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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

TRACY CAEKAERT, and CAMILLIA )  
MAPLEY, )  
)  
Plaintiffs, )  
vs. )  
)  
WATCHTOWER BIBLE AND TRACT )  
SOCIETY OF NEW YORK, INC., and )  
WATCH TOWER BIBLE AND TRACT )  
SOCIETY OF PENNSYLVANIA., )  
)  
Defendants, )  
)  
\_\_\_\_\_ )

Case No. CV-20-52-BLG-SPW

**PLAINTIFFS' MOTION RE:  
SANCTIONS FOR  
SPOILIATION OF EVIDENCE**

Plaintiffs Tracy Caekaert and Camillia Mapley, by and through undersigned counsel, hereby respectfully request the Court issue an Order sanctioning Defendant Watchtower Bible & Tract Society of New York, Inc. (“WTNY”) for

spoliation of the documents used by the Service Department to create the Memorandums of Record regarding child sex abuse committed by Gunnar Hain, Bruce Mapley, Sr., and Martin Svenson. Specific sanctions relief requested is as follows:

- A. The jury shall be instructed that: (1) the WTNY Legal Department was under an obligation to maintain and preserve documents pertaining to the sexual abuse at issue in this case that were used by the Service Department to create the Memorandums about Hain, Mapley, Sr., and Svenson; and (2) those documents were destroyed after the Memorandums were created; and
- B. The jury shall be instructed that it may infer the destroyed documents would have been unfavorable to WTNY.

A brief in support is filed contemporaneously herewith. Plaintiffs certify they conferred in good faith with WTNY to avoid this motion, but a resolution could not be reached, and WTNY therefore opposes this motion.

DATED this 3<sup>rd</sup> day of April, 2024.

By: /s/ Ryan Shaffer  
Ryan R. Shaffer  
MEYER, SHAFFER & STEPANS PLLP

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

Pursuant to Local Rule 1.4, this document has been served on all parties via electronic service through the Court's Case Management/Electronic Case Filing (CM/ECF) system.

By: /s/ Ryan Shaffer  
Ryan R. Shaffer  
MEYER, SHAFFER & STEPANS PLLP

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