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Candace Fisher
SANDERS COUNTY CLERK OF DISTRICT COURT
BY [Signature]
DEPUTY

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MONTANA TWENTIETH JUDICIAL DISTRICT COURT, SANDERS COUNTY

ALEXIS NUNEZ and HOLLY
McGOWAN,

Plaintiffs,

v.

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC.;
WATCHTOWER BIBLE AND TRACT
SOCIETY OF PENNSYLVANIA, INC.;
CHRISTIAN CONGREGATION OF
JEHOVAH'S WITNESSES and
THOMPSON FALLS CONGREGATION
OF JEHOVAH'S WITNESSES,

Defendants.

Hon. James A. Manley
Cause No. DV 16-84

DECLARATION OF JOEL M. TAYLOR
IN SUPPORT OF DEFENDANTS'
MOTION FOR PROTECTIVE ORDER
REGARDING DEPOSITION TOPICS

WATCHTOWER BIBLE AND TRACT
SOCIETY OF NEW YORK, INC.;
CHRISTIAN CONGREGATION OF
JEHOVAH'S WITNESSES and
THOMPSON FALLS CONGREGATION
OF JEHOVAH'S WITNESSES,

Third-Party Plaintiffs,

v.

MAXIMO NAVA REYES, MARCO
NUNEZ, IVY McGOWAN-
CASTLEBERRY,

Third-Party Defendants.

I, JOEL M. TAYLOR, declare under the penalty of perjury:

1. I am over 21 years of age, of sound mind, and competent to make this declaration.
2. I am an attorney duly licensed to practice law in the states of New York and New Jersey and I have been admitted to practice *pro hac vice* in this case as counsel of record for the Defendants/Third-Party Plaintiffs.
3. I provide this Declaration in support of the Motion for Protective Order Regarding Deposition Topics filed by Defendants Watchtower Bible and Tract Society of New York, Inc. ("Watchtower") and Christian Congregation of Jehovah's Witnesses ("CCJW").
4. After an exchange of e-mail correspondence, I participated in a conference call with Plaintiffs' attorney on March 16, 2018, to address Watchtower's and CCJW's concerns with the 31 areas of deposition topics (excluding sub-parts). *See Found. Aff.*

Kathleen L. DeSoto ¶ 6, Apr. 20, 2018, Ex. 4: Am. Notices. After discussing matters with Plaintiffs' counsel, we resolved all disputes except for Deposition Topic Nos. 6, 13, 14 and 15. I explained that these topics were irrelevant, not likely to lead to the discovery of relevant evidence and intended only to harass or embarrass Watchtower and CCJW. Each topic is addressed below:

5. Deposition Topic No. 6 (regarding lawsuits unrelated to the Plaintiffs or Maximo Nava Reyes) seeks sensitive information about third parties, and many of the documents are subject to confidentiality agreements and/or protective orders. The burden and expense of marshalling the information, scrutinizing it for privacy rights and protective orders, redacting third-party information and confidential content before educating a corporate witness to testify about those documents outweighs any potential relevance to this case. In addition, none of the requested information involves the co-defendant Thompson Falls Congregation or either Plaintiff.

6. Deposition Topic No. 13 (regarding a fund (KHAA) formerly used to cover losses incurred by the Defendants), seeks information beyond the existence of the fund, to also include "amounts collected and amounts paid by the KHAA," from 1990 to present. This Topic is not limited in scope to a reasonable time period, or to civil matters in Montana that would involve similar issues such as claims involving incest or cases involving the co-defendant Thompson Falls Congregation. The burden and expense of marshalling the information, scrutinizing its protective orders, redacting third-party information and confidential content before educating a corporate witness to testify about those documents outweighs any potential relevance to this case. In addition, the fund has

never paid a loss in connection with the co-defendant Thompson Falls Congregation or either Plaintiff.

7. Deposition Topic No. 14 (regarding a fund (GAA) used to cover losses incurred by the Defendants), seeks information beyond the existence of the fund, to also include "amounts collected and amounts paid by the GAA," from 1990 to present. This Topic is not limited in scope to a reasonable time period, or to civil matters in Montana that would involve similar issues such as claims involving incest or cases involving the co-defendant Thompson Falls Congregation. The burden and expense of marshalling the information, scrutinizing its protective orders, redacting third-party information and confidential content before educating a corporate witness to testify about those documents outweighs any potential relevance to this case. In addition, the fund has never paid a loss in connection with the co-defendant Thompson Falls Congregation or either Plaintiff.

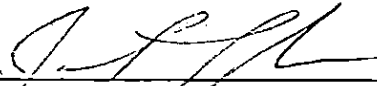
8. Deposition Topic No. 15 seeks "Claims paid by Jehovah's Witnesses related to sexual misconduct by an adult Jehovah's Witness perpetrated against a minor Jehovah's Witness." This Topic is not limited in scope to a reasonable time period, or to civil matters in Montana that would involve similar issues such as claims involving incest or cases involving the co-defendant Thompson Falls Congregation. The burden and expense of marshalling the information, scrutinizing its protective orders, redacting third-party information and confidential content before educating a corporate witness to testify about those documents outweighs any potential relevance to this case. In addition, no money has ever been paid in connection with the co-defendant Thompson Falls

Congregation.

9. Plaintiffs' have not revised or withdrawn these deposition topic requests in response to Defendants' objections.

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

Executed on April 20th 2018 in Patterson, New York.



Joel M. Taylor, *Declarant*

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2018, a copy of the foregoing document was served on the following persons by the following means:

| | |
|------------|-------------------------------------|
| _____ | Hand Delivery |
| <u>3-4</u> | Mail |
| _____ | Overnight Delivery Service |
| _____ | Fax (include fax number in address) |
| <u>1-2</u> | E-Mail (include email in address) |

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4. **COURTESY COPY TO:**
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