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CV10-3907

RECEIVED

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RICHARD W. WIEKING
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Re: Mr. Anthony Smith's filing

The Honorable Judge James,

I received an email on Wednesday July 13th, 2011 at 5pm while I was in the process of uploading and sending a PDF document that M. Smith requested regarding the interrogatory evidence documents. In this email Mr. Smith has stated that I have refused to sign any confidentiality document and he also stated that he wishes my presence in court at the next upcoming date.

The fact is Mr. Smith is trying to make an issue out of my participation in this case as a type of ploy to divert attention to the fact that he refuses to provide his client list. In his letter to you Judge James he has attached the B exhibit of my email to him. He goes on to state in this email I have patently refused confidentiality. This is categorically false. As is the case with Mr. Smith he seems to interpret things to fit his needs. The real issue is his client list that he is refusing to produce. He is quick to spout off about procedures and court rules but yet he clearly does not want to follow them himself, as the Plaintiffs should have had his client list months ago.

He is trying to divert your attention from this by making me an issue. This case is not about me, and my involvement is minimal at best. I have helped with documents and making sure things are filed on time but I felt the need to address his concerns. Firstly, after the initial meet and confer on June 24th, I was directed by the Plaintiffs to send an email stating that they were not in agreement to a signed confidentiality document. In the following court appearance, it is my understanding that you have stipulated that there should be confidentiality with regard to the banking documents only. I am more than willing to comply with any order you stipulate. So if I was presented with a confidentiality document to sign with regard to the banking information, I would sign it. What Mr. Smith was hoping to do was gain a type of immunity and confidentiality for everything and that is just not possible in an open court case. Mr. Smith's concerns stem from the fact that Defendant Koehler has for years told of his daring exploits as a Navy SEAL. He has lied to parishioners at various congregations he has served in by telling many that he is a retired Navy SEAL.

However, I made inquiries and found out that in fact Defendant Koehler is not and has never been a Navy SEAL. It would seem he is trying to gain a measure of influence and respectability by claiming to be a retired Navy SEAL and the issue of his military service has even been discussed at length as one of the questions presented in the first set of interrogatories that Mr. Smith sent to the Plaintiffs. By virtue of the fact that Mr. Smith did make reference to Defendant Koehler's military service, it made exploration of this area fair game. When I began gathering information I found that it is a serious crime to claim to be a Navy SEAL if one is not. I then contacted Mr. Smith and asked that he speak to his client to stop him from slandering the Plaintiffs to the parishioners. I made it clear to Mr. Smith that I

was not looking to embarrass his client but that I would be considering contacting Naval Command and the department that handles people who are impostors and make claims to be Navy SEALs. Apparently, since Operation Neptune Spear, the operation that resulted in the death of Osama Bin Laden, it is quite popular for "wannabes" to surface and make claims of being a Navy SEAL.

The Plaintiffs instructed me not to make any contact with Naval Operations Command to report Defendant Koehler. I agreed not to do this but stressed to Mr. Smith he should caution his client about their actions. It was later brought to my attention that Defendant Koehler was instructing parishioners that if they were called as witnesses in this case, they should plead the 5th Amendment in an effort to not cooperate and thus prevent the Plaintiffs from getting information. I then felt that with the Defendant making claims of being a retired Navy SEAL and more than likely using this premise to gain respectability and influence over the parishioners, I felt it was in the best interest to alert Naval Command and let them investigate his claims of Naval service. I did tell Mr. Smith in all fairness that this is what I was going to do, but yet the Plaintiffs instructed me not to do so and that if I tried in any way to alert the Naval authorities I would then be dismissed from their case. This issue has been raised several times in writing to you about the behavior of the Defendants and it is apparent that Mr. Smith assumed the confidentiality he sought was to cover everything. Again, it was my understanding that the confidentiality he sought covered only the bank records and banking issues.

The real issues at hand are the fact that Mr. Smith has continuously refused to provide his client list. Also, there is a very likely chance that Mr. Smith is himself a defendant in this case due to documentation the Plaintiffs will be seeking and this raises concerns over the preservation of evidence as its clear Mr. Smith is not a person to be trusted in any way. He claims to be an officer of the court as if this merits automatic trust, but his actions are quite the contrary.

Witness tampering seems to be their way of trying to derail this case. The Defendants have gone so far as to tell parishioners that by cooperating with the Plaintiffs you are going against God himself. Fear is their weapon that they are using to keep people silent. Fear, propaganda and outright lies. The Defendants seem so desperate to try to derail this case they even have spread rumors that I am an apostate, even though I am not in any way apart of the Jehovah's Witness faith. This word, "apostate" is nothing more than a word used to instill fear in others. Their chief goal at this point is to label me as an apostate to have grounds to excommunicate the Plaintiffs. As their faith dictates you can be excommunicated for being in association with one who is an apostate. This is why Mr. Smith is interested in having you bring me to court, he wants to explore how I have both legal knowledge and a knowledge of the Jehovah's Witness organization, most likely in an effort to find a way to excommunicate the Plaintiffs.

I am a bit shocked and somewhat outraged that Mr. Smith is trying to use the court for his own purposes, demanding that I bring identification as if I have to answer to him in some way. As already stated this case is not about me. It's not about my background or where I come from. It's about the issues raised and it should be apparent that Mr. Smith just does not have the honor to try this case using conventional means and information. He is always seemingly looking for angles, loopholes and technicalities. To be honest its embarrassing to see this from a man who claims to be a lawyer and a Jehovah's Witness. Usually, Jehovah's Witnesses are the most honest people you could know but sadly, somewhere along the way it became more important for the Defendants to cover up and lie about their dealings and motives. It seems like they have forgotten what they are supposed to be about and their principles but yet they wish to make me the issue?

I have been to Mr. Smith's offices personally at 177 Bovet in San Mateo when I delivered the first set

of interrogatories and while I was there Mr. Smith refused to come out and see me. So I had to leave the documents with his receptionist who was named Jesse. He could have met me face to face then but he chose not to. Now he wishes to use the court to indulge his whims so as to try to make this about me but what you should be asking Mr. Smith is why? I am curious to know what issues he wishes to raise about me. The facts are simple, I have a penchant for finding out information and this is why I was brought on board into this case. Mr. Smith does not like the fact that I am able to find out things, such as Defendant Koehlers not being a Navy SEAL and this is what is making it hard for him to handle this case. He fears what other things I may discover and this is why he is so concerned with finding a way to have me removed from this case. He wishes only to use my presence as some type of scapegoat to possibly derail the case or get it dismissed. Plain and simple.

Mr. Smith has had personal issue with me from the start. From the moment I told him in a telephone conversation that I was not a lawyer he assumed this dismissive attitude towards me. Any document I assist in putting together he has totally disregarded but yet he demands we follow court rules to give him what he wants. Mr. Smith is a hypocrite, constantly flaunting his, "I am a lawyer" as if this means he is to be automatically respected. In an early court date you stated to Mr. Smith that the Plaintiffs can choose who they like to help them and since then Mr. Smith has done everything possible to undermine my being involved in this case. Instead of acting in a professional manner he has allowed this to become personal and that is what this is really about.

I am not a lawyer your Honor, I am just someone who believes in justice because I know what injustice feels like. I am someone who will not leave a man behind. I am someone who makes mistakes everyday but I always try to be a person of principle and do the right thing. I apologize if this sounds like some line but its how I feel and what I believe. If you see something wrong you have a responsibility as a human being to say something and if possible, do something about it. Far too many people today fall back on the I-don't-want-to-get-involved excuse and because of that tragedies happen everyday that could otherwise be avoided.

Mr. Smith is trying to muddy up the water because in reality he has nothing else. Everything he does at this point is suspect. He stated at the meet and confer that Wells Fargo Bank has refused to provide him and his clients with bank documentation. He stated that all parties would have to sign an authorization to release the records but yet he now claims he has bank documents. When the Plaintiffs served their subpoena to Wells Fargo Bank, they were told that they would have to wait for nearly two months to get anything but yet, Mr. Smith has obtained the items in less then three weeks? That alone due to his track record is suspicious to me. Then he claimed he needed Jason Cobb's authorization to get the documents, but now all of a sudden he has them without Jason Cobb's signing anything? Mr. Smith only wanted to have Jason Cobb turn over his documents because I believe Mr. Smith will present altered documents and before he does that he needed to know if Jason Cobb was in possession of any documents that would show his to be altered or different. Why else would he claim to need Jason Cobb's authorization and signature but now he states he has the banking documents? Mr. Smith's entire repertoire seems to be about lies and falsehoods and personally, I would be suspicious of any documents he presents supposedly from Wells Fargo Bank and this is why I was initially apprehensive about acquiring the documents jointly, because I knew one thing; Mr. Smith needed to get his hands on these documents first to see what they contain.

We are supposed to trust him because he is an officer of the court but the fact is Mr. Smith cannot be trusted in any way. That should be obvious by his stating that I refused to sign any confidentiality document, because unless I am looking at the wrong email in exhibit B, at no time did I say this, he is merely twisting the truth to meet his needs. Your Honor, you have to see the issues as they truly are, not

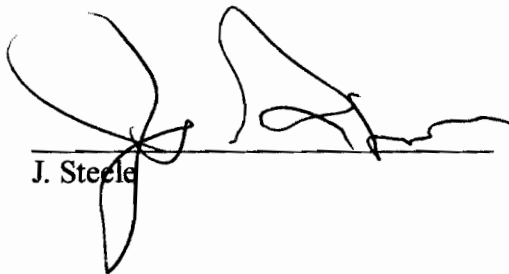
what Mr. Smith is trying to make them to be, but what they are, and the issues are clear; he has refused to provide his client list and this is because there are more people involved in this little swindle then even what we are aware of now and as such he feels if we do not know their names he is surely not going to volunteer them.

Obviously they are some pretty high powered people within the Watchtower because he is willing to risk a conflict of interest with regard to the documents the Plaintiffs will be obtaining that will have his signature on them. Mr. Smith will not advise his clients about saying slanderous things about the Plaintiffs to the other parishioners but yet he wants confidentiality about Defendant Koehler's non-existent Navy SEAL service. He also won't advise his clients about witness tampering and also appears to have engaged in it himself with regard to potential witness Mr. Bill Douglas, a man they have intimidated to the point he is afraid to talk to anyone. These are the things we have tried to continually inform you of Your Honor but Mr. Smith is only interested in diverting your attention from these issues and trying to make me the object of attention.

Religion is supposed to bring one comfort, especially in these troubled times we live in, it should never be about fear, but not a week goes by Your Honor that a parishioner calls to inform me of things and all I hear in their voice is fear. Fear should never be used as a weapon where worship and God is concerned and yet that is what the Defendants along with Mr. Smith have done and sadly in the name of protecting their faith.

I have some family issues Your Honor. In all honesty I have not been back home in months and so I am planning on going home for approximately ten days. My family is a bit strained due to my lack of presence and I need to spend a bit of time. My visit may run into impending court dates but I want to be cooperative in any way I can, so if Your Honor wishes and arrangements can be made I can call into the court via telephone and answer any issues that you see fit or do so upon my return.

I hope I have at least cleared up some of the issues. Mr. Smith seems bent on using misdirection and trickery in this case and maybe that's because he has nothing else with which to defend his clients, whoever they all are, but the fact still remains, this case is not about me. It's about a group of people who feel they can do whatever they like as long as they claim it's about their religious beliefs, even if that means breaking the law.


J. Steele

Date July 14, 2011