

**Van Komen, Roger
Doe v. Church of Jesus Christ of Latter-Day Saints**

SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE

JANE DOE I, et al.,) No. S0200CV202000599
))
) Plaintiffs,)
))
) Deposition of
vs.))
) ROGER W. VAN KOMEN
))
THE CORPORATION OF THE)
PRESIDENT OF THE CHURCH OF))
JESUS CHRIST OF LATTER-DAY))
SAINTS, a Utah corporation))
sole, et al.,)
))
) Defendants.)
))

* * *

May 18, 2022

10:06 a.m. to 2:34 p.m. MDT

Kirton & McConkie
50 East South Temple, Suite 400
Salt Lake City, Utah 84111

* * *

Letitia L. Meredith
Registered Professional Reporter
Certified Shorthand Reporter CA

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Also present: Marc Gaztambide, videographer
Sabrina Swaim, Cadigan Paralegal
Daisy Bustamante, Cadigan Paralegal

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1 PROCEEDINGS
2 THE VIDEOGRAPHER: On record 10:06.
3 ROGER W. VAN KOMEN,
4 called as a witness on behalf of the Plaintiffs,
5 having been duly sworn, was examined and testified as
6 follows:
7 EXAMINATION
8 BY MR. BOREN:
9 Q. Good morning, Mr. van Komen.
10 A. Good morning.
11 Q. My name is Taylor Boren. I represent the
12 Plaintiffs in this matter. I'm joined by co-counsel
13 Lynne Cadigan; Daisy Bustamante, a legal assistant
14 for our office; and Courtney Thom via Zoom from
15 Manly, Stewart & Finaldi.
16 You've had your deposition taken before;
17 correct?
18 A. Yes.
19 Q. Okay. Roughly how many times have you had
20 your deposition taken?
21 A. Maybe a dozen.
22 Q. Okay. So is it fair to say you're fairly
23 familiar with the admonitions at the start: Don't
24 talk over each other --
25 A. Yes.

5

1 Q. "Yes," "no"?
2 Okay. So I probably don't need to spend a
3 ton of time going over that. What I will ask you,
4 though, is if I do ask a question and you answer that
5 question, I'll presume that you understood that
6 question.
7 Is that fair?
8 A. Yes.
9 Q. Okay. What is your full name?
10 A. Roger William van Komen.
11 Q. Okay. And what's your profession?
12 A. I'm a licensed mental health counselor.
13 Q. Okay. And what are your licenses?
14 A. Mental health counseling.
15 Q. Is there a specific designation for that?
16 Is it --
17 A. It's --
18 Q. LMFT?
19 A. It's LMHC, yes.
20 Q. Okay. So just an acronym for Licensed
21 Mental Health --
22 A. That's correct.
23 Q. All right. And where did you attend
24 school?
25 A. Undergraduate work was University of Utah

6

1 and graduate work at the University of Illinois.
2 Q. And are you a licensed mental health
3 practitioner only in Utah?
4 A. In Utah and Florida.
5 Q. Okay. And what is your current employment?
6 A. I work with The Church of Jesus Christ of
7 Latter-Day Saints Family Services.
8 Q. And that's also regarded as the LDS Family
9 Services?
10 A. Historically, yes.
11 Q. Is that the operation -- the building
12 across the street at Joseph Smith Memorial?
13 A. No.
14 Q. Where is it currently headquartered?
15 A. In The Church Office Building.
16 Q. On Temple?
17 A. At 50 East North Temple.
18 Q. Okay. And what is your position there?
19 A. I'm actually the regional manager for the
20 southeast region for Family Services.
21 Q. And what states are included in the
22 southeast region?
23 A. Florida, Georgia, North and South Carolina.
24 Q. Do you run any operations that affect --
25 strike that.

7

1 Does your region at all overlap with
2 Arizona?
3 A. No.
4 Q. Have you done any work with LDS Family
5 Services for the Mormon community in Arizona?
6 A. I began my career in Tucson, Arizona.
7 Q. Your career in The Church or your career as
8 a licensed mental health practitioner?
9 A. Both, actually.
10 Q. What position did you hold in Tucson?
11 A. I was a counselor.
12 Q. Were you affiliated with any wards down in
13 the Tucson, Southern Arizona area?
14 A. I was.
15 Q. And were you ever affiliated with the
16 Bisbee Ward?
17 MR. MALEDON: Object to the form.
18 A. How do you mean "affiliated with"?
19 Q. Did you attend any services at the
20 Bisbee Ward?
21 A. No.
22 Q. Is there a definition of "affiliated" that
23 would touch on your time at the Bisbee Ward?
24 MR. MALEDON: Object to the form.
25 Q. Did you have any relationship with the

8

1 **Bisbee Ward?**
2 A. Professionally as they may have referred
3 clients, members for counseling to Family Services.
4 **Q. And what years was that?**
5 A. 1983 to 1990.
6 **Q. But you've never attended services at the**
7 **Bisbee Ward?**
8 A. No.
9 **Q. Were you affiliated with the**
10 **Sierra Vista Stake?**
11 A. Again, professionally.
12 **Q. Were you a member of the**
13 **Sierra Vista Stake?**
14 A. No.
15 **Q. Which stake were you a member of?**
16 A. The Tucson Stake and the Tucson East Stake.
17 **Q. Between 1983 and 1990 did you ever interact**
18 **John Herrod?**
19 A. No.
20 **Q. What about Kim Mauzy?**
21 A. No.
22 **Q. Have you been designated as a 30(b)6 or**
23 **something similar like a PMQ or PMK in a case**
24 **involving the Mormon church before?**
25 MR. MALEDON: Object to the form.

9

1 A. I have been -- done a deposition for
2 The Church of Jesus Christ of Latter-Day Saints, yes.
3 **Q. Was it as a 30(b)6 speaking on specific**
4 **categories of information?**
5 A. Yes.
6 **Q. Okay. And in what case was that?**
7 A. I don't recall.
8 **Q. Did you ever testify in a case involving**
9 **the Mormon church in West Virginia, specifically**
10 **Berkeley County?**
11 MR. MALEDON: Object to the form.
12 A. I frankly don't recall.
13 **Q. But if you did testify, it's your**
14 **recollection that you were or were not in a 30(b)6**
15 **capacity?**
16 MR. MALEDON: Object to the form.
17 A. I'm not sure how you mean that.
18 **Q. You just remember you might have testified?**
19 A. I might have testified.
20 **Q. Okay. All right. I'm going to provide you**
21 **with what I'm going to mark as Exhibit 1. This is**
22 **the Amended Notice of Taking Videotaped Deposition**
23 **for the 30(b)6.**
24 **(Deposition Exhibit 1 is marked.)**
25 **Q. Have you seen this document before?**

10

1 A. I believe I have.
2 **Q. Okay. And are you aware that these are the**
3 **categories for which you've been presented by**
4 **The Church as the 30(b)6 deponent today?**
5 A. Yes.
6 **Q. Okay. What did you do to prepare for these**
7 **six categories today?**
8 A. I reviewed recollection of the
9 Abuse Help Line creation. I reviewed the Complaint
10 in this matter. I reviewed some of the Handbook
11 items relating to abuse, and some of the websites
12 that The Church has also relating to abuse and the
13 Help Line.
14 **Q. Did you review any deposition testimony?**
15 A. Not that I recall.
16 **Q. And that would include both deposition**
17 **testimony in this case as well as deposition**
18 **testimony from other cases; correct?**
19 A. Correct.
20 **Q. Why do you believe you were chosen as the**
21 **30(b)6 for these six categories?**
22 MR. MALEDON: Object to the form.
23 A. I don't know the rationale behind the
24 choice.
25 **Q. Okay. Do you believe you're the proper**

11

1 **person to speak as the 30(b)6 on these six categories**
2 **today?**
3 MR. MALEDON: Object to the form.
4 A. I -- I can say that I can speak to these
5 items.
6 **Q. And you're aware that, when you're speaking**
7 **today, you're speaking on behalf Defendant LDS Church**
8 **in this lawsuit; correct?**
9 A. Yes.
10 **Q. And that your testimony binds**
11 **The LDS Church as though we were deposing**
12 **The LDS Church in a chair --**
13 MR. MALEDON: Object to the form.
14 **Q. -- as to these categories?**
15 A. I am not aware of that term "binding."
16 **Q. But you know you speak on behalf The Church**
17 **today?**
18 A. Yes.
19 **Q. Can you think of anyone who would be more**
20 **qualified to speak on behalf of the Adams family than**
21 **you today?**
22 MR. MALEDON: Object to the form.
23 A. I am not familiar with that.
24 **Q. Did you speak -- aside from counsel, did**
25 **you speak with anybody in preparation for today's**

12

1 deposition?
2 A. No.
3 **Q. Okay. Did you speak with anybody who is a**
4 **member of the Bisbee Ward in preparation for today's**
5 **deposition?**
6 A. No.
7 **Q. Okay. And did you speak with any**
8 **individual, without naming names at the moment, who**
9 **attended Paul Adams's disciplinary council hearing in**
10 **preparation for today's deposition?**
11 MR. MALEDON: Object to the form.
12 A. No.
13 **Q. Did you speak with anybody from**
14 **The First Presidency in preparation for today's**
15 **deposition?**
16 A. No.
17 **Q. Did you speak with anybody at**
18 **LDS Family Services in preparation for today's**
19 **deposition?**
20 A. No.
21 **Q. Okay. Category Number 1 in this document**
22 **is "The Abuse Help Line, formerly and/or currently**
23 **at: 1-800-453-3860, [extension] 1911, or its**
24 **subsequent form/call line...." It designates**
25 **subcategories.**

13

1 **Are you qualified to speak on behalf of**
2 **this category regarding the Help Line today?**
3 MR. MALEDON: Object to the form.
4 A. I don't know what you mean "qualified."
5 **Q. Are you familiar with the Abuse Help Line?**
6 A. Yes.
7 **Q. Were you at all a part of the Help Line's**
8 **creation?**
9 A. No.
10 **Q. Okay. When was the LDS Help Line created?**
11 A. In 1995.
12 **Q. Okay. Did you do anything in particular to**
13 **prepare for this category?**
14 MR. MALEDON: Object to the form.
15 A. I reviewed the letter announcing the
16 creation of the Help Line and the policy regarding
17 the Help Line.
18 **Q. And the policy is in a handbook, I presume?**
19 A. Yes.
20 **Q. Do you know which year that handbook was**
21 **released?**
22 A. I do not know the year of the handbook.
23 **Q. Do you know whether or not it was the**
24 **2010 Handbook?**
25 A. I have seen the 2010 Handbook before.

14

1 **Q. Are you familiar with any changes in**
2 **policies regarding the Help Line from 2010 to**
3 **present?**
4 A. No.
5 **Q. Okay. Are you familiar with any policies**
6 **regarding the Help Line that have changed from its**
7 **creation to 2010?**
8 A. I am not aware of any.
9 **Q. I may today refer to it as "the Help Line"**
10 **or the "Hotline." I'm not trying to distinguish**
11 **anything, but I want to confirm with you that you'll**
12 **know that we're still talking about this 1-800 number**
13 **if I refer to it as either.**
14 **Is that okay with you?**
15 A. That's fine.
16 **Q. Okay. That is, unless there is something**
17 **separate in The LDS Church that is the "hotline"**
18 **versus the "Help Line." It's my understanding that**
19 **that's not the case.**
20 **Is that your understanding as well?**
21 MR. MALEDON: Object to the form.
22 A. The Help Line is the Abuse Help Line that I
23 know of.
24 **Q. Okay. Perfect. Has the number changed**
25 **since the Help Line's creation in 1995?**

15

1 A. Not that I'm aware of.
2 **Q. Were there any preceding events that led to**
3 **the creation of the Help Line?**
4 A. From what I understand, it came out of the
5 recognition that many states had created mandatory
6 reporting requirements for child abuse, that the
7 various states were not uniform in their approach to
8 reporting requirements; and therefore, it was deemed
9 appropriate for The Church to be able to provide
10 appropriate counsel to leaders -- bishops and
11 stake presidents -- to help them to understand what
12 their duty is to report child abuse.
13 **Q. Whose idea was the Help Line, its creation?**
14 A. I am not sure exactly who originated the
15 idea.
16 **Q. Who wrote the letter announcing the**
17 **creation of the Help Line in '95 that you indicated**
18 **that you reviewed before today?**
19 A. As I recall, it was The Presiding Bishopric
20 in place at that time.
21 **Q. And who was The Presiding Bishopric at that**
22 **time, if you recall?**
23 A. I can actually look at that because I can't
24 remember offhand.
25 It was Merrill J. Bateman; H. David Burton;

16

1 and Richard C. Edgley.
2 **Q. And for reference, which document are you**
3 **looking at?**
4 A. I'm looking at the letter dated May 10th,
5 1995.
6 **Q. Okay. I'd like to mark that as Exhibit 2,**
7 **if you could provide that to the court reporter.**
8 **(Deposition Exhibit 2 is marked.)**
9 **Q. While we're waiting for that, where is the**
10 **Help Line located?**
11 A. The Help Line is located wherever the
12 people are who answer the calls.
13 **Q. So if I call -- is this a new creation with**
14 **Zoom in light of COVID? Or is this something that's**
15 **been in the works for a while?**
16 MR. MALEDON: Object to the form.
17 **Q. When you say it's "wherever they're**
18 **located," I'm wondering if you're being glib or**
19 **you're letting me know that people are answering from**
20 **all across various areas?**
21 MR. MALEDON: Object to the form.
22 A. The Help Line is answered by individuals
23 who may be at The Church Office Building, or it may
24 be answered by other people who are on call, and they
25 may be located in other parts of the country.

17

1 **and/or third parties operating the...Help Line...."**
2 **Are you prepared to speak on this today?**
3 MR. MALEDON: Object to the form.
4 A. I can speak to many of those individuals
5 who participate on the Help Line.
6 **Q. Right. I'm asking are you categorically**
7 **prepared to speak on this issue?**
8 MR. MALEDON: Object to the form.
9 **Q. Not part of it but are you prepared to**
10 **speak on this issue as it was noticed to**
11 **The LDS Church?**
12 MR. MALEDON: Object to the form.
13 A. I can speak to job title, licensing
14 requirements.
15 **Q. Is there anything you are not prepared to**
16 **speak on today in this category?**
17 A. I cannot give you the exact names of all
18 the individuals who answer the phone.
19 **Q. Why is that?**
20 A. I do not know all the receptionists who may
21 answer at Kirton McConkie or if the line goes
22 directly to attorneys immediately, and I believe you
23 have a listing of those who have talked to -- or who
24 have answered the calls from Kirton McConkie.
25 **Q. I have a list of various individuals in a**

19

1 **Q. So when the phone rings -- when somebody**
2 **calls the Help Line number and it rings through,**
3 **where does that phone ring to?**
4 A. Now it rings to Kirton McConkie.
5 **Q. Starting when?**
6 MR. MALEDON: Object to the form.
7 **Q. You said, "Now it rings." Starting when?**
8 A. Starting when -- how do you mean?
9 **Q. Is there a reason you said "now it rings to**
10 **Kirton McConkie"?**
11 A. Yes. The phone calls now go to
12 Kirton McConkie, and they answer the phone and
13 respond.
14 **Q. Who at Kirton McConkie answers the phone?**
15 MR. MALEDON: Object to the form.
16 A. I am not sure exactly who answers that
17 phone.
18 **Q. I'd like to point out that in the**
19 **deposition Notice it says here -- specifically calls**
20 **for an expert -- strike that.**
21 **It calls for a 30(b)6 person to be provided**
22 **on "The structure of the...Help Line, including...any**
23 **third parties or individuals operating, using, and/or**
24 **answering the...Help Line; ... the identity of the**
25 **employer(s), agent(s), volunteer(s), entity/entities,**

18

1 **privilege log, but I am not entirely certain whether**
2 **that's everybody. We'll return to this in just a**
3 **moment.**
4 **When the bishop calls the Help Line, who is**
5 **the first person to pick up the phone?**
6 MR. MALEDON: Object to the form.
7 A. I presume it is an attorney who answers
8 those calls.
9 **Q. Why do you say "presume"?**
10 A. Because I am not on those calls when they
11 come in --
12 **Q. You're designated --**
13 A. Or a member of Family Services.
14 **Q. Right. You're designated today as a**
15 **mouthpiece for The Church on this category. I'm not**
16 **asking for your presumptions. I'm asking for**
17 **information on what it is you know.**
18 **So with that in mind, I'm going to ask what**
19 **is the job title of the individual who answered the**
20 **Help Line when John Herrod called for the first time?**
21 MR. MALEDON: Object to the form.
22 A. First person to answer the call, all we
23 know is that Merrill Nelson took that call, who is an
24 attorney at Kirton McConkie.
25 **Q. Is it your testimony today that**

20

1 **Merrill Nelson answered that phone call as the first**
2 **person who spoke to Bishop Herrod when he called?**
3 MR. MALEDON: Object to the form.
4 You may answer.
5 A. I don't know if he was actually the first
6 person or if that went through other resources first
7 such as the Office of General Counsel of The Church
8 or if he called the Help Line directly and
9 immediately the call was transferred to
10 Merrill Nelson.
11 **Q. Has anyone who is employed by**
12 **LDS Family Services ever answered the Help Line?**
13 A. Yes.
14 **Q. Okay. And what are their job titles?**
15 MR. MALEDON: Object to the form --
16 A. Those who have been and currently work on
17 the Abuse Help Line are counselors, mental health
18 counselors, licensed social workers, marriage family
19 therapists, so -- so they are professional mental
20 health individuals.
21 **Q. And, historically, these individuals who**
22 **are licensed mental health practitioners including**
23 **counselors and licensed social workers have answered**
24 **the phone when a bishop or a stake president calls in**
25 **to the Help Line; correct?**

21

1 only person who was on that call.
2 **Q. But it could have been -- as the person who**
3 **routed that phone call to Merrill Nelson, it could**
4 **have been an employee of LDS Family Services;**
5 **correct?**
6 MR. MALEDON: Object to the form.
7 **Q. You can answer.**
8 A. It could have been.
9 **Q. Thank you.**
10 **Why is there no log as to the first person**
11 **who received the phone call from John Herrod?**
12 MR. MALEDON: Object to the form. You're
13 assuming that there was somebody other than Mr. --
14 MR. BOREN: Excuse me. No speaking
15 objections. You're under court order.
16 MR. MALEDON: No.
17 MR. BOREN: Yes, you are.
18 MR. MALEDON: You're under court order to
19 ask concise direct questions, not argue with the
20 witness.
21 MR. BOREN: Can you read back my question.
22 (The following record was read:
23 "QUESTION: Why is there no log as to the
24 first person who received the phone call from
25 John Herrod?")

23

1 MR. MALEDON: Object to the form.
2 A. There have been times when they were the
3 ones who were the first to answer those calls.
4 **Q. How do you know that?**
5 A. I was one of those who did answer those
6 calls.
7 **Q. Okay. Did any employees of**
8 **LDS Family Services answer the phone when**
9 **Bishop Herrod called the Help Line?**
10 MR. MALEDON: Object to the form.
11 A. I do not know. We do not keep logs of
12 those calls.
13 **Q. So they might have; correct?**
14 MR. MALEDON: Object to the form.
15 A. I don't know. I can't speak definitively
16 to that.
17 **Q. Okay. So it might have been a social**
18 **worker or a licensed mental health practitioner -- it**
19 **might not have been -- who answered the phone when**
20 **Bishop Herrod called; correct?**
21 MR. MALEDON: Object to the form. Let's
22 not argue, Counsel.
23 **Q. You can answer.**
24 A. I do not know who would have answered that
25 call as the log indicates that Merrill Nelson was the

22

1 MR. MALEDON: There is, and you have it.
2 MR. BOREN: It seems concise to me.
3 MR. MALEDON: Okay.
4 **Q. You can answer the question.**
5 A. Okay. Because we did not keep any record
6 of any calls.
7 **Q. Why is that?**
8 A. There was no reason for us to do so.
9 **Q. Didn't you say the purpose of the Help Line**
10 **was to address mandatory reporting laws and**
11 **child abuse?**
12 A. That's --
13 MR. MALEDON: Object to the form.
14 A. One of the purposes is to address reporting
15 obligations.
16 **Q. Don't you think it would be important to**
17 **keep track of the first report that a bishop or a**
18 **stake president is making to the Help Line?**
19 MR. MALEDON: Object to the form. You're
20 just arguing, Counsel. Objection.
21 **Q. You can answer.**
22 A. We did not keep records at our end as the
23 legal reporting requirements were not part of
24 Family Services responsibilities. That was a legal
25 responsibility, and those records were kept by the

24

1 lawyers.
2 **Q. So you're saying there was no**
3 **responsibility by LDS Family Services to keep records**
4 **of the phone calls they received; correct?**
5 A. We did not keep records of those phone
6 calls.
7 **Q. Okay. And who designated the**
8 **responsibilities for LDS Family Services when**
9 **answering the Help Line?**
10 MR. MALEDON: Object to the form.
11 A. I don't know that there was any specific
12 indication as to who designated our responsibilities.
13 We knew that our role was to provide counsel to help
14 mental health issues.
15 **Q. Counseling to whom?**
16 A. To those who called the Help Line.
17 **Q. To the bishop?**
18 A. To the bishop.
19 **Q. What about the victims?**
20 A. We did not speak with the victim. We did
21 not gather any identifying information whatsoever.
22 **Q. Who pays the employees at**
23 **LDS Family Services who answer the Help Line?**
24 MR. MALEDON: Object to the form.
25 A. Family Services.

25

1 A. 1983.
2 **Q. Okay. And have you been there -- are you**
3 **still with LDS Family Services?**
4 A. Yes.
5 **Q. So you've been there from 1983 continuously**
6 **until present; correct?**
7 A. Correct.
8 **Q. What years did you answer the Help Line?**
9 A. From probably 2006 until around 2010, and I
10 still periodically do answer calls.
11 **Q. What are the -- strike that.**
12 **Under what circumstances do you**
13 **periodically answer the Help Line?**
14 A. One day a month I will essentially be on
15 call to answer those calls.
16 **Q. And where will you be when you answer those**
17 **calls?**
18 A. In my office in Orlando, Florida.
19 **Q. And that's your office as a licensed mental**
20 **health practitioner?**
21 A. Yes.
22 **Q. Are you also in private practice?**
23 A. I'm sorry?
24 **Q. Are you also in private practice?**
25 A. No.

27

1 **Q. Which is affiliated with The LDS Church;**
2 **correct?**
3 A. It is.
4 **Q. Are the LDS employees -- or strike that.**
5 **In 2011 how many employees did**
6 **LDS Family Services have answering the Help Line?**
7 MR. MALEDON: Object to the form.
8 A. I don't know the exact number.
9 **Q. Can you provide me with an educated**
10 **estimate?**
11 A. There may be approximately eight or so at
12 that time.
13 **Q. Eight or so LDS employees -- or strike**
14 **that.**
15 **Eight or so LDS Family Services employees**
16 **who would be answering the Help Line when the bishop**
17 **or stake president calls in; correct?**
18 MR. MALEDON: Object to the form.
19 **Q. Is that correct?**
20 A. To my recollection.
21 **Q. Did you work for LDS Family Services in**
22 **2011?**
23 A. Yes.
24 **Q. When did you start working with**
25 **LDS Family Services?**

26

1 **Q. So your sole responsibility as a licensed**
2 **mental health practitioner is in employment for**
3 **The Church; correct?**
4 MR. MALEDON: Object to the form.
5 A. Yes.
6 **Q. Okay. Who worked for -- strike that.**
7 **Who at LDS Family Services answered the**
8 **Help Line in 2011?**
9 MR. MALEDON: Object to the form.
10 A. Travis Baer was one who answered the calls,
11 and there were several others.
12 **Q. Can you name them, please. I know it's**
13 **going back a ways.**
14 A. Trying to remember. I would imagine --
15 and, again, job assignments changed around that time,
16 and so I would imagine Mark Duke, possibly
17 Doug LeCheminant, and I can't recall others.
18 **Q. Is there anybody who was answering the**
19 **Help Line in 2009 that is still answering the**
20 **Help Line today with LDS Family Services?**
21 A. There may be some who are still doing that.
22 **Q. And who might that be as best you can**
23 **recall?**
24 A. Best I can recall, I think Travis Baer is
25 one, and I -- I can't think of anybody else who was

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1 there at that time who may still be on the Help Line.
2 **Q. Okay. How would we find out who worked at**
3 **the Help Line from LDS Family Services in 2011?**
4 A. We do not actually have any records to my
5 knowledge as to who had that assignment at that time.
6 Assignments change. And did not have any specific
7 recollection unless somebody had an assignment sheet
8 as to who was covering after-hours calls, but I don't
9 know that those are kept.
10 **Q. Where would we find assignment sheets?**
11 MR. MALEDON: Object to the form.
12 **Q. From 29 -- sorry -- 2009 to 2011?**
13 A. I doubt they still exist.
14 **Q. But, to the best of your knowledge, these**
15 **assignment sheets existed at the time from 2009 to**
16 **2011; correct?**
17 MR. MALEDON: Object to the form.
18 A. I did see assignment sheets at that time.
19 **Q. Okay. Why would these assignment sheets be**
20 **destroyed?**
21 A. There was no need to keep them.
22 **Q. Why not?**
23 A. They were assignments for each month. They
24 changed every month.
25 **Q. So would somebody go around in**

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1 **LDS Family Services and just start naming people and**
2 **say, "You three are going to be answering the**
3 **Help Line"?**
4 MR. MALEDON: Object to the form.
5 A. No. There was a designated number of
6 people who were on the Help Line, and they would then
7 rotate who was on call after hours.
8 **Q. Was everyone at LDS Family Services also on**
9 **call to answer the Help Line?**
10 MR. MALEDON: Object to the form.
11 **Q. Okay.**
12 A. No.
13 **Q. So how were those who were designated to be**
14 **on call chosen?**
15 A. People were chosen based on their
16 experience and reputation as good consultants.
17 **Q. Consultants for whom?**
18 MR. MALEDON: Object to the form.
19 A. They consulted well with bishops and
20 stake presidents.
21 **Q. So those who had a good working**
22 **relationship with the bishops or stake presidents**
23 **would be designated?**
24 MR. MALEDON: Object to the form.
25 A. They could be, yes.

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1 **Q. What would be the other criteria, if any?**
2 A. Experience working with Family Services.
3 **Q. Okay. What about exp- -- yeah, strike**
4 **that.**
5 **Who had a good reputation with working with**
6 **the bishops that would make them a designee for the**
7 **Help Line?**
8 MR. MALEDON: Object to the form.
9 **Q. In around the time from 2009 to 2011?**
10 A. All those who were on the Help Line at that
11 time had a good reputation of working well with
12 bishops.
13 **Q. And why is it important to have a good**
14 **working relationship with a bishop to operate the**
15 **Help Line?**
16 A. It was important to be able to provide good
17 counsel and listen well to mental health needs that
18 might arise and to be able to provide good direction
19 as to where they could find resources to help
20 individuals in need.
21 **Q. When you say "resources for those in need,"**
22 **are you referring to resources for the bishops?**
23 MR. MALEDON: Object to the form.
24 A. Oftentimes it would be resources for
25 counseling in the community to be able to provide

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1 mental health support.
2 **Q. For whom?**
3 A. For any members of The Church who may have
4 been involved in any abuse situation.
5 **Q. Would this include mental health resources**
6 **for the victims of sexual abuse --**
7 **MR. MALEDON: Object to the form.**
8 **Q. -- or just the bishops?**
9 A. It would be for the bishop to be able to
10 refer people and give him ideas as to how he could
11 best help anybody in his ward.
12 **Q. Okay. And to receive that information and**
13 **decide what the best course of action would be, those**
14 **answering the Help Line from LDS Family Services**
15 **would need a good working relationship with the**
16 **bishop to get the facts; correct?**
17 MR. MALEDON: Object to the form.
18 A. Would not have a good working relationship
19 with the bishop. They would listen to the bishop and
20 be able to have sufficient rapport to be able to help
21 the bishop as this was often a traumatizing time for
22 him if he was unsure as to how to appropriately help
23 members in need. And so we help the bishop to feel
24 confident in what he was doing and to provide
25 encouragement to him to do well.

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1 **Q. Okay. So would the bishop call the**
2 **Help Line and provide their known or suspected abuse**
3 **and ask for advice from the LDS Family Services**
4 **member responding?**
5 MR. MALEDON: Object to the form.
6 A. Oftentimes bishops would just indicate that
7 there was an abuse situation and how could he best
8 help.
9 **Q. You said previously that they would offer**
10 **encouragement and provide specific resources;**
11 **correct?**
12 A. And would --
13 MR. MALEDON: Object to the form.
14 A. -- provide resources to encourage him to
15 talk with local counseling or help the member to
16 get --
17 **Q. And that would depend --**
18 A. -- mental health -- yeah.
19 **Q. I didn't mean to talk over you.**
20 A. That's all right.
21 **Q. And that counseling or encouragement would**
22 **depend based on the nature of the abuse that the**
23 **bishop was reporting; correct?**
24 MR. MALEDON: Object to the form.
25 A. There was some general direction that we

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1 A. We have no record as to who was answering
2 at that time.
3 **Q. Okay. Aside from those assignment sheets**
4 **you referenced; correct?**
5 MR. MALEDON: Object to the form.
6 A. Those assignment sheets did not remain
7 anywhere. We do not have records of those.
8 **Q. How do you know with such certainty there's**
9 **no assignment records?**
10 A. Because it would be changed each month and
11 I don't know why there would be any record kept.
12 **Q. Did you look for assignment records in**
13 **preparation for today?**
14 MR. MALEDON: Object to the form.
15 A. I did not.
16 **Q. Did you ask anybody whether or not perhaps**
17 **there's some bank boxes with assignment records from**
18 **2009 to 2010 before today?**
19 A. I did not.
20 **Q. Was it a written or was it a spoken policy**
21 **to destroy the assignment records for the Help Line?**
22 MR. MALEDON: Object to the form.
23 A. There is no written policy that I am aware
24 of.
25 **Q. Did you have computers at**

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1 would take. We would not know necessarily many of
2 the details at all about what was going on.
3 **Q. Okay. And why were there no call logs**
4 **between the bishops and the Help Line in 2011?**
5 MR. MALEDON: Object to the form.
6 **Q. Strike that.**
7 **Is it your testimony today there were no**
8 **call logs between phone calls between the bishop and**
9 **those answering at the LDS Family Services?**
10 A. Family Services did not keep any call logs.
11 **Q. So if we wanted to know who at**
12 **Family Services was answering the phone from 2009 to**
13 **2011, how would we go about finding that information?**
14 A. Probably by asking anybody who has
15 recollection of who else was answering calls at that
16 time.
17 **Q. Okay. And you keep employment records for**
18 **LDS Family Services -- correct? -- of who was working**
19 **for LDS Family Services at a given time?**
20 A. HR department has employment records.
21 **Q. And where are the records kept that**
22 **identify who among those working for**
23 **LDS Family Services answering the Help Line were**
24 **designated to answer the calls?**
25 MR. MALEDON: Object to the form.

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1 **LDS Family Services in 2009?**
2 A. Yes.
3 **Q. And I presume that's remained consistent**
4 **continuously from 2009 to present? You've had**
5 **computers --**
6 A. A computer --
7 **Q. -- continuously?**
8 A. Yes.
9 **Q. Right. Okay.**
10 **If any notes were taken by the LDS Family**
11 **employee who was answering a phone call from a**
12 **bishop, would that be handwritten or typed?**
13 A. Everyone I know who took notes just did it
14 handwritten and then destroyed the record by the end
15 of the day.
16 **Q. Why would they destroy the record by the**
17 **end of the day?**
18 A. Because we did not keep records.
19 **Q. Why didn't you keep records?**
20 A. We had no reason to keep records because we
21 did not do any follow-up.
22 **Q. Do you think it would have been important**
23 **to keep records of who was answering phone calls from**
24 **various bishops and stake presidents?**
25 MR. MALEDON: Object to the form of the

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1 question.
2 **Q. You can answer.**
3 A. I don't know why that -- given the nature
4 of the work that we did, it would not have been
5 something that seemed important to keep records.
6 **Q. Do you feel the report of child abuse is**
7 **important?**
8 MR. MALEDON: Object to the form.
9 A. Yes.
10 **Q. Why?**
11 A. To protect the innocent, to help those who
12 are being abused to get help they need and to comply
13 with the law.
14 **Q. Is that important enough to keep a record?**
15 MR. MALEDON: Object to the form. You're
16 just arguing, Counsel.
17 You may answer.
18 A. Given the fact that we did not receive any
19 identifying information and specific details of abuse
20 situations, we did not have any follow-up work that
21 we did that then warranted that.
22 We would refer all abuse cases to the
23 attorneys so that they could provide appropriate
24 counsel and comply with all legal requirements.
25 **Q. Move to strike as non-responsive.**

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1 making speaking objections. We can talk about it.
2 MR. MALEDON: No.
3 MR. BOREN: But I would encourage the
4 witness to answer the question.
5 MR. MALEDON: Let me see what the judge's
6 order says. Concise, non-argumentative, I think.
7 But you go ahead and answer. If you --
8 MR. BOREN: Can you mark the transcript,
9 please.
10 MR. MALEDON: Yeah, please mark the
11 transcript and would you read the witness his last
12 answer --
13 MR. BOREN: I don't hear --
14 MR. MALEDON: -- back.
15 MR. BOREN: -- an objection here, do I?
16 MR. MALEDON: The objection -- the
17 objection is that you're arguing with the witness --
18 MR. BOREN: Form or -- is it form or
19 foundation?
20 MR. MALEDON: It's form and --
21 MR. BOREN: Thank you.
22 MR. MALEDON: -- foundation.
23 MR. BOREN: Thank you.
24 **Q. Okay. You can go ahead and answer.**
25 MR. MALEDON: But I'm asking the court

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1 **Can you read back my question.**
2 **(The following record was read:**
3 **"QUESTION: Is that important enough to keep a**
4 **record?")**
5 **Q. Is the severity of child abuse important**
6 **enough to keep a written record of reported**
7 **child abuse?**
8 MR. MALEDON: Same objections.
9 **Q. That's a yes-or-no question.**
10 MR. MALEDON: Same objections.
11 A. We did not keep -- trying to think how to
12 say this --
13 **Q. It's a yes-or-no question.**
14 A. -- to make it clear.
15 MR. MALEDON: No, it's not, and, Counsel,
16 you can't direct him to say yes or no. Cut that out.
17 MR. BOREN: That sounds like a speaking
18 objection.
19 MR. MALEDON: No.
20 **Q. Go ahead.**
21 MR. MALEDON: You're just arguing, and I'll
22 call the judge if you keep it up.
23 But you can ans- --
24 MR. BOREN: You're more than welcome to
25 call the judge right now if you feel like -- keep

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1 reporter to read back his answer to the last
2 question, which you just repeated.
3 MR. BOREN: It's not your deposition,
4 Mr. Maledon.
5 **Q. The question is do you believe a report of**
6 **child abuse is important enough for there to be a**
7 **written record of that report? That's the question.**
8 MR. MALEDON: Object to the form again.
9 A. I do not feel that it was necessary for us
10 to keep record, given the information that we had or
11 the lack of information that we had.
12 **Q. So you're not going to answer with a yes or**
13 **no; correct?**
14 MR. MALEDON: Object to the form.
15 A. That is correct. Given the nature of your
16 question, I do not feel comfortable answering your
17 question with a yes or no.
18 **Q. Why is that?**
19 MR. MALEDON: Object to the form.
20 **Q. Why does my question make you**
21 **uncomfortable?**
22 A. It seems that you're making certain
23 assumptions that are inappropriate given the
24 circumstances.
25 **Q. Are you a mandatory reporter?**

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1 MR. MALEDON: Object to the form. You're
2 asking for a legal conclusion now, Counsel.
3 **Q. Have you ever had mandatory reporter
4 training as a counselor?**
5 MR. MALEDON: Object to the form.
6 A. I have.
7 **Q. Okay. So is it safe to say you're a
8 mandatory reporter?**
9 MR. MALEDON: Object to the form.
10 A. I am mandatory reporter --
11 **Q. Okay.**
12 A. -- for abuse as I receive information
13 pertaining to the details that would be reportable.
14 **Q. And that's the standard mark, by reasonable
15 suspicion or reasonable belief of child abuse;
16 correct?**
17 MR. MALEDON: Object to the form.
18 A. I'm not sure what you're speaking of.
19 **Q. Do you remember your mandatory reporter
20 training?**
21 A. Yes.
22 **Q. Okay. What was the standard at your
23 mandatory reporter training for when you report
24 abuse?**
25 A. If we know of or suspect abuse, then it is

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1 to be reported.
2 **Q. Okay. Is that because reporting
3 child abuse is important?**
4 MR. MALEDON: Object to the form.
5 A. Reporting of child abuse is the law.
6 **Q. I'm not asking if it's the law. I know the
7 law. I'm a lawyer. But I'm asking whether or not
8 it's important to report child abuse?**
9 A. I believe it is important.
10 **Q. Okay. And it would be important to keep
11 records of something so important; correct?**
12 MR. MALEDON: Object to the form.
13 A. Again, given the nature of what we gathered
14 and what we knew, we did not have sufficient
15 information to keep records as it was not our job to
16 gather that and to make a determination as to whether
17 something was reportable.
18 **Q. Okay. Move to strike as nonresponsive.
19 Did you ever answer any phone calls from
20 Bishop Herrod?**
21 A. Not that I know of.
22 **Q. Okay. Who did at the Help Line?**
23 A. The --
24 **Q. Sorry. I apologize.
25 Who at LDS Family Services?**

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1 MR. MALEDON: Object to the form.
2 A. I don't know that anyone from
3 Family Services answered any calls from him.
4 **Q. But they might have; correct?**
5 MR. MALEDON: Object to the form.
6 **Q. Let me put it this way: If they had
7 answered the phone call, would there be any written
8 record of that conversation they had with
9 John Herrod?**
10 MR. MALEDON: Object to the form.
11 A. There would be no written record from
12 Family Services of any of those phone calls.
13 **Q. Would there be any audio recording?**
14 MR. MALEDON: Object to the form.
15 A. No.
16 **Q. Okay. How would you know whether or not
17 sufficient information was given to warrant a
18 mandatory report if there's no written record and you
19 didn't hear it?**
20 MR. MALEDON: Object to the form.
21 A. As we answered any call, and is still the
22 practice, we do not receive any identifying
23 information or details regarding cases to be
24 sufficient to trigger a report. We are careful to
25 defer all such conversation to the lawyers so that

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1 they can then respond appropriately.
2 **Q. You can't even tell me whether or not --
3 who answered the Help Line initially from
4 John Herrod; correct?**
5 MR. MALEDON: Object to the form. Counsel,
6 you're just arguing with him. Cut this out, please,
7 or I'm going to call the judge. The deposition is
8 not an argument.
9 MR. BOREN: Form or foundation.
10 **Q. Go ahead.**
11 MR. MALEDON: Go ahead. Answer that
12 question, but I'm getting the judge's order out.
13 He -- the judge specifically told you,
14 Counsel --
15 MR. BOREN: You can look --
16 MR. MALEDON: -- not to argue.
17 MR. BOREN: -- for documents quietly,
18 Mr. Maledon, while we continue the deposition, if
19 you'd like.
20 **Q. My question is --
21 Could you read back the question.
22 (The following record was read:
23 "QUESTION: You can't even tell me whether or
24 not who answered the Help Line initially from
25 John Herrod; correct?")**

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1 MR. MALEDON: Object to the form.
2 A. The call log --
3 MS. CADIGAN: If you want the order, here
4 we go.
5 MR. MALEDON: I have it.
6 **Q. You said "call log"? I don't really**
7 **understand what that means.**
8 A. I was just going to say the call log that
9 you have does not indicate that anyone from
10 Family Services was on that call.
11 **Q. I don't have a call log. I have a**
12 **privilege log.**
13 A. A privilege log would be -- I'm sorry.
14 That would be the term that I have.
15 **Q. A privilege log would identify the**
16 **documents that exist at present, but if a document**
17 **were destroyed, it wouldn't be on a privilege log;**
18 **correct?**
19 MR. MALEDON: Object to the form.
20 A. I am not familiar with those legal
21 processes.
22 **Q. Well, you just told me that I have a**
23 **complete list of any phone call that was made, but**
24 **I'm letting you know it's possible I don't.**
25 MR. MALEDON: Object --

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1 Were you part of the creation of the
2 Help Line --
3 MR. MALEDON: I'm telling him --
4 **Q. -- or the privilege log?**
5 **I'm not asking about content. It's a yes**
6 **or no.**
7 MR. MALEDON: Okay. Exclude any
8 communications you had with attorneys; otherwise, you
9 can answer the question.
10 A. I did not.
11 **Q. So you were not part of the creation of**
12 **the Help -- of the privilege log; correct?**
13 A. That is correct.
14 MR. BOREN: Daisy, do you have a copy of
15 the privilege log?
16 **Q. Are there any volunteers who work at**
17 **LDS Family Services?**
18 A. Yes.
19 **Q. Did any LDS -- or sorry. Strike that.**
20 **Did any volunteers work for**
21 **LDS Family Services in 2009 to 2011?**
22 A. Yes.
23 **Q. Okay. I may as well extend that.**
24 **Did any volunteers work for**
25 **LDS Family Services from 2005 to present?**

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1 MS. CHAPMAN: -- ask a question.
2 MR. MALEDON: Object to the form.
3 **Q. My question is do you know how much**
4 **information I have regarding who made phone calls**
5 **regarding the Adams family?**
6 MR. MALEDON: Object to the form.
7 A. If I understand it, you have the privilege
8 log, and that is the only record regarding any calls
9 that have been made to the Help Line or
10 Kirton McConkie regarding this case.
11 **Q. Okay. But if a document had been**
12 **destroyed, it wouldn't be on a privilege log;**
13 **correct?**
14 MR. MALEDON: Object to the form.
15 A. Correct.
16 **Q. Thank you.**
17 **Were you consulted in the creation of the**
18 **privilege log?**
19 MR. MALEDON: Object to the form.
20 You don't have to answer any questions
21 about communications you had with --
22 MR. BOREN: I did not ask --
23 MR. MALEDON: -- your attorneys.
24 MR. BOREN: -- a question about
25 attorney/client communication.

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1 A. There are volunteers that work for
2 Family Services.
3 **Q. In what capacity do volunteers work for**
4 **LDS Family Services?**
5 A. Most of them are affiliated with the
6 Addiction Recovery Program as group leaders.
7 **Q. Addiction recovery for whom?**
8 A. For individuals struggling with addictions.
9 **Q. Do any volunteers answer the Help Line?**
10 A. No.
11 **Q. How do you know?**
12 A. Because only licensed professionals answer
13 the Help Line.
14 **Q. Okay. But there's no list of people who**
15 **answer the Help Line at LDS Family Services; correct?**
16 MR. MALEDON: Object to the form.
17 A. We have a list who currently answers the
18 Help Line.
19 **Q. When did you start making lists of who**
20 **currently answers the Help Line at**
21 **LDS Family Services?**
22 A. I don't know when that began, and those
23 lists, like I said, are not archived and kept.
24 **Q. You said you -- but you said you now keep a**
25 **list; is that correct?**

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1 A. There is a list of those who will be on the
2 Help Line each month.
3 **Q. And where is that list kept?**
4 A. Whoever the coordinator of the Help Line is
5 will keep that list.
6 **Q. Who was the Help Line coordinator -- or
7 strike that.**
8 **Did the Help Line coordinator work for
9 LDS Family Services?**
10 A. Yes.
11 **Q. Okay.**
12 A. For Family Services, yes.
13 **Q. And the coordinator for the Help Line still
14 works for LDS Family Services; correct?**
15 A. Yes.
16 **Q. Who was the LDS -- or strike that.
17 Who was the Help Line coordinator for
18 LDS Family Services between 2009 and 2015?**
19 A. It was likely Travis Baer.
20 **Q. Is there a way to confirm that in a
21 document?**
22 A. No.
23 **Q. Why is that?**
24 A. I know of no documents that keep track of
25 such.

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1 **Q. Is Travis Baer a lawyer?**
2 A. No.
3 **Q. What are his qualifications?**
4 A. He's a licensed clinical social worker.
5 **Q. Do you know which state?**
6 A. Which state?
7 **Q. Which state he's a licensed clinical social
8 worker in?**
9 A. In Utah.
10 **Q. Do you know if he's a licensed clinical
11 social work in Arizona?**
12 A. Now?
13 **Q. Sure.**
14 A. No.
15 **Q. Was he then?**
16 A. Travis in Arizona? No, not to my
17 knowledge.
18 **Q. Okay. So in transferring calls from the
19 bishop through LDS Family Services, who does
20 LDS Family Services transfer those calls to?**
21 MR. MALEDON: Object to the form.
22 A. So we transfer those calls to
23 Kirton McConkie.
24 **Q. Why?**
25 MR. MALEDON: Object to the form.

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1 A. To be able to provide proper legal counsel
2 to the bishop to ensure that he's compliant with all
3 legal requirements.
4 **Q. Okay. So which lawyers would have been on
5 the receiving end of those transferred phone calls
6 from LDS Family Services between 2009 and 2015?**
7 MR. MALEDON: Object to the form.
8 A. I believe you have a list of all the calls,
9 and it would indicate who the lawyers were who did
10 answer calls during that time for Arizona.
11 **Q. I'm not just answering about the calls in
12 my case. I'm wondering about all the lawyers who
13 could have received calls from LDS Family Services
14 transferred by the bishop --**
15 MR. MALEDON: Object to the --
16 **Q. -- from 2009 to 2015. Can you tell me who
17 those attorneys would be?**
18 MR. MALEDON: Object to the form.
19 A. So the attorneys who answered the calls
20 during that time, I remember Merrill Nelson.
21 Dan McConkie did a lot. Perhaps Lee Hunter was still
22 on. And I can't remember the others. There were
23 several who answered calls.
24 **Q. And where would I find that information as
25 to who was answering phone calls at Kirton McConkie**

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1 **between 2009 and 2015?**
2 MR. MALEDON: Object to the form.
3 A. To my knowledge, you have been given
4 information that would be able to glean that in terms
5 of the different attorneys who did answer those calls
6 at that time.
7 **Q. So every phone call that was given to the
8 Help Line is in a document provided to me? That's
9 your understanding? Between 2009 and 2015?**
10 MR. MALEDON: Object to the form.
11 A. No, that's not my understanding.
12 **Q. All right. So let me just repeat my
13 question so we're on the same page.**
14 **Where would I find which attorneys at
15 Kirton McConkie would have answered the Help Line for
16 any incoming Help Line calls from LDS Family Services
17 from 2009 to 2015?**
18 MR. MALEDON: Object to the form.
19 A. So I would have to talk further with
20 Kirton McConkie to see what records they have
21 regarding all of those who answered the calls during
22 that time frame.
23 **Q. Okay. So you don't have that record with
24 you; correct?**
25 MR. MALEDON: And you're talking, Counsel,

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1 not just about Arizona but the United States
2 generally?
3 **Q. You can answer my question. Do you have**
4 **that record?**
5 MR. MALEDON: And you're not going to
6 answer my question --
7 MR. BOREN: Is that an objection?
8 MR. MALEDON: -- to clarify? It is an
9 objection but you know --
10 MR. BOREN: Form or foundation?
11 MR. MALEDON: -- the courteous thing to do
12 is to simply respond and not --
13 MR. BOREN: That's a --
14 MR. MALEDON: -- argue.
15 MR. BOREN: -- speaking objection that's
16 designed to coach the witness to limit the testimony.
17 MR. MALEDON: No.
18 MR. BOREN: I'm not going to stand for it.
19 Form or foundation, Mr. Maledon?
20 MR. MALEDON: No, it is not a speaking
21 objection. It's a courteous request, Counsel. If
22 you can't respond, just say you're not going to
23 respond. That's all.
24 You may --
25 MR. BOREN: Will you mark the transcript.

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1 **Q. When did he retire?**
2 A. I'm not sure exactly.
3 **Q. Did he retire within the last two years?**
4 MR. MALEDON: Object to the form.
5 A. It's been within the last five years, we'll
6 say that much. I don't remember exactly.
7 **Q. Was he receiving referrals through the**
8 **Help Line in 2017?**
9 MR. MALEDON: Object to the form.
10 A. I believe he was.
11 **Q. Okay. It's your understanding that he was**
12 **working continuously with the Help Line from 1995**
13 **through around 2017; correct?**
14 MR. MALEDON: Object to the form.
15 A. That is my understanding.
16 **Q. Was Merrill Nelson ever a member of the**
17 **Utah State Assembly or State Legislature?**
18 A. Yes.
19 **Q. Was Merrill Nelson a sitting State**
20 **representative or senator in 2013?**
21 A. I do not recall the years he served.
22 **Q. But he was still working for the Help Line;**
23 **correct?**
24 A. Yes.
25 **Q. All right. Is Merrill Nelson a lawyer?**

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1 MR. MALEDON: Yeah. You may answer.
2 MR. BOREN: I would like to make a record
3 that that is a speaking objection. That's been
4 barred by the court, and my question is --
5 Could you please read back the question.
6 (The following record was read:
7 "QUESTION: So you don't have that record with
8 you; correct?")
9 A. I do not have that record with me.
10 **Q. Okay. And you have not reviewed that**
11 **record in preparation for today; correct?**
12 MR. MALEDON: Object to the form.
13 A. I have not reviewed that record.
14 **Q. Okay. Is anyone still working for the**
15 **Help Line today that was there when it began in 1995?**
16 A. Not to my knowledge.
17 **Q. Okay. Do you know Merrill Nelson?**
18 A. I do.
19 **Q. When did Merrill Nelson start receiving**
20 **referrals for the Help Line?**
21 A. If I recall, he began -- since 1995.
22 **Q. Okay. And did he answer those calls**
23 **continuously until present?**
24 MR. MALEDON: Object to the form.
25 A. He is retired now.

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1 A. Yes.
2 **Q. Is he barred in Utah?**
3 MR. MALEDON: Object to the form.
4 A. I believe he is.
5 **Q. Is he barred in any other states?**
6 MR. MALEDON: Object to the form.
7 A. I am not aware.
8 **Q. Of any other states that he's barred in --**
9 A. Any other states.
10 **Q. -- correct?**
11 **And that would have been true in 2013;**
12 **correct?**
13 MR. MALEDON: Object to the form.
14 A. I am -- was not -- I am not aware of
15 anything at that time.
16 **Q. Was Dan McConkie an attorney?**
17 A. Yes.
18 **Q. Is he still working with the Help Line?**
19 A. Yes.
20 **Q. Okay. And is he licensed in Utah?**
21 MR. MALEDON: Object to the form.
22 A. I believe he is.
23 **Q. And do you know of any other states he's**
24 **licensed in?**
25 A. No.

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1 **Q. Okay. What about Lee Hunter? Is**
2 **Lee Hunter an attorney?**
3 A. He is retired.
4 **Q. Was Lee Hunter working with the**
5 **Help Line -- strike that.**
6 **Was Lee Hunter receiving referrals for the**
7 **Help Line in 2013?**
8 A. I do not recall when he retired.
9 **Q. Do you recall if it was in the last**
10 **5 years? 10 years? 15 years?**
11 A. I do not recall exactly.
12 **Q. Okay. But it's your recollection that he's**
13 **an attorney; correct?**
14 A. Yes.
15 **Q. Okay. And when he was operating the**
16 **Help Line, he was operating in the capacity as an**
17 **attorney; correct?**
18 A. Yes.
19 **Q. And that he was licensed as an attorney,**
20 **barred in the state of Utah; correct?**
21 MR. MALEDON: Object to the form.
22 A. To my awareness.
23 **Q. Okay. Are any of these lawyers that you**
24 **recall working with -- strike that.**
25 **Are any lawyers who worked with the**

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1 **Q. Isn't it true that the information included**
2 **by the Help Line is the first information on the**
3 **first page of this document, Bates stamp 017385?**
4 A. Yes.
5 **Q. I'm sorry. Are you looking at the document**
6 **that I handed you?**
7 A. Yes.
8 **Q. Okay. And which Bates stamp are you**
9 **looking at?**
10 A. ADAMS01385.
11 **Q. 017385?**
12 A. 017385, yes. Correct.
13 **Q. Okay. All right. So if I direct your**
14 **attention to ADAMS017386, along the right-hand column**
15 **it says, "Help the child understand that he or she is**
16 **not to blame. Most children subjected to abuse feel**
17 **guilty even when they are innocent. Help the child**
18 **understand that adults and others who abuse are**
19 **responsible for their own behavior."**
20 **Is the purpose of the Help Line to help the**
21 **child understand that he or she is not to blame?**
22 MR. MALEDON: Object to the form of the
23 question. That's not what this says, Counsel.
24 MR. BOREN: Speaking objection.
25 A. This document was directed to

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1 **Help Line also licensed mental health practitioners?**
2 MR. MALEDON: Object to the form.
3 A. I'm not aware of any of them also having
4 mental health training.
5 **Q. Okay. Mental health training or being**
6 **licensed?**
7 A. Being licensed as --
8 **Q. Okay.**
9 A. -- mental health practitioners.
10 **Q. I would like to mark as Exhibit 3 a**
11 **document regarding the Help Line. It's titled**
12 **"Responding To Abuse. Helps For Ecclesiastical**
13 **Leaders."**
14 **(Deposition Exhibit 3 is marked.)**
15 **Q. I want to refer your attention to**
16 **Bates stamp ADAMS017386. At the top of the page you**
17 **see "Child Abuse."**
18 **Have you seen this document before?**
19 A. Yes.
20 **Q. Okay. And is it your understanding that**
21 **this document regards the purpose of the Help Line?**
22 MR. MALEDON: Object to the form.
23 A. It is not regards to the purpose of the
24 Help Line. It includes information about the
25 Help Line.

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1 ecclesiastical leaders as an informational and
2 training document to help them to understand what
3 they can do to help those who have been abused.
4 **Q. And what could they do to help the child**
5 **understand that he or she is not to blame?**
6 MR. MALEDON: Object to the form.
7 A. First and foremost just indicate to them
8 that they are innocent and that adults are
9 responsible for any abuse that may have occurred.
10 **Q. It's important to do that when there's**
11 **knowledge that a child has been sexually abused?**
12 MR. MALEDON: Object to the form.
13 A. It is helpful to help children to not feel
14 guilty for anything that happened to them.
15 **Q. And that would include sexual abuse by an**
16 **adult; correct?**
17 MR. MALEDON: Object to the form.
18 A. Yes.
19 **Q. Okay. And what efforts were made in this**
20 **case to ensure that the children who were sexually**
21 **abused by Paul Adams understood they were not to**
22 **blame?**
23 MR. MALEDON: Object to the form. Counsel,
24 we're way beyond the scope of the deposition
25 Notice at this --

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1 MR. BOREN: You can instruct him not to
2 answer, but I'm allowed to ask the question.
3 MR. MALEDON: Well, I am --
4 MR. BOREN: That's another speaking
5 objection.
6 MR. MALEDON: -- going to instruct him not
7 to answer to the extent that it invades the
8 attorney/client privilege, so the only way he could
9 know that is --
10 MR. BOREN: Again, you --
11 MR. MALEDON: -- through conversations with
12 counsel.
13 MR. BOREN: You need to stop with the
14 speaking objections.
15 MR. MALEDON: No, it's a privilege
16 objection, Counsel.
17 MR. BOREN: Then you can say -- what did
18 Judge Cardinal say? "Objection. Privilege?"
19 MR. MALEDON: Objection. Privilege. You
20 need not answer the question.
21 **Q. Are you going to take your counsel's**
22 **advice?**
23 MR. MALEDON: Yes, he is.
24 A. Yes.
25 MR. BOREN: Stop answering for the witness,

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1 Mr. Maledon.
2 MR. MALEDON: Well, Counsel, you know that
3 if I instruct him not to answer he's going to --
4 MR. BOREN: The question was not to you,
5 Mr. Maledon.
6 **Q. You're going to --**
7 MR. MALEDON: You're just arguing, Counsel.
8 **Q. You're going to take --**
9 MR. MALEDON: This is abusive.
10 MR. BOREN: You can call the judge if you'd
11 like.
12 MR. MALEDON: I'm going to. Believe me. I
13 am going to.
14 But go ahead. You may answer --
15 MR. BOREN: But for now I --
16 MR. MALEDON: -- his question.
17 MR. BOREN: -- would like to remind you
18 because you seem to have lost the Order. It's --
19 MR. MALEDON: You seem to --
20 MR. BOREN: -- privilege -- it's "objection
21 privilege" if you have a privilege objection.
22 And then I will ask you whether or not --
23 MR. MALEDON: And it's --
24 MR. BOREN: -- you're taking his
25 instruction.

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1 MR. MALEDON: And it's concise,
2 non-argumentative question. That's what the judge
3 ordered.
4 **Q. Do you know of anything, aside from what**
5 **you learned from counsel, as to how the children in**
6 **the Adams family were led to understand that they**
7 **were not to blame for the abuse they suffered by**
8 **Paul Adams?**
9 A. No.
10 **Q. Okay. I want to draw your attention, same**
11 **exhibit, to ADAMS017387. It says, "Maintaining**
12 **Confidentiality" at the top.**
13 **Do you see that?**
14 A. Yes.
15 **Q. It says, "Church leaders should keep in**
16 **mind that confessions and interviews should be held**
17 **in strict confidence."**
18 **Do you see that?**
19 A. Yes.
20 **Q. What's an interview?**
21 A. An interview could be any interaction,
22 private communication that a bishop, for instance,
23 would have with a member of The Church.
24 **Q. What's the difference between an interview**
25 **and a confession?**

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1 MR. MALEDON: Object to the form. Again,
2 it's beyond the scope of the deposition.
3 MR. BOREN: You can object on beyond the
4 scope.
5 **Q. But you can answer if you know.**
6 A. Well, a confession would be a member who is
7 admitting to and describing sinful behavior that they
8 have engaged in. An interview could be a private
9 discussion in regards to any matter including
10 worthiness.
11 **Q. Thank you for drawing that distinction.**
12 **And when it says, "This applies to Church**
13 **discipline proceedings as well," do you understand**
14 **what that means?**
15 MR. MALEDON: Object to the form.
16 A. It would just indicate that if there were
17 disciplinary councils, membership councils, that
18 those interviews and discussions would be maintained
19 confidential.
20 **Q. Per Church policy; correct?**
21 MR. MALEDON: Object to the form.
22 A. That is Church policy.
23 **Q. Thank you.**
24 **If you look down at the page, it says,**
25 **"Using the Help Line," and it says, "If you become**

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1 aware of any child abuse" -- or I'll just read it
2 directly off the document.
3 It says, "Bishops and counselors in stake
4 presidencies should consult with their stake
5 presidents about incidents of child abuse. If you
6 become aware of any child abuse involving Church
7 members in the United States or Canada, or if you
8 believe that a child may have been abused or is at
9 risk of being abused, call the Help Line...."
10 Do you see that?
11 A. Yes.
12 Q. Is this an accurate chain of events if an
13 individual in The Church becomes knowledgeable about
14 child abuse?
15 MR. MALEDON: Object to the form.
16 A. I think the key here is to continue on in
17 that sentence.
18 Q. We will in just a moment. I'm wondering if
19 the first --
20 MR. MALEDON: No, no.
21 Q. -- part is accurate.
22 MR. MALEDON: He's answering. Let him
23 answer, Counsel. Don't cut him off.
24 MR. BOREN: Don't make speaking objections.
25 MR. MALEDON: No, I'm --

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1 MR. BOREN: Mr. Maledon --
2 MR. MALEDON: Counsel, it's not an
3 objection. The witness was trying to answer. You
4 need to let him answer the question.
5 MR. BOREN: My question --
6 MR. MALEDON: Go ahead.
7 MR. BOREN: -- was specifically whether or
8 not this section was accurate. That's a yes-or-no
9 question.
10 Q. Is that your --
11 MR. MALEDON: He started --
12 Q. -- understanding?
13 MR. MALEDON: -- to answer, and you cut him
14 off.
15 Please continue, Mr. van Komen.
16 Q. My question is, is this first paragraph
17 that ends with "1911," parentheses, period, is that
18 an accurate reflection of the chain of events if a
19 bishop or counselor in the stake becomes
20 knowledgeable about child abuse?
21 MR. MALEDON: Object to the form of the
22 question.
23 Q. You can answer.
24 A. The proper sequencing would be to,
25 generally speaking, notify the Help Line as soon as

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1 you know of any or suspect child abuse.
2 Q. So you're --
3 A. And then notify the stake president of
4 that.
5 Q. So it's your understanding that this is
6 incorrect in what is relayed to the ecclesiastical
7 leaders?
8 MR. MALEDON: Object to the form.
9 A. I would not say that it's incorrect. I
10 just say that you have to take the entire paragraph
11 in context.
12 Q. Does this paragraph encourage bishops and
13 counselors in stake presidencies to consults with
14 their stake presidents about incidents of child
15 abuse?
16 MR. MALEDON: Object to the form.
17 A. The instruction is to call the Help Line
18 "if you believe that a child may have been abused or
19 is at risk of being abused."
20 Q. So the section that says, "Bishops and
21 counselors in stake presidencies should consult with
22 their stake presidents about incidents of
23 child abuse," is that accurate? Is that an accurate
24 policy of The Church?
25 MR. MALEDON: Object to the form.

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1 A. That is part of the policy.
2 Q. Okay. And that was part of policy from
3 2009 to present; correct?
4 MR. MALEDON: Object to the form.
5 A. Yes.
6 Q. Now, is it your understanding that that
7 policy was adhered to in the case of the
8 Adams children?
9 MR. MALEDON: Object to the form.
10 Again, you're not to answer any question
11 based on information --
12 MR. BOREN: "Objection" --
13 MR. MALEDON: -- you received from --
14 MR. BOREN: -- "privilege" --
15 MR. MALEDON: -- counsel. It's privileged.
16 MR. BOREN: -- is what you're directed to
17 say, Mr. Maledon.
18 MR. MALEDON: Objection. Privilege.
19 Do not respond to the question.
20 Q. So my question is whether or not this
21 policy was followed in the case of the
22 Adams children's abuse and its knowledge in
23 The LDS Church?
24 MR. MALEDON: How could he know that
25 other -- with communication with counsel --

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1 MR. BOREN: Is there an objection?
2 MR. MALEDON: That's an objection, and I --
3 MR. BOREN: That sounds like a question.
4 MR. MALEDON: -- instructed him -- no.
5 It's --
6 MR. BOREN: "How could he know that?" is
7 what you just said. Is that an objection?
8 MR. MALEDON: I'm not going to argue with
9 you, Counsel.
10 THE COURT REPORTER: Hold on. Hold on.
11 Gentlemen --
12 MR. MALEDON: Yep.
13 THE COURT REPORTER: Mr. Boren, please --
14 you keep interrupting and I need --
15 MR. MALEDON: Would you please put that on
16 the record that Mr. Boren keeps interrupting. I'm
17 serious.
18 THE COURT REPORTER: I just need you
19 guys --
20 MR. BOREN: Of course.
21 THE COURT REPORTER: -- not to talk over.
22 MR. BOREN: I think that -- I'm more than
23 willing to accommodate.
24 THE COURT REPORTER: Thank you.
25 MR. MALEDON: Yep.

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1 MR. BOREN: It would be much easier if
2 there were only objections to form and foundation and
3 "Objection. Privilege" as you know you're required
4 to do. With that said --
5 MR. MALEDON: Non-argumentative questions.
6 Would you read the question back, please,
7 Letitia, thank you.
8 (The following record was read:
9 "QUESTION: So my question is whether or not
10 this policy was followed in the case of the Adams
11 children's child abuse") --
12 MR. MALEDON: Objection. Privilege. Don't
13 relay any privilege communication. If you know
14 anything else, Mr. van Komen, you can relate it.
15 A. I do not know any details of that sequence.
16 **Q. Okay. Thank you.**
17 MR. MALEDON: If you're done with that
18 document, Counsel, would this be a good time for a
19 break?
20 MR. BOREN: Let me finish with the
21 document.
22 MR. MALEDON: Sure.
23 MR. BOREN: Thank you.
24 MR. MALEDON: Sure.
25 **Q. If you continue in that paragraph, it says,**

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1 **"This will allow leaders to consult with social**
2 **services, legal, and other specialists who can assist**
3 **in answering questions and in formulating steps that**
4 **should be taken. Information about local reporting**
5 **requirements will also be provided."**
6 **Do you see that?**
7 A. Yes.
8 **Q. Is this accurate as the policy of**
9 **The Church?**
10 MR. MALEDON: Object to the form.
11 A. Yes.
12 **Q. Okay. And that's been the policy of**
13 **The Church from 2009 to 2017?**
14 A. Yes.
15 **Q. Okay. When it says "social services,**
16 **legal, and other specialists" would formulate steps,**
17 **who are the other specialists?**
18 A. I, frankly, am not aware of any other
19 specialists that would be involved.
20 **Q. Is that you saying that the policy here is**
21 **inaccurate? Or do you just not know?**
22 MR. MALEDON: Object to the form.
23 A. I am not aware of other specialists that
24 may have been involved.
25 **Q. Okay. Okay. And what steps do the social**

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1 **services, legal, and other specialists formulate as**
2 **you understand it?**
3 MR. MALEDON: Object to the form.
4 A. Steps might be including to refer
5 individuals for professional counseling, to determine
6 legal requirements for reporting and how such matters
7 could be and would be or should be reported.
8 **Q. And is any counseling provided to the**
9 **victims through these formulating steps as you**
10 **understand it?**
11 MR. MALEDON: Object to the form.
12 A. That would be part of the steps is to help
13 victims get counseling.
14 **Q. Okay. And what steps were formulated by**
15 **The Church on behalf of the Adams children?**
16 MR. MALEDON: Object to the form.
17 And, again, I would instruct the witness
18 not to answer any information that he obtained in
19 privileged communications with counsel.
20 A. I am not familiar with any steps in that
21 particular matter other than that a call was made to
22 the Help Line, and I'm not aware of anything else.
23 **Q. Do you believe that other steps should have**
24 **been made for the Adams children?**
25 MR. MALEDON: Object to the form.

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1 A. I can't speculate as to what should have
2 been done. I don't know what exactly was the
3 circumstance and what was reported at the time.
4 **Q. As a counselor, do you believe it's**
5 **important to ensure that victims are given adequate**
6 **counseling?**
7 MR. MALEDON: Object to the form.
8 A. We can offer counseling and encourage
9 people to get counseling. We cannot ensure that they
10 will get counseling.
11 **Q. I'm asking whether or not it's important.**
12 MR. MALEDON: Object to the form. Don't
13 argue --
14 **Q. Do you --**
15 MR. MALEDON: -- Counsel.
16 **Q. -- think it is important that a sexual**
17 **abuse survivor receives counseling?**
18 MR. MALEDON: Object to the form.
19 A. So it is helpful for survivors of abuse to
20 receive counseling.
21 **Q. Can it exacerbate their injuries if they**
22 **don't receive counseling?**
23 MR. MALEDON: Same objections.
24 A. Again, it depends on the circumstance.
25 There are too many things to take into account as to

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1 **exacerbated if they're not given counseling?**
2 MR. MALEDON: Object to the form. He
3 answered the question, Counsel. Let's not do this.
4 A. So a child could benefit from counseling.
5 **Q. Okay. And a child could also be injured**
6 **further by not going to counseling; correct?**
7 MR. MALEDON: Object to the form.
8 A. That is -- that's a difficult statement to
9 make. I don't know I would necessarily agree with
10 that statement in every case. There are too many
11 circumstances.
12 **Q. So I take it that's your answer?**
13 MR. MALEDON: Object to the form.
14 A. My answer is what my answer was.
15 MR. BOREN: Okay. We can go ahead and take
16 a break.
17 THE VIDEOGRAPHER: Going off record, 11:29.
18 (off the record)
19 THE VIDEOGRAPHER: On record, 11:47.
20 **Q. Good morning, Mr. van Komen. Are you aware**
21 **you're still under oath?**
22 A. Yes.
23 **Q. Okay. What training is given to those who**
24 **operate the Help Line?**
25 A. For the Family Services, individuals are

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1 the nature of the abuse and everything else
2 associated with it to make a determination.
3 **Q. What would you take into account to**
4 **determine whether or not somebody would be damaged**
5 **for not having counseling?**
6 MR. MALEDON: Object to the form.
7 A. There are all -- myriad possibilities and
8 circumstances, and I couldn't speculate as to --
9 **Q. Can you name one?**
10 MR. MALEDON: Object to the form.
11 A. It all depends on the circumstances, the
12 nature of the abuse, the nature of the abuser, the
13 ages of the participants. There are too many factors
14 to be included to make any determination.
15 **Q. Is it safer to say that younger victims**
16 **should be put in counseling?**
17 MR. MALEDON: Object to the form.
18 **Q. To ameliorate or mitigate their injuries?**
19 MR. MALEDON: Object to the form.
20 A. All kinds of options could be available,
21 and if it's a younger child, then that would be up to
22 the parents as they have primary responsibility to
23 care for their children.
24 **Q. So you're not going to say yes or no as to**
25 **whether or not a child's injuries could be**

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1 brought in and essentially shadow somebody who is
2 currently on the Help Line and -- so they get an
3 understanding of the processes.
4 **Q. Are there any written instructions for**
5 **incoming Help Line operators?**
6 A. Not that I'm aware of.
7 **Q. So when a, for lack of a better word,**
8 **shadow is coming in to watch somebody operate in the**
9 **Help Line, do you know what they're looking for?**
10 A. Just to understand the tone of the
11 consultation with the bishop to help the bishop and
12 focus on helping him to be able to respond
13 appropriately.
14 **Q. And how are shadows chosen to follow or**
15 **listen in on existing Help Line calls?**
16 MR. MALEDON: Object to the form.
17 A. As before noted, these will be individuals
18 who have been identified as good consultants with
19 church leaders, and they will be asked to participate
20 on the Help Line.
21 **Q. Are they given references or**
22 **recommendations from bishops that would make them**
23 **good designations?**
24 MR. MALEDON: Object to the form.
25 A. No.

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1 **Q. So who determines whether or not they would**
2 **be a good designation?**
3 A. Mostly their supervisors.
4 **Q. Supervisors in The Church?**
5 A. From Family Services.
6 **Q. Does Family Services work for**
7 **for The LDS Church?**
8 A. Family Services is -- provides counseling
9 services, consultation services for
10 The Church of Jesus Christ of Latter-Day Saints.
11 **Q. For the members of The Church of Jesus**
12 **Christ of Latter-Day Saints; correct?**
13 MR. MALEDON: Object to the form.
14 A. Our services are exclusively for -- well,
15 pretty much exclusively for members of The Church and
16 leaders.
17 **Q. When you say, "pretty much exclusively,"**
18 **who is beyond the scope of an LDS member using the**
19 **Family Services?**
20 A. I'm just thinking there may be an
21 individual who is maybe investigating The Church, who
22 is learning about The Church and may be referred in
23 but is not yet a baptized member.
24 **Q. But is it with the understanding that that**
25 **individual is on the path to becoming a member of**

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1 **The Church?**
2 MR. MALEDON: Object to the form.
3 A. That may be one option.
4 **Q. Are there ever instances where a non-LDS**
5 **member could call up and ask for LDS Family Services?**
6 MR. MALEDON: Object to the form.
7 A. People who come to Family Services for
8 counseling are referred through their bishop.
9 **Q. Okay. Are there any other things they**
10 **might be referred to aside from counseling with**
11 **LDS Family Services?**
12 MR. MALEDON: Object to the form.
13 A. There are a lot of different things. I
14 mean it just depends on the consultation with the
15 bishop in terms of what the bishop is consulting us
16 about, if it's mental health related.
17 **Q. But it starts with a consultation with the**
18 **bishop; correct?**
19 A. Starts with a consultation.
20 **Q. Okay. What sort of notes are taken during**
21 **the shadowing process by prospective Help Line**
22 **attendees?**
23 A. I don't know what notes are taken.
24 **Q. Do you know whether or not notes are taken?**
25 A. It would be up to the individual.

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1 **Q. Okay. Is it possible -- strike that.**
2 **Would that individual be under an**
3 **instruction to destroy any of their notes?**
4 MR. MALEDON: Object to the form.
5 A. They would not keep any notes pertaining to
6 details of any calls.
7 **Q. So if they were shadowing, they would be**
8 **instructed to destroy those notes --**
9 MR. MALEDON: Object to the form.
10 **Q. -- if they made any?**
11 A. They would be instructed that we do not
12 keep any notes regarding any of the calls.
13 **Q. And who would relay that instruction?**
14 A. Whoever the person is taking the calls.
15 **Q. Okay. The person that they would be**
16 **shadowing; correct?**
17 A. Yes.
18 **Q. Okay. What training is given for those**
19 **operating the Help Line regarding the report of a**
20 **child sexual abuse allegation?**
21 MR. MALEDON: Object to the form.
22 A. Would you ask the question again, please.
23 **Q. Yeah, I can rephrase it in a way that's**
24 **more -- let me put it this way:**
25 **What is the training for those responding**

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1 **to a report of child sexual abuse on the Help Line?**
2 MR. MALEDON: Object to the form.
3 A. Those on the Help Line understand they are
4 not to take any detailed information but to refer
5 things to the attorneys and -- so that the attorneys
6 are the ones to gather any detailed information
7 regarding abuse so that they can handle it
8 appropriately.
9 **Q. Is an LDS Family Services worker allowed to**
10 **make a report of child sexual abuse they receive from**
11 **the Help Line?**
12 MR. MALEDON: Object to the form of the
13 question.
14 A. Again, depends on -- if there were
15 information -- I mean it just depends on the
16 circumstance as to how things are handled. We do not
17 handle detailed information that would trigger a
18 report.
19 **Q. My question is are they allowed -- I'll put**
20 **it this way:**
21 **Are the Help Line operators with**
22 **LDS Family Services allowed by The Church to make a**
23 **mandatory reporter report?**
24 MR. MALEDON: Object to the argumentative
25 form of the question.

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1 A. So Help Line workers do not receive
2 information in such detail that would require a
3 report.
4 **Q. I'm saying if they -- is there -- let me**
5 **put it this way:**
6 **Are the Help Line workers allowed to report**
7 **abuse?**
8 MR. MALEDON: Object to the form of the
9 question.
10 **Q. By The LDS Church?**
11 A. Under what circumstance -- I mean you're
12 giving a very broad statement that is difficult to
13 answer in the manner in which you're asking the
14 question.
15 **Q. Has a worker at the Help Line ever made a**
16 **mandatory abuse report?**
17 MR. MALEDON: Object to the form of the
18 question.
19 **Q. Strike that.**
20 **Has an LDS Family Services worker who is**
21 **answering the Help Line ever made a report?**
22 MR. MALEDON: Object to the form.
23 A. And, again, be specific in terms of what
24 were the circumstances and what are you talking about
25 in terms of making a report.

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1 MR. MALEDON: Object to the form of the
2 question.
3 **Q. To the civil authorities?**
4 A. So if they have information regarding abuse
5 that would trigger a report, then a report could be
6 made under -- depending on circumstances and
7 situations, and it is too broad to know what you're
8 speaking of and under the conditions.
9 **Q. Is there any reason somebody would call the**
10 **Help Line aside from reporting suspected or known**
11 **child abuse?**
12 MR. MALEDON: Object to the form of the
13 question.
14 A. I am aware that other people have called
15 the Help Line for other matters.
16 **Q. What matters?**
17 A. Sometimes it's just been wanting counseling
18 and not knowing how to get ahold of somebody to get
19 counseling.
20 **Q. Is the Help Line -- is the information**
21 **about the Help Line disseminated to the members of**
22 **The LDS Church for the purposes of reporting child**
23 **abuse?**
24 MR. MALEDON: Object to the form.
25 A. The Help Line is meant for stake presidents

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1 **Q. Why would somebody call the Help Line?**
2 MR. MALEDON: Object to the form of the
3 question.
4 A. Per instructions, if a leader has
5 information about somebody who may have been abused,
6 they would call --
7 **Q. Okay.**
8 A. -- the Help Line.
9 **Q. So the Help Line is designed to receive**
10 **reports of suspected or known sexual abuse; correct?**
11 MR. MALEDON: Object to the form of the
12 question.
13 A. The Help Line receives calls from those who
14 believe that a child may have been abused or is at
15 risk of being abused.
16 **Q. Okay. So if an individual does receive**
17 **sufficient details to form the basis of a reasonable**
18 **or known belief of child abuse, is that individual**
19 **allowed to report it to the authorities?**
20 MR. MALEDON: Object to the form of the
21 question.
22 A. What is the context in which that
23 information comes?
24 **Q. Is there a context in which they are not**
25 **allowed to relay it?**

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1 and bishops.
2 **Q. To do what?**
3 A. To call if they believe that a child may
4 have been abused or is at risk of being abused.
5 **Q. Okay. Have the LDS Family Services**
6 **employees ever made a mandatory reporter -- strike**
7 **that.**
8 **Have the LDS Family Services employees who**
9 **operate the Help Line ever made a report to the civil**
10 **authorities regarding suspected child abuse?**
11 MR. MALEDON: Object to the form.
12 A. I can't speak to each individual's
13 experience with reporting.
14 **Q. Do you know of any instances? Do you**
15 **personally know of any instances of that?**
16 A. Personally, I can say that I have made
17 abuse reports to the authorities.
18 **Q. Before passing that information along to**
19 **lawyers?**
20 MR. MALEDON: Object to the form.
21 A. Not associated with any Help Line call.
22 **Q. Okay. So I'm asking about those operating**
23 **the Help Line specifically.**
24 **To the best of your knowledge, has any**
25 **LDS Family Services employee ever made a mandatory**

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1 report to the civil authorities about suspected or
2 known child abuse before consulting with the
3 attorneys of The Church?
4 MR. MALEDON: Object to the form.
5 A. I am not aware.
6 Q. Okay. Is there a different type of
7 training that's received by those operating the
8 Help Line depending on the type of abuse that's being
9 reported?
10 MR. MALEDON: Object to the form.
11 A. The training is what it is and whatever
12 calls come in.
13 Q. So there's no specific written or verbal
14 training about child sexual abuse versus child
15 physical abuse versus domestic violence among
16 spouses?
17 A. Not that I'm aware of.
18 Q. And if you were to determine whether or not
19 there are different policies between different types
20 of abuse, where would you find that information?
21 MR. MALEDON: Object to the form.
22 A. I am not familiar with any.
23 Q. Okay. How has the training changed for
24 those operating the Help Line between 2009 and 2017,
25 if at all?

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1 A. I have as much knowledge as anybody, I
2 imagine.
3 Q. Is there anybody whom you consulted with on
4 this topic before speaking today?
5 A. No.
6 Q. Okay. Who would have as much knowledge as
7 you on the policies regarding the Help Line?
8 A. From Family Services?
9 Q. Correct.
10 A. I imagine the individual who is currently
11 helping to supervise the Help Line.
12 Q. And who is that?
13 A. Her name is Kerri Nielson.
14 Q. Kerri Nielsen?
15 A. Uh-huh.
16 Q. N-i-e-l-s- --
17 A. E-n.
18 Q. -- e-n.
19 How long has she worked at the Help Line?
20 A. I'm not sure exactly how long. She's been
21 there several years.
22 Q. And is she with LDS Family Services?
23 A. Yes.
24 Q. Who with Kirton McConkie would be most
25 familiar with the Help Line?

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1 A. I am not aware of any.
2 Q. Any changes?
3 A. Any changes.
4 Q. Okay. And there haven't been any
5 changes -- substantive -- strike that.
6 There haven't been any substantive changes
7 to the policies of the Help Line in that time?
8 MR. MALEDON: Object to the form.
9 A. Not to my awareness.
10 Q. Okay. And you were the 30(b)6 to speak on
11 behalf of the Help Line category, Category 1, today;
12 correct?
13 A. Correct.
14 Q. Okay. Does the Help Line have any written
15 policies?
16 A. I don't know of any written policies for
17 the Help Line.
18 Q. Was that a conscious decision by
19 The Church?
20 MR. MALEDON: Object to the form.
21 A. I am not aware.
22 Q. Who was the person at the Help Line most
23 familiar with the verbal policies of the Help Line,
24 if not you?
25 MR. MALEDON: Object to the form.

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1 MR. MALEDON: Object to form.
2 A. Several. Jason Beutler is one.
3 Q. Jason Beutler?
4 A. Beutler.
5 Q. And how long has he -- or strike that.
6 How long has he worked with the Help Line?
7 A. I'm not sure how many years.
8 Q. Is he working there now?
9 A. Don't know if he is still taking calls.
10 He's one of many.
11 Q. Is he an attorney?
12 A. Yes.
13 Q. Was he taking calls in 2009?
14 A. Don't know if he was at that time.
15 Q. Who are some of the other Kirton McConkie
16 employees who would be most familiar with the
17 Help Line?
18 A. Dan McConkie, who's there now.
19 Peter Schofield.
20 Q. How is Peter Schofield familiar with the
21 Help Line?
22 A. He has taken calls.
23 Q. When did he start taking calls?
24 A. I don't know.
25 Q. Was he taking calls in 2009?

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1 MR. MALEDON: Object to the form.
2 A. I'm not sure of his time frame.
3 **Q. You are aware that you're the PM -- or**
4 **strike that.**
5 **You are aware you're the 30(b)6 on the**
6 **employees, agents, volunteers who are operating the**
7 **Abuse Help Line from its creation to 2017; correct?**
8 A. Yes.
9 **Q. And you're aware that also includes**
10 **attorneys under Subsection (b); correct?**
11 A. Yes.
12 **Q. Okay. So do you know how long**
13 **Peter Schofield has been operating or taking calls**
14 **from the Help Line?**
15 A. I do not know the exact years.
16 **Q. Okay. So it might have been in 2009 to**
17 **present?**
18 MR. MALEDON: Object to the form.
19 The witness says he doesn't know, Counsel.
20 You're just asking him to speculate.
21 Go ahead.
22 A. I don't know exactly.
23 **Q. Do you know if Peter Schofield has been**
24 **taking calls for more than one month?**
25 MR. MALEDON: Object to the form.

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1 A. What do you mean "one month"?
2 **Q. I'm entitled to your best estimate as an**
3 **individual witness, and I'm also entitled to**
4 **information relating to these categories on behalf of**
5 **The Church.**
6 **So based on both your individual knowledge**
7 **and what the category calls, what's your best**
8 **estimate as to how long Peter Schofield has been**
9 **taking calls with the Help Line?**
10 A. I would be -- I would imagine it was a
11 matter of years and not months.
12 **Q. More than ten?**
13 MR. MALEDON: Object to the form.
14 A. Again, I don't know the exact time frame.
15 **Q. How would we find out how long an attorney**
16 **at Kirton McConkie was taking phone calls for the**
17 **Help Line?**
18 MR. MALEDON: Object to the form.
19 A. I don't know what records they keep and
20 that would be available that would indicate --
21 privilege logs and whatnot that would indicate who
22 has what experience.
23 **Q. Did you ask for any documents regarding who**
24 **was operating the Help Line when -- with the**
25 **attorneys in preparation for today?**

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1 MR. MALEDON: Object to the form.
2 You don't have to answer that question.
3 It's obviously privileged.
4 **Q. Are you going to take your counsel's**
5 **instruction not to answer?**
6 A. I will not answer.
7 **Q. Okay. Did you ask for any documents in**
8 **preparation today that you did not receive?**
9 A. No.
10 **Q. Did you see any documents that identified**
11 **which attorneys operated the Help Line when?**
12 MR. MALEDON: Object to the form.
13 A. I did not. I saw the one call, the
14 privileged call, for this one case.
15 **Q. But you didn't see any documents beyond --**
16 **that would identify attorneys on the Help Line beyond**
17 **this one case?**
18 A. Correct.
19 **Q. Okay. Even though you are the 30(b)6**
20 **designee for the category between its creation and**
21 **2017 for the Help Line?**
22 MR. MALEDON: Object to the form of the
23 question. Don't argue, Counsel.
24 **Q. You can answer.**
25 MR. MALEDON: He is the designee for the

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1 30(b)6. We all know that.
2 MR. BOREN: I don't think you're the
3 witness, Mr. Maledon.
4 MR. MALEDON: You don't need to argue,
5 Counsel.
6 MR. BOREN: I'm under an obligation to
7 determine whether or not this witness is sufficiently
8 prepared to speak on behalf of these categories, and
9 I'm doing just that.
10 **Q. Are you aware that you are here today to**
11 **speak about the attorneys who work with the Help Line**
12 **from its creation to 2017?**
13 MR. MALEDON: And where does it say
14 "attorneys" in the Notice, Counsel? I'm missing it.
15 Maybe you could help me.
16 MR. BOREN: 1 Subsection (b).
17 MR. MALEDON: 1 Subsection (b) says --
18 MR. BOREN: You can --
19 MR. MALEDON: -- "employer(s), agent(s),
20 volunteer(s)... entities...or third parties operating
21 the Abuse Help Line...."
22 MR. BOREN: "job title...licensing
23 requirements of any and all employee(s), agent(s),
24 volunteer(s), attorney(s)...."
25 **Q. So I'm going to repeat my question.**

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1 **Are you prepared to speak about the**
2 **identities of the attorneys who operated the**
3 **Help Line from its creation to 2017?**
4 MR. MALEDON: Object to the form of the
5 question.
6 A. I do not have the names of all parties who
7 were on the Abuse Help Line --
8 **Q. Okay.**
9 A. -- during that time.
10 **Q. But it's your understanding that's**
11 **information that could be provided by somebody more**
12 **familiar with the attorney side of the Help Line from**
13 **that time frame?**
14 MR. MALEDON: Object to the form of the
15 argumentative question.
16 A. I do not have information on the attorneys
17 who have all worked on Help Line.
18 **Q. Okay. Nor did you make any effort to**
19 **acquire that information before today?**
20 MR. MALEDON: Object to the form of the
21 question.
22 A. I did not.
23 **Q. Okay. Who designed the policies of the**
24 **Help Line?**
25 A. Policies are there as instructed in these

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1 **who designed.**
2 **Is there any record of who designed the**
3 **policies for the Help Line?**
4 MR. MALEDON: Object to the form.
5 A. I'm not aware of any record.
6 **Q. Did you make any effort to obtain records**
7 **about who designed the Help Line?**
8 MR. MALEDON: Object to the form.
9 A. I did not.
10 **Q. Does the Help Line have a document creation**
11 **policy?**
12 A. No.
13 **Q. So when the social worker -- or strike**
14 **that.**
15 **When an LDS Family Services employee is**
16 **referring a phone call to Kirton McConkie, how is**
17 **that relayed?**
18 A. How is it relayed?
19 **Q. From the LDS Family Services employee to**
20 **the attorney?**
21 A. We call Kirton McConkie and talk to the
22 lawyer, and then they usually discuss the case, and
23 we drop from the call.
24 **Q. But you discuss the case -- strike that.**
25 **You discuss the case with the attorney;**

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1 documents such as this one you produced as to what
2 our role is and what we try to help with.
3 **Q. Who designed those policies?**
4 A. So these policies are written by a number
5 of individuals.
6 **Q. Please name them.**
7 A. They're not identifiable because it's
8 usually a lot of different people and not any
9 individual group or person who writes all these.
10 **Q. So I'm not asking whether or not a lot of**
11 **people contributed. I'm asking do you know who**
12 **contributed to designing the policies of the**
13 **Help Line?**
14 A. I could not name all the people who were
15 involved in these.
16 **Q. If I wanted to know the name of all of the**
17 **people who operated the Help Line, where do you**
18 **believe I would find that information?**
19 A. I don't know that you could.
20 **Q. It's just lost to time?**
21 MR. MALEDON: Object to the form.
22 A. Don't know that there are any records that
23 would keep track of who produced what documents and
24 what policies.
25 **Q. I'm not asking who produced. I'm asking**

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1 **correct?**
2 A. We inform the attorney who the bishop is
3 and what stake he's from.
4 **Q. Is the bishop on the line?**
5 A. At the time, no.
6 **Q. So does the Help Line call the bishop back?**
7 A. I would conference the bishop in and
8 transfer the call to the attorneys.
9 **Q. So there's a private conversation between**
10 **the Family Services employee and an attorney before**
11 **the bishop is brought on to the line?**
12 MR. MALEDON: Object to the form.
13 A. We inform the attorney who the bishop is
14 and what stake he's from --
15 **Q. Is the bishop party to that --**
16 A. -- and that it was --
17 **Q. Is the bishop party to that part of the**
18 **conversation?**
19 MR. MALEDON: Object to the form.
20 A. No.
21 **Q. I'd like to mark as Exhibit 4 a document**
22 **that says, "CHC Privilege Log."**
23 **(Deposition Exhibit 4 is marked.)**
24 **Q. Mr. van Komen, are you familiar with this**
25 **document?**

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1 A. Yes.
2 **Q. And to be clear, were you consulted in the**
3 **preparation of this document?**
4 A. No.
5 **Q. Do you know if LDS Family Services was**
6 **consulted in preparation for this document?**
7 A. No.
8 **Q. No, you don't know or no, they were not?**
9 A. They would not have been.
10 **Q. Why would they not have been?**
11 A. Because this is a record from
12 Kirton McConkie. Family Services are not a part of
13 that.
14 **Q. All right. If you look at date 11/07/11 --**
15 **do you see the first box?**
16 A. Yes.
17 **Q. It says, "Janice Paur...on behalf of**
18 **Merrill Nelson," "Description of Entry," "Initial**
19 **Case Summary based on conversation between**
20 **Merrill Nelson...and [Bishop] John Herrod."**
21 **Do you see that?**
22 A. Yes.
23 **Q. Are you familiar with this document that's**
24 **referenced on the privilege log?**
25 A. Yes.

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1 **Q. Have you read this document?**
2 A. Yes.
3 **Q. Okay. Who provided you with this document?**
4 MR. MALEDON: What document are you
5 referring to?
6 MR. BOREN: It's the Privilege Log,
7 Mr. Maledon. I've identified the document.
8 MR. MALEDON: He said he's familiar with
9 the Privilege Log, and then you used the term
10 "document." What are you talking about?
11 **Q. "Initial Case Summary based on**
12 **conversation."**
13 **Is it your understanding that that refers**
14 **to a document, Mr. van Komen?**
15 MR. MALEDON: Make sure you understand what
16 he's saying.
17 THE WITNESS: Okay.
18 MR. MALEDON: He's asking whether you've --
19 MR. BOREN: Don't coach.
20 MR. MALEDON: -- read this --
21 MR. BOREN: I can ask more questions.
22 MR. MALEDON: -- document.
23 THE WITNESS: Okay.
24 MR. BOREN: Don't coach the witness.
25 MR. MALEDON: Well, he's confused.

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1 THE WITNESS: Well, that's why I'm
2 trying --
3 MR. MALEDON: And, Counsel --
4 THE WITNESS: -- to understand what
5 document you're talking --
6 MR. MALEDON: Yeah.
7 THE WITNESS: I'm assuming you're talking
8 about this document here.
9 **Q. Happy to clarify if you need it.**
10 A. Yes.
11 **Q. I'm referring to the document that's**
12 **referenced in the "Description of Entry."**
13 **This is a Privilege Log for documents that**
14 **are alleged to be privileged.**
15 A. Okay. You're speaking about the "Initial
16 Case Summary."
17 **Q. That is correct.**
18 **Have you read that document?**
19 A. No, I have not.
20 **Q. Okay. I want to draw your attention down**
21 **to -- four columns down, and it says at the top,**
22 **"Document Title/Subject." Do you see that? It says,**
23 **"Janice, CMSR Request, 7118-1120-15 Sierra Vista AZ**
24 **Stake."**
25 **Do you see that?**

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1 A. Yes.
2 **Q. What is a "CSMR Request"?**
3 A. I am not sure.
4 **Q. Okay. If we go back to the initial**
5 **description -- or strike that.**
6 **In preparation for today, have you reviewed**
7 **any membership files of any members of**
8 **The LDS Church?**
9 A. Yes.
10 **Q. Whose membership files did you review?**
11 A. It was -- it was for Paul Douglas Adams.
12 MR. BOREN: Let's produce that and mark it
13 as Exhibit 5. Is there a Bates number on the
14 document?
15 MR. MALEDON: There should be, yeah.
16 THE WITNESS: It is CHC000219.
17 THE COURT REPORTER: Is it double-sided?
18 MR. MALEDON: It is double-sided, yes.
19 THE WITNESS: Yes.
20 MR. MALEDON: But we can copy it
21 single-sided for you.
22 (Deposition Exhibit 5 is marked.)
23 **Q. Did you review any other membership files?**
24 A. No.
25 **Q. Okay. With the Description of Entry,**

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1 number one, "Initial Case Summary based on
2 conversation between Merrill Nelson...and [Bishop]
3 John Herrod" -- it says, "Bp. John Herrod" -- are you
4 familiar of -- are you familiar with this
5 conversation, if not the underlying document?
6 MR. MALEDON: That's a yes or no. The
7 judge has said you can't go into what was discussed
8 with counsel so --
9 **Q. You can answer the question.**
10 **I'm not asking about the --**
11 A. No.
12 **Q. -- content. I'm asking if he knows.**
13 MR. MALEDON: Okay. He can answer if he
14 knows the content of the conversation.
15 A. No.
16 **Q. Okay. So you did not prepare today to**
17 **speak on the content of any of these underlying**
18 **documents in this log; correct?**
19 MR. MALEDON: That's correct, Counsel.
20 MR. BOREN: He's the witness.
21 MR. MALEDON: Yeah. He did not. I'm
22 telling you we have a court order that says you can't
23 inquire into it.
24 **Q. I'm asking just whether or not you reviewed**
25 **those documents and prepared?**

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1 A. I do not know her.
2 **Q. Do you know whether or not Katy Carter**
3 **currently works at Kirton McConkie?**
4 A. I do not.
5 **Q. And you've never spoken Katy Carter?**
6 A. I cannot say I never have. I may have.
7 **Q. But you have no recollection of speaking**
8 **with her; correct?**
9 A. I have no recollection.
10 **Q. And you had no conversation with her in**
11 **preparation for today's deposition?**
12 A. No.
13 **Q. Okay. What about Cindy Jones? Do you know**
14 **if Cindy Jones still works for Kirton McConkie?**
15 A. I do not.
16 **Q. Have you spoken with Cindy Jones?**
17 A. No.
18 **Q. Do you know one way or the other if she has**
19 **a paralegal license?**
20 A. I do not know. I indicate -- this
21 indicates that she is a paralegal but --
22 **Q. If we go to the bottom of the second page,**
23 **we have Bronwyn Petersen.**
24 **Do you see that under January 31st, 2014?**
25 A. Yes.

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1 A. No.
2 MR. BOREN: Okay.
3 Should that become relevant testimony or
4 accessible testimony as to the content, we will then
5 need to redesignate somebody to speak on those
6 categories. I'm just making a record on that.
7 **Q. Have you met Janice Paur? Or Janice Paur?**
8 A. Yes.
9 **Q. And who is Janice Paur?**
10 A. She's a legal assistant at Kirton McConkie.
11 **Q. How long has she worked there?**
12 A. Many years. I don't know exactly how many.
13 **Q. Can you estimate?**
14 A. I believe she's retired now, but prior to
15 that, at least 15 that I am -- that I believe I am
16 aware of.
17 **Q. Do you know if she had a paralegal license?**
18 A. I do not.
19 **Q. You don't know one way or the other?**
20 A. I don't believe she's was a paralegal. She
21 was a legal assistant.
22 **Q. And this Merrill Nelson is the same**
23 **Merrill Nelson we discussed previously?**
24 A. Yes.
25 **Q. Okay. And do you know Katy Carter?**

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1 **Q. Do you know Bronwyn Petersen?**
2 A. No.
3 **Q. Have you spoken with Bronwyn Petersen in**
4 **preparation for today?**
5 A. No.
6 **Q. To the best of your knowledge, have you**
7 **ever had a conversation with Bronwyn Petersen?**
8 A. No.
9 **Q. Okay. Do you know whether or not any**
10 **documents relating to Help Line calls regarding the**
11 **Adams children were ever destroyed?**
12 A. I am not aware of any.
13 **Q. Do you know how you would find out whether**
14 **or not a document relating to the Adams family and**
15 **their Help Line calls had been destroyed?**
16 MR. MALEDON: Object to the form.
17 A. I do not know.
18 **Q. Okay. If you return to the second page**
19 **where it says September 24, 2013, it says "Updated**
20 **contact information."**
21 **Do you see that?**
22 A. Yes.
23 **Q. I'm not trying to invade any sort of**
24 **attorney/client communications, but do you know as**
25 **you sit here today whose contact information that's**

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1 referring to?
2 A. I do not.
3 **Q. Okay. I would like to draw your**
4 **attention to Category 2, "LDS Church disciplinary**
5 **action(s) taken with respect to Paul Adams."**
6 **Do you see this category?**
7 A. Yes.
8 **Q. What documents, if any, did you review in**
9 **preparation for this category?**
10 MR. MALEDON: Counsel, there's a court
11 order that says, "As to Defendants' Questions
12 2(a)-2(c)," which is everything in 2, "this matter
13 shall not be inquired into as to Paul Adams."
14 MR. BOREN: Okay.
15 MR. MALEDON: Pretty clear.
16 MR. BOREN: Yep.
17 MR. MALEDON: Okay.
18 **Q. So are you prepared today to discuss --**
19 **I'm not asking him any questions yet.**
20 **Are you prepared today as you sit there to**
21 **discuss Category 2?**
22 MR. MALEDON: To the extent that it doesn't
23 violate the court order, yes.
24 **Q. Okay. What documents did you review in**
25 **preparation for Category 2?**

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1 MR. MALEDON: Object the form of the
2 question.
3 A. It's only an indication that there was a
4 disciplinary action based on some of the Complaints
5 and whatnot that there was disciplinary action taken.
6 **Q. Based on which Complaints?**
7 A. That there was -- what do you mean "which
8 Complaint"?
9 **Q. That's what I'm asking you. You said,**
10 **"based on Complaints."**
11 A. Oh, the -- the First Amended Complaint.
12 **Q. Did you review any other Complaints in**
13 **preparation?**
14 A. No.
15 **Q. You said "Complaints" plural. That's why**
16 **I'm following up with that.**
17 A. Oh, I'm sorry.
18 **Q. So what other documents did you review in**
19 **preparation for this category?**
20 A. There was a statement that there was
21 discipline action held, but none of the details
22 pertaining to it.
23 **Q. Did you speak with anybody who was in**
24 **attendance at the disciplinary hearing in preparation**
25 **for this category?**

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1 A. I have not.
2 **Q. Have you reviewed any disciplinary files?**
3 A. Those are highly confidential and not
4 available.
5 **Q. I'm just asking yes or no. Have**
6 **you reviewed --**
7 A. No.
8 **Q. Thank you.**
9 **So as you sit here today, would you be able**
10 **to comment on who was in attendance at the**
11 **disciplinary hearing?**
12 MR. MALEDON: Object to the form. He's not
13 going to answer any questions relating to who was in
14 attendance or what transpired. That's contrary --
15 for those questions to be asked, Counsel, is contrary
16 to the express direction of The Court on this issue:
17 "This matter shall not be inquired into" is what it
18 says.
19 MR. BOREN: All right. So is it your
20 position that a witness to speak on
21 subcategories (a), (b), (c), and (d) has not been
22 produced today?
23 MR. MALEDON: I don't see a Category (d).
24 I see (a), (b), (b) (c).
25 MR. BOREN: Double (b)s.

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1 MR. MALEDON: Yes. And The Court says (a)
2 to (c), which includes in my view both subcategories
3 (b) "shall not be inquired into."
4 MR. BOREN: Okay.
5 MR. MALEDON: So if there's anything you
6 want to ask this witness that isn't covered by the
7 court order, have at it, but I don't know what it is.
8 MR. BOREN: That's a fine understanding.
9 I'm just making my record that should this become
10 discoverable at a later date, then we'll designate
11 somebody to speak on that category.
12 MR. MALEDON: Fair enough.
13 **Q. Earlier we spoke about your having provided**
14 **previous deposition testimony in West Virginia.**
15 MR. MALEDON: Object to the form of the
16 question.
17 **Q. Do you recall that conversation?**
18 MR. MALEDON: That's not what he said,
19 Counsel. But object to the form of the question.
20 **Q. If you don't recall the question, that's**
21 **fine.**
22 **Do you recall previously having provided**
23 **deposition testimony in a case involving**
24 **The LDS Church in West Virginia?**
25 A. I do not recall.

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1 **Q. Have you ever given untrue testimony at a**
2 **deposition?**
3 A. Not to my knowledge.
4 **Q. Have you ever filed an errata sheet after a**
5 **deposition?**
6 A. It seems like I have.
7 **Q. Did you file an errata at the West Virginia**
8 **deposition?**
9 MR. MALEDON: Object to the form. He
10 didn't say he gave a deposition in a West Virginia
11 case.
12 MR. BOREN: I would like to mark as
13 Exhibit 6 transcript of
14 Roger Williams[sic] van Komen.
15 MR. MALEDON: Okay.
16 (Deposition Exhibit 6 is marked.)
17 **Q. It says, "Transcript of Roger Williams[sic]**
18 **van Komen; Date: July 16, 2014; Case: Doe-1, et al.**
19 **[versus] The [Corporation] of the President of the**
20 **Church of Jesus Christ, et al."**
21 **Mr. van Komen, is this you?**
22 A. With the typo there, I presume it is me.
23 **Q. Which typo?**
24 A. Middle name "Williams."
25 **Q. Can you see this is a transcript of a**

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1 knowledge.
2 **Q. Okay. And as a deposition, to the best of**
3 **your knowledge, it would have been under**
4 **penalty of perjury; correct?**
5 MR. MALEDON: Object to the form.
6 A. Yes.
7 **Q. That was a yes?**
8 A. Yes.
9 **Q. Okay. What is the purpose of the**
10 **Relief Society?**
11 A. Relief Society is an organization of women
12 of The Church to provide service and fellowship to
13 the members.
14 **Q. What do you mean by "service and**
15 **fellowship"?**
16 A. Relief Society would be available to help
17 out individuals in need, to serve where they're asked
18 to serve ward members and --
19 **Q. Are visiting teachers selected through the**
20 **Relief Society?**
21 MR. MALEDON: Object to the form.
22 A. That is one of the duties of the
23 Relief Society presidency to identify and assign
24 visiting teachers.
25 **Q. And how are visiting teachers assigned to**

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1 **deposition involving one Mr. van Komen, Mr. Kraus,**
2 **Mr. Kosnoff?**
3 MR. MALEDON: Object to the form. It's a
4 portion of the deposition transcript.
5 **Q. Fair enough.**
6 **Can you see this is a partial deposition**
7 **transcript?**
8 A. Yes.
9 **Q. As you review this transcript, is this a**
10 **deposition transcript involving your prior testimony**
11 **in another case?**
12 A. It appears to be so.
13 **Q. We'll return to that.**
14 **To the best of your knowledge, did you**
15 **provide accurate deposition testimony at that**
16 **deposition?**
17 A. To the best of my knowledge.
18 **Q. Under penalty of perjury; correct?**
19 MR. MALEDON: Object to the form.
20 **Q. Under penalty of perjury; correct?**
21 MR. MALEDON: Object to the form.
22 A. Under penalty of perjury -- what?
23 **Q. You provided a deposition, to the best of**
24 **your knowledge?**
25 A. I did provide deposition, to the best of my

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1 **respective families?**
2 MR. MALEDON: Object to the form.
3 A. I don't know the exact process that that is
4 done. That's up to the individual Relief Society
5 president how that is decided.
6 **Q. Are there rules by The Church that govern**
7 **Relief Society?**
8 MR. MALEDON: Object to the form. Counsel,
9 you're way beyond the scope of 30(b)6 Notice, way
10 beyond it.
11 MR. BOREN: "The role purpose,
12 responsibilities and duties of the
13 Relief Society..."
14 MR. MALEDON: Keep reading. Keep reading.
15 MR. BOREN: "and Visiting teachers..."
16 MR. MALEDON: "...and Visiting Teachers in
17 the LDS Church, including for any Ward in which the
18 Adams family were members for the period 2009 through
19 2017."
20 **Q. There we go.**
21 **To the best of your knowledge, are there**
22 **any rules from The Church on the Relief Society?**
23 A. There are instructions in the handbooks,
24 yes.
25 **Q. Okay. Perfect.**

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1 **And those handbooks would have encompassed**
2 **the wards in which the Adams family were members for**
3 **the period 2009 to 2017?**
4 A. Correct.
5 **Q. Is there any reason to believe that those**
6 **handbooks would not have applied to the wards at**
7 **which the Adams family were a part from 2009 to 2017?**
8 A. No.
9 **Q. Okay. Thank you.**
10 **So if we look at Category 4 in your 30(b)6,**
11 **how did you prepare for this category?**
12 A. I reviewed handbooks regarding visiting
13 teachers in The Church.
14 **Q. Okay. Do you recall which handbooks you**
15 **reviewed?**
16 A. I do not recall which year they were from.
17 **Q. Did you bring any of the handbooks you**
18 **reviewed with you today?**
19 A. Let me see if they're -- I don't think -- I
20 don't think I did. Nope.
21 **Q. Do you have it with you?**
22 A. No.
23 **Q. You do not.**
24 **Okay. Let's go ahead and take a quick**
25 **break.**

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1 **from 2002 to 2017?**
2 A. 2002, it looks like they're in the
3 Sharon Park 8th Ward of the Orem, Utah, Sharon Park
4 Stake; went to Heatheridge 5th Ward of the Orem,
5 Utah, Heatheridge Stake; Chula Vista, California
6 Stake of the Otay Mesa Ward; part of Chula Vista,
7 California Stake, San Diego Bay YSA Ward; Chula Vista
8 Second Ward, Chula Vista California Stake; Sierra
9 Vista Second Ward of the Sierra Vista, Arizona Stake.
10 Artesia Ward, Roswell New Mexico Stake, and
11 Sierra Vista Second Ward in the Sierra Vista, Arizona
12 Stake; Sierra Vista Fourth Ward of the Sierra Vista
13 Arizona Stake; Sierra Vista Third Ward of the
14 Sierra Vista Arizona Stake; and Bisbee Ward,
15 Sierra Vista Arizona Stake.
16 **Q. And these are the wards of which the Adams**
17 **family was a part of --**
18 MR. MALEDON: No. This is --
19 A. At least --
20 **Q. -- between 2002 to --**
21 A. -- these are the wards that
22 Paul Douglas Adams was a part of.
23 **Q. Okay. And what additional research did you**
24 **conduct beyond looking at this document to determine**
25 **which wards the Adams family was a part of?**

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1 THE VIDEOGRAPHER: Going off record, 12:36.
2 (A break was taken.)
3 THE VIDEOGRAPHER: On record, 12:54.
4 **Q. Good afternoon, Mr. van Komen.**
5 A. Uh-huh.
6 **Q. You're aware you're still under oath;**
7 **correct?**
8 A. Yes.
9 **Q. What wards were the Adams family members a**
10 **part of from 2002 to 2017?**
11 MS. CADIGAN: Did you make that an exhibit?
12 **Q. Are you looking for something in**
13 **particular, Mr. van Komen?**
14 A. I am looking for the membership record.
15 **Q. I can -- we can give you a copy.**
16 A. I got that back and I just --
17 **Q. It was Exhibit 5, I think.**
18 A. There it is. Okay.
19 **Q. All right. And this begins at the top,**
20 **Adams, comma, Paul Douglas?**
21 A. Yes.
22 **Q. Okay. So for clarity, I'll repeat my**
23 **question.**
24 A. Uh-huh.
25 **Q. What wards were the Adams family a part of**

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1 A. I did not look at any others.
2 **Q. Did you speak with any members of any of**
3 **these wards?**
4 A. No.
5 **Q. Who was the bishop of the Sharon Park**
6 **Eighth Ward in 2002?**
7 A. I do not know.
8 MR. MALEDON: And the Adams family was not
9 a part of that ward so --
10 MR. BOREN: Sorry, what was the testimony
11 you were trying to provide, Mr. Maledon?
12 MR. MALEDON: Your question, Counsel, asks
13 for information about wards that the Adams family was
14 a part of, and then you shifted and asked the witness
15 to --
16 MR. BOREN: Identify the bishop of
17 Sheridan Park Eighth Ward.
18 **Q. Who was the bishop of Sheridan Park**
19 **Eighth Ward?**
20 MR. MALEDON: Sheridan Park Eighth Ward --
21 MR. BOREN: I'm going to direct the rest of
22 my questions --
23 A. I --
24 MR. BOREN: -- to the witness, if you don't
25 mind.

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1 MR. MALEDON: But --
2 **Q. Go ahead.**
3 A. I do not know.
4 **Q. Where would you find that information?**
5 A. I am not sure.
6 **Q. Could you find out that information?**
7 A. I imagine I could.
8 **Q. And how would you go about that if you were**
9 **trying to find out?**
10 A. Church historical department may have
11 information.
12 **Q. Where is the church historical department?**
13 A. Where? It's here in Salt Lake City.
14 **Q. Okay. Were you gesturing across the**
15 **street?**
16 A. Yes.
17 **Q. And what building were you gesturing at?**
18 A. I don't know whether that information would
19 be --
20 MR. MALEDON: Let's move on.
21 A. -- housed --
22 MR. MALEDON: This is silly.
23 A. I don't know which exact building would
24 have that information where that department is
25 located.

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1 MR. MALEDON: All right.
2 **Q. But you gestured toward The Church of Jesus**
3 **Christ of Latter-Day Saints across the street;**
4 **correct?**
5 MR. MALEDON: Yeah. Counsel, this is
6 silly. I mean this isn't even lawyerly. It's just
7 silly.
8 MR. BOREN: I would appreciate the personal
9 attacks drawing to a close, Mr. Maledon.
10 MR. MALEDON: All right. So I'm going to
11 restrict you to the Notice of Deposition which asks
12 about the Adams family. The Adams were married,
13 according to this -- and you have it in front of you,
14 sir -- in 2004. You're asking about a ward that
15 Mr. Adams was in which is --
16 MR. BOREN: Are you testifying,
17 Mr. Maledon?
18 MR. MALEDON: No. I'm telling you I'm
19 holding you to the limit of the Notice of Deposition.
20 **Q. Did you review any membership records for**
21 **any other member of the Adams family?**
22 A. I did not.
23 **Q. Did you review the membership records of**
24 **Leizza Adams?**
25 A. No.

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1 **Q. Did you review the membership records of**
2 **any of their six children?**
3 A. No.
4 **Q. Have you reviewed any information that**
5 **would suggest that any of these wards are not also**
6 **wards of which the Adams family was a part?**
7 MR. MALEDON: Well, Counsel --
8 MR. BOREN: That's a question for the
9 witness.
10 MR. MALEDON: No.
11 MR. BOREN: Yes, it is.
12 MR. MALEDON: What do you mean by "Adams
13 family"? Object to the form of the question.
14 **Q. You can answer.**
15 MR. MALEDON: You're going beyond the
16 deposition Notice. "Adams family" means obviously
17 Mr. and Mrs. Adams and perhaps their children.
18 MR. BOREN: Here's what I'm going to do.
19 I'm going to submit as an exhibit -- what are we on?
20 Exhibit 7.
21 (Deposition Exhibit 7 is marked.)
22 **Q. And it's titled "Objections to Plaintiff's**
23 **30(b)(6) Deposition Notice to Defendant CHC."**
24 **And for objection at category -- on**
25 **objection to Category 5, "CHC objects to Section 5 of**

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1 **the Notice for the reasons...that it seeks**
2 **information far outside the relevant time period**
3 **relating to this case...2009 [to] 2017, and...that it**
4 **is duplicative of information already provided to**
5 **Plaintiffs in other depositions, i.e., Linda Drake,**
6 **and in interrogatory responses."**
7 **At no point does it object on the basis**
8 **that "Adams family" is vague and ambiguous, and so I**
9 **would like to continue with my information. If you**
10 **don't have that information, so be it.**
11 MR. MALEDON: Well, just so -- you've read
12 into the record. I will say I don't think "Adams
13 family" is ambiguous. "Adams family" means Mr. and
14 Mrs. Adams and their children.
15 MR. BOREN: I interpret it as "members of
16 the Adams family."
17 MR. MALEDON: Well, that's not what it
18 says, so I'm not --
19 MR. BOREN: That's literally what it says.
20 MR. MALEDON: -- going to allow the witness
21 to go beyond the Notice of 30(b)6 inquiry. It says
22 "Adams family." We know that Mr. and Mrs. Adams were
23 married in November of 2004. That's the commencement
24 of the Adams family.
25 MR. BOREN: I would also like to submit as

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1 exhibit -- are we on 8? -- The Court order, dated
2 May 13, 2022, that says, "As to Defendants'
3 Question 5, the Court believes this information is
4 discoverable and the Plaintiffs can make additional
5 inquiry of different people as to this subject,"
6 referring, of course, to the category of which we are
7 speaking.
8 MR. MALEDON: Okay. I have no problem with
9 that.
10 (Deposition Exhibit 8 is marked.)
11 MR. BOREN: All right. I would like for
12 the record to reflect this is first instance where
13 Defense counsel is raising any objection to the
14 language of "Adams family," and whether or not they
15 interpret it differently may require us to come back
16 for somebody to speak on this category in perhaps a
17 slightly different phrasing.
18 MR. MALEDON: That's fine but for present
19 purposes --
20 MR. BOREN: But for purposes of today, I'm
21 going to be asking questions based on the knowledge
22 you have here today, and you're more than welcome to
23 instruct him not to answer or object as beyond the
24 scope, and we'll go from there.
25 MR. MALEDON: I'm going to instruct him not

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1 to answer. Beyond the scope. If you want to ask him
2 within the scope of the deposition Notice, the
3 Adams family commenced in 2004, November of 2004. So
4 if you want to ask him about the wards --
5 MR. BOREN: Are you testifying,
6 Mr. Maledon?
7 MR. MALEDON: No. I'm just telling you
8 what the deposition Notice says. That's all.
9 MR. BOREN: The deposition Notice does not
10 start in 2004. It starts as 2002.
11 **Q. So beginning, do you know today who the**
12 **bishop was of the Sharon Park Eighth Ward?**
13 A. No.
14 **Q. Do you know any members of the**
15 **Relief Society at the Sharon Park Eighth Ward?**
16 A. No.
17 **Q. Do you know any visiting teachers who were**
18 **assigned to the Adams family during their time at**
19 **the -- during any member's time at the Sharon Park**
20 **Eighth Ward?**
21 MR. MALEDON: Object to the form. Beyond
22 the scope.
23 **Q. You can answer if you know.**
24 A. I do not know.
25 **Q. Do you know of any home teachers with the**

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1 **Sharon Park Eighth Ward who were assigned to the**
2 **Adams family home?**
3 A. No.
4 MR. MALEDON: Object to the form. Beyond
5 the scope.
6 **Q. And you had mentioned previously that**
7 **The Church historical department may have information**
8 **relating to the bishops at these wards; correct?**
9 A. As to who --
10 MR. MALEDON: Same objection.
11 **Q. All right. Is it your understanding that**
12 **The Church historical department would also have**
13 **information regarding the Relief Society members?**
14 A. Relief Society members?
15 **Q. Yes.**
16 A. That would not be a common type of -- I
17 mean -- this is a typical record that exists. There
18 are no other records, generally speaking, as to
19 assignments, callings, and so forth. And so to know
20 who visiting teachers were, no, those records are not
21 kept.
22 And who Relief Society presidents were and
23 so forth, those records generally are not kept. I
24 say "generally" only because I don't know what
25 recollection anybody may have, but that would be what

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1 would be required probably.
2 **Q. When you say "general recollection they**
3 **might have," who are you referring to? That Church**
4 **historical society or department?**
5 A. The members of the ward at the time.
6 **Q. Is it safe to say that the members of the**
7 **Relief Society for a given ward are the women at that**
8 **ward?**
9 A. The 18 and older women of the ward.
10 **Q. And women younger than 18 who are married?**
11 A. Could be.
12 **Q. If there is a policy in the handbook that**
13 **says "women younger than 18 who are married," do you**
14 **defer to that handbook policy as being accurate?**
15 A. I would.
16 **Q. Does The Church keep records of the members**
17 **of their wards?**
18 A. They do. For any member of the ward who
19 currently exists or, as this record indicates, there
20 is a history where anybody has moved to.
21 **Q. Do you know where the historical membership**
22 **records are kept?**
23 A. I do not know the exact location.
24 **Q. Where would you find out as to where a**
25 **membership record were kept?**

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1 MR. MALEDON: Object to the form. Beyond
2 the scope.
3 A. Again, I --
4 **Q. To put it back into scope, do you know**
5 **where this membership record of Paul Adams was kept**
6 **in The Church?**
7 A. I do not know where all the membership
8 records are kept in terms of their physical form.
9 **Q. Okay. Do you know who the bishop of the**
10 **Heatheridge Fifth Ward was in 2003?**
11 MR. MALEDON: Object to the form. Beyond
12 the scope.
13 A. No.
14 **Q. Same for the Relief Society president?**
15 A. No.
16 MR. MALEDON: Object to the form. Beyond
17 scope.
18 **Q. Would you expect to find the identities of**
19 **the Relief Society presidents at The Christ**
20 **historical department?**
21 A. No.
22 **Q. Why is that?**
23 A. Callings are generally not kept.
24 **Q. For bishops? Are they?**
25 A. As part of the membership record or whatnot

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1 MR. MALEDON: -- Adams family at that time.
2 MR. BOREN: Are testifying, Mr. Maledon?
3 MR. MALEDON: I'm -- Counsel, what you're
4 doing --
5 MR. BOREN: That's not an objection.
6 MR. MALEDON: -- is just abusive, okay?
7 You know that the Adams family didn't exist then, and
8 yet you're using the term "Adams family."
9 MR. BOREN: The Court ordered based on
10 dates that I chose, which are 2002 to 2017, I could
11 ask in that time frame. I'm well within that time
12 frame, Mr. Maledon.
13 If there was an additional with that, you
14 could have raised it with the Court. You didn't, and
15 we have the Court order. I'm not being abusive. I'm
16 compliant with The Court's directive.
17 **Q. So with that said, who were the visiting**
18 **teachers from Otay Mesa Ward assigned to the**
19 **Adams home?**
20 A. I do not know.
21 **Q. And do you know the visiting teachers?**
22 A. No.
23 MR. MALEDON: Same objections.
24 **Q. All right. Do you know who the bishop --**
25 **or strike that.**

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1 they -- those are not recorded and kept.
2 **Q. Okay. Who is the -- who were the home**
3 **teachers assigned to the Adams family from the**
4 **Heatheridge Fifth Ward?**
5 MR. MALEDON: Same objections.
6 A. Again, no records of home teachers are ever
7 kept.
8 **Q. So that's an affirmative that you do not**
9 **know who the home teachers were to the Adams family?**
10 A. I do not know.
11 **Q. Okay. Would that be the same for the**
12 **visiting teachers?**
13 A. That's correct.
14 **Q. For the Heatheridge Fifth Ward?**
15 A. I do not know.
16 **Q. Do you know who the bishop of the**
17 **Otay Mesa Ward was in 2003?**
18 MR. MALEDON: Same objections.
19 A. No.
20 **Q. Do you know the identities of the**
21 **home teachers who were assigned to the Adams family**
22 **during the time frame from that ward?**
23 MR. MALEDON: Same objections. There was
24 no --
25 A. No.

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1 **Do you know who the bishop was for the**
2 **San Diego Bay YSA Ward in 2004?**
3 MR. MALEDON: Same objections.
4 A. No.
5 **Q. Where would you find out who the San Diego**
6 **Bay YSA Ward president -- or bishop was?**
7 MR. MALEDON: Same objections.
8 A. Same source.
9 **Q. Same source being where?**
10 A. Any of The Church historical records.
11 **Q. Okay. And is it also safe to say that you**
12 **don't know who the home teachers or visiting teachers**
13 **assigned to the Adams family from the San Diego Bay**
14 **YSA Ward?**
15 MR. MALEDON: Same objections.
16 A. I do not know.
17 **Q. Who was the bishop of the Chula Vista**
18 **Second Ward?**
19 A. I do not know.
20 **Q. Why don't you know?**
21 MR. MALEDON: Same objections.
22 **Q. Why don't you know?**
23 A. I did not search out that information.
24 **Q. But that was information that could be**
25 **retrieved from The Christ historical department as**

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1 **you know; correct?**
2 MR. MALEDON: Same objections. Beyond the
3 scope.
4 **Q. You can answer.**
5 A. I believe it could be obtained.
6 **Q. Okay. Do you know when Paul Adams and**
7 **Leizza Adams were married?**
8 A. I believe it was November 22, 2004.
9 **Q. And on what do you base that information?**
10 A. On the membership record of
11 Paul Douglas Adams.
12 **Q. Is it your understanding that a marital**
13 **community is a family?**
14 A. I'm sorry? A what?
15 **Q. Are a husband and wife a family?**
16 A. Could be.
17 **Q. Okay.**
18 A. Yes.
19 **Q. But you didn't identify who the bishop was**
20 **at the San Diego Bay YSA Ward on December 1st, 2004;**
21 **correct?**
22 MR. MALEDON: Object to the form. Beyond
23 the scope.
24 A. Correct.
25 **Q. Even though Paul and Leizza Adams were**

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1 **already married at the time they were attending that**
2 **ward according to this document; correct?**
3 MR. MALEDON: Object to the form.
4 A. A YSA ward is as a young single adult ward,
5 and only holds single adults, not married people.
6 **Q. Why would this say 1st December 2004 for**
7 **the San Diego Bay YSA Ward if they're both married?**
8 MR. MALEDON: Same objections.
9 A. I do not know. If that was the date the
10 records were moved, not the date that they entered
11 into the ward.
12 **Q. What's the significance of records being**
13 **moved?**
14 A. It's indicated the individuals moved out of
15 that ward and the record was moved to their new
16 locations.
17 **Q. Are the individuals moved with their**
18 **records?**
19 A. Records are moved with the individuals.
20 **Q. Excuse me. Perhaps I am not following.**
21 **How does that explain why they're a member**
22 **of the San Diego Bay YSA Ward on the 1st of**
23 **December 2004 if they were already married at that**
24 **time?**
25 MR. MALEDON: Object to the form of the

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1 question. That's not what this document says.
2 A. The document indicates that the date that
3 the record was moved out of that ward was
4 December 1st, 2004.
5 **Q. Which means what, as you understand it,**
6 **regarding their membership in that ward?**
7 A. It means that they moved out of that ward
8 and into the Chula Vista Second Ward.
9 **Q. And based on this document, it looks as**
10 **though the 17th of April -- or strike that.**
11 **It looks as though in April of 2006 they**
12 **were at the Chula Vista Second Ward; correct?**
13 A. That's when they moved out of that ward.
14 **Q. I see. So they were in the San Diego Bay**
15 **YSA until 2006 based on this document?**
16 A. No, they were in the San Diego YSA Ward
17 until December 1st, 2004.
18 **Q. Right. So from 2004 to April of 2006, is**
19 **it a safe presumption that they were members of the**
20 **Chula Vista Second Ward?**
21 A. Yes.
22 **Q. Okay. Who was the bishop of the**
23 **Chula Vista Second Ward?**
24 A. I do not know.
25 **Q. Where would you find that information?**

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1 MR. MALEDON: Object to the form. Beyond
2 the scope.
3 A. Church historical records.
4 **Q. Which you did not review; correct?**
5 A. Correct.
6 MR. MALEDON: Object to the form.
7 **Q. I couldn't hear you, sir.**
8 A. Correct.
9 **Q. And did you make a request of The Christ**
10 **historical department to provide you with the**
11 **information about the bishop of the Chula Vista**
12 **Second Ward in 2006?**
13 MR. MALEDON: Object to the form. Beyond
14 the scope.
15 A. No.
16 **Q. Okay. And do you know the home teachers**
17 **who were assigned to the Adams family from the**
18 **Chula Vista Second Ward in 2006?**
19 MR. MALEDON: Object to the form.
20 A. No.
21 **Q. Do you know the home teachers who were**
22 **assigned to the Adams family from the Chula Vista**
23 **Second Ward at any time during their membership in**
24 **that ward?**
25 A. No.

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1 **Q. Do you know the home -- would that also**
2 **apply for home teachers during that time?**
3 MR. MALEDON: Same objections.
4 A. I do not know.
5 **Q. Did you reach out to anybody who was**
6 **affiliated with the Chula Vista Second Ward in**
7 **preparation for today?**
8 A. No.
9 **Q. I want to clarify when I was saying "Christ**
10 **historical department" I believe I meant "Church**
11 **historical department."**
12 **The name is The Church historical**
13 **department; correct?**
14 A. It would be the historical department of
15 The Church, whatever the title is. I don't know the
16 exact nature -- name of it.
17 **Q. Okay. Who was the bishop of the**
18 **Sierra Vista Second Ward in 2006?**
19 A. 2006.
20 **Q. I am sorry, sir. What document are you**
21 **looking at?**
22 A. I'm looking at the First Amended Complaint
23 that I believe has indications in it as to when
24 certain bishops were serving in that ward.
25 **Q. Who was the bishop of the Sierra Vista**

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1 **Second Ward in 2006?**
2 A. I am not sure.
3 **Q. Did you make any efforts to figure out that**
4 **information in anticipation for today?**
5 MR. MALEDON: Object to the form.
6 A. No.
7 **Q. Okay. And you're aware that that was**
8 **within the category you were designated as a**
9 **30(b)6 expert; correct?**
10 MR. MALEDON: Object to the form. Beyond
11 scope.
12 A. Yes.
13 **Q. Okay. Returning for a moment to the**
14 **Chula Vista Second Ward in 2005 and 2006, do you know**
15 **whether there was a change of bishops between 2005**
16 **and 2006 at the Chula Vista Second Ward?**
17 A. I do not.
18 **Q. Did you speak with anybody who was**
19 **previously a member of the Chula Vista Second Ward in**
20 **2005 and 2006?**
21 A. No.
22 **Q. What did you do to acquire any knowledge**
23 **about any membership in the Chula Vista Second Ward**
24 **in 2005 and 2006?**
25 MR. MALEDON: Object to the form. Beyond

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1 the scope.
2 **Q. You can answer.**
3 A. I don't know, frankly, how that would be
4 done other than -- I don't know for sure.
5 **Q. I'm asking whether you did anything, what**
6 **you did.**
7 A. I did not do anything.
8 **Q. Okay. Thank you.**
9 **Do you know a man by the name of**
10 **Bishop Hadden?**
11 A. That name is not familiar.
12 **Q. Was there ever a Bishop Hadden at the**
13 **Sierra Vista Stake or a ward in Sierra Vista?**
14 A. I am not familiar with that name.
15 **Q. Who was the bishop at Sierra Vista**
16 **Second Ward in 2006?**
17 A. Do not know.
18 **Q. Who was the bishop at the Sierra Vista**
19 **Fourth Ward in 2007?**
20 A. Do not know.
21 **Q. Who was the bishop of the Sierra Vista**
22 **Fourth Ward in 2006?**
23 A. I do not know.
24 **Q. Who was the bishop of the Sierra Vista**
25 **Fourth Ward in 2008?**

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1 A. Do not know.
2 **Q. Who was the bishop of the Sierra Vista**
3 **Third Ward in 2008?**
4 A. I do not know.
5 **Q. Who was the bishop at the Sierra Vista**
6 **Third Ward in 2009?**
7 A. I do not know.
8 **Q. Did you make any effort to identify any**
9 **bishop from the Sierra Vista Ward in the time frames**
10 **identified on Paul Douglas Adams's membership record?**
11 MR. MALEDON: Object to the form of the
12 question.
13 A. No.
14 **Q. Is there a reason why you didn't?**
15 MR. MALEDON: Object to the form of the
16 question.
17 A. I couldn't say.
18 **Q. You don't know why you didn't ask any**
19 **questions --**
20 A. I didn't --
21 **Q. -- about the Sierra Vista --**
22 A. I did not --
23 **Q. -- Ward bishop membership?**
24 A. I did not -- did not know the process to
25 get that and that that was relevant to this case.

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1 **Q. You didn't think it was relevant to the**
2 **case when Category Number 5 says, "The identities of**
3 **the Bishop(s)...[in] any Ward [for] which the Adams**
4 **family were members...for the period 2002 through**
5 **2017"?**
6 A. That's why I did not know what that -- how
7 much detail you really wanted on those things and so
8 did not inquire further on those.
9 **Q. You didn't know how much detail I wanted --**
10 **or the Plaintiffs wanted --**
11 A. The specific identities of these because,
12 for instance, "...Relief Society President(s),
13 Visiting Teacher(s)...Home Teacher(s)," there would
14 be no records available for any of that --
15 **Q. But there would be --**
16 A. -- for these times.
17 **Q. -- records available for bishops; correct?**
18 A. For the identities of bishops, that could
19 be identified, I believe.
20 **Q. And what efforts did you go through to get**
21 **the identity of the bishops --**
22 MR. MALEDON: Object to --
23 **Q. -- for the relevant time period, 2002**
24 **through 2017?**
25 MR. MALEDON: Object to the form of the

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1 **Q. Okay. Did you see whether or not there was**
2 **any living member for any ward that the Adams family**
3 **were a part of before they joined the Bisbee Ward?**
4 MR. MALEDON: Oh, come on, Counsel. Is
5 that called for?
6 MR. BOREN: Is there an objection?
7 MR. MALEDON: Yes. The objection is --
8 MR. BOREN: Okay. Form or foundation?
9 MR. MALEDON: -- that this is
10 argumentative, beyond the scope of the deposition
11 Notice.
12 MR. BOREN: I'm going to make my record.
13 It's very clear that this was an underprepared
14 category, that this was something that The Court
15 designated was relevant.
16 I'm making my record as to why this needs
17 to be retaken as a category because clearly
18 insufficient work was done in to preparing a witness
19 on these topics.
20 MR. MALEDON: Okay.
21 MR. BOREN: So I need to prepare my record.
22 MR. MALEDON: So let me respond to that
23 because you referenced The Court order. The Court
24 Order says, "As to Defendants' Question 5, the Court
25 believes this information is discoverable" --

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1 question.
2 A. I did not.
3 **Q. Okay. You said you did not do anything?**
4 A. I did not do anything to find the bishops.
5 **Q. Okay. Would that also be accurate for the**
6 **Relief Society presidents, visiting teachers, and**
7 **home teachers assigned to the Adams family?**
8 MR. MALEDON: He said those cannot be
9 determined, Counsel.
10 **Q. -- for that time frame?**
11 MR. MALEDON: Do we have to argue? He just
12 said that.
13 **Q. You can answer the question.**
14 A. So --
15 **Q. I'm asking whether or not you did anything**
16 **to identify the Relief Society presidents for any**
17 **ward in which the Adams family were members for the**
18 **period 2002 through 2017.**
19 MR. MALEDON: Same objection. It's also
20 argumentative.
21 A. I did not seek those out because those are
22 not records that are kept that would be available.
23 **Q. Is anyone alive from any ward the Adams**
24 **family ever attended from 2002 to 2006?**
25 A. I do not know.

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1 MR. BOREN: Uh-huh.
2 MR. MALEDON: -- "and Plaintiffs can make
3 additional inquiry of different people" --
4 MR. BOREN: Uh-huh.
5 MR. MALEDON: -- "as to this subject."
6 And that was in response to our point to
7 the Court that this is information that is not
8 generally available, will not be known by a 30(b)6
9 deposition witness. You've already inquired of this
10 of Linda Drake, of Mr. Fife, of Michelle Mauzy, and
11 of Sherrie Herrod.
12 And so that's what The Court was talking
13 about. The Court did not say that you could harass
14 this witness about things that he obviously doesn't
15 know and couldn't know.
16 MR. BOREN: I'm well within my rights to
17 ask what efforts were done to prepare a witness for a
18 30(b)6 category.
19 And individuals, regardless of what's
20 available in documents, do remember who
21 Relief Society presidents were, visiting teachers
22 were and home teachers were as evidenced by prior
23 depositions.
24 And communicating with those people would
25 have been a way to become prepared for this, and that

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1 was not done. I'm simply making my record on that.
2 MR. MALEDON: Okay.
3 MR. BOREN: All right.
4 MR. MALEDON: So are we done?
5 **Q. So did you make any --**
6 **No, of course not.**
7 MR. MALEDON: Okay.
8 **Q. So did you make any effort to speak to any**
9 **member of any ward about the membership of the**
10 **Relief Society president during the time in which the**
11 **Adams family were members of that ward?**
12 MR. MALEDON: Object to the form of the
13 question. That's beyond the scope.
14 A. No.
15 **Q. Okay. Did you make any effort to speak to**
16 **the members of any ward at which the Adams family**
17 **would have been members between 2002 to 2017 as it**
18 **relates to visiting teachers assigned to the**
19 **Adams family?**
20 MR. MALEDON: Object to the form of the
21 question. Beyond the scope and contrary to the court
22 order.
23 A. No.
24 **Q. Okay. Did you make any effort to speak to**
25 **any member of a ward in which the Adams family was a**

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1 **member from 2002 to 2017 as it relates to home**
2 **teachers assigned to the Adams family?**
3 MR. MALEDON: Same objections.
4 A. No.
5 **Q. Okay. Does a Relief Society work with the**
6 **bishop?**
7 A. Define "a Relief Society."
8 **Q. What's the Relief Society in**
9 **The LDS Church?**
10 A. The Relief Society is an organization of
11 all the women in the ward.
12 **Q. Does that organization coordinate with the**
13 **bishop of a given ward?**
14 MR. MALEDON: Object to the form of the
15 question. Vague.
16 A. The Relief Society as an organization does
17 not. The Relief Society president may coordinate and
18 discuss matters with the bishop.
19 **Q. So it's your understanding that the**
20 **Relief Society president coordinates with the bishop**
21 **on matters regarding the Relief Society; correct?**
22 A. Correct.
23 **Q. Is it your understanding that the**
24 **Relief Society president follows the handbook**
25 **provided by The LDS Church in performing**

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1 **responsibilities for the Relief Society?**
2 MR. MALEDON: Object to form of the
3 question. We're way beyond the scope of the Notice
4 now, counsel.
5 **Q. Go ahead.**
6 MR. MALEDON: I don't see anything that
7 addresses those kinds of questions in your deposition
8 Notice.
9 **Q. You can answer.**
10 A. Okay. I would hope that the Relief Society
11 president would read and follow the Handbook.
12 **Q. Okay. There's an expectation that the**
13 **Relief Society president is to draw their role,**
14 **purpose and responsibility and duties from the**
15 **Handbook; correct?**
16 MR. MALEDON: Same objections.
17 A. Yes.
18 **Q. Under what circumstances is a disciplinary**
19 **council called for a member of The LDS Church?**
20 A. There are a number of different issues that
21 may warrant a disciplinary council.
22 **Q. And what are those issues?**
23 A. Any violation of church standards
24 especially an extreme nature.
25 **Q. Are there any instance where a disciplinary**

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1 **council meeting is mandatory?**
2 MR. MALEDON: Object to the form of the
3 question. Counsel, where is this within the
4 deposition Notice?
5 **Q. You can answer.**
6 MR. MALEDON: Maybe he can't because I'm
7 not --
8 MR. BOREN: We'll see based on his
9 knowledge, Mr. Maledon.
10 MR. MALEDON: I'm not going to let him go
11 beyond the scope of the deposition Notice. We made
12 objections to the deposition Notice. The Court dealt
13 with some of the objections. You have --
14 MR. BOREN: Is this a speaking objection?
15 MR. MALEDON: No, no --
16 MR. BOREN: Because it sounds like it,
17 Mr. Maledon.
18 MR. MALEDON: -- no, this is a
19 communication with counsel. I'm trying to
20 understand --
21 MR. BOREN: You can't just call a meet and
22 confer when a question is pending. My question is --
23 MR. MALEDON: Of course, I can if --
24 MR. BOREN: No, no.
25 MR. MALEDON: -- you're going beyond the

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1 scope --
2 MR. BOREN: You cannot.
3 MR. MALEDON: -- of the deposition.
4 MR. BOREN: If he doesn't have the
5 information, that's fine. I can explain why it falls
6 within the scope. We can take it up with The Court.
7 "Defendant CHC's policies, guidelines and practices,"
8 as far as I'm concerned, encompasses disciplinary
9 hearings and council meetings.
10 **Q. Who conducts the disciplinary council**
11 **meeting in The Church?**
12 MR. MALEDON: Where are you reading from?
13 In the Notice, where are you reading from, Counsel?
14 MR. BOREN: I'm not required to identify
15 for you what I'm reading from.
16 MR. MALEDON: Okay. Then I'm going to
17 instruct the witness not to answer. It goes beyond
18 the scope of the deposition Notice and potentially
19 calls for privileged information.
20 **Q. Does the Defendant CHC, The LDS Church,**
21 **conduct a disciplinary council meeting? Or is it**
22 **conducted by lay members of society?**
23 MR. MALEDON: Object to the form of the
24 question. This witness was not identified, and I'm
25 not going to let him become an expert on disciplinary

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1 councils. He was not asked to testify on those
2 issues. Tell me where it says anything in
3 Category 3 about disciplinary council meetings.
4 **Q. Is a response to child abuse a disciplinary**
5 **council meeting?**
6 MR. MALEDON: Where does it say that?
7 MR. BOREN: Again, you're not the witness,
8 Mr. Maledon. I would like to mark the transcript.
9 I'm really just trying to ask my questions.
10 If you don't have the answer, sir, you're
11 more than willing to indicate that you don't have the
12 answer, but I'm allowed to ask my questions without
13 Mr. Maledon giving a speech.
14 MR. MALEDON: Just tell him you don't have
15 the answer, and we'll move --
16 MR. BOREN: That's literally coaching the
17 witness.
18 MR. MALEDON: No, he's not going to answer
19 questions that go beyond the scope of the Notice.
20 **Q. Is a disciplinary hearing or council**
21 **meeting mandatory in the event of child abuse?**
22 MR. MALEDON: If you know.
23 A. So if I know, according to the Handbook,
24 yes.
25 **Q. Right. So one of the ways in which**

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1 council meetings.
2 Where in the deposition Notice, Counsel,
3 with all due respect, does it talk about that? It
4 talks about the Paul Adams disciplinary proceeding,
5 which The Court said you can't go into.
6 There's no other category that I can see
7 that deals with disciplinary council meetings. This
8 witness was not prepared to deal with those issues,
9 and I'm not going to let him go into them.
10 MR. BOREN: Are you instructing him not to
11 answer?
12 MR. MALEDON: Of course I am.
13 MR. BOREN: Okay.
14 MR. MALEDON: It's beyond the scope of the
15 deposition Notice.
16 MR. BOREN: All right.
17 MR. MALEDON: He wasn't prepared for it.
18 MR. BOREN: And I respectfully submit that
19 it falls within Category 3, so if we need to bring
20 somebody back based on the interpretation --
21 MR. MALEDON: Category 3, okay --
22 **Q. Is a disciplinary council mandatory in the**
23 **event of child abuse?**
24 MR. MALEDON: Object to the form of the
25 question. This witness is not expert on disciplinary

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1 **The Church responds to a report of child abuse would**
2 **be a disciplinary hearing; correct?**
3 MR. MALEDON: Object to the form of the
4 question. It goes beyond the scope of the deposition
5 Notice. I'm not going to let this witness get into
6 disciplinary council proceedings.
7 **Q. Are you going answer?**
8 MR. MALEDON: No, he's not.
9 A. No, I won't.
10 MR. MALEDON: It goes beyond the scope of
11 Notice and it gets into privilege issues. What
12 you're doing is surreptitiously going into the
13 Paul Adams disciplinary file matters. I'm not going
14 to allow that.
15 MR. BOREN: It's not well taken,
16 Your Honor.
17 MR. MALEDON: Yeah, of course. We have a
18 few things --
19 MR. BOREN: It's not your call.
20 MR. MALEDON: -- we're going to take up as
21 well, Counsel.
22 **Q. That's not -- "Defendant CHC's policies,**
23 **guidelines and practices...from 2009 to 2017...by**
24 **Defendant CHC to respond to any report of" child**
25 **sexual abuse; incest; rape; predatory behavior; abuse**

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1 of a spouse; the creation of child pornography; the
2 dissemination of child pornography; the possession of
3 child pornography; reasonable belief of an abuse of a
4 minor; and child physical abuse. That's the
5 category.
6 My question is, is a response by
7 Defendant CHC to a report of child abuse a
8 disciplinary council meeting?
9 MR. MALEDON: He's not going to answer that
10 question. Your category was the "Defendant CHC's
11 policies, guidelines, and practices." If you want to
12 ask him about those, fine, but I'm not turning this
13 witness into a expert witness.
14 MR. BOREN: For the record, I've made no
15 questions about the Adams family disciplinary hearing
16 in the scope of this particular question. I'm asking
17 about the policies of The Church which squarely falls
18 in --
19 MR. MALEDON: No, you're not.
20 MR. BOREN: -- Category 3, and Mr. Maledon
21 has obstructed the witness on a category that clearly
22 is relevant.
23 MR. MALEDON: No. You can ask about
24 policies, guidelines, and practices. You cannot ask
25 him about whether or not something in this case is

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1 sufficient to impanel a disciplinary council.
2 Q. Provision 6.7.3, when a disciplinary
3 council is mandatory, a disciplinary council must be
4 held when evidence suggests that a member may have
5 committed any of the following transgressions. This
6 consists of incest, child abuse, and murder.
7 Is that the policy of The Church?
8 MR. MALEDON: What are you reading from,
9 Counsel?
10 MR. BOREN: Reading from the Handbook.
11 MR. MALEDON: The 2010 Handbook?
12 MR. BOREN: Correct.
13 MR. MALEDON: Okay.
14 You may answer.
15 A. Okay. Yes.
16 Q. Is that the policy of The Church?
17 A. That's what that says, yes.
18 Q. Okay. Would there be any instance where,
19 despite a report of child abuse to The Church, a
20 disciplinary council meeting would not be held?
21 MR. MALEDON: If you know.
22 Object to the form of the question.
23 A. I don't know. Every circumstance is
24 different, and I would not be able to answer for all
25 circumstances and situations.

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1 Q. So it's your position that there are
2 instances where "mandatory" doesn't mean "mandatory"
3 in the help book?
4 MR. MALEDON: Object to the form of the
5 question. You're just arguing, Counsel.
6 A. So if it does say mandatory, then that
7 would be a circumstance where that would take place.
8 Q. And failure to then impanel a disciplinary
9 council in the wake of child abuse would be a
10 violation of Church policy?
11 MR. MALEDON: Object to the form of the
12 question.
13 A. So if child abuse were to be known, then
14 the practice would be to hold a disciplinary council.
15 Q. And who would decide to hold a
16 disciplinary council meeting if there were known
17 child abuse?
18 MR. MALEDON: Object to the form of the
19 question. This is far beyond the scope.
20 A. So it would be the bishop's decision to
21 hold that council after consulting with the
22 stake president to determine if that would be
23 appropriate and how that would be best accomplished.
24 Q. Okay. Do you know who the stake president
25 was in 2013 at the Bisbee Ward or for the

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1 Sierra Vista Stake?
2 A. I do not recall.
3 Q. Do you know whether or not it was
4 Kevin Goates?
5 A. I, unfortunately, do not recall.
6 Q. Do you know where we would find that
7 information?
8 MR. MALEDON: We've already given you the
9 information, Counsel.
10 MR. BOREN: If I have a question for you,
11 Mr. Maledon, I will ask it, but this is for this
12 witness.
13 Q. Do you know where we find that information
14 in The Church?
15 A. I imagine it would be in The Church records
16 but -- and the other documents here.
17 Q. Where would the record of the consultation
18 between the bishop and stake president before
19 impaneling a disciplinary council be found?
20 A. I don't know that there would be any
21 record.
22 Q. I would like to return to, a moment, to the
23 privilege log. It's already been marked as an
24 exhibit, but I apologize I don't remember the exhibit
25 that I identified it as.

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1 **Do you have a copy in front of you, sir?**
2 A. I do have a copy of it. There we go.
3 **Q. Yes, Exhibit 4. I would like to draw your**
4 **attention to the first "Description of Entry,"**
5 **"Initial Case Summary based on conversation between**
6 **Merrill Nelson...and [Bishop] John Herrod."**
7 **Do you see that?**
8 A. Yes.
9 **Q. Do you know who initiated that**
10 **conversation?**
11 MR. MALEDON: Object to the form of the
12 question. Counsel, you're getting into the
13 privileged area that the judge said you can't.
14 But you can answer that yes or no, if you
15 know who initiated it.
16 MR. BOREN: Since Mr. Maledon is now
17 instructing on this issue, I would like to read what
18 The Court actually said on this topic.
19 The Court said, "As to Defendants' Question
20 1(e), the inquiry of the Deponent, CHC, shall be
21 permitted as to any other calls to the Abuse Line
22 regarding members Adams family from any source
23 between the time period of 2002 [to] 2017, the person
24 from whom those calls were made as well as the
25 recipient of those calls may be identified, [and] the

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1 **phone calls to whom as it relates to the**
2 **Abuse Help Line?**
3 MR. MALEDON: That was not called for,
4 Counsel, and the answer is no.
5 MR. BOREN: I'm asking this witness.
6 MR. MALEDON: No. The witness is not going
7 to answer. It goes beyond the scope, and it violates
8 The Court's order. What The Court said basically was
9 having to do with 2002 to 2017 and whether there were
10 any additional calls, "other calls," The Court says,
11 during that period of time.
12 And we responded yesterday and told you
13 that after a search there were none found other than
14 what's on the privilege log. So what you're doing is
15 going into something that The Court said you can't.
16 MR. BOREN: The Court explicitly states
17 that I can answer "from whom those calls were made as
18 well as the [recipients] of those calls."
19 **Q. But are you prepared today to speak on who**
20 **made calls to whom as it relates to the Help Line?**
21 MR. MALEDON: On the privilege log, that's
22 what she said.
23 A. What you have is what I know as to any
24 phone call that would have come in, and so this
25 states that there was a conversation between

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1 content of those calls that are considered privileged
2 will be the subject of a 'privilege objection' if it
3 is necessary to be made."
4 MR. MALEDON: And we gave you that
5 information, Counsel, yesterday, and we said there
6 were no further calls between 2002 and --
7 MR. BOREN: This is clearly within the
8 scope of this category. I'm asking who made this
9 phone call.
10 MR. MALEDON: You can answer if that you if
11 know.
12 **Q. If you don't know --**
13 MR. MALEDON: Just say you don't know if
14 you don't know.
15 A. I don't know who made the phone call and to
16 whom it was made.
17 **Q. Okay.**
18 A. I mean this is --
19 MR. MALEDON: That's it.
20 A. Okay.
21 MR. BOREN: You can't instruct the witness
22 like that.
23 A. I just can't say anything more than what's
24 here.
25 **Q. Did you prepare today to speak on who made**

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1 Merrill Nelson and Bishop John Herrod. That's what I
2 know.
3 **Q. And as you sit here today, you don't know**
4 **which of those two parties initiated that phone call;**
5 **correct?**
6 MR. MALEDON: Object to the form.
7 A. I do not.
8 **Q. Okay. And would that apply to**
9 **communications throughout the privilege log as well?**
10 MR. MALEDON: What do you mean by
11 "communications"? I don't understand the question.
12 Object to the form.
13 A. There's one statement where there was a
14 phone call made to Bishop Herrod.
15 **Q. I'll put it this way --**
16 A. But --
17 **Q. Do you have any other knowledge about who**
18 **called whom in these -- this phone call or these**
19 **phone calls beyond what's identified in the**
20 **privilege log?**
21 A. I do not.
22 MR. BOREN: Okay. All right. I'm going to
23 look over my notes. Let's take another break.
24 MR. MALEDON: Okay.
25 THE VIDEOGRAPHER: Going off record, 13:42.

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1 (A break was taken.)
2 THE VIDEOGRAPHER: On the record, 13:54.
3 **Q. Good afternoon, Mr. van Komen.**
4 **You're aware you're still under oath;**
5 **correct?**
6 A. Yes.
7 **Q. All right. Among your 30(b)6 categories,**
8 **you were designated to speak on behalf of the**
9 **"Documents, policies, and procedures relating to**
10 **help/assistance given to address pornography problems**
11 **and/or addictions among members of the LDS Church**
12 **including documents regarding Paul and/or**
13 **Leizza Adams' receipt of such assistance" slash,**
14 **help.**
15 **"This includes times and dates of**
16 **help/assistance meetings in the Sierra Vista Stake**
17 **and/or Bisbee Ward attended by Paul and/or**
18 **Leizza Adams, materials provided at help [and/or]**
19 **assistance meetings, materials provided to Paul**
20 **and/or Leizza Adams at help/assistance meetings; and**
21 **names of CHC representatives who organized and/or**
22 **scheduled such help/assistance meetings between 2008**
23 **and 2017; and the names of CHC representatives who**
24 **organized and/or scheduled each help/assistance**
25 **meeting attended by Paul and/or Leizza Adams."**

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1 MR. MALEDON: Object to the form of the
2 question.
3 A. Any record -- I'm sorry?
4 **Q. Any record of pornography addiction help or**
5 **assistance by The LDS Church?**
6 A. If it were known that certain types of --
7 like child pornography were to have been used, then
8 there would have been annotation probably on the
9 record. Otherwise, if such information is not known,
10 there is no knowledge or record made anywhere.
11 **Q. Is it an annotation for porn or also for**
12 **child porn?**
13 MR. MALEDON: Object to the form of the
14 question. What does this have to do with Paul Adams
15 or the Adams family? The witness isn't here to talk
16 about these things generally. Your category was
17 specifically directed to Paul Adams and Leizza Adams.
18 MR. BOREN: Just mark the transcript as
19 another inappropriate speaking objection --
20 MR. MALEDON: No.
21 MR. BOREN: -- that I've been wrestling
22 against in this deposition.
23 MR. MALEDON: I'm asking you if I'm
24 misreading the category, but I'm not going to let him
25 go beyond the scope of the deposition Notice that you

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1 **Are you aware that you're presented to**
2 **speak on behalf of this category here today?**
3 A. Yes.
4 **Q. And what did you do to prepare for this**
5 **category, Mr. van Komen?**
6 A. Just briefly reviewed the Addiction
7 Recovery Program and its procedures.
8 **Q. What sort of help or assistance did Paul**
9 **and/or Leizza Adams receive regarding pornography**
10 **and/or addiction in their household?**
11 A. I'm not aware of any assistance that was
12 provided to them.
13 **Q. Where did you explore whether or not they**
14 **were provided any assistance?**
15 A. Records of Family Services and there were
16 no records of their ever having been served, and then
17 in terms of Addiction Recovery Program, no records
18 are kept. It's anonymous, similar to Alcoholics
19 Anonymous, and so it's first-name basis only, and no
20 records are kept.
21 **Q. Are records kept but destroyed?**
22 A. No, they're not kept.
23 **Q. Is there any sort of annotation that is**
24 **made for addiction recovery or pornography addiction**
25 **in The LDS Church?**

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1 sent us.
2 MR. BOREN: You can lodge an objection as
3 you've been ordered to by The Court, but your
4 speaking objections are so inappropriate,
5 Mr. Maledon.
6 MR. MALEDON: No, they're not.
7 **Q. My question is --**
8 MR. MALEDON: Your questions are
9 inappropriate.
10 **Q. -- whether there's the annotation specific**
11 **to pornography or an annotation specific to child**
12 **pornography?**
13 A. There's no annotation specific to
14 pornography on records.
15 **Q. Does the annotation on membership records**
16 **explain why an annotation is given?**
17 MR. MALEDON: Object to the form of the
18 question. Beyond the scope.
19 A. I believe there's a general notice that --
20 if there is an annotation, that the individual would
21 have certain restrictions in terms of who they might
22 interact with.
23 **Q. What sort of restrictions would be placed**
24 **on who they could interact with?**
25 MR. MALEDON: Object to the form. This is

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1 way beyond the scope of the deposition Notice. We're
2 not going to do this, Counsel. This witness is not
3 here to talk about these kinds of things, nor was he
4 prepared to do so. So please move on.
5 MR. BOREN: Please mark the transcript as
6 another yet another inappropriate speaking objection.
7 **Q. If you don't have the information.**
8 **Or instruct him not to answer.**
9 A. I do not know the exact nature of any
10 annotation specific to an individual.
11 **Q. But if The Church were responding to**
12 **child abuse, under those circumstances would**
13 **The Church place an annotation on a member's record?**
14 MR. MALEDON: Object to the form of the
15 question. Beyond the scope.
16 You either know or you don't know.
17 MR. BOREN: Please stop instructing the
18 witness.
19 MR. MALEDON: No. It's beyond the scope,
20 Counsel, and you can't do this. You're far beyond
21 the scope. The witness wasn't prepared to address
22 these issues.
23 MR. BOREN: I see that the witness was not
24 prepared to discuss numerous issues under the 30(b)6,
25 but Category 3 regards The Church's policies and

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1 A. There is a record of the disciplinary
2 proceedings that is kept.
3 **Q. Okay. And it's your understanding that**
4 **those disciplinary records would also include**
5 **restrictions placed on the member; correct?**
6 MR. MALEDON: Object to the form.
7 A. It would include some information about
8 recommendations or limitations.
9 **Q. Would it also include information as to why**
10 **the annotation is there in the first place?**
11 MR. MALEDON: Object to the form of the
12 question. Beyond the scope.
13 A. I don't know that that is included on the
14 membership record, the details.
15 **Q. But it would be included elsewhere within**
16 **the records of The Church?**
17 MR. MALEDON: Object to the form of the
18 question.
19 A. I don't know the exact location of it and
20 as part of a disciplinary council.
21 **Q. But it wouldn't be a mystery within**
22 **The Church as to why somebody was annotated in their**
23 **membership record? They could find that information**
24 **if they had access to that confidential information?**
25 MR. MALEDON: Object to the form of the

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1 response to child abuse and child pornography.
2 That's squarely within that category.
3 **Q. And so I'm wondering does The Church**
4 **annotate a membership record with any distinctions as**
5 **to who they can or cannot interact with in**
6 **The Church?**
7 A. Annotation would have some indication of
8 limitations and concerns.
9 **Q. And where would that annotation be kept?**
10 A. It's on membership record.
11 **Q. Are the details about that annotation kept**
12 **anywhere aside from the membership record?**
13 MR. MALEDON: Object to the form.
14 A. If that was a result of a
15 disciplinary council, then that would be a privileged
16 record that would not have access.
17 **Q. So that information would not be in the**
18 **membership record; correct?**
19 MR. MALEDON: Object to form.
20 A. No.
21 **Q. Okay. Was that a no, sir?**
22 A. No.
23 **Q. But that would kept elsewhere in The Church**
24 **relating to the disciplinary proceedings? Is that**
25 **your understanding?**

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1 question. Beyond the scope.
2 A. I'm not sure of that.
3 **Q. Okay. So is it your understanding that**
4 **Paul and/or Leizza Adams received help or assistance**
5 **regarding pornography problems from The LDS Church?**
6 A. I don't know that they actually did. I
7 understand that it was recommended. As to whether
8 they actually took action and followed through and
9 did anything, we have no record.
10 **Q. Who made that recommendation?**
11 MR. MALEDON: Object to the form.
12 A. From what I understand, the bishop.
13 **Q. Which bishop?**
14 A. Is it -- I can't remember which one is
15 which. That, I don't know.
16 **Q. Where would you find that information?**
17 A. I don't know that there would be any, other
18 than, again, if there was a recommendation from the
19 disciplinary council from Bishop -- was it Mauzy?
20 **Q. Okay. So if there's a recommendation, it's**
21 **your understanding it would have likely come from**
22 **Bishop Mauzy?**
23 MR. MALEDON: Object to the form. He
24 didn't say that, Counsel.
25 A. I do not know.

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1 **Q. Do you know if they were offered any help**
2 **or assistance regarding pornography addiction by the**
3 **Sierra Vista Stake?**
4 MR. MALEDON: Object to the form of the
5 question.
6 A. I don't know that the stake offered any.
7 **Q. Okay. Do you know if Herrod,**
8 **Bishop Herrod, recommended that Paul and/or**
9 **Leizza Adams receive help or assistance for**
10 **pornography problems?**
11 MR. MALEDON: Object to the form of the
12 question. And you're not to relate any
13 communications that you've had with counsel. That's
14 privileged.
15 A. I do not know the exact nature of any
16 communication or recommendations that were given to
17 them.
18 **Q. Aside from that relayed to counsel from**
19 **Herrod?**
20 MR. MALEDON: Object to the form.
21 **Q. Okay. Was that a yes?**
22 A. Pardon?
23 **Q. Was that a yes?**
24 MR. MALEDON: Was that a yes to what?
25 A. To what?

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1 **Q. I was asking whether or not you've -- I'll**
2 **rephrase.**
3 **Do you know how many bishops referred**
4 **Paul and/or Leizza Adams to receive help or**
5 **assistance for pornography problems?**
6 MR. MALEDON: Object to the form of the
7 question.
8 A. I do not.
9 **Q. Okay. Do you know what materials at any**
10 **point were provided to Paul and/or Leizza Adams?**
11 A. I do not.
12 **Q. Okay. Do you know where you would search**
13 **for such records if you wanted to find them?**
14 MR. MALEDON: Object to the form.
15 A. No.
16 **Q. Did you review any deposition transcripts**
17 **in response to this category in preparation?**
18 A. Not that I recall.
19 MR. MALEDON: Counsel, I would just observe
20 that we've been going four hours now, and that's the
21 limit under the rules for a deposition, so I hope
22 you're about to wrap up.
23 MR. BOREN: I will be.
24 **Q. Who within the Sierra Vista -- strike that.**
25 **Who within the Bisbee Ward would be**

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1 **responsible for organizing the help, slash,**
2 **assistance for pornography problems amongst members**
3 **of The LDS Church?**
4 MR. MALEDON: Object to the form.
5 **Q. Between 2002 and 2017?**
6 MR. MALEDON: Object to the form.
7 A. I do not know of anybody in particular who
8 would have that assignment.
9 **Q. Do you know what organization would**
10 **orchestrate that?**
11 MR. MALEDON: Object to the form.
12 A. No.
13 **Q. So you have no idea what organization would**
14 **be offering counseling if it were offered at all?**
15 MR. MALEDON: Object to the form.
16 A. For counseling, no.
17 **Q. You don't know whether it's offered by**
18 **LDS Family Services or a different organization?**
19 A. Well, LDS Family Services offers
20 counseling, but as to whether an individual actually
21 pursues counseling, that's the question. We do not
22 pursue people and say, "Hey, you've got to come to
23 counseling." It's up the individual member's
24 personal responsibility to initiate and to carry out
25 that counseling.

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1 **Q. So when you say that it's on a first-name**
2 **basis and it's anonymous, what are you referring to**
3 **as far as counseling sessions?**
4 A. Well, if you're talking about professional
5 counseling through LDS Family Services, that's one
6 thing. You've got the Addiction Recovery Program
7 which are separate self-help or support groups that
8 are made available to members.
9 **Q. And is that made available to members**
10 **through the LDS Family Services program?**
11 A. We help supervise that program, yes.
12 **Q. And do you know any individuals at the**
13 **stake level at the Sierra Vista Stake who would**
14 **operate help, slash, assistance for pornography**
15 **problems amongst the members of The LDS Church?**
16 MR. MALEDON: Object to the form.
17 A. I do not know if they had any specific
18 groups organized then for that.
19 **Q. Okay. I have, I believe, a final exhibit**
20 **to mark. I don't know what number we're on.**
21 **Number 9. This is a Request for Documents, Pursuant**
22 **to Rule 34, from Representatives Designated for**
23 **Rule 30(b)6 Deposition.**
24 **(Deposition Exhibit 9 is marked.)**
25 MR. MALEDON: Excuse me, Letitia. Is there

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1 a 7 and 8?
2 THE COURT REPORTER: Yes, there is.
3 MR. MALEDON: I don't have those. If
4 somebody could provide those to me, I would
5 appreciate it.
6 **Q. Do you have any recollection of this**
7 **document in front of you?**
8 A. I don't recall seeing this.
9 **Q. Okay. So it's your testimony today that**
10 **this is the first time you are seeing this document?**
11 A. Yes.
12 **Q. Okay. You prepared some documents today,**
13 **did you not? You brought some documents with you**
14 **today?**
15 A. I did.
16 **Q. Okay. I'd like to also have that as an**
17 **exhibit, Exhibit 10, the documents you brought to**
18 **today's deposition.**
19 MR. MALEDON: Well, Counsel, let's -- if
20 you want to do that, that's fine, but may I make a
21 suggestion that -- never mind. I was just going to
22 say these are in many cases pleadings from the case,
23 others that have been marked such as the privilege
24 log, and Mr. Adams's church record, portions of the
25 handbook that you already have. I mean if you want

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1 break.
2 MR. MALEDON: We are four hours and
3 15 minutes. Ms. Chapman and I have a plane to catch.
4 We were assuming this deposition would not go beyond
5 the four-hour limit under the rule.
6 Obviously we will be courteous and
7 cooperative as we always are, but we want you to
8 understand that we're not going to allow this to be
9 prolonged. Okay. All right. Let's take a break.
10 THE VIDEOGRAPHER: Going off record, 14:11.
11 (A break was taken.)
12 (Deposition Exhibit 10 is marked.)
13 THE VIDEOGRAPHER: On record, 14:19.
14 **Q. Good afternoon, Mr. van Komen. You're**
15 **aware you're still under oath; correct?**
16 A. Yes.
17 **Q. All right. At opportunity of reviewing the**
18 **documents that you provided at today's deposition, I**
19 **wanted to bring one to your attention. It's titled,**
20 **"LDS Child Abuse Historical Materials."**
21 A. Uh-huh.
22 **Q. Do you see this?**
23 **It's identified as Number 6 in the binder**
24 **you brought today; correct?**
25 A. I don't know the number, but it was in the

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1 to mark it, that's fine. I just think it's a waste
2 of time and paper, but it's up to you. Do you want
3 it marked?
4 MR. BOREN: Yes.
5 MR. MALEDON: Okay. It's large volume of
6 documents. We'll have to have it copied, so I'm not
7 sure what the --
8 MR. BOREN: Why don't we go ahead and copy
9 it over a break. I'll look over my notes, see what
10 additional questions I have, and then I'll be able to
11 look over those --
12 MR. MALEDON: No.
13 MR. BOREN: -- and see if I have any final
14 questions.
15 MR. MALEDON: Tell you what. Why don't we
16 do this: Let's just keep going and get the
17 deposition done, but why don't we just have the court
18 reporter mark this, and then we will copy it at the
19 end when the deposition is over so that everybody has
20 it. Okay?
21 MR. BOREN: I do need the opportunity to
22 review those documents, so I will be taking a break
23 to review it.
24 MR. MALEDON: All right.
25 MR. BOREN: Let's go ahead and take a quick

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1 binder, yes.
2 **Q. Okay. Did you review the various letters**
3 **that are identified on this document?**
4 A. I have reviewed some of those, yes.
5 **Q. What category did you review these**
6 **materials in anticipation of today?**
7 A. Just as a general overview of the
8 Abuse Help Line and its role and function and so
9 forth.
10 **Q. Do you know -- did you request additional**
11 **information about any of these designated talks or**
12 **letters?**
13 A. No.
14 **Q. So did you review any of these materials in**
15 **preparation for today that are referenced on these**
16 **three books -- Book 1, Book 2, Book 3?**
17 A. Again, I am familiar with some of those
18 talks and letters and instructions and did review
19 some of these that were available.
20 **Q. Did any of these speak to who created the**
21 **Help Line?**
22 A. No.
23 **Q. Did any of these speak to the purpose of**
24 **the Help Line?**
25 A. Purpose of the Help Line is to protect the

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1 innocent, to help those who may have been abused, and
2 to comply with all legal requirements.
3 **Q. Is the purpose of the Help Line to also**
4 **assess the liability of cases to The Church?**
5 MR. MALEDON: Object to the form of the
6 question.
7 A. I don't believe that is part of the scope
8 of the Help Line.
9 **Q. Do you know whether or not that was one of**
10 **the factors in its creation?**
11 MR. MALEDON: Object to the form.
12 A. I do not.
13 **Q. One way or the other?**
14 MR. MALEDON: Object to the form.
15 **Q. That's a no?**
16 A. No.
17 **Q. Okay. Thank you.**
18 **In reviewing my notes, I'm looking at the**
19 **general handbook provided by The Church relating to**
20 **2020, Bates Number CHC 000080, and it refers to**
21 **membership records with annotations.**
22 **It states, "As authorized by The First**
23 **Presidency, Church Headquarters annotates a person's**
24 **membership record in any of the situations listed**
25 **below.**

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1 **"The bishop or stake president submits a**
2 **Report of Church Membership Council form indicating**
3 **that the person's membership was formally restricted**
4 **or withdrawn for any of the following conduct:**
5 **"Incest; Sexual abuse of a child or youth,**
6 **sexual exploitation of a child or youth or serious**
7 **physical or emotional abuse of a child or youth;**
8 **Involvement with child pornography as outlined in**
9 **38.6.6; Plural marriage; Adult sexual predatory**
10 **behavior; Transgender-actions to transition to the**
11 **opposite of a person's [biological] sex at birth, see**
12 **38.6.23; Embezzling Church funds or stealing Church**
13 **property; Church welfare abuse; Threatening**
14 **behavior -- such as sexual, violent, or financial --**
15 **or [misconduct] that harms The Church."**
16 **Is it your understanding that that's the**
17 **policy of the Mormon church?**
18 MR. MALEDON: Object to the form of the
19 question.
20 A. That is what's in the Handbook, yes.
21 **Q. And is there any reason to believe that's**
22 **an inaccurate reflection if it's in the Handbook?**
23 MR. MALEDON: Object to the form of the
24 question.
25 A. No.

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1 **Q. What counts as threatening behavior**
2 **sufficient to warrant an annotation on someone's**
3 **record?**
4 MR. MALEDON: Object to the form of the
5 question.
6 A. There are lots of different types of
7 threatening behaviors, but it would have to be
8 something that you'd have to take a look at in
9 context and how that would be manifest to make a
10 decision on that.
11 **Q. Who would take a look at that in context in**
12 **The Church?**
13 MR. MALEDON: Object to the form of the
14 question.
15 A. Again, this is information and instruction
16 for bishops, stake presidents and the like.
17 **Q. Is a bishop able to put an annotation on a**
18 **record without a disciplinary council meeting?**
19 MR. MALEDON: Object to the form.
20 A. I would have to further look into that.
21 **Q. So you don't know one way or the other**
22 **today whether or not a bishop can unilaterally put an**
23 **annotation on a record?**
24 A. I'm not sure today.
25 **Q. Okay. And so it's safe to say that you**

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1 **don't know that they can't do that; correct?**
2 MR. MALEDON: Object to the form.
3 Argumentative --
4 A. I cannot answer that question.
5 **Q. When it says "Threatening behavior,"**
6 **there's a parenthetical aside that says, "such as**
7 **sexual, violent, or financial."**
8 **What counts as financially threatening**
9 **behavior under the policy?**
10 MR. MALEDON: Object to the form.
11 A. I have no idea.
12 **Q. Okay. Do you know where I could perhaps**
13 **find out about what financially threatening behavior**
14 **is --**
15 A. I have not seen anywhere that --
16 **Q. -- sufficient -- I need to finish my**
17 **question, sir.**
18 A. I'm sorry.
19 **Q. Where I can find out what meets the**
20 **definition of "financially threatening behavior"**
21 **sufficient to meet the definition of an annotation?**
22 A. I do not have any knowledge of anything
23 that gives any further information on that.
24 **Q. It says under Policy 38.6.2.3, "Child or**
25 **Youth Abuse," "A Church membership council and record**

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1 annotation are required if an adult" -- I'll say it
2 again.
3 **Under Section 38.6.2.3, "Child or Youth**
4 **Abuse," "A Church membership council and record**
5 **annotation are required if an adult member abuses a**
6 **child or youth as described in this section."**
7 **Is that your understanding?**
8 MR. MALEDON: Object to the form.
9 A. That is what that says.
10 **Q. That's a correct reflection of the policy**
11 **of The LDS Church?**
12 MR. MALEDON: Object to the form.
13 A. That is what is written in the Handbook.
14 **Q. Which would signify that it is the correct**
15 **policy for The Church?**
16 MR. MALEDON: Object to the form.
17 A. What was the reference on that?
18 **Q. The provision is 38.6.2.3, and it CHC00092**
19 **to -93.**
20 A. Okay. That is a policy section, yes.
21 **Q. So it's your understanding that's accurate**
22 **as a policy for The Church?**
23 A. That is the policy.
24 MR. BOREN: All right. Notwithstanding my
25 objection on failure to provide a 30(b)6 designee

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1 A. Correct.
2 **Q. You may get calls directed to the Help Line**
3 **relating to drug or alcohol addiction.**
4 MR. BOREN: Objection.
5 A. Those may -- yeah, any topic, those
6 included.
7 **Q. Including pornography addiction?**
8 A. Could, yes.
9 **Q. In this particular case counsel asked you a**
10 **number of questions on direct about what you know**
11 **regarding the November 2011 communication between**
12 **Bishop Herrod and the Help Line.**
13 **Do you remember those questions?**
14 MR. BOREN: Objection. Form. Foundation.
15 A. This is from the privilege log?
16 **Q. Yes, from the privilege log, there's a**
17 **reference --**
18 A. Yes.
19 **Q. -- the first reference -- and if you need**
20 **that in front of you, it's Exhibit 4 to your**
21 **deposition.**
22 A. Right.
23 **Q. Why don't you take a look at that, if you**
24 **would, just briefly.**
25 A. Get them in order here.

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1 sufficient on the categories that have been
2 designated and with the right to have a 30(b)6 on the
3 categories that are currently pending for the judge's
4 review, I'm done with my questioning.
5 I appreciate your time today. Thank you,
6 Mr. van Komen.
7 MR. MALEDON: All right. And I disagree
8 with counsel's statement, but I have a few questions
9 for the witness just to wrap up.
10 EXAMINATION
11 BY MR. MALEDON:
12 **Q. So, Mr. van Komen, am I correct that the**
13 **Help Line that's been described is not just for**
14 **child abuse situations but also includes other**
15 **situations?**
16 A. It's --
17 MR. BOREN: Objection.
18 A. -- designed for any type of abuse, but it
19 also -- we typically would get a lot of different
20 calls on a number of different issues including
21 suicide or spousal abuse, a number of different
22 issues beyond just child abuse.
23 **Q. So I think you've mentioned some of them**
24 **before. You may get calls to the Help Line related**
25 **to spousal or domestic abuse?**

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1 **Q. So the first entry was one that counsel --**
2 **Plaintiffs' counsel asked you about, and it refers to**
3 **a conversation between Merrill Nelson and**
4 **Bishop John Herrod.**
5 **Do you see that in the description of the**
6 **entry in the first column?**
7 A. Yes.
8 **Q. You don't know one way or another, do you,**
9 **sir, whether or not that call went directly to**
10 **Mr. Nelson at the firm or whether it went first to**
11 **LDS Family Services?**
12 MR. BOREN: Objection. Form. Foundation.
13 A. I do not know. There's no indication of
14 any Help Line personnel in this entry.
15 **Q. And if I understand your testimony, sir, if**
16 **the call went first to somebody at**
17 **LDS Family Services, the information provided would**
18 **have been just generic in nature by the bishop and**
19 **then the call would have been referred to the**
20 **appropriate person for handling?**
21 MR. BOREN: Objection. Form. Foundation.
22 A. As I've stated before, if Family Services
23 staff on the Help Line receive a call and it is
24 indicated that it is an abuse case, then that call is
25 forwarded to the attorneys.

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1 **Q. Right. And is it the policy when someone**
2 **calls the Help Line and the Help Line is answered by**
3 **an LDS Family Services representative to only obtain**
4 **generic information as to the nature of the issue**
5 **such as "child abuse," "spousal abuse," and then a**
6 **reference is made at that point to where the call**
7 **should go, whether it should go to an attorney or**
8 **somebody else?**
9 MR. BOREN: Objection. Form. Foundation.
10 A. Right. Typically, we would, yeah, get
11 information. If it's an abuse call, then it would go
12 to attorneys. If it's a suicide call, if it's
13 something relating to addictions or other topics,
14 then we would handle those without necessarily going
15 to an attorney.
16 **Q. And just so we're clear, when a call comes**
17 **to an LDS Family -- LDS Family Services**
18 **representative who's monitoring the Help Line, they**
19 **do not elicit the identification of the individuals**
20 **involved?**
21 MR. BOREN: Objection.
22 **Q. Is that right? Just the nature of the**
23 **issue that is --**
24 MR. BOREN: Objection. Form.
25 **Q. -- being called about?**

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1 LDS Family Services received a call.
2 **Q. That's an instruction.**
3 **You can answer.**
4 A. I do not know --
5 **Q. Okay.**
6 A. -- if there's any record.
7 **Q. If we wanted to find a breakdown of the**
8 **various types of concerns that are raised and**
9 **reported to the Help Line, where would we find that**
10 **information?**
11 A. If there is access to any of the records
12 such as this privilege log that gives content, that
13 would be the only place I would know; otherwise, I
14 would not know of any other content that would be
15 recorded anywhere.
16 **Q. Why does child sexual abuse get referred to**
17 **attorneys?**
18 MR. MALEDON: Object to the form.
19 **Q. When a phone call is made to the Help Line?**
20 A. There's a challenge in a number of states
21 as to what the bishop's responsibility is for
22 reporting or the responsibility to maintain
23 confidentiality.
24 And so with the attorneys, they can then
25 interpret the law for that state and provide

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1 A. That is correct. We do not ask for any
2 specific -- especially any identifying information.
3 **Q. And when you say "identifying information,"**
4 **you don't ask for the identification of the**
5 **individual Church members who may be involved?**
6 A. Correct.
7 MR. BOREN: Objection. Form. Foundation.
8 MR. MALEDON: That's all I have. Thank
9 you.
10 MR. BOREN: A few quick follow-ups.
11 FURTHER EXAMINATION
12 BY MR. BOREN :
13 **Q. Did you hear the conversation between**
14 **John Herrod and the person who received that phone**
15 **call at the Help Line?**
16 A. No.
17 **Q. Is there any written notes related to that**
18 **initial phone call?**
19 A. No.
20 **Q. Okay. Do you know which individual at**
21 **LDS Family Services received that phone call?**
22 MR. MALEDON: Object to the form.
23 Foundation. He never testified that --
24 **Q. You can answer.**
25 MR. MALEDON: -- anybody at

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1 appropriate counsel as to how that situation may best
2 be handled, you know, if indeed the abuse has to be
3 reported or if confidentiality has to be maintained.
4 So the attorneys can interpret the law, can
5 make that decision and provide that counsel to that
6 bishop.
7 MR. BOREN: Okay. No further question.
8 MR. MALEDON: Okay. We're done. We'll
9 read and sign.
10 (Whereupon the taking of this deposition was
11 concluded at 2:34 p.m. MDT)
12 * * *
13 The reading copy was submitted to the witness
14 at pschofield@kmclaw.com.
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