what you're saying?

16 A Uh-huh.

17 Q You've got to answer.

18 A Yes.

19 Q Now, the -- did they -- when you say the
20 voting members, are you talking about the Board of
21 Trustees?

1 A Yes.

2 Q And when you say the non-voting members who
3 are you talking about?

4 A The members of the church.

5 Q The members of the church?

6 A Uh-huh.

7 Q Okay. And so did there -- did the members of
8 the church who are not -- who are not the six trustees,
9 did they ever agree in the Maryland corporation to that
10 split of voting authority?

11 MR. WHITLEY: I'm going to object as to the
12 form of the question.

13 BY MR. ABDULLAH:

14 Q Do you understand the question, ma'am? Did
15 -- this is the question: There are six persons who are
16 on the Board of Trustees, and they have, in the
17 Maryland corporation they have the right to vote.

18 A Uh-huh.

19 Q Is that yes?

20 A Yes.

21 Q And that's the way it was done in the

1 District of Columbia corporation, correct?

2 A Yes.

3 Q The members of the congregation who are not
4 trustees do not have the right to vote in the Maryland
5 corporation; is that correct?

6 A That's correct.

7 Q Did they ever agree to that arrangement? The
8 members of the congregation, did they ever vote to
9 agree that they would not have voting rights?

10 A They never agreed in either corporation.

11 Q Right. I understand that. So your answer is
12 -- are you saying that they never agreed in the
13 Maryland corporation? They were never -- they never
14 voted in the Maryland corporation to give up their
15 right to vote in the Maryland corporation; is that
16 correct?

17 A No. I'm not saying that.

18 MR. ASHTON: Objection. Assumes facts not in
19 evidence. Misstates the record. You can try to answer
20 that question. Go ahead.

21 BY MR. ABDULLAH:

1 Q Take your time. Do you need some water?

2 A No, no. I've still got one. So if you don't
3 have -- I know I'm not supposed to ask you a question,
4 but if you don't have the right to vote, how do you
5 agree to do something --

6 BY MR. ABDULLAH:

7 Q Listen to the question. Answer my question
8 though. And with that very profound statement, did
9 they -- did the members -- did the members of the
10 congregation who you say don't have a right to vote,
11 did they vote to give up their right to vote?

12 MR. ASHTON: And let me object. Objection
13 because it assumes they ever had a right to vote. So
14 having made that objection to form, you may now answer
15 his question. Go ahead.

16 MR. WHITLEY: And after this answer the court
17 reporter needs to use the bathroom. So after she
18 answers your question I think we might need to take a
19 break.

20 MR. ABDULLAH: Okay. That's a great idea.
21 If you need some more water, I want to give you a

1 chance.

2 THE WITNESS: I'll get some in a minute.

3 BY MR. ABDULLAH:

4 Q Now, let's answer the question.

5 A Okay.

6 Q They've done all they can do to help you.

7 MR. ASHTON: Objection.

8 BY MR. ABDULLAH:

9 Q Now, you have to answer the question. All
10 the objections have been made. Now you've got to
11 answer the question.

12 A Right. And I don't need any help.

13 Q Good.

14 A Thank you, sir. The DC corporation, the
15 members were never given the right to decide whether
16 they could decide whether or not they could decide
17 whether someone else could vote or not.

18 Q Okay. That's the DC corporation. Let's talk
19 about the Maryland corporation.

20 A We just did the same thing that we've done.
21 We just seamlessly moved it to the Maryland

1 corporation.

2 Q And are you saying by that that the members
3 of the congregation who are not trustees, are you
4 saying that they never took a vote to give up their
5 right to vote;

6 MR. ASHTON: And I have --

7 BY MR. ABDULLAH:

8 Q -- is that what you're saying?

9 MR. ASHTON: And I have to object again
10 because it assumes they ever had a right to give up the
11 right to vote.

12 THE WITNESS: They never had a right.

13 BY MR. ABDULLAH:

14 Q Right. So just answer my question. They
15 never had a right. Did they ever vote on whether or
16 not they would have that right? Were they ever allowed
17 to vote on that?

18 A I don't know.

19 Q So you don't know if they had -- so you're
20 saying --

21 A I don't know if they ever voted because it

1 wouldn't have been something we would have done because
2 they didn't have -- it wasn't something that you do.

3 Q Okay. So you don't if there was ever a vote
4 of the congregation in the Maryland corporation?

5 MR. ASHTON: Objection to form.

6 BY MR. ABDULLAH:

7 Q Is that what you're now saying?

8 A You said now saying, like I said something
9 different. They never had a right. They did not vote.

10 Q They did not vote? So that's your answer is
11 they did not vote?

12 MR. ASHTON: Objection.

13 BY MR. ABDULLAH:

14 Q Is that your answer?

15 MR. ASHTON: You cut her off in mid-sentence.

16 MR. ABDULLAH: I understand that. But I was
17 trying to help her out.

18 MR. ASHTON: Well, that is improper.

19 BY MR. ABDULLAH:

20 Q Did you -- did they have a right to vote?

21 No.

1 A Are you trying to help me or help yourself?

2 (Laughter.)

3 MR. ABDULLAH: It's just a saying, ma'am.

4 Honestly, it's a saying.

5 (Laughter.)

6 THE WITNESS: Trying to help here.

7 MR. ABDULLAH: I'm trying to get at the
8 truth.

9 THE WITNESS: Well, if you're trying to get
10 at the truth, don't twist the truth.

11 MR. ABDULLAH: Okay.

12 THE WITNESS: There was voting members --

13 BY MR. ABDULLAH:

14 Q You answer the question and I'll shut up.

15 A Okay.

16 Q Did the members of the corporation -- did the
17 members of the congregation ever vote on anything in
18 this corporation?

19 A From the inception of the church the members
20 of the church never voted on anything.

21 Q And that's --

1 A And that goes all the way back to 1969.

2 Q And that includes up until today, January the
3 3rd, 2014; is that correct?

4 MR. ASHTON: Objection.

5 BY MR. ABDULLAH:

6 Q Ma'am, is that correct?

7 A He's making an objection.

8 Q He's finished. Is that correct?

9 MR. ASHTON: I am finished with that
10 objection.

11 BY MR. ABDULLAH:

12 Q Is that correct?

13 A They don't have the right to vote.

14 Q Have they ever voted up until today?

15 A Not to my knowledge.

16 Q Okay. And it's your position is that they
17 did not vote on this arrangement that only the trustees
18 have the vote; that's also true, correct?

19 A It's my position that only the voting members
20 had a right to vote.

21 Q And those are the trustees?

1 A Those are the trustees.

2 Q Which means that the congregation had no
3 right to vote?

4 A That means that --

5 MR. ASHTON: Objection.

6 THE WITNESS: Pastor Betty didn't have them
7 vote.

8 (Whereupon, the court reporter stepped
9 out of the room.)

10 BY MR. ABDULLAH:

11 Q Right. And you're not going to have them --
12 and the current trustees are not going to allow them to
13 vote?

14 A Huh, allow?

15 Q Well, they can't. They don't have the right,
16 correct?

17 A They're voting members and there are non-
18 voting members.

19 Q Okay.

20 MR. ASHTON: By the way, the court reporter
21 has left.

1 MR. ABDULLAH: Okay.

2 MR. WHITLEY: She said that the machine is
3 running, so if you want to keep going you can. If you
4 want to take a break now, you can. It's your call.

5 MR. ABDULLAH: We'll take a break.

6 (Whereupon, there was a short recess.)

7 BY MR. ABDULLAH:

8 Q Okay. We're back on. Ms. Killen, are you
9 prepared to answer my questions now? That was a joke.

10 A (Laughing.)

11 Q I shouldn't joke so much. The judge is
12 probably going to fine me.

13 All right. Now, we're talking about members
14 of the church.

15 A Yes.

16 Q Okay. You said earlier today that you said
17 Joel. I assume you mean the person whom I now know as
18 Bishop Joel Peebles. Now, you may not accept that, but
19 that's how I know this gentleman as.

20 A Okay.

21 Q And so you said that the bishop left the

1 church? You made a comment that before he left he
2 stole some money or, do you remember that? You said
3 that Mr. Chavez stole some money?

4 MR. ASHTON: I'm going to object. I think
5 that misstates her prior testimony.

6 BY MR. ABDULLAH:

7 Q Then maybe we need to clarify this. Did you
8 indicate -- you were being asked about counting -- the
9 accounting for all the funds that came into the church,
10 the profit and loss. And you said that you were unable
11 to adequately account for the money back in 2013 and
12 2012 because Rod Chavez was taking up collections and
13 the money was going somewhere else. Do you remember
14 that testimony?

15 A No.

16 Q Do you remember saying something that --
17 well, you were saying that people were collecting
18 money, and the money wasn't getting turned in; do you
19 remember talking about that?

20 A Yes.

21 Q Right. And you mentioned the Bishop Joel and

1 you mentioned Roderick Chavez, among his other
2 assignments was to spear away some funds, maybe? Do
3 you remember making -- saying things of that ilk?

4 A I remember saying that Rod Chavez was
5 collecting money in the church. Yes. He was. Yes.

6 Q For his personal use?

7 A Cash, I understand. Uh-huh. I don't know.

8 Q You understand or you know from personal
9 knowledge?

10 A Oh, I know.

11 Q From personal knowledge?

12 A Yes.

13 Q And this money never made it into the church
14 coffers?

15 A No.

16 Q Okay. And so -- but at the time that Rod
17 Chavez was doing that was he a member of the church?

18 A Yes.

19 Q Okay. And how did he cease becoming a
20 member? How did he cease being a member?

21 A We gave him a letter asking him to leave the

1 church and not come back.

2 Q Okay. And when you say we, you mean the six
3 members of the Board of Trustees?

4 A The Board. Uh-huh. Yes.

5 Q Okay. And so his membership was terminated
6 by the Board?

7 A Yes.

8 Q Was this before or after he filed a lawsuit
9 against the Board?

10 A I'm not sure.

11 Q Were you aware of a lawsuit filed against the
12 Board by Rod Chavez?

13 A I was aware of being served something. I
14 didn't know what it was at the time. So something he
15 -- they had the members bringing papers to us. So I
16 wasn't quite sure whether it was legal or not legal.

17 Q That wasn't -- that's not a question pending.
18 I just only asked you, were you aware that he had sued
19 you?

20 A I answered you. That's my answer.

21 Q Okay.

1 A I wasn't quite sure what that was. They were
2 having people bring things and hand them to us that
3 looked like legal documents, but there were a number of
4 legal documents that he passed out that looked like
5 legal documents that we didn't know whether were legal
6 or not.

7 Q Did you -- were you served by a process
8 server in this lawsuit?

9 A I'm not sure.

10 Q Okay. You are aware that you're being sued?

11 A I am.

12 Q Okay.

13 A I'm here.

14 Q Okay. And you are aware that Mr. Chavez is
15 one of the plaintiffs?

16 A I am aware.

17 Q Which means he's suing you?

18 A Yeah. What's that all about.

19 (Laughter.)

20 BY MR. ABDULLAH:

21 Q Justice.

1 MR. ASHTON: Just us.

2 MR. WHITLEY: Exactly. Almost just us at
3 least.

4 BY MR. ABDULLAH:

5 Q And -- now, the -- you terminated the
6 membership of a number of persons back in 2012?

7 A Yes.

8 Q Now, when I say you, I mean the Board of
9 Trustees?

10 A Yes.

11 Q And what was the basis for the termination of
12 the membership, if you know?

13 A The fact that they were causing turmoil and
14 upheaval, and discord in the church. Confusing the
15 members, hurting the members. All of those things that
16 they were doing. Enough was enough.

17 Q And the decision to terminate the membership,
18 was that voted on by the members of the church?

19 A By the trustees.

20 Q By the trustees only? And not the other
21 members?

1 A There you go trying to make them vote again.

2 Q Right. So just answer the question. I mean,
3 you know what the answer is.

4 A No.

5 Q No. So they didn't vote on that?

6 A No.

7 Q Okay. And -- now, there was a -- do you know
8 Trenillo Walters?

9 A I know Trenillo.

10 Q Okay. Back when you formed the church he was
11 a member of the church?

12 MR. ASHTON: Objection to form.

13 THE WITNESS: When we formed the church,
14 which church?

15 BY MR. ABDULLAH:

16 Q Well, how many churches did you form?

17 A How many churches were formed or how many
18 churches --

19 Q My question to you was very clear and simple.
20 How many churches did you form?

21 MR. ASHTON: Objection. Argumentative.

1 THE WITNESS: So how many churches --

2 BY MR. ABDULLAH:

3 Q Your name is Denise Killen?

4 A The group of us formed one church.

5 Q Okay. So was he a member of the church when
6 you formed it?

7 A He was not. He was not.

8 Q He was not a member?

9 A No.

10 Q Was he ever a member?

11 A Yes.

12 Q When did he become a member?

13 A Later one he became a member.

14 Q Okay. And was he a member on April 17, 2012?

15 A Yes.

16 Q Okay. On April the 18th, 2012, you term --
17 you sent him a letter. It wasn't signed by you. It
18 was signed by Gloria McClam-Magruder; are you familiar
19 with that letter?

20 A Yes.

21 Q And you agreed with the substance of that

1 letter?

2 A Yes.

3 Q And you agreed to terminate his membership?

4 A Yes.

5 Q Okay. And how many persons' memberships have
6 you terminated in 2012?

7 A I don't remember. It was a few.

8 Q And were they all -- were any of them in
9 connection with this lawsuit?

10 A I don't remember. I don't remember the
11 names.

12 Q My question was, were any of the termination
13 of memberships in connection with the filing of this
14 lawsuit against you?

15 A Were any of them --

16 Q Any of the terminations that you engaged in,
17 were they in connection with the filing of the lawsuit
18 against you?

19 A Some were not. I mean, it wasn't -- this was
20 not because of a lawsuit. However, some names that we
21 terminated membership had nothing to do with the

1 lawsuit that I know about.

2 Q Some of the persons whose membership you
3 terminated, were they plaintiffs in the lawsuit?

4 A Yes.

5 Q Now, the -- Mr. Rod Chavez whose membership
6 you terminated, did he ever voluntarily leave the
7 church to your knowledge, if you know?

8 MR. ASHTON: Objection to form.

9 THE WITNESS: Voluntarily leave the church?

10 MR. ABDULLAH: Yes.

11 THE WITNESS: I don't know what you mean by
12 that.

13 BY MR. ABDULLAH:

14 Q Okay. Well, you terminated his membership.
15 Meaning, that was not something he had a choice in.

16 A Uh-huh.

17 Q Did he request that his membership be
18 terminated?

19 A No.

20 Q Did he quit the church?

21 A No.

1 Q His -- was his membership terminated
2 involuntarily by him? I mean, was -- did he consent to
3 his membership being terminated?

4 A We didn't ask.

5 Q Right. You didn't ask.

6 A No.

7 Q And so you would agree, he did not consent to
8 it verbally to you?

9 A Verbally to me, he did not.

10 Q Are you aware of any indication that he was
11 in agreement with his membership being terminated by
12 the Board of Trustees?

13 A He wasn't in agreement.

14 Q He was not?

15 A Uh-uh.

16 Q All right. Did you bar him from the campus?

17 A Yes.

18 Q Okay. And on the pain of arrest?

19 A I don't know about arrest. But we need him
20 to stay away.

21 Q Okay. And if he comes would you use the

1 security -- is it your -- is it your policy that he
2 will be removed from the property if he seeks to attend
3 the church there?

4 MR. ASHTON: Objection. Hypothetical
5 question. Calls for speculation.

6 BY MR. ABDULLAH:

7 Q Ma'am, I don't want you to speculate and I
8 don't want you to answer a Hypothetical question. I
9 want you to share with me your policy. Do you have a
10 policy regarding Mr. Chavez's attendance at the church?

11 A The letter is the policy. He has no right to
12 attend the church.

13 Q And should he violate this letter and go to
14 the church what are you plans?

15 MR. ASHTON: Objection. Hypothetical. Calls
16 for speculation.

17 THE WITNESS: My plan would be to ask you to
18 ask your client to stay off our property.

19 BY MR. ABDULLAH:

20 Q Well, if I'm not there that day what will you
21 do?

1 A I'll call you.

2 MR. ASHTON: Objection.

3 (Laughter.)

4 BY MR. ABDULLAH:

5 Q Okay. Now, you'll call me?

6 MR. ASHTON: Objection.

7 BY MR. ABDULLAH:

8 Q Do you want me to come --

9 MR. ASHTON: Calls for speculation.

10 BY MR. ABDULLAH:

11 Q Would you want me to come remove him?

12 MR. ASHTON: Objection. Argumentative and

13 calls for speculation.

14 BY MR. ABDULLAH:

15 Q Would you ask that security to remove him?

16 MR. ASHTON: Objection. Hypothetical

17 question. Calls for speculation.

18 MR. ABDULLAH: You can answer.

19 THE WITNESS: He has a letter saying don't

20 come to the church. I think that's enough.

21 BY MR. ABDULLAH:

1 Q All right. So you say in this letter, I take
2 it it's your words, that you regret, we regret that you
3 no longer -- you are no longer able to access the
4 church sanctuary, campus or property. Is that in
5 essence barring him from the property?

6 A Yes.

7 Q Is Bishop Joel also barred from the property?

8 MR. ASHTON: Objection to form.

9 THE WITNESS: Joel is not allowed on the
10 property.

11 BY MR. ABDULLAH:

12 Q That's another way of saying he's barred from
13 it? He's not allowed on it?

14 A If you want to call it barred.

15 Q I'm just asking you what you call it.

16 A He's not allowed on the -- I did say what I
17 call it. He's not allowed on the property.

18 Q Trenillo Walters, is he allowed on the
19 property?

20 A No.

21 Q And -- now, in addition to the tithes, what

1 other forms of income does the Jericho Baptist Church
2 Ministries, Incorporated, have?

3 MR. ASHTON: Objection to relevance.

4 THE WITNESS: Other streams of income? We
5 have the Christian Academy, we have the Jericho
6 business center.

7 BY MR. ABDULLAH:

8 Q Anything else?

9 A Every now and then we may rent out the
10 sanctuary.

11 Q And you have real estate, property that you
12 rent to senior citizens?

13 A Unfortunately, no.

14 Q Did you ever have property?

15 A No.

16 Q Do you have any housing?

17 A No.

18 Q Do you have Redskins parking?

19 A No.

20 Q Do you -- you no longer rent the sanctuary to
21 the Redskins for parking for football games?

1 A We park cars.

2 Q Okay. Is that free of charge or do you get
3 revenue for that?

4 A We get revenue from that.

5 Q And is that for Redskins games, home games?

6 A And other things.

7 Q So that's --

8 A I mean, --

9 Q Not just -- it is Redskins home games and
10 other affairs at the Redskins facility?

11 A Other affairs.

12 Q Other affairs. Okay. And with those revenue
13 streams can you, if you know, what is the gross income
14 to the church? What was the gross income to the church
15 in 2010?

16 MR. ASHTON: Objection. Irrelevant.

17 Objection to form.

18 THE WITNESS: I don't remember.

19 BY MR. ABDULLAH:

20 Q Okay. And when it comes to the -- you say
21 you rent the facility for parking?

1 MR. ASHTON: Objection. Misstates prior
2 testimony.

3 BY MR. ABDULLAH:

4 Q Is that correct?

5 A Sometimes.

6 Q Okay. Well, who is in charge of collecting
7 the revenue for the parking?

8 A Deacon Dorothy Williams.

9 Q Who -- who are the persons who physically
10 engage in the collection of the parking?

11 A I don't know the names of the folks out, that
12 would be out on the parking lot. They collect the
13 money from the patrons that park.

14 Q Are these employees of the church?

15 A No. They're volunteers for the church.

16 Q Do any of the trustees directly benefit,
17 directly receive any revenue from the collection of
18 Redskins, for the parking on the Jericho campus?

19 MR. ASHTON: Objection to form.

20 THE WITNESS: No.

21 BY MR. ABDULLAH:

1 Q No?

2 A Uh-uh.

3 Q The income from the various streams that you
4 have, is that information disseminated to the non-
5 voting members of the church?

6 A No.

7 Q Now, you were asked about a number of
8 disbursements from the Jericho accounts.

9 MR. ASHTON: Objection. Misstates the
10 record.

11 BY MR. ABDULLAH:

12 Q Do you recall that? Payments to credit
13 cards?

14 A Yes.

15 Q Do you remember those number of questions
16 today?

17 A Yes.

18 Q You do recall that. And you indicated that
19 there was a formal process for those disbursements?

20 A Yes.

21 Q You said that the -- you're shown a receipt,

1 or you may see a piece of equipment, or some other, and
2 the process varies. Do you recall that?

3 A Yes.

4 Q Okay. Now, when the approval process, are
5 you involved in the approval process?

6 A Most of the time.

7 Q Okay. You're not involved in it all the
8 time?

9 A It depends.

10 Q Is that a yes or no?

11 A It depends on what the situation is. And
12 that's the way I answered it before. So that's -- I
13 can't say yes or no.

14 Q Well, you can say that yes, you're involved
15 all of the time. That would be wrong. Because you're
16 not involved all the time, correct?

17 A Not ever single time.

18 Q Right. So the answer would be no, you're no
19 involved all the time; is that a fair --

20 A Yes.

21 Q -- answer?

1 A Uh-huh.

2 Q Okay. Are there particular circumstances
3 where you would not be involved?

4 A I'd have to see the circumstance in order to
5 tell you, to point out a circumstance when I weren't
6 involved.

7 Q Well, in the situations that you are involved
8 in, are you the only person who makes the decision
9 whether a disbursement shall be made?

10 A We usually discuss it. We. I usually don't
11 make decisions alone.

12 Q Do you have a policy about that?

13 A It's just good practice.

14 Q Is that a yes or a no?

15 A It's good practice.

16 Q And if you don't make decisions alone who
17 else is involved in those decisions?

18 A It could be Dorothy Williams, it could be
19 Clarence Jackson, it could be Cliff Boswell, it could
20 be Elder Linda Pyles. Either one of us, as long as
21 more than one of us come together, sometimes, to make

1 those decision.

2 Q Are those decisions then memorialized in some
3 document?

4 A Sometimes. Sometimes it's verbal, sometimes
5 it documented.

6 Q Even when it's verbal is there a record kept
7 of the approval of disbursements?

8 A Sometimes it is. Sometimes not.

9 MR. ABDULLAH: I'd like to have a document
10 marked for identification.

11 (Whereupon, the document was marked for
12 identification, Plaintiff's Exhibit No. 24.)

13 BY MR. ABDULLAH:

14 Q Okay. Now, I'm going to show you plaintiff's
15 exhibit 24. Do you know what that is?

16 A I can tell you what it says that it is.

17 Q I can do that myself. I need you to tell me
18 whether you recognize that document?

19 A I'm not sure that I recognize it necessarily
20 over any other document.

21 Q So your answer is you don't know?

1 A I'm not saying I don't. I'm saying I have to
2 recall -- I have to recall the document. This is the
3 first time I've seen it in a long time.

4 Q You've seen this document before?

5 A Maybe. Possibly, with all those other checks
6 over there. Possibly.

7 Q Now, this document, this is 24, this is a
8 check drawn on Jericho's account?

9 A Yes.

10 Q And you signed it?

11 A Yes.

12 Q So do you believe that's your actual
13 signature or a forgery?

14 A That is my actual signature.

15 Q So you've seen that document before?

16 A I admit that I've seen the document before.

17 Q Oh, okay. That wasn't clear. You just don't
18 recall seeing it?

19 A I just don't recall the whole situation and,
20 you know, I mean, but I've seen the document.

21 Q Okay. And --

1 A I signed the document.

2 Q Okay. And what's -- what was the purpose of
3 this document when you signed it?

4 A I can only tell you what it says on the
5 check.

6 Q Okay. So you don't know the purpose?

7 A Well, I don't -- because this is the first
8 time seeing the document in over a year. So I'd have
9 to go back and look at everything else that went along
10 with it, other than telling you what it says right
11 there.

12 Q I see. Okay. All right. Well, if you don't
13 recall, you probably can't answer any questions. But
14 let me ask you, who supervised the parking lots for the
15 FedEx Field activity back in March the 2nd, 2012?

16 A May I see the document again?

17 Q Not right now. Just answer the question.

18 A I don't know. I don't know.

19 Q Okay. Did you pay someone for supervising
20 Redskin parking back in March 2012? Were you paying
21 someone \$11,000 to supervise parking?

1 A You asked me if someone supervised parking in
2 March of 2012, and you gave me a date. And I said I
3 didn't know.

4 Q Right.

5 A Because I don't know that that date is an
6 accurate date.

7 Q Okay. Well, did you ever pay anyone to
8 supervise the parking for the Redskins back in the
9 fall, the winter or spring of 2012?

10 A What does the document say?

11 Q Forget the document. I'm asking you from
12 your memory of being --

13 A Oh, well, then I wouldn't remember.

14 Q Okay. You don't remember?

15 A Oh, no, no, no, no. Do not ask me from
16 memory.

17 Q No. I just asked you if you remember. Now,
18 looking at this document, is this document -- and I'll
19 refresh your recollection of this disbursements back in
20 March of 2012 for \$11,000?

21 A The document says that we did.

1 Q Just answer the question first before you
2 make a statement. Does this document refresh your
3 recollection?

4 A No.

5 Q Okay. Now, the -- some of your trustees were
6 employees?

7 A Yes.

8 Q And how did you manage to distinguish their
9 role as employee from trustee --

10 A It wasn't --

11 Q -- on the Board?

12 A There's no different role.

13 Q No. How did you do it? Just share with me
14 how you did that?

15 A The employee is day-to-day operations and the
16 Board of Trustees is the Board of Trustees.

17 Q And you have some people that were both?

18 A Uh-huh.

19 Q Okay. Now, the trustees, were they over the
20 employees? Were they in charge of the employees, the
21 trustees?

1 A The Board is in charge of the church. The
2 Board is not over the employees.

3 Q Who is over the employees?

4 A I'm chief operating officer. I would say I
5 am.

6 Q Who is over the chief operating officer?

7 A The Board.

8 Q So the Board is, by extension, over the
9 employees, correct?

10 MR. ASHTON: Objection. Misstates prior
11 testimony and calls for a legal conclusion.

12 BY MR. ABDULLAH:

13 Q Am I correct?

14 MR. ASHTON: Go ahead.

15 THE WITNESS: No.

16 BY MR. ABDULLAH:

17 Q Okay. So as a member of the Board of
18 Trustees do they vote on the establishment of the
19 positions?

20 MR. ASHTON: Objection to form.

21 BY MR. ABDULLAH:

1 Q I mean employees. Do the Board of Trustees
2 establish the positions that are available for
3 employment?

4 A No.

5 Q Do the Board of Trustees establish salaries?

6 A Our salaries are a carryover from the prior
7 Board which Apostle Betty was the chair. So she
8 established the salaries. So I'm not quite -- other
9 than that, I don't know how to answer that.

10 Q Okay. But the apostle is not on the Board at
11 this time?

12 A She is not.

13 Q Okay. Now, the trustees, are they -- did
14 they -- are they allowed to vote on their own
15 renumeration? Well, first of all, do any of the
16 trustees ever receive compensation for work performed
17 for the church?

18 A No.

19 Q Do you -- where is number 24. These checks
20 that you signed, do you read the checks that you sign?

21 A Yes, sir.

1 Q And if the checks are not accurate would you
2 sign them?

3 A No.

4 Q Did you sign a check paying Clarence Jackson
5 \$11,020 for supervising the parking lot for FedEx Field
6 activity?

7 A Yes.

8 Q Was that a service he performed for the
9 church?

10 A Yes.

11 Q Okay. And who hired him for that position?

12 A Apostle Betty Peebles.

13 Q And he had that position in the District of
14 Columbia church?

15 A Uh-huh.

16 Q And he had that position in the Maryland
17 church?

18 A Yes.

19 Q And he holds that position now?

20 A Yes.

21 Q Okay. And he holds that position by virtue

1 of his being hired by the apostle to do that?

2 A Yes.

3 Q Okay. And are there any other trustees that
4 hold positions where they were being paid for services
5 rendered to the church?

6 A Uh, --

7 Q Do you get paid for any services rendered to
8 the church?

9 A Yes.

10 Q Does Ms. McClam-Magruder get paid for
11 services to the church?

12 A She has. Not now.

13 Q Not now? Does Mr. Boswell, Elder Boswell,
14 Deacon Boswell get paid for services to the church?

15 A No.

16 Q Okay. And what about Ms. Pyles, does she get
17 paid for services to the church?

18 A She's an employee.

19 Q So she gets -- what does she do?

20 A Assistant administrator.

21 Q The -- you say you receive payments?

1 A Yes.

2 Q Who signs the checks for you?

3 A I sign some, Dorothy Williams and I sign
4 some.

5 Q And who is your supervisor?

6 A I don't have a supervisor.

7 Q Is your work reviewed annually?

8 A Um, I think my work stands for itself. So
9 annually, it's reviewed by everyone that I work with.

10 Q When I say reviewed, do you report to anyone
11 who then gives you an assessment of the quality of your
12 work as to whether or not you're going to be retaining
13 your employment?

14 A No.

15 Q Does Clarence Jackson, is his employment
16 status subject to review?

17 A Yes.

18 Q By whom?

19 A I review.

20 Q By yourself?

21 A Yes.

1 Q And so do you have copies of your reports or
2 your reviews?

3 A No.

4 Q Where are they?

5 A I didn't say I made written reports.

6 Q I know you didn't. I'm asking you.

7 A No. I'm saying no. I don't have them.

8 Q You've never -- you have not made written
9 reports?

10 A No. I don't have a written --

11 Q How often do you review him?

12 A You asked me if there were annual reviews.

13 Q I know. And you answered that. So now my
14 question is, how often do you review?

15 A Yearly.

16 Q Once a year?

17 A Uh-huh.

18 Q What was the date of the last review?

19 A I don't remember.

20 Q What was the date of the review the year
21 before that?

1 A (Laughing.) Oh, I have to look. I don't
2 remember.

3 Q Where would you look? You said you'd have to
4 look. Where --

5 A I'd have to look in my notes and see when we
6 talked and see when we --

7 Q You say you have notes. Where do you keep
8 those notes?

9 A Usually on my calender there's a note. I
10 normally note it on my calendar.

11 Q If there's a note? You're not sure if it
12 exists?

13 A I just told you I didn't have written review.

14 Q I know. But you said you had to look at your
15 notes.

16 A To remind myself what -- when -- when we
17 talked. I didn't say I noted what I said. I said I
18 noted -- I note when we may have had a meeting or
19 something.

20 Q At these meetings that you have, who is
21 present? Who was present at the last review?

1 A It was just Deacon Jackson and I, actually.

2 Q Okay. And what did you say to him?

3 A We just talked about the work on the campus
4 and the things that were happening, and his work in the
5 facilities, and the things that he needed to do to
6 continue to keep the facilities up, and those sorts of
7 things.

8 Q What did you say to him?

9 A I just told you.

10 Q No. You talked about the things. What did
11 you -- what --

12 A Oh, I can't remember that.

13 Q What was your assessment of his performance?

14 A His performance is outstanding.

15 Q Is that what you told him?

16 A I actually didn't tell him that. I'm saying
17 that to you.

18 Q Okay. So did you tell him he was less than
19 outstanding?

20 A No. No, I didn't tell him he was less than
21 outstanding.

1 Q Did he get a bonus for being outstanding?

2 A I don't remember giving a bonus for
3 outstanding.

4 Q Okay. Has his salary increased since he was
5 hired by the apostle?

6 A I'm sure it has. That was a long time ago.

7 Q You don't know if his salary increased? Who
8 is in charge of increasing his salary?

9 A Apostle Betty was in charge of increases in
10 his salary.

11 Q I'm really trying to be relevant to the
12 Maryland corporation. So let's talk about that.

13 A He has had no increase in his salary.

14 Q Has he had a decrease?

15 A No.

16 Q And how -- and when he's paid who determines
17 whether or not -- when he gets paid -- well, first of
18 all, how often is he paid?

19 A We're paid biweekly.

20 Q Okay. Biweekly, meaning twice a month or 26
21 times a year?

1 A Twenty-six times.

2 Q So that wouldn't be -- okay. I guess that is
3 biweekly, not bimonthly, right?

4 A Right.

5 Q Okay. Now, what's his salary? What's Deacon
6 Jackson's salary?

7 A I don't remember.

8 Q Okay. Does he have an expense account in
9 addition to his salary?

10 A No.

11 Q Now, does Deacon Jackson vote regarding his
12 salary, or regarding his service to the church?

13 A No.

14 Q How -- what -- how do you ensure that he's
15 not involved in voting on his own salary?

16 MR. ASHTON: Objection. Assumes facts not in
17 evidence.

18 THE WITNESS: I told you, he hasn't had an
19 increase.

20 BY MR. ABDULLAH:

21 Q But he has an employment, right, and it's

1 reviewed?

2 A Uh-huh.

3 Q Does the Board ever meet about employee
4 matters?

5 A Rarely.

6 Q What is the Board's policy regarding recusing
7 members who have a financial interest in a matter?

8 A A policy to recuse them.

9 Q Is that a written policy?

10 A That is an ongoing -- it's not a written
11 policy, but it's a policy that we adhered to.

12 Q Okay. And is that reflected in your minutes?

13 A I think I can probably see some minutes with
14 that in there.

15 Q You said you could see some minutes? Would
16 that be reflected in your minutes when that has
17 occurred?

18 A Yes.

19 Q Has there been a time when you've been
20 recused?

21 A I don't remember.

1 MR. ASHTON: Can we go off the record for a
2 second?

3 MR. ABDULLAH: Yes. Is there a question
4 pending?

5 MR. ASHTON: No.

6 MR. ABDULLAH: Okay.

7 (Whereupon, there was a discussion off
8 the record.)

9 BY MR. ABDULLAH:

10 Q Now, do you have a policy, a Board policy of
11 putting in the minutes the occurrences of recusal?

12 A The times that I remember that we recused, we
13 put them in the minutes.

14 Q Okay. Are there times when you recused that
15 you know of that were not in the minutes?

16 A I don't think so.

17 Q Okay. The -- do you have a report that
18 indicates the assets that the church owns and controls
19 for 2013?

20 A No, I don't.

21 Q And you said that there was a 2012

1 profit/loss statement that you had not received?

2 A That's right.

3 Q And you named that firm that has that report?

4 A Yes.

5 Q Is the report complete?

6 A No.

7 Q Have you been told why it's not complete?

8 A Um, no. Um, they're working on the report.

9 I don't -- I didn't get a report on why it's not
10 completed yet.

11 Q Now, when you formed the Maryland corporation
12 on October the 30th was the District of Columbia
13 corporation still in existence on that date?

14 MR. ASHTON: Objection. Calls for a legal
15 conclusion.

16 THE WITNESS: We were still trustees for the
17 DC corporation. Yes.

18 BY MR. ABDULLAH:

19 Q And I may have asked you this before, but do
20 you recall the date the merger occurred?

21 MR. ASHTON: Objection. Calls for a legal

1 conclusion.

2 MR. WHITLEY: You can answer if you think you
3 know.

4 THE WITNESS: I believe it was December 15,
5 2010.

6 BY MR. ABDULLAH:

7 Q That the District of Columbia corporation was
8 merged?

9 A Yes.

10 Q Were there any assets of the District of
11 Columbia corporation that were not transferred or that
12 did not come under the ownership of the Maryland
13 corporation?

14 MR. ASHTON: Objection. Lack of foundation.

15 THE WITNESS: Not to my knowledge.

16 BY MR. ABDULLAH:

17 Q And in your position as the chair of the
18 Board would you be in a position to know that if there
19 were some assets that weren't transferred?

20 A I think so.

21 Q Now, when did you assume the position --

1 you're chief operating officer?

2 A I'm chief operating officer. Right. Uh-huh.

3 Q And who -- and when did you -- and are you
4 also chairman of the Board of Trustees?

5 A Yes.

6 Q And when did you assume each of -- when did
7 you become chief operating officer?

8 A I don't know exactly. It may have been the
9 30th of October 2010.

10 Q And so you're not sure?

11 A I don't remember the exact date.

12 Q And when did you become the chairperson,
13 chairman of the Board?

14 A About three, four months ago.

15 Q And what was the process that permitted you
16 to become the chairman of the Board?

17 A Um, by a vote of the Board of Trustees.

18 Q Okay. And when did the vote take place?

19 A I don't remember the date exactly.

20 Q Did all of the members of the trustees vote?

1 A Yes.

2 Q And did -- was the -- were the non-voting
3 members of the church notified of your ascending to
4 that position?

5 A Um, --

6 MR. ASHTON: Objection to form.

7 THE WITNESS: Was there an announcement made?
8 No.

9 Q Were they notified, you can view that term in
10 its generic sense. Were they informed?

11 A They are informed. Yes.

12 Q How were they informed?

13 A By announcement.

14 Q Okay. And who made the announcement?

15 A It was made, actually, on New Year's Eve.

16 Q Okay. And when you say New Year's Eve, which
17 year are you talking about?

18 A This year.

19 Q This year?

20 A Uh-huh.

21 MR. ASHTON: Well, no.

1 THE WITNESS: Oh, this year.

2 MR. ASHTON: This is January 3rd.

3 THE WITNESS: This is January. Yes. New
4 Year's Eve 2013.

5 BY MR. ABDULLAH:

6 Q Two thousand thirteen?

7 A Uh-huh.

8 Q Okay. That's what I understood you. But I
9 thank you for that clarification.

10 What is your present salary?

11 A Oh, gosh, somewhere around \$70,000, don't
12 exactly --

13 Q And did the apostle give you that salary?

14 A Yes, she did.

15 Q Okay. And so when you -- when the Maryland
16 corporation established, you kept that salary?

17 A Yes.

18 Q The Board did not reduce that salary?

19 A No.

20 Q Did not increase that salary?

21 A No.

1 Q Did the Board ever discuss salaries that were
2 from the District of Columbia corporation?

3 A No.

4 Q The Board just -- did the salaries just
5 continue?

6 A Yes.

7 Q And the Board never determined that the
8 salaries would remain the same?

9 A The Board left the salaries the same.

10 Q Okay. And what was your salary -- well, when
11 you first came to the church you were a volunteer, back
12 in 1998 or '96?

13 A Yes.

14 Q Okay. And your sister was also a volunteer
15 of the church? Your blood sister?

16 A Yes.

17 Q Is she still with the church?

18 A No.

19 Q And now, have you had raises over the course
20 of your employment with the church?

21 A Yes.

1 Q And when did you -- when was your salary set
2 at \$70,000?

3 A Two thousand nine.

4 Q And when your salary was set was it in a
5 written document or was it set verbally?

6 A Pastor sent out a memo on that.

7 Q Do you have a copy?

8 A Pastor Betty.

9 Q I'm sorry. Pastor Betty Peebles?

10 A Uh-huh.

11 Q Do you have a copy of that memo?

12 A Probably. I probably have it somewhere.

13 Q And that memo, was it signed by Pastor Betty
14 or -- was it signed by Pastor Betty?

15 A I don't remember. I'd have to look. I think
16 she sent it by email. I don't know if it was a signed
17 memo.

18 Q At the time that memo was sent out your
19 position was assistant to the pastor?

20 A Yes.

21 Q And at the time that document would have come

1 through you?

2 A It would have -- yes.

3 Q Okay. And at the time did you have authority
4 to sign her name?

5 A No.

6 Q Did you ever have authority to sign her name?

7 A From time to time she would allow me to put
8 her name on a document. Uh-huh.

9 Q Okay. And when you signed her name did you
10 sign your name for her or did you sign her name as if
11 she had signed?

12 A Um, it depends. If it was just a regular
13 memo going out to the ministry, then just her signature
14 went on.

15 Q Right. Have you signed checks with her name
16 and not your name?

17 A No.

18 Q Okay. Now, when you signed her name did you
19 have a stamp or did you write her name out?

20 A I had a stamp.

21 Q You had a stamp?

1 A Electronic.

2 Q It was a electronic signature?

3 A Uh-huh.

4 Q And what was the process for that -- your
5 signing her name to be approved by her?

6 A She would tell me what she wanted to go out.
7 She would tell me when or if I were allowed to put her
8 name on it. And I did that.

9 Q Was there any of those instructions from her
10 in writing?

11 A No. She would -- we would be on the phone.
12 Otherwise, if she was present, then she could sign.

13 Q Were there any documents signed where you
14 signed her name after her passing?

15 A No.

16 Q Are you sure of that?

17 A Not that I remember.

18 Q So you're sure?

19 A I think I'm pretty sure.

20 Q Okay. Do you have any device that permits
21 you to sign her name, sign Apostle, Pastor Betty

1 Peebles' name?

2 A Device? I said I had an electronic
3 signature.

4 Q How does that operate?

5 A If there was a memo, then I'd put her name on
6 the memo, or whatever, and it would go out.

7 Q So it's a word processing macro?

8 A Uh-huh. Something like that.

9 Q So in other words, you just click where the
10 signature line and hit control "P" and a signature
11 would appear?

12 A Something like that.

13 Q Okay. And who had control over that
14 mechanism?

15 A She and I.

16 Q Now, did there come a time that you
17 determined that the apostle was too ill to continue in
18 her position?

19 A No.

20 Q On the day of her death she was still
21 operating the church?

1 A I did -- I didn't determine that.

2 Q Was there a time when she was hospitalized
3 and not running the church?

4 A She was hospitalized and still running the
5 church.

6 Q Okay. And maybe I'm sure throughout her life
7 she's been hospitalized. But that wasn't my question.
8 Was there a time when she was hospitalized and not
9 performing her role as the person running the church?

10 A I wouldn't say so. No.

11 Q So prior to her death was there any point
12 where she was no longer running the church?

13 A She ran the church until the day she took her
14 last breath.

15 Q So she was -- from -- were you near her in
16 her last months of life?

17 A Yes.

18 Q Was there a point where she was not -- where
19 she was under sedation?

20 A Not that I'm -- not that I was -- when I was
21 there, no.

1 Q Well, was there a point in her time of
2 illness where her son did not know where she was?

3 MR. ASHTON: Objection. Calls for
4 speculation.

5 THE WITNESS: There was a point when he said
6 he didn't know.

7 BY MR. ABDULLAH:

8 Q Right. Okay. You've been -- I'm going to
9 show you 18. Have you seen this document today?

10 A Yes.

11 Q And you earlier testified that the signature
12 on it was your signature, you signed the Apostle Betty
13 Peebles' signature; is that what your --

14 A Uh-huh.

15 Q Okay. And what was the date of this
16 signature?

17 A October 7, 2010.

18 Q And why didn't the apostle sign her own
19 signature?

20 A I don't remember. What was happening that
21 day. I am not sure.

1 Q So at the time that you signed this did the
2 apostle's signature look like that when she signed her
3 own name?

4 A I would say not.

5 Q It was not. So by signing this, if she
6 signed her own name it would not look like this?

7 A Right. But she gave me authorization to put
8 her name on this document.

9 Q Okay. And where is that authorization?

10 A She gave it to me verbally.

11 Q So it's verbal?

12 A Yes. And it is the truth.

13 Q What is the truth?

14 A That she gave me authorization to put her
15 name on the document. It was for the senior citizen
16 project.

17 Q And -- but in doing that she no longer was
18 able to utilize this account with her signature, right?

19 MR. ASHTON: Objection. Calls for a legal
20 conclusion.

21 BY MR. ABDULLAH:

1 Q Her signature does not appear on this
2 document, correct?

3 MR. ASHTON: Objection. Calls for a legal
4 conclusion.

5 THE WITNESS: Her signature does appear on
6 that document.

7 BY MR. ABDULLAH:

8 Q No. That's your signing her name, correct?

9 MR. ASHTON: Objection. Counsel is arguing
10 with the witness.

11 BY MR. ABDULLAH:

12 Q I'm just seeking clarification. You said
13 that at the time that you signed this her signature did
14 not look like this, correct?

15 A I said she gave me authorization to put her
16 signature on that document.

17 Q Right. And at the time you signed this
18 document, that was not her signature at the time,
19 correct?

20 MR. ASHTON: Objection to form.

21 THE WITNESS: Because she didn't sign

1 anything that day, it could have been. I don't know.
2 She gave me authorization to put her name on that
3 document.

4 BY MR. ABDULLAH:

5 Q So you're saying that her signature did look
6 like this?

7 A I'm saying I don't know that day what her
8 signature looked like.

9 Q It changed daily?

10 A I don't know. Sometimes. We had some other
11 documents with signatures.

12 Q Okay. Now, you've seen this document before,
13 18A? That's the -- that was what the apostle's
14 signature looked like on March the 16th, 2010, correct?

15 A Uh-huh.

16 Q And you agree that the signature that you
17 signed on October the 7th of the same year doesn't look
18 like that?

19 A I agree.

20 Q Okay. So that now the -- okay. I don't
21 think we need to go any further with that one.

1 So based on this, the only persons who -- the
2 only persons who signed this deposit documentation
3 signature card were you, correct?

4 MR. ASHTON: Objection to form.

5 BY MR. ABDULLAH:

6 Q Am I correct?

7 A No.

8 Q Okay. Who else signed it besides you?

9 A Pastor Betty Peebles gave me permission to
10 put her signature on that document to be executed for
11 something that had to do with the senior citizen
12 project.

13 Q And you signed her name, correct?

14 A I put her name n the signature -- n the
15 document.

16 Q You put her name. So that was a electronic
17 signature?

18 A Yes.

19 Q Electronic signature?

20 A Yes.

21 Q Okay. And then you signed your name?

1 A Yes.

2 Q So other than this electronic signature, you
3 were the only other -- you were the only person who
4 actually signed the document, correct?

5 A She gave me permission to put her signature
6 on that document.

7 Q And this authorized you to withdraw funds
8 from this account?

9 A I'd have to see which account it was.

10 Q Well, is this a signature card? You're
11 familiar with bank signature cards?

12 A Yes.

13 Q And you sign them so that you're authorized
14 to remove funds from the account --

15 MR. ASHTON: Objection.

16 MR. ABDULLAH: -- write checks?

17 MR. ASHTON: Objection. Counsel is now
18 testifying. That's a question.

19 MR. ABDULLAH: Not to you, but to her.

20 THE WITNESS: I would have to know which
21 account that was for and then I could answer that

1 question.

2 BY MR. ABDULLAH:

3 Q Well, I'm asking you, what was the purpose of
4 -- what was the purpose of -- do you remember signing
5 this?

6 A I remember the document.

7 Q Why did you -- what was the purpose of this
8 card?

9 A I'd have to just go back and look at it to
10 see what it was for. There were senior citizen
11 transactions. I know the purpose of it. I don't know
12 what the account is.

13 Q You know the purpose of it? What's the
14 purpose of this card?

15 A It's to make sure that there was money
16 flowing that had to do with the senior citizen project.

17 Q Does this -- by signing this were you
18 authorized to write checks on this account?

19 A I don't even know that it is a checking
20 account.

21 Q Okay. Let's see here. So -- but this is

1 exhibit 18E, correct?

2 A Yes, sir.

3 Q And what I have here is a deposit account
4 documentation signature card.

5 A Uh-huh.

6 Q Okay. And this says Designated account
7 signers, right? And you're one of them?

8 A Yes.

9 Q So you're allowed to sign on this account?

10 A Yes.

11 Q And did you ever remove funds for this
12 account by signing a transfer document on this account?

13 A I'd have to know which account it is. I
14 don't know.

15 Q So you don't know if you --

16 A I'm just -- I'm not sure.

17 Q All right. Now, looking at this, does this
18 help refresh your recollection whether you removed
19 funds from that account?

20 A I --

21 Q Take your time.

1 A I looked at it earlier. I don't recall. I'd
2 have to -- I need more documentation in order to
3 confirm what it was for.

4 Q Okay. Thank you for looking at it. If you
5 -- if we explore that we'll probably be able to find
6 out whether or not you've wrote checks on that account
7 very easily.

8 Now, did you receive a Bentley that was
9 previously owned by Apostle Betty Peebles?

10 A No.

11 Q Are you aware that she owned a Bentley?

12 A No.

13 Q So you're not aware of any Bentley that was
14 owned by --

15 A No. Uh-huh. I was waiting on the Bentley
16 question.

17 MR. ABDULLAH: I want to mark for
18 identification 25.

19 (Whereupon, the document was marked for
20 identification, Plaintiff's Exhibit No. 25.)

21 MR. ASHTON: Counsel, are you close or are

1 you just getting wound up.

2 MR. ABDULLAH: I'm winding down. I'm at the
3 finish line. Right, gentlemen? I'm at the finish
4 line. I'm not catching a second breath, I'm just
5 finishing up. I've been winding down for the last two
6 hours. How are you doing?

7 THE WITNESS: I'm tired.

8 MR. ABDULLAH: It's the weekend. I'll see
9 you at the Blue Note, the Half Note. Is it the Blue
10 Note or the Half Note?

11 MR. WHITLEY: Half Note.

12 MR. ABDULLAH: Rod goes there. He should
13 know.

14 MR. CHAVEZ: I'll see Denise in jail. I
15 don't think it would be the Blue Note.

16 MR. ASHTON: Oh, was that on the record.
17 You're going to visit him in jail?

18 (Laughter.)

19 MR. CHAVEZ: That's a good one.

20 MR. ABDULLAH: Some of that money stole from
21 the church.

1 MR. WHITLEY: Don't encourage them.

2 MR. CHAVEZ: You wouldn't want that.

3 MR. ABDULLAH: How about those Redskins.

4 BY MR. ABDULLAH:

5 Q I want to show you what's been marked for
6 identification as exhibit number 25. Is that a true
7 and correct copy of one of your minutes?

8 A Yes.

9 Q Now, could you -- the reference to the
10 Bentley there, were you at that meeting?

11 A I was at that meeting.

12 Q Okay. What -- this reference to -- explain
13 "D." It says, "Bentley. Discussion for the Bentley is
14 ongoing." What exactly do you understand, if you
15 remember that?

16 MR. ASHTON: Oh, by the way, I have to object
17 because none of this has anything to do with the issues
18 in this case.

19 BY MR. ABDULLAH:

20 Q Okay. Objection noted.

21 A I don't recall what the ongoing discussions

1 were with the Bentley.

2 Q Do you recall the Bentley now?

3 A I know there's a Bentley.

4 Q Oh, so you know there's a Bentley?

5 A I know there's a Bentley.

6 Q Well, tell me what you know about the
7 Bentley?

8 A That there is one.

9 Q Okay. Who owned it?

10 A The church.

11 Q The church. Who was it registered to?

12 A Thee church.

13 Q Okay. Who rode in it?

14 A I drove it, pastor drove it, Deacon Jackson
15 drove it.

16 Q Where is it now?

17 A At the church.

18 Q Okay. It's where at the church, on the
19 campus?

20 A Yes.

21 Q Okay. And who is driving it now?

1 A It depends. Deacon Jackson keeps it going,
2 and makes sure it gets to the shop.

3 Q It's registered now?

4 A It's registered.

5 Q Okay. And is it used for church business or
6 personal use?

7 A It's used for church business.

8 Q Which kind of business?

9 A It depends. If we need to ride somebody we
10 use the Bentley.

11 Q Okay.

12 MR. ASHTON: I'm going to object because this
13 is all irrelevant and silly. You go ahead.

14 THE WITNESS: (Laughing.)

15 BY MR. ABDULLAH:

16 Q Okay. So it's registered and it's owned by
17 the church at this time?

18 A It's always been owned by the church.

19 Q Okay. And this Bentley, can you describe it?
20 Do you know what year it is?

21 A I don't.

1 Q Do you know what color it is?

2 A It's black.

3 Q It's a black Bentley?

4 A Uh-huh.

5 Q And it's housed at the church?

6 A Uh-huh.

7 Q And it's used solely for church business?

8 A Uh-huh.

9 MR. ABDULLAH: Gentlemen, we're at the finish
10 line. Is there any other thing I need to ask before I
11 let this witness go?

12 THE WITNESS: He found out where the Bentley
13 was.

14 (Laughter.)

15 MR. ABDULLAH: All right. So we are now
16 suspending this deposition today. And we will let you
17 know if we need to recall you, particularly because we
18 have not received the answers to the interrogatories
19 that are late. And those answers may require you to be
20 called back. So just be on hold. Thank you. We're
21 suspending at this time.

1 MR. ASHTON: All right. And we will read and
2 sign.

3 THE REPORTER: Read and sign. And do you
4 want a copy?

5 MR. ASHTON: He has a question. Last time
6 you sent, like full page.

7 THE REPORTER: I don't send them. The office
8 does. But you can just tell me what you want.

9 MR. ASHTON: Do you want that full size or do
10 you --

11 MR. WHITLEY: I prefer a mini.

12 MR. ASHTON: I prefer mini.

13 THE REPORTER: Okay. That's fine. But an
14 email copy, right?

15 MR. ASHTON: Yeah. If you can email.

16 MR. ABDULLAH: We want an email mini too.

17 MR. ABDULLAH: Let me ask you this, if you
18 send a full page and the mini, do you pay for one? Are
19 you charged twice?

20 THE REPORTER: You'll have to call the
21 office.

1 MR. ABDULLAH: We'll find out. We'll order a
2 mini.

3 (Whereupon, at 6:05 p.m., the deposition
4 was suspended.)

5 (Signature not waived.)

6 (Exhibits attached.)

C O N T E N T S

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript and, with corrections made by me, the same is a true record of the testimony given by me.

DENISE KILLEN

Subscribed and sworn to before me this _____ day of _____, 2014.

Notary Public in and for
the State of Maryland

My Commission Expires:

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C O R R E C T I O N S

WITNESS: DENISE KILLEN

DEPOSITION DATE: FRIDAY, JANUARY 3, 2014

CASE: RODERICK CHAVEZ, ET AL., VS. JERICO BAPTIST
CHURCH MINISTRIES, INC., ET AL.

Please note any errors and the corrections thereof on
this errata sheet. Changes may be made only to correct
stenographic error or to conform the transcript to the
testimony.

<u>PAGE</u>	<u>LINE</u>	<u>CORRECTION</u>	<u>REASON FOR CHANGE</u>
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CERTIFICATE OF NOTARY

I, KATHLEEN A. COYLE, the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing transcript was duly sworn by me; that the testimony of said witness was taken by me by stenomask means and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony is taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript of the proceedings or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned court reporter and/or under the auspices of Hunt Reporting Company, and the signature and original seal is attached thereto.

KATHLEEN A. COYLE
Notary Public in and for
the State of Maryland

My Commission Expires:

April 30, 2014

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