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

JANE DOE I; et al.,)
)
Plaintiffs,)

vs.) No. S0200CV202000599

THE CORPORATION OF THE)
PRESIDENT OF THE CHURCH OF)
JESUS CHRIST OF LATTER-DAY)
SAINTS, a Utah corporation;)
et al.,)

Defendants.)
) (Hon. Laura Cardinal)

VIDEOTAPED DEPOSITION OF ROBERT KIM MAUZY
September 29, 2022
10:03 a.m.
Sierra Vista, Arizona

MARY MEYER, R.P.R.
Certified Reporter 50225
MEYER, LUMIA & ASSOCIATES
2819 East 22nd Street
Tucson, Arizona 85713
Ph (520) 623-1100

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ALSO PRESENT:

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Mr. David Boyan, Videographer

12

13

* * * *

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BE IT REMEMBERED that pursuant to Notice of
Taking Deposition in the above-styled and numbered
cause, the videotaped deposition of ROBERT KIM MAUZY was
taken upon oral examination at the Fairfield Inn, 3855
El Mercado Loop, in the City of Sierra Vista, County of
Cochise, State of Arizona, before me, Mary Meyer, RPR,
Certified Reporter 50225, in and for the State of
Arizona, on the 29th day of September, 2022, commencing
at the hour of 10:03 a.m. on said day.

* * * *

1 THE VIDEOGRAPHER: We are going on record at
2 10:03. The date is September 29, 2022. We are at
3 Fairfield Inn in Sierra Vista, Arizona, for the
4 deposition of Robert Mauzy. Case name is Doe versus The
5 Church of Jesus Christ of Latter-day Saints in the
6 Superior Court of the State of Arizona in and for the
7 County of Cochise, case number S0200CV202000599.

8 My name is David Boyan. The name of my company
9 is Graphics for Litigators. The court reporter is Mary
10 Meyer of Meyer, Lumia & Associates.

11 Will counsel please introduce yourselves?

12 MR. MANLY: John Manly for the plaintiffs.

13 MR. BOREN: Taylor Boren for the plaintiffs.

14 MS. CADIGAN: Lynne Cadigan for the plaintiffs.

15 MS. THOM: Courtney Thom for the plaintiffs.

16 MR. MALEDON: Bill Maledon for the church
17 defendants.

18 MR. SCHOFIELD: Peter Schofield for the church
19 defendants.

20 MR. BOROWIEC: Joel Borowiec for the church
21 defendants.

22 MR. KUYKENDALL: Greg Kuykendall for Mr. Mauzy.

23 MS. CHAPMAN: Anne Chapman on behalf of Defendant
24 Shaunice Warr

25 MR. RYAN: Michael Ryan for Dr. Herrod and

1 Lenzner in the medical malpractice claim.

2 MR. RODGERS: Scott Rodgers for the church
3 defendants is online.

4 MR. STEWART: Morgan Stewart for plaintiffs,
5 online.

6

7 * * * *

8

9 ROBERT KIM MAUZY,

10 having been first duly sworn, was examined and testified
11 as follows:

12 EXAMINATION

13 BY MR. MANLY:

14 Q. Good morning, Mr. Mauzy.

15 **A. Good morning.**

16 Q. Sir, how do you pronounce your last name?

17 **A. Mauzy.**

18 Q. Mauzy?

19 **A. Yes, sir.**

20 Q. Okay. It's not Mauzy. It's Mauzy.

21 **A. Yes.**

22 Q. Okay. And have you ever had your deposition
23 taken before, Mr. Mauzy?

24 **A. No, sir.**

25 Q. Okay. So, I want to go through a few ground

1 rules today that we can follow, just so you kind of know
2 where we're going to go. I'm sure you had an
3 opportunity to speak with your counsel beforehand, but I
4 want to cover some ground rules.

5 The oath you just took is the same oath you would
6 take in a court of law in this state. It has the same
7 solemnity and import, and essentially what it means is
8 you're promising to tell the truth under penalty of
9 perjury. Do you understand that?

10 **A. Yes, sir.**

11 Q. And do you understand that if you intentionally
12 deceive, lie, or otherwise, you could be charged with a
13 crime?

14 **A. Yes, sir.**

15 Q. Okay. Throughout the deposition, I'm going to
16 ask you questions, presumably you're going to give me
17 answers. Counselors -- counsel may object. I just want
18 you to remember that anything we say while we're on the
19 record is going to be taken down by the court reporter.
20 So if we're off the record, no, but if we're on the
21 record, that will be the case.

22 Even though the deposition is going to be
23 videotaped, the -- it's really important in a deposition
24 that I wait until you finish your answer before I ask my
25 next question. By the same token, even if you know the

1 answer, wait until I finish, if you can, the question,
2 and you might want to pause a moment, just to give
3 counsel an opportunity to object, and then answer. And
4 I know that's odd. In normal conversation, people
5 overlap with each other all the time. But it's very
6 difficult if two people are speaking at the same time
7 for the court reporter to take down the testimony. Do
8 you understand?

9 **A. Yes, sir.**

10 Q. Okay. The other thing is, if you shook or nod
11 your head, nodded your head, in a normal conversation, I
12 would understand what you mean, you would understand
13 what you mean. Unfortunately, because the record is
14 audible, she can't take that down. So it's really
15 important, if you want to answer yes or in the
16 affirmative, you do so, and answer audibly. Make sense?

17 **A. Yes.**

18 Q. Okay. The other thing I want you to remember is
19 that -- that, you know, because of the lapse of time in
20 the case, you may not be able to formulate precise
21 answers as to times, distances, and things like that.
22 In those instances, I want you to -- I'm entitled to
23 your best estimate. Do you understand the difference
24 between a guess and an estimate?

25 **A. A guess and an estimate?**

1 Q. Yeah.

2 **A. Yes.**

3 Q. I'm sure you do, but just to put a fine point on
4 it, if I looked at you, and I said, "Mr. Mauzy, what
5 color -- what's the color of my brother's car," and you
6 said, "Red," that would be a complete guess. You don't
7 know if I have a brother, you don't know, if I do have a
8 brother, he has a car, and you certainly don't know what
9 color the car is, unless you've been following him,
10 which I seriously doubt. So there's no basis for that
11 answer.

12 On the other hand, if I said, "Hey, how long is
13 this table," you're an adult, you have education, you
14 have experience, you can observe the table, and you can
15 probably give me a pretty -- a darn good estimate of
16 what the table is -- what length the table is, because
17 you have a basis to do so.

18 Using that example, do you understand the
19 difference between a guess and an estimate?

20 **A. Yes.**

21 Q. Okay. At the conclusion of the deposition, the
22 court reporter's going to take her notes and transcribe
23 them into a booklet, a booklet about the size of a
24 magazine, and it's a question and answer format. So,
25 everything I say, everything counsel says, we're on the

1 record, it's going to be taken down. You're going to be
2 asked to review your testimony and then sign it under
3 penalty of perjury. I want to caution you from the
4 outset of the deposition that if you, if you make
5 changes at that time, which you're going to be permitted
6 to do, myself or any of the other lawyers in the case
7 are entitled to comment on that to the jury when we try
8 this case. So it's very important you give your best
9 and most accurate testimony here today. Do you
10 understand that?

11 **A. Yes, sir.**

12 Q. Okay. And that -- do you understand if you make
13 changes that I can comment, among others, and it can
14 affect your credibility, affect the outcome of the case.
15 Do you understand?

16 **A. Yes.**

17 Q. Okay. Let's see, what else.

18 Oh, the -- you know, I want you to be as
19 comfortable as you can today. I know it's an awkward
20 situation. But if you need a break, you just let me
21 know. Okay? And I'll be happy to let you break for
22 whatever reason. The only exception to that I'd make is
23 that if I'm in a -- if I have a question pending or I'm
24 in a line of questioning, you let me know, and I'll wrap
25 it up as quickly as I can. Okay?

1 **A. Okay.**

2 Q. Okay. Remember about the audible answer.

3 **A. Yes.**

4 Q. Don't worry. We'll remind you.

5 **A. Okay.**

6 Q. Okay. Sir, what's your full name?

7 **A. Robert Kim Mauzy.**

8 Q. Okay. And what name do you go by normally with
9 your family or friends?

10 **A. Kim.**

11 Q. Okay. And has that been since you were a child?

12 **A. Yes, sir.**

13 Q. And, sir, what's your date of birth?

14 **A. 12-30-54.**

15 Q. And what's your present age?

16 **A. You would ask me that. 67.**

17 Q. Okay. And, Mr. Mauzy, have you ever been
18 diagnosed with any type of memory problems or anything
19 like that?

20 **A. No, sir.**

21 Q. Okay. So you have no problem with your memory?

22 **A. Not -- no.**

23 Q. Okay. Are you under the influence of any
24 medication today that would affect your ability to
25 recall events?

1 **A. No, sir.**

2 Q. Okay. Prior to the deposition, did you have an
3 opportunity to meet with Mr. Maledon or other lawyers?

4 **A. Yes.**

5 Q. Okay. And when did you first meet Mr. Maledon?

6 MR. MALEDON: Are you talking about for the
7 deposition or --

8 MR. MANLY: No.

9 MR. MALEDON: -- generally?

10 MR. MANLY: Generally.

11 MR. MALEDON: Okay.

12 **A. We talked on the phone, but just meeting him in**
13 **person, just last week.**

14 Q. (By Mr. Manly) Okay. Did you meet with him last
15 week?

16 **A. Yes, sir.**

17 Q. Okay. And where did you meet? What -- what,
18 here or in Tucson?

19 **A. Here in Sierra Vista.**

20 Q. Okay. And where did you meet?

21 **A. At the office down here on the Highway 92.**

22 Q. Whose office?

23 **A. I always pronounce his name wrong.**

24 Q. Just do the best you can.

25 **A. Borowiec.**

1 Q. Spell it. Can you spell it, as best you can?

2 **A. No, sir.**

3 Q. Go ahead, sir.

4 **A. Spelling it, I'm sorry --**

5 Q. Would you say it again?

6 **A. Borowiec.**

7 Q. Borowiec, okay.

8 And was it Joel Borowiec's office?

9 **A. Yes.**

10 Q. Okay. And, besides Mr. Maledon and you, who else
11 was present at that meeting?

12 **A. Myself and, I don't remember all the names that
13 were on the Zoom meeting, and --**

14 Q. Well, let's start --

15 **A. -- Pete.**

16 Q. Excuse me, I interrupted you. Go ahead.

17 **A. Peter.**

18 Q. Okay. Mr. Schofield was there present
19 physically?

20 **A. Yes.**

21 Q. Okay. So it was Mr. Maledon, Mr. Schofield. Was
22 Mr. Borowiec there?

23 **A. No, sir.**

24 Q. Okay. And do you remember who was on the Zoom?

25 **A. I apologize, I do not.**

1 Q. Okay. Were they lawyers from Utah, if you know?

2 **A. Yes.**

3 Q. Okay. How many other people -- how many people
4 were on the Zoom?

5 **A. I'm trying to look at the -- one, two -- maybe
6 three.**

7 Q. Okay. So your best estimate is you had five
8 lawyers meeting with you, right?

9 **A. Yes, sir.**

10 Q. Okay. And how long did the meeting last?

11 **A. Couple hours.**

12 Q. So two hours?

13 **A. Two to four.**

14 Q. Two to four hours?

15 **A. Yes.**

16 Q. Okay. Did you take a break for lunch?

17 **A. No, we -- we ended it before we went out for
18 lunch.**

19 Q. Okay. What time did you get there, roughly?

20 **A. Nine, nine, 9:15.**

21 Q. Okay. And what time did you end, approximately?

22 **A. So, 9:15, maybe 1:00.**

23 Q. Okay. Had you ever met with these lawyers
24 before?

25 **A. In person?**

1 Q. Yeah.

2 **A. No.**

3 Q. Had you ever had a Zoom meeting with them before?

4 **A. No.**

5 Q. Okay. So you -- you talked to Mr. Maledon on the
6 phone before, right?

7 **A. Yes.**

8 Q. Okay. And how many times before that meeting --
9 what day was that last week, do you remember?

10 **A. Tuesday and Wednesday.**

11 Q. Oh, you had two meetings?

12 **A. Oh, wait, no. No, sorry, it was Thursday and**
13 **Friday.**

14 Q. Okay. So you had two meetings, Thursday and
15 Friday?

16 **A. Yes, sir.**

17 Q. Okay. And so the meeting you were describing
18 that was two to four hours from approximately 9:15 to
19 1:00, that was Thursday?

20 **A. Yes, sir.**

21 Q. Okay. And how long was the meeting Friday?

22 **A. About the same time.**

23 Q. Okay. So you basically met with them for around
24 eight hours last week?

25 **A. Give or take, yes, sir.**

1 Q. Okay. And what time was the meeting Friday?

2 **A. It was in the morning, so it was nine. And, you**
3 **know, I'm sorry, Thursday was in the afternoon.**

4 Q. Okay. Thursday was in the afternoon.

5 **A. Yes, sir.**

6 Q. So it was like one to five?

7 **A. No, one to -- one to four.**

8 Q. Okay. So was there -- was there a video camera
9 in the room?

10 **A. No, sir.**

11 Q. Were you shown any documents?

12 **A. Yes, sir.**

13 Q. What were you shown?

14 **A. I don't know the technical names of them, just --**

15 Q. Why don't you describe them, as best you can, for
16 me.

17 **A. I'm trying to think how, the best way to explain**
18 **it to you.**

19 Q. Let me help, let me see if I can help you. Were
20 you shown your testimony or your interview with the
21 police officer?

22 **A. Oh, where he was questioning me?**

23 Q. Yes.

24 **A. Yes.**

25 Q. Okay. And who showed you that document?

1 **A. Bill.**

2 Q. Okay. And --

3 **A. Is it okay if I call him by his first name?**

4 Q. You can call him whatever you like, as long as
5 he's okay with it.

6 **A. Okay.**

7 Q. So, when you say "Bill," you mean Mr. Maledon,
8 right?

9 **A. Yes.**

10 Q. Okay. And last week, as I understand it,
11 Thursday and Friday, was the first time you met Mr.
12 Maledon in person, correct?

13 **A. Yes, sir.**

14 Q. Okay. What other documents were you shown?

15 **A. Oh, boy. I'm sorry. The affidavit where -- that**
16 **I made myself.**

17 Q. The affidavit for the summary judgment motion?

18 **A. Yes.**

19 Q. Okay. You drafted that on your own?

20 **A. No, sir, with the help.**

21 Q. Who helped you draft that?

22 **A. Who helped me?**

23 Q. Yes, sir.

24 **A. Oh, Bill.**

25 Q. Mr. Maledon?

1 **A. Yes. He helped me.**

2 Q. Well, I'm confused, because you said you drafted
3 it on your own.

4 **A. Well, I didn't draft it on my own.**

5 Q. Okay. You signed it though, right?

6 **A. After we reviewed it and what we discussed, yes,**
7 **sir.**

8 Q. That was before last week, though, correct?

9 **A. Oh, yes, sir.**

10 Q. Okay. So you reviewed that document with Mr.
11 Maledon on the phone?

12 **A. On -- yes.**

13 Q. Okay.

14 **A. When we were discussing it.**

15 Q. All right. When's the first time -- you said Mr.
16 Schofield was at the meeting?

17 **A. (No oral response.)**

18 Q. Yes?

19 **A. Yes.**

20 Q. And I'm talking about last Thursday and Friday.

21 **A. Yes.**

22 Q. Okay. Are you okay, sir?

23 **A. I'm nervous.**

24 Q. Okay. Just take a deep breath. All you have to
25 do is tell the truth. Okay?

1 **A. Oh, yes.**

2 Q. All right. Would you like a glass of water?

3 **A. No, we're good.**

4 Q. Okay. When's the first time you ever spoke to
5 Mr. Schofield?

6 **A. Truthfully, I do not remember.**

7 Q. Did you ever speak to Mr. Schofield when he was
8 answering a hotline run by the church?

9 MR. MALEDON: Object to form.

10 Q. (By Mr. Manly) Let me rephrase it. Did you ever
11 speak to Mr. Schofield on the phone any time prior to
12 2020?

13 **A. Yes.**

14 Q. Okay. And when was that?

15 **A. Truthfully, sir, I couldn't tell you.**

16 Q. Well, what was the occasion you spoke with him on
17 the phone? Did you speak with him on the phone about
18 Paul Adams at any time prior to 2020?

19 **A. Any time prior to 2020. Sir, I couldn't**
20 **really -- I can't remember.**

21 Q. Do you know what the hotline is?

22 **A. Yes, I do.**

23 Q. Would you please tell us, for the record, what it
24 is?

25 **A. It's where we -- you can call to get legal**

1 **counsel and legal help.**

2 Q. Okay. Is it also called the help line?

3 **A. Help line?**

4 Q. Yeah, ever heard of that?

5 MR. MALEDON: Object to form, lack of proper
6 foundation.

7 THE WITNESS: Yeah.

8 MR. MALEDON: You may answer.

9 THE WITNESS: Okay.

10 Q. (By Mr. Manly) Have you ever heard it called the
11 help line?

12 **A. I -- I never really heard it called the help --**

13 Q. Well, you know --

14 (Deposition interrupted.)

15 MR. MANLY: Let's go off the record.

16 THE VIDEOGRAPHER: 10:18, we're going off record.

17 (Discussion with hotel representative held off
18 the record.)

19 THE VIDEOGRAPHER: 10:18, we're back on record.

20 Q. (By Mr. Manly) Okay. So, you -- I think -- I'm
21 going to paraphrase your answer, and if I get it wrong,
22 you tell me.

23 You said, "The hotline is where we called to get
24 assistance," roughly, is that what you said?

25 **A. Legal assistance.**

1 Q. Okay. And you say "we". Who do you mean, "we"?

2 **A. Myself.**

3 Q. You personally or you in your capacity as a
4 bishop with the LDS church?

5 **A. My -- could you rephrase?**

6 Q. Sure. The hotline, as I understand it, is a
7 hotline you -- I'm sorry -- the hotline you call as a
8 bishop, when you're serving as a bishop in the LDS
9 church, correct?

10 **A. Yes, when we need legal assistance.**

11 Q. Okay. How many times, when you were a bishop --
12 how many -- well, let me lay some foundation.

13 How many times have you been a -- had a calling
14 as a bishop in the Mormon church?

15 **A. How many times?**

16 Q. Yeah. More than once?

17 **A. No, sir.**

18 Q. Okay. Are you currently a bishop?

19 **A. No, sir.**

20 Q. Okay. So, when were you a bishop?

21 **A. Two thousand -- let me think about it for a
22 minute. 2012, possibly to 2017. Roughly five years.**

23 Q. All right. And so the jury will understand, can
24 you tell me how one becomes a bishop in the church?

25 **A. It's an interesting -- what you do is people pray**

1 **about who they would want to be -- that will fit into**
2 **the calling that they're looking for someone, so they**
3 **pray about it, and they get a confirmation of the name,**
4 **then you're sustained by the members, and if everybody**
5 **sustains, then you are called into that position.**

6 Q. So are you appointed by somebody? Or were you
7 appointed by somebody?

8 **A. Yes, I was.**

9 Q. And who was that?

10 **A. I was called of God.**

11 Q. Okay. So did you speak to God directly about
12 that?

13 **A. No, sir.**

14 Q. Okay. So how was that --

15 **A. Those that were -- I'm sorry.**

16 Q. That's okay. How was that -- just from a secular
17 standpoint, how did you learn that you were going to be
18 a bishop?

19 **A. When they called me to be a bishop.**

20 Q. And who is "they"?

21 **A. The church.**

22 Q. And who at the church called you to be a bishop?

23 **A. President Goates.**

24 Q. Okay. President Goates, the current head of the
25 temple in Tucson?

1 **A. Yes.**

2 Q. Kevin Goates, right?

3 **A. Yes.**

4 Q. Okay. Did you know President Goates before?

5 **A. Yes.**

6 Q. And how did you know President Goates?

7 **A. Meeting him at church.**

8 Q. At the temple or at ward?

9 **A. At the ward.**

10 Q. So did he visit the Bisbee Ward?

11 **A. Once in a while, the stake would come over.**

12 Q. Okay. He was stake president when he appointed
13 you, correct?

14 **A. Yes.**

15 Q. Let me put it -- let me rephrase that. He was
16 stake president when he told you you had a calling to be
17 a bishop, correct?

18 **A. Yes, he was.**

19 Q. Okay. All right. Now, the Bisbee Ward was not
20 your ward, normal ward, was it?

21 **A. No, sir.**

22 Q. Okay. What ward were you in?

23 **A. I think I was in 2nd Ward.**

24 Q. Okay. Which is located where? Sierra Vista?

25 **A. Yes.**

1 Q. Okay. And are you -- are you going to church
2 there now?

3 **A. Yes.**

4 Q. And you didn't move to Bisbee, right?

5 **A. No, sir.**

6 Q. So was there a reason that you know of that they
7 didn't pick somebody from the Bisbee Ward to be the
8 bishop?

9 **A. I -- I don't know why they didn't.**

10 Q. Okay. And can you tell me when you -- did he
11 call you on the phone and tell you this, or did he meet
12 with you, that you were going to be a bishop? If you
13 remember.

14 **A. He did not call me on the phone. I'm sure he
15 came and visited me personally.**

16 Q. At your home or at the ward?

17 **A. At the home.**

18 Q. Okay. Now, when you become a bishop, and I'm not
19 a member of the LDS church, so, forgive me, but when you
20 become a bishop, does your wife automatically get
21 responsibilities as well?

22 **A. No.**

23 Q. Okay. Did your -- did your wife have
24 responsibilities in the church other than a normal
25 member of the ward?

1 **A. No, she was just --**

2 Q. Okay.

3 **A. -- a regular normal member.**

4 Q. Okay. When you were the bishop, did she go to
5 church with you in Bisbee, or did she go at the ward in
6 Sierra Vista?

7 **A. She went with me in Bisbee.**

8 Q. Okay. All right. Now, who preceded you as
9 bishop of that Bisbee Ward?

10 **A. Oh, when I was released?**

11 Q. No, no. Who preceded, who was before you?

12 **A. Oh.**

13 Q. Yeah. That's okay.

14 **A. Bishop Herrod, John Herrod.**

15 Q. And had you known Bishop Herrod before?

16 **A. Yes.**

17 Q. Okay. How did you know him?

18 **A. From 2nd Ward, at church.**

19 Q. Okay. Was he your physician?

20 **A. Yes, he was.**

21 Q. So you knew him as your doctor and through the
22 church?

23 **A. Yes.**

24 Q. Okay. And was Bishop Herrod a member of the
25 Sierra Vista Ward before he went to Bisbee?

1 **A. Yes, sir.**

2 Q. Okay. So when -- as a bishop, do you have any
3 training?

4 **A. We have bishopric training, yes.**

5 Q. Okay. And where did that training take place?

6 **A. Usually at the stake center.**

7 Q. Okay. And here, for this stake, where's the
8 stake center?

9 **A. Up on Yaqui.**

10 MR. MANLY: Do you know how to spell that?

11 (Request for spelling by certified reporter.)

12 **A. Yaqui, Y-u-c-c-i-a, if that's right.**

13 Q. (By Mr. Manly) Okay. And who gives you that
14 training?

15 **A. Stake presidency.**

16 Q. Okay. So Mr. -- President Goates trained you,
17 right?

18 **A. When I was first bishop, yes, but we've had
19 different stake presidencies.**

20 Q. Okay. Do you periodically go to training during
21 your time as a bishop?

22 **A. Yes.**

23 Q. Okay. And does the stake have meetings
24 periodically?

25 **A. What --**

1 Q. I'm sorry, bad question.

2 Does the -- do bishops meet with the stake
3 president periodically, as a group, of the stake?

4 **A. The bishop himself or the bishopric?**

5 Q. No. Does "the bishopric" refer to the bishops in
6 the stake?

7 **A. No. The bishopric is bishop, first and second
8 counselor, ward clerk, and executive secretary.**

9 Q. Okay. And that's in the ward, right?

10 **A. Yes.**

11 Q. Okay. What I'm asking is: Do the bishops of the
12 different wards in the stake periodically meet with the
13 stake president --

14 **A. Yes, sir.**

15 Q. -- as a group?

16 **A. Yes, sir.**

17 Q. As a group?

18 **A. Yes.**

19 Q. And what is that called?

20 **A. Bishopric training.**

21 Q. Okay. And in that training, what kind of things
22 happen? How were you trained? What did they train you
23 to do?

24 **A. Basically, we really discussed the members and
25 what we need to teach the members, and just once in a --**

1 **what else?**

2 Q. Do you learn about business stuff, money and how
3 that's supposed to flow and --

4 **A. On the finance?**

5 Q. Yeah.

6 **A. Yeah, we talked about finance, yes, sir.**

7 Q. Okay. And are there certain times where you're
8 trained that you need to alert the stake president of
9 something that might be important that occurs in the
10 ward?

11 **A. Can you rephrase that to me? I --**

12 Q. Sure. Are there -- during the training, do you
13 receive training on, hey, if something serious happens,
14 like, for example, there's a robbery at the church or
15 there's some act of violence or something, that you're
16 supposed to notify the stake president?

17 MR. MALEDON: Object to the form.

18 Q. (By Mr. Manly) You can answer.

19 **A. So, yes, if there's a robbery or vandalism, we**
20 **will report it to the stake president.**

21 Q. Okay. All right. And obviously, so, if there's
22 a serious crime or a theft or something that, for
23 example, might affect the faith of the community,
24 something serious like that, you would have -- you would
25 report that to the stake president?

1 MR. MALEDON: Object to the form.

2 **A. Yeah, the face of the community, I don't**
3 **understand that.**

4 Q. (By Mr. Manly) Okay. Let me -- so, in other
5 words, if there's a serious crime that occurs at the
6 ward, or something else that's serious, that pertains to
7 safety, for example, that's something you were trained
8 to report to the stake president, right?

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) You may answer.

11 **A. I'm -- I'm trying to think of the question you**
12 **asked me.**

13 Q. Well, for example, if somebody -- I think you
14 said earlier, if there was a robbery or something like
15 that, you'd report it, right?

16 **A. Yes, sir.**

17 Q. Okay. So if there's a serious crime that occurs
18 at the stake that affects the safety and welfare of the
19 community, that's something you were trained to report
20 to the stake president, correct?

21 MR. MALEDON: Object to the form.

22 Q. (By Mr. Manly) You may answer.

23 **A. If it was -- you know, I'm still lost with the**
24 **question. You say the safety of the community. The**
25 **safety of the ward members?**

1 Q. Well, if somebody commits a serious crime, you
2 know, a violent crime, that pertains to the safety of
3 the church, right, you'd report that.

4 MR. MALEDON: Object to the form.

5 Q. (By Mr. Manly) Yes? Or would you just keep it
6 secret?

7 MR. MALEDON: Object to the form.

8 **A. I would probably seek the hotline and ask for**
9 **legal guidance.**

10 Q. (By Mr. Manly) So if somebody came in with a gun
11 to the -- to the ward and robbed all the parishioners
12 there, you wouldn't call the police, you'd call the
13 hotline?

14 **A. I'd call the police if somebody come into the**
15 **church and robbed the members.**

16 Q. And why would you do that?

17 **A. Why?**

18 Q. Why.

19 **A. That's what I should do.**

20 Q. Why?

21 **A. Because they're in there breaking the law,**
22 **hurting -- going to hurt people.**

23 Q. And it's the right thing to do, right?

24 MR. MALEDON: Object to the form.

25 **A. If somebody come in to rob, yes, that would be**

1 **the right thing to do.**

2 Q. (By Mr. Manly) Okay.

3 **A. And we had witnesses there, yes.**

4 Q. Right. And the reason for that is you obviously
5 want to try to get the money back, but you also don't
6 want the person to do that again to somebody else,
7 correct?

8 MR. MALEDON: Object to the form.

9 Q. (By Mr. Manly) Like in another ward. Correct?

10 MR. MALEDON: Object to form.

11 **A. If somebody was robbing the members, no, I would
12 not want them to go to another ward and do that.**

13 Q. (By Mr. Manly) Okay. Because that's just common
14 sense, right?

15 MR. MALEDON: Object to the form.

16 Q. (By Mr. Manly) Right?

17 **A. Common sense?**

18 Q. Yeah, it's common sense, when somebody commits a
19 serious crime, you call the cops, right?

20 MR. MALEDON: Object to the form.

21 Q. (By Mr. Manly) Are you struggling with that
22 question?

23 **A. No.**

24 Q. Okay. Then --

25 **A. I -- you got me flustered.**

1 Q. Okay. Let me ask it again. If somebody commits
2 a serious crime, and you're in charge, as the bishop of
3 your ward, and you -- you'd pick up the phone, and you'd
4 call the cops, right?

5 MR. MALEDON: Object to the form.

6 **A. If they was robbing, yes, I would call them.**

7 Q. (By Mr. Manly) Okay. Are there other serious
8 crimes where you wouldn't?

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) Murder, would you call the cops
11 with murder?

12 MR. MALEDON: Object to the form.

13 **A. Yes, I would.**

14 Q. (By Mr. Manly) Okay. How about if somebody --

15 **A. But if it was in confidence, if you came to me
16 and -- excuse me, I didn't mean to interrupt you.**

17 Q. No, go ahead.

18 **A. If you came to me and said that you confessed to
19 killing someone --**

20 Q. Um-hum.

21 **A. -- as a member of the ward, what I have you, you
22 telling me is in confidence.**

23 Q. Um-hum.

24 **A. So it would -- I would seek legal counsel on what
25 I should do about reporting that incident.**

1 Q. Okay. So, so, I didn't say anything about in
2 confidence. I said if it came to your attention that
3 somebody committed a serious crime, you'd report it,
4 right?

5 MR. MALEDON: Object to the form.

6 **A. If I seen the crime committed?**

7 Q. (By Mr. Manly) No. If somebody came to you, if
8 you learned of it outside of a confession, a serious
9 crime, would you report it?

10 MR. MALEDON: Object to the form.

11 **A. If you walked up to me and said you committed a**
12 **crime --**

13 Q. (By Mr. Manly) No --

14 **A. -- what you said --**

15 Q. -- that's not my -- that's not my question. My
16 question is --

17 MR. MALEDON: Let him finish, Counsel. You're
18 just -- you're just arguing with him. Don't cut him
19 off. Finish your answer.

20 MR. MANLY: You know what? I've been very
21 polite. I expect you to do the same. Okay?

22 MR. MALEDON: I'm going to be polite, but don't
23 cut the witness off.

24 MR. MANLY: Yeah.

25 MR. MALEDON: Go ahead, Mr. Mauzy.

1 **A. So, if you came to me on the street and said you**
2 **committed a crime, yes, I would report it.**

3 Q. (By Mr. Manly) Okay. What about if you learned
4 from one of the members that somebody had committed a
5 serious crime --

6 MR. MALEDON: Object to the form.

7 Q. (By Mr. Manly) -- outside of a confession?

8 MR. MALEDON: Object to the form.

9 **A. And they said they --**

10 Q. (By Mr. Manly) Jim -- Jim comes to you and says,
11 "Hey, Bishop, somebody just punched a lady in the
12 parking lot," would you report that?

13 MR. MALEDON: Object to form.

14 Q. (By Mr. Manly) Call the cops?

15 **A. Well, first I'd go out and see if I could ask**
16 **what happened.**

17 Q. Okay. How about if somebody said, "Somebody
18 raped a little girl in the parking lot in a car, and I
19 saw it, and it's going on right now," would you report
20 it?

21 MR. MALEDON: Object to the form.

22 Q. (By Mr. Manly) Or would you call the help line?

23 MR. MALEDON: Object to the form.

24 Q. (By Mr. Manly) Or hotline, rather.

25 **A. There again, I would probably -- if I seen it**

1 **happen, I'd call the help line to make sure what I'm**
2 **doing is the right thing --**

3 Q. Okay.

4 **A. -- for a legal point.**

5 Q. So, you wouldn't call the help line or the
6 hotline for a robbery, but you'd call it for a child
7 molestation, right?

8 MR. MALEDON: Object -- object to the form.

9 **A. Well, the robbery, I seen it happen, if they were**
10 **in the church coming and doing it, I would see the**
11 **church, but --**

12 Q. (By Mr. Manly) Okay. So the only way you're not
13 going to call the help -- the hotline is if you actually
14 see the child raped, in the case of child molestation,
15 right?

16 MR. MALEDON: Object to the form.

17 **A. No, I didn't -- I don't -- would you ask me one**
18 **more time?**

19 MR. MANLY: Would you repeat it, please, Ms.
20 Reporter.

21 (Following read by certified reporter: "Okay.
22 So the only way you're not going to call the help -- the
23 hotline is if you actually see the child raped, in the
24 case of child molestation, right?")

25 MR. MALEDON: Same objection.

1 **A. Me not being a bishop or being a bishop?**

2 Q. (By Mr. Manly) Being a bishop.

3 **A. I would check into the allegations on it probably**
4 **before I did anything. I would talk to other members to**
5 **see if they did witness it.**

6 Q. But you saw it.

7 **A. I seen it?**

8 Q. Yeah, you saw it.

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) Help line or -- or call the cops?

11 MR. MALEDON: Object to the form.

12 **A. Okay. I apologize. So if I was in the parking**
13 **lot --**

14 Q. (By Mr. Manly) And you saw Paul Adams raping his
15 little infant daughter, you personally saw it, would you
16 call the hotline, or would you call the cops? What's
17 your first step?

18 MR. MALEDON: Object to the form.

19 Q. (By Mr. Manly) Go ahead, Bishop.

20 **A. I would have to call the hot- -- I mean, I'd have**
21 **to call the cops, because it wasn't in confidence, and I**
22 **witnessed it.**

23 Q. Okay. But otherwise, if you didn't witness it,
24 you're calling the hotline, right?

25 MR. MALEDON: Object to the form.

1 **A. If somebody -- if somebody -- yes, if I didn't**
2 **see it take place, I would call, see what legal counsel**
3 **I need to proceed.**

4 Q. (By Mr. Manly) How many times did you call the
5 help line or the hotline while you were bishop?

6 **A. I don't know how many. Not too many.**

7 Q. More than 10?

8 **A. It's possible, yes, sir.**

9 Q. Okay. More than 20?

10 **A. I -- no, sir.**

11 Q. So, between 10 and 20 times you called the
12 hotline, right?

13 **A. I'm not sure how many I called, but --**

14 Q. What's your best estimate?

15 **A. Maybe -- well, I don't want to "maybe".**

16 **I don't remember.**

17 Q. Well, what's your best estimate?

18 MR. MALEDON: Object to the form.

19 Q. (By Mr. Manly) More than 10, less than 30? More
20 than 10, less than 20?

21 **A. Maybe more than 10, less than 15.**

22 Q. Okay. All right. How many times, when you
23 called the hotline, did you speak to Mr. Schofield, the
24 gentleman sitting across from me?

25 MR. MALEDON: Object to the form.

1 **A. One more time again, the question?**

2 Q. (By Mr. Manly) When you called the hotline the
3 10 to 15 times you just described to us, how many times
4 did you speak with Mr. Schofield during -- during those
5 calls?

6 MR. MALEDON: Same objection.

7 **A. I don't remember how many times I talked to Mr.**
8 **Schofield or --**

9 Q. (By Mr. Manly) More than --

10 **A. -- Peter Schofield.**

11 Q. More than once?

12 MR. MALEDON: Object to the form.

13 **A. Possibly more than once, yes, sir.**

14 Q. (By Mr. Manly) More than five times?

15 **A. I couldn't remember.**

16 Q. Okay. More than twice?

17 **A. Yes, sir.**

18 Q. How many times did you call the hotline about
19 Paul Adams?

20 MR. MALEDON: Object to the form.

21 **A. I -- sorry, I don't remember.**

22 Q. (By Mr. Manly) Let me put it -- did you ever
23 call the hotline about anybody else other than Paul
24 Adams?

25 MR. MALEDON: Object to the form.

1 **A. Don't remember, sir.**

2 **Q. (By Mr. Manly) So the only person you can recall**
3 **calling the hotline about is Paul Adams, right?**

4 **A. Yes, sir.**

5 Q. Okay. All right. Now, what are the names of
6 Paul Adams's children?

7 **A. Have [REDACTED] [REDACTED] There's -- there's the**
8 **other three boys.**

9 Q. So he had one daughter and three boys?

10 MR. MALEDON: Object to the form.

11 **A. I know he had [REDACTED] [REDACTED] and then two**
12 **other boys, and then another daughter later on.**

13 Q. (By Mr. Manly) Do you know her name?

14 **A. If you hold on --**

15 Q. Take your time. We'll take all day, if you need
16 it.

17 **A. I think it was [REDACTED].**

18 Q. Okay. What about the other two boys?

19 **A. I -- my mind is blank on the two names right now,**
20 **sir.**

21 Q. Okay. So has anybody -- do you know exactly --
22 you know he molested his children, right?

23 MR. MALEDON: Object to the form.

24 Q. (By Mr. Manly) You know he molested his
25 children, right?

1 MR. MALEDON: Object to the form.

2 **A. After his arrest, I was.**

3 Q. (By Mr. Manly) Okay. Is there some doubt in
4 your mind whether he molested his children, as you sit
5 here today?

6 MR. MALEDON: Object to the form.

7 **A. Well, will you ask me the question again?**

8 Q. (By Mr. Manly) Is there some doubt in your mind
9 whether Paul Adams molested his children, sir?

10 **A. Not with what came out after he was arrested, no.**

11 Q. Oh, okay. Did you have doubts in your mind
12 before he was arrested?

13 MR. MALEDON: Object to the form.

14 **A. Before he was arrested, I want to say no, sir.**

15 Q. (By Mr. Manly) You didn't have any doubts, or
16 you did?

17 **A. No, I had doubts --**

18 Q. I see.

19 **A. -- that he wasn't.**

20 Q. I see. So you didn't think he was molesting his
21 children before he got arrested, right?

22 MR. MALEDON: Object to the form of the question.

23 And, Mr. Mauzy, I'm going to caution you not to --

24 MR. MANLY: Hey, you're -- no, no.

25 MR. MALEDON: No, this is privileged, Counsel.

1 MR. MANLY: Show me the order. Give me the
2 order.

3 MR. MALEDON: This is privileged.

4 MR. MANLY: Then object on privilege.

5 MR. MALEDON: I'm objecting on privilege. I'm
6 instructing the witness not to answer anything that
7 involves a communication with counsel.

8 THE WITNESS: Okay. Yes.

9 MR. MANLY: All right. Let's attach as Exhibit 1
10 Judge Cardinal's order on depositions dated -- hearing
11 date's 5-13-2022, please.

12 (Exhibit 1 marked.)

13 MR. MALEDON: We should also, Madam Court
14 Reporter, attach as an exhibit, if we don't have it,
15 we'll get it, Judge Cardinal's order stating that the
16 communications with Bishop Herrod and with --

17 MR. MANLY: When you --

18 MR. MALEDON: -- Bishop Mauzy were privileged.

19 MR. MANLY: When you're -- when you're taking the
20 deposition, you can attach exhibits. You're not
21 attaching anything right now. I'm doing the
22 questioning.

23 MR. MALEDON: All right.

24 Q. (By Mr. Manly) So, Mr. Mauzy, it's a very simple
25 question: Did you have any doubts, prior to Paul -- you

1 said earlier that you had doubts whether Paul, Paul
2 Adams was molesting his children prior to his arrest.
3 Is that correct?

4 MR. MALEDON: Object to the form and foundation.

5 **A. I didn't have any doubts before Paul was arrested**
6 **or after?**

7 Q. (By Mr. Manly) Is that a question?

8 **A. I'm asking, is that what you asked me?**

9 Q. I'm asking -- you testified earlier that after he
10 was arrested, you realized, you knew for sure he was a
11 child molester, right?

12 **A. After he was arrested.**

13 Q. Right. You knew he was a child molester. That's
14 your testimony, right?

15 **A. After he was arrested.**

16 Q. Correct.

17 **A. Yes.**

18 Q. Okay. My question is: Before he was arrested,
19 did you have any inkling that he was a child molester?

20 MR. MALEDON: Object to the form of the question.
21 Same instruction to you, Mr. Mauzy.

22 Q. (By Mr. Manly) Did you have any suspicion he was
23 a child molester?

24 MR. MALEDON: Same objection.

25 **A. What I learned prior was confidential.**

1 Q. (By Mr. Manly) So is that a yes or a no?

2 MR. MALEDON: Object to the form.

3 **A. That was confidential with --**

4 Q. (By Mr. Manly) Well, it's not confidential now
5 because he talked to everybody about it.

6 **A. But at the time --**

7 Q. Okay. So you --

8 **A. -- that you're saying --**

9 MR. MALEDON: Wait, wait, wait. Counsel, let him
10 finish.

11 MR. MANLY: I really would appreciate it if
12 you'd --

13 MR. MALEDON: No.

14 MR. MANLY: -- stop yelling.

15 MR. MALEDON: No.

16 MR. MANLY: Stop yelling at me.

17 MR. MALEDON: I'm not yelling.

18 MR. MANLY: Yeah, you're being really
19 adversarial, and there's no reason to be.

20 MR. MALEDON: I'm not, Counsel. I'm just telling
21 you --

22 MR. MANLY: Okay.

23 MR. MALEDON: -- I want you to give the witness a
24 fair opportunity to answer --

25 MR. MANLY: I'm giving --

1 MR. MALEDON: -- the question.

2 MR. MANLY: -- the witness a fair opportunity --

3 MR. MALEDON: No, you're not.

4 (Caution by certified reporter to speak one at a
5 time.)

6 MR. MANLY: So, Mr. Maledon --

7 MR. MALEDON: So, let's go.

8 MR. MANLY: -- you're going to -- you're not
9 going to bully me. I respect you.

10 MR. MALEDON: I'm not bullying you.

11 MR. MANLY: Stop. I respect you, but --

12 MR. KUYKENDALL: Wait a minute. You're telling
13 him to stop, and you're accusing him of being a bully?
14 That's not how it works.

15 MR. MANLY: Hey, am I speaking to you?

16 MR. KUYKENDALL: I don't care if you're speaking
17 to me or not. We have to be gentlemen and ladies in
18 this room and act --

19 MR. MANLY: Gentlemen and ladies.

20 MR. KUYKENDALL: -- appropriately. Ladies and
21 gentlemen. So act appropriately.

22 MR. MANLY: Yeah.

23 MR. KUYKENDALL: Mr. Maledon's not doing anything
24 wrong.

25 MR. MANLY: Okay.

1 MR. MALEDON: Could the court reporter read
2 back --

3 MR. MANLY: I'm going to make --

4 MR. MALEDON: -- the last question?

5 MR. MANLY: -- my record. I would really
6 appreciate it if you wouldn't yell at me. Okay?

7 MR. MALEDON: Counsel, if I've --

8 MR. MANLY: And you've attacked my character in
9 this case, you've attacked my co-counsel's character
10 repeatedly. Don't do it. Okay? So --

11 MR. MALEDON: Now let me -- let me respond to
12 that, for the record.

13 I have not attacked anybody in this case. I have
14 simply expressed what I believe to be unethical conduct
15 at various times, and I will continue to do that because
16 I think that's appropriate.

17 Secondly, I have not attempted to raise my voice
18 to you, Mr. Manly, although I must say I think you're
19 being very unfair to the witness. The witness is --

20 MR. MANLY: Okay, now you're -- now you're doing
21 a speaking objection. You're not --

22 MR. MALEDON: I want --

23 MR. MANLY: -- you're not going to do this. All
24 right?

25 MR. MALEDON: I want you to give the witness time

1 to answer.

2 MR. MANLY: Let's call -- let's call the -- let's
3 call the special master.

4 MR. MALEDON: You do whatever you want to do.

5 MR. MANLY: Yeah. Okay. Yeah.

6 MR. MALEDON: But could you read back -- here's
7 what I want you to have --

8 MR. MANLY: No, I'm calling the special master.

9 MR. MALEDON: No, no, but I want the court
10 reporter to have ready for the special master, I want
11 you to have the question, the witness's partial answer,
12 and where Mr. Manly cut him off. Okay? That's what I
13 want.

14 MR. MANLY: Look, I'm happy -- if I interrupt the
15 witness, I'm happy for you to say it. Okay? And I
16 don't mean to interrupt the witness. What I'm not okay
17 with is your tone of voice. I'm not your -- I'm not
18 your -- I'm not your son that you're going to --

19 MR. MALEDON: I apologize --

20 MR. MANLY: Okay.

21 MR. MALEDON: -- Mr. Manly. Can we just go on?
22 And all I want to do is make sure you give the witness a
23 fair opportunity to finish his answer.

24 MR. MANLY: Okay. Fair enough.

25 MR. MALEDON: All right.

1 MR. MANLY: All right. Let's try, let's try it
2 again. All right. What was my last question?

3 (Following read by certified reporter:

4 "Question: Did you have any suspicion he was a child
5 molester? Answer: What I learned prior was

6 confidential. Question: So is that a yes or a no?

7 Answer: That was confidential with -- Question: Well,
8 it's not confidential now because he talked to everybody
9 about it. Answer: But at the time --")

10 MR. MANLY: I got it. Did you want to hear the
11 rest of it? I'm sorry.

12 MR. MALEDON: No, I want to know where he was
13 when he was cut off.

14 MR. MANLY: Let's start over.

15 Q. (By Mr. Manly) Okay. So I'm going to ask the
16 question again.

17 Did you have an -- did you have a suspicion at
18 any time while you were a bishop, prior to Mr. Adams's
19 arrest, that he was a child molester?

20 MR. MALEDON: Object to the form of the question.

21 **A. I --**

22 MR. MANLY: Counsel, is there some reason you're
23 standing?

24 MR. KUYKENDALL: My back hurts.

25 MR. MANLY: Okay. I hope it feels better.

1 **A. I'm sorry. There again, what I learned was, I'm**
2 **going to say confidential again.**

3 Q. (By Mr. Manly) Okay. Did you ever tell anybody,
4 including law enforcement, that you had a suspicion that
5 Paul Adams was molesting -- had molested a child, during
6 your time as bishop?

7 MR. MALEDON: Object to the form, foundation.

8 **A. Did I ever tell law enforcement.**

9 Q. (By Mr. Manly) Or anybody else outside of the
10 church, that you had a suspicion that Paul Adams was
11 molesting children.

12 MR. MALEDON: Same objections.

13 Q. (By Mr. Manly) Before or after your time as
14 bishop.

15 MR. MALEDON: Same objections.

16 **A. I never spoke to anyone about that, about Brother**
17 **Adams.**

18 Q. (By Mr. Manly) Brother Adams?

19 **A. Paul.**

20 Q. Let's call -- let's call him Brother Adams. Did
21 you ever speak with law enforcement after Brother
22 Adams's arrest and indicate that you had been told by
23 John Herrod that he had molested his children?

24 MR. MALEDON: Object to the form.

25 **A. After he was arrested, did I talk to anybody, or**

1 **before?**

2 Q. (By Mr. Manly) No. After he was arrested, did
3 you ever discuss with law enforcement the fact that
4 Bishop Herrod had told you that he had molested his
5 children?

6 MR. MALEDON: Object to the form.

7 **A. No, sir.**

8 Q. (By Mr. Manly) Okay. Did you ever tell anybody
9 outside of the church or did you hear from anybody
10 outside the church that Mr. -- or that Brother Adams had
11 molested his children?

12 MR. MALEDON: Object to the form.

13 **A. I heard from nobody that Brother Adams was doing
14 that outside --**

15 Q. (By Mr. Manly) Okay. So why'd you call the
16 hotline?

17 MR. MALEDON: Object to the form.

18 MR. MANLY: Is there a timestamp on the video?

19 THE VIDEOGRAPHER: (No oral response.)

20 MR. MANLY: Okay.

21 **A. With what was discussed when I became bishop, I
22 felt that it was -- I should call the hotline.**

23 Q. (By Mr. Manly) Why?

24 **A. Ask them for legal counsel, what --**

25 Q. About what?

1 **A. Things that was confessed to me before Brother**
2 **Adams was arrested. That was when I first became**
3 **bishop.**

4 Q. About Paul Adams, right?

5 **A. Yes.**

6 Q. Okay. And have you ever disclosed to anybody
7 what he confessed to you?

8 MR. MALEDON: Object to the form.

9 Q. (By Mr. Manly) Sir?

10 **A. No, sir, not that I'm aware of.**

11 Q. Okay. Now, how many children were in the ward,
12 children below, say, the age of 15?

13 **A. There was not too many.**

14 Q. Mostly the Adams kids, right?

15 MR. MALEDON: Object to the form.

16 **A. No, not mostly the Adams.**

17 Q. (By Mr. Manly) Okay. How many children were
18 under 10?

19 MR. MALEDON: Object to the form.

20 **A. I couldn't tell you how many was under the age of**
21 **10.**

22 Q. (By Mr. Manly) How many people were in the whole
23 congregation that normally attended on Sunday?

24 **A. Normally attended, 40 or so --**

25 Q. Okay.

1 **A. -- maybe a little more --**

2 Q. So --

3 **A. -- depending.**

4 Q. I'm sorry, I interrupted you.

5 **A. No, just depending.**

6 Q. Okay. And so there are 40, and the Adamses
7 attended most times?

8 **A. Yes.**

9 Q. Okay. So, of the 40 you had, six of them were
10 the Adams family, right?

11 MR. MALEDON: Object to the form.

12 **A. The Adamses were there, but we had more children**
13 **there.**

14 Q. (By Mr. Manly) Okay. How many other kids?

15 **A. Like I say, I don't remember. I -- our**
16 **attendance we took, sacrament meeting, with kids and**
17 **adults.**

18 Q. Okay. So you're looking out on that
19 congregation, and you have six -- you have four little
20 Adams kids, right?

21 **A. Plus more.**

22 Q. Okay. Well, but you saw the Adams kids every
23 Sunday, right?

24 **A. Yes, I did.**

25 Q. Hey, you know, have you ever made a report to

1 Child Protective Services?

2 **A. No, sir.**

3 Q. Has anybody -- did anybody, while you were
4 bishop, report to Child Protective Services?

5 MR. MALEDON: Object to the form.

6 Q. (By Mr. Manly) That you know of, from the ward?

7 **A. No, sir.**

8 Q. Do you know where Child Protective Services is
9 located?

10 MR. MALEDON: Object to the form.

11 **A. No, sir.**

12 Q. (By Mr. Manly) Okay. Is the county near -- is
13 the county offices near the ward?

14 **A. Yeah, there's two county offices, the Bisbee and
15 then down in --**

16 Q. The Bisbee county office is how far from the
17 ward? 25 yards, 30 yards?

18 **A. Give or take.**

19 Q. Did you ever think about just walking over there
20 and reporting Paul Adams, taking those -- that short
21 walk?

22 MR. MALEDON: Object to the form.

23 Q. (By Mr. Manly) And reporting?

24 MR. MALEDON: Object to the form, no proper
25 foundation.

1 **A. No, sir. There was no reason.**

2 Q. (By Mr. Manly) I see. Six Adams kids, rights --
3 right?

4 **A. One, two, three, four, five -- I apologize. I**
5 **don't remember. My mind is blank right now on the kids.**

6 Q. Okay. And how many of his children did he
7 molest --

8 MR. MALEDON: Object --

9 Q. (By Mr. Manly) -- that you learned after his
10 arrest?

11 MR. MALEDON: Object to the form.

12 **A. After his arrest?**

13 Q. (By Mr. Manly) Yeah.

14 **A. Just what I read in the papers.**

15 Q. Was -- did the children still come to the ward?

16 **A. After he was arrested?**

17 Q. Um-hum.

18 **A. Yes.**

19 Q. Did you ever take them aside and talk to them?

20 **A. I visited with them almost every Sunday when they**
21 **would come in after --**

22 Q. I see.

23 **A. -- but we discussed only what they learned in**
24 **church.**

25 Q. I see. So, if you, as a bishop, learned while

1 you were there, from a confession, that somebody -- what
2 does -- you know, in Catholicism, we call it a
3 parishioner. What do you -- what do you call somebody
4 who attends the church?

5 **A. A member.**

6 Q. A member. Okay. Forgive me.

7 If you learned a member, even through a
8 confidential communication, was molesting a child, his
9 own child, or her own child, would you -- would you take
10 the children aside and -- and ask them, "How are things
11 at home?"

12 MR. MALEDON: Object to the form of the question,
13 lack of proper foundation.

14 **A. So you're saying if I found out?**

15 Q. (By Mr. Manly) Yeah. Would you -- would it --
16 wouldn't it make sense for you, as a bishop, because you
17 would obviously be concerned that they were in danger,
18 right?

19 MR. MALEDON: Object to the form.

20 **A. If -- if you thought they were in danger, I would**
21 **ask them, yes, but I never thought they were in danger.**

22 Q. (By Mr. Manly) I see. So it's fair to say that
23 you never took any of the children -- I mean, you
24 couldn't talk to the infant he was molesting because she
25 was -- she couldn't communicate. But you never talked

1 to [REDACTED] or any of the children and asked them, "How's
2 dad treating you?" Didn't do that, did you?

3 MR. MALEDON: Object to the form.

4 **A. What I did is all -- when they would come in to**
5 **get their candy after church, primary, I would ask them,**
6 **"How are you doing," and, "What did you learn at**
7 **church?"**

8 Q. (By Mr. Manly) And did you ask them, "How's
9 mommy treat you?"

10 MR. MALEDON: Object --

11 Q. (By Mr. Manly) Didn't do that either, did you?

12 MR. MALEDON: Object to the form.

13 Q. (By Mr. Manly) Did you?

14 **A. No, I did not, because Sister Adams brought their**
15 **children to church every Sunday. She was there with**
16 **them.**

17 Q. Okay. Did you ever ask her, "Is Paul hurting the
18 kids?"

19 MR. MALEDON: Object to the form.

20 Q. (By Mr. Manly) "Is Paul hurting you?"

21 MR. MALEDON: Object to the form.

22 **A. I would ask her how is she doing, and she would**
23 **say, "Fine."**

24 Q. (By Mr. Manly) Did you ever ask her, "Is Paul
25 hurting the kids," sir?

1 MR. MALEDON: Object to the form. And, again, I
2 caution you about privileged confidential
3 communications.

4 THE WITNESS: Yes.

5 MR. MANLY: You're coaching him.

6 MR. MALEDON: I'm not.

7 MR. MANLY: You can object on privilege and say
8 "Privilege". Okay. He's got it. You're trying to
9 coach -- couch his testimony. So --

10 MR. MALEDON: No, I'm not, Counselor. Is this a
11 good time for a break? We've been going for a while?

12 MR. MANLY: Yeah, let me read from the order
13 here, Mr. Maledon: If there's an objection to
14 privilege, counsel shall say, "Objection, privilege,"
15 and the court will review those objections.

16 MR. MALEDON: Okay.

17 MR. MANLY: All right. I'm happy to take a
18 break.

19 MR. MALEDON: Thanks.

20 THE WITNESS: Thank you.

21 THE VIDEOGRAPHER: 11:01, we're going off record.

22 (Break taken, 11:01 to 11:12.)

23 THE VIDEOGRAPHER: The time is 11:12, we are back
24 on record.

25 Q. (By Mr. Manly) Okay. You understand you're

1 still under oath, sir?

2 **A. Yes, sir.**

3 Q. Okay. So, when you became bishop, there was a
4 transfer process, between you and Bishop Herrod, who was
5 your predecessor?

6 **A. Yes.**

7 Q. And how long was that process?

8 **A. Once they released him, they set me apart as the**
9 **bishop.**

10 Q. Okay. So, how long between the time you learned
11 you were going to be the bishop and you actually took
12 the office?

13 **A. Probably -- you know, I don't want to guess. I**
14 **couldn't tell you. Not too long. Short period.**

15 Q. A month? Two months?

16 **A. Oh, no, sir, not that long.**

17 Q. Okay. So less than a month?

18 **A. Yes, sir.**

19 Q. Okay. And, during that process, did you meet
20 with Bishop Herrod?

21 **A. Meet as me becoming a bishop and him being**
22 **released or --**

23 Q. Did you meet with Bishop Herrod as part of the
24 transfer process to discuss things?

25 **A. Yes.**

1 Q. Okay. And where did that take place?

2 **A. Church.**

3 Q. Which church?

4 **A. Melody Lane.**

5 Q. Okay. And where is that located?

6 **A. Bisbee.**

7 Q. Okay. So you met at the Bisbee Ward?

8 **A. Yes.**

9 Q. All right. And what did you discuss?

10 MR. MALEDON: Object to the form. Privilege.

11 Don't answer the question.

12 MR. MANLY: "What did you discuss" is privileged?

13 MR. MALEDON: What he discussed with Bishop

14 Herrod is privileged, of course.

15 MR. MANLY: On what grounds?

16 MR. MALEDON: On the ground that it's a

17 communication from one bishop to another about

18 privileged communications.

19 MR. MANLY: Like what?

20 MR. MALEDON: Counsel, I've instructed him not to

21 answer. If you want to take it up with the discovery

22 master, fine.

23 MR. MANLY: I do, but I'd sure like to know what

24 the basis for the privilege is, because you haven't

25 articulated one.

1 MR. MALEDON: It's called the clergy/penitent
2 privilege.

3 Q. (By Mr. Manly) Was Bishop Herrod giving you a
4 confession?

5 MR. MALEDON: No.

6 MR. MANLY: I didn't ask you. I'm asking the
7 witness.

8 MR. MALEDON: I'm explaining. You asked me a
9 question, and I'm --

10 MR. MANLY: No, I --

11 MR. MALEDON: -- explaining.

12 MR. MANLY: No, you answered the question.

13 Q. (By Mr. Manly) So, when you met with Bishop
14 Herrod, did -- what did you discuss?

15 MR. MALEDON: Don't answer the question.

16 Q. (By Mr. Manly) Okay.

17 MR. MALEDON: Privilege.

18 Q. (By Mr. Manly) Did you discuss money?

19 MR. MALEDON: Don't answer the question.

20 Q. (By Mr. Manly) Did you discuss the finances of
21 the parish?

22 MR. MALEDON: You may answer that.

23 **A. Yes.**

24 Q. (By Mr. Manly) I meant, not the parish, but the
25 ward.

1 **A. The ward, yes.**

2 Q. And did you discuss each of the members? Without
3 giving me any details.

4 **A. No.**

5 Q. Okay. So did you discuss Paul Adams?

6 **A. Yes.**

7 Q. And what did you discuss about Paul Adams?

8 MR. MALEDON: Privilege. Don't answer that.

9 **A. Confidential, yes.**

10 Q. (By Mr. Manly) What's confidential? Not the
11 substance of what he said, but why is that confidential?

12 MR. MALEDON: Well, that's --

13 MR. MANLY: Excuse me. Excuse me.

14 MR. MALEDON: It's a legal issue.

15 MR. MANLY: No. So object to form. Okay? Stop
16 coaching him.

17 MR. MALEDON: I'm not coaching him. I'm not
18 going to let him testify --

19 MR. MANLY: Let's call.

20 MR. MALEDON: -- to privileged issues.

21 Yeah, let's do it. Let's go off the record.

22 MR. MANLY: Stay on the record.

23 MS. CADIGAN: Are you calling?

24 MR. MANLY: Yeah, I'm calling.

25 VOICE: Good morning.

1 MR. MANLY: Hello, this is Attorney John Manly,
2 and I'm with a number of other lawyers. We're calling
3 Mr. Weiss in his capacity as the special master in the
4 LDS case. We're at a deposition, on the record.

5 VOICE: Okay. Just one moment, please.

6 MR. MANLY: Thank you. Where's that order?

7 MR. WEISS: Steve Weiss.

8 MR. MANLY: Hi, Mr. Weiss. It's John Manly here.
9 Lynne Cadigan -- and I'm for the plaintiff. Lynne
10 Cadigan's also present, as are Messrs. Maledon,
11 Schofield, the criminal defense attorney for Mr. --

12 THE WITNESS: Mauzy.

13 MR. MANLY: -- Mauzy, and counsel for Shaunice
14 Warr.

15 MR. MALEDON: Mr. Weiss, I'm not sure you got my
16 name. It's Bill Maledon. And, as Mr. Manly said, we're
17 at a deposition, and we're on the record.

18 MR. WEISS: This is the Mauzy deposition?

19 MR. MALEDON: Yes, it is?

20 MR. MANLY: Yes.

21 MR. WEISS: Okay.

22 MR. MANLY: So, I've got two issues. One is
23 that, and with all due respect, Mr. Maledon, I think, is
24 violating the order of Judge Cardinal. When he wants to
25 assert privilege, he -- more than asserting privilege,

1 he explains, he starts explaining to the witness, and
2 his objections should be, "Objection, privilege," and
3 instruct him not to answer. If I ask him what the basis
4 for it is, he's entitled to do it, but he's not doing
5 that.

6 Secondly, what we've established is there was a
7 meeting between Mr. Mauzy and Bishop Herrod when Mr.
8 Mauzy was taking over as bishop. It was a transition
9 meeting. And I've asked what was discussed at the
10 meeting, and Mr. Maledon's instructed him not to answer
11 that question on the grounds of clergy/penitent
12 privilege. I don't understand that, and I don't agree
13 with it. So I think we need your assistance with that.

14 MR. MALEDON: Mr. Weiss, if I could respond --

15 MR. WEISS: Who is this? Is this Bill?

16 MR. MALEDON: Yeah, it's Bill Maledon, I
17 apologize.

18 MR. WEISS: Hey, Bill.

19 MR. MALEDON: Yes.

20 MR. WEISS: Go ahead.

21 MR. MALEDON: So let me, let me explain. We
22 have -- first of all, I have not intentionally violated
23 any order. I've instructed the witness not to answer
24 questions on grounds of privilege, so that the witness
25 would understand that when I say "privilege" that means

1 he's not to answer the question.

2 With respect to the particular question, I
3 allowed questions about whether there was a transition
4 from Bishop Herrod to Bishop Mauzy and whether or not
5 they met and discussed transition issues, but then the
6 question that was asked, and we can have the court
7 reporter read it back, was, but I believe the gist of
8 the question was: What did you discuss with Bishop
9 Herrod about Mr. Adams?

10 Mr. Weiss, that's clearly privileged. It's
11 transitioning privileged information from one bishop to
12 the next. And the court has already concluded and ruled
13 that the confession that was made by Mr. Adams to Bishop
14 Herrod is covered by the clergy/penitent privilege. And
15 she also ruled that the subsequent disciplinary
16 proceedings that Bishop Mauzy was involved in was
17 subject to the clergy/penitent privilege and was
18 privileged.

19 And the law is clear that the transition from one
20 bishop or priest or clergy member to another, the
21 information that transitions between them is also
22 privileged. It doesn't lose its privilege because one
23 bishop communicates the information that he received in
24 confidence to another bishop who is then taking over the
25 role. And that's the question that was asked. It's

1 clearly privileged, and they're trying to invade the
2 privilege.

3 MR. MANLY: Sorry, that's -- what he's missing is
4 the prefatory question, which is: Did you discuss the
5 members? And I did ask that question as a follow-up
6 for -- and I have an argument for that. But: Did you
7 discuss the members and their individual problems? I
8 didn't ask the details, and Mr. Maledon instructed him
9 not to answer that question.

10 MR. MALEDON: No, I didn't instruct him not to
11 answer that question.

12 MR. KUYKENDALL: He answered that question.

13 MR. MALEDON: He answered that.

14 MR. MANLY: No, he didn't. You instructed --

15 MR. MALEDON: Can we have the court reporter read
16 it back?

17 MR. MANLY: Could you not interrupt me? I didn't
18 interrupt you. Okay?

19 Mr. Adams is not present at that conversation.
20 There's no penitent privilege. Mr. Adams isn't there.
21 Okay? But what they did in the process, the process for
22 transition should be wide open. If he wants to instruct
23 him not to answer, we can bring a motion on that and
24 litigate it, on specifically as to Adams, which is fine.
25 But the process of it is not confidential. In general

1 terms, what do you do, how do you do it, what do you
2 discuss, without disclosing specifics to Adams, should
3 be wide open.

4 MR. MALEDON: And, Mr. Weiss, I would -- I would
5 not instruct the witness not to answer those kind of
6 general questions, what is the process. We could have
7 the court reporter read it back, but, and Mr. Manly's
8 laughing here now, but we could have the court reporter
9 read it back. When he asked the question about did you
10 discuss the members, I did not instruct the witness to
11 not answer that question. He answered it. He said, no,
12 we did not discuss --

13 MR. WEISS: That just calls for a yes or no. Is
14 that correct?

15 MR. MALEDON: That's correct.

16 MR. MANLY: Yeah, that's right.

17 MR. MALEDON: That's correct. And he answered
18 it. His answer was no.

19 MR. MANLY: Can I -- let's answer that.

20 MR. MALEDON: Could you not interrupt me, please.

21 MR. MANLY: Sure. Sorry.

22 MR. MALEDON: And so I'm happy to brief this
23 issue of whether or not the communication from one
24 bishop to the other is privileged. It clearly is. It's
25 no different, I submit, Mr. Weiss, than one lawyer

1 transitioning to another lawyer, communicating the
2 privileged attorney/client communications that have
3 taken place between the first lawyer. So, it -- and
4 there's law on this, so I'm happy to brief it, if you
5 want.

6 But it's -- the question to which I instructed
7 the witness not to answer is: What did you discuss with
8 Bishop Herrod about Mr. Adams? That's clearly
9 privileged.

10 MR. MANLY: So I have no problem with him
11 briefing it. I need to ask the questions in order to
12 set the motion up. So could we --

13 MR. WEISS: Yeah, I mean --

14 MR. MANLY: Could I ask the question that he says
15 he didn't object to right now while you're on the phone
16 just so we have it clear for the record?

17 MR. MALEDON: Sure.

18 MR. MANLY: Well, you're not the special master,
19 not yet anyway.

20 MR. WEISS: Well, okay, so tell me what you
21 intend to do right now?

22 MR. MANLY: I just want to ask him: During the
23 transition, did you discuss the individual members in
24 the church and their specific issues?

25 MR. WEISS: And -- and your --

1 MR. MANLY: And it's a -- it's a yes or no --

2 MR. WEISS: Your objection to that question is
3 what?

4 MR. MANLY: I'm sorry, sir?

5 MR. WEISS: Your objection to that question is
6 what?

7 MR. MALEDON: I didn't object to that question.

8 MR. WEISS: Oh.

9 MR. MANLY: So, go ahead.

10 MR. WEISS: Okay. So why, why do we have to do
11 that?

12 MR. MANLY: Because I think -- I just want --
13 it's going to be much easier if you're on the phone, and
14 I get an answer to the question. Trust me. I didn't
15 make this call for no reason.

16 THE WITNESS: Okay. So will you ask me again.

17 MR. MANLY: Well, I want to make sure that's okay
18 with the special master.

19 THE WITNESS: Okay.

20 MR. WEISS: Yeah, I mean, it sounds like there's
21 no objection to that question. If you just want to put
22 it on the record as to what the question was and what
23 the answer was, that's fine.

24 MR. MANLY: Well, I don't think I got the answer
25 that Mr. Maledon represented. I'm not saying he's

1 trying to lie, but I just -- I would feel a lot better
2 about it if, briefly, I could ask the question and he
3 answered it while you're on the phone, if that's okay
4 with you?

5 MR. WEISS: All right. I'm fine with that.

6 Q. (By Mr. Manly) Okay. Sir, during the transition
7 period when you met with Bishop Herrod in the ward, did
8 you discuss the individual members and their specific
9 problems and issues?

10 MR. WEISS: Okay.

11 **A. Yes.**

12 Q. (By Mr. Manly) Okay.

13 MR. WEISS: And the answer's yes.

14 MR. MANLY: Okay. Perfect. Thank you.

15 MR. WEISS: All right. Okay. All right. With
16 respect to the issue about the transition discussion,
17 whether it loses privilege, I mean, it seems to me that
18 it does not, but if the parties -- and I would not at
19 this point advise, say that the witness has to answer
20 that question, but if you -- you know, it's -- it seems
21 to me that it's privileged, but if you want to brief
22 that issue, that's the best way to do it, rather than
23 try and get it resolved --

24 MR. MANLY: Yeah, and I agree with you, but just
25 for the record, Arizona lawyers are not mandatory

1 reporters, and there's a -- there's a very big
2 difference. And the penitent privilege has very
3 specific requirements. So, you know, but I understand,
4 I didn't expect you to rule on that now, and I don't
5 think it's fair --

6 MR. WEISS: Right.

7 MR. MANLY: -- and I don't think it's fair to Mr.
8 Maledon. So, that's fine.

9 MR. MALEDON: Mr. Weiss, I'm happy to brief it,
10 if counsel wants to press this issue, but it clearly is
11 privileged, and we can brief it in a couple of pages, if
12 you want.

13 MR. MANLY: Anyway, we'll bring a motion on it,
14 Your Honor. Sorry, I think I just made you a judge, Mr.
15 Weiss. I'm sorry.

16 MR. WEISS: Yeah. Yeah.

17 MR. MANLY: I didn't mean to.

18 MR. WEISS: I'm not going to take that the wrong
19 way.

20 MR. MANLY: Okay. Thank you, sir.

21 MR. WEISS: All right.

22 MR. MALEDON: Thank you, Mr. Weiss.

23 MR. WEISS: You know, there was one other issue
24 here that my notes say. Mr. Manly, you were indicating
25 that Mr. Maledon was violating the order regarding

1 privilege and making, it sounded like to me you were
2 essentially saying he was making speaking objections.

3 MR. MANLY: That's correct.

4 MR. WEISS: All right. And, Bill Maledon, you
5 say that you were not? Is that --

6 MR. MALEDON: I was not, Your Honor, in my
7 opinion. What I was doing was I was objecting on
8 grounds of privilege and instructing the witness not to
9 answer the question.

10 MR. WEISS: Were you indicating what privilege
11 you were invoking?

12 MR. MALEDON: Only when Mr. Manly asked me to
13 identify the privilege. Otherwise I simply said
14 privilege.

15 MR. MANLY: Well, it was a little more than that.
16 So I just -- all he has to do is say privilege, instruct
17 not to answer, and then, if I ask him, he's entitled to
18 respond. But we don't need a colloquy about -- about
19 this, if there's -- if he's going to, you know, just
20 instruct him not to answer.

21 MR. MALEDON: Mr. --

22 MR. WEISS: Well, it sounds to me -- it sounds to
23 me as if there's a bit of a difference as to there was
24 or there wasn't a colloquy. The bottom line is, as
25 we all know, there can't be any speaking objections. In

1 other words, the invocation of privilege is sufficient,
2 and unless -- unless you ask him specifically what
3 privilege he is invoking, I think you're entitled to do
4 that.

5 MR. MANLY: Okay.

6 MR. WEISS: All right?

7 MR. MALEDON: That's fine.

8 MR. MANLY: All right. Thank you, sir.

9 MR. MALEDON: Thank you, sir.

10 MR. WEISS: Okay. Thanks.

11 MR. MANLY: All right. Bye-bye.

12 MR. WEISS: Bye-bye.

13 Q. (By Mr. Manly) Okay. So, Mr. Mauzy, when you --
14 what are the types of things you would discuss, types of
15 issues you would discuss about the members?

16 MR. MALEDON: Object to the form.

17 **A. What we discussed, if we do discuss it, it was**
18 **confidential, from one bishop to the other.**

19 Q. (By Mr. Manly) So if somebody's not tithing,
20 that's confidential?

21 MR. MALEDON: Object to form.

22 **A. We don't -- we didn't talk -- no, sir, tithing is**
23 **not confidential.**

24 Q. (By Mr. Manly) So what's confidential, in your
25 view, when you -- when you speak to another bishop in

1 the transition period?

2 **A. Members that are not keeping the commandments.**

3 Q. Okay. So, members who are engaged in serious
4 sin, correct?

5 MR. MALEDON: Object to the form.

6 **A. Would you ask one more time, please?**

7 Q. (By Mr. Manly) Sure. So your --

8 MR. MANLY: Would you repeat it for me?

9 (Following read by certified reporter: "Okay.
10 So, members who are engaged in serious sin, correct?")

11 **A. Serious sin.**

12 Q. (By Mr. Manly) Is child molestation a serious
13 sin?

14 MR. MALEDON: Object to the form.

15 **A. Yes, it is.**

16 Q. (By Mr. Manly) Okay. So is that the type of
17 thing, hypothetically, if you learned it, you would
18 discuss with Bishop Herrod, and vice versa?

19 **A. If that was something we learned about --**

20 Q. Um-hum. Yes.

21 **A. -- and I was -- well, we wouldn't really discuss.
22 He would just -- I'm sorry.**

23 **Yes, if it was a serious sin, that's what we
24 would discuss, one -- one bishop to another, when we
25 were being released and put in place.**

1 Q. So, hypothetically, if a member had engaged in
2 the molestation of his own child, and Bishop Herrod was
3 aware of it, it would be normal and appropriate for him
4 to share that with you, correct?

5 MR. MALEDON: Object to form.

6 A. Could you repeat that question?

7 (Following read by certified reporter: "So,
8 hypothetically, if a member had engaged in the
9 molestation of his own child, and Bishop Herrod was
10 aware of it, it would be normal and appropriate for him
11 to share that with you, correct?")

12 A. I would say yes, if it was taking place, but we
13 weren't aware of it.

14 MR. MANLY: Can I have the answer read back,
15 please?

16 (Following read by certified reporter: "I would
17 say yes, if it was taking place, but we weren't aware of
18 it.")

19 Q. (By Mr. Manly) Well, if you weren't aware of it,
20 how could he share it?

21 MR. MALEDON: Object to the form.

22 Q. (By Mr. Manly) I don't understand your answer,
23 when you say "it was taking place," and "we weren't
24 aware of it." By "we", do you mean you?

25 A. Okay. You asked would Bishop Herrod discuss with

1 **me about the members when we were taking place -- I**
2 **mean, when we switched, my role as his role.**

3 Q. Correct. And the specific question --

4 MR. MANLY: Can I have the question I asked and
5 then he answered, please. Thank you, Ms. Reporter.

6 (Following read by certified reporter:

7 "Question: So, hypothetically, if a member had engaged
8 in the molestation of his own child, and Bishop Herrod
9 was aware of it, it would be normal and appropriate for
10 him to share that with you, correct? Answer: I would
11 say yes, if it was taking place, but we weren't aware of
12 it.")

13 Q. (By Mr. Manly) I just don't understand your
14 answer. What do you mean by that?

15 **A. Well, if there was a serious problem with a**
16 **member --**

17 Q. Um-hum.

18 **A. -- Bishop Herrod would inform me, or whoever was**
19 **the bishop would inform me what he learned in**
20 **confidence, and he would share it with me.**

21 Q. Okay. And a serious problem with a member would
22 include a father molesting his own child, obviously,
23 right?

24 MR. MALEDON: Object to the form.

25 **A. If you're not aware of it, then --**

1 Q. (By Mr. Manly) Sir, do you disagree that a
2 father molesting his own child is a serious matter?

3 MR. MALEDON: Object to form.

4 **A. No, I -- it is a serious matter.**

5 Q. (By Mr. Manly) Okay. And if it was a serious
6 matter like that, that's the type of thing that Bishop
7 Herrod should have shared with you, correct?

8 MR. MALEDON: Object to the form.

9 **A. What was shared with me was in confidence.**

10 Q. (By Mr. Manly) I didn't ask you -- I'm not
11 asking about Paul Adams. I'm asking you about process.
12 Okay. And we just -- we just heard from the special
13 master that's appropriate.

14 So, if you -- if Bishop Herrod had learned a
15 member was molesting his own child, in confidence,
16 should he have shared that with you in the transition,
17 based on your training and experience as a Mormon
18 bishop?

19 **A. If -- what Bishop Herrod shared to me was nothing
20 of that sort.**

21 Q. Okay. So you're testifying that Bishop Herrod
22 didn't share with you that somebody was molesting their
23 child?

24 MR. MALEDON: Objection, privilege.

25 MR. MANLY: He just waived it.

1 MR. MALEDON: He didn't waive it.

2 MR. MANLY: He just -- he just -- wait, you can't
3 testify that "Bishop Herrod didn't share that with me,"
4 and then tell him not to answer the follow-up question.

5 MR. MALEDON: Well, your follow-up question was a
6 different question, Counselor.

7 MR. MANLY: No. He said: Bishop Herrod didn't
8 share anything of the sort like that with me. Okay?

9 MR. MALEDON: Okay.

10 MR. MANLY: And I didn't ask him what Bishop
11 Herrod shared. I asked him about process.

12 Q. (By Mr. Manly) So, are you saying Bishop Herrod
13 didn't tell you that somebody molested their child?

14 MR. MALEDON: Now you're asking what Bishop
15 Herrod told --

16 MR. MANLY: Well, he's testified to what Bishop
17 Herrod told him.

18 MR. MALEDON: No.

19 MR. KUYKENDALL: I'm actually -- I'm actually
20 going to object and instruct the witness not to answer,
21 regardless of whether, from a civil standpoint or not --

22 MR. MANLY: On what grounds?

23 MR. KUYKENDALL: -- you somehow deemed it waived.

24 MR. MANLY: On what -- on what grounds?

25 MR. KUYKENDALL: You're asking him to potentially

1 incriminate himself --

2 MR. MANLY: So you're giving --

3 MR. KUYKENDALL: -- and I'm instructing him not
4 to, in the event that what the civil lawyers have
5 instructed is not sufficient or in the event that there
6 has been some type of a civil waiver, there has not been
7 such a waiver from the criminal context, and I'm
8 instructing the witness not to answer.

9 Q. (By Mr. Manly) Are you asserting your Fifth
10 Amendment right, sir, not to incriminate yourself?

11 MR. KUYKENDALL: You don't need to answer that.

12 MR. MALEDON: You don't need --

13 MR. MANLY: No, I think he actually -- I'm not
14 trying to be a --

15 MR. KUYKENDALL: No. Can I just --

16 (Caution by certified reporter to speak one at a
17 time.)

18 MR. MANLY: I'm not -- I understand what you're
19 doing, and I understand it, okay, and I'm not going to
20 argue with you. That's your prerogative. But in
21 California the witness has to assert, as I recall. So
22 is it your representation, under Arizona law, and I'm an
23 Arizona lawyer, but I don't -- I don't know this, that
24 the witness does not have to make that assertion?

25 MR. KUYKENDALL: I'm making that assertion on his

1 behalf, only, and to be clear, as I've made it before,
2 but only in the event that there has been some level of
3 waiver, which I don't agree that there has been, but if
4 there were to be a waiver, then I'm asserting it on
5 Bishop Mauzy's behalf.

6 Q. (By Mr. Manly) Are you going to follow your
7 attorney's instructions on the Fifth Amendment?

8 **A. Yes.**

9 MR. MALEDON: Don't answer that.

10 MR. MANLY: He just did.

11 **A. Sorry.**

12 MR. MALEDON: All right. I'm going to move to
13 strike the witness's answer on the grounds that he
14 didn't give me an opportunity to object, but --

15 MR. MANLY: Bill, I don't want to call the
16 special master.

17 MR. MALEDON: I'm happy to. I mean, what you're
18 doing, Counsel, is just completely inappropriate. Just
19 ask your questions.

20 MR. MANLY: No, I'm -- no, I'm not, I'm just
21 trying to make my record. Don't tell me what I'm doing
22 is inappropriate. I've been -- I've been a lawyer in
23 Arizona since 1998. I've been a lawyer thirty-some-odd
24 years.

25 MR. MALEDON: I've been a lawyer longer than

1 that, Counselor.

2 MR. MANLY: Oh, I know. Everybody knows.

3 MR. MALEDON: Yeah.

4 MR. MANLY: But I'm just trying to make my
5 record, you know, and I, you know --

6 MR. MALEDON: So ask a question.

7 MR. MANLY: No, I'm going to make my record.

8 The witness has to assert the privilege. Okay?
9 And so if the witness isn't asserting the privilege, I'm
10 going to have to call the special master and ask -- and
11 ask him for an order. I don't want to do that. I don't
12 see what the big deal is.

13 MR. KUYKENDALL: And my understanding is you just
14 said you didn't know whether the witness --

15 MS. CADIGAN: No, he does.

16 MR. KUYKENDALL: -- needs to assert the
17 privilege.

18 MS. CADIGAN: He has to assert the privilege.

19 MR. MALEDON: Hey, hey, one counsel.

20 MR. MANLY: No, no, no, no, no. You know what,
21 don't point at her like she's some kind of idiot --

22 MR. MALEDON: No.

23 MR. MANLY: -- and be disrespectful like you've
24 been the whole case. Okay? You've called her every
25 name in the book. You've asserted she's unethical.

1 You've been nasty. Don't do it. You don't do that to
2 me. Why are you doing it to her?

3 MR. MALEDON: That's untrue. That's untrue.

4 MR. MANLY: All right. I'm calling the special
5 master.

6 MR. MALEDON: All right. Could we get the
7 question back as to -- because this is -- this is silly,
8 Counsel, I must say, what you're --

9 MR. MANLY: Apparently it's silly -- not so silly
10 because you asserted the -- you asserted the Fifth.

11 MS. CADIGAN: So is the issue he's not allowed to
12 say whether or not he's asserting the Fifth or following
13 his instruction, is that what we're arguing about?

14 MR. MANLY: That's what the issue is.

15 MS. CADIGAN: Okay.

16 MR. MALEDON: He hasn't asserted the Fifth, as
17 far as I know. His counsel objected and instructed him
18 not to answer.

19 MS. CADIGAN: Based on the Fifth. I --

20 MR. MALEDON: No, he didn't say that.

21 MR. MANLY: Yes, he did.

22 MS. CADIGAN: Yes, he did.

23 MR. MALEDON: Who said that?

24 MS. CADIGAN: Against incrimination.

25 MR. MANLY: Self-incrimination.

1 MR. MANLY: So will you pull back his --

2 VOICE: Good morning, Karp & Weiss.

3 MR. MANLY: Hi, it's Mr. Manly again. I'm so
4 sorry. Can we have Mr. Weiss?

5 VOICE: Yes.

6 MR. MANLY: Do you have that question?

7 (Discussion with certified reporter.)

8 MR. MANLY: We'll go off the record while you
9 find it. Is that okay with you?

10 MR. MALEDON: Sure.

11 THE VIDEOGRAPHER: 11:39, we're going off record.

12 (Discussion held off record.)

13 THE VIDEOGRAPHER: 11:41, we're on record.

14 MR. MANLY: So my issue is -- and I'm an Arizona
15 lawyer, I have been since '98, but in California, and, I
16 think, according to Ms. Cadigan, here, counsel can't
17 assert the Fifth, the witness has to. And when I -- he
18 has to follow his counsel's instructions. When I asked
19 the witness that, they objected and instructed him not
20 to answer the question. So if he's going to assert the
21 Fifth, that's fine, he has every right to do that, I
22 just want to have a clear record that, you know, that
23 the witness asserted it.

24 MR. WEISS: That it is -- that it's the witness
25 who is claiming the Fifth.

1 MR. MANLY: Correct.

2 MR. WEISS: And I agree and I think the witness
3 has to make that claim.

4 MR. KUYKENDALL: Mr. Weiss, what I just want to
5 make clear on the record is that the assertion of the
6 Fifth is only in the event that the privilege has
7 somehow been waived.

8 MR. WEISS: There's been a waiver. I understand.

9 MR. MANLY: That's fine. I'm fine with that. I
10 just need the witness to make the assertion.

11 MR. KUYKENDALL: I didn't --

12 MR. WEISS: Okay.

13 MR. KUYKENDALL: I just did not want the --

14 MR. WEISS: It seems to me -- it seems to me, if
15 that's the issue, then counsel for the witness can
16 clarify that, but the witness still would have to be the
17 one to make the claim of the Fifth, based upon what
18 counsel has said in terms of qualify -- qualification.

19 MR. MANLY: Okay.

20 MR. KUYKENDALL: Well, then, just so we don't get
21 into another fight, may I instruct Mr. Mauzy to indicate
22 on the record that he's going to follow the advice of
23 his counsel?

24 MR. MANLY: And assert the Fifth.

25 MR. MALEDON: And assert the Fifth if it's

1 necessary because of an alleged waiver, and we don't
2 think there has been any waiver, Mr. Weiss, but, you
3 know --

4 MR. MANLY: That's fine.

5 MR. MALEDON: -- that's fine.

6 MR. WEISS: Yeah, however -- however you guys
7 feel that you need to have it done, but the bottom line
8 is it's the witness is going to have to assert the
9 Fifth, and the witness can say, "On the advice of
10 counsel and subject to the condition counsel indicated."

11 MR. MANLY: That's fine.

12 MR. MALEDON: Thank you.

13 MR. MANLY: Okay.

14 MR. WEISS: How's that?

15 MR. MANLY: Perfect.

16 MR. WEISS: Is that okay?

17 MR. MANLY: That's great.

18 MR. MALEDON: Fine.

19 MR. MANLY: Thank you.

20 MR. MALEDON: Thank you.

21 MR. WEISS: All right. Thanks, guys.

22 MR. MANLY: Bye-bye. Thanks.

23 Okay. So do you want to instruct him again on
24 the question, and then I'll --

25 MR. KUYKENDALL: I instruct you, Mr. Mauzy, that

1 in the event that there has been a waived privilege,
2 that you are to not answer the question and instead
3 follow your counsel's advice and assert the Fifth
4 Amendment.

5 **A. Assert the Fifth Amendment.**

6 Q. (By Mr. Manly) So, on the advice of your
7 counsel, are you going to assert the Fifth Amendment?

8 **A. Yes, sir.**

9 Q. Okay. All right. So, let me go back to the
10 other question.

11 So, in -- if somebody told Bishop Herrod in
12 confidence that they had committed a homicide, in a
13 confessional context, in other words, a murder, would it
14 be appropriate for you -- for him to share that with you
15 so you were aware of it?

16 MR. MALEDON: Object to the form.

17 **A. A member in our congregation?**

18 Q. (By Mr. Manly) Yes, sir.

19 **A. Yes.**

20 Q. Okay. And the same would be true of child
21 molestation, correct?

22 MR. MALEDON: Object to the form, foundation.

23 **A. If there was that taking place, yes, he would
24 have told me.**

25 Q. (By Mr. Manly) Okay. All right. Now, who is

1 Shaunice Warr?

2 **A. She's a member of the Bisbee Ward.**

3 Q. Okay. Did she have any callings while you were
4 bishop?

5 **A. Yes.**

6 Q. And what was her calling?

7 **A. She was a primary teacher.**

8 Q. And what does that mean? If you were going to
9 explain that to a jury, how would you explain it?

10 **A. She teaches the gospel to the children --**

11 Q. Okay.

12 **A. -- of different ages.**

13 Q. Okay. At church?

14 **A. Yes.**

15 Q. Okay. Does she also make home visits?

16 MR. MALEDON: Object to the form.

17 MS. CHAPMAN: Foundation.

18 **A. All our sisters are ministering sisters.**

19 Q. (By Mr. Manly) Okay. As a primary teacher, does
20 she make home visits to teach kids in their homes?

21 **A. As a primary teacher, no.**

22 Q. Okay. So you would not allow her to make home
23 visits?

24 MS. CHAPMAN: Form.

25 **A. I lost the question.**

1 Q. (By Mr. Manly) Okay. Was she a visiting
2 teacher?

3 **A. She was a ministering sister, they call it now.**

4 Q. What did they use to call it?

5 **A. Home -- visiting teacher.**

6 Q. Okay. And they would go to homes and teach,
7 correct?

8 MS. CHAPMAN: Form, foundation.

9 **A. They would not go to homes and teach. They would
10 go and see how the families are doing.**

11 Q. (By Mr. Manly) Okay. And did Shaunice Warr ever
12 speak to you about the Adams family?

13 MR. MALEDON: Object to the form, foundation.

14 Q. (By Mr. Manly) While you were bishop?

15 **A. Talk about them, the kids personally?**

16 Q. Did she speak to you in any way about the Adams
17 family?

18 MR. MALEDON: Same objections.

19 **A. We discussed a lot of families, when we talked,
20 that she was assigned to.**

21 Q. (By Mr. Manly) Okay.

22 **A. How they're doing, who needs help.**

23 Q. Okay. So, I'm going to ask my question again.

24 **A. Okay.**

25 Q. Did she ever speak to you about the Adams

1 family --

2 MR. MALEDON: Same.

3 Q. (By Mr. Manly) -- while you were bishop?

4 MR. MALEDON: Same objections.

5 **A. Personally, no, she did not talk to me**
6 **specifically about the Adams family.**

7 Q. (By Mr. Manly) Okay. So she never brought up
8 the Adams children to you once while you were bishop,
9 correct?

10 MS. CHAPMAN: Form.

11 MR. MALEDON: Same objections.

12 MR. MANLY: Counsel, if it helps, I can stipulate
13 that one objection is good for everybody in the room, so
14 you don't all have to object.

15 MR. MALEDON: That's fine. Thank you.

16 MR. MANLY: Okay. Okay.

17 **A. Did she -- yes.**

18 Q. (By Mr. Manly) Okay. When was that?

19 **A. I don't remember.**

20 Q. What did she say?

21 **A. Just how the kids were doing in her primary**
22 **class.**

23 Q. Okay. Did she -- if a visiting teacher went into
24 a home, and she saw things that would -- a reasonable
25 person would believe the children were in danger, things

1 indicating abuse, you would expect her to report that to
2 you, correct?

3 MR. MALEDON: Object to the form, foundation.

4 **A. Any member would go into a home and see
5 something, they would bring it up to us, bring it up to
6 me.**

7 Q. (By Mr. Manly) Okay. I'm sure that's true. But
8 if she had a -- she had a job in the church, was to
9 teach the kids and, you know, look out for their
10 spiritual life, correct?

11 **A. Yes.**

12 Q. Okay. So if she goes into a home and thinks that
13 there may be abuse, sexual, emotional, or physical, you
14 would expect her to tell you about that, correct?

15 MS. CHAPMAN: Form, foundation.

16 MR. MALEDON: Object to the form, foundation.

17 Q. (By Mr. Manly) Correct?

18 **A. If something was going on in their homes that she
19 was aware of, suspicion?**

20 Q. Yeah.

21 **A. If she suspected, or any members suspect, that
22 something's going on, they would let me know.**

23 Q. You would expect they would let you know, right?

24 **A. Yes.**

25 MR. MALEDON: Same objections.

1 Q. (By Mr. Manly) Okay. And that specifically her,
2 as a teacher who's in charge of kids, you would
3 especially expect her to notify you of that?

4 MS. CHAPMAN: Form.

5 MR. MALEDON: Same objections.

6 Q. (By Mr. Manly) Correct?

7 **A. Could you -- could you repeat the question.**

8 Q. I'll ask it again. Because she was a teacher in
9 charge of, you know, the welfare of the kids, right, you
10 would especially, if she saw something that would, you
11 know, that made her suspect that the kids were being
12 abused in any way, you would expect her to tell you
13 that, as bishop, correct?

14 MS. CHAPMAN: Same objections.

15 MR. MALEDON: Same.

16 **A. I would expect any member.**

17 Q. (By Mr. Manly) Okay, but that's not my question.
18 You would expect her to do it in her capacity as a
19 visiting teacher, right?

20 MS. CHAPMAN: Same objection.

21 **A. Yes.**

22 Q. (By Mr. Manly) Okay. Now, if she saw -- if she
23 saw a sex doll in a home, for example, and there were
24 children present, that's the kind of thing she should
25 have reported to you, correct?

1 MR. MALEDON: Same objections.

2 MS. CHAPMAN: Form, foundation.

3 Q. (By Mr. Manly) Do you understand the question?

4 **A. Yeah, I do.**

5 Q. Okay.

6 **A. But, there again, I think any member seeing**
7 **something like that, they would -- if they did see**
8 **anything like that, they would tell me.**

9 Q. Okay. Did she ever share with you she had
10 concerns about the welfare of the Adams children?

11 MR. MALEDON: Object to the form, foundation.

12 **A. No, sir.**

13 Q. (By Mr. Manly) She never expressed any concerns
14 to you about the Adams family in any way, shape, or
15 form, right?

16 MS. CHAPMAN: Form and foundation.

17 **A. One more time, the question.**

18 Q. (By Mr. Manly) She never expressed concerns to
19 you in any way, shape, or form about the Adams family,
20 in any way, while she was a visiting teacher, right?

21 MS. CHAPMAN: Same objections.

22 **A. Not that I'm aware of, no, sir.**

23 Q. (By Mr. Manly) Okay. Do you mean -- by that, do
24 you mean you may have forgotten --

25 MR. MALEDON: Object to form, foundation.

1 Q. (By Mr. Manly) -- or she didn't?

2 **A. I don't -- I don't remember.**

3 Q. Okay. So you're not sure either way?

4 **A. Yes, sir.**

5 Q. Okay. All right. Did she ever share with you
6 that she saw bottles of sexual lubricant in the home --

7 MR. MALEDON: Object --

8 Q. (By Mr. Manly) -- that were open and visible to
9 the children?

10 MR. MALEDON: Object to the form, foundation.

11 **A. No, sir.**

12 Q. (By Mr. Manly) Did she ever share with you that
13 she learned that Mr. Adams was having the children sit
14 on his lap naked?

15 MR. MALEDON: Object to form, foundation.

16 **A. No, sir.**

17 Q. (By Mr. Manly) Okay. Did she ever share with
18 you that Mr. Adams's custom and practice was to walk
19 around the house in his underwear in front of the
20 children?

21 MR. MALEDON: Object to the form, foundation.

22 **A. Sister Warr?**

23 Q. (By Mr. Manly) Correct.

24 **A. No, sir.**

25 Q. And if she learned that, that is the type of

1 thing she should have reported to you, correct?

2 MR. MALEDON: Form, foundation.

3 **A. If she learned about it, I'm sure she would have**

4 **told me.**

5 Q. (By Mr. Manly) And you would have expected her
6 to tell you, correct?

7 MR. MALEDON: Same objections.

8 **A. I would expect all members to tell me there's**
9 **something going on.**

10 Q. (By Mr. Manly) And you certainly would have
11 expected her to call the police if she saw that, right,
12 because she was a law enforcement officer herself?

13 MS. CHAPMAN: Form, foundation.

14 MR. MALEDON: Same objections.

15 Q. (By Mr. Manly) Right?

16 **A. If she seen it?**

17 Q. Yes.

18 **A. I'm sure, if she seen it, she would have reported**
19 **it.**

20 Q. To the police.

21 **A. Yes.**

22 Q. All right.

23 MR. MALEDON: Object to the form.

24 Q. (By Mr. Manly) All right.

25 MR. MALEDON: Excuse me, Counsel, are we breaking

1 for lunch or are we just going through or --

2 MR. MANLY: No, we can break for lunch.

3 MR. MALEDON: No, but what is your plan? And we
4 can go off the record --

5 MR. MANLY: I think we should break for lunch. I
6 mean, I'm happy to do that now, if you want to do it now
7 or --

8 MR. MALEDON: We've been --

9 MR. MANLY: You want to do that now?

10 MR. MALEDON: Yeah, why don't we do that. We've
11 been going for a couple hours.

12 MR. MANLY: Yeah. Okay. And then, what, you
13 want an hour?

14 MR. SCHOFIELD: That's fine.

15 MR. MANLY: Okay.

16 MR. MALEDON: That's fine.

17 MR. MANLY: Sure.

18 MR. MALEDON: And we've got about two more hours
19 left in the deposition, or something like that, so --

20 THE WITNESS: That's fine.

21 MR. MANLY: Well, just so the record's clear, I
22 mean, the witness is taking about 20 seconds to a minute
23 to answer each question, which he's entitled to do, but
24 I think that that, you know, is -- I'm fine with that,
25 but we're going to extend the deposition, if you're

1 going to try to assert that time limit. I mean, you
2 don't get to sit there for a minute and a half and not
3 answer the question, and I mean no disrespect to the
4 witness, and then say you've only got four hours. It
5 doesn't work that way. So....

6 MR. MALEDON: Well, I understand your point,
7 Counsel. A lot of the questions, I think, are
8 redundant, repetitive, and what have you.

9 MR. MANLY: Well, that shocks me you believe
10 that, but --

11 MR. MALEDON: So can I finish? I didn't
12 interrupt you.

13 MR. MANLY: Sure. Go ahead.

14 MR. MALEDON: So, to the extent that the time
15 limit needs to be extended beyond, a short period of
16 time, we'll be reasonable --

17 MR. MANLY: Okay. Great.

18 MR. MALEDON: -- which is what the rules
19 contemplate.

20 MR. MANLY: Fantastic.

21 MR. MALEDON: But I would urge you to get more
22 focused on your questioning. I mean --

23 MR. MANLY: Bill.

24 MR. MALEDON: -- so far it's been --

25 MR. MANLY: Bill.

1 MR. MALEDON: -- nothing but hypotheticals.

2 MR. MANLY: Bill, you know what, don't tell me
3 how to take a deposition.

4 MR. MALEDON: I --

5 MR. MANLY: I put my deposition cross-
6 examination skills above anyone, any lawyer in the
7 country, including you, so --

8 MS. CHAPMAN: That's a shock.

9 MR. MALEDON: All right. Let's break.

10 THE VIDEOGRAPHER: 11:57 --

11 MR. MALEDON: What was that?

12 THE VIDEOGRAPHER: -- going off record.

13 (Break taken, 11:57 to 1:05 p.m.)

14 THE VIDEOGRAPHER: The time is 1:05. We're going
15 back on record.

16 MR. MANLY: Daisy, would you go ahead and --

17 Q. (By Mr. Manly) Mr. Mauzy, I'm going to play for
18 you what has been represented as a recorded interview by
19 you taken by -- what's the name of the officer --

20 MR. BOREN: Bob Edwards.

21 Q. (By Mr. Manly) -- Bob Edwards. Do you recall
22 somebody by that name, Agent Edwards?

23 **A. Yes, sir.**

24 Q. Did you give him an interview?

25 **A. Yes, sir.**

1 Q. Okay.

2 (Audio playing.)

3 "-- Kim Mauzy regarding --"

4 (Audio paused.)

5 MR. MANLY: You've got to start --

6 (Audio playing.)

7 Edwards: The time is 4:45 on July 9th. I'm
8 about to talk to Kim Mauzy regarding Leizza Adams.

9 (Audio paused.)

10 Q. (By Mr. Manly) Did you give him an interview on
11 about that date, July 9th at 4:45 p.m.?

12 **A. I'm not sure of the date, but, yes.**

13 Q. Do you have any reason to believe the date he's
14 reciting is wrong?

15 **A. No, sir.**

16 Q. Okay.

17 (Audio playing.)

18 Edwards: Yeah, I'll leave -- yeah, I appreciate
19 it, sir. Thank you so much. You're a busy man,
20 officer.

21 Unknown voice: Hard to catch me.

22 Edwards: Yeah, I hear you.

23 (Unintelligible).

24 Edwards: Appreciate you seeing us. I heard
25 you're in the hospital. Is everything all right?

1 Mauzy: Yeah.

2 Edwards: Okay.

3 Mauzy: Yeah.

4 Edwards: I'll leave it at that.

5 Mauzy: Yeah.

6 Edwards: Okay.

7 Mauzy: Yeah, I go -- I only had one problem --

8 Edwards: Yeah.

9 Mauzy: -- now I got to go see a plastic

10 surgeon --

11 Edwards: Okay.

12 Mauzy: -- Friday for my head.

13 (Unintelligible).

14 Edwards: Yeah, it does. All right. So -- so I

15 was told that you were the bishop in the Bisbee chapter

16 for the church down there, the ward down there,

17 correct --

18 Mauzy: Yes.

19 Edwards: -- from like about 2012 through --

20 did -- do you recall when you left down there?

21 Mauzy: I left, they released me a year ago --

22 Edwards: Okay.

23 Mauzy: -- this month.

24 Edwards: Okay.

25 Mauzy: Yeah.

1 (Audio paused.)

2 Q. (By Mr. Manly) Is that your voice, sir?

3 **A. Sounds like it, yes, sir.**

4 Q. Okay.

5 (Audio playing.)

6 Edwards: Okay. And just so I have it correct,
7 you're up here at the Hereford Ward now, right?

8 Mauzy: Yes, sir.

9 Edwards: Okay. So you're familiar with Paul and
10 Leizza Adams, right?

11 Mauzy: Yeah.

12 Edwards: Okay. So, just a little background, I
13 was the case agent that went out and arrested Paul,
14 spoke with Leizza, back in February of last year?

15 Mauzy: Okay.

16 Edwards: And then we also rescued the six
17 children out of the home, which I think was good for
18 everybody.

19 Mauzy: Yes.

20 Edwards: So I talked to, god, his name eludes me
21 right now, the other bishop that was there just before
22 you --

23 Mauzy: Oh, Bishop Herrod.

24 Edwards: Yes, I spoke with him --

25 (Audio paused.)

1 Q. (By Mr. Manly) Now, you heard him say -- and, I
2 mean, we can -- we'll attach this as Exhibit 2. It's
3 the Kim Mauzy interview produced by the defense, it's
4 CH-000235. Can we give him a copy of that, please?

5 And reading at page 236, it says, "And then, uh,
6 we also rescued the six children out of the home, which
7 I think was good for everybody."

8 Did you hear him say that?

9 **A. Yes. On the tape? Yes, sir.**

10 Q. Okay. And when he rescued, rescued, when you
11 heard him say "rescued the children," what did you
12 understand him to mean?

13 **A. Just took them out of the home.**

14 Q. Well, what did they need to be rescued from?

15 MR. MALEDON: Object to the form, foundation.

16 **A. I -- yeah, I -- well, depends on what timeframe,**
17 **the rescue.**

18 Q. (By Mr. Manly) Well, when he took them out of
19 the home, when he --

20 **A. That was after he was arrested.**

21 Q. Okay. So what were they being rescued from?

22 MR. MALEDON: Object to the form, foundation.

23 **A. What was he being arrested for?**

24 Q. (By Mr. Manly) No. What was he being -- what
25 were the children being rescued from?

1 MR. MALEDON: Same objections.

2 **A. Well, just understanding what, I guess, happened,**
3 **what the paper, what the newspaper was saying.**

4 Q. (By Mr. Manly) What did the newspaper say?

5 **A. That Brother Paul Adams was arrested.**

6 Q. For what?

7 **A. I don't remember. I don't remember the article.**

8 **I just --**

9 Q. Wait. As you sit here today, you don't know what
10 Paul Adams was arrested for? Is that what you're going
11 to tell the jury?

12 MR. MALEDON: Object to the form of the question.

13 **A. What -- no. After he was arrested, I found out**
14 **what he was arrested for.**

15 Q. (By Mr. Manly) So when you talked to Agent
16 Edwards, you knew exactly what he'd been arrested for,
17 correct?

18 **A. Yes, because that was after he was arrested, yes,**
19 **sir.**

20 Q. Okay. So what was he arrested for, at the
21 time -- what did you understand he was arrested for at
22 the time you spoke to Agent Edwards, sir?

23 **A. Molesting of his children.**

24 Q. Okay. And do you know specifically what he was
25 doing to them?

1 **A. No, sir.**

2 Q. Did you ask?

3 MR. MALEDON: Object to the form.

4 **A. Ask when?**

5 Q. (By Mr. Manly) Did you ask anybody at any time
6 what Paul Adams did to his little boys and little
7 girls --

8 **A. No, sir.**

9 Q. -- in his home?

10 Can you let me finish the question, please?

11 **A. Yes, sir.**

12 Q. I know you didn't mean to.

13 Let me ask it again.

14 Did you ask anyone at any time what Paul Adams
15 was doing to his little boys and little girls in his
16 home?

17 **A. Not that I remember, no, sir.**

18 Q. Did you know he was committing oral sex on his
19 little girls?

20 MR. MALEDON: Object to the form.

21 **A. No, sir.**

22 Q. (By Mr. Manly) Did you know he was ejaculating
23 on them?

24 MR. MALEDON: Same objections.

25 **A. Not that I'm aware of, no, sir.**

1 Q. (By Mr. Manly) So the first time you learned
2 that is just now, right?

3 MR. MALEDON: Object to the form.

4 **A. After he was arrested.**

5 Q. (By Mr. Manly) Well, when did you -- okay. I
6 just asked you if you knew that, and you said no. Do
7 you want to recant that?

8 MR. MALEDON: Object to the form.

9 Q. (By Mr. Manly) Is the first time you learned
10 that he was performing oral sex and ejaculating his
11 semen on his children is just now?

12 MR. MALEDON: Object to the form.

13 **A. No, sir. I found out when he was arrested, in**
14 **the newspaper.**

15 Q. (By Mr. Manly) The newspaper had in there that
16 he was ejaculating on his children?

17 **A. No.**

18 Q. Okay. When did you first find out he was
19 ejaculating on his children?

20 **A. Truthfully, I don't remember.**

21 Q. Okay.

22 **A. Sorry.**

23 **(Audio playing.)**

24 **Edwards: -- about a month ago, yeah, we had a**
25 **good conversation on his front, front property there.**

1 He explained that there were some things said to him
2 during a counseling session that, you know, rose alarms
3 in his mind. And -- and in reaction to that, he brought
4 Leizza into the counseling sessions. So I was told that
5 you were the bishop in the Bisbee chapter for the church
6 down there, the ward down there, correct --

7 Mauzy: Yes.

8 Edwards: -- from like about 2012 through -- do
9 you -- do you recall when you left down there?

10 Mauzy: I left, they released me a year ago --

11 Edwards: Okay.

12 Mauzy: -- this month.

13 Edwards: Okay.

14 Mauzy: Yeah.

15 Edwards: Okay. And just so I have it correct,
16 you're out there at the Hereford Ward now, right?

17 Mauzy: Yes.

18 Edwards: Okay. So you're familiar with Paul and
19 Leizza Adams, right?

20 Mauzy: Yes.

21 Edwards: Okay. So, just a little background, I
22 was the case agent that went out and arrested Paul,
23 spoke with Leizza, back in February of last year.

24 Mauzy: Okay.

25 Edwards: And then we also rescued the six

1 children out of the home, which I think was good for
2 everybody.

3 Mauzy: Yeah.

4 Edwards: So I talked to, god, his name eludes me
5 right now, the other bishop that was there just before
6 you --

7 Mauzy: Oh, Bishop Herrod.

8 Edwards: Yes, I spoke with him just about a
9 month ago.

10 Mauzy: Yeah.

11 Edwards: We had a good conversation on his
12 front, front property there. He explained that there
13 were some things said to him during a counseling session
14 that, you know, rose alarms in his mind, and -- and in
15 reaction to that, he brought Leizza into the counseling
16 session, explained -- had Paul explain to Leizza what
17 was going on, and he estimated that was just before you
18 got there, so sometime between 2010 and 2012.

19 Mauzy: Yes.

20 (Audio paused.)

21 Q. (By Mr. Manly) Okay.

22 (Audio playing.)

23 Edwards: All right. So, I guess my questions
24 would kind of be the same that I had for Bishop Herrod.
25 Was there anything weird that you noticed in the church

1 that made you believe that there was something going on
2 in the home? Like something you witnessed like with the
3 other kids or something maybe the other kids said to you
4 about what they said to them or anything like that?

5 Mauzy: What's interesting is the kids would
6 not -- you know, you could sense something's wrong, and
7 you would ask them, "Hope everything's okay."

8 Edwards: Okay.

9 Mauzy: But they would not open up to you. They
10 just kind of look at you like: I'm not going to say
11 nothing.

12 (Audio paused.)

13 Q. (By Mr. Manly) So, is that your testimony -- did
14 you give that statement to the officer?

15 **A. Yes, sir.**

16 Q. Okay. So you could sense something was wrong
17 with the children, right?

18 MR. MALEDON: Object to the form, foundation.

19 **A. Yes. They acted different after their father was**
20 **arrested. So that's what kind of threw me off, the way**
21 **they were acting.**

22 Q. (By Mr. Manly) I see. So, so you could sense
23 something -- what you're referring to the officer here
24 is not before. You're going to tell the jury this is
25 after he was arrested.

1 **A. Yes, sir.**

2 Q. Okay.

3 **A. Because when they -- when they -- when he was**
4 **talking to me, I didn't ask him what timeframe, when he**
5 **was asking me.**

6 Q. Okay. I just --

7 **A. So I apologize.**

8 Q. Oh, why are you apologizing to me?

9 **A. Well --**

10 MR. MALEDON: Let's move on.

11 **A. Never mind.**

12 Q. (By Mr. Manly) So, prior to that, I'm going
13 to -- you say, "Uh, so I guess my question --" Mr. --
14 Agent Edwards says, "So my questions would kind of be
15 the same, uh, that I had Bishop Herrod, um, was there
16 anything weird you noticed, um, at the church that made
17 you believe there was something going on at home?"

18 That's what he asked you, right?

19 **A. Yes --**

20 Q. Okay. Well --

21 **A. -- but we didn't realize anything was going on in**
22 **the home prior.**

23 Q. No. No. No. He asked you -- he didn't ask you
24 have the kids been weird since his arrest. He said,
25 "Was there anything weird you noticed, um, in the church

1 that made you believe there was something going on at
2 home?" Right?

3 **A. In the church, no.**

4 MR. MALEDON: Object to the form.

5 **A. Yeah.**

6 Q. (By Mr. Manly) Let me read his question to you.

7 **A. Okay.**

8 Q. Okay. "Uh, so I guess my questions would kind of
9 be the same, uh, that I had for Bishop Herrod, um, was
10 there anything weird that you noticed, um, in the church
11 that made you believe there was something going on in
12 the home, um, something like you witnessed with the
13 other kids, um, or something the other kids said to you
14 about what they said to them or anything like that?"
15 Right?

16 **A. I don't remember that part of the conversation,**
17 **but --**

18 Q. Would you like to listen to it again?

19 **A. Yeah, please, if you don't mind.**

20 Q. Sure.

21 (Audio playing.)

22 Edwards: All right, so, so I was told that you
23 were the bishop in the Bisbee chapter for the church
24 down there, the ward down there, correct --

25 Mauzy: Yes.

1 Edwards: -- from like about 2012 through -- do
2 you -- do you recall when you left down there?

3 Mauzy: I left, they released me a year ago --

4 Edwards: Okay.

5 Mauzy: -- this month.

6 Edwards: Okay.

7 Mauzy: Yeah.

8 Edwards: Okay. And just so I have it correct,
9 you're up here at the Hereford Ward now, right?

10 Mauzy: Yes.

11 Edwards: Okay. So you're familiar with Paul and
12 Leizza Adams, right?

13 Mauzy: Yes.

14 Edwards: Okay. So, just a little background, I
15 was the case agent that went out and arrested Paul,
16 spoke with Leizza, back in February of last year.

17 Mauzy: Okay.

18 Edwards: And then we also rescued the six
19 children out of the home, which I think was good for
20 everybody.

21 Mauzy: Yes.

22 Edwards: So I talked to -- god, his name eludes
23 me right now, the other bishop that was there just
24 before you --

25 Mauzy: Oh, Bishop Herrod.

1 Edwards: Yes. I spoke with him about a month
2 ago.

3 Mauzy: Yeah.

4 Edwards: We had a good conversation on his
5 front, front property there. He explained that there
6 were some things said to him during a counseling session
7 that, you know, rose alarms in his mind. And, in
8 reaction to that, he brought Leizza into the counseling
9 session, explained, had Paul explain to Leizza what was
10 going on. And he estimated that was just before you got
11 there, so sometime between 2010 and 2012.

12 Mauzy: Yeah.

13 Edwards: So, I guess my questions would kind of
14 be the same that I had for Bishop Herrod. Was there
15 anything weird that you noticed in the church that made
16 you believe that there was something going on in the
17 home, like something you witnessed, like with the other
18 kids or something maybe the other kids said to you about
19 what they said to them or anything like that?

20 Mauzy: What's interesting is the kids would
21 not -- you know, you could sense something's wrong and
22 you would ask them, "Hope everything's okay."

23 Edwards: Okay.

24 Mauzy: But they would not open up to you. They
25 just kind of look at you like: I'm not going to say

1 nothing.

2 Edwards: Okay.

3 Mauzy: Yeah.

4 Edwards: Did, did Bishop Herrod kind of give you
5 a heads up about what was going on?

6 Mauzy: Give me, yeah, a little bit of heads up,
7 what was going on.

8 Edwards: Okay.

9 Mauzy: Then I got a phone call from Salt Lake
10 wanting to know if anything's taken place.

11 Edwards: And Salt Lake being like the head --

12 Mauzy: That's the head, the main office, main
13 office.

14 Edwards: Okay. Main office for --

15 Mauzy: Headquarters for --

16 Edwards: Okay.

17 Mauzy: -- for the church.

18 Edwards: Okay. Okay.

19 Mauzy: Yeah. And --

20 Edwards: So what, what were they inquiring
21 about, just --

22 Mauzy: They were asking me if a disciplinary
23 council had been held.

24 Edwards: Now, explain that. I apologize, I'm
25 not of that faith.

1 Mauzy: What it is is, I guess Bishop Herrod had
2 reported some things that he -- that Paul said to him.

3 Edwards: Okay.

4 Mauzy: And, well, and at that time they released
5 him, called me, and I said no, so I called them, and
6 they --

7 (Audio paused.)

8 Q. (By Mr. Manly) So, let me hand you a copy of
9 what we'll mark as Exhibit 2 which is CHC-002 -- 000235
10 through 266. And, let me tell you, this transcript was
11 prepared by your lawyers.

12 MR. MANLY: And please mark that, Ms. Reporter.
13 Mary. I'm sorry.

14 (Exhibit 2 marked.)

15 Q. (By Mr. Manly) And if you'd turn to page 237 --

16 MR. MALEDON: Do you have a copy of that, please?

17 MR. MANLY: Yeah. Sorry. Do you guys have one?
18 Okay.

19 MR. MALEDON: And you said Exhibit 2, Mary.

20 CERTIFIED REPORTER: Exhibit 2.

21 Q. (By Mr. Manly) So show me on there where it says
22 that you were talking about his arrest. It doesn't,
23 doesn't it?

24 **A. Don't say it.**

25 Q. Okay. So let's look at the section where it

1 says, "Did Bishop Herrod kind of give you a heads up
2 about what was going on?" And your answer was, "Give
3 me, yeah, a little bit of a heads up on what's going
4 on."

5 What are you referring to there?

6 **A. Things that were confessed to Bishop Herrod at**
7 **that time.**

8 Q. Well, you're talking to him about these things,
9 right?

10 **A. But I didn't talk to Edwards about it.**

11 Q. Well, no, you said, "a heads up what was going
12 on." What are -- what were -- what are you referring to
13 when you spoke to Agent Edwards?

14 MR. MALEDON: Object. Privileged.

15 MR. MANLY: Okay.

16 MR. MALEDON: Don't answer.

17 THE WITNESS: Yes.

18 MR. MANLY: Okay. So what's the basis of the
19 privilege?

20 MR. MALEDON: It's the same thing as before,
21 Counsel. Communication of one bishop to another, like
22 one lawyer to another, is privileged. If it was
23 privileged in the hands of Bishop Herrod, it's
24 privileged in the hands of Bishop Mauzy.

25 Q. (By Mr. Manly) Okay. Well, are you

1 discussing -- you're discussing here that a penitent
2 reported something, right, or Mr. -- excuse me -- Mr.
3 Adams reported something, right?

4 MR. MALEDON: Object to the form.

5 **A. Not to me at that time.**

6 Q. (By Mr. Manly) Okay. Well, okay, let's go back
7 on the record then, and we'll listen to the -- let's go
8 back on the tape record and listen to the tape record.

9 (Audio playing.)

10 Mauzy: Yeah, and hold a disciplinary council.

11 Edwards: Okay. (Unintelligible).

12 Mauzy: And so we did.

13 Edwards: Okay.

14 Mauzy: And then --

15 Edwards: And, so, so what -- and, and now this
16 is a council to figure out what to do with Paul?

17 Mauzy: Yeah.

18 Edwards: As far as excommunicating or reporting
19 to authorities?

20 Mauzy: Yeah.

21 Edwards: Okay. So what was decided in the
22 council?

23 Mauzy: We excommunicated him.

24 Edwards: Okay.

25 Mauzy: Yeah, on --

1 (Audio paused.)

2 **A. Can I back -- stop that for a minute?**

3 Q. (By Mr. Manly) Sure.

4 **A. Not "we". I decided to excommunicate Paul.**

5 Q. Well, you said "we" to the officer, right?

6 **A. Yes.**

7 Q. Have you met with your lawyers between the time
8 you gave this statement and now?

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) Sir? Have you met with your
11 lawyers about this document between the time you gave
12 that statement and now?

13 **A. Yes, sir.**

14 Q. Okay. All right. You want to add anything else?

15 **A. No, sir.**

16 Q. Okay.

17 (Audio playing.)

18 Mauzy: -- what he said, and I can't remember
19 exactly what he said to us.

20 Edwards: Okay.

21 Mauzy: It was me and two counselors, we decided
22 on what to do.

23 Edwards: Okay.

24 Mauzy: So we excommunicated him. He had the
25 opportunity to appeal. He appealed it. So we had to go

1 before the stake.

2 (Audio paused.)

3 Q. (By Mr. Manly) Why did you excommunicate him?

4 MR. MALEDON: Object to the form. That's
5 privileged.

6 **A. Yeah, yes, that was confidential.**

7 Q. (By Mr. Manly) Well, there were other people at
8 the -- at the -- at the hearing, right?

9 MR. MALEDON: Counsel, that's precisely the issue
10 that's up in front of the court.

11 MR. MANLY: Okay. I understand, but I'm just
12 going to lay my foundation. I understand what you're
13 going to do.

14 MR. MALEDON: So I'm going to instruct him not to
15 answer any questions related to the disciplinary
16 proceeding.

17 MR. MANLY: I understand. Why don't we just --
18 I'm going to ask the questions, just so I have a record.

19 MR. MALEDON: All right.

20 Q. (By Mr. Manly) So, so who was at the
21 disciplinary proceeding?

22 MR. MALEDON: That's -- you can answer that
23 question.

24 **A. I can. Myself, Brother Fife, Brother McDonald,**
25 **and Brother Elseworth.**

1 Q. (By Mr. Manly) And what positions did Brother
2 Fife, Brother McDonald, and Brother Elseworth hold in
3 the church, if any?

4 **A. First and second counselor and ward -- ward**
5 **clerk.**

6 Q. Okay. And Mr. Adams did not confess to them. He
7 confessed to you. Correct?

8 **A. Yes, sir.**

9 Q. Okay. So, and you don't -- you know why he was
10 excommunicated as you sit here today. Is that correct?

11 MR. MALEDON: That's a yes or no.

12 **A. Yes, sir.**

13 Q. (By Mr. Manly) Okay. And why was he
14 excommunicated?

15 MR. MALEDON: Don't answer that question. It's
16 privileged.

17 MR. MANLY: And for the same grounds, right?

18 MR. MALEDON: Yes.

19 MR. MANLY: Okay.

20 Q. (By Mr. Manly) So let's continue with the
21 audiotape.

22 (Audio playing.)

23 Mauzy: (Unintelligible) and he appealed the
24 excommunication.

25 Edwards: Okay. Now, do you recall when about

1 that was, about what year? I mean, and you can
2 reference it by, when did you get there, like, was it,
3 like, just after you got there or sometime in the
4 middle?

5 Mauzy: I think it was just right after I got
6 there --

7 Edwards: Okay.

8 Mauzy: -- that they called and wanted to know --

9 Edwards: Yeah, just take your time.

10 Mauzy: Let me just -- (unintelligible).

11 Edwards: And it would be safe to say maybe
12 sometime between 2012 and 2015?

13 Mauzy: Yeah, I'm going to -- I may still have
14 a -- I keep some of this stuff, and I can give you a
15 close idea. But, you know, as far as seeing anything at
16 church --

17 Edwards: There were no signs.

18 Mauzy: -- no signs. You know, it just, you
19 know, the kids were different.

20 Edwards: Okay. Different how?

21 Mauzy: Just to the -- kind of stayed to
22 themselves --

23 Edwards: Okay.

24 Mauzy: -- quiet --

25 Edwards: Okay.

1 Mauzy: -- you know.

2 (Audio paused.)

3 Q. (By Mr. Manly) Question, sir. Who --

4 **A. Yes.**

5 Q. -- was at the appeal? Mr. Goates, President
6 Goates?

7 **A. Pres- -- yes, sir.**

8 Q. All right. And who else?

9 **A. I don't know the names of all the members.**

10 Q. Were you there?

11 **A. Yes, sir.**

12 Q. Okay. How many people were there?

13 MR. MALEDON: As far as you know.

14 **A. I -- I can't remember.**

15 MR. MANLY: Excuse me. Excuse me. That's
16 inappropriate. That's inappropriate. It's a violation.
17 Don't do it.

18 MR. MALEDON: Okay. Go ahead, if you know.

19 **A. 15.**

20 Q. (By Mr. Manly) Okay. 15 individuals besides you
21 and Mr. Goates, correct?

22 **A. No, with President Goates.**

23 Q. Okay. Were any women in attendance?

24 **A. No.**

25 Q. Okay. Was Leizza Adams there?

1 **A. No.**

2 Q. And was Mr. Adams there?

3 **A. Yes.**

4 Q. Okay. Did anybody ask him questions?

5 **A. I can't remember, but --**

6 Q. You can't remember the questions that were asked

7 or --

8 **A. No, I can't remember if they asked questions, but**
9 **I -- yes.**

10 Q. Was there somebody presenting a case against him?

11 **A. No.**

12 Q. Okay. How did it -- how did it work?

13 **A. He has the right to appeal the excommunication.**

14 Q. Uh-huh.

15 **A. And he just has a right to voice his opinion that**
16 **he didn't feel it was right.**

17 Q. What did he say?

18 MR. MALEDON: Object to the --

19 **A. I can't remember.**

20 MR. MALEDON: Don't answer. It's privileged.

21 MR. MANLY: Why is it privileged?

22 MR. MALEDON: It's privileged because it's part
23 of the disciplinary proceeding, Counsel. It's the very
24 issue that's set before the court of appeals.

25 MR. MANLY: So you have 15 -- just so I'm clear,

1 there's 15 people there --

2 MR. MALEDON: Right.

3 MR. MANLY: -- and you're saying that anything he
4 says to those 15 people is privileged under the priest/
5 penitent privilege?

6 MR. MALEDON: Correct.

7 MR. MANLY: Okay. I don't agree.

8 MR. MALEDON: Also under the First Amendment, but
9 go ahead.

10 Q. (By Mr. Manly) Can you name anybody that was in
11 attendance besides you and President Goates?

12 **A. I know President Goates was there, and his**
13 **counselors, but I don't remember the other 12.**

14 Q. What are the names of the other counselors?

15 **A. I'm trying to remember. I -- if you give me a**
16 **bit, maybe, a little bit, I can remember their names,**
17 **but there was just too -- enough --**

18 Q. So did you speak at the process?

19 **A. Yes.**

20 Q. And did you speak about why he was excommunicated
21 at the process? Without disclosing it.

22 **A. No, I did not speak about what took place at the**
23 **ex- -- at our council.**

24 Q. How did the members that were there that were
25 going to decide whether he was going to be

1 excommunicated learn what he was being excommunicated
2 for?

3 **A. They --**

4 MR. MALEDON: Object to the form.

5 **A. They -- yeah, they did not know.**

6 Q. (By Mr. Manly) Well --

7 **A. He had his right to voice his opinion, why he
8 objected to the excommunication.**

9 Q. Oh, okay.

10 **A. But never mentioned a word, what it was about.**

11 Q. Well, didn't they know what it was about?

12 **A. No, sir.**

13 Q. How do you know that?

14 **A. Because what we discuss is confidential, in the
15 excommunication, at our council.**

16 Q. So you're telling me that they had an appeal
17 where the basis for ex- -- your testimony to this jury
18 in this case is going to be that they had an appellate
19 process with a man who apparently was accused of
20 something serious enough to be excommunicated, and what
21 he was being excommunicated for was never discussed with
22 the panel that was going to excommunicate him?

23 MR. MALEDON: That's not -- just object to the
24 form. Counsel, that's --

25 **A. Yeah, I --**

1 MR. MANLY: What's funny?

2 MR. MALEDON: It's not funny. I'm not laughing.
3 I'm just -- I'm wondering why you feel necessary to
4 distort the facts the way do. You know he says -- he's
5 already testified that the excommunication occurred
6 before the appeal. He told you who was there.

7 Q. (By Mr. Manly) He's appealing his
8 excommunication, right, trying to say, "My
9 excommunication is wrong," correct?

10 **A. Yes.**

11 Q. Okay. And what you're telling me is the panel
12 that's going to decide that appeal doesn't know why he
13 was excommunicated? Is that what you're going to tell
14 the jury?

15 **A. The panel? Yes, sir.**

16 Q. Okay. Just to be clear, the panel was not told,
17 by him or you or anybody else in any way, shape, or
18 form, why he was going to be excommunicated?

19 **A. To my remember, no, sir, they weren't.**

20 Q. How many other excommunication appeals have you
21 attended?

22 **A. Myself?**

23 Q. Yeah.

24 **A. Appeals?**

25 Q. Yeah.

1 **A. None.**

2 Q. Okay. How many other people have you
3 excommunicated?

4 **A. None.**

5 Q. The only person in your entire time as a bishop
6 that was excommunicated was Paul Adams, right?

7 **A. Yes.**

8 Q. Now, you saw Paul Adams engage in misconduct with
9 a child, not his child, but another child at the church,
10 right?

11 MR. MALEDON: Object to the form, foundation.

12 **A. No, sir.**

13 Q. (By Mr. Manly) You didn't. Did you ever see him
14 act as a, quote, tickle monster, close quote?

15 **A. No, sir.**

16 Q. Okay. All right. Let's go back on the tape.

17 (Audio playing.)

18 Mauzy: I wouldn't speak too much, but then I, I
19 got them to start coming out of the shell, because, you
20 know, I'd say, "Okay, you know, let me know what you
21 learned in school, Sunday school --"

22 Edwards: Sure.

23 Mauzy: -- Sunday, they'd come in and cite the
24 scripture.

25 Edwards: Okay.

1 Mauzy: They were starting to, but then it
2 stopped. It stopped, yeah. So, it looks like back in
3 '13.

4 Edwards: Back in 2013, okay.

5 Mauzy: Yeah.

6 Edwards: Now, that's, that's helpful.

7 Mauzy: Yeah.

8 Edwards: Now, it's my understanding, and correct
9 me if I'm wrong, sir, that since, you know, headquarters
10 in Salt Lake came down and was asking questions, it's --
11 you can assume that Bishop Herrod made an official
12 complaint --

13 Mauzy: Yes.

14 Edwards: -- or at least a mention of what was
15 going on, correct?

16 Mauzy: Yes.

17 (Audio paused.)

18 Q. (By Mr. Manly) So, what are you referring to
19 there?

20 **A. Where they were asking if we held a disciplinary**
21 **council.**

22 Q. Did people from Salt Lake come down to --

23 **A. No, sir.**

24 Q. Okay.

25 **A. No, sir.**

1 Q. All right.

2 **A. Can I just say one thing?**

3 Q. Of course.

4 **A. When I was talking about the church, it wasn't**

5 **the church. It was the attorneys I was talking to.**

6 **Nobody from the church told me what to do or what not to**

7 **do. It was --**

8 Q. It was the church's lawyers.

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) You mean Merrill Nelson?

11 MR. MALEDON: Object to the form.

12 **A. No, sir. I don't know --**

13 Q. (By Mr. Manly) Well, who told you what to do,

14 which lawyer?

15 MR. MALEDON: Object to the form, lack of

16 foundation.

17 **A. Nobody told me what to do.**

18 Q. (By Mr. Manly) Well, you just told -- you just

19 said the church's lawyers came down and told you what to

20 do.

21 **A. The church's lawyers never came down.**

22 Q. Okay. Did you speak to the church's lawyers, and

23 they gave you direction about --

24 MR. MALEDON: Objection --

25 Q. (By Mr. Manly) -- what to do about Mr. Adams?

1 MR. MALEDON: Objection --

2 **A. No, sir.**

3 Q. (By Mr. Manly) Did anybody, either the church or
4 their lawyers, give you direction about what to do about
5 Mr. Adams?

6 **A. No, sir.**

7 Q. Okay. So you just did it on your own?

8 **A. It was me that had the disciplinary council, yes,**
9 **sir.**

10 Q. Okay. All right.

11 **A. With the stuff that was there.**

12 Q. I see. So you never got legal advice about how
13 to handle or whether to report Mr. Adams or not,
14 correct?

15 MR. MALEDON: Object to the form.

16 **A. No, sir.**

17 Q. (By Mr. Manly) Okay. Are you a mandatory
18 reporter when you're a bishop?

19 **A. Who?**

20 Q. Are you -- when you were a bishop, were you a
21 mandatory reporter?

22 MR. MALEDON: Object to the form, foundation.

23 **A. No, sir.**

24 Q. (By Mr. Manly) Do you know what a mandatory
25 reporter is?

1 **A. No, sir.**

2 Q. Okay. Did you ever have any training from the
3 church on what a mandatory reporter is?

4 **A. No, sir.**

5 Q. Okay. When you told Agent Edwards you had some
6 of the stuff you were looking through -- could you point
7 it out here -- yeah, page 238, if you'd turn to that.
8 You say, at the second -- third to last line, it says,
9 "Yeah, I may still have that, I keep some of this
10 stuff." What are you referring to there?

11 **A. You know, I -- truthfully, I was so flustered**
12 **when they were talking to me that I may have just said**
13 **that, but I don't have any stuff.**

14 Q. Did you destroy it?

15 **A. No, sir.**

16 Q. Well, what was -- you said -- you clearly say
17 "stuff" there, right?

18 **A. Yes, sir, I did.**

19 Q. So you said "I keep some of this stuff," right?

20 **A. Like I say, I don't know what I was talking about**
21 **then, but I had no stuff.**

22 Q. That's -- well, if you didn't have any stuff,
23 why'd you say "stuff"?

24 **A. I do not know.**

25 MR. MALEDON: Object to the form.

1 Q. (By Mr. Manly) Okay. Did anybody from Salt
2 Lake, from the church or any lawyers, come down and
3 review your files in your office?

4 **A. No, sir.**

5 Q. Did anybody ask you to preserve documents in
6 connection with this case?

7 **A. No, sir. Oh, sorry.**

8 MR. MALEDON: Wait a minute. Counsel, you know
9 better than that. Why are you doing that?

10 MR. MANLY: Are you going to -- do you have an
11 objection?

12 MR. MALEDON: Of course I have an objection.

13 MR. MANLY: And what is it?

14 MR. MALEDON: The objection is that you're asking
15 the witness a question that was directed to us.

16 MR. MANLY: No, I'm not, and you're giving a
17 speaking objection, and you're trying to interrupt my
18 deposition.

19 MR. MALEDON: All right. But I think you're --

20 Q. (By Mr. Manly) Did anybody instruct you to
21 preserve documents in this case?

22 **A. No, sir.**

23 Q. Okay. Did anybody instruct you to keep your
24 phone and not destroy phone or -- phone messages or
25 texts or otherwise?

1 **A. No, sir. Why would I do that?**

2 Q. I think you've answered the question.

3 Have you -- have you -- did you receive texts
4 from Leizza and Paul?

5 **A. I may have a couple times, yes, sir.**

6 Q. Do you have those?

7 **A. No, sir.**

8 Q. Why?

9 **A. No reason to keep them.**

10 Q. So you destroyed them, deleted them?

11 MR. MALEDON: Object to the form.

12 **A. I -- yes, I delete all my texts.**

13 Q. (By Mr. Manly) Okay. And do you have the same
14 phone as you had then --

15 **A. I have --**

16 Q. -- in 2018?

17 **A. 2018, yes.**

18 Q. Okay. I'd ask you not delete anything else,
19 please, for the record.

20 So when did you delete the messages from Mr.
21 Adams and his wife?

22 **A. Do not remember.**

23 Q. So your testimony is right now you don't have any
24 text messages on your phone?

25 MR. MALEDON: Object to the form.

1 **A. Are you referring to what?**

2 Q. (By Mr. Manly) Any text messages from anyone.

3 **A. Yes, sir.**

4 Q. And you have text messages prior to 2018 from
5 other people, right?

6 **A. No, sir.**

7 MR. MALEDON: Object to the form.

8 **A. No, sir.**

9 Q. (By Mr. Manly) So how often do you delete your
10 texts?

11 MR. MALEDON: Object to the form.

12 **A. I couldn't say. Maybe two days afterwards.**

13 Q. (By Mr. Manly) Okay.

14 **A. I have no reason to keep texts.**

15 Q. Do you have an i- -- do you use your phone for
16 work?

17 **A. Yes, sir.**

18 Q. And you sell products to customers, right?

19 **A. Yes, sir.**

20 Q. All right. And customers text you, right?

21 MR. MALEDON: Object to the form.

22 **A. No, sir.**

23 Q. (By Mr. Manly) Okay.

24 **A. I don't give my phone number out for work.**

25 Q. All right. You have -- when you were a bishop,

1 did you get texts from Salt Lake and other people?

2 **A. No, sir.**

3 MR. MALEDON: Object to form.

4 Q. (By Mr. Manly) You got texts from people in your
5 flock, though, right?

6 MR. MALEDON: Object to the form.

7 **A. Most of the time my communication was at church
8 with them.**

9 Q. (By Mr. Manly) Okay. Well, you got -- you just
10 told us you got texts from Paul and Leizza.

11 **A. Yes.**

12 MR. MALEDON: Object to the form.

13 Q. (By Mr. Manly) And do you remember any of those
14 texts?

15 **A. No, sir.**

16 Q. And did you delete texts -- do you have the same
17 phone you had in 2017?

18 **A. Yes, I still have my work phone.**

19 Q. Okay. You don't -- are you using it now?

20 **A. No, sir.**

21 Q. Okay.

22 **A. I only use it when I'm working.**

23 Q. Where is it now?

24 **A. At home.**

25 Q. Okay. Where?

1 MR. MALEDON: Object to form.

2 **A. It's where I usually put it.**

3 Q. (By Mr. Manly) Where is that?

4 **A. By my bed stand.**

5 Q. Okay. In your bed stand, in a drawer?

6 **A. No, sir.**

7 Q. On the bed stand?

8 **A. Yes, sir.**

9 Q. Okay. So it's the same work phone you had in
10 2017?

11 **A. I still have that one.**

12 Q. Okay. And do you -- just so I'm clear, I
13 apologize if I've asked you this before. Do you use
14 that today, do you still use that phone?

15 **A. Yes, sir.**

16 Q. All right. Let's go back to the --

17 (Audio playing.)

18 Edwards: Okay. And so they were just following
19 up to see what was done?

20 Mauzy: Right.

21 Edwards: Now, did they say either way whether or
22 not you should just excommunicate him or report it to
23 authorities, or did they leave everything up to your
24 panel?

25 Mauzy: To, to recollect --

1 Edwards: Yeah.

2 Mauzy: -- they -- don't hold me to it --

3 Edwards: Okay.

4 Mauzy: -- they left the discretion up to us as
5 the council --

6 Edwards: Okay.

7 Mauzy: -- to excommunicate him.

8 Edwards: Okay.

9 Mauzy: -- because he never really, you know,
10 never really said that he's done anything to his
11 children.

12 Edwards: To you.

13 Mauzy: To me.

14 Edwards: Okay.

15 Mauzy: Because I was -- he -- whatever he talked
16 to Bishop Herrod about, you know, he explained a little
17 bit to me.

18 Edwards: Okay. Bishop Herrod explained.

19 Mauzy: Yeah.

20 Edwards: Okay.

21 (Audio paused.)

22 Q. (By Mr. Manly) Now, what did Bishop Herrod
23 explain to you?

24 MR. MALEDON: Object to the form. Privileged.
25 Don't answer the question.

1 MR. MANLY: On the same grounds, right?

2 MR. MALEDON: Yes, same grounds.

3 (Audio playing.)

4 Mauzy: But both of us recommend that he get
5 counseling just for his behavior --

6 Edwards: Okay.

7 Mauzy: -- just things that you'd hear from other
8 people.

9 (Audio paused.)

10 Q. (By Mr. Manly) What were you hearing from other
11 people about Mr. Adams that caused you to recommend
12 counseling?

13 **A. Just he was having trouble with work and to seek
14 their help.**

15 Q. Who did you hear that from?

16 **A. Brother Adams.**

17 Q. Well, you say you heard it from other people, not
18 Paul Adams. Who are you referring to there?

19 **A. He would -- he asked the members if they would
20 help him write a letter to -- so he could keep his job.**

21 Q. Why would he -- why was he going to lose his job?

22 **A. I do not know.**

23 Q. Okay. So, but you say -- say --

24 **A. I -- just one thing, too, sir, is, like I say, I
25 was surprised and when Mr. Edwards showed up to my**

1 **house, so my mind was just going different ways, so....**

2 Q. So I wanted you to look at page 242, the second
3 to last line. It says, "Too, you know, I personally had
4 no proof he was doing anything with his kids." Do you
5 see that?

6 **A. What -- what page?**

7 Q. 242, and it's about five lines up, begins, "Too."

8 **A. All right. "Too," yes.**

9 Q. It says, "Too, it's, you know, really, I
10 personally had no proof he was doing anything with his
11 kids."

12 Why'd you say that?

13 MR. MALEDON: Object to the form.

14 **A. Like I was saying that, when they were coming,
15 they were talking after he was arrested.**

16 Q. (By Mr. Manly) So, but you're referring to doing
17 things with his kids as child molestation, right?

18 MR. MALEDON: Object to the form.

19 **A. No, sir.**

20 Q. (By Mr. Manly) That doesn't refer -- you're
21 going to tell this jury, the statement you said to Agent
22 Edwards, "Too, you know, really, I personally had no
23 proof he was doing anything with his kids," you're going
24 to tell this jury that has nothing to do with him
25 molesting his children?

1 MR. MALEDON: Object to form --

2 Q. (By Mr. Manly) Is that correct?

3 MR. MALEDON: -- foundation.

4 Q. (By Mr. Manly) Is that correct?

5 MR. MALEDON: Same objection.

6 Q. (By Mr. Manly) It's a yes or a no, sir.

7 **A. I will say no, I had no proof.**

8 Q. Okay. That's not my question.

9 **A. I know.**

10 Q. My question -- well, if you know, then could you
11 please answer the question?

12 My question, just to be fair, is: When you say,
13 "I personally had no proof he was doing anything with
14 his kids," my question is, are you going to tell the
15 jury that that wasn't referring to him molesting his
16 children --

17 MR. MALEDON: Object to the form of --

18 Q. (By Mr. Manly) -- that statement?

19 MR. MALEDON: -- the question. Form, foundation.

20 **A. No, sir. I -- I apologize. My mind is not**
21 **thinking right now. Could you ask the question one more**
22 **time?**

23 Q. (By Mr. Manly) Sure. You say, at page 242 --

24 **A. Yes.**

25 Q. -- in your -- in your own lawyer's transcript,

1 "You know, really, I personally had no proof he was
2 doing anything with his kids." And my question is: Are
3 you going to tell the jury in this case that you are not
4 referring to child molestation when you made that
5 statement?

6 MR. MALEDON: Object to the form, foundation.

7 **A. I did not know what was going on with his**
8 **children, so....**

9 Q. (By Mr. Manly) Respectfully, move to strike as
10 nonresponsive.

11 My question is very clear, okay, and I'd like an
12 answer, and I don't want to call the special master, so
13 I really would like you to focus on the question and
14 answer it.

15 My question is: When you made this statement, "I
16 personally had no proof he was doing anything with his
17 kids," isn't it true that that refers to child
18 molestation?

19 MR. MALEDON: Object to the form of the question,
20 and the foundation.

21 **A. At that time, no, sir.**

22 Q. (By Mr. Manly) So you weren't referring to child
23 molestation there?

24 **A. No, sir.**

25 Q. Okay. What were you referring to?

1 **A. I don't remember. I don't remember, sir.**

2 Q. You're going to tell this jury that you don't --
3 you're going to tell the jury this is not referring to
4 child molestation, and you don't remember what it was
5 referring to, right?

6 MR. MALEDON: Object to the form.

7 Q. (By Mr. Manly) Correct?

8 **A. Yes, sir, right.**

9 Q. Okay. So, oh, by the way, what's the phone
10 number of your work phone that's sitting on your table
11 at home, your bedside table?

12 **A. Area code 520-508- [REDACTED]**

13 Q. Okay. So, below that, you say to Agent Edwards,
14 quote -- by the way, were you truthful with Agent
15 Edwards?

16 MR. MALEDON: Object to the form of the question.

17 **A. Yes, sir.**

18 Q. (By Mr. Manly) Okay. You didn't lie to the
19 police, did you?

20 **A. Why would I want to do that?**

21 Q. Exactly. You were truthful, right?

22 **A. Yes, sir.**

23 Q. Okay. So, it says, "Something's going on,
24 something's going on, but we did refer to Paul, so they
25 need -- so that they need -- they need to get help, just

1 on some counseling with other children, the way they're
2 behaving." What is that referring to?

3 **A. I don't remember, sir.**

4 Q. You're going to tell the jury you have no idea
5 what that's referring to on page 242 in this transcript
6 prepared by your lawyers, right?

7 MR. MALEDON: Object to the form of the question.
8 And, Counsel, stop saying "prepared by your lawyers".

9 MR. MANLY: Well, you did prepare it.

10 MR. MALEDON: No, we didn't. We gave it to a
11 court reporter to prepare.

12 MR. MANLY: Okay. Well, you produced it.

13 MR. MALEDON: Of course. And you produced one
14 too.

15 MR. MANLY: Okay. I'm using yours. It's --

16 MR. MALEDON: Fine.

17 MR. MANLY: -- significant. Okay.

18 Q. (By Mr. Manly) Produced by your lawyers.

19 MR. MALEDON: Okay.

20 **A. I -- I don't understand what I said with just**
21 **counseling with other children.**

22 Q. (By Mr. Manly) Okay. So, going on to page 243,
23 you say, "Something's going on, something's going on,
24 but we did refer Paul," I think "UI" means
25 unintelligible, "so that they need to get help just on

1 some counseling with other children the way they're
2 behaving.

3 "Edwards: Okay.

4 "Mauzy: You know, but, uh -- okay -- the kids
5 were very well-read, very well-educated.

6 "Edwards: Um-hum.

7 "I mean, very good kids.

8 "Edwards: Yeah.

9 "But, uh --

10 "Edwards: Okay.

11 "Mauzy: Truthfully, in my personal opinion, I
12 wish I'd done --

13 "Edwards: More?

14 "Mauzy --" Mauzy, I'm sorry sir, "-- more."
15 You wish you'd done more, right?

16 MR. MALEDON: Object to the form.

17 Q. (By Mr. Manly) That's what you told him,
18 correct?

19 **A. If that's what it says, yes, I did tell him.**

20 Q. Okay.

21 (Audio playing.)

22 Edwards: Okay. What, what kinds of things were
23 you being told?

24 Mauzy: Well, some people were just saying, you
25 know there's something wrong --

1 Edwards: Okay.

2 Mauzy: -- with Paul --

3 Edwards: Yeah.

4 Mauzy: -- and --

5 Edwards: There was, clearly.

6 Mauzy: Oh, yeah, yeah, because of the way he
7 acted.

8 Edwards: Yeah.

9 (Audio paused.)

10 Q. (By Mr. Manly) So you knew, when you were a
11 bishop, before he was arrested, something was wrong with
12 Paul, right? By the way he acted, right?

13 MR. MALEDON: Object to the form.

14 **A. People act different ways. You know, he acted**
15 **different when he was talking about work.**

16 Q. (By Mr. Manly) You knew there were -- you told
17 the police, you told Agent Edwards you thought there was
18 something wrong with Paul --

19 **A. Yes.**

20 Q. -- by the way he acted, right?

21 **A. Um-hum.**

22 Q. Correct?

23 **A. Yes.**

24 Q. What did you think was wrong with him?

25 **A. Just the way he acted, he's always getting in**

1 **trouble at work, from what he was telling me.**

2 Q. Where in this statement do you talk about his
3 work?

4 **A. I -- they did not ask me.**

5 Q. But you're saying that's what you're talking
6 about here, right, but you never said "work" in the
7 statement, did you?

8 **A. Well --**

9 MR. MALEDON: Object to the form of the question.

10 Q. (By Mr. Manly) You never mentioned his work in
11 this entire transcript, did you?

12 **A. No, sir. No, sir.**

13 MR. MALEDON: Object to the form.

14 Q. (By Mr. Manly) All right. So when you say, "In
15 my personal opinion, I wish I'd done more," you mean
16 wish you'd done more to protect the children from being
17 molested by their father?

18 MR. MALEDON: Object to the form.

19 **A. Did not -- that was -- did not know that was
20 going on at the time.**

21 Q. (By Mr. Manly) Well, what are you referring to
22 here?

23 **A. Could be a number of reasons that the family
24 needed help.**

25 Q. For what?

1 **A. Financially stuff.**

2 Q. Okay.

3 **A. It's not in there.**

4 Q. So you wish you'd done -- you're going to tell
5 the jury you wish you'd done more financially to help
6 the family?

7 MR. MALEDON: Object to the form.

8 Q. (By Mr. Manly) Correct?

9 **A. Yes, I will.**

10 Q. Okay. Did you think Agent Edwards was there to
11 discuss with you the family's finances?

12 **A. No, sir.**

13 Q. You knew why he was there, right?

14 **A. Yes, after he was arrested, yes, sir.**

15 Q. You knew -- you knew he was there to discuss
16 child molestation of his children, right?

17 MR. MALEDON: Object to the form.

18 **A. No, sir.**

19 Q. (By Mr. Manly) Well, wait, why did you think
20 Agent Edwards made the trouble to come to your house and
21 chat with you about Paul Adams after his arrest? What
22 did you think he was there for?

23 **A. Just to ask, probably, if we knew something.**

24 Q. About what?

25 **A. About what we're talking about right now.**

1 Q. Which is what?

2 **A. Brother Paul Adams.**

3 Q. That -- doing what?

4 MR. MALEDON: Object to the form.

5 Q. (By Mr. Manly) Having intercourse with his
6 children?

7 MR. MALEDON: Object to the form.

8 **A. I don't --**

9 Q. (By Mr. Manly) Committing oral sex upon his
10 children?

11 MR. MALEDON: Object to the form.

12 Q. (By Mr. Manly) Ejaculating on his children?

13 MR. MALEDON: Object to the form.

14 **A. Sir, I did not know that was going on or I would
15 have --**

16 Q. (By Mr. Manly) You said you read it in the
17 papers.

18 **A. Yes.**

19 Q. Okay. So you --

20 **A. But while he was coming there, I did not put the
21 two together.**

22 Q. My question to you is: Why was Agent Edwards
23 there? Why did you understand -- what did you
24 understand -- strike that.

25 What did you understand Agent Edwards was there

1 to speak with you about regarding Paul Adams on
2 July 9th?

3 **A. To see if I knew anything about what was going**
4 **on.**

5 Q. Okay. Going on about what?

6 **A. What you were just saying.**

7 Q. Child molestation?

8 **A. Yes, sir.**

9 MR. MALEDON: Object to the form.

10 **A. Oh.**

11 Q. (By Mr. Manly) Okay.

12 (Audio playing.)

13 Mauzy: You know, not just with his children, but
14 other things that --

15 Edwards: How -- how -- how so?

16 Mauzy: -- took place with bringing other -- how
17 would you say it?

18 Edwards: Bringing other women to the home?

19 (Interruption by certified reporter.)

20 Mauzy: Well, he'd bring them to church, like he
21 was trying to convert them, but I'm like, well, wait a
22 minute, your wife is right here.

23 Edwards: Yeah.

24 Mauzy: What --

25 Edwards: Makes it weird.

1 (Audio paused.)

2 Q. (By Mr. Manly) So, did you just hear that? He
3 was bringing other women to the church?

4 **A. Yes.**

5 Q. Was Mr. Adams bringing women he was having sex
6 with to the church --

7 MR. MALEDON: Object to the form, foundation.

8 Q. (By Mr. Manly) -- while his wife was there?

9 MR. MALEDON: Same objections.

10 Q. (By Mr. Manly) You may answer.

11 **A. I don't know what he was doing in his personal**
12 **life, but he was trying to get on the repentant process,**
13 **and he was trying to help members, other people become**
14 **members of the Church of Jesus Christ.**

15 Q. Okay. So, so, basically, you were -- you were --
16 your understanding was he wasn't bringing women he was
17 having sex with to the church, right? That's news to
18 you?

19 **A. Yes, sir.**

20 MR. MALEDON: Object to the form.

21 Q. (By Mr. Manly) That's news to you right now.
22 You never had that understanding before, right?

23 **A. No, sir.**

24 Q. Correct?

25 **A. Yes, sir.**

1 Q. Okay.

2 (Audio playing.)

3 Mauzy: You know, what's going on, you know, a
4 couple times he brought -- after -- Paul wouldn't really
5 come and see me. I'd have to, you know, with Bishop
6 Herrod, you know, we'd have to drag him in to see us.

7 Edwards: Sure. So you didn't -- you didn't have
8 very many counseling sessions with Paul?

9 Mauzy: Not a whole bunch, because he wouldn't --

10 Edwards: He wouldn't talk to you?

11 Mauzy: Yeah, and then after the excommunication,
12 you know, he -- he disliked me very much.

13 Edwards: Sure.

14 Mauzy: Very much.

15 Edwards: Sure.

16 Mauzy: Yeah.

17 Edwards: Did you ever talk to Leizza --

18 Mauzy: Yes.

19 Edwards: -- his wife.

20 Mauzy: But she's the same way to me, she
21 wouldn't open up much --

22 Edwards: She wouldn't --

23 Mauzy: -- you know --

24 Edwards: She wouldn't speak about what was
25 happening at home, and --

1 Mauzy: No.

2 Edwards: -- the things that Bishop Herrod had
3 told you, she didn't allude to anything like that, huh?

4 Mauzy: She would just -- you know, I'd try to
5 ask her, "Is everything going okay," you know, and she
6 would say, "Well, Paul's running around in his, you
7 know, underwear while everybody --"

8 Edwards: Yeah.

9 Mauzy: -- act like (unintelligible) --

10 Edwards: Yeah, it's just the household? She --
11 she didn't mention anything further?

12 (Audio paused.)

13 Q. (By Mr. Manly) Did Leizza tell you Paul was
14 running around in his underwear in front of the
15 children?

16 **A. Yes, sir.**

17 **(Audio playing.)**

18 **Edwards: No oddities going on at home?**

19 **Mauzy: Just, you know, he was on the internet a
20 lot, and I told her, you know, well, whatever he's doing
21 on the internet, you need to not have it where the kids
22 can see whatever's on the internet.**

23 **Edwards: Sure.**

24 **(Audio paused.)**

25 Q. (By Mr. Manly) So, was he on -- was he using

1 pornography on the internet in front of the kids?

2 MR. MALEDON: Object to -- object to the form.

3 **A. I learned --**

4 MR. MALEDON: Be careful.

5 MR. MANLY: Hey, hey, hey.

6 MR. MALEDON: No, no, no, no.

7 MR. MANLY: Okay. Call the special master.

8 MR. MALEDON: No, no.

9 MR. MANLY: No, you're not doing this.

10 MR. MALEDON: If it's privileged that you learned
11 it --

12 MR. MANLY: Then you didn't -- then you object.

13 MR. MALEDON: That's what I'm doing.

14 MR. MANLY: No, you're speaking.

15 MR. MALEDON: No. I'm objecting on grounds of
16 privilege to the extent he was about to --

17 MR. MANLY: You're trying to stop him from
18 testifying.

19 MR. MALEDON: I'm not.

20 MR. MANLY: Yeah, you are.

21 MR. MALEDON: I'm trying to tell --

22 MR. MANLY: Where's my phone?

23 MR. MALEDON: I'm trying to stop him from
24 testifying about privilege.

25 MR. MANLY: You've told him not to talk about

1 that a million times, you didn't object, and he gave an
2 answer you didn't like.

3 MR. MALEDON: Okay, Counsel.

4 MR. MANLY: All right. Let's mark the
5 transcript. We're going to file a sanctions motion on
6 this. I'm -- you're -- it's just ridiculous.

7 MR. MALEDON: It's privileged. Don't discuss
8 privileged communications.

9 MR. MANLY: That -- you don't -- you don't know
10 that's privileged. He didn't even get it out.

11 MR. MALEDON: He was about to say "I was told."

12 MR. MANLY: Well, how do you know that's
13 privileged?

14 MR. MALEDON: I'm just telling him, if it is
15 privileged, don't discuss it.

16 MR. MANLY: Okay. Then object on the grounds of
17 privilege and be quiet. That's what you're supposed to
18 do. You're violating the court's order.

19 MR. MALEDON: Don't -- don't preach to me. I'm
20 not violating the --

21 MR. MANLY: I'm not preaching. I don't even
22 believe in God. Okay. So I don't preach.

23 MR. MALEDON: Okay.

24 MR. MANLY: All right, so --

25 MR. MALEDON: Let's go.

1 MR. MANLY: I believe in ammunition, as I use to
2 say in the Navy. Okay.

3 (Audio playing.)

4 Edwards: Sure.

5 Mauzy: She said she would try to get him where
6 it's -- if he's on it, the kids can't be around.

7 It's --

8 Edwards: Private.

9 Mauzy: -- private, what he's doing, yeah.

10 Edwards: Okay.

11 (Audio paused.)

12 Q. (By Mr. Manly) Okay. So why -- why did you not
13 want the kids around Paul Adams when he was on the
14 internet?

15 **A. It's not right for children to be around that.**

16 Q. Around what?

17 **A. The internet.**

18 Q. How do you know he wasn't -- is it okay if
19 they're around the Disney channel?

20 **A. Yes.**

21 Q. Okay. So you -- it's not right for children to
22 be around the internet. So are you not allowed to be on
23 the internet if you're an LDS child?

24 **A. No, you're able, able to be on the internet.**

25 Q. Okay. So what are you talking about? You're

1 talking about child -- you're talking about pornography,
2 right?

3 MR. MALEDON: Object to the form.

4 Q. (By Mr. Manly) Correct?

5 **A. Adult.**

6 Q. Right. Fair enough. You're talking about he was
7 looking at adult pornography, and you didn't want the
8 kids to see it, correct?

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) Correct?

11 **A. No, I did not.**

12 Q. In other words, I'm correct?

13 MR. MALEDON: Object to the form.

14 Q. (By Mr. Manly) He was --

15 **A. Yes.**

16 Q. Okay. He was using pornography, and you didn't
17 want the kids to see it?

18 **A. Yes. Yes.**

19 Q. Okay. All right. All right. And Leizza told
20 you that was happening, correct?

21 MR. MALEDON: Object to the form.

22 **A. What she talked to me was in confidence, as a
23 bishop.**

24 Q. (By Mr. Manly) Well, if it was confidential, why
25 did you tell the police?

1 **A. I shouldn't have.**

2 Q. All right. Let's go back and listen to the
3 audio.

4 (Audio playing.)

5 Miles: Okay. Do you mind if I ask, the
6 disciplinary council and the excommunication, is that
7 like the most severe -- what are the -- are there
8 different levels of --

9 Mauzy: Well, it depends. If you commit
10 adultery, you know, and you don't repent for it, if
11 you're arrested, you know, there's quite a few things
12 that we have to go through.

13 Miles: (Unintelligible) slap on the wrist or
14 something or --

15 Mauzy: You can get -- they ask you not -- you're
16 not able to take the sacrament for so long. Then you
17 have to go through the process, you know, reading the
18 book of Miracles of Forgiveness.

19 Miles: Repentance.

20 Mauzy: Yeah, repentance process, you know. So,
21 some people, it may be a year before you're able to get
22 your full membership back.

23 Miles: Okay.

24 Mauzy: You know, you're just fellowship.

25 Miles: Was there a discussion between, like,

1 what -- what Paul would receive, or was it everybody --
2 was everybody on board (unintelligible)?

3 Mauzy: No, we were -- we were onboard for --

4 Miles: If you can answer, I mean --

5 Mauzy: No, I can answer, but if we have to, I,
6 you know, I can --

7 Miles: Was it a -- was it a tough decision?

8 Mauzy: Yeah, because when you get
9 excommunicated, it takes a lot to --

10 Miles: Come back?

11 Mauzy: -- come back. You know, you know, if you
12 have a child out of wedlock, you know, or anything
13 that's a great sin --

14 Miles: Right.

15 Mauzy: -- you know, you're able to -- yeah, you
16 hate doing it.

17 Edwards: Okay. Follow up on my (unintelligible)
18 question there, was there anybody on the, on the panel
19 that was thinking maybe more should be done, maybe an
20 anonymous tip to the authorities, some, some, some
21 intervention that wouldn't leave the kids being victims
22 for the next five years?

23 (Audio paused.)

24 Q. (By Mr. Manly) So, did you hear that?

25 **A. (No oral response.)**

1 Q. You knew he was talking about the kids the whole
2 time, right?

3 MR. MALEDON: Object to the form.

4 **A. And, yes, talking about the kids and Leizza.**

5 Q. (By Mr. Manly) Okay.

6 (Audio playing.)

7 Mauzy: That's a hard one, because I -- you know,
8 Brother Fife and Brother McDonald, we were all
9 onboard --

10 Edwards: Um-hum.

11 Mauzy: -- with what we -- our decision we come
12 up with.

13 Edwards: Um-hum.

14 Mauzy: But, too, it's a -- you know, we
15 really -- I personally had no proof that he was doing
16 anything with his kids.

17 Edwards: Um-hum.

18 Mauzy: You know, I just -- just how people, you
19 know, talk.

20 Edwards: Sure.

21 Mauzy: You know, some -- something's going on,
22 something's going on, but, but we did refer to Paul and
23 Leizza that they need to get help, just on some
24 counseling with other children.

25 (Audio paused.)

1 Q. (By Mr. Manly) So, you wanted the kids to go to
2 counseling, right?

3 MR. MALEDON: Object to form.

4 **A. I -- I don't remember why I was wanting that.**

5 Q. (By Mr. Manly) Okay. Did -- did anybody from
6 the church at any time, to your knowledge, instruct
7 Bishop Herrod or you to get those children to a
8 therapist before it --

9 MR. MALEDON: Object to the form.

10 Q. (By Mr. Manly) -- sorry, it felt like I was
11 done. Let me start over.

12 Did anybody from Salt Lake, the stake, any agency
13 or person within the church or any of the church's
14 agents, including their law firm, ever direct you or
15 Bishop Herrod, to your knowledge, to get the children to
16 therapy, before Paul Adams's arrest?

17 MR. MALEDON: Object to the form.

18 **A. I do not remember, no, sir.**

19 Q. (By Mr. Manly) Okay. Did you think that, given
20 the struggles you observed, it was a good idea to get
21 them to some therapist to get some psychological help?

22 MR. MALEDON: Object to the form, foundation.

23 **A. That's -- no, sir.**

24 Q. (By Mr. Manly) And so, upon reflection, wouldn't
25 you agree that when you told Agent Edwards, "I wish I'd

1 done more," you were referring to done more to help the
2 kids?

3 MR. MALEDON: Object to the form.

4 **A. Done more to help their family.**

5 Q. (By Mr. Manly) And the children, right?

6 MR. MALEDON: Object to the form.

7 **A. The family.**

8 Q. (By Mr. Manly) Okay.

9 **A. The family, they're part of the family.**

10 Q. When you saw those little girls and little boys
11 and you sat with them, as you've testified, every
12 Sunday, in your mind, did you wonder if he was hurting
13 them at home?

14 MR. MALEDON: Object to the form, foundation.

15 **A. No, sir.**

16 Q. (By Mr. Manly) Did you -- did you come to learn
17 at some point that Paul Adams had had intercourse
18 repeatedly or once with his mother?

19 MR. MALEDON: Object to the form.

20 **A. That was -- what -- that, if you're referring to**
21 **that, confidential.**

22 Q. (By Mr. Manly) Okay. Why?

23 MR. MALEDON: Why's it confidential?

24 MR. MANLY: Well, yeah, you stated publicly, the
25 church has given public explanations about it. So how's

1 it confidential?

2 MR. MALEDON: Well, if the church has, which you
3 pointed out, but the witness has said it's confidential,
4 so I'm not going to let him answer.

5 MR. MANLY: So why is it confidential?

6 MR. MALEDON: Because it's privileged to the
7 extent it came out in course of the disciplinary
8 proceeding.

9 MR. MANLY: I see.

10 Q. (By Mr. Manly) So, after his arrest, did
11 anybody, to your knowledge, in the church try to assist
12 the children in paying for therapy?

13 MR. MALEDON: Object to the form.

14 **A. From the church?**

15 Q. (By Mr. Manly) To your knowledge, from --
16 anybody from the LDS church at any level ever offer
17 these children any help in terms of therapy.

18 MR. MALEDON: Object to the form, foundation.

19 **A. Not that I'm aware of, no, sir.**

20 Q. (By Mr. Manly) Okay. Did -- did Mr. Goates,
21 when he was still president, or even up until today,
22 ever sit down with you and sort of do -- talk about how
23 we could do this better?

24 MR. MALEDON: Object to the form of the question.

25 Q. (By Mr. Manly) Never to let this happen again?

1 **A. Not that I remember, no, sir.**

2 Q. When is the first time you learned that some
3 members of your church molest children?

4 MR. MALEDON: Object to the form, foundation.

5 **A. Church-wide, I don't know.**

6 Q. (By Mr. Manly) Have you ever handled another
7 molestation case other than Mr. Adams?

8 Let me -- let me rephrase that?

9 Have you ever had to deal with somebody who
10 molested a child, whether their child or not, other than
11 Mr. Adams?

12 MR. MALEDON: Object to the form, foundation.

13 Q. (By Mr. Manly) You can answer.

14 **A. No, sir.**

15 Q. So this is the only time in any capacity in the
16 church that you've learned that somebody in the church
17 abused a child, correct?

18 **A. I probably read something, but, no, I -- I don't
19 know of members.**

20 Q. Okay. Did you have any training on how to
21 respond to allegations of child abuse by the bishopric?

22 **A. I've done some online training on how to protect
23 the children.**

24 Q. What did you learn?

25 Let me ask you this: Is it before or after Mr.

1 Adams's arrest?

2 **A. Before.**

3 Q. Okay. And what was that training called?

4 **A. It's a training, I can't remember the name of it,**
5 **but it's just talking about how to protect the children.**

6 Q. By calling the police when you learned they're
7 molested?

8 MR. MALEDON: Object to the form, foundation.

9 Q. (By Mr. Manly) Go ahead. Did it talk about when
10 to call law enforcement?

11 MR. MALEDON: Object to the form.

12 **A. Not that I remember.**

13 Q. (By Mr. Manly) Okay. What it told you is to
14 call the hotline, right?

15 MR. MALEDON: Object to the form.

16 **A. No.**

17 Q. (By Mr. Manly) Did you learn that child
18 pedophiles -- you know what a pedophile is?

19 **A. Yes, sir.**

20 Q. What is it?

21 **A. A person that likes children.**

22 Q. Well, in the -- you mean sexually, not just likes
23 children.

24 **A. Yes, sir.**

25 Q. So, in other words, a person that's attracted to

1 a child sexually, right?

2 **A. Yes, sir.**

3 Q. Okay. And did they give you any training on how
4 to identify signs of some child who's being sexually
5 abused by a pedophile?

6 MR. MALEDON: Object to the form.

7 **A. Don't remember, sir, on the training.**

8 Q. (By Mr. Manly) What's grooming?

9 MR. MALEDON: Object to the form.

10 **A. Grooming?**

11 Q. (By Mr. Manly) Yeah.

12 **A. Talking about animals, humans --**

13 Q. Did you ever -- go ahead. Go ahead. Sorry.

14 **A. You can groom a horse. You can groom your dogs.**

15 Q. Okay. You've answered the question. Thank you.

16 MR. MANLY: Okay. We've been going about an
17 hour. Why don't we take a break.

18 MR. MALEDON: Sure.

19 THE VIDEOGRAPHER: 2:11, we're going off record.

20 (Break taken, 2:11 to 2:25.)

21 THE VIDEOGRAPHER: The time is 2:25, we are back
22 on record.

23 Q. (By Mr. Manly) Okay. Sir, you know, while you
24 were a bishop, you had the children in your care,
25 right --

1 MR. MALEDON: Object to the form, foundation.

2 Q. (By Mr. Manly) -- in the church, right?

3 **A. All members were in my care.**

4 Q. Okay. And if you knew there was a threat to
5 those members, physically or sexually, you would have
6 done something to protect them, right?

7 MR. MALEDON: Object to the form, foundation.

8 **A. If I was aware of something, yes, sir.**

9 Q. (By Mr. Manly) Okay. Because you're the
10 shepherd of the flock, and you owe a duty -- you want to
11 protect them, right?

12 **A. Yes, sir.**

13 Q. And that's your obligation, that's your
14 obligation as a bishop, right?

15 MR. MALEDON: Object to form, foundation.

16 Q. (By Mr. Manly) You can answer.

17 **A. Protect all the members.**

18 Q. That's your obligation as a bishop, correct?

19 MR. MALEDON: Same objections.

20 **A. And to make sure that they're spiritually fed.**

21 Q. (By Mr. Manly) They're physically safe while
22 they're in your presence and, from what you know, and
23 they're spiritually fed, correct?

24 **A. Yes, sir.**

25 MR. MALEDON: Object to the form.

1 Q. (By Mr. Manly) Okay. Now, at the office of the
2 ward, is there a bishop's office in the ward?

3 **A. Yes.**

4 Q. Okay. And are there any employees in the ward,
5 or everybody's a volunteer?

6 **A. Everybody's a volunteer.**

7 Q. Okay. Did you have a computer in your office?

8 **A. No, sir.**

9 Q. Okay. Did you have a laptop that you took home
10 with you --

11 **A. No, sir.**

12 Q. -- that was the church's?

13 Okay. Was there a computer at the facility --

14 **A. In the clerk --**

15 Q. -- at the ward?

16 **A. In the clerk's office.**

17 Q. Okay. And when you were the bishop, who was the
18 clerk? And if it's more than one person, feel free to
19 tell me.

20 **A. As I -- when I was a bishop?**

21 Q. Yes, sir.

22 **A. We've had one, two.**

23 Q. Okay. Who were they, if you can recall?

24 **A. I know Brother Elseworth. I was trying to**
25 **remember the other brother's name. I can't remember his**

1 **name.**

2 Q. Okay.

3 **A. But I know Brother Elseworth was.**

4 Q. Do you know Brother Elseworth's first name, sir?

5 **A. Martin.**

6 Q. Martin, okay.

7 And the computer in his office was owned by the
8 LDS church?

9 **A. Yes.**

10 Q. Okay. And what was its purpose?

11 **A. To do our financial statements and people that
12 pay tithing.**

13 Q. And did you communicate with Salt Lake on that
14 computer? Was there a program that you could send that
15 information to Salt Lake?

16 MR. MALEDON: Object to the forth.

17 **A. The tithing declaration, yes.**

18 Q. (By Mr. Manly) Okay. Was there other ways to
19 communicate with Salt Lake?

20 MR. MALEDON: Object to the form, foundation.

21 **A. Communicate how, as talking, financial records,
22 membership records?**

23 Q. (By Mr. Manly) Membership records.

24 **A. Yeah, we had all the membership records of all
25 the members.**

1 Q. Okay. And that was shared with Salt Lake,
2 correct?

3 MR. MALEDON: Object to the form, foundation.

4 Q. (By Mr. Manly) On the MLS system?

5 **A. We had the MLS system, yes, sir.**

6 Q. And what is that?

7 **A. I do not know the technical name for the MLS.**

8 **That was --**

9 Q. Where --

10 **A. That was, like I say, for making sure we put in**
11 **our tithing donations.**

12 Q. Okay. I have a question for you. Was Paul Adams
13 ordained into the Melchizedek priesthood?

14 MR. MALEDON: Object to the form.

15 **A. No, sir.**

16 Q. (By Mr. Manly) And why not?

17 MR. MALEDON: Object to the form.

18 **A. Many reasons brethren aren't able to receive the**
19 **Melchizedek priesthood.**

20 Q. (By Mr. Manly) Say again, sorry?

21 MR. MANLY: Did you get that?

22 (Following read by certified reporter: "Many
23 reasons brethren aren't able to receive the Melchizedek
24 priesthood.")

25 **A. Melchizedek.**

1 Q. (By Mr. Manly) And what was the reason he
2 didn't?

3 **A. Not being an honest tithe payer.**

4 Q. Any other reason?

5 **A. That -- no, sir.**

6 Q. So, how old do you have to be to obtain the
7 Melchizedek priesthood?

8 **A. 18.**

9 Q. Okay. So, and how old was Mr. Adams when he took
10 his own life?

11 **A. I don't know, sir.**

12 Q. Was he in his forties?

13 MR. MALEDON: Object to the form.

14 **A. I don't know. I don't know how old he was.**

15 Q. (By Mr. Manly) Well, he was certainly, certainly
16 approaching middle age, if not there, right?

17 MR. MALEDON: Object to the form.

18 **A. If you say.**

19 Q. (By Mr. Manly) Okay. Well, he was your
20 parishioner, you had 40 of them, or your member, you had
21 40 of them, there weren't many. You don't -- you don't
22 have any estimate of how old he was?

23 MR. MALEDON: Object to the form.

24 **A. That's -- no, sir, I do not know how old he was.**

25 **I had a lot more members attend -- that were members of**

1 **the church but not attending.**

2 Q. (By Mr. Manly) So did he ever receive a temple
3 recommend?

4 **A. No, sir.**

5 Q. Okay. So most people are ordained into the
6 Melchizedek priesthood at 18, right?

7 MR. MALEDON: Object to the form.

8 Q. (By Mr. Manly) Or thereabouts?

9 MR. MALEDON: Object to the form.

10 **A. Most, yes.**

11 Q. (By Mr. Manly) Okay. Who else -- what other
12 males that attended church regularly were not ordained
13 in the priesthood, besides Paul Adams, if you know?

14 MR. MALEDON: Object to the form.

15 **A. Sorry, I couldn't tell you right now.**

16 Q. (By Mr. Manly) Can't think of one, can you?

17 MR. MALEDON: Object to the form, foundation.

18 **A. No, sir, not right offhand.**

19 Q. (By Mr. Manly) Is one of the reasons he was not
20 ordained in the Melchizedek priesthood ever is that he
21 had problems with sex and sexual sins from the time he
22 was a teenager all the way up to the time he died?

23 MR. MALEDON: Object to the form of the question.

24 **A. I couldn't tell you. Never knew that was going**
25 **on.**

1 Q. (By Mr. Manly) Did you look at his record?

2 MR. MALEDON: Object to the form.

3 **A. No, sir.**

4 Q. (By Mr. Manly) In your entire time as bishop,
5 you never looked at his record, right?

6 MR. MALEDON: Object to the form.

7 **A. I looked at the family records.**

8 Q. (By Mr. Manly) Did you look at Paul Adams's
9 record?

10 MR. MALEDON: Object to the form.

11 **A. No, sir.**

12 Q. (By Mr. Manly) Okay. And so there may have been
13 information about sexual misconduct for, you know,
14 years, and you wouldn't know it because you never looked
15 at his record, right?

16 MR. MALEDON: Object to the form, foundation.

17 Q. (By Mr. Manly) Correct?

18 MR. MALEDON: Object to the form, foundation.

19 **A. No, sir, I did not --**

20 Q. (By Mr. Manly) Okay.

21 **A. -- see the notes, if there was any.**

22 Q. So my question -- the answer to my question is:
23 You wouldn't know what was there because you never
24 looked at the record, right?

25 MR. MALEDON: Same objections.

1 **A. I had no reason to look at his records.**

2 Q. (By Mr. Manly) I see. If you learn --
3 hypothetically, if you learn from some source that a
4 member had alleged to have engaged in sexual misconduct,
5 a pretty good first step would be to go look at his
6 record and see if there was anything else like that,
7 right?

8 MR. MALEDON: Object to the form, foundation.

9 Q. (By Mr. Manly) Kind of common sense, right?

10 **A. If you --**

11 MR. MALEDON: Object, form, foundation.

12 **A. At the time, I did not have any inclination what
13 was going on.**

14 Q. (By Mr. Manly) Okay. I'm asking you, as a
15 matter of practice and procedure, if you heard that a
16 member had engaged in sexual misconduct with a child,
17 one of the things you would do, as a bishop, is go to
18 his record to see if that ever happened before, right?

19 MR. MALEDON: Object to the form, foundation.

20 Q. (By Mr. Manly) Correct?

21 MR. MALEDON: Same objection.

22 **A. If you're aware of a problem, yes.**

23 Q. (By Mr. Manly) Okay. So if you become aware of
24 a problem, it makes sense that, if it's a sexual
25 problem, whether it's child molestation or porn or

1 whatever, you go look in the record and see if that had
2 occurred before, correct?

3 MR. MALEDON: Object to the form, foundation.

4 **A. No, sir, not -- not for small things, you don't**
5 **need to go look at the records.**

6 Q. (By Mr. Manly) Child molestation isn't a small
7 thing, right?

8 **A. I did not know that was going on.**

9 Q. Okay. I'm -- I'm asking you a practice and
10 procedure question. Not about Mr. Adams. Okay. Just
11 so we're clear.

12 If you learned from a member about an allegation
13 that a member had engaged in sexual misconduct with
14 their child or you suspected a member had engaged in
15 sexual misconduct with a child, one of the things that
16 would be important for you to do, based on your training
17 and experience in the church, is to go look at his
18 record to see if he had done that before, right?

19 MR. MALEDON: Object to the form, foundation.

20 **A. No.**

21 Q. (By Mr. Manly) Okay. Did you ever learn that
22 Paul Adams had -- was addicted to pornography?

23 MR. MALEDON: Object to the form, foundation.

24 Again, privilege, don't discuss it.

25 THE WITNESS: Okay.

1 Q. (By Mr. Manly) Did you ever learn he had a porn
2 addiction or he told you he had a porn addiction?

3 MR. MALEDON: Same instruction.

4 MR. MANLY: So you're instructing him not to
5 answer?

6 MR. MALEDON: Pardon?

7 MR. MANLY: You're instructing him not to answer?

8 MR. MALEDON: If it's privileged, I'm instructing
9 him not to answer, if he found out about it in the
10 course of privileged communication --

11 MR. MANLY: I gotcha.

12 Q. (By Mr. Manly) Can you answer the question?

13 **A. What I learned was under confidential.**

14 Q. Okay. I understand that's your position.

15 All right. When you heard that Mr. Adams was
16 downloading pornography in front of his children, were
17 you concerned about the welfare of the children?

18 MR. MALEDON: Object to the form of the question.

19 **A. No, I was not aware, worried about the children.**

20 Q. (By Mr. Manly) Okay. Did you ever hear that he
21 was buying video and electronic equipment in such volume
22 that it was affecting the family's finances?

23 **A. He was buying televisions, electrical devices,**
24 **stereos.**

25 Q. Video?

1 **A. I was not aware of videos, no, sir.**

2 Q. Okay. Did you ever wonder why he was doing that?

3 **A. No, sir.**

4 Q. Okay. Did you learn that Mr. Adams was filming
5 sex acts with his children at home while you were a
6 bishop at any time?

7 MR. MALEDON: Object to the form of the question,
8 lack of proper foundation.

9 Q. (By Mr. Manly) You can answer.

10 **A. The only time I learned about that was after he**
11 **was arrested.**

12 Q. From whom?

13 **A. Newspaper articles.**

14 Q. Okay. Did anybody from the church, from Salt
15 Lake, from the stake presidency, from the temple in
16 Tucson, ever come out and speak to you about Paul Adams
17 and what happened at the ward?

18 MR. MALEDON: Object to the form of the question.

19 **A. Yeah, I don't understand the question.**

20 Q. (By Mr. Manly) Sure. You saw -- Agent Edwards
21 came out and talked to you about that, right? Correct?

22 **A. Yes.**

23 Q. Okay. Did anybody from the church, the stake
24 president, the temple president, anybody from Salt Lake,
25 any senior leaders come to you and ask you about what

1 transpired at the ward with regard to the Adamses?

2 **A. No, sir.**

3 Q. Okay. Did you ever speak to your congregation as
4 a whole about Paul Adams?

5 **A. No, sir.**

6 Q. So Paul Adams is arrested for molesting his
7 children, and you never addressed it with the
8 congregation ever?

9 **A. No, sir.**

10 Q. Why not?

11 MR. MALEDON: Object to the form.

12 **A. No reason to.**

13 Q. (By Mr. Manly) Did anybody speak to other
14 children in the ward that Mr. Adams had contact with to
15 see if he had hurt them?

16 MR. MALEDON: Object to the form of the question,
17 lack of proper foundation.

18 **A. I don't -- no, sir.**

19 Q. (By Mr. Manly) Mr. Adams had contact with other
20 children in the ward when he was at church, right?

21 **A. Contact as?**

22 Q. They were in the same room together, he'd speak
23 to them, and do -- you know, they'd interact like you
24 normally do at church.

25 **A. Yes.**

1 Q. Okay. Did anybody talk to any of the families
2 and express, from the church, and express concern or
3 inquire as to whether Paul Adams had hurt anybody else
4 other than his own children?

5 MR. MALEDON: Object to the form, foundation.

6 Q. (By Mr. Manly) No?

7 **A. There's no reason to. We didn't believe anything**
8 **was going on.**

9 Q. I'm talking about after his arrest.

10 **A. Oh, after his arrest?**

11 Q. Yeah. When you knew something was going on, did
12 you, did you talk to anybody, any of the children or any
13 of the parents of the children and see if he hurt them?

14 **A. No.**

15 Q. Why not?

16 MR. MALEDON: Object to the form, foundation.

17 **A. Because there was nothing happening at church.**

18 Q. (By Mr. Manly) How do you know?

19 MR. MALEDON: Object to the form, foundation.

20 Q. (By Mr. Manly) How do you know if you never
21 asked?

22 MR. MALEDON: Same objections.

23 **A. I didn't -- I'm sorry, I didn't ask. I didn't**
24 **feel like it was happening there.**

25 Q. (By Mr. Manly) Did somebody from the church tell

1 you, "Leave this alone"?

2 MR. MALEDON: Object to the form, foundation.

3 **A. No, sir.**

4 Q. (By Mr. Manly) Okay. Other than the meeting
5 that you mentioned for eight hours last week about your
6 deposition, did you meet with the lawyers, any of the
7 lawyers in this room or on the phone, at any other time?

8 MR. MALEDON: Any time?

9 Q. (By Mr. Manly) Between -- I'm sorry. Between
10 now and -- between then and your deposition today.

11 **A. Meeting with the attorneys here last week?**

12 Q. Yeah, you said you met with them eight hours.
13 Did you meet with them again before the deposition this
14 week?

15 **A. No, sir.**

16 Q. Did you meet with them this morning?

17 **A. Yes, sir.**

18 Q. How long did you meet with them this morning?

19 **A. Maybe 10, 15 minutes.**

20 Q. And every time we took a break, including lunch,
21 did you speak with your attorneys?

22 MR. MALEDON: Object to the form.

23 Q. (By Mr. Manly) Without disclosing what was said.

24 **A. Yes.**

25 Q. Okay. Were you shown any documents at lunch?

1 **A. No, sir.**

2 Q. Were you shown any documents at any point today?

3 **A. Just what we have right now.**

4 Q. Other than by me. Did they show that to you
5 today?

6 And he's referring to Exhibit 2.

7 **A. Yes.**

8 Q. Who showed you that document?

9 **A. Bill.**

10 Q. Today?

11 **A. Yes, sir.**

12 Q. When? After the testimony started?

13 **A. No, sir.**

14 Q. This morning?

15 **A. Yes.**

16 Q. Okay.

17 MR. MANLY: Okay. Can we pass them out? This is
18 the privilege log we'll mark as Exhibit 3. Bill, there
19 you go. Did you guys find it?

20 MS. CHAPMAN: I don't have it.

21 MR. MANLY: Let's make sure she gets a copy.
22 Counsel, do you have a copy?

23 MR. KUYKENDALL: No, but I don't need one, I can
24 look over counsel's shoulder.

25 MR. MANLY: Okay. Thank you. Okay. Thank you.

1 Q. (By Mr. Manly) Now, I take -- have you ever seen
2 this before?

3 **A. No, sir.**

4 Q. Okay. This is a log that purports to show calls
5 made, and the first part is Bishop Herrod, and the
6 second page, which is on 6-7-13, it says, Author, Grace
7 Hansen. Do you know who Grace Hansen is?

8 **A. Personally, no, sir.**

9 Q. Okay. Do you know who she is generally? Have
10 you ever heard her name before?

11 **A. No, sir.**

12 Q. Okay. And it says here, Exhibit 3, "Note
13 discussing Merrill Nelson's conversation with Bishop Kim
14 Mauzy." Does that refresh your recollection you had a
15 conversation with Merrill Nelson?

16 **A. Name, I don't remember having a conversation
17 with, I don't remember her, that person.**

18 Q. Okay. All right. Did you, in or about 2013,
19 have a discussion at any time with President Goates
20 about Paul Adams?

21 MR. MALEDON: Privilege. You can answer yes or
22 no, but don't discuss substance.

23 **A. Yes.**

24 Q. (By Mr. Manly) How many conversations did you
25 have with him about it?

1 **A. I don't remember.**

2 Q. Okay. If you learned in a confession that a
3 member was engaging in serious misconduct that might
4 present a threat to someone else, physical threat or
5 sexual threat or emotional threat that was serious,
6 would it be your practice and training to report that to
7 the stake president?

8 MR. MALEDON: Object to the form.

9 **A. No, sir.**

10 Q. (By Mr. Manly) Okay. When were you supposed to
11 commune -- on what types of occasions would you
12 communicate with the stake president about a particular
13 member?

14 **A. If they were having trouble in their lives at
15 home or different things pertaining to the church.**

16 Q. If you suspected that a member -- had a
17 reasonable suspicion that a member was engaging in
18 sexual misconduct with children, who were also members,
19 is that something you would bring to the stake
20 president's attention?

21 MR. MALEDON: Object to the form, foundation.

22 **A. No, sir.**

23 Q. (By Mr. Manly) Okay. All right. On 6-20 --
24 looking again at Exhibit 3, it says, on 6-29,
25 description of entry, "Summary of Merrill Nelson's (A)

1 call with Bishop Kim Mauzy with legal advice rendered."

2 Does that refresh your recollection that you were

3 speaking with Merrill Nelson at the hotline about

4 something on that date?

5 **A. I -- you have it here, yes, I would say I was**

6 **talking to them.**

7 Q. All right. Did you call the hotline in 2013

8 about Paul Adams?

9 **A. Yes, sir.**

10 MR. MANLY: Okay. And I'm going to ask the

11 question, Bill, just to -- so, just to warn you.

12 Q. (By Mr. Manly) You should wait for your

13 attorney's instruction or objection here. Okay.

14 Why did you call the hotline in 2013 about Paul

15 Adams?

16 MR. MALEDON: The substance of the conversation

17 is privileged and don't relay it. Okay.

18 Q. (By Mr. Manly) Can you answer the question?

19 **A. Yeah, I called to get legal advice, what I need**

20 **to do.**

21 Q. And about Paul Adams, correct?

22 **A. Yes, sir.**

23 Q. Okay. Did the help line or hotline ever call you

24 about Paul Adams?

25 MR. MALEDON: Object to the form.

1 **A. I -- truthfully, I don't remember, sir.**

2 Q. (By Mr. Manly) Did you ever have a call with the
3 hotline or any of the attorneys on the hotline with
4 President Goates on the phone, you and he and somebody
5 else from the hotline? Do you understand the question?

6 **A. Yes.**

7 Q. It was kind of a bad question.

8 **A. More -- more -- not that I remember, no, sir.**

9 Q. Okay. And when you made these calls, was it your
10 custom and practice to call from the ward or just call
11 from your cell phone?

12 **A. Oh, I'd call from my cell phone or the house
13 phone.**

14 Q. And do you still have your cell phone from that
15 time?

16 **A. Yes, sir.**

17 Q. You do, okay. Is that the one on your -- on your
18 bedside table?

19 **A. Work, yes.**

20 **You know, you asked me a question --**

21 Q. Um-hum.

22 **A. -- and you have all that information. They come
23 and they got everything off my personal computer, my
24 phones, everything.**

25 Q. I asked you if somebody came and looked at your

1 phone, and you said no.

2 **A. I -- I didn't realize the question, but they did.**

3 Q. Who's "they"?

4 MR. MALEDON: You really don't know, Counsel?

5 MR. MANLY: You know what --

6 **A. Some company. Some company.**

7 MR. MANLY: -- if I want to engage in a
8 conversation with you, I'll let you know, otherwise:
9 Objection, form; objection, privilege.

10 Q. (By Mr. Manly) Go ahead.

11 **A. Some company I don't know the name of, but they**
12 **came and got all the information off my phones.**

13 Q. When did that happen?

14 **A. Oh, I don't remember, sir.**

15 MR. MANLY: Mr. Maledon, what's funny?

16 MR. MALEDON: I'm not -- I'm not laughing. I'm
17 just astonished, Counsel, that you would ask these
18 questions. We're in this litigation for two years. At
19 the very outset --

20 MR. MANLY: It's always a personal attack with
21 this guy. Go ahead.

22 MR. MALEDON: At the very outset of the
23 litigation, we were asked to produce all of the forensic
24 evidence. We even -- we have correspondence that's
25 probably an inch thick going back and forth between

1 myself and Ms. Cadigan about all this. We objected to
2 doing so, and she insisted that we get a forensic firm
3 to image all the computers and phones of our clients.
4 It cost \$35,000 to do it. We did it. We paid for it.
5 We provided it all to them, hundreds of thousands of
6 pages of documents.

7 MR. MANLY: I'm very sorry about the 35,000. I'm
8 sure that was a tremendous imposition on the LDS church.

9 Now, where are the texts that he just talked
10 about, if you did that? Where are the texts.

11 MR. MALEDON: Whatever still existed was searched
12 for and produced.

13 MR. MANLY: Did you tell him not -- did you tell
14 him to preserve the texts?

15 MR. MALEDON: I'm not going to tell you what I
16 told the client, but I will tell you -- no, no, Counsel,
17 I will tell you what we did. I'm not going to tell you
18 what I told the client. What we did was --

19 MR. MANLY: I got a pretty good idea what you
20 told the client, but go ahead.

21 MR. MALEDON: What we did was, as soon as we got
22 a letter from Ms. Cadigan, we ordered that there be
23 immediate preservation of everything that existed at
24 that time. All right.

25 MR. MANLY: Do you have a letter to him saying

1 that?

2 MR. MALEDON: I'm not going to tell you what
3 we --

4 MR. MANLY: See, the problem is here, you're
5 making representations, and then I get to a -- I get to
6 a deposition, and he says, oh, yeah I had texts, I threw
7 them out, now, or I deleted them, I always delete my
8 texts. So, you know, there's a disconnect there. And
9 if you think --

10 MR. MALEDON: No, there isn't a disconnect there.

11 MR. MANLY: Excuse me. You know, last time I
12 looked, you're a brilliant lawyer, and you have a
13 tremendous reputation, but you're not omniscient. Okay.

14 MR. MALEDON: That's --

15 MR. MANLY: So, I'm not omniscient neither, which
16 is difficult to accept. However --

17 MR. KUYKENDALL: You know, you're burning your
18 time.

19 MR. MANLY: Hey.

20 MR. KUYKENDALL: How about if we keep going with
21 the deposition.

22 MR. MANLY: How about you let me do my thing,
23 huh? I've done okay.

24 MR. KUYKENDALL: Right on. You do your thing.

25 MR. MALEDON: I don't want to have an argument,

1 Counsel.

2 MR. MANLY: Yeah.

3 MR. MALEDON: We produced it all, to the extent
4 it existed. We had the phones and computers all imaged.
5 We produced hundreds of thousands of pages --

6 MR. MANLY: So your representation on the record
7 is you imaged his phone.

8 MR. MALEDON: Yes.

9 MR. MANLY: And there was no texts to Paul Adams?

10 MR. MALEDON: There was no texts with Paul Adams.
11 If there had been, we would have produced it. But,
12 remember --

13 MR. MANLY: So you don't have any problem if I
14 image his phone and look, do you?

15 MR. MALEDON: If you image his phone?

16 MR. MANLY: Yeah, if we do it ourselves. You're
17 cool with that, right, since you -- since you did it?

18 MR. MALEDON: No, it's got a lot of work stuff on
19 there that --

20 MR. MANLY: Because I'm -- you know, I got to
21 tell you, I'm really interested in the propane business
22 in this case.

23 Seriously. Are you okay if we image the phone?
24 You're making represent- --

25 MR. MALEDON: No.

1 MR. MANLY: That's what I thought.

2 MR. MALEDON: No. No.

3 MR. MANLY: Okay. I'm going to continue asking
4 my questions.

5 MR. MALEDON: Fair enough, but I just want you to
6 understand we did all this before. We've been through
7 this. We even had an argument to the court about it,
8 and they said if you wanted further forensic imaging of
9 any kind --

10 MR. MANLY: Is that the argument where you said
11 Ms. Cadigan was trying to destroy the Mormon Church or
12 was that another argument?

13 MR. MALEDON: I never said that.

14 MR. MANLY: Yes, you did.

15 MR. MALEDON: No. Well, let's just go on. I
16 agree with Mr. Kuykendall that this is a waste of time.

17 Q. (By Mr. Manly) Okay. So what kind of phone do
18 you have?

19 **A. I'm not real sure.**

20 Q. Is it an iPhone?

21 **A. The old one, I don't -- it might be an iPhone,**
22 **yes, sir.**

23 Q. What do you mean, "the old one"?

24 **A. Well, my old phones working --**

25 Q. How many phones do you have?

1 **A. I have two.**

2 Q. Okay. How many phones did you give -- now that
3 you now remember you gave phones away, how many phones
4 did you give up? Both?

5 **A. The work phone, yes. But my personal phone I
6 just got.**

7 Q. Okay.

8 **A. It was given to me for a --**

9 Q. So how many personal phones have you had since
10 2010?

11 **A. Zero. I use my work phone.**

12 Q. Okay. So you say you now have a personal phone?

13 **A. Yes, sir.**

14 Q. When did you get that?

15 **A. Possibly a year ago.**

16 Q. Okay. So the only phone you had was the work
17 phone --

18 **A. Yes, sir.**

19 Q. -- right? And that's the number you gave us?

20 **A. Yes, sir.**

21 Q. Did you get permission from your employer to have
22 your work phone imaged?

23 **A. I don't remember if I did or not.**

24 Q. You didn't have to, did you?

25 MR. MALEDON: Object to the form.

1 **A. I don't think I did.**

2 MR. MANLY: Well, you're objecting on
3 confidentiality. I just wanted to know if it was so
4 confidential that he asked permission to give it to Mr.
5 Maledon.

6 **A. There was nothing on it.**

7 Q. (By Mr. Manly) You didn't -- okay.

8 **A. I mean --**

9 Q. You never had a concern about work
10 confidentiality when you were asked for the phone by the
11 church, right?

12 **A. My work is just phone calls that I make to
13 different people.**

14 Q. All right. So where did the -- where did the --
15 who collected the phone?

16 MR. MALEDON: You want the name of the company?

17 MR. MANLY: I don't want -- if I -- if you want
18 to raise your hand and take an oath, I'll swear you in
19 and take your deposition. I don't think you want that.
20 So why don't you let me ask my questions, and you can
21 object, form or for privilege. Okay?

22 **A. I do not know the name of the firm.**

23 Q. (By Mr. Manly) Okay. When did this happen?

24 **A. I don't remember.**

25 Q. Where did it happen?

1 **A. My house.**

2 Q. Okay. Somebody came to your home?

3 **A. Yes.**

4 Q. Okay. And were you informed before that they
5 were coming to your home?

6 **A. Yes.**

7 Q. Okay. And you don't have any idea when that
8 happened?

9 **A. No, sir.**

10 Q. Was it a year ago?

11 **A. Possibly.**

12 Q. Less?

13 **A. I can't tell you. I don't know.**

14 Q. Okay. Do you keep a calendar?

15 **A. Do I keep a calendar?**

16 Q. Yeah.

17 **A. Yes.**

18 Q. When you were a bishop, you kept a calendar,
19 right?

20 **A. Yes, sir.**

21 Q. Do you still have it?

22 **A. No, sir.**

23 Q. When did you destroy it?

24 **A. I don't -- destroy it? I don't remember.**

25 Q. What do you mean you didn't destroy it? If you

1 don't have it, what happened to it?

2 **A. Then I guess I destroyed it.**

3 Q. When did you do that?

4 **A. I do not remember.**

5 Q. When did you leave -- you had it while you were
6 the bishop, right, you had your calendar?

7 **A. We had a calendar inside the bishopric, yes.**

8 Q. You kept a bishop's calendar for meetings with
9 members and all kinds of other things, correct?

10 MR. MALEDON: Object to the form foundation.

11 **A. Not really kept a calendar.**

12 Q. (By Mr. Manly) Did you keep a personal calendar?

13 **A. No, sir.**

14 Q. So do you -- your memory's so good that you can
15 remember what appointments you have to go to without
16 writing it down?

17 MR. MALEDON: Object to form, foundation.

18 Q. (By Mr. Manly) You don't keep it on a phone or
19 on a computer?

20 **A. No, sir. The ward secretary, the ward secretary
21 would tell me I have an appointment.**

22 Q. Okay. So she kept a calendar?

23 **A. He did.**

24 Q. He did. Forgive me.

25 And what was his name?

1 **A. Jerry -- oh, Brother Elseworth was the ward**
2 **clerk. Jerry Eberwine was the executive secretary.**

3 Q. You're going to have to repeat that last name.

4 Jerry what?

5 **A. Eberwine**

6 Q. Eberwine?

7 **A. Yes.**

8 Q. Okay. And where did he keep the calendar?

9 MR. MALEDON: Object to the form, foundation.

10 **A. I couldn't remember.**

11 Q. (By Mr. Manly) So how do you know you don't have
12 a calendar and you destroyed them? That's what you told
13 us earlier.

14 MR. MALEDON: Object to the form, foundation.

15 **A. I do not have a calendar.**

16 Q. (By Mr. Manly) Okay. Did you destroy your
17 calendars -- just so I can -- when did you leave --

18 **A. Two thousand --**

19 Q. Let me just finish the question.

20 **A. Oh.**

21 Q. It's okay.

22 When did you leave being bishop?

23 **A. 2017 or '18.**

24 Q. Okay. And as far as you know, when you left,
25 your calendars existed, right?

1 MR. MALEDON: Object to the form, foundation.

2 **A. No, sir, don't recollect they were kept.**

3 Q. (By Mr. Manly) Well, how do you know that?

4 MR. MALEDON: Object to the form.

5 Q. (By Mr. Manly) Well, does the clerk normally
6 destroy calendars?

7 **A. We usually get rid of them after a year.**

8 Q. Is that -- is that the policy?

9 MR. MALEDON: Object to form.

10 **A. Not sure.**

11 Q. (By Mr. Manly) Go ahead, sir.

12 **A. No. No.**

13 Q. So when you say "we usually get rid of them after
14 a year," what are you referring to?

15 **A. I -- very seldom did I write anything down on the
16 calendar there. Just maybe a couple of meetings or when
17 we've had tithing settlement.**

18 Q. I thought you said you didn't keep a calendar?

19 **A. Well, maybe a little one.**

20 Q. Maybe a little one. Where's the little calendar?

21 **A. Okay. If I have a calendar --**

22 Q. Excuse me. Excuse me. Where'd the little
23 calendar go.

24 MR. MALEDON: Object to the form.

25 **A. If I kept a calendar, I have it no more.**

1 Q. (By Mr. Manly) You never looked for it, did you?

2 **A. No, sir.**

3 Q. Thanks.

4 All right. One of the things that we'll mark as
5 next in order from your phone is Accurately Assessing
6 the Scope of a Member's Pornography Use. Do we have a
7 copy of this?

8 MS. CADIGAN: No.

9 Q. (By Mr. Manly) All right. We'll just attach
10 this -- let me just ask you if you've seen this.

11 MS. CADIGAN: It's an ESI production.

12 MR. KUYKENDALL: Can you tell me how long we've
13 been going?

14 THE VIDEOGRAPHER: Three hours, 21 minutes.

15 MR. KUYKENDALL: Okay.

16 MR. MALEDON: I'm sorry, what is this?

17 MS. CADIGAN: There was two documents turned over
18 from your ESI documents you were talking about, and
19 these are the only two relating to Mauzy and then his
20 time as bishop, these two things.

21 MR. MALEDON: Okay. Can we get copies of it?

22 MR. MANLY: Sure.

23 Daisy, will you make copies of it.

24 MR. BOREN: She's on it.

25 MR. MANLY: Oh, she's on it? I'll wait until she

1 gets back.

2 Q. (By Mr. Manly) Did you receive training on how
3 to respond when you -- in your -- for the bishopric, did
4 you receive training on how to respond to members who
5 were using pornography?

6 **A. Yes.**

7 Q. Okay. And who trained you about that?

8 **A. When we go to our bishopric training, they would**
9 **suggest things we needed to do.**

10 Q. What's that? Could I have that back? Sorry.

11 (Following read by certified reporter: "When we
12 go to our bishopric training, they would suggest things
13 we needed to do.")

14 Q. (By Mr. Manly) Okay. And was pornography a
15 serious matter, use of pornography by a member?

16 MR. MALEDON: Object to form.

17 **A. By -- are we talking about one, one individual or**
18 **others?**

19 Q. (By Mr. Manly) One individual. Well, I mean,
20 together? What do you mean?

21 I'm asking, if a member is using pornography and
22 it comes to your attention in a confession or otherwise,
23 is that a serious matter --

24 MR. MALEDON: Object to the form.

25 Q. (By Mr. Manly) -- in terms of the church?

1 **A. Anything not in standing with the church is a**
2 **problem, yes.**

3 Q. Okay. So do you -- did you ever see this
4 document before?

5 **A. No, sir.**

6 Q. Okay. Well, why was it on your phone, do you
7 know?

8 **A. I do not know.**

9 MR. MANLY: Okay. Let's go ahead and mark this,
10 and we'll get counsel a copy. What's next?

11 CERTIFIED REPORTER: Number four.

12 MR. MANLY: The next document we'll mark as next
13 in order, Exhibit 5, it's the declaration of Kim Mauzy.

14 (Exhibits 4 and 5 marked.)

15 MR. MANLY: Counsel, would you like a copy -- or
16 would you like a copy?

17 MR. KUYKENDALL: No.

18 MR. MANLY: Okay.

19 Q. (By Mr. Manly) All right. Mr. Mauzy, have you
20 seen this before?

21 **A. Yes, sir.**

22 Q. Okay. Now, did you write paragraph one?

23 MR. MALEDON: Object to the form, foundation.

24 Q. (By Mr. Manly) Go ahead, sir. Did you write
25 paragraph one?

1 **A. No, sir.**

2 Q. Did you write paragraph two?

3 **A. No, sir.**

4 Q. Did you write paragraph three?

5 **A. No, sir.**

6 Q. Did you write paragraph four?

7 MR. MALEDON: Object to the form, foundation.

8 **A. No.**

9 Q. (By Mr. Manly) Did you write paragraph five?

10 MR. MALEDON: Same objection.

11 **A. No, sir.**

12 Q. (By Mr. Manly) Did you write paragraph six?

13 MR. MALEDON: Same objections.

14 **A. No.**

15 Q. (By Mr. Manly) Did you write paragraph seven?

16 MR. MALEDON: Same objections.

17 **A. No.**

18 Q. (By Mr. Manly) Did you write paragraph eight?

19 MR. MALEDON: Same objections.

20 **A. No.**

21 Q. (By Mr. Manly) Did you write paragraph nine?

22 MR. MALEDON: Same objections.

23 **A. No, sir.**

24 Q. (By Mr. Manly) Did you write paragraph 10?

25 MR. MALEDON: Same objections.

1 **A. No.**

2 Q. (By Mr. Manly) Did you write paragraph 11?

3 MR. MALEDON: Same objections.

4 **A. No.**

5 Q. (By Mr. Manly) Did you write paragraph 12?

6 MR. MALEDON: Same objections.

7 **A. Did I write it? No.**

8 Q. (By Mr. Manly) Paragraph 13, did you write that?

9 MR. MALEDON: Same objections.

10 **A. No, sir.**

11 Q. (By Mr. Manly) Did you write paragraph 14?

12 MR. MALEDON: Same objections.

13 **A. No.**

14 Q. (By Mr. Manly) Did you write paragraph 15?

15 MR. MALEDON: Same objections.

16 **A. No, sir.**

17 Q. (By Mr. Manly) Did you write paragraph 16.

18 MR. MALEDON: Same objections.

19 **A. No, sir.**

20 Q. (By Mr. Manly) Did you write paragraph 17.

21 MR. MALEDON: Same objections.

22 **A. No, sir.**

23 Q. (By Mr. Manly) Did you write paragraph 18?

24 MR. MALEDON: Same objections.

25 **A. No.**

1 Q. (By Mr. Manly) Did you write paragraph 19?

2 MR. MALEDON: Same objections.

3 **A. No, sir.**

4 Q. (By Mr. Manly) Did you write paragraph 20?

5 MR. MALEDON: Same objections.

6 **A. No.**

7 Q. (By Mr. Manly) Did you write paragraph 21?

8 MR. MALEDON: Same objections.

9 **A. No.**

10 Q. (By Mr. Manly) Did you write paragraph 22?

11 MR. MALEDON: Same objections.

12 **A. No, sir.**

13 Q. (By Mr. Manly) Did you write paragraph 23?

14 MR. MALEDON: Same objections.

15 **A. No, sir.**

16 Q. (By Mr. Manly) Did you write paragraph 24?

17 MR. MALEDON: Same objections.

18 **A. No, sir.**

19 Q. (By Mr. Manly) Did you write paragraph 25?

20 MR. MALEDON: Same objections.

21 **A. No, sir.**

22 Q. (By Mr. Manly) Did you write paragraph 26?

23 MR. MALEDON: Same objections.

24 **A. No, sir.**

25 Q. (By Mr. Manly) Did you write paragraph 27?

1 MR. MALEDON: Same objections.

2 Q. (By Mr. Manly) Did you write paragraph 28?

3 MR. MALEDON: Same objections.

4 (Interruption by certified reporter.)

5 **A. No.**

6 Q. (By Mr. Manly) Did you write paragraph 28.

7 **A. No.**

8 Q. Did you write paragraph 29?

9 MR. MALEDON: Same objections.

10 **A. No.**

11 Q. (By Mr. Manly) Did you write paragraph 30?

12 MR. MALEDON: Same objections.

13 **A. No.**

14 Q. (By Mr. Manly) Did you write paragraph 31?

15 MR. MALEDON: Same objections.

16 **A. No, sir.**

17 Q. (By Mr. Manly) Did you write paragraph 32?

18 MR. MALEDON: Same objections.

19 **A. No, sir.**

20 Q. (By Mr. Manly) Who wrote this?

21 MR. MALEDON: Same objections.

22 Q. (By Mr. Manly) Who wrote it?

23 **A. Probably the attorneys.**

24 Q. Who gave it to you to sign?

25 MR. MALEDON: Same objections.

1 **A. Do not know who gave it to me. Sorry.**

2 Q. (By Mr. Manly) Did Mr. Maledon present it to
3 you?

4 MR. MALEDON: Same objections.

5 **A. Yes.**

6 Q. (By Mr. Manly) Okay. So Mr. Maledon provided
7 this to you to sign, correct?

8 MR. MALEDON: Same objections.

9 Q. (By Mr. Manly) Correct?

10 **A. Yes.**

11 Q. And you got it, you read it, and you signed it,
12 and made no changes, correct?

13 MR. MALEDON: Same objections.

14 **A. Yes, I received it, and I signed it.**

15 Q. (By Mr. Manly) You didn't change anything to it,
16 did you?

17 MR. MALEDON: Same objections.

18 **A. No.**

19 Q. (By Mr. Manly) Okay. Now, did I get an answer
20 to the last --

21 (Following read by certified reporter: "No.")

22 Q. (By Mr. Manly) Could you look at paragraph 17?

23 Let me read this into the record. It says, "I
24 did not know that Paul Adams was abusing his children
25 while I was bishop until he was arrested in 2017."

1 Did you write -- did you -- did you agree with
2 that?

3 **A. Yes.**

4 Q. Okay. "The communications were -- with me were
5 about a past one-time incident (and other conduct by
6 Paul Adams that gave rise to his excommunication)."

7 What was the past one-time incident you're
8 telling the court about there?

9 MR. MALEDON: Again, if this is based on
10 communications you had with the other bishop, it's
11 privileged, and I instruct you not to answer.

12 MR. MANLY: Well, you can't -- in my view, you
13 can't put this in, in a summary judgment motion so you
14 can dismiss my client's case and talk about a past
15 one-time incident with no context and then deny me the
16 ability to cross. The fact that you put this in, in my
17 view, waives the privilege and makes it fair game.

18 So, I understand you're not going to change your
19 position, but I just want to make a record.

20 MR. MALEDON: Good, I disagree, but that's fine.

21 Q. (By Mr. Manly) So you're not -- you know what
22 the past one-time -- as you sit here today, without
23 disclosing it, you know what the past one-time incident
24 is, right?

25 **A. Yes, sir.**

1 Q. Did that involve children?

2 MR. MALEDON: Object to the form. Don't answer
3 that.

4 MR. MANLY: You mean you object on privilege.

5 MR. MALEDON: Yes. Thank you.

6 Q. (By Mr. Manly) Okay. Did the past one-time
7 incident involve sexual misconduct by Mr. Adams?

8 MR. MALEDON: Same instruction. Same objection.

9 Q. (By Mr. Manly) Did you discuss the past one-time
10 incident -- well, wait a minute. Okay.

11 Hang on. Paragraph 16 says, "I never observed
12 Paul Adams abusing or behaving in any way towards his
13 children." Do you see that?

14 MR. MALEDON: It says --

15 **A. Yes, sir.**

16 MR. MALEDON: -- "behaving inappropriately".

17 **A. Inappropriately, yes.**

18 Q. (By Mr. Manly) Okay. Forgive me. "I never
19 observed Paul Adams abusing or behaving inappropriately
20 in any way towards his children, nor did I see any
21 physical indications or visible signs that he was
22 abusing them." Do you see that?

23 **A. Yes, sir.**

24 Q. Did you ever see Paul Adams behaving
25 inappropriately with other children?

1 **A. No, sir.**

2 Q. Did you ever have any suspicions that something
3 was going on in Mr. Adams's home that, about the
4 children, that was wrong?

5 **A. No, sir.**

6 Q. Is there a reason you didn't share the fact with
7 the court in this, in this declaration, that you were
8 aware that Paul Adams was allowing his children to view
9 pornography on his computer?

10 MR. MALEDON: Object to the form, foundation.

11 **A. I -- no, sir.**

12 Q. (By Mr. Manly) Okay. You'd agree with me that a
13 parent knowingly allowing his children to view
14 pornography, whether adult or child pornography, is
15 behaving inappropriately, correct?

16 MR. MALEDON: Object to the form, foundation.

17 Q. (By Mr. Manly) Did you understand the question.
18 Would you like her to repeat it?

19 **A. Yeah.**

20 MR. MANLY: Yeah, would you repeat it, please,
21 Ms. Reporter.

22 (Following read by certified reporter: "Okay.
23 You'd agree with me that a parent knowingly allowing his
24 children to view pornography, whether adult or child
25 pornography, is behaving inappropriately, correct?")

1 MR. MALEDON: Objection, form, foundation.

2 **A. I did not know he was allowing his children to**
3 **watch pornography at home. I didn't know.**

4 Q. (By Mr. Manly) Okay. Was that not reported to
5 you?

6 MR. MALEDON: Objection --

7 Q. (By Mr. Manly) Didn't somebody report that to
8 you?

9 MR. MALEDON: Objection, foundation.

10 **A. Sister Adams mentioned that he was watching it.**

11 Q. (By Mr. Manly) And the kids could see it, right?

12 MR. MALEDON: Object to the form, foundation.

13 **A. I do not know if she said they could see it.**

14 Q. (By Mr. Manly) If she conveyed that to you, you
15 would have considered that behaving inappropriately,
16 correct?

17 MR. MALEDON: Object to the form, foundation.

18 **A. I did not know what was going on in the home.**

19 Q. (By Mr. Manly) Okay. But if a -- if a parent --
20 if it came to your attention, as a bishop, that a member
21 of your congregation was knowingly allowing his children
22 to view pornography on the internet while he was on the
23 internet, and he's -- it's in a way that lets them see
24 it, you would have considered that to be inappropriate,
25 both as a bishop and just as an ordinary adult, right?

1 MR. MALEDON: Same objections.

2 Q. (By Mr. Manly) Correct?

3 MR. MALEDON: Same objections.

4 **A. I -- yes.**

5 Q. (By Mr. Manly) Okay. All right. Let me show
6 you what we'll mark as next in order, which is
7 Exhibit 6.

8 (Exhibit 6 marked.)

9 MR. MALEDON: This is six, Mary?

10 CERTIFIED REPORTER: It is.

11 Q. (By Mr. Manly) So this is the free talk of
12 Leizza Adams, and I'd like to direct your attention to
13 page -- the second page, which is Bates labeled
14 Adams-001500. Do you know a child or a member of your
15 church by the name of Christine Hunter?

16 **A. No, sir.**

17 Q. Okay. Do you -- let me read it to you. So it
18 says -- the questioner is DB. "So what kind of -- what
19 kind of --"

20 MR. MALEDON: What line are you on?

21 MR. MANLY: I'm sorry, 1500, lines 16 through 28.

22 Q. (By Mr. Manly) "So what kind of behaviors was he
23 exhibiting or showing that would bring up that red flag
24 to you, besides your own experience, besides a normal
25 father/daughter relationship?"

1 "LA: But I --"

2 "DB: You wouldn't think anything like that would
3 be happening."

4 "LA," which is Leizza, "There was a teenager,"
5 and that name is whited out, "I believe, that when"
6 blank "visited after tae kwon do, something, he was
7 tickling, and they sat on the couch, and they shared a
8 blanket, because, I don't know, I told the bishop about
9 it."

10 "IS: Who's he? That's Paul?"

11 "Um-hum. And after, I talked with him after,
12 after" blank "left or was taken home, that, you know, he
13 shouldn't be -- that, you know, you shouldn't be doing
14 that, and so that never happened again." Blank "never
15 came back and" blank "well, had stopped tae kwon do in
16 the studio. So we never saw --"

17 What was the name again? "What was" blank's
18 "last name again?"

19 "I think it was" blank.

20 So, did Leizza report to you that Paul had acted
21 inappropriately with a young girl in their home?

22 **A. No, ma'am.**

23 **No, sir.**

24 Q. You never know these days. It's fine.

25 **A. No, I apologize.**

1 Q. Okay. So the answer is, you're saying that
2 she -- if she says she reported that to you, she's
3 lying?

4 **A. Yes.**

5 MR. MALEDON: Object to the form.

6 **A. Never reported it to me.**

7 Q. (By Mr. Manly) Okay. If she reported that to
8 you, what would you have done, or what should you have
9 done?

10 MR. MALEDON: Object to the form of the question.
11 Again, if it came in a confidential communication --

12 MR. MANLY: Wait, wait, wait, wait. Stop. Stop.
13 It's wrong, what you're doing, you know it's wrong,
14 you're violating the court order.

15 MR. MALEDON: I'm not. I'm objecting on
16 privilege grounds.

17 MR. MANLY: I gave him a hypothetical.

18 MR. MALEDON: Oh, okay. I'm sorry, Counsel, I'm
19 sorry. Hypothetical, okay. Then I object on grounds of
20 foundation and improper form.

21 Q. (By Mr. Manly) Okay. Okay. So if a -- if the
22 wife of a member came to you and said that she believed
23 her husband was acting inappropriately sexually with a
24 child at their home, what would be your custom and
25 practice to address that?

1 MR. MALEDON: Object to the form and foundation.

2 **A. There again, the statement's not true, and nobody**
3 **has ever come to me for that.**

4 Q. (By Mr. Manly) Based on your training and
5 experience, what would be the proper -- the proper
6 procedure?

7 MR. MALEDON: Same objections, form and
8 foundation.

9 **A. I would probably seek counsel from the hotline**
10 **for legal counsel.**

11 Q. (By Mr. Manly) Okay. Okay. You mean -- by
12 "legal counsel," you mean the hotline for the church in
13 Salt Lake?

14 **A. Yes, sir.**

15 MR. MALEDON: Object to the form.

16 MR. MANLY: Okay. Why don't we take a short
17 break, take five minutes, and just let me see what else
18 I have, and then we'll finish up.

19 MR. MALEDON: Great. Great.

20 THE VIDEOGRAPHER: 3:19, we're going off record.

21 (Break taken, 3:19 to 3:26.)

22 THE VIDEOGRAPHER: 3:26, we're back on record.

23 Q. (By Mr. Manly) Let me play for you now -- well,
24 let me lay some foundation.

25 Did you ever have communication with Mr. Adams

1 while he was in jail?

2 **A. Yes.**

3 Q. Okay. And can you tell me how that came about?

4 Did you call Mr. Adams? Did he --

5 **A. No, Mr. Adams called me.**

6 Q. Did he visit you? I'm sorry. If he visited you,

7 that's a problem. Pardon me. Forgive me.

8 Did you visit him face to face?

9 **A. No, sir.**

10 Q. Okay. All right. So he called you, correct?

11 **A. Yes, sir.**

12 Q. All right. I'm going to play what I understand

13 is a tape of a conversation you had with him.

14 **A. Okay.**

15 **(Audio playing.)**

16 **Automated voice: Hello. This is a free call**

17 **from --**

18 **Adams: Paul Adams.**

19 **Automated voice: -- an inmate at CCA Central**

20 **Arizona Detention Center. This phone call is being**

21 **recorded and monitored. If this is an attorney or**

22 **client phone call, please call 520-868-2151. If you**

23 **wish to continue, this call will be recorded and**

24 **monitored. This call is subject to recording and**

25 **monitoring. To accept this free call, press one. To**

1 **refuse this free call, press -- thank you for using**
2 **Securus. You may start the conversation now.**

3 **Mauzy: Paul, this is Bishop --**

4 **Adams: Yes. Wow, thank you for everything**
5 **you've done to, trying to help the family.**

6 **Mauzy: Sure.**

7 **Adams: And, you know, I just wanted to let you**
8 **know that I'm truly sorry for the way, you know, for**
9 **what I've done and that --**

10 **(Audio paused.)**

11 Q. (By Mr. Manly) Is that your voice on the -- on
12 the audio?

13 **A. After Paul, yes, was talking.**

14 Q. Yeah, I know -- I know you didn't apologize.

15 So, did you hear him say "I'm sorry for
16 everything that I've done"?

17 **A. Yes.**

18 Q. What's he talking about there?

19 MR. MALEDON: Object to form.

20 **A. I couldn't tell you.**

21 Q. (By Mr. Manly) You're going to tell the jury in
22 this case, when I play this audio for them, as his
23 bishop, you have no idea what he's talking about there
24 as he sits in jail. Is that your -- is that true?

25 MR. MALEDON: Object to the form.

1 **A. What we talked about before is confidential.**

2 Q. (By Mr. Manly) Okay. But you're talking about
3 it, and it says it's being recorded, and you know it.

4 Do you know what he's talking about there?

5 Because you just said: I have no idea.

6 That's not true. You knew exactly what he was
7 talking about, didn't you?

8 MR. MALEDON: Object to the form, foundation.

9 **A. I knew it was being recorded, yes, sir.**

10 Q. (By Mr. Manly) You knew what he was talking
11 about, correct, when he said he was sorry?

12 MR. MALEDON: Object to the form.

13 Q. (By Mr. Manly) Correct?

14 **A. This was after he was arrested, yes.**

15 Q. I understand.

16 You did. Yes? Correct?

17 MR. MANLY: I just want to have a clear record.

18 I think I inadvertently stepped over him. Sorry.

19 Q. (By Mr. Manly) You understood what he was
20 talking about when he said he was sorry, correct?

21 MR. MALEDON: Object to the form, foundation.

22 **A. Yes, but this was after the fact he was arrested**
23 **for what he did.**

24 Q. (By Mr. Manly) Okay.

25 (Audio playing.)

1 Adams: I've been working really hard since I've
2 got here, and I've been compelled to be humble, but
3 choosing to remain that way and really in some sincere
4 prayer and -- and going to the -- the branch services
5 here and just doing everything I can to get myself right
6 with God truly for the first time in a -- in a long
7 time --

8 Mauzy: Uh-huh.

9 Adams: -- maybe probably my whole life. I mean,
10 I've made attempts along the way, but, you know, that --
11 that haven't lasted, because I -- I couldn't let go of
12 the pride, and, you know, I didn't -- I didn't react
13 well to situations that I could have -- could have been
14 good for me, but I didn't -- I didn't react well --

15 Mauzy: Yeah.

16 Adams: -- and held onto pride and anger and, you
17 know, a spirit of rebellion, and, you know, it's become
18 abundantly clear to me that it gets me nowhere, so --

19 Mauzy: Yeah.

20 Adams: -- are the kids doing okay?

21 Mauzy: Yeah.

22 Adams: Good.

23 Mauzy: I was with Mutual tonight and Brother
24 Fife was talking about what they were doing, and they
25 made him run two miles and wore him out.

1 Adams: Oh.

2 Mauzy: Yeah, yeah, they're doing good, like I
3 say.

4 Adams: Okay. I -- I -- I talked to Leizza's
5 dad, and they -- I understand you need a written
6 permission for the kids to be baptized?

7 Mauzy: Yes.

8 Adams: Okay.

9 Mauzy: Yeah. Oh, so, yeah, we visited with him
10 tonight, so he must have called you or you were able to
11 talk to him.

12 Adams: Yeah, I was able to call him and
13 discuss -- discussed that. So I'll, you know, I'll
14 gladly send that in, and, you know --

15 Mauzy: Okay.

16 Adams: -- I so want the best for them, and I
17 want to do right by them and not let them down anymore,
18 never again. So --

19 Mauzy: Yeah.

20 Adams: -- (unintelligible).

21 Mauzy: The missionaries will work with them for
22 a little bit, since they're over eight.

23 Adams: Um-hum.

24 Mauzy: Yeah, so they'll be like a convert
25 baptism.

1 Adams: Okay.

2 Mauzy: Yeah.

3 Adams: And I -- I guess Leizza's dad said
4 something about Leizza getting to the temple.

5 Mauzy: Yeah, she was wanting to work towards
6 that, and I said, well, we -- that could be a goal for
7 her.

8 Adams: Um-hum.

9 Mauzy: You know, we'll have to go through a few
10 processes and things, and then she might be able to get
11 there.

12 Adams: Okay.

13 Mauzy: Yeah.

14 Adams: I -- I -- you know, I know, I think, as
15 far as I knew, that the reason she hadn't yet was since
16 we were married, and we -- we needed to go together, but
17 under the circumstances, how does that -- how does that
18 work?

19 Mauzy: You can -- she can go even if -- if
20 you're married. One spouse can go without the other,
21 but the church likes it for both of them to go at the
22 same time, but --

23 Adams: Okay.

24 Mauzy: -- even some cases where, you know, one
25 of the two is not ready to go --

1 Adams: Um-hum.

2 Mauzy: -- you know, we just counsel that you
3 want both to go at the same time, but if it won't put a
4 strain on anything, then it's okay for one of them to go
5 by themselves.

6 Adams: Okay. I -- I would like her to be able
7 to go. I -- I think that will be good for her. I don't
8 know how long we're going to be separated, and, frankly,
9 I don't know if she's ever going to want me back. But I
10 want what's best for her, either way. And if she wants
11 to go, I -- I'd be supportive of that, I'd be
12 encourage -- encouraging of that, and, also, you know,
13 rely upon your counsel in the matter.

14 Mauzy: Okay.

15 Adams: I -- I, you know, I have every intention,
16 if it's -- if it's at all possible for me, even -- even
17 if it takes a very long time for me to get out of here,
18 but I -- I have every intention of being temple worthy
19 and going to the temple, if possible. That's -- that's
20 my -- that's my goal. That is my -- my sincere intent.
21 It took a pretty big smack on the head for me to
22 realize, you know, and let go of all that, that pride --

23 Mauzy: Yeah.

24 Adams: -- that spirit of rebellion, that anger.
25 You know, I have -- I had some anger towards the church

1 and even towards you, and I apologize for that. It was
2 misplaced. It wasn't -- it wasn't deserved in any way.
3 I understand that. I just wish I had been able to see
4 that clearly sooner and did things differently.

5 Mauzy: Yeah. Well, just remember, that's what's
6 nice about the atonement, you know, we're able to be
7 forgiven for the wrongs we have. So --

8 Adams: Absolutely.

9 Mauzy: -- keep that in mind --

10 Adams: I will.

11 Mauzy: -- as you're working towards changing
12 your life.

13 Adams: Absolutely, but --

14 Mauzy: Yeah.

15 Adams: -- I realize if I don't get myself right
16 in here, it doesn't matter if I was out there, free, you
17 know, I could have lost my soul and then been -- then
18 been physically free, but lost my soul. And taking
19 advantage of the opportunity, you know, seeing this as
20 an opportunity, and I know the Lord will support me in
21 my, in my honest and sincere righteous efforts --

22 Mauzy: Yeah.

23 Adams: -- and I'll be able to do everything I
24 need to do in time. And I'm going to be steady, I'm
25 going to be steady, I'm not going to falter.

1 Mauzy: Yeah.

2 Adams: And, you know, you'll be proud of me.

3 Leizza and the kids will be proud of me.

4 Mauzy: Okay.

5 Adams: You know, and I'm just going to do things
6 right, regardless, you know, I'm not expecting any
7 blessing or reward from it. I'm doing it because it's
8 right, because I need to do it, and because they deserve
9 to have a father, you know, whether they know it or not,
10 or whether I'm close to them or not, they deserve for me
11 to do this.

12 Mauzy: Um-hum.

13 Adams: And I -- I know in the Lord -- in the
14 end, the Lord will bless us. I don't know exactly what
15 form that blessing will take place and how things will
16 work out, but I know that it'll work out.

17 Mauzy: Okay.

18 Adams: Yeah, I read -- I read a quote recently,
19 and I shared this in a letter home to Leizza's father,
20 President Hinckley said: You know, everything will work
21 out in the end, and if things aren't currently working
22 out, it's not the end.

23 Mauzy: Right, and that's a true quote.

24 Adams: Yup.

25 Mauzy: Yeah.

1 Adams: His trademark wit and humour, but --

2 Mauzy: Yeah.

3 Adams: -- it's absolutely true.

4 Mauzy: Yeah, and it is, too.

5 Adams: So, there's -- as I told you, there's a
6 branch here that I go to meetings, and they do it on
7 Saturday. And there's also addiction recovery, I'll be
8 in the addiction recovery program, they have that on
9 Sunday.

10 Mauzy: Uh-huh.

11 Adams: Still don't know why, why it's that way,
12 but that's the way it works out.

13 Mauzy: Yeah.

14 Adams: And so I guess President Proshinski (ph)
15 will be requesting my records. I assume that my records
16 will go from there to here while I'm here.

17 Mauzy: Bu, bu, bu, yes.

18 Adams: Okay.

19 Mauzy: Yeah, because whenever incarcerated then
20 it goes to the ward that's closest to it.

21 Adams: Okay.

22 Mauzy: Yeah.

23 Adams: So I guess you'll be getting that records
24 request there.

25 Mauzy: Yes.

1 Adams: But I'd like to be able to talk to you
2 from time to time, and if that's all right.

3 Mauzy: Yeah, no, that's fine. Like I say, I
4 been working this winter long hours, and every time you
5 seemed to call, then I'm not here. We just -- I just
6 stepped in the door from church maybe five minutes
7 before you called, so it worked out.

8 Adams: Okay.

9 Mauzy: Yeah.

10 Adams: And I guess, now, this number I called
11 on, the 366, that's the cell phone or --

12 Mauzy: No, that's my house phone.

13 Adams: Okay.

14 Mauzy: Yeah, that's -- that's the house phone.

15 Adams: Okay. So then the other one I've got is
16 508-6712, so --

17 Mauzy: Yeah, that's my work cell phone.

18 Adams: Okay.

19 Mauzy: Yeah.

20 Adams: All right. Yeah, I didn't have any of
21 those numbers. When I got in here, had to scrounge
22 around for them, for people to find them.

23 Mauzy: Yeah.

24 Adams: But I'm -- you know, I'm stopped -- I've
25 stopped trying to -- you know, it's kind of rotten to be

1 open, but I'm grateful that, you know, don't have -- I'm
2 not trying to hide the sin any longer.

3 Mauzy: Yeah.

4 Adams: I was trying to walk in two -- in two,
5 you know, worlds for so long and serve two masters, and,
6 you know, I've always heard that you can't do that.

7 Mauzy: Yup.

8 Adams: And now, now I know. You know,
9 intellectually I knew, but now I know from experience.

10 Mauzy: Yeah.

11 Adams: So there's -- there's a blessing to come
12 from this, and there's -- there's a lot of pain, and
13 that's -- that's caused those I love a lot of pain and
14 sorrow, but --

15 (Audio paused.)

16 Q. (By Mr. Manly) So I'm going to stop it for a
17 moment.

18 When he says -- he said -- told you, "I'm not
19 trying to hide the sin any longer," what's he talking
20 about?

21 MR. MALEDON: Object to the form, foundation.

22 **A. What we discussed is confidential.**

23 Q. (By Mr. Manly) Which is what?

24 MR. MALEDON: Object to the form. Don't disclose
25 what you discussed in confidence. It's privileged.

1 MR. MANLY: Well, this isn't confidence,
2 confidential. It's being recorded.

3 MR. MALEDON: So what -- you're now asking him a
4 different question. He's not --

5 MR. MANLY: No, I'm asking what he's talking to
6 when he talks to him in an open conversation. He says
7 he doesn't want to hide it anymore. So what is he
8 talking about?

9 MR. MALEDON: What does that have to do with the
10 confidential communication? You can't ask him about the
11 confidential communication.

12 MR. MANLY: I just did.

13 MR. MALEDON: Yeah, well, I'm instructing him not
14 to answer.

15 MR. MANLY: Okay. But -- okay. So, all right,
16 let's keep -- I understand that's your position. I
17 don't agree with it.

18 MR. MALEDON: Okay. Well --

19 (Audio playing.)

20 Adams: All right, you know, I commit no more.
21 I've chosen that I'm going to serve the Lord. I won't
22 let them down again. I'm not going to let them down
23 again.

24 Mauzy: Well, that's good, that's good that
25 you're going to church there too. But you're doing okay

1 there?

2 Adams: I am. It's tough at times, but, yeah,
3 I'm getting through. It's -- you know, there's actually
4 a lot of good people that are helping me. There's -- I
5 have a -- I have a Mormon brother here that -- that we
6 pray, you know, in somewhat, not the same, but similar
7 circumstances that --

8 Mauzy: Uh-huh.

9 Adams: -- he's also, you know -- and we're
10 keeping each other strong, and we both realized we can't
11 afford to -- to live the life we're living, and we're --
12 we're both headed in the right direction, we're helping
13 each other out.

14 Mauzy: Okay.

15 Adams: (Unintelligible) better together. So,
16 and there's a lot of other people that have been a help
17 and a blessing. And, honestly, I've seen a lot of
18 miracles on my journey here. As painful and difficult
19 as it's been, I've seen the Lord's hand in preparation
20 to, to help me walk, walk in the path towards eternal
21 life --

22 Mauzy: Yeah.

23 Adams: -- and get back on track.

24 Mauzy: Good, that's good. I'm glad to hear
25 that.

1 Adams: Yeah, it's not --

2 Mauzy: It'll be a long road, but --

3 Adams: Sure.

4 Mauzy: -- it'll -- it'll -- it will come true.

5 Adams: Absolutely. I'm planning on it, I'm
6 banking on it, and, and I'm going to do my part,
7 everything I can, my -- my true very best. And -- and
8 it's not easy, but I'm -- I'm praying consistently, I'm
9 reading the scriptures, I'm studying the scriptures, I'm
10 writing about the scriptures.

11 Mauzy: Okay.

12 Adams: And, you know, things I should have been
13 doing all along that would have protected me, I'm going
14 to do it without fail, and I'm not going to miss a day.
15 And I promise you, I promise you, Bishop, that it's --
16 you know, it's out in the open, there's nothing hidden,
17 and I'm getting -- I'm truly getting right.

18 (Audio paused.)

19 Q. (By Mr. Manly) So, when he says, Bishop, it's
20 out in the open, I'm truly getting it right, what's he
21 talking about?

22 MR. MALEDON: Object to the form, foundation.

23 **A. What we discussed is confidential, in a**
24 **confession he had with me.**

25 Q. (By Mr. Manly) Okay. He said it's out in the

1 open. Is he referring to child abuse?

2 MR. MALEDON: Object to the form.

3 **A. I'm not -- no, sir, I'm not sure what he was**
4 **talking about.**

5 Q. (By Mr. Manly) Okay. You're going to tell this
6 jury, when he says it's out -- he's sitting in prison
7 after being arrested for not only molesting his
8 children, but videotaping them while doing it, including
9 his infant daughter, you're going to tell the jury you
10 don't know what he's referring to just then?

11 MR. MALEDON: Object to the form --

12 Q. (By Mr. Manly) Is that correct?

13 MR. MALEDON: -- foundation.

14 Q. (By Mr. Manly) You know exactly what he's
15 talking about.

16 MR. MALEDON: Hey, Counsel --

17 Q. (By Mr. Manly) I'm going to rephrase.

18 You know exactly what he's talking about there,
19 don't you?

20 MR. MALEDON: Object to the form and foundation.

21 **A. At that time, no.**

22 Q. (By Mr. Manly) So you have no idea what he's
23 talking about there. Is that your testimony?

24 MR. MALEDON: Same objections.

25 **A. I had an idea, probably.**

1 Q. (By Mr. Manly) Which was?

2 **A. The sins he committed before.**

3 Q. With his children, right?

4 MR. MALEDON: Object to the form, foundation.

5 **A. Not with -- I -- no, not with his children.**

6 Q. (By Mr. Manly) Sins committed before about what?

7 MR. MALEDON: Object to the form, foundation.

8 **A. What was learned in my confidential conversation**
9 **with Paul Adams.**

10 Q. (By Mr. Manly) So you can't -- you don't --
11 okay. We'll just leave it at that.

12 (Audio playing.)

13 Adams: Truly.

14 Mauzy: Well, good. So you were saying so
15 they -- you have access to the scripture then?

16 Adams: Yeah, my friend gave me a Book of Mormon
17 here, and I put a request to the chaplain, and I should
18 be able to get a triple combination and -- and -- and a
19 VS King James Bible of my own here, but --

20 Mauzy: Okay.

21 Adams: -- I'm not sure how long that's going to
22 take, but, yeah, I do, I do have access, and --

23 Mauzy: Okay, well, good.

24 Adams: -- I'm going to try and get a -- you can
25 receive subscriptions, so I'm going to try and get, see

1 if someone can get a subscription to the Ensign to send
2 me here, because I can receive that here as long as it
3 comes directly from the publisher or, or, you know, the
4 book website, you know, as long as it's shipped
5 directly. It can't come from, like, a family member,
6 but it can come from a company, Deseret Books, LDS.org,
7 whatever it comes from --

8 Mauzy: Okay. So it can come right from the
9 distribution center then.

10 Adams: Abso- -- yeah, yeah.

11 Mauzy: Yeah, because -- because that's --
12 because they can -- yeah, because that will -- they can
13 ship it right to you from -- because I was just looking
14 at it right now, because I just received my new Ensign,
15 and it just -- it's addressed to me, but, like I say, it
16 came just from the distribution center.

17 Adams: Right, so, yeah, if it's addressed to my
18 mailing address here, they'll let those come to me. So
19 I was going to ask Leizza's dad if he'd be able to send
20 a subscription in and -- and maybe -- and maybe a
21 hymnbook. I -- a hymnbook is something I can't get
22 here, but that can be mailed in in the same way, from
23 Deseret Books or from a distribution center or Ensign.

24 Mauzy: Yeah.

25 Adams: So, I'll -- I'll write you here, just

1 give you my mailing address, in case you want to send me
2 a letter occasionally, I'd appreciate --

3 Mauzy: Yeah.

4 Adams: -- any encouragement or, or mail whatever
5 you'd like to send me. So, I'll -- I'll mail you that
6 first and --

7 Mauzy: Okay.

8 Adams: -- include all the information.

9 Mauzy: Okay.

10 Adams: But thank you for everything you've done,
11 once again, to help out during this time. And these
12 meetings with the child services and everything else, I
13 feel grateful they've had you and, and others there to
14 help.

15 Mauzy: Yeah. Now, they're -- they're good.
16 They still come and tell me what they learned in church
17 each Sunday.

18 Adams: Yeah.

19 Mauzy: And, yeah, they're -- you know, all you
20 can do, Paul, is put your trust in the Lord, and --

21 Adams: Yeah.

22 Mauzy: -- and that'll kind of give you a little
23 easement and --

24 Adams: Yeah.

25 Mauzy: -- you know your family will be taken

1 care of.

2 Adams: Yeah, and I'm so proud of them, I -- I
3 am, and I just wish I could be there and see it and they
4 could see a better example from me. And, you know,
5 maybe one day --

6 Mauzy: Um-hum, yeah.

7 Adams: -- I'll be able to talk to them and --
8 and -- but I miss them now.

9 Mauzy: Yeah. Yeah. It's hard on everybody.

10 Adams: Yeah. And, you know, as hard as it's
11 been on me, I realize it has to be way harder on Leizza,
12 on their tender hearts, her and the kids.

13 Mauzy: Yeah.

14 Adams: But I think she's suffering. You know,
15 this is a horrible place to be, in many senses, but I'm
16 making the best of it, but as bad as I felt here
17 sometimes, I just, I know that she has felt so much
18 worse for the pain that I've caused. I think I've only
19 experienced a small measure of what she has, and I'm so
20 sorry for that, and I hope that she knows that. I hope
21 I'll be able to tell her that one day. I don't expect
22 anything from her, but I want her to know that I accept
23 responsibility, that I was wrong, and that I'm sorry.

24 Mauzy: Yeah. Yeah. You'll be able to have the
25 opportunity to tell her that, yeah.

1 Adams: Well, I'll let you go, Bishop, and I'll
2 go ahead and send you a letter so at least you have my
3 contact info, and if I get to hear from you
4 occasionally, any words of --

5 Mauzy: Okay.

6 Adams: -- encouragement are certainly welcome.
7 And I want to let you know I love you.

8 Mauzy: Okay. Well, thank you, Paul. You know,
9 we're all brothers and sisters, so, you know, that's
10 what we do is to help lean on people and, you know, try
11 to uplift their spirits. So, yeah, don't feel bad. You
12 can always call me, write me.

13 Adams: Okay.

14 Mauzy: And, yeah, no problem. And, and, like I
15 say, we're -- I know you're going to worry about them,
16 but don't worry about them, they're being taken care of.

17 Adams: Okay.

18 Mauzy: Yeah, they're in good hands.

19 Adams: Good.

20 Mauzy: Yeah.

21 Adams: Grateful for that.

22 Mauzy: Okay.

23 Adams: Okay, Bishop, I'll talk to you --

24 Mauzy: Okay.

25 Adams: -- sometime.

1 Mauzy: All right, yeah. All right, Paul, take
2 care.

3 Adams: Okay.

4 Mauzy: Okay, good night.

5 Automated voice: The caller has hung up.

6 (End of audio.)

7 Q. (By Mr. Manly) Did that audio accurately depict
8 your conversation with him?

9 **A. Yes, sir.**

10 Q. Okay. Now, when you were receiving training from
11 the bishopric, did they ever read you Matthew 18:6 which
12 says: If anyone causes one of these little ones, those
13 who believe in me, to stumble, it would be better for
14 them to have a large millstone hung around their neck
15 and be drowned to the depth of the sea"?

16 MR. MALEDON: Object to the form of the question,
17 lacks proper foundation.

18 **A. Not that I remember in training, no.**

19 Q. (By Mr. Manly) All right. Oh, yeah, I'm done
20 with my examination, but I'm going to leave the
21 deposition open, pending the court of appeals decision
22 on your -- on your appellate issue.

23 MR. MALEDON: Okay. We're not agreeing that it
24 remains open, but we'll wait and see what the court of
25 appeals does.

1 MR. MANLY: Wait, Mr. Maledon, you've objected,
2 you've instructed him not to answer a bunch of
3 questions. If the court of appeals rules in our favor,
4 you're not going to let him be re-deposed?

5 MR. MALEDON: No, what I -- before you cut me
6 off, Counsel, what I was going to say is we're not going
7 to agree now to keep the deposition open. We'll wait
8 and see what the court of appeals does, and based on the
9 court of appeals decision, we'll then have professional
10 appropriate communication about resuming the deposition,
11 if the court of appeals indicates that that's the case.

12 MR. MANLY: I should have let you finish.

13 MR. MALEDON: Okay. I have a couple of
14 questions.

15 Madam Court Reporter, would you ask the witness
16 to take a look at Deposition Exhibit Number 5, which is
17 Mr. Mauzy's declaration? Or, Mr. Mauzy, would you just
18 put it in front of you, please. That's it. All right.

19 EXAMINATION

20 BY MR. MALEDON:

21 Q. Now, you recall counsel asked you a number of
22 questions about each of these paragraphs, and I believe
23 the specific question was, did you write that paragraph?
24 Do you recall that?

25 **A. Yes.**

1 Q. What did you understand counsel to mean when he
2 said "Did you write it?"

3 **A. That did I type it on the computer or the**
4 **typewriter, that's what I thought it was meaning, that I**
5 **literally typed this in.**

6 Q. So what you were telling him is you didn't
7 literally type it, right?

8 **A. Correct.**

9 Q. Let's talk about the content for a moment, sir.
10 Did you discuss the content of this declaration with me,
11 as your attorney, before you signed it?

12 **A. Yes, sir.**

13 Q. And that is your signature at the end, correct?

14 **A. Yes, sir.**

15 Q. Did -- did you approve, before you signed it,
16 everything that's set forth in -- in the declaration?

17 **A. Yes.**

18 Q. And where did the information that's contained in
19 this declaration that's Exhibit 5 to your deposition
20 come from?

21 **A. You and I were discussing it.**

22 Q. Okay. And where --

23 **A. And it come from me.**

24 Q. The information contained in this declaration
25 came from you?

1 **A. Yes.**

2 Q. Okay. Thank you. That's all I have.

3 MR. MANLY: Anybody else? Okay. Well, I'm going
4 to re-cross.

5 EXAMINATION

6 BY MR. MANLY:

7 Q. So let's look at paragraph 14. So, it says,
8 "Indeed, I understand that church doctrine and Arizona
9 law required me, as bishop, to maintain in confidence
10 the confidential communications I received from Bishop
11 Herrod, from Paul and Leizza Adams, including
12 communications during church disciplinary proceedings
13 related to Paul Adams." Do you see that?

14 **A. Yes.**

15 Q. So what's the Arizona law you're referring to
16 there?

17 **A. As -- that, as a bishop, we are able to, what's
18 confessed to us is kept confidential, and I don't
19 remember the technical name of this law, the --**

20 Q. So you don't know what Arizona law that refers
21 to, right?

22 MR. MALEDON: Object to the form.

23 **A. As we discussed, this is what we discussed about
24 the law that I was told that I have -- I'm able to keep
25 what is confessed to me confidential, and, I apologize,**

1 **I don't -- I know it, but I can't give it to you right**
2 **offhand, sir.**

3 Q. (By Mr. Manly) Gotcha. Does it say "may" or
4 "should" --

5 MR. MALEDON: Object to the form.

6 Q. (By Mr. Manly) -- keep it confidential? Do you
7 know?

8 **A. Oh, I should keep it confidential, yes.**

9 Q. Oh, that's what it says, doesn't say "may",
10 right?

11 **A. Yes.**

12 Q. Okay. And you know that from your personal
13 reading of the law, right?

14 MR. MALEDON: Object to the form.

15 **A. I -- this is what I was understanding about the**
16 **law.**

17 Q. (By Mr. Manly) Okay. So, let me -- let me see.
18 So did you handwrite this out and give it to counsel?

19 **A. No. We discussed it.**

20 Q. Yeah. He gave you a completed document, and you
21 signed it, right?

22 **A. No.**

23 MR. MALEDON: Object to the form.

24 Q. (By Mr. Manly) No? Didn't you just testify
25 earlier that's what happened? I asked you --

1 MR. MALEDON: Object to the form.

2 Q. (By Mr. Manly) I asked you if he sent you the
3 document and you reviewed it and signed it, and you said
4 yes. Do you remember testifying to that?

5 MR. MALEDON: Object to the form, foundation.

6 **A. You asked me if I wrote it, and I said no, but --**

7 Q. (By Mr. Manly) Yeah.

8 **A. -- we discussed it on the phone, and what we**
9 **discussed was printed on the declaration here.**

10 Q. Okay. I asked you if he sent you this document
11 and you reviewed it and you signed it and did you make
12 any changes. You said you reviewed it, signed it, and
13 made no changes. Do you recall that testimony?

14 **A. Yes, I do, yes.**

15 MR. MALEDON: Object to the form.

16 Q. (By Mr. Manly) Okay. All right. So what did
17 you discuss about the declaration with Mr. Maledon?

18 **A. I don't remember. That was a while back.**

19 Q. Well, what do you -- what was the purpose of the
20 declaration? Since you were participating in it, I'm
21 sure you know the answer to that, right?

22 **A. Ask me -- rephrase the question.**

23 Q. What was the purpose of the declaration you were
24 signing? Why were you signing it?

25 **A. To tell the truth.**

1 Q. Okay. So you wanted to sign this to tell the
2 truth?

3 **A. Yes.**

4 Q. Okay. Do you know what it was going to be used
5 for? Did Mr. Maledon explain that to you?

6 **A. Yes, to help me.**

7 Q. To help you?

8 **A. Yes.**

9 Q. Did he tell you that he was going to use this to
10 try and dismiss the children's cases that Mr. Adams
11 molested, his own children, little boys and little
12 girls?

13 MR. MALEDON: Object to the form of the question,
14 lack of proper foundation.

15 Q. (By Mr. Manly) Did he tell you that?

16 MR. MALEDON: Same objections.

17 **A. Don't remember at the time, no, sir.**

18 Q. (By Mr. Manly) Okay. So the first time -- is it
19 true the first time you learned that he's using this,
20 that Mr. Maledon's firm is using this to attempt to
21 dismiss the children's cases is just now, right?

22 MR. MALEDON: Object to the form of the question,
23 lack of proper foundation.

24 **A. No.**

25 Q. (By Mr. Manly) When did you first learn he was

1 going to use it to dismiss the children's cases?

2 MR. MALEDON: Same objections.

3 **A. I don't remember. He never told me.**

4 Q. (By Mr. Manly) So the first time you can recall
5 learning that it was going to be used to dismiss the
6 children's cases is right now this morning -- or this
7 afternoon, correct?

8 MR. MALEDON: Same objections.

9 **A. No, not at this time.**

10 Q. (By Mr. Manly) Okay. It says, paragraph eight,
11 "When I became bishop of the Bisbee Ward in 2012, as
12 authorized by the church doctrine, Bishop Herrod shared
13 with me in confidence the information he had received in
14 confidence from Paul Adams." Right? You agree with
15 that, correct?

16 **A. Yes, I do.**

17 Q. Did you discuss with your lawyer what that
18 information was before you signed this?

19 MR. MALEDON: Don't answer the question. That's
20 attorney/client privilege.

21 MR. MANLY: You just -- you just waived it.

22 MR. MALEDON: I didn't waive it.

23 MR. MANLY: You said -- yes, you did. You said
24 you discussed the whole thing with him and asked him
25 questions about it, and did I do this and did I do that.

1 MR. MALEDON: But you asked him a different
2 question.

3 MR. MANLY: It's right here in the declaration.
4 Did you --

5 MR. MALEDON: No, it's not, Counsel.

6 MR. MANLY: I'm entitled to ask him if he
7 discussed it with you. If he discussed it with you,
8 it's no longer confidential. You're not a clergyman,
9 not in the Mormon church anyway. You -- you --

10 MR. MALEDON: What he discussed with me is
11 subject to the attorney/client privilege.

12 MR. MANLY: Not when you --

13 MR. MALEDON: Don't you know that?

14 MR. MANLY: You know, not when you question him
15 about it and say what did I say to this, what did I do
16 to that. You asked him about the substance of the
17 document. You waived the privilege.

18 MR. MALEDON: No, I didn't.

19 MR. MANLY: Okay, well, let's have a record.

20 MR. MALEDON: Yeah, let's take it up with the
21 discovery master. I did not waive the privilege.
22 You're asking him something different. You're asking
23 him what he told me. All I did was say did we discuss
24 the content of this before you --

25 MR. MANLY: Right.

1 MR. MALEDON: -- signed it.

2 Q. (By Mr. Manly) And I'm asking you, did you
3 discuss the content of paragraph eight with Mr. Maledon?

4 MR. MALEDON: No, that's not what you asked him
5 before, but if that's your question, I'll let him answer
6 yes or no.

7 MR. MANLY: It doesn't work that way, Bill.

8 MR. MALEDON: Of course it does.

9 MR. MANLY: You don't -- you don't -- no, no, it
10 doesn't.

11 Q. (By Mr. Manly) Go ahead, answer that question.

12 **A. Repeat the question, please.**

13 Q. Did you discuss -- sorry. Did you discuss the
14 substance of paragraph eight with Mr. Maledon?

15 MR. MALEDON: No, that's a different question,
16 and you do not answer that question as to substance. If
17 you -- if you want to ask him about the language, the
18 precise language in paragraph eight and did he discuss
19 that with me, you can ask me that -- or you can ask him
20 that. You can't ask him what the substance of the
21 conversation was with Bishop Herrod.

22 Q. (By Mr. Manly) Okay. Did you discuss paragraph
23 eight with Mr. Maledon?

24 MR. MALEDON: Same objections.

25 **A. Did not discuss any information that I received**

1 **with, from Brother Adams, no, with Bill.**

2 Q. (By Mr. Manly) Okay. And -- all right. So, as
3 you sit here today, it's your testimony that, as far as
4 you know, Mr. Maledon has no idea what Mr. Adams told
5 you. Is that right?

6 MR. MALEDON: Object to the form. Don't answer
7 that. It invades the attorney/client privilege.

8 THE WITNESS: Yes.

9 MR. MANLY: Well, if he didn't tell you, how does
10 it invade the privilege?

11 MR. MALEDON: Because he -- it -- Counsel, I'm
12 not going to argue with you.

13 MR. MANLY: Yeah, that's what I thought.

14 MR. MALEDON: It does, it does invade the
15 privilege.

16 MR. MANLY: If he didn't -- if he didn't talk to
17 you about it, which he just said, how does it invade the
18 privilege?

19 MR. MALEDON: Okay. If he didn't talk to me
20 about it, why are you asking the question?

21 MR. MANLY: It's called cross-examination.

22 MR. MALEDON: But you already asked, and he
23 answered --

24 MR. MANLY: Yeah --

25 MR. MALEDON: -- so we're done.

1 MR. MANLY: -- I think -- well, you're done all
2 right. All right. All right. Let's go -- all right.

3 Q. (By Mr. Manly) So, if Bishop Herrod learned that
4 Paul Adams had molested one of his children, should he
5 have convened a disciplinary council?

6 MR. MALEDON: Object to the form, lack of proper
7 foundation.

8 **A. But he -- no, he wasn't aware of that happening.**

9 Q. (By Mr. Manly) That's not what I asked you.

10 If Bishop Herrod was aware and became aware that
11 Paul Adams had molested one of his children, should have
12 he -- should he have convened a disciplinary council?

13 MR. MALEDON: Same objections.

14 **A. There again, I don't think he knew what was**
15 **taking place in the home.**

16 Q. (By Mr. Manly) That's not what I asked you.

17 I asked you: If Bishop Herrod learned from Paul
18 Adams that he had molested his children, should have he
19 convened -- should have he convened a disciplinary
20 council?

21 MR. MALEDON: Same objections.

22 Q. (By Mr. Manly) You can answer.

23 **A. I can answer.**

24 Q. Go ahead, sir, you can answer.

25 **A. I'm -- I'm -- you want a yes or no?**

1 Q. Yeah.

2 MR. MALEDON: Same objections.

3 **A. There again, it depends on what Paul told him in**
4 **confidence.**

5 Q. (By Mr. Manly) Can you think of a situation
6 where a member confessed that he had molested his child
7 where it would not be appropriate to call a disciplinary
8 council?

9 MR. MALEDON: Same objections, form, foundation.

10 **A. I'm -- no, sir, he -- disciplinary councils are**
11 **held for different reasons and --**

12 Q. (By Mr. Manly) Is that your answer?

13 **A. At this time, yes, sir.**

14 Q. Okay. So did you have the authority, as bishop,
15 in terms of directing a member, if you learn a member --

16 MR. KUYKENDALL: Are you going beyond the scope
17 of this? That is cross-examination on what Bill did on
18 his direct.

19 Q. (By Mr. Manly) So if you are a member of -- if
20 you had a member that confesses that they molested a
21 child, their own child, did you have the authority, as
22 bishop, to direct him to leave the home?

23 MR. MALEDON: Object to form of the question,
24 lack of proper foundation.

25 **A. There's a number of reasons we can ask someone to**

1 **leave their home.**

2 Q. (By Mr. Manly) Including that, right?

3 MR. MALEDON: Same objections.

4 Q. (By Mr. Manly) Correct?

5 MR. MALEDON: Same objections.

6 **A. No, I -- there again, what we discussed in the**
7 **confidential alley is -- I keep it to myself. No one**
8 **else will know.**

9 MR. MANLY: Can I have that read back, please.

10 (Following read by certified reporter: "No, I --
11 there again, what we discussed in the confidential alley
12 is -- I keep it to myself. No one else will know.")

13 Q. (By Mr. Manly) If you learned that a member is
14 molesting a child, you have the authority to direct him
15 or her to leave the home where they're molesting the
16 child, correct, as a bishop?

17 MR. MALEDON: Object to the form and the
18 foundation for the question.

19 Put this away. He's not asking about that.

20 **A. Okay. If -- I can ask, but I don't have the**
21 **authority to tell him to leave.**

22 Q. (By Mr. Manly) Okay. You can direct him to
23 leave, as his bishop, but you don't have the force of
24 law, is what you mean, right?

25 MR. MALEDON: Same objections.

1 Q. (By Mr. Manly) Right?

2 MR. MALEDON: Same objections.

3 A. Will you repeat one time, please.

4 (Following read by certified reporter: "Okay.

5 You can direct him to leave as his bishop, but you don't

6 have the force of law, is what you mean, right?")

7 A. As a bishop.

8 Q. (By Mr. Manly) Is that your answer?

9 A. No, sir, that's not my answer.

10 Q. Okay.

11 A. If you will give me a minute.

12 Q. Sure.

13 A. None of us being law enforcement agents have no

14 authority to ask somebody to leave their home, I don't

15 know, force it.

16 Q. You just told us that, as a bishop, there's a

17 number of reasons you can ask somebody to leave a home,

18 right?

19 A. Um-hum.

20 MR. MALEDON: Object to the form, foundation.

21 Q. (By Mr. Manly) And so is child molestation one

22 of them?

23 MR. MALEDON: Same objections.

24 A. Can't give an answer at that time. At this time.

25 Sorry.

1 Q. (By Mr. Manly) So you're not sure?

2 **A. Yes, sir.**

3 Q. Did anybody from Kirton McConkie, Mr. Schofield
4 or Mr. Nelson, ever raise the possibility that was an
5 option with you?

6 MR. MALEDON: Same, same objection. Privilege,
7 attorney/client communication. Don't answer.

8 Q. (By Mr. Manly) Did anybody from the church, in
9 any position of authority, President Goates or
10 president -- anybody from Salt Lake, ever talk to you
11 about that being an option to protect the kids?

12 **A. No, sir.**

13 Q. Okay. Did -- to your knowledge, did Dr. Herrod
14 counsel Paul after you became bishop?

15 **A. No, sir.**

16 Q. You don't know that?

17 **A. No, he didn't counsel.**

18 Q. How do you know?

19 **A. After he's released, he -- you, you don't**
20 **counsel. You leave it up to the new bishop coming in.**

21 Q. Was he his physician?

22 **A. That, I could not tell you.**

23 Q. Okay. So he may have counseled him in the
24 context of a physician, you just don't know, right?

25 **A. I don't know.**

1 MR. RYAN: Object to form and foundation.

2 MR. MANLY: Okay. Okay. Nothing further.

3 MR. MALEDON: All right. We're done. The
4 witness will read and sign, please.

5 THE VIDEOGRAPHER: 4:11, we're going off record.

6

7 * * * *

8

9 (Whereupon deposition concluded at 4:11 p.m..)

10

11

12 ROBERT KIM MAUZY

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ARIZONA CERTIFIED REPORTER'S CERTIFICATE

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County of Pima)

BE IT KNOWN that I, Mary Meyer, CR 50225, took the foregoing deposition pursuant to Notice at the time and place stated in the caption hereto; that I was then and there a Certified Reporter in and for the State of Arizona; that by virtue thereof, I was authorized to administer an oath; that the witness, ROBERT KIM MAUZY, before testifying, was duly sworn according to law.

I DO FURTHER CERTIFY that preparation, production and distribution comply with ACJA 7-206(J)(1)(g)(1) and (2); that I am not of counsel nor attorney for either or any of the parties to said cause or otherwise interested in the event thereto, and that I am not related to either or any of the parties to said action.

(X) Deposition review and signature requested.

WITNESS MY HAND THIS 8th day of October, 2022.



Mary Meyer, RPR

Certified Reporter 50225

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ARIZONA REGISTERED FIRM'S CERTIFICATE

State Of Arizona)

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County of Pima)

BE IT KNOWN that I, Mary Meyer, as representative of Meyer, Lumia & Associates, do certify that the foregoing deposition was taken pursuant to Notice at the time and place stated in the caption hereto by an Arizona Certified Reporter authorized to administer an oath, that the witness, ROBERT KIM MAUZY, before testifying, was duly sworn according to law.

I DO FURTHER CERTIFY that preparation, production and distribution comply with ACJA 7-206(J)(1)(g)(1) and (2); that I am not of counsel nor attorney for either or any of the parties to said cause or otherwise interested in the event thereto, and that I am not related to either or any of the parties to said action.

(X) Deposition review and signature requested.

WITNESS MY HAND THIS 8th day of October, 2022.



Meyer, Lumia & Associates

No. R1037