

The United States District Court For The Northern District of California

ORIGINAL FILED E-filing  
2010 MAR 31 P 3:37  
RICHARD W. WIENING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
**MEJ**

Jonathan D. Cobb Sr.  
Walter Arlen St. Clair

Plaintiffs

CV 10 Case No. 3907

V

Conspiracy, Conspiracy to Commit  
Fraud, Collusion, Fraud, Extortion,  
Defamation, Mail and Wire Fraud,  
Religious Fraud

Ernest Brede  
Luis Contreras  
Paul Koehler  
Larry Laverdure  
Donald Showers  
Aaron Lucas  
Steve Misterfeld  
DOES: (SDG: SSX)

Defendants, Et Al.

Now Come Plaintiffs complaining against Defendants; Ernest Brede, Luis Contreras, Paul Koehler,

Larry Laverdure, Aaron Lucas, Donald Showers and DOEs (SDG: SSX). Elders appointed by the

branch office of The Christian Congregation of Jehovah's Witnesses herin after referred to as the

Branch Office in Patterson, New York whose desk symbol, SDG:SSX appears on each letter of

correspondence received in this matter.

Plaintiffs

At all times herein after mentioned: Plaintiff Cobb was and is now a citizen within the jurisdiction of

the United States and resides at 828 Weeks St., Palo Alto, Ca 94303

## NATURE OF ACTION

1. This complaint is intended to expose a scheme put into motion by defendants named above, who acted in concert with others to perpetuate acts of conspiracy, conspiracy to commit fraud, fraud, religious fraud, collusion, mail and wire fraud and defamation of character, doing so under the color of right and color of office. Their intent was and is to displace the current officers of the Menlo Park Congregation of Jehovah's Witnesses Inc., by fraudulent means and to effect a transfer of operational control. The Menlo Park Congregation of Jehovah's Witnesses Inc. is a not for profit entity that is used to maintain ownership of real property located at 811 Bay Road in Menlo Park, California. Herein after to be referenced as the Menlo Park Congregation. As of 8/29/2010 the list of Management or officers is; CEO Jason Cobb, Secretary Walter Arlen St. Clair and CFO George Stock.

2. It should be noted that Jehovah's Witnesses are a global brotherhood of peaceful, honest, diligent hardworking individuals who believe in the power of God's word to change lives. Jehovah's Witnesses collectively stand as a beacon of truth and justice within this world because of their strict adherence to bible principles and standards. Nevertheless, in any community setting, yes any organization there can be individuals who fail to exemplify the values which are taught and promoted therein. This action draws attention to an instance of such. The acts described herein have been perpetrated not only against the Menlo Park Congregation Corporate Officers and managers but also against the pre-existing

shareholders/members of the Menlo Park Congregation. Defendant Koehler is a traveling representative of the Christian Congregation of Jehovah's Witnesses, Inc., which herein after will be referred to as the Branch Office. Defendant Koehler began making semi-annual visits to the Menlo Park Congregation in late 2008. From the very beginning, he exhibited an aggressive military-like demeanor not typically seen amongst traveling overseers. In time, plaintiffs felt the need to send a formal letter of complaint, dated 9/24/2009, to the Branch Office.

This complaint expressed a range of concerns with regard to defendant Koehler's offensive behavior, which to date has included verbal, emotional and psychological assault, coupled with simple assault, simple battery, intimidation, bullying and harassment, including the systematic orchestration of recurring attacks by a range of co-conspirators which can be described as "mobbing" against plaintiffs with the intent to demoralize, exasperate, coerce and damage plaintiffs.

Such tactics have been employed to A) induce plaintiff's acceptance of defendant Koehler's mandate to completely renovate the Menlo Park Congregation meeting facility located at 811 Bay Road in Menlo Park, California B) induce plaintiff's acceptance of defendant Koehler's directive to merge the Menlo Park Congregation with The South Redwood City Congregation of Jehovah's Witnesses, Inc., which herein after will be referred to as the South Redwood City Congregation C) manufacture a basis to disqualify and remove Menlo Park Congregation managers and corporate officers by fraudulent means

D) further oppress, coerce and “push out” plaintiffs after defendant Brede and company initiated the current takeover of the Menlo Park corporation, including real property and liquid assets; 5) effectively create the equivalent of a hostile work environment within the Menlo Park Congregation with the intent of thinning the ranks of pre-existing Menlo Park Congregation members to the end of reshaping shareholder/voter demographics and sentiment ahead of the nomination and appointment of new corporate officers and the finalization of the revised renovation plans for the Menlo Park Congregation meeting facility. Plans to renovate the Menlo Park corporation building and defendant Koehler’s merger proposal which in actuality was presented as an order and mandate are key elements within the overall circumstances which prompt this complaint. Plaintiffs state that Menlo Park Corporation management was not inclined to renovate the Menlo Park Corporation building to the extent that defendant Koehler was calling for and were reluctant to agree to the merger proposal as such was and is viewed as a surreptitious means of circumventing existing management who, from defendant Koehler’s standpoint have had a non-conforming view in their efforts to show regard for scriptural principles and the shareholders’ interests during the current economic downturn as the shareholders shoulder the actual financial responsibility for corporate building expenses. That management from the South Redwood City Corporation, defendant Brede and company, were preconditioned to further defendant Koehler’s scheme by accepting his directive to completely renovate the Menlo Park Corporation

building under the color of right and color of office and despite the expressed wishes of pre-existing Menlo Park corporation shareholders to the contrary is clear. Defendant Koehler's directive to completely renovate the Menlo Park meeting facility had originally been presented to Menlo Park management as a precursor to selling the property with the intent of financing other building projects under the oversight of representatives of the Regional Building Committee of Jehovah's Witnesses, Inc. On Thursday, August 26<sup>th</sup>, 2010 during the weekly congregation meeting, which is not to be confused with the annual shareholder meeting, defendant Brede announced to shareholders, which primarily consists of pre-existing members of the Menlo Park congregation in addition to the new attendees from the South Redwood City congregation, that the Menlo Park Corporation building would be completely renovated (Sept – Oct 2010) pursuant to a meeting with local representatives of the Regional Building Committee of Jehovah's Witnesses, Inc. on Saturday, August 21<sup>st</sup>, 2010. This stated intention was in-line with defendant Koehler's original directive for the same as expressed to plaintiffs, a directive which exceeds the parameters of his role and responsibilities as an advisor, as opposed to a dictator or decision maker especially in the case of corporate held property and finances. Defendant Koehler's role and sphere of influence and decision making has been clearly defined in policy letters as well as general publications furnished by representatives of the Watchtower Bible and Tract Society of New York, Inc. and such are squarely based on scriptural directives and principles. That he has overstepped

his lines of responsibility in these matters is alleged without question. That defendant DOE

(SDG:SSX) anctioned, enabled, and generally supported defendant Koehler in the unbridled abuse of his authority and power in these matters is equally clear.

3. Plaintiffs allege that the removal of Menlo Park management allegedly by the Branch Office, as represented by defendant DOE who is identified by the desk symbols SDG:SSX, was an extra-judicial and retaliatory act of punishment in direct response to the written complaint concerning defendant Koehler. Since the submission of said complaint, defendant Koehler has sought revenge and executed such when he clearly and knowingly orchestrated the removal of plaintiffs as Menlo Park Congregation managers in an effort to effect their removal as corporate officers by fraudulent means which set the stage for the current takeover that is occurring under the guise of an amicable and formally agreed upon merger despite ignoring lawfully established protocols for handling corporation affairs.

4. Defamation of character is a clear element within the defendants' scheme in view of the effort to have the plaintiffs removed under false pretenses, as this would discredit the plaintiffs by making it appear as if they were disqualified for some wrongdoing or impropriety.

5. In furtherance of their scheme, the defendants used many tactics that clearly show motive and intent being to commit fraud and deny the plaintiffs any recourse. When the plaintiffs began sending letters via the United States Postal Service to the Branch Office in Patterson, NY, it appeared that the

correspondence was intentionally sequestered so that the defendants' superiors would not be aware of the problem. Intentionally diverting mail so as to cover over their fraudulent scheme, is a violation of the Mail and Wire Fraud Act. Regardless, this tactic has been employed by the defendants to prevent parties with prevailing authority within the Branch Office who would *never* sanction or support such a scheme in any way from knowing what was actually transpiring in regards to the Menlo Park Congregation, that in itself also being a form of concealment to the law.

6. Here the Mail and Wire Fraud Act in light of the RICO statute is brought to bear to further illuminate the nature and extent of the criminal activity that has taken place. Defendant Koehler has had contact with DOEs (SDG:SSX) within the Branch's Service Department, which amongst other things is tasked with reviewing and responding to formal complaints which are typically submitted via mail courier services or by phone. It is believed and alleged that defendant Koehler has acted in collusion with defendant DOE (SDG:SSX) in an effort of concealment, again to prevent those in positions of responsibility within the Branch Office who are outside of the ring of conspiracy from being aware of what is being perpetrated against the Menlo Park congregation, its shareholders, managers and officers thus furthering the alleged fraudulent behavior by defendant Koehler. It is also believed that defendant Koehler has received progressive updates and directives to further the overall scheme telephonically and perhaps by wire (email). Such communication records may become known through discovery and

other means of lawful court procedures.

7. The specified defendant(s) within the Branch Office's Service Department are known only by the desk symbols SDG:SSX. The actual personal name of said defendant(s) may become known through discovery and other means of lawful court procedures.

8. Plaintiffs allege that due to the many acts of fraud and a continued effort to conceal wrongdoing on the part, it has become necessary and warranted to demand a public jury trial in an expedient manner so as to protect the interests of the Menlo Park Congregation and its shareholders from the predatory and covetous intentions of the defendants in their aim to seize control of the Menlo Park Corporation and its assets which include real property.

#### ALLEGATIONS AND FACTS

9. Defendants, orchestrated by co-defendant Koehler, conspired to execute what amounts to a hostile takeover of the Menlo Park Corporation under the guise of a formally approved merger with the South Redwood City Congregation, to the end of gaining a controlling interest in the property located at 811 Bay Road, Menlo Park, California.

10. The plaintiffs allege that in devising and executing this scheme the defendants engaged in several criminal acts ranging from conspiracy, fraud (religious fraud), mail and wire fraud, negligent and/or false representation, unjust enrichment, collusion, extortion, defamation of character and intentional



infliction of emotional distress.

11. When plaintiffs filed a formal complaint against defendant Koehler with the Branch office in October 2009, plaintiffs were subsequently presented with an unfounded charge of insubordination relative to organizational direction during defendant Koehler's next scheduled visit to the Menlo Park Corporation in February 2010. As presented during the hearing, this charge stemmed from an administrative matter involving a congregation member. When congregation members relocate to a new area and begin associating with the Christian congregation in their new locale, a record card and letter are typically sent to formally introduce this person to the managers of their new congregation.

The point of discussion in the hearing dealt with a situation where a congregation member still resided in Menlo Park but was employed in the Santa Rosa area. As a caregiver, her employment called for her to stay in Santa Rosa for several days/nights each week. On weekends she would return to her residence in Menlo Park. This member repeatedly stated that she desired to remain a member of the Menlo Park congregation and the congregation in Santa Rosa was advised of such when they requested her record card. In time this congregation expressed concerns to the Branch Office in this regard and plaintiffs then received a letter from the Branch Office dated 1/18/2010 directing them to send the record card as requested to the congregation in Santa Rosa. Plaintiffs sent a letter of response to the Branch, dated 2/3/2010 explaining the overall circumstances in an effort to confirm the proper course

of action based on the congregation member's expressed wishes to remain a member of the Menlo Park congregation. As alleged by defendants Koehler and Misterfeld, during the hearing on this matter, plaintiffs' letter was viewed as an act of insubordination and thus plaintiffs were so charged.

12. Despite having been the subject of the plaintiffs' formal complaint to the Branch Office in October 2009, defendant Koehler appeared to sit in judgment of plaintiffs alongside defendant Misterfeld, which undermined any possible basis for impartial treatment in light of said complaint regarding defendant Koehler's conduct. The hearing began on the date of February 19th, 2010 on a Friday and concluded on February 20th, 2010, a Saturday. During this hearing, plaintiffs, were advised of their disqualification based solely on the charge of insubordination relative to the matter involving the record card as described above. Defendant Koehler alleged the plaintiffs had failed to carry out their management duties which warranted their disqualification and removal. A review of organizational policy and directives clearly establishes that there is no basis for disciplinary action in this particular case as congregation members are free to choose for themselves which congregation they will formally join and attend based on their individual circumstances. Even if plaintiffs actions in this case did somehow constitute an infraction, which again according to standing organizational policy and directives they do not, for local congregation management groups are encouraged to contact the Branch Office with any questions, the removal of an entire congregational management group under this

circumstance is analogous to sentencing a person to ten years in prison for littering. Plaintiffs recognize that the recommendation for removal and the subsequent decision rendered by Branch Office representative defendant Doe (SDG:SSX) is a charge and action of convenience, an act of extra-judicial punishment with clear intent to further the defendants' overall scheme to displace Menlo Park Corporation management, apparently by any means necessary, to the end of orchestrating a transfer of operational control of corporate holdings, including real property and liquid assets to defendants Brede, Contreras, Laverdure, Lucas and Showers and, in effect, to defendant Koehler which positioned said defendants to move forward with the originally proposed renovation plan ahead of the possible sale of the property to finance other building projects under the oversight of the Regional Building Committee of Jehovah's Witnesses, Inc, again, despite previous input from shareholders to the contrary.

13. In an effort by the defendants to demoralize the plaintiffs and make them appear as if they were guilty of some type of wrongdoing and/or remiss in their duties as managers and to generally cast them in a negative light with the shareholders, defendant Brede on Thursday, July 1st, 2010 announced publicly to an audience of nearly 200 attendees, including shareholders, assembled at the Menlo Park Congregation meeting facility that the current Management had been removed per a decision allegedly rendered by the Branch Office and that the defendants would be taking over. This tactic was used to

defame the plaintiffs and cast them in a negative light making the plaintiffs appear to have been removed due to an actual impropriety or wrongdoing despite the fact that clearly stated organizational policy and directives establish that no basis for disciplinary action exists for the alleged offense committed by the plaintiffs particularly in view of the full facts and circumstances as partially described in this complaint and as fully detailed within the relevant record of correspondence between plaintiffs and defendant DOE (SDG:SSX) which is available for review.

14. Plaintiffs contend that the next phase of the scheme involved the use of the coercive technique known as mobbing (frequent, repeated, and systematic harassment). The intent evidently was to use coercive force to isolate then “push out” current Menlo Park Congregation officers to effect their resignation as corporate officers. Plaintiffs believe that defendant Koehler, has leveraged his military training, to initiate and manage a systematic effort to demoralize, exasperate, coerce and damage plaintiffs through intentional infliction of emotional and psychological distress. Such mobbing attacks were orchestrated by defendant Koehler even prior to the removal of plaintiffs from management. The participants include members of Regional Building Committee #7 as chaired by Leonardo Trevino, local land search committees covering the south bay and peninsula regions. Bruce Raditich served on the south bay land search committee. The peninsula land search committee included Josh Gray and Earnest Brede as members. Menlo Park Congregation officers and managers, including plaintiffs, were

specifically excluded from these committees and the lines of discussion which involved the Menlo Park congregation property. Further details will certainly be provided through discovery and other means of lawful court procedures. Plaintiffs also contend that an insidious effort has been made to implement local policy changes with the intent of disheartening and discouraging pre-existing shareholders to the end of thinning their ranks ahead of pending meetings to obtain shareholder approval through voting specific to the appointment of new corporate officers and the plan to completely renovate the Menlo Park Congregation meeting facility. Plaintiffs believe a thorough examination of defendant Koehler's military background and training through the provision of discovery will uncover key facts that will substantiate the basis and feasibility of these particular allegations as defendant Koehler has demonstrated a very clear understanding and command of known psychological warfare tactics and strategies since his arrival.

15. Plaintiffs are in possession of documentation that clearly would exonerate them from the false charges laid by the defendants that were based in ulterior motives and not on substantiated facts.

Plaintiffs have also stated that defendants, in an effort to keep the plaintiffs from other documentation that can be used as evidence of their fraudulent activity, had the locks changed at the Menlo Park Corporation at 811 Bay Road in Menlo Park, California. This also includes the locks to the contribution boxes as well as the filing system within the physical building itself. Plaintiffs have brought this action

to the courts for the main purpose of discovery and trial by jury to expose the fraud perpetrated by the defendants and to show just cause in this action. Plaintiffs also allege that the documents the defendants have tried to conceal may help to establish any possible efforts of defendants to falsify documentation with the intent to further their fraudulent scheme while making it appear that said defendants were acting in the interest of and in the parameters of religious right. Defendant Koehler has spent considerable time looking for and/or manufacturing ways to have the plaintiffs dismissed but yet make it appear legal and not based upon retaliations and personal enrichment of the defendants as well as outright fraud.

FIRST CAUSE OF ACTION

(For Fraud and Deceit, Conspiracy to Commit Fraud, Religious Fraud,  
Coersion, Extortion, Mail and Wire Fraud)  
(Against Defendant Paul Koehler)

16. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

17. Since his arrival in 2008 defendant Koehler has exhibited an uncommon aggressiveness and hostility toward plaintiffs from the very start. He quickly sought to establish both physical and psychological dominance from the very start. On Wednesday, October 29th, 2008, during a routine inspection of the Menlo Park meeting facility, defendant Koehler verbally chastised and bullied CEO Jason Cobb as a drill sergeant might address new military recruits. At one point defendant Koehler

shoved Mr. Cobb knocking him backwards as he was making a point. This act of simple assault and simple battery was both shocking and offensive. From this point on plaintiffs contend that defendant Koehler exerted a very strong and constant influence over ongoing renovation planning meetings with Regional Building Committee #7 which herein after will be referred to as RBC #7.

During a meeting with RBC #7 representatives on 4/11/2009, the RBC chairman, Leonardo Trevino, advised plaintiffs that after some discussion with defendant Koehler they were recommending a complete renovation of the Menlo Park Congregation meeting facility. This recommendation constituted a major departure from the requested scope of work as submitted in writing by plaintiffs.

The 4/2/2009 organizational policy letter establishes the significance of this as it clearly states that Regional Building Committee (RBC) representatives are to provide recommendations and quotes based on the requirements as expressed by local congregational management groups. This does not preclude RBC representatives from providing input and guidance in-line with their experience and expertise.

However, per the organizational directive as expressed in the 4/2/2009 policy letter, they would generally work within the defined project scope as established by local congregation management groups. This did not happen in the case of plaintiffs' RBC engagement and this is due to defendant Koehler's involvement and influence. Another organizational policy letter dated 4/6/2009 also stressed the importance of being conservative when it comes to meeting place renovation projects. In view of

the current economic downturn, it stressed the importance of keeping things simple in the effort to address the actual practical needs over and above aesthetic preferences. The importance of not placing any unnecessary financial burdens on congregation members/shareholders was stressed along with the need to share funds saved by being conservative with the global work fund so others in less affluent countries could receive needed funding to build a meeting place. Plaintiffs are including these points for two reasons 1) to establish the basis of plaintiffs' rationale in wanting to forgo a complete renovation, in-line with pre-existing shareholder sentiment and 2) to provide the needed context in which to highlight a basic point of irony in connection with the fact that plaintiffs have been removed under the charge that they are unwilling to follow organizational directives.

18. Plaintiffs are aware that enlisted men are taught to "improvise, adapt and overcome." When presented with any obstacle, the enlisted man, the soldier is trained to do whatever is necessary to accomplish the mission, whatever the cost. This is precisely what defendant Koehler has done in this case. When presented with the obstacle of plaintiffs alleged non-conforming view, which was actually based on organizational directives, defendant Koehler improvised, he adapted and he overcame as evidenced by his orchestration of the removal of Menlo Park Congregation management under fraudulent pretense and by fraudulent means under the color of right and the color of office to the end of effecting the transfer of operational control of the Menlo Park Congregation corporation, including



its real property and liquid assets to defendants Brede and company. This modification of the Menlo Park Congregations' operational infrastructure establishes the required basis to further this scheme to the end of fully renovating the Menlo Park meeting facility ahead of the eventual sale of said property to finance other building projects within the bay area in accord with actual documented statements made by defendant Koehler to plaintiffs during prior discussions. That such an act and all of the associated acts within the overall scheme, the intentional infliction of emotional distress, the harassment, the mobbing, the coercion would never be tolerated within this organization is evident by the clandestine manner in which this scheme has been executed to date. Defendant Koehler's actions constitute a grievous breach of established organizational protocol.

19. The plaintiffs could not get a fair hearing through the normal and proper organizational channels and therefore had no recourse but to take this legal action, due to the fact that all other remedies were being blocked by the scheme defendant Koehler enacted.

Defendant is charged with fraud in accordance with Federal Statutes 1341 & 1343, specifically religious fraud as all defendants used religious process in this scheme as the basis for said takeover, in an effort to legitimize the takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Congregation.

SECOND CAUSE OF ACTION

(Conspiracy to Commit Fraud, collusion, Coersion, Personal Enrichment, Fraud)  
(Against Defendant Luis Contreras)

20. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

21. Defendant Louis Contreras did knowingly and willingly participate in the scheme to seize control of the Menlo Park Corporation with a view to gaining control of its assets including real property.

Defendant Contreras, requested the keys to donation boxes within the physical building located at 811 Bay Road in Menlo Park. Defendant Contreras made clear that he would be changing the locks on these donation boxes and taking over duties of collecting funds without the authorization or permission from shareholders or officers obviously feeling that the scheme was realized and completed.

Defendant Contreras also demanded corporate papers with the objective of changing the names to reflect the new Management of the Corporation. At all times Defendant Contreras generally supported and furthered the scheme set into motion by Defendant Koehler, thus making himself full partner and party to this action as a co-conspirator, which includes the charges of the intent to defraud, collusion and possible other charges to be amended and added at a later date.

Defendant is charged with fraud in accordance with Federal Statute 1341, specifically religious fraud as all defendants used religious process in this scheme as the basis for said takeover, in an effort to

legitimize the takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Congregation.

THIRD CAUSE OF ACTION  
(Conspiracy to Commit Fraud, Religious Fraud, Conspiracy, Extortion, Collusion)  
(Against Defendant Larry Laverdure)

22. Plaintiffs reallege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

23. Defendant Laverdure furthered the overall scheme first by knowingly participating in a hostile takeover of the Menlo Park corporation. As in the case of his co-defendants, he leveraged his scriptural talk assignments as opportunities to increase suggestibility in the case of the shareholders regarding defendant Koehler's directive to completely remodel the Menlo Park corporation building, an idea that, pre-existing Menlo Park corporation shareholders had not been in favor of. In so doing defendant Laverdure participated in the collective and overall effort to steadily introduce, socialize, promote and induce acceptance of this idea in a manner that inferred that the shareholders had no meaningful basis of input as the decision had essentially been made in-line with defendant Koehler's directives.

Additionally as a co-conspirator he supported defendant Brede in making unauthorized changes to the Menlo Park corporation building after defendant Koehler turned over operational control to him by virtue of the base of influence afforded by the letter of alleged authorization from defendant DOE

(SDG:SSX). These changes included changing the locks to the facility and contribution boxes without any prior discussion with Menlo Park Corporation shareholders, managers or officers and without the benefit of the legal right to do so. Such conduct is again evident in that defendant Laverdure presumably attended the series of renovation planning meetings with Regional Building Committee #7 as chaired by Leonardo Trevino to discuss plans to renovate the Menlo Park Corporation building without the benefit of being legally empowered to represent the Menlo Park Corporation shareholders in such matters. Again, the most recent meeting, per defendant Brede's comments on the night of August 29<sup>th</sup>, 2010, occurring on Saturday, August 21<sup>st</sup>, 2010.

On the night of August 29<sup>th</sup>, 2010, Defendant Brede advised shareholders that a decision had been reached during the discussions with RBC #7 to fully renovate the Menlo Park Congregation meeting facility ahead of any discussion with the shareholders. Continuing to put the cart before the horse, defendant Brede then advised that the annual meeting of the corporation to appoint officers would be held on 9/2/2010. At all times Defendant Laverdure generally supported and furthered the scheme set into motion by Defendant Koehler, thus making himself full partner and party to this action as a co-conspirator, which includes the charges of the intent to defraud, collusion and possible other charges to be amended and added at a later date. Defendant is charged with fraud in accordance with Federal Statute 1341, specifically religious fraud as all defendants used religious process in this scheme as the

basis for said takeover, in an effort to legitimize the takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Corporation.

FOURTH CAUSE FOR ACTION  
(Conspiracy, Conspiracy to Commit Fraud, Fraud, Religious Fraud,  
Coersion, Extortion, Wire fraud, Collusion)  
(Against Defendant Donald Showers)

24. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

25. Defendant Showers furthered the overall scheme by knowingly participating in a hostile takeover of the Menlo Park corporation. As in the case of his co-defendants, he leveraged his scriptural talk assignments as opportunities to increase suggestibility in the case of the shareholders regarding defendant Koehler's directive to completely remodel the Menlo Park corporation building, an idea that, again, pre-existing Menlo Park corporation shareholders had not been in favor of. In so doing defendant Showers participated in the collective and overall effort to steadily introduce, socialize, promote and induce acceptance of this idea in a manner that inferred that the shareholders had no meaningful basis of input as the decision had essentially been made in-line with defendant Koehler's directives. Additionally as a co-conspirator he supported defendant Brede in making unauthorized changes to the Menlo Park corporation building after defendant Koehler turned over operational

control to him by virtue of the base of influence afforded by the letter of alleged authorization from defendant DOE (SDG:SSX) dated 5/22/2010. These changes included installing new door locks to the facility and to the contribution boxes without any prior discussion with Menlo Park Corporation shareholders, managers or officers again without the benefit of the legal right to do so.

On one occasion, defendant Showers employed the coercive tactic of bullying, a form of emotional assault, to intimidate and force CEO Jason Cobb into providing documents specific to the most recent letter of appeal pursuant to said decision to remove plaintiffs. In July 2010, during one congregation meeting, Defendant Showers went so far as to demand that CEO Jason Cobb drive home so that defendants Showers and Laverdure could follow him to his residence to secure the document(s) in question. In mid-August 2010, defendant Showers called Plaintiff St. Clair on the phone pressing him to make the needed arrangements for putting the existing Menlo Park Congregation corporate checking account into the name(s) of defendant Brede and company. When Plaintiff St. Clair advised that he was not in position to effect a transference since he was not listed on the account, defendant Showers referenced plaintiffs' recent removal as managers then stated, "It can get worse." Plaintiff St Clair took this threat as an allusion to excommunication. Defendant Showers is alleged to have committed fraud in accordance with Federal Statute 1341, specifically religious fraud as all defendants used religious process in this scheme as the basis for said takeover, in an effort to legitimize the

takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Corporation. Additionally, defendant Showers is charged with a violation of Federal statute 1343, wire fraud, by virtue of his using a means of electronic communication in the attempt to pursue monetary gain under fraudulent pretenses.

FIFTH CAUSE FOR ACTION

(Fraud and Deceit, Conspiracy to Commit Fraud, Religious Fraud,  
Fraudulent Misrepresentation, Personal Enrichment, Defamation, Coersion)  
(Against Ernest Brede)

26. Plaintiffs reallege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

27. Defendant Brede has special circumstances attached under the letter of the law in that this defendant knew full well he was participating in a scheme to oust the Management of Menlo Park and take over. Defendant Brede in personal conversation with a shareholder within the Menlo Park Congregation on or about the date of August 14th, 2010, stated that he knew the entire purpose of this scheme was for the express removal of the plaintiffs and to effect a hostile takeover of the Menlo Park Congregation. The identity of the shareholder who participated in this conversation is not being revealed at this time, for the sake of preserving their safety from personal attacks, recriminations and/or outright retaliations.

28. Inasmuch as defendant Brede is a relative of defendant Koehler which is alone a conflict of interest

with prejudicial circumstances in the takeover of the Menlo Park Corporation.

29. On the night of Thursday, July 1<sup>st</sup>, 2010 defendant Brede read a letter stating that the plaintiffs had been removed from congregation management positions and in so doing defendant Brede defamed the plaintiffs by making it seem or appear that their removal was for some type of wrongdoing on their part. Defendant Brede played an active part in this overall scheme. In reflecting on comments made by Defendants Brede and Koehler, plaintiffs relate that when defendant Koehler first arrived in California in 2008 he stayed in defendant Brede's home for several months. Obviously this would provide ample opportunity for discussion and planning and is undoubtedly the inception point for Defendant Brede's involvement in said scheme. Defendant Brede led the physical seizure of the Menlo Park Congregation meeting facility. While defendant Brede has frequently cited the alleged letter of authorization from defendant DOE (SDG:SSX) and the repeated directives and demands of defendant Koehler, defendant Brede must accept some responsibility for executing a series of actions relative to real property without the benefit of any legal basis to do so and without any discussion with or any authorization from congregation shareholders whom, to date, he does not formally represent in matters concerning corporate held property and finances as defendant Brede and company are not officers of the Menlo Park Congregation corporation. These points are made by plaintiffs to highlight the simple fact that what is taking place here is not a merger but rather a hostile takeover that has been insidiously



devised and implemented under fraudulent pretenses and means. As with his co-conspirators,

Defendant Brede is charged with fraud in accordance with Federal Statute 1341, specifically religious fraud as all defendants used religious process in this scheme as the basis for said takeover, in an effort to legitimize the takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Corporation.

30. Currently, other charges are being explored as more of defendant Brede's actions come to light. It may be necessary at a future date to amend said charges to add more as defendant Brede was and has been an integral part of this scheme with full knowledge he being a willing participant in all aspects of this scheme.

SIXTH CAUSE FOR ACTION  
(Conspiracy to Perpetrate Fraud, Deceit, Religious Fraud  
Collusion, Coersion)  
(Aganst Defendant Aaron Lucas)

31. Plaintiffs reallege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

32. Plaintiffs allege that defendant Lucas, acting in his official capacity and under the power of a letter written by defendant Doe (SDG:SSX) and along with other co-defendants came to Menlo Park on or around the date of July 1, 2010 to assume authority and to take control of general operations within the Menlo Park congregation without the permission of the current Management (the plaintiffs of this

action. Defendant Lucas stated that with the letter provided by defendant DOE (SDG:SSX) he felt empowered to take over positions and duties of the Menlo Park Corporation and with the backing of defendant Koehler felt that plaintiffs had no recourse. Defendant Lucas also participated in the plan to change the Meeting facility locks in an effort to keep the plaintiffs from being able to retrieve any pertinent documents that could exonerate them from false charges or expose the scheme set into motion by defendant Koehler. Defendant Lucas knowingly and willingly conspired along with his co-defendants to play a role in helping to execute this hostile takeover. Defendant Lucas seemingly has not enacted any specific areas other than what are mentioned and is clearly a follower but nevertheless has decidedly placed himself in the role of co-conspirator. During an informal conversation with a shareholder who questioned what defendant Lucas and his co-defendants were doing in Menlo Park, Defendant Lucas referred to the letter of alleged authorization as provided by defendant DOE (SDG:SSX) as justification for their actions. Defendant is also charged with fraud in accordance with Federal Statute 1341, specifically religious fraud as all defendants used religious process in this scheme as the basis for said takeover, in an effort to legitimize the takeover from a religious point of view, thus appearing to be right and true in their decisions with regard to the shareholders of the Menlo Park Corporation.

SEVENTH CAUSE FOR ACTION

(Fraud and Deceit, Misrepresentation, Collusion, Conspiracy to Commit Fraud,  
Fraud, Religious Fraud)  
(Against Defendant Steve Misterfeld)

33. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 18 above.

34. As already expressed in sections 11 & 12 above, after plaintiffs filed the initial complaint against defendant Koehler, Defendant Misterfeld, a substitute district manager, accompanied defendant Koehler on his next visit to the Menlo Park Congregation. Plaintiffs believe Defendant Misterfeld was brought in specifically to recommend their removal to further the fraudulent scheme thus enabling defendant DOE to render the decision to remove plaintiffs. When plaintiffs inquired as to the response to their complaint concerning defendant Koehler, defendant Misterfeld advised that defendant Koehler had done nothing wrong. Defendant Misterfeld also added that there was no conspiracy at work in this situation.

35. It is clear and understood that defendant Misterfeld, misused his temporary authority as district manager to aid and abet defendant Koehler under the color of his authority and position. Defendant Misterfeld also assisted defendant Koehler in an act of misrepresentation relative to the report form. In accord with organizational directives, regional managers are to review their report with congregation management groups at the end of their visit. On this form there is a place to reference any problems

that came up or were handled during the visit. When reviewing this part of the report, defendant Koehler intimated that the recommendation for plaintiffs removal would not actually be sent by specifically gesturing to point 9 on the form (which was entirely blank) and smiling. This constitutes a material misrepresentation as the report, as presented, coupled with defendants Koehler and Misterfeld accompanying words and actions were capable of influencing or had the natural tendency to influence a decision. In relying on their portrayal of the situation plaintiffs concluded that sending a letter of appeal in light of said recommendation was not actually needed since the recommendation would not actually be sent per the omission in the report and the cited behavior. The lack of an appeal within the unspecified window, which actually constitutes an act of silent fraud, furthered the scheme as it established a fast-track so to speak toward plaintiffs removal. Aside from this, the recommendation itself was fraudulent primarily in view of the established basis of malicious intent toward plaintiffs but also as it is not consistent with clearly stated organizational policy and directives. Additionally the record card in question per point 11 above was in fact sent in March 2010 and defendant DOE (SDG:SSX) was advised of such by mail in March 2010. Defendant Misterfeld's actions constitute an infraction of Federal Statute 1341 as regards fraud (religious fraud). With potential additional charges of influence in using his position in the furtherance of a scheme or swindle and clearly in the capacity of co-conspirator to this fraud.

EIGHTH CAUSE FOR ACTION  
(Conspiracy, Collusion, Conspiracy to Commit Fraud, Mail and Wire Fraud,  
Document Falsification in Furtherance of a Scheme, Extortion)  
(Against John Doe – SDG:SSX)

36. Plaintiffs re-allege and incorporate by reference herein each and every allegation contained in paragraphs 1 through 15 above.

37. While defendant DOEs' actual identity is not known by the plaintiffs, the service desk symbols "SDG:SSX" have appeared on documents in question that do not strike plaintiffs as genuine based on decades of experience in reviewing correspondence from the Branch Office. This in conjunction with the body of circumstantial and actual evidence adds to plaintiffs belief that defendant DOE conspired with defendants Koehler and Misterfeld in effecting this scheme.

Plaintiffs feel this scheme was initiated by defendant DOE who used defendant Koehler to carry out the actual execution of the plan to remove the plaintiffs. It is clear that defendant Koehler had motivation to further this scheme in view of the complaint lodged by the plaintiffs against defendant Koehler. Plaintiffs also believe that Don Maynor, an officer of the court and member of a local congregation in Palo Alto, CA also contributed to the conception and strategic planning of this scheme as said scheme gives indication of legal knowledge that Don Maynor is capable of providing.

Defendant Koehler has mentioned that he and Don Maynor, who has harbored resentment toward plaintiffs for years, have played golf together on multiple occasions. Defendant Koehler and Don

Maynor have also spent time together during defendant Koehler's semi-annual visits to the congregation Don Maynor attends in Palo Alto, CA. This extent of association would provide ample opportunity for discussion and planning.

38. It is alleged by the plaintiffs that defendant DOE became determined to find any means to have the plaintiffs removed. Defendant DOE then assigned defendant Koehler to the district with intent to find a means to remove the plaintiffs. Initially, defendant Koehler came to the Menlo Park Corporation to look for some deficiency or negligence that would allow him to use his authority to recommend the removal of the plaintiffs. For some time, defendant Koehler failed to find any infraction or any other point of interest to merit the plaintiffs removal.

41. Next, defendant Koehler then began looking for members of the Menlo Park Congregation who may have had some complaint against the plaintiffs. Defendant Koehler found two parties that were willing to work with him as informants in the effort to find some cause or reason to remove plaintiffs. Defendant Koehler enlisted two parties, being Pauline Atkins and Dwayne Forrester, both of whom have voiced criticisms of plaintiffs in the past.

42. Defendant Koehler also sought to condition the minds of those within Menlo Park as well as surrounding areas, with a view to making members of the Menlo Park location as well as surrounding locations believe the plaintiffs were not following organizational instructions, thus laying the basis for

acceptance of their removal so that when the time came for the plaintiffs removal, other parties would think and believe that the plaintiffs had engaged in some wrongdoing, thus warranting their removal.

Through a systematic use of false information defendant Koehler sought to achieve two main goals as part of his scheme, the first being to discredit the plaintiffs and next to defame them with possible slander and libel being open available charges that may be warranted at a later date.

43. During this entire time plaintiffs believe defendant Koehler was in regular communication with defendant DOE (SDG:SSX) providing progress reports of the scheme. A subpoena of defendant

Koehler's phone records will bear out this continued communication with defendant DOE which is a violation of the Mail and Wire Fraud Act, since both parties sought the removal or denial of the plaintiffs rights under fraudulent pretenses.

44. Plaintiffs also contend that after their removal, defendant Koehler, under the direction of defendant Doe, then wrote another report that cited several manufactured charges thereby making it appear as if the plaintiffs removal was justified when in fact it was not. It would also make it appear to defendant DOE's (SDG:SSX) superiors if questioned about the situation that all was in order and based upon procedure thus covering and concealing their complicity in this fraud. This is why it became necessary to retrieve any documentation that the plaintiffs had, as any discrepancies between paperwork would clearly show that said documents had been falsified to further the scheme.

45. Defendant John Doe (SDG:SSX) has demonstrated intent and malice for the plaintiffs. The plaintiffs feel that defendant DOE, in his apparent animosity was willing to go to any lengths to effect the removal of the plaintiffs going so far as to use fraudulent means. Due in part to defendant DOEs' obvious control of communications and correspondence, the plaintiffs felt they had no choice but to file this action asking the court for relief and having an opportunity to clear their names from the false charges leveled by defendant Koehler that were used in their unlawful removal from Management. Plaintiffs only ask for a trial by jury to present evidence they feel will clearly exonerate them from all charges and expose this very sophisticated fraud perpetrated by the defendants.

#### PRAYER FOR RELIEF

46. All defendants have acted intentionally and or with reckless regard for the plaintiffs rights, making it necessary to demand a trial by jury.

WHEREFORE, Plaintiffs demand judgment be entered against all defendants, including reasonable attorneys' fees, pre-judgment interest, post-judgment interest, costs and such other relief as the Court deems just and proper. Plaintiffs waive rights to any punitive damages and or compensatory damages even though it is clear they have been wrongfully removed from their respected posts and duties illegally and defamed in the process which under the letter of the law allows for compensation for said duress. Plaintiffs seek only vindication through the courts so as to expose the fraud and restore



their good names and to protect the shareholders/attendees of the Menlo Park Congregation that were in their charge. Plaintiffs seek no gain other than the recovery of their good names, the opportunity to expose a fraudulent scheme and the chance to present evidence against the Defendants. Plaintiffs are aware that stated charges could render this a criminal matter, but leave that to the courts to decide and in light of the possibility of that, seek no monetary damages or compensations of any type, whether implied or not, except court costs as laid out by the California Statutes. **Plaintiffs demand a jury trial on all issues so triable** herein listed in this filing for the State of California.

-----  
Plaintiff, Jonathan D. Cobb Sr.

-----  
Plaintiff, Walter A. St. Clair

DATE: \_\_\_\_\_