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# Whistleblower in IRS complaint against church gives statement in lawsuit

lawsuit

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Photo by: FOX 13 file image

A file image of City Creek Center, next to Temple Square.



By: Ben Winslow

Posted at 9:08 AM, Aug 17, 2021 and last updated 11:17 AM, Aug 17, 2021

SALT LAKE CITY — A former manager for The Church of Jesus Christ of Latter-day Saints' investment arm who filed a whistleblower complaint with the Internal Revenue Service has given a sworn declaration in James Huntsman's high-profile fraud lawsuit against the faith.

David Nielsen's statement was included in a late night court filing by Huntsman, who **alleges the Latter-day Saint church used tithing money for improper purposes, including funding downtown's City Creek Center project.** Huntsman is the brother of former Utah governor Jon Huntsman Jr. and a member of the wealthy family.

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### [The LDS Church is asking a federal judge to dismiss Huntsman's lawsuit, insisting that tithing dollars were not used to fund City Creek Center or bail out Beneficial Life Insurance.](#)

Huntsman's legal team filed a response to the Church's request to dismiss the lawsuit.

"The Church's present summary judgment motion is nothing more than its latest calculated effort to deceive the public and distort the facts. More specifically, to support its untenable position that tithing funds were not solicited through fraudulent means, the Church has painted a wildly-complex narrative, which is clearly intended to further obfuscate the truth about where tithing monies went," Huntsman's attorney, David Jonelis, wrote in the filing.

### [Nielsen filed an IRS complaint related to his former position as a senior portfolio manager for Ensign Peak Advisors, a multi-billion do](#)

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**Most recently, a FOX 13 investigation found that Ensign Peak Advisors had made \$6 billion in 2020 alone.**

"According to what the senior leadership of EPA informed me, in 1997 EPA was formed and was seeded with tithing money from the Church," Nielsen wrote in his sworn statement in Huntsman's lawsuit. "During my employment at EPA, EPA's senior leadership and other EPA employees referred to and revered all funds of EPA as 'tithing' money, regardless of whether they were referring to principal or earnings on that principal. In addition, during my time at EPA, tithing donations from the Church's members were commingled with earnings that EPA had made. Every penny was referred to as the 'widow's mite.'"

Huntsman's attorneys seize on this declaration to make their case that the Church defrauded him by spending tithing dollars for improper uses, but he acknowledged he stopped giving to the faith in 2015, years before the lawsuit was filed.

"While it is true that I stopped paying tithings in or around 2015 because I became I became disillusioned with the Church's doctrines (including its supp

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my tithing donations had gone, that I quietly asked for my tithing donations back on December 21, 2020."

A judge has scheduled a hearing in Los Angeles later this month, where the Church has asked him to rule on the future of the lawsuit.

***Read Huntsman's motion to dismiss here:***

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13 **UNITED STATES DISTRICT COURT**  
 14 **CENTRAL DISTRICT OF CALIFORNIA**

15 JAMES HUNTSMAN,  
 16 Plaintiff,

17 vs.

18 CORPORATION OF THE PRESIDENT  
 19 OF THE CHURCH OF JESUS CHRIST  
 20 OF LATTER-DAY SAINTS; and Does  
 21 1-10,

22 Defendants.

CASE NO.: 2:21-cv-02504 SVW (SK)

Assigned to the Hon. Stephen V. Wilson,  
Ctm. 10A

23 **PLAINTIFF JAMES HUNTSMAN'S**  
 24 **OPPOSITION TO DEFENDANT'S**  
 25 **MOTION FOR SUMMARY**  
 26 **JUDGMENT**

27  
28  
PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

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Attorneys for Plaintiff  
JAMES HUNTSMAN

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**DECLARATION OF DAVID A.  
NIELSEN IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

DECLARATION OF DAVID A. NIELSEN IN SUPPORT OF PLAINTIFF'S OPPOSITION  
TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT



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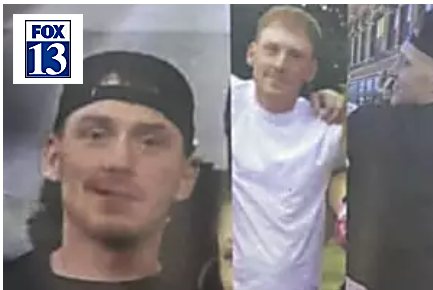
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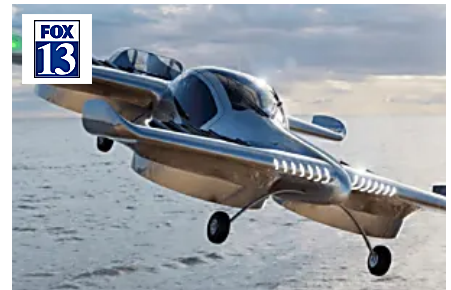
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