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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: BERGEN COUNTY
GENERAL EQUITY PART
DOCKET NUMBER. BER-C-153-20

THE REFORMED CHURCH OF CHERRY)	
HILL AND NEW BRIDGE,)	
)	
Plaintiff,)	
)	DEPOSITION OF:
-vs-)	
)	RODNEY HAVEMAN
STEVEN SOTO,)	
)	
Defendant.)	
)	
)	

TRANSCRIPT of the stenographic notes of the proceedings in the above-entitled matter, as taken by and before PAMELA ADAMO, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, held VIA VERITEXT VIRTUAL, New Jersey, on January 10, 2022, commencing at 10:00 a.m.

Page 2

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22 Attorneys for Defendants River Edge Church
23 ALSO PRESENT:
24 Steven Soto
25

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1 THE COURT REPORTER: The attorneys
2 participating in this deposition acknowledge that I
3 am not physically present in the deposition room and
4 that I will be reporting this deposition remotely.
5 They further acknowledge that, in lieu of an oath
6 administered in person, I will administer the oath
7 remotely. The parties and their counsel consent to
8 this arrangement and waive any objections to this
9 manner of reporting.
10 Please indicate your agreement by
11 stating your name and your agreement on the record.
12 MR. SCHIELKE: Crew Schielke, I agree.
13 MS. LEE: Jae Lee, I agree.
14 MR. MANKOFF: Howard Mankoff, Justin
15 Johnson, I agree.
16 RODNEY HAVEMAN, 541 4th Avenue, Westwood, New Jersey
17 07675, having been duly sworn by the Notary Public,
18 testified as follows:
19 DIRECT EXAMINATION BY MR. SCHIELKE:
20 Q. Good morning, Mr. Haveman. My name is
21 Crew Schielke. I'm an attorney. I represent Steven
22 Soto in this matter. And today we are here for your
23 deposition.
24 So I got your address, you had mentioned
25 it was 541 4th Avenue, Westwood, New Jersey, and you

Page 5

1 said that is your home address, right?
2 A. Yes.
3 Q. Okay. And how long have you, how long
4 has that been your address?
5 A. 20 plus years. Moved in there at the
6 end of August 2001.
7 Q. And what is your e-mail address?
8 A. My e-mail address are for the role I
9 have as the Clerk of the Classis, is GP, Classis,
10 C-L-A-S-S-I-S, clerk, C-L-E-R-K at gmail.com.
11 Q. Do you use any other e-mail addresses?
12 A. Yes.
13 Q. Okay. What are they?
14 A. My personal e-mail address is RHaveman,
15 H-A-V-E-M-A-N, 59@yahoo.com.
16 Q. And have you ever been deposed before?
17 A. No.
18 Q. I will go over just some basic ground
19 rules to help us with logistics of it.
20 So the goal today is to have a clear
21 transcript. The court reporter is making a verbatim
22 record of everything that we are saying here today.
23 And to help get the clear record I will ask that you
24 please wait for me to finish my questions before you
25 answer.

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1 There will be plenty of times where you
2 will be able to anticipate where I'm going. If you
3 want to say the answer before I'm done that makes it
4 harder for her to take down everything that we are
5 saying. So we want to avoid two people speaking at
6 the same time. I will show you the same courtesy
7 when you are answering my questions. I will try to
8 wait until you are finished before I follow up with
9 another question.
10 And please always answer verbally.
11 Please no shaking of the head or nodding or don't say
12 uh-huh or, you know, formalities that we normally use
13 when speaking only because that makes it more
14 difficult for her to transcribe what we are saying.
15 If you need a break, I know we talked
16 about this before, feel free to ask. This is not a
17 test of endurance, if you need to use the bathroom
18 for whatever reason, only thing is if there is a
19 question pending we want you to answer before we take
20 a break.
21 And if you don't understand a question
22 please feel free to ask me to repeat or rephrase it.
23 If you do answer we'll assume that you understood
24 what I was asking.
25 If your attorney objects to any

Page 7

1 questions, please don't answer. Wait for him to put
2 his objection on the record and to give you further
3 instructions.
4 So are there any, is there any reason
5 why, that you cannot or should not be deposed today?
6 A. No.
7 Q. You are not on any medication that might
8 impair your memory or your ability to testify?
9 A. No.
10 Q. What have you done to prepare for
11 today's deposition?
12 A. I had a preparation meeting with my
13 attorney.
14 Q. Did you review any documents?
15 A. No.
16 Q. Did you speak with any people besides
17 your attorney?
18 A. No.
19 Q. Do you understand you are here today as
20 a representative of the plaintiff?
21 A. Yes.
22 Q. And are you the representative of the
23 plaintiff with the most knowledge relevant to this
24 lawsuit?
25 A. Yes.

Page 8

1 Q. Who is the plaintiff in this case?
2 A. The Classis of the Greater Palisades,
3 and the Reformed Church of Cherry Hill.
4 Q. What is your relationship with the
5 Classis?
6 A. I am the classis clerk.
7 Q. And what's your relationship with the
8 Reformed Church of Cherry Hill?
9 A. I am the current president of its
10 superseded consistory.
11 Q. Now, are you presently employed?
12 A. Yes.
13 Q. What is the name of your employer?
14 A. The name of my first employer is
15 Parkside Community Church. And I also am employed as
16 the clerk for the Classis of Greater Palisades.
17 Q. And you serve in both functions or roles
18 simultaneously?
19 A. Yes.
20 Q. And what is your work address?
21 A. 454 4th Avenue, Westwood, New Jersey
22 0767 -- I'm sorry, 07675, I apologize. And for the
23 classis it's my home address, 541 4th Avenue.
24 Q. And how long have you been employed by
25 Parkside Community Church?

Page 9

1 A. Since August of 2001.
2 Q. And how long have you been employed by
3 the classis?
4 A. February of 2015.
5 Q. Now, for the Parkside Community Church,
6 what type of -- what is your present title or
7 position?
8 A. The Minister of Word and Sacrament.
9 Q. Did I understand your position with the
10 classis is the stated clerk?
11 A. Correct.
12 Q. Is there any other title or
13 characterization of your position?
14 A. No.
15 Q. What type of work do you do for Parkside
16 Community Church?
17 A. I preach pastoral care, teach,
18 administer the building, property care, help with
19 finances. Decent summary.
20 Q. Okay. Now with respect to the classis,
21 same question. What's your role or, like, kind of
22 job description?
23 A. There is actually 46 items in my job
24 description. I'm not going to give them all to you.
25 I'm an officer that keeps the minutes, oversees the

Page 10

1 records of the classis, serves as a resource person
 2 for the president or the other vice -- other
 3 officers. I serve on various committees as needed.
 4 I'm not going to go through all 46. That's most of
 5 what I do.
 6 Q. So are these 46 items listed in some
 7 document that you would be able to refer me to?
 8 A. Sure. My job description I could send
 9 to you.
 10 Q. Okay. Is it in the Book of Order or in
 11 some other document?
 12 A. It's in our classis records either
 13 personnel or the by-laws.
 14 Q. So what I will do is during the course
 15 of the deposition we may identify certain items,
 16 documents, things like this just would be cumbersome
 17 for you to recite it or read it. I will make a list
 18 and send a letter to your attorney with a request for
 19 anything that comes up during the deposition today.
 20 A. Okay.
 21 Q. Now, what was your initial position when
 22 you first became affiliated with Parkside, was it the
 23 same as it is now?
 24 A. Yes.
 25 Q. And how about with the classis, was it

Page 11

1 always the same since February 2015?
 2 A. I am a minister member of the classis.
 3 As a minister member I joined the classis when I was
 4 called to Parkside Community Church. And then became
 5 hired for the classis clerk in February of 2015.
 6 Q. Got you. Okay. Now, are these jobs
 7 taken together full-time?
 8 A. My work at Parkside is full-time. My
 9 work as the classis clerk is part-time.
 10 Q. Do you do any other work for
 11 compensation?
 12 A. I do preach at other events that are
 13 sometimes compensated with honorariums. I do
 14 funerals and weddings that are also at times
 15 compensated with honorariums.
 16 Q. Did you file a tax return for 2020?
 17 A. Yes.
 18 Q. Who did you identify as your employer in
 19 your most recent tax return?
 20 A. Parkside Community Church and the
 21 Classis of Greater Palisades.
 22 Q. What's the highest level of education
 23 you have achieved?
 24 A. Master's of Divinity.
 25 Q. From where?

Page 12

1 A. Western Theological Seminary.
 2 Q. When was this?
 3 A. I graduated in May of 2001.
 4 Q. Do you hold any professional licenses?
 5 A. No.
 6 Q. Where did you work before you started
 7 working for Parkside Community Church?
 8 A. Williams Furniture, Prince Corporation,
 9 Jerry's Country Inn Restaurant.
 10 Q. Have you ever been convicted of a crime?
 11 A. No.
 12 Q. Do you own any companies?
 13 A. No.
 14 Q. Does any other representative of the
 15 plaintiff have more relevant knowledge than you about
 16 this lawsuit?
 17 A. No.
 18 Q. What is your understanding in terms of
 19 who is suing who for what?
 20 MR. MANKOFF: Reverend, I will caution
 21 you not to discuss any of our communications about
 22 that issue. So whatever you know that didn't come
 23 from me you can discuss.
 24 A. I'm not sure how to differentiate what I
 25 know apart from my attorney. I know there is a

Page 13

1 conflict between the Classis Reformed Church of
 2 Cherry Hill and Steven Soto.
 3 Q. What is the relief that you are looking
 4 for, what are you looking to an accomplish through
 5 this lawsuit?
 6 MR. MANKOFF: Same instruction.
 7 MR. SCHIELKE: Can he answer the
 8 question, Howard? Are you going to ask him not,
 9 direct him not to answer or can he answer?
 10 MR. MANKOFF: Same instruction as
 11 before. The witness can answer it to the extent it
 12 doesn't implicate any attorney-client privilege
 13 communications.
 14 Q. Let me try to phrase it this way. Is it
 15 fair to characterize this lawsuit as a dispute over
 16 who is entitled to control the property of the River
 17 Edge Church formerly known as the Reformed Church of
 18 Cherry Hill?
 19 MR. MANKOFF: Objection as to form. You
 20 can answer the question.
 21 A. No.
 22 Q. Why not?
 23 A. Our primary effort is to get Steven Soto
 24 out of the house that we own.
 25 Q. What is the extent of your involvement

<p style="text-align: right;">Page 14</p> <p>1 in the prosecution of this case?</p> <p>2 MR. MANKOFF: Objection as to form. You</p> <p>3 can answer the question. And again, to the extent</p> <p>4 that you can answer it to the extent it doesn't</p> <p>5 implicate attorney-client communications.</p> <p>6 A. I'm a representative of the classis.</p> <p>7 Q. Have you participated in responding to</p> <p>8 the defendant's discovery demand?</p> <p>9 A. Yes.</p> <p>10 Q. Have you participated in preparing the</p> <p>11 pleadings?</p> <p>12 A. Yes.</p> <p>13 Q. Who else besides you is involved -- when</p> <p>14 I say this not including attorneys, but who else</p> <p>15 besides you on behalf of the plaintiff or the classis</p> <p>16 is involved in the decision making process in</p> <p>17 connection with this lawsuit?</p> <p>18 MR. MANKOFF: Objection as to form. You</p> <p>19 can answer the question. Again I will caution you</p> <p>20 not to discuss attorney-client communications.</p> <p>21 A. I don't understand decision making</p> <p>22 process.</p> <p>23 Q. Is there a committee, is there somebody</p> <p>24 else besides you that you confer with to make</p> <p>25 decisions about bringing this lawsuit, maintaining</p>	<p style="text-align: right;">Page 16</p> <p>1 you still remembering?</p> <p>2 A. I'm trying to kick through the</p> <p>3 committees. I apologize.</p> <p>4 Q. Are you looking at some document now?</p> <p>5 A. No, no. I'm just counting it off in my</p> <p>6 head. It's hard for me to stare through you and go</p> <p>7 through the 17 committees and elder at large. Our ad</p> <p>8 hoc soon to be standing committee just manages racism</p> <p>9 is Joanne VanSant. I think that's it.</p> <p>10 Q. Okay.</p> <p>11 A. And I may have to update you, but it's</p> <p>12 got to be close.</p> <p>13 Q. What documents would you look at in</p> <p>14 order to update me or refresh your recollection and</p> <p>15 just confirm the names of any changes, the dates of</p> <p>16 anywhere, changes of these people?</p> <p>17 A. The latest document that I would look at</p> <p>18 is the minutes of our executive committee.</p> <p>19 Q. From what date?</p> <p>20 A. December.</p> <p>21 Q. And one thing I meant to ask you do you</p> <p>22 have any documents or notes in front of you now?</p> <p>23 A. No.</p> <p>24 Q. Besides -- what device are you using to</p> <p>25 connect to this meeting?</p>
<p style="text-align: right;">Page 15</p> <p>1 this lawsuit, etc.?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Who else is involved?</p> <p>4 A. Our executive committee of classis.</p> <p>5 Q. And who are the members of the executive</p> <p>6 committee?</p> <p>7 A. I want to just say that this question is</p> <p>8 difficult to answer because the committee changes</p> <p>9 depending on who the chair is of our various</p> <p>10 committees and classis.</p> <p>11 Q. Okay. How about presently as we speak</p> <p>12 today, do you know who is on that committee?</p> <p>13 A. Presently, our president is Terry</p> <p>14 O'Brien, our treasurer is Ruth Shaw, supervision of</p> <p>15 ministers is Phyllis Paulsman, supervision of</p> <p>16 students is Nolan Palsma, supervision of churches is</p> <p>17 Pam Pater-Ennis, CP&D is Steve Sayer, finance is Pat</p> <p>18 Malone, Korean leadership is Benjamin Young, elder at</p> <p>19 large is Lisa Bontemps, second elder at large is</p> <p>20 Cathy Loudon, personnel committee is Jodie Wu, our</p> <p>21 vice president is Imas Ruth, our OJB committee is</p> <p>22 Mark Ennis, our Korean coordinator is Sung Ju, our</p> <p>23 real estate committee is Dominick Apollo, our program</p> <p>24 committee is Young Kim. (All names phonetic spelling)</p> <p>25 Q. Are you finished with your answer or are</p>	<p style="text-align: right;">Page 17</p> <p>1 A. My office computer.</p> <p>2 Q. Okay. Do you have any other devices</p> <p>3 that are on that you are presently using to</p> <p>4 communicate?</p> <p>5 A. No.</p> <p>6 Q. Okay. And what is your date of birth?</p> <p>7 A. October 6, 1975.</p> <p>8 Q. And do you understand that the Reformed</p> <p>9 Church of Cherry Hill and New Bridge is the party</p> <p>10 identified as the plaintiff in this lawsuit?</p> <p>11 A. Yes.</p> <p>12 Q. Is the Reformed Church of Cherry Hill</p> <p>13 and New Bridge presently an active church?</p> <p>14 A. Yes.</p> <p>15 Q. What is the address for that church?</p> <p>16 A. 340 Bogert Road in River Edge, New</p> <p>17 Jersey.</p> <p>18 Q. Has that always been the address for</p> <p>19 this church?</p> <p>20 A. You cut me off before I could finish.</p> <p>21 Q. I'm sorry.</p> <p>22 A. It's also 360 Bogert Road in River Edge,</p> <p>23 New Jersey, there are two mailing addresses that the</p> <p>24 church has on site.</p> <p>25 Q. Okay. And what is located at 340?</p>

Page 18

1 A. I believe 340 is the church and 360 is
 2 the parsonage, but I'm pulling that off the top of my
 3 head. It could be the other way around.
 4 Q. Okay. Did you know if there was ever
 5 any other address for the church or was it always
 6 located at the same place?
 7 A. I believe in it's earliest history it
 8 was located at another place.
 9 Q. And do you know the time frame or
 10 location?
 11 A. No, I don't have the history in front of
 12 me and I don't have it memorized.
 13 Q. Where would you look to see the history?
 14 A. The historical records of the RCA.
 15 Q. Do you know if that was something that
 16 was produced in discovery?
 17 A. I don't know.
 18 Q. Do you know where those documents are
 19 located?
 20 A. I'm not sure. So I'm not going to
 21 guess.
 22 Q. Do you know what type of documents would
 23 be included with the historical records of the RCA at
 24 least with respect to the Reformed Church of Cherry
 25 Hill and New Bridge?

Page 19

1 A. I don't.
 2 Q. Are these stored online or are they like
 3 paper documents stored, like, in some actual physical
 4 location?
 5 A. In an actual physical location and it
 6 depends on the archivists. They are either
 7 physically be there or they will be scanned into a
 8 digital record.
 9 Q. Do you have a particular person or
 10 contact information if you were to try to access this
 11 information to see what was there, who would you
 12 reach out to to get that, access those?
 13 A. I'm sorry. Matt Gasero. The RCA
 14 archivist.
 15 Q. How do you spell his last name?
 16 A. G-A-S-E-R-O.
 17 Q. Do you have contact information for him?
 18 A. I do.
 19 Q. Help us making progress, I will add that
 20 to the list if that is something that can be provided
 21 in the future.
 22 And what is your present relationship
 23 with the Reformed Church of Cherry Hill and New
 24 Bridge?
 25 A. I'm the president of the current

Page 20

1 consistory.
 2 Q. Since when?
 3 A. September of 2021.
 4 Q. Was your relationship ever different, I
 5 mean, what was it before September 2021, your
 6 relationship?
 7 A. I was the clerk of classis and a
 8 resource person on the consistory.
 9 Q. So why did it change in September of
 10 2021?
 11 A. In August of 2021 the past president
 12 stepped down and I was stepped up, named the
 13 president.
 14 Q. And who was the president before you?
 15 A. Gregg Dunlap.
 16 Q. Do you know why he stepped down?
 17 A. He was busy.
 18 Q. To what extent are you presently
 19 involved in the managing of the day-to-day activities
 20 of the Reformed Church of Cherry Hill and New Bridge?
 21 A. I coordinate the work of the consistory,
 22 and coordinate with our property manager and work
 23 with the classis treasurer to make sure all the bills
 24 for the church are paid.
 25 Q. Who are the members of the consistory of

Page 21

1 the Reformed Church of Cherry Hill as of today?
 2 A. Gregg Dunlap, Efran laps, Bill Mellouse,
 3 John Kim, and Anna Jackson. And myself. (All names
 4 phonetic)
 5 Q. How did these individuals become members
 6 of the consistory?
 7 A. They were chosen by the executive
 8 committee of classis.
 9 Q. And that executive committee of classis
 10 that was what we talked about before, that was a
 11 whole long list of names?
 12 A. Yes.
 13 Q. Do you know who formed the entity the
 14 Reformed Church of Cherry Hill and New Bridge?
 15 A. No.
 16 Q. Do you know when it was formed?
 17 A. I don't. Again, I don't have the memory
 18 of the history in front of me so I don't want to
 19 guess.
 20 Q. Do you know whether it's a corporation
 21 or an LLC or some other type of entity?
 22 A. I do not.
 23 Q. Do you know whether the Reformed Church
 24 of Cherry Hill and New Bridge ever went by a
 25 different name?

Page 22

1 A. Yes.

2 Q. Okay. What other names are you aware

3 of?

4 A. The Reformed Church of Cherry Hill,

5 Christian Community Church, and the River Edge

6 Church.

7 Q. Do you know why there have been these

8 different name variations over the years?

9 A. No.

10 Q. Do you know the time periods when the

11 different names were used?

12 A. No. I don't know them precisely. I'm

13 not going to guess at dates.

14 Q. Okay. That's another thing I meant to

15 provide as instructions. Please don't guess. If I

16 ask a question if you don't know the answer, I don't

17 know is perfectly acceptable. But if you can

18 estimate that's fine as long as you tell us that you

19 are estimating. Can you estimate?

20 A. I can estimate that the church started

21 as the Reformed Church of Cherry Hill and New Bridge.

22 I can estimate that sometime after that it became the

23 Reformed Church of Cherry Hill. I can estimate that

24 sometime after that, it had two names the Christian

25 Community Church and the Reformed Church of Cherry

Page 23

1 Hill. I can estimate that sometime after that, it

2 also had two names, maybe three. Again, estimate.

3 The Reformed Church of Cherry Hill, Christian

4 Community Church and the River Edge Church.

5 Q. And what was the date of the classis's

6 supersession of the Reformed Church of Cherry Hill

7 and New Bridge?

8 A. I believe, don't have a calendar in

9 front of me, it's June 25th of 2020. The fourth

10 Thursday in June of 2020.

11 Q. Okay. Now prior to that supersession,

12 do you know whether the Reformed Church of Cherry

13 Hill and New Bridge had ever adhered to the Reformed

14 Church of America's customs and usages including

15 submission to the Reformed Church of America's

16 authority?

17 MR. MANKOFF: Objection to form. You

18 can answer the question.

19 A. Yes.

20 Q. Okay. Can you tell me how so or provide

21 some examples or instances that would be consistent

22 with your answer?

23 A. They sent delegates to our stated

24 session meetings. They paid assessments to the

25 classis. They received a supervisor when their

Page 24

1 former minister retired. They came to the classis,

2 specifically the executive committee's, committee

3 supervision of ministers to have a preaching elder

4 commissioned.

5 They filled out what is called a CRF,

6 Consistorial Report Form, which includes historical

7 numbers such as members, worshipping body, financial

8 information. Their previous minister submitted a

9 request to be declared retired. They applied for

10 financial assistance when COVID hit in March of 2020.

11 I'm guessing on the date. I'm not even going to

12 guess on the date.

13 But in the past between 2000 and 2010,

14 2001 and 2010 they received \$600 in financial

15 assistance from the classis for utilities assistance.

16 I'm guessing because I don't have the minutes in

17 front of that I just know they are listed as a

18 reformed church in the roster of the classis and

19 every congregation that is a part of the classis

20 received that \$600 assistance.

21 They are listed on the IRS exception

22 form under the Reformed Church in America as an

23 exception. I'm not exactly sure of the proper

24 language. I don't have the form in front of me, but

25 think of it like a franchise, a church, a

Page 25

1 congregation within the denomination so a group

2 exemption for every congregation given by the IRS.

3 Q. Let me break down your answer a little

4 bit. So they sent delegates to the stated session.

5 Do you know who they sent and what time period you

6 were referring to?

7 A. After Ralph Acerno, the previous pastor

8 retired, Steven Soto and Nick Valvano were named

9 elder delegates to the classis. Pam Ennis is a

10 supervision of churches. Jon Norton as the executive

11 minister. Myself as the stated clerk and Gregg

12 Dunlap as the future supervisor of the consistory or

13 the supervisor of the church met with Steven and Nick

14 in February of 2019 and they remained listed as the

15 elder delegates from that point until the church was

16 superseded in June of 2020.

17 Q. Now, what were the assessments that you

18 were referring to that the Reformed Church of Cherry

19 Hill and New Bridge paid assessments to the classis,

20 right, is that what I understood?

21 A. Yes.

22 Q. Okay. So were they regular assessments,

23 what was the normal payment time and amount?

24 A. Each year that payment changes. And I'm

25 not going to go through the formula except to say the

Page 26

1 general citizen regional synod and classis of the
 2 reformed church names an assessment amount on a per
 3 member basis.
 4 Hypothetical, not real, \$50 assessment,
 5 ten members, you would owe \$500 for the year. Basic
 6 formula.
 7 The classis is the body that receives or
 8 collects the amount due for the general synod, the
 9 regional synod and the classis, and the classis is
 10 responsible to pay those assessments to the general
 11 synod and the regional synod. The classis gives them
 12 invoiced each congregation and collects each year
 13 that assessment amount.
 14 Q. So it's just yearly one time per year
 15 that they, that the local churches would pay to the
 16 classis?
 17 A. They can pay it however they want. They
 18 can pay it once a month, one time a year, they can
 19 send their amount divided by 365. It's up to the
 20 church.
 21 Q. Do you know roughly how many payments
 22 the Reformed Church of Cherry Hill and New Bridge has
 23 made to classis since you've become the stated clerk
 24 in 2015?
 25 A. No.

Page 27

1 Q. Would you be able to estimate?
 2 A. No.
 3 Q. Do you know whether there were more than
 4 just the two that were identified in discovery?
 5 A. I don't remember what is identified in
 6 discovery so I will say no.
 7 Q. So we'll circle back to that. I have
 8 certain exhibits I will show you, but just for
 9 logistical purposes it will help us to go in order.
 10 Do you know whether the Reformed Church
 11 of Cherry Hill in New Bridge used a standard prayer
 12 book issued by the Reformed Church in America?
 13 A. No.
 14 Q. You don't know or they did not?
 15 A. I don't know if they did.
 16 Q. Okay. And do you know who would know
 17 that information?
 18 A. I assume the people who led worship
 19 would know that information, but that's an
 20 assumption. They may not know whether they used it
 21 or not. That's, so I'm guessing there.
 22 Q. Do you know whether the Reformed Church
 23 of Cherry Hill and New Bridge ever followed any
 24 substantial changes in the canons of the Reformed
 25 Church in America?

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1 A. I do not know.
 2 Q. Did the Reformed Church of Cherry Hill
 3 and New Bridge ever seek approval of the Reformed
 4 Church of America for operational decisions such as
 5 the sale of church property?
 6 A. That I am aware of, no.
 7 Q. Would you be able to give the hierarchal
 8 breakdown of the plaintiffs, I guess the Reformed
 9 Church of America's relationship with the classis and
 10 also with the Reformed Church of America, how does it
 11 work in terms of structure?
 12 MR. MANKOFF: Objection as to form. You
 13 can answer the question.
 14 A. The broadest assembly is the general
 15 synod. The next broadest assembly is the regional
 16 synod. The local assembly is the classis. And the
 17 local -- the church congregational assembly the
 18 consistory.
 19 Q. Do you know Gregory Dunlap?
 20 A. Yes.
 21 Q. How do you know him?
 22 A. He is a colleague.
 23 Q. What is his relationship with plaintiff?
 24 A. He is a member minister of the Classis
 25 of the Greater Palisades and as such was named the

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1 supervisor of the church upon the retirement of Ralph
 2 Acerno, the previous minister.
 3 Q. And what is his relationship with you?
 4 Would you consider him like a professional
 5 acquaintance, a personal friend, both, or something
 6 else?
 7 A. Both.
 8 Q. Have you ever met with him in person?
 9 A. Yes.
 10 Q. Approximately how many times?
 11 A. I don't know.
 12 Q. Do you know when was the first time?
 13 A. No.
 14 Q. And when was the last time?
 15 A. His installation into the Woodcliff
 16 Community Reformed Church.
 17 Q. When was that?
 18 A. October of 2021.
 19 Q. Approximately how many times have you
 20 met him in person, would it be more than ten?
 21 A. Yes.
 22 Q. More than a hundred?
 23 A. No.
 24 Q. Okay. Have you ever spoken with him on
 25 the telephone?

Page 30

1 A. Yes.
 2 Q. When was the last time?
 3 A. I don't know. If I guessed, and I would
 4 be guessing, it was around the time of his
 5 installation. I know I talked with him around the
 6 time of his installation on the telephone. I just
 7 don't know, I'm guessing, I can't guarantee that was
 8 the last time.
 9 Q. Were you acquainted with him before you
 10 became the stated clerk of the classis in 2015?
 11 A. Yes.
 12 Q. How about before you became involved
 13 with the Parkside Community Church in 2001, did you
 14 know him before then?
 15 A. No.
 16 Q. Do you remember how you first became
 17 acquainted with him?
 18 A. We are members of the same classis.
 19 Classis of Greater Palisades, so I'm guessing, but
 20 I'm --
 21 Q. Is he currently involved in the
 22 day-to-day activities of the Reformed Church of
 23 Cherry Hill and New Bridge?
 24 A. He is a member of the consistory that
 25 was named by the executive committee.

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1 Q. How often do the members of the
 2 consistory meet, is there a regular schedule?
 3 A. Once a month, second Thursday of every
 4 month unless there is a conflict.
 5 Q. What is the extent of his involvement in
 6 this lawsuit?
 7 MR. MANKOFF: Objection as to form. You
 8 can answer the question.
 9 A. He was the supervisor and so he's a
 10 resource person of sorts.
 11 Q. Have you ever discussed this lawsuit
 12 with him?
 13 A. Yes.
 14 Q. And what did you discuss with him?
 15 MR. MANKOFF: I'm going to again counsel
 16 the witness not to discuss in your testimony here
 17 anything that you discussed with me.
 18 MR. SCHIELKE: I didn't ask you with
 19 you, I asked him what he discussed with Mr. Dunlap.
 20 MR. MANKOFF: No, I understand that.
 21 A. Everything that Greg and I discussed was
 22 stuff that we have discussed with our attorneys. So
 23 upon Howard's advice I'm just going to say we didn't
 24 discuss anything that wasn't a part of a conversation
 25 that took place with our attorneys.

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1 Q. Do you know whether Parkside Community
 2 Church is a New Jersey corporation or an LLC?
 3 A. We are incorporated.
 4 Q. Does Parkside Community Church own any
 5 property?
 6 A. Yes.
 7 Q. Does it own any real property like real
 8 estate?
 9 A. Yes.
 10 Q. And how many total members does the
 11 Parkside Community Church currently have?
 12 A. I don't have the statistics in front of
 13 me, but it's around 48.
 14 Q. Do you know whether the Classis of
 15 Greater Palisades has ever sought to supercede the
 16 Parkside Community Church?
 17 A. No.
 18 Q. It has not or you don't know?
 19 A. I don't know. To my knowledge it has
 20 not sought to supersede.
 21 Q. Thank you. And what is the address for
 22 the Classis of Greater Palisades?
 23 A. It's my home address 541 4th Avenue,
 24 Westwood, New Jersey 07675.
 25 Q. How did you first become acquainted with

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1 the Classis of Greater Palisades?
 2 A. The classis is the body that installs
 3 ministers and approves their calls. So the first
 4 time I met them was an interview process in order to
 5 have my call approved.
 6 Then the classis installed me as a
 7 Minister of Word and Sacrament in November of 2001.
 8 Q. How many local churches does the Classis
 9 of Greater Palisades oversee?
 10 A. I don't have the list in front of me so
 11 I'm guessing, it is around 46.
 12 Q. Who maintains the list, is that
 13 something that you do?
 14 A. Yes.
 15 Q. And has that changed over the course of
 16 your tenure since 2015, like, the number of churches?
 17 A. Yes.
 18 Q. And has it gone up, has it gone down,
 19 how has it changed?
 20 A. I would be guessing. We have closed a
 21 number of churches and we started or adopted,
 22 welcomed a number of churches. So the normal
 23 fluctuation is some churches close and other churches
 24 open or join the classis.
 25 Q. And who maintains these records?

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1 A. I do.

2 Q. Do the classis have authority to

3 supersede all of the churches that it oversees?

4 A. Yes.

5 Q. And do you know how many local churches

6 the Classis of Greater Palisades has superseded in

7 the last 5 years?

8 A. I don't have that list in front of me.

9 So I would be guessing.

10 MR. MANKOFF: I'm sorry to interrupt

11 you. Objection. Just so we get our terminology

12 straight here, it's okay to estimate. It's not okay

13 to guess.

14 A. Okay. I would be estimating. I'm

15 estimating three or four.

16 Q. Would you be able to name any of those

17 three or four churches?

18 A. Yes. Han Ma Um, First Reformed Church

19 of Secaucus, the Reformed Church of Cherry Hill.

20 That's why it's an estimate. I know those three.

21 Q. How about one involving H-E-N-K-E-L, are

22 you familiar with that name?

23 A. Yes. The First Reformed Church of

24 Secaucus.

25 Q. Okay. Were you also involved in that

Page 35

1 lawsuit?

2 A. Yes.

3 Q. What is the status of that lawsuit?

4 A. I don't know the technical terms, but we

5 are not, it's not active. It was dismissed. It

6 was -- I don't know the technical terms, but we are

7 no longer in contention.

8 Q. Did any other matters or disputes or

9 supersessions lead to litigation besides this one

10 with Cherry Hill and that one with Secaucus?

11 A. During my time?

12 Q. Yes.

13 A. No.

14 Q. How does a local church typically

15 establish a relationship with the Classis of Greater

16 Palisades?

17 A. If it is a new church start, it is

18 organized by the classis. During that organization

19 the minister is installed, the elders and deacons are

20 installed. And it forms a church.

21 If it is an adoption, then a minister is

22 examined, brought into the classis, congregation

23 becomes a mission church. Upon meeting all of the

24 requirements, it is organized as a congregation

25 within the Classis of Greater Palisades or any

Page 36

1 classis.

2 Q. And what is a mission church? You said

3 if it was an existing church then it would be adopted

4 as a mission church. What does that term mean,

5 mission church?

6 A. It's essentially the name of a church

7 that hasn't been organized, but existed before it

8 sought a relationship or a desire to become a part of

9 the classis.

10 Q. And what was the Reformed Church of

11 Cherry Hill and New Bridge? Was it a church that was

12 organized by classis or was it one that was adopted

13 by the classis, do you know?

14 A. It is my estimate that it was organized

15 by the classis.

16 Q. Do you know when?

17 A. I do not. I don't have the history in

18 front of me.

19 Q. What type of documents does the classis

20 typically maintain to memorialize when it organizes a

21 new church?

22 A. Minutes.

23 Q. Would it also file with the State of New

24 Jersey a certificate of formation of, like, a new

25 corporation or a new LLC when it organizes a new

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1 church?

2 A. A church does not need to have a

3 separate named corporation. So there is no reason

4 for the classis to do that. That's a choice that the

5 congregation makes. So I'm aware of no paperwork.

6 It happened before I was born so I'm definitely aware

7 of no paperwork.

8 Q. But during the course of this litigation

9 and it's somewhat of an issue that is relevant, in

10 dispute, is that something you researched or looked

11 into in connection with this lawsuit?

12 MR. MANKOFF: Objection as to form. You

13 can answer the question.

14 A. I don't understand the question.

15 Something to look into?

16 Q. Have you looked into any documents that

17 reflect or relate to the organization of the

18 plaintiff and the time frame and the manner of its

19 formation?

20 A. Do you -- I'm confused. Like it's

21 most -- I'm confused.

22 Q. Let me try again. Since the initiation

23 of this lawsuit or any time relating to this lawsuit

24 have you investigated the history of the Reformed

25 Church of Cherry Hill and New Bridge and in

<p style="text-align: right;">Page 38</p> <p>1 particular the manner of its organization and 2 formation? 3 A. Yes. 4 Q. And what have you determined or learned 5 during the course of these investigations? 6 A. When the church was founded it was a 7 part of the Reformed Church in America. 8 Q. You said there might be some meeting 9 minutes that would reflect that? 10 A. There may be, but I'm estimating that. 11 I wasn't there taking the minutes. 12 Q. Right. But have you seen those minutes 13 since as part of your investigation? 14 A. No. 15 Q. So what is your basis for concluding 16 that it was an organizational as opposed to an 17 adoption when it was became part of the Reformed 18 Church in America? 19 A. The reason for that basic statement of 20 my belief is adoption of two things, adoption wasn't 21 typical at least from an organized congregation if a 22 different denomination coming to join the Reformed 23 Church in America. And secondarily, it really 24 doesn't matter because either way the Reformed Church 25 organizes the church.</p>	<p style="text-align: right;">Page 40</p> <p>1 they are a church, they are a congregation of the 2 Reformed Church in America. 3 So for example, Parkside Community 4 Church has by-laws and in them we state that we are a 5 member congregation of the Reformed Church in America 6 but by-laws are not required, neither is 7 incorporation. 8 Q. Have you ever seen any of these types of 9 documents whether minutes or by-laws or anything else 10 relating to the Reformed Church of Cherry Hill and 11 New Bridge? 12 A. Yes. 13 Q. What have you seen? 14 A. I can only estimate but by-laws that 15 either were approved or not approved. 16 Q. The by-laws that you've seen, did they 17 acknowledge the relationship between the local church 18 and the Reformed Church in America? 19 A. I don't remember. 20 Q. Okay. Now, do you know when these 21 documents were created, is this something recent or 22 historical? 23 A. It's recent. 24 Q. Okay. Do you know whether this was a 25 document that was produced in discovery?</p>
<p style="text-align: right;">Page 39</p> <p>1 In the end, the classis has an 2 organization worship service whether it's adoption or 3 a new church start. 4 Q. Have you ever seen like a formal written 5 acknowledgment of the relationship between the local 6 church and the classis? 7 A. I don't remember. 8 Q. Are you familiar with any types of 9 formal written resolutions or other documents that 10 would reflect or relate to the organization or 11 adoption of a church? 12 A. Yeah. 13 Q. And what would those documents consist 14 of? 15 A. The main document that I would think of 16 is the minutes of the classis when a congregation was 17 organized. An additional document would be the order 18 of worship, when that congregation was organized. 19 Another document would be the minutes of the 20 committee that received the request for the 21 congregation to be organized with the approval either 22 of the executive committee or the classis itself, 23 that that congregation would be organized. If the 24 congregation is doing it legally and if the 25 congregation has by-laws, by-laws will state that</p>	<p style="text-align: right;">Page 41</p> <p>1 A. I don't know. 2 Q. And did the doc -- I'm sorry, I might 3 have asked this. That document you're referring to 4 the by-laws shed any light or make any reference to 5 the relationship between the local church and the 6 classis of the Reformed Church in America? 7 A. I don't know. 8 Q. Now, what type of documentation does the 9 classis typically maintain to memorialize the 10 supersession of a local church? 11 A. Minutes. 12 Q. Besides minutes is there anything else 13 like a resolution or some type of acknowledgment or 14 correspondence, anything besides just the meeting 15 minutes themselves? 16 A. No. 17 Q. What is the Bergen Classis? 18 A. Before the Classis of Greater Palisades 19 was organized by the regional synod, there were other 20 classis that covered the geographic area and Bergen 21 Classis was one of those. 22 Q. So is it fair to say that the Bergen 23 Classis was a form of predecessor to the Classis of 24 Greater Palisades? 25 A. By that if you mean it came before then,</p>

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1 yes.

2 Q. Okay. Do you know when that change

3 occurred?

4 A. I don't. I would be estimating it was

5 late '90s.

6 Q. Do you know when the Classis of Bergen

7 first came into existence?

8 A. I do not.

9 Q. Do you know what the nature of the

10 relationship was between the classis and the Reformed

11 Church of Cherry Hill and New Bridge, when that

12 relationship was first established?

13 A. Well, it would have, this is an estimate

14 because I wasn't there, it would have, the classis

15 would have organized the church. That's the start of

16 the relationship at least formally.

17 Q. Does the classis have relationships with

18 local churches that are not supervisory or

19 hierarchal, but instead congregational and more

20 informal?

21 A. No.

22 MR. MANKOFF: Objection as to form. You

23 can answer.

24 A. No.

25 Q. So is it fair to say that the classis's

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1 relationship with every one of the local churches are

2 fundamentally the same?

3 A. No.

4 Q. How are they different?

5 A. Some of our churches are organized.

6 Others of our churches are mission congregations.

7 There is a distinction between a church that is

8 organized and a church that is a mission

9 congregational. Both of those churches are under a

10 hierarchal relationship with the classis.

11 Q. Besides just the nature of organizing it

12 as opposed to adopting it, are there any other

13 distinctions between a mission church and an

14 organized church?

15 A. A mission church doesn't have a

16 consistory, so no elders and deacons.

17 Q. Do you know why there would be no elders

18 and no deacons? Is there somebody else or some other

19 title or role that plays that same part like in lieu

20 of a deacon or an elder?

21 A. There may be leaders in the church that

22 work on the day-to-day. But to have an elder and a

23 deacon is to be organized. You can't have that

24 office if you are not organized.

25 Q. If I understood your testimony earlier I

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1 believe you stated that the Reformed Church of Cherry

2 Hill and New Bridge was an organized church?

3 A. Yes.

4 Q. Are there any documents that you're

5 familiar with that would confirm that?

6 A. Yes. Well, let me think about that.

7 Yes.

8 Q. And what would they be?

9 A. The first one that I would think of is

10 the consistorial report form. Which is what I

11 mentioned earlier. Only organized congregations

12 submit an annual report.

13 The second one would be the invoice and

14 then payments of classis assessments. Only organized

15 congregations pay assessments.

16 The third one is the minutes for the

17 supersession of the Reformed Church of Cherry Hill.

18 Only organized churches have a consistory, therefore,

19 only organized churches can be superseded. The third

20 [sic] one would be the request to have the

21 relationship between the pastor and the minister

22 dissolved. Only organized congregations can have

23 installed ministers which then can have that

24 relationship dissolved informally, not documents, but

25 having elder delegates that come to be active members

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1 of the classis with voting privileges can only --

2 only an organized congregation can send elder

3 delegates whether it's one or more elder delegates to

4 classis stated sessions.

5 Q. How many of the approximately 48 or so

6 of the current local churches under classis are

7 mission or adopted?

8 A. It's an estimate, but I believe it's

9 six.

10 Q. Would you be able to name any of them?

11 A. I'm a bit embarrassed but no, not off

12 the top of my head.

13 Q. No worries. No worries. Nothing to be

14 embarrassed. I will send an e-mail. I will send a

15 letter, I will add it to the stuff we are looking

16 for.

17 So what is the relationship between the

18 Classis of Greater Palisades and the general synod of

19 the Reformed Church of America?

20 A. The general synod is the broadest

21 assembly. The -- each classis of the Reformed Church

22 in America sends delegates, minister delegates and

23 elder delegates to the annual meeting of the general

24 synod. So the general synod is formed by delegates

25 that are sent by classis.

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1 Q. Has the classis received any
 2 instructions from the general synod about the
 3 supersession of plaintiff in this matter?
 4 A. No.
 5 Q. Why not?
 6 A. The general synod doesn't have anything
 7 to do with it.
 8 Q. It takes no role in like disputes
 9 between the classis and local churches or lawsuits or
 10 supersessions or anything like that?
 11 A. Not as we have currently constructed
 12 this -- not as this current situation is laid out.
 13 Q. Okay. In any of the other supersessions
 14 that has occurred since your tenure, as the stated
 15 clerk in 2015, has the general synod ever become
 16 involved or provided instructions or input?
 17 A. No.
 18 Q. Has the classis's position with respect
 19 to the Reformed Church of Cherry Hill and New Bridge
 20 in its efforts to keep its property changed at all
 21 since plaintiff filed this lawsuit?
 22 MR. MANKOFF: Objection as to form. You
 23 can answer it.
 24 A. It is not clear to me because you used a
 25 pronoun that isn't specific to the classis or the

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1 Reformed Church of Cherry Hill, like, who is trying
 2 to keep the property and --
 3 Q. So the River Edge church was trying to
 4 keep its own property, the intervening plaintiff, the
 5 Reformed Church of Cherry Hill and New Bridge, they
 6 wanted to be independent and keep their property and
 7 I understand that the classis superseded.
 8 And so that's why I initially
 9 characterized this as a dispute over church property.
 10 I understand there are more issues involved, too,
 11 it's not just that. But in particular regarding
 12 property and severing ties has the position of the
 13 classis changed at all?
 14 A. No.
 15 Q. Since the -- okay.
 16 A. I apologize for interrupting, you made
 17 it clear, so no, our position has not changed.
 18 Q. Okay. So does the Book of Order require
 19 the classis to obtain authorization from the synod to
 20 maintain a lawsuit?
 21 A. No.
 22 Q. Is the classis for the Reformed Church
 23 in America a party to any contract mortgage or other
 24 agreement with the Reformed Church of Cherry Hill and
 25 New Bridge or any of its predecessor or successor

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1 entities?
 2 A. I don't know.
 3 Q. Who would be the best person at classis
 4 or the Reformed Church in America to answer that
 5 question?
 6 A. I don't know.
 7 Q. Do you know whether the classis or RCA
 8 has guaranteed any of the Reformed Church of Cherry
 9 Hill's contractual obligations?
 10 A. You are asking questions that confuse
 11 me. Are you talking current or are you talking of
 12 the hundred and some odd years of the history of the
 13 church?
 14 Q. Let's just talk current now.
 15 A. Okay. So currently no. The classis has
 16 not guaranteed any -- what did you say?
 17 Q. Contractual obligations?
 18 A. Contractual obligations. The classis
 19 has not guaranteed any contractual obligations.
 20 Q. Do you know during your tenure since
 21 2015 has the RCA or classis guaranteed any of the
 22 plaintiffs or the Reformed Church of Cherry Hill of
 23 New Bridge contractual obligations?
 24 A. It would be an estimate but to my
 25 knowledge, no, the classis does not guarantee any of

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1 the congregation's contractual obligations.
 2 Q. Do you know a Gary Olson?
 3 A. Yes.
 4 Q. How do you know him?
 5 A. I know him as a member of the Reformed
 6 Church of Cherry Hill.
 7 Q. Does he have any relationship with the
 8 classis of the Greater Palisades?
 9 A. As a member of the Reformed Church of
 10 Cherry Hill of the -- yes, in the broadest sense, but
 11 to my knowledge, I'm not sure. It would be an
 12 estimate. I'm not sure I can't even estimate.
 13 He's a member of the church. The church
 14 has a relationship with the classis. That's what I
 15 can say with certainty.
 16 Q. Do you know whether he was a member of
 17 the church before the supersession?
 18 A. Yes.
 19 Q. Do you know whether he still remains a
 20 member of the church?
 21 A. Yes.
 22 Q. And you know -- and he does still remain
 23 a member of the church to your knowledge?
 24 A. Yes.
 25 Q. Do you know what is the extent of his

<p style="text-align: right;">Page 50</p> <p>1 involvement in this lawsuit? 2 A. He doesn't have any. 3 Q. Okay. Have you ever discussed this 4 lawsuit with Gary Olson? 5 A. He's asked for basic updates. 6 Q. When was the last time he asked for an 7 update? 8 A. I don't know. 9 Q. Did he ever ask you for an update? 10 A. Yes. 11 Q. Did he ask anybody else besides you for 12 an update that you know of? 13 A. It's an estimate, I think I remember 14 Gregg Dunlap being on the e-mail so I am estimating 15 that both of our names were on the e-mail. 16 Q. So you received an e-mail from Gary 17 Olson asking for an update; is that correct? 18 A. Yes. 19 Q. Do you know when approximately you 20 received that e-mail request? 21 A. No. 22 Q. Did you ever produce that e-mail in 23 discovery? 24 A. I'm not -- I can't say with certainty. 25 Q. Did you reply to it?</p>	<p style="text-align: right;">Page 52</p> <p>1 the church? 2 A. I do not. 3 Q. Have you ever discussed this lawsuit 4 with Mr. Valvano? 5 A. No. 6 Q. Did Mr. Valvano ever send a check to the 7 classis for dues on behalf of the plaintiff? 8 A. I do not know. I don't know if Nick was 9 the person who wrote the check. 10 Q. Okay. Do you know if Mr. Valvano has 11 authority to act on behalf of the Reformed Church of 12 Cherry Hill and New Bridge? 13 A. Are you asking currently or at any point 14 in the history of the church? 15 Q. At any point. 16 A. He was introduced to us in February of 17 2019 as an elder and the treasurer. As an elder he 18 would have the responsibilities and authority of that 19 office. I can't say what authorities and 20 responsibilities are given to treasurers. It would 21 be an estimate that he would be paying bills, 22 maintaining the books, financial books and records 23 and making sure that the contracts are paid. Typical 24 treasurer. But I wasn't a part of the church so that 25 would be an estimate.</p>
<p style="text-align: right;">Page 51</p> <p>1 A. Yes. 2 Q. And what did you say in your replay? 3 A. I don't have the exact wording in front 4 of me -- 5 Q. Do you have the gist? 6 A. I can estimate -- I'm sorry. You 7 interrupted me. I didn't get it. 8 Q. I'm sorry. Can you just provide the 9 gist or a summary of what you told him? 10 A. A summary, the case is ongoing and we 11 don't have any new updates. 12 Q. Do you know Kevin Seidel, S-E-I-D-E-L? 13 A. I don't think so. 14 Q. Do you ever remember seeing his name 15 associated with some type of certification? 16 A. No. 17 Q. Okay. How about Nick Valvano, do you 18 know him? 19 A. Yes. Casually. 20 Q. Okay. And how do you know him? 21 A. He was an elder of the church and I was 22 introduced to him in February of 2019, at our stated 23 session as a new elder delegate and the treasurer of 24 the congregation of the consistory. 25 Q. Do you know if he is still a member of</p>	<p style="text-align: right;">Page 53</p> <p>1 Q. Did you ever see any documents or 2 resolutions, meeting minutes or anything like that 3 appointing Nick Valvano as treasurer of the church? 4 A. No. 5 Q. Do you know Ralph Acerno? 6 A. Yes. 7 Q. How do you know him? 8 A. He is a minister of the Reformed Church 9 of Cherry Hill, the minister delegate to the classis. 10 And I wouldn't say that our relationship was friendly 11 but I knew him outside of -- outside of our 12 professional relationship. 13 Q. Just a clarification, you said you 14 wouldn't say it was friendly. Was it unfriendly? 15 A. No. 16 Q. So when did you first become aware of 17 Mr. Acerno's name? 18 A. I don't know. An estimate would be 19 early on in my role as a minister and a minister 20 member of classis. 21 Q. Did the RCA, the Reformed Church in 22 America, ever pay Ralph Acerno for the services he 23 provided to the Reformed Church of Cherry Hill and 24 New Bridge? 25 A. Can you be more clear?</p>

<p style="text-align: right;">Page 54</p> <p>1 Q. Yeah. Who pays his salary? Is it the 2 local church, is it the classis, is it the RCA? How 3 does it work? What is the source of his 4 compensation? 5 A. The local congregation pays the salary 6 of the installed Minister of Word and Sacrament. 7 Q. Is that the same for all of the local 8 churches that are overseen by classis? 9 A. It is typical. 10 Q. Are there any atypical scenarios where 11 the compensation comes from another source? 12 A. That I'm aware of currently, no. 13 Q. How about not currently? 14 A. It's not typical and I'm estimating that 15 the classis has helped congregations with its 16 financial obligations which typically doesn't include 17 minister salaries, but it possibly could. 18 Q. Do you know whether Ralph Acerno ever 19 received any retirement benefits or other money from 20 the Reformed Church in America? 21 A. I do not. 22 Q. Do you know if any retired ministers or 23 former clergies received retirement benefits from the 24 classis or the Reformed Church in America? 25 A. Yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 congregations don't pay their requirements and when 2 that happens, sometimes ministers sue those 3 congregations and they get paid a big lump sum of 4 money at the end. Sometimes they say, whatever is, 5 is. 6 Q. So the requirement to pay that 7 11 percent to the 403(b), that was the obligation of 8 the local church, the Reformed Church of Cherry Hill 9 and New Bridge; correct? 10 A. Yes. 11 Q. So if the Reformed Church of Cherry Hill 12 and New Bridge failed to pay that amount, might that 13 expose the classis or the Reformed Church in America 14 to liability? 15 A. To be the what? 16 Q. To liability. So in other words, could 17 they be on the hook for that payment? 18 A. No. 19 Q. Okay. So it would just be the local 20 church that might be responsible -- 21 A. Yes. 22 Q. Who appointed Ralph Acerno as the pastor 23 of the Cherry Hill Reformed Church originally? 24 A. The consistory calls a minister. That 25 call is given to the classis for its approval. The</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. Approximately how many that you are 2 aware of received retirement benefit? 3 A. Approximately all of them. 4 Q. So why would Acerno be different than 5 everybody else? 6 A. I don't want to guess. It's hard for me 7 to put myself in the head of Ralph Acerno. 8 Q. It was his decision? 9 A. It could have been. Here's what's 10 typical. I will use my situation. 11 I was called by Parkside Community 12 Church, within that call includes my salary and 13 benefits. One of those benefits is my retirement. 14 The church is required to pay 11 percent of my salary 15 into my 403(b). That retirement benefit is the same 16 for every installed minister. 17 Let me restate that. It's the same for 18 every minister doing work within the reformed church. 19 Full-time or part-time. So I'm not installed as the 20 clerk -- yeah, I am installed as the clerk. 21 Apologies. 22 But the classis pays RCA retirement 23 benefits for me as the clerk in the BCO, we are 24 required to. From time to time, ministers and 25 congregations for whatever reason, break the law and</p>	<p style="text-align: right;">Page 57</p> <p>1 classis approves the call and then partners with the 2 consistory to plan an installation service for the 3 minister. Once the minister is installed, they have 4 an official called relationship. 5 Q. Are there any documents that are 6 typically generated or kept to memorialize that 7 installation or appointment? 8 A. The call is a document. The approval of 9 the call is noted in the minutes of the consistory. 10 Originally the approval of the call would be noted in 11 the classis minutes, the installation service would 12 be noted in the church's history, however they may 13 note that. 14 The classis holds that installation 15 service so it has minutes of a special session 16 installing that minister. And then you have all the 17 informal things like being a minister, member of the 18 classis, participating in committees, that's typical. 19 But the actual documents are the ones that I 20 mentioned. 21 Q. Do any of those documents exist that 22 would confirm or relate to appointment and the call 23 and the approval of Pastor Acerno? 24 A. I do not have them. So I would be 25 estimating that they do exist.</p>

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<p>1 Q. And how would you get them?</p> <p>2 A. They should be in the RCA archives.</p> <p>3 That is where I would turn.</p> <p>4 MR. MANKOFF: Counsel, not to derail</p> <p>5 your thought, but when it's convenient, we can use a</p> <p>6 10-minute break.</p> <p>7 MR. SCHIELKE: We can do it now.</p> <p>8 MR. MANKOFF: So we'll be back around</p> <p>9 11:50-ish, couple minutes after that.</p> <p>10 MR. SCHIELKE: That's fine.</p> <p>11 (Whereupon a break was taken.)</p> <p>12 Q. So Mr. Haveman, just picking up where we</p> <p>13 left off, did Ralph Acerno regularly attend classis</p> <p>14 meetings?</p> <p>15 A. No.</p> <p>16 Q. Was he required to as part of his role</p> <p>17 as the pastor of the plaintiff and a member of</p> <p>18 classis?</p> <p>19 A. Yes.</p> <p>20 Q. And do you know why he didn't?</p> <p>21 A. I'm speculating as to his reasons but</p> <p>22 it's my understanding that he had disagreements with</p> <p>23 the classis.</p> <p>24 Q. Are you familiar with the substance of</p> <p>25 any of those disagreements between Mr. Acerno and the</p>	<p>1 issue?</p> <p>2 A. That is part of it.</p> <p>3 Q. What else was part of it?</p> <p>4 A. Ordination of minister and Word and</p> <p>5 Sacrament who have come out of the closet and/or in</p> <p>6 relationships with the same sex. Ordination of</p> <p>7 elders or deacons in individual congregations with</p> <p>8 similar dynamics.</p> <p>9 Q. Have you ever discussed this lawsuit</p> <p>10 with Ralph Acerno?</p> <p>11 A. No.</p> <p>12 Q. How about Soto, how do you know Steven</p> <p>13 Soto?</p> <p>14 A. Steven and I were introduced February of</p> <p>15 2019, while Ralph was retiring along with Nick</p> <p>16 Valvano, as the elder delegates for the Reformed</p> <p>17 Church of Cherry Hill, also known as the Christian</p> <p>18 Community Church at that time.</p> <p>19 Q. And how many times have you met with</p> <p>20 Steven Soto?</p> <p>21 A. I don't know. I would only be</p> <p>22 estimating.</p> <p>23 Q. More than five times?</p> <p>24 A. One-on-one, no. As a part of stated</p> <p>25 sessions in the work of the classis, yes. And</p>
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<p>1 classis?</p> <p>2 A. The main reason Ralph Acerno was brought</p> <p>3 up on charges early in his tenure as the minister.</p> <p>4 Those charges were dismissed, but he had hard</p> <p>5 feelings about that and kept them. I was not there</p> <p>6 then but Ralph had shared that with me over lunch.</p> <p>7 Q. Did he share what was the nature of the</p> <p>8 charges that were dismissed?</p> <p>9 A. No.</p> <p>10 Q. Did he give you any other details</p> <p>11 besides what you just shared with me?</p> <p>12 A. About what? The reasons why he</p> <p>13 didn't --</p> <p>14 Q. Yeah. Reasons why he didn't attend, his</p> <p>15 hard feelings, the charges, the dismissal of those</p> <p>16 charges or any of the background?</p> <p>17 A. As far as the charges and that, no, he</p> <p>18 didn't give me any more information. He had</p> <p>19 theological differences with the classis.</p> <p>20 Q. What were the theological differences</p> <p>21 with the classis?</p> <p>22 A. It's a fascinating reality. Ralph was</p> <p>23 traditional, conservative about human sexuality. He</p> <p>24 believed that the classis was not.</p> <p>25 Q. This relates to the same sex marriage</p>	<p>1 one-on-one just as a whole, yes, more than five</p> <p>2 times.</p> <p>3 Q. Have you ever spoken with him on the</p> <p>4 telephone?</p> <p>5 A. To the best of my memory, yes.</p> <p>6 Q. Did he apply to the classis to the, to</p> <p>7 be the pastor of the Cherry Hill Reformed Church?</p> <p>8 A. No.</p> <p>9 Q. Do you know how many classis meetings</p> <p>10 Steven Soto attended?</p> <p>11 A. Estimate five.</p> <p>12 Q. Are there any meeting minutes or other</p> <p>13 records that memorialize his attendance?</p> <p>14 A. Yes.</p> <p>15 Q. Are they different from the meeting</p> <p>16 minutes that were produced from the June 25, 2020,</p> <p>17 meeting? Are there anything else besides those</p> <p>18 meeting minutes?</p> <p>19 MR. MANKOFF: Objection as to form. He</p> <p>20 can answer.</p> <p>21 A. June is one of the meeting minutes of</p> <p>22 our stated session.</p> <p>23 Q. There would be others?</p> <p>24 A. There are three stated sessions each</p> <p>25 year.</p>

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1 Q. And you said he attended about five
2 meetings?
3 A. It's my estimate. February, June,
4 October of 2019. February, June of 2020.
5 Q. Now, was February 2019, the first time
6 that you had ever heard of Mr. Soto's name?
7 A. It's the first time we were introduced.
8 I believe it's the first time I heard of his name.
9 The only reason I hesitate is I think I was told that
10 we were going to meet, so planning for that meeting
11 might have happened over e-mail and such, but the
12 first time I met was that February of 2019 meeting.
13 MR. SCHIELKE: Let me see if I can share
14 documents so can you enable? I want to share a
15 document with you that has been premarked as Exhibit
16 RH-1, your initials number one.
17 (Whereupon RH-1 was marked for
18 identification.)
19 Q. Can you see what is on the screen now,
20 report of the Vision of 2019 Team?
21 A. Yes.
22 Q. This document you see it's Bates stamped
23 RCA 0002010, we can go all the way to the bottom.
24 It's RCA 381, I can represent to you these are
25 documents that your attorney has produced in

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1 discovery. I want to show you in particular document
2 page 270.
3 MR. MANKOFF: Counsel, is there any way
4 for you to enlarge it?
5 MR. SCHIELKE: I think so.
6 MR. MANKOFF: Perfect. Thanks.
7 MR. SCHIELKE: You're welcome.
8 Q. So this is RCA 270. You see in
9 particular I want to direct your attention to is this
10 check. It's check number 1974. The date is
11 February 21, 2018, from the Reformed Church of Cherry
12 Hill paid to the order of Classis Greater Palisades
13 in the amount of \$9,300.
14 Do you know whose signature this is?
15 A. It is estimate but it looks like Ralph
16 Acerno.
17 Q. I'm sorry. Go ahead.
18 A. Ralph was the pastor at that time so I
19 have not seen his signature before. I am estimating.
20 Q. Okay. Kind of look likes an R, maybe an
21 A here too?
22 A. That's why I'm estimating.
23 Q. You see the amount is \$9,300?
24 A. Yes.
25 Q. Do you know what this check was for?

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1 A. All past due assessments.
2 Q. How was this amount calculated, do you
3 know?
4 A. Each -- I gave you the formula earlier.
5 Each year the general synod, regional synod and
6 classis form a budget. They use that budget to
7 calculate what their per member assessment dollar
8 amount will be. And that is collected by the classis
9 for its budget and then paid to the regional synod
10 for its budget and paid to the general synod for its
11 budget.
12 Each congregation is required to pay
13 their assessment each year for better or for worse.
14 Not all congregations do. The Reformed Church of
15 Cherry Hill was one of those congregations. It
16 relates to Ralph Acerno's less than cordial feelings
17 about the classis.
18 I -- those past due amounts are
19 tabulated by the treasurer and communicated to the
20 congregations. Ralph and I had lunch before that
21 February check, discussed a number of things and he
22 agreed to pay all of the past due assessments that
23 the church owed.
24 Q. Did he give you any reasons why he
25 decided to pay it at this time?

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1 A. He acknowledged that the church owed it.
2 In a candid conversation between the two of us he
3 acknowledged that holding a grudge is not healthy for
4 him. And that paying the assessments was the right
5 thing to do.
6 And that is my recollection and
7 understanding of the conversation that we had.
8 Q. Was it your understanding that the
9 reason why the Reformed Church of Cherry Hill and New
10 Bridge hadn't paid assessments for some period was
11 because the charges that had been brought against
12 Mr. Acerno early on in his career?
13 A. No.
14 Q. Was it because of the same sex or human
15 sexuality issue that you had mentioned earlier?
16 A. I believe it's because of Ralph Acerno's
17 hard feelings towards the classis in light of those
18 charges. And after a certain amount of time, related
19 to the reformed church's -- that's too broad. The
20 reformed church's and the classis, his assumption --
21 I apologize. His assumption of what the position is
22 of the reformed church and the Classis of Greater
23 Palisades position on human sexuality.
24 Q. Okay. Do you know what was the time
25 period that was supposed to be covered by this

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1 payment?

2 A. I do not. The best I could say is past

3 due assessments.

4 Q. Okay. Were you aware of any payments

5 from the Reformed Church of Cherry Hill and New

6 Bridge to the classis before this check?

7 A. It would be an estimate, I'm not aware,

8 but I would estimate that some payments were made,

9 but it would be an estimate.

10 Q. And is there any way for you to confirm

11 whether there were any payments made from the

12 Reformed Church of Cherry Hill and New Bridge to the

13 classis before this one?

14 A. I don't think so. I could try, but I

15 don't think so.

16 Q. Have you tried already?

17 A. Yes.

18 Q. And what were the problems, obstacles in

19 payment?

20 A. In general I would say how the church

21 works, but the previous treasurer to our current

22 treasurer was a lovely generous older man who did

23 everything on paper. And to my understanding, he did

24 a great job communicating what everybody owed because

25 we all paid it. At least most of us did.

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1 But he -- there was difficulty in

2 passing along information when he retired because his

3 mental faculties were not the greatest by that point.

4 It's sad.

5 Q. So this treasurer was the treasurer the

6 classis?

7 A. Yes.

8 Q. And when you said the treasurer earlier

9 you mentioned treasurer calculated an amount owed for

10 the period you're talking about, the same person the

11 treasurer for the classis?

12 A. Yes. It's the finance committee that

13 calculates it, but yes, what each church owes is

14 based on membership numbers, submitted confessing

15 members and the assessment for that particular year

16 of the general synod, the regional synod, and the

17 classis.

18 Q. And where were these records and checks

19 maintained?

20 A. The minutes of the Classis of the

21 Greater Palisades would give you the full assessment.

22 The regional benefit general synod and classis, that

23 full assessment is agreed upon and voted on in the

24 October stated session of each year for the following

25 year. And the consistorial report forms of the

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1 church are used to then have the numbers for how much

2 each church gets invoiced for how much they owe.

3 Q. And where are these documents

4 maintained?

5 A. The minutes of the classis are

6 maintained by me. The consistorial report form for

7 each congregation is maintained by the general synod,

8 RCA.

9 Q. Would that be the same person that you

10 had mentioned earlier as the historian Matt Gasero or

11 someone else who maintains these financial records?

12 A. The minutes before that were produced

13 and maintained before. The copies that I have are

14 kept in the archives. The consistorial report form

15 is kept in the minutes of the general synod for each

16 year.

17 Q. Is that a different location, a

18 different person, not with Mark [sic] Gasero?

19 A. It's Matt.

20 Q. Oh, Matt. I'm sorry.

21 A. It's fine. I just don't want to

22 represent something that isn't accurate.

23 The RCA archives I believe, estimate,

24 would hold the minutes of the general synod for as

25 long as there has been a general synod of the

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1 Reformed Church of America.

2 Q. I guess what I'm really trying to get at

3 is if there were earlier payments from the Reformed

4 Church of Cherry Hill and New Bridge what would be a

5 good starting point for us to try to locate them?

6 A. The first place that I would look and I

7 did look is the treasurer of the classis.

8 Q. What was his name?

9 A. Her name is Ruth Shaw.

10 Q. And the one you said was the older

11 gentleman that was the treasurer before Ruth Shaw?

12 A. Yes.

13 Q. Okay. What was his name?

14 A. I forget. I can find it, but I forget.

15 Q. Is he still alive?

16 A. No, he is not.

17 Q. Do you know what bank the Classis of

18 Greater Palisades kept its account, would have

19 deposited this check or other payments?

20 A. No.

21 Q. Who would be able to answer that?

22 A. Ruth Shaw. The treasurer.

23 Q. I will show you on the next page. There

24 is another check, this is on page 271. RCA 271 of

25 plaintiff's supplemental document production. This

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1 is a check dated June 1, 2019. It's number 2151.
 2 The Reformed Church of Cherry Hill, Classis of
 3 Palisades for \$1,734. Do you see it says "2019
 4 assessment - 20 members."
 5 A. I do.
 6 Q. Do you recognize who signed it?
 7 A. Yup. That's Nicholas Valvano.
 8 Q. I think you indicated earlier he was a
 9 treasurer for the church?
 10 A. I believe I did. You can ask the court
 11 reporter. But he was the treasurer as he was
 12 introduced to me.
 13 Q. Got you. Okay. And besides this check
 14 the one that we were just looking at from Mr., from
 15 Pastor Acerno, have you seen any other checks for
 16 payments of dues from the Reformed Church of Cherry
 17 Hill and New Bridge to the classis?
 18 A. I see two checks there, but no that's
 19 Ramapo. No, I don't.
 20 Q. But you believe there were others?
 21 A. I think I said I don't know, but it
 22 would be my estimate that there were other small
 23 payments through the years.
 24 Q. Would those other small payments through
 25 the years also be for the same thing?

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1 A. Yes.
 2 Q. Assessments?
 3 A. Yes.
 4 Q. Okay. Would there be any other reason
 5 for the Reformed Church of Cherry Hill to be making
 6 payments to the classis other than for payments for
 7 assessments?
 8 A. That I'm aware of, no.
 9 Q. I will stop sharing this document. I
 10 will show you what has been premarked as Exhibit
 11 RH-2.
 12 (Whereupon RH-2 was marked for
 13 identification.)
 14 Q. Can you see this document here? Wait, I
 15 don't think I shared it. Can you see that now,
 16 verified complaint?
 17 A. I can.
 18 Q. Okay. Dated August 14, 2020, do you see
 19 the first page states that the Classis of Greater
 20 Palisades and Christian Community Church seeks to
 21 remove from its parsonage defendant Steven Soto?
 22 A. Yes.
 23 Q. Now, when you -- this document
 24 references the Christian Community Church. We are
 25 still talking about the Reformed Church of Cherry

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1 Hill and New Bridge?
 2 A. Yes.
 3 Q. That is just another name for the same
 4 church?
 5 A. Correct.
 6 Q. Do you see where on page 11 that Gregory
 7 Dunlap signed the verification on behalf of the
 8 plaintiff?
 9 A. Yes.
 10 Q. Do you know why Mr. Dunlap verified the
 11 complaint?
 12 MR. MANKOFF: Objection as to form and
 13 I'm also going to remind the witness not to disclose
 14 privileged communications.
 15 A. No.
 16 Q. Is Mr. Dunlap the person with the most
 17 personal knowledge about the matters asserted in the
 18 complaint?
 19 A. I haven't read the complaint.
 20 Q. Let's do that then.
 21 A. I have no interest in reading the entire
 22 complaint. Greg and I share a good deal of
 23 knowledge. It would be an estimate. I think I know
 24 more, but he knows a lot.
 25 Q. Did I understand you correctly that

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1 you've never read the complaint or are you saying you
 2 don't want to read it now?
 3 A. I don't want to read it now. It's from
 4 two and a half years, I don't know what your time is
 5 worth, but I would rather not read 11 pages right
 6 now.
 7 Q. Okay. But have you read the, read the
 8 complaint --
 9 A. Yes.
 10 Q. Okay. Thank you. Did Mr. Dunlap
 11 consult with you before he verified the complaint?
 12 A. Yes.
 13 Q. Were you aware of the facts underlying
 14 the complaint before it was filed?
 15 MR. MANKOFF: Objection as to form. You
 16 can answer it.
 17 A. I didn't sign it.
 18 Q. I didn't ask you if you signed it. I'm
 19 just asking if you knew the facts that are stated in
 20 it before you read it?
 21 A. Yes.
 22 Q. Okay. Did you provide any of the facts
 23 that were incorporated into the complaint?
 24 A. I don't remember.
 25 Q. Do you know what the irrefutable

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1 evidence here -- there is irrefutable evidence that
 2 Mr. Soto has stolen church property. Do you know
 3 what that irrefutable evidence consisted of?
 4 A. Yes.
 5 Q. And can you identify it, what was it?
 6 A. After the church was, after the
 7 consistory was superseded, Marcia Tullick reached out
 8 to me and I think Greg, I believe both of us were on
 9 the e-mail sharing concerns of suspicious looking
 10 communications that looked like items that she and
 11 Victor, her husband, were unaware that the church had
 12 were being sold on Craig's List. With concerns about
 13 this, Greg and I sought to get a credit report
 14 from -- for the church.
 15 When we received the credit report, we
 16 saw a number of borrowing relationships that were
 17 engaged by Steven Soto. He signed for the credit and
 18 Greg was unaware of any of this credit being taken
 19 out in the church's name. Greg was the supervisor,
 20 the supervisory minister for the church, so they
 21 couldn't hold a legal consistory meeting without him
 22 being present. Which means the consistory could not
 23 approve any of the purchases that were made with the
 24 signed credit contracts by Steven Soto.
 25 We then engaged in some research and

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1 conversation with former consistory members of the
 2 church and some of those items were approved without
 3 Greg being there and others of them they had no idea
 4 of.
 5 So Steven from what the credit report
 6 showed, signed for credit for a number of things that
 7 the church does not have. And we have e-mails of a
 8 number of those things being posted on Craig's List
 9 and people looking to buy them.
 10 So the knowledge of the former
 11 consistory members that we talked to, they were
 12 unaware of any of this activity. They have no
 13 evidence of any money coming into the church after
 14 the sale. And given all that information, there was
 15 little for us to deduce other than took out credit,
 16 he bought items, we saw evidence of sale of those
 17 items and the church did not approve all of it. And
 18 it was not brought into the financial records of the
 19 church.
 20 Q. So did you ever produce the credit
 21 report that you referenced in discovery in this case?
 22 A. I don't remember. We filed all of the
 23 paperwork that we had and the police report or a
 24 potential report to the River Edge police department.
 25 But I can't remember if all of this information was

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1 filed as a part of this suit.
 2 Q. Do you still have a copy of the
 3 information you provided to the police?
 4 A. Yes.
 5 Q. That's certainly going to be something
 6 that we add to the list. That's something that I
 7 think we requested and have not yet received, but
 8 again I will send a letter after the deposition to
 9 try to capture everything that we are looking for.
 10 You also mentioned you had consulted
 11 with some of the former consistory members, consulted
 12 them about what was approved by them and what wasn't.
 13 Do you have any records of who you spoke with?
 14 A. I can tell you that it was Victor and
 15 Marcia. I can't remember if somebody wrote down
 16 minutes of when that happened but we spoke with
 17 victor and Marcia.
 18 Q. Were those allegations that you brought
 19 to the attention of the police ever resolved?
 20 MR. MANKOFF: Objection as to form. You
 21 can answer it.
 22 A. I don't know.
 23 Q. This activity you are saying all
 24 occurred after the June 25, 2020, supersession?
 25 A. The discovery about all that information

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1 or Steven's activity and taking out credit and all of
 2 that?
 3 Q. I guess, let's start with the discovery.
 4 A. The discovery of it took place after the
 5 supersession.
 6 Q. How about the underlying activity that
 7 you discovered, when did that happen?
 8 A. All before the supersession.
 9 Q. When was Gregg Dunlap appointed the
 10 supervisor for the plaintiff?
 11 A. At the retirement of Ralph Acerno which
 12 I believe well in and around March of 2019, by which
 13 I mean it was March, but I don't have the date.
 14 Q. Understood. You seen the Reformed
 15 Church of Cherry Hill and New Bridge also known as
 16 the Reformed Church of Cherry Hill, also known as the
 17 Christian Community Church, was organized by the
 18 Classis of Bergen in 1876.
 19 So what is the basis for that
 20 allegation? Are there any documents or certificates
 21 of formation or meeting minutes or anything that you
 22 are aware of that would verify or corroborate that?
 23 You see in the first paragraph the
 24 Reformed Church of Cherry Hill and New Bridge also
 25 known as the --

<p style="text-align: right;">Page 78</p> <p>1 A. Yes.</p> <p>2 Q. What would that be?</p> <p>3 A. The minutes of the classis of Bergen and</p> <p>4 the history and statistics of the Reformed Church,</p> <p>5 that's kept in its own minutes of general synod or</p> <p>6 it's own historical data and frankly, I also believe</p> <p>7 that information was shared by Ralph Acerno in his</p> <p>8 own reporting of the history of the church itself.</p> <p>9 Q. Have you ever seen yourself documents</p> <p>10 that reflect that date?</p> <p>11 A. I apologize. I have seen two things and</p> <p>12 I can't put my finger on what the first is called,</p> <p>13 but there is a register of the statistics or the</p> <p>14 history of our churches and the ministers that serve</p> <p>15 there. And then Ralph Acerno with a local journalist</p> <p>16 published an article about the history of the church</p> <p>17 in celebration I think of an anniversary, although it</p> <p>18 might have been something other than an anniversary,</p> <p>19 and he and that journalist's work shared the history</p> <p>20 of the church including its founding and relationship</p> <p>21 with the reformed church.</p> <p>22 That's what I'm remembering in that</p> <p>23 article.</p> <p>24 So that is something I know I read the</p> <p>25 article. I'm pretty sure he shared the history of</p>	<p style="text-align: right;">Page 80</p> <p>1 A. No, I don't think so.</p> <p>2 Q. Okay.</p> <p>3 A. I don't remember is the right answer. I</p> <p>4 don't remember if I have seen it before.</p> <p>5 Q. Do you see on page four of this</p> <p>6 document, there is an acknowledgment of relationship</p> <p>7 to Reformed Church in America by grantee. Have you</p> <p>8 ever seen this document or any document that's</p> <p>9 similar serving the same purpose?</p> <p>10 A. A document like this?</p> <p>11 Q. Yes, an acknowledgment of the</p> <p>12 relationship between the local church and the</p> <p>13 Reformed Church in America?</p> <p>14 A. Yes, I have seen documents like that</p> <p>15 before in our book of church order. There is -- I'm</p> <p>16 forgetting the name. But there is a specific</p> <p>17 formulare that each church must agree to upon being</p> <p>18 organized. And the wording is very similar to what</p> <p>19 is used in this particular grant relationship.</p> <p>20 Q. Now, do you know whether there is a</p> <p>21 similar type of acknowledgment a document between the</p> <p>22 Reformed Church in America and the Reformed Church of</p> <p>23 Cherry Hill and New Bridge?</p> <p>24 A. I do not.</p> <p>25 Q. And to determine that, that is something</p>
<p style="text-align: right;">Page 79</p> <p>1 it, but I don't have that article right in front of</p> <p>2 me. That's where I'm talking about the church's own</p> <p>3 history and reporting of its history.</p> <p>4 Q. Do you have these documents somewhere</p> <p>5 that you would be able to look through your documents</p> <p>6 and provide it and give it to your attorney to share</p> <p>7 with us?</p> <p>8 A. The RCA statistical information, yes. I</p> <p>9 believe, I believe I have already shared it, but I</p> <p>10 could be wrong. And the article would be a Google</p> <p>11 search because I didn't print it, I don't think, but</p> <p>12 I can double check that.</p> <p>13 MR. SCHIELKE: I will stop sharing this</p> <p>14 document. I will show you a document that's been</p> <p>15 premarked as Exhibit RH-3.</p> <p>16 (Whereupon RH-3 was marked for</p> <p>17 identification.)</p> <p>18 Q. One second. Okay. Can you see this</p> <p>19 deed here dated June 11, 2009?</p> <p>20 A. Yes.</p> <p>21 Q. See a reference, the Classis of Bergen,</p> <p>22 Inc., Reformed Church in America, now known as</p> <p>23 Classis of Greater Palisades Reformed Church in</p> <p>24 America as the grantor to the Peace Korean Reformed</p> <p>25 Church. Have you ever seen this document before?</p>	<p style="text-align: right;">Page 81</p> <p>1 you would ask of Matt Gasero, the historian or</p> <p>2 someone else?</p> <p>3 A. That's where I would look first.</p> <p>4 Q. Have you ever asked him for something</p> <p>5 like that?</p> <p>6 A. No.</p> <p>7 Q. I will show you a document that has been</p> <p>8 premarked as Exhibit RH-4.</p> <p>9 (Whereupon RH-4 was marked for</p> <p>10 identification.)</p> <p>11 Q. Can you see this deed dated December 17,</p> <p>12 2009, between the Reformed Church of Cherry Hill at</p> <p>13 River Edge as the grantor to the Borough of River</p> <p>14 Edge?</p> <p>15 A. Yes.</p> <p>16 Q. Have you ever seen this document before?</p> <p>17 A. This one I think I have, yes.</p> <p>18 Q. Do you see on page two this document is</p> <p>19 signed by Ralph Acerno, John Durdunis, John Schuerman</p> <p>20 as the deacon, and Josh Wunderluck?</p> <p>21 A. Yes.</p> <p>22 Q. Do you know whether any of these people</p> <p>23 signed this deed on behalf of the classis?</p> <p>24 A. No.</p> <p>25 Q. You weren't the stated clerk at classis</p>

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1 in 2009. It was 2015 that you took that position?
 2 A. So it's no and yes. No, I wasn't the
 3 clerk. Yes, I started in 2015.
 4 Q. Okay. Were you aware of this
 5 transaction before it occurred?
 6 A. No.
 7 Q. Do you know whether the Reformed Church
 8 of Cherry Hill at River Edge ever sought the
 9 classis's approval for this transaction?
 10 A. I do not know if they ever sought the
 11 classis's approval.
 12 Q. Do you know whether the classis had to
 13 approve this transaction?
 14 MR. MANKOFF: Objection as to form. You
 15 can answer.
 16 A. The classis did not have to approve the,
 17 I'm assuming, sale, but it says grant and grantee, so
 18 I'm assuming sale.
 19 Q. Okay. Isn't the sale or transfer
 20 conveyance of the church's property something that
 21 would typically fall under the supervision of the
 22 classis?
 23 A. We need to be more precise. The Book of
 24 Church Order specifically says that sale of property
 25 that encumbers or encumbers worship, the housing of a

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1 minister or education must be approved by the
 2 classis.
 3 This particular piece of property it's
 4 my understanding was an empty lot. And it was given
 5 to River Edge, sold to River Edge without the classis
 6 approval, because classis does not need to approve
 7 the sale of an empty lot. The church was fully
 8 capable of holding worship in their sanctuary,
 9 education in their buildings and housing for their
 10 minister.
 11 Q. Are you familiar with the circumstances
 12 relating to this particular transaction besides it
 13 was an empty lot?
 14 A. No.
 15 Q. I will share with you a document that
 16 has been premarked as RH-5.
 17 (Whereupon RH-5 was marked for
 18 identification.)
 19 Q. Bear with me one second. You will see
 20 this is a title report for the real estate belonging
 21 to the Reformed Church of Cherry Hill and you will
 22 see the first page indicates that the title to the
 23 this property is vested in the minister elders and
 24 deacons of the Reformed Church of Cherry Hill at
 25 River Edge, New Jersey.

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1 I want to show you on page seven. And
 2 there is a deed dated April 13th of 1950, conveying
 3 real property on Bogert Road to, well, from Peter
 4 Michienzi and Jenny Michienzi to the minister and
 5 elders and deacons of the Reformed Church of Cherry
 6 Hill for \$1.
 7 Do you know whether this is part of the
 8 property where the church is located?
 9 A. I do not. I could estimate.
 10 Q. Okay. Are you familiar at all with the
 11 circumstances relating to this transaction?
 12 A. No, it happened before I was born.
 13 Q. Right. I understand that. Is it your
 14 understanding that this conveyance was a donation to
 15 the local church?
 16 A. It's my understanding that it was a sale
 17 for \$1.
 18 Q. Okay. To your knowledge did the classis
 19 have any involvement in this transaction?
 20 A. To my knowledge, no.
 21 Q. Do you know whether the classis would
 22 have had any interest in the property?
 23 A. The classis is the governing body for
 24 all local congregations. If this property was used
 25 for worship, housing or education, then the classis

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1 would have interest.
 2 Q. And do you see there is no
 3 acknowledgment on this particular document relating
 4 to the relationship between the classis and the local
 5 church?
 6 A. I see it was given to the minister
 7 elders and deacons of the Reformed Church of Cherry
 8 Hill which was an organized congregation of the RCA.
 9 Are there words that I have read as
 10 you've scrolled past without me being able to read it
 11 in full, no. Is there language of the dynamics of
 12 everything we understand as the Reformed Church of
 13 Cherry Hill that was organized by the classis of
 14 Bergen and functioned under the supervision of the
 15 classis, absolutely.
 16 Q. And you see where it says on this page
 17 right here that the minister elders and deacons of
 18 the Reformed Church of Cherry Hill is a corporation
 19 of the State of New Jersey?
 20 A. I do.
 21 Q. Is that consistent with what your
 22 understanding is the corporate status of the church?
 23 A. I did not know, I said earlier that I
 24 was unaware if it was incorporated as a separate
 25 corporation or not. But reading that, it's a

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1 corporation in the State of New Jersey.
 2 Q. I will go to page 11 now. There is
 3 another deed, this one dated, looks like
 4 October 20th -- if that is a two -- October 20th,
 5 1949, between Astor Homes, Inc., and also the
 6 minister elders and deacons of the Reformed Church of
 7 Cherry Hill, also referencing it as a corporation of
 8 the State of New Jersey.
 9 Have you ever seen this document before?
 10 A. I don't remember seeing it.
 11 Q. Are you at all familiar with the
 12 circumstances surrounding this transaction?
 13 A. No.
 14 Q. Going down to page 14. See there is
 15 another deed in this same title report, this one
 16 dated April 1st, 1965, from Emily Francis Johnstone
 17 and William Johnstone as the grantors to the minister
 18 elders and deacon of the Reformed Church of Cherry
 19 Hill at River Edge. This one doesn't identify it as
 20 a corporation. And it also says at River Edge.
 21 The earlier ones, we can go back up to
 22 11. Reformed Church of Cherry Hill didn't have "at
 23 River Edge" there. It's like they added something
 24 new?
 25 A. I did see that.

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1 Q. Do you have any idea why that additional
 2 phrase "at River Edge" was added?
 3 A. No.
 4 Q. Are you at all familiar with the
 5 circumstances relating to this particular
 6 transaction?
 7 A. No.
 8 Q. I will show you a document premarked as
 9 RH-6.
 10 (Whereupon RH-6 was marked for
 11 identification.)
 12 Q. Can you see this is an operations report
 13 from the River Edge police department dated July 13,
 14 2020, and it references your name. See here in the
 15 box number 11 narrative.
 16 "Rodney Haveman was responded to the
 17 River Edge police department and spoke to Officer
 18 Blue. Haveman stated he is the stated clerk of the
 19 Reformed Church of Cherry Hill and wished to report
 20 misappropriation of funds from the church.
 21 "Haveman stated he believed Steven Soto,
 22 the leader of the church opened several credit cards
 23 in the church's name without authorization. Haveman
 24 also believes Soto purchased merchandise and sold it
 25 for personal profit.

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1 "Haveman provided a detailed statement
 2 along with documents to support the accusation. The
 3 statement and the documents were placed in the bin at
 4 dispatch to be forwarded to the detective bureau."
 5 So we talked earlier about this briefly.
 6 You had mentioned you still have these documents and
 7 you provided to the police and you would be able to
 8 produce them?
 9 A. I do.
 10 Q. Okay. What was the substance of your
 11 statement?
 12 MR. MANKOFF: Objection to form. Wait,
 13 wait. Two things. One, I object to the form and
 14 two, objection, asked and answered. The witness has
 15 already provided that testimony. With that you may
 16 answer the question.
 17 Q. Right here says Haveman provided a typed
 18 statement along with the documents. We don't have
 19 the statement yet. I was asking if you could tell me
 20 to the extent you can what was contained, if this
 21 refreshes your recollection at all. We are going to
 22 look at it hopefully when you provide it, but just
 23 for the purposes of the deposition today, if you
 24 could tell us what you told the police?
 25 A. I mean what my attorney said is

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1 accurate. I already went through the process. The
 2 police report -- I'm sorry, apologize for that
 3 misstatement.
 4 The credit report, the communications
 5 back and forth, everything I already told you.
 6 Q. So there was nothing else besides what
 7 you had already mentioned before that would help
 8 clarify what you told the police?
 9 A. By way of summary there is nothing else.
 10 I don't know that I gave you every dot word and
 11 diddle and all the rest in that paperwork but I can
 12 provide it for you.
 13 Q. Okay. I will show you what's been
 14 premarked as RH-7.
 15 (Whereupon RH-7 was marked for
 16 identification.)
 17 Q. Okay. Can you see this?
 18 A. Yes.
 19 Q. All right. This is the report it's a
 20 24-page document, it's the report of the Vision 2020
 21 Team. Are you familiar with this document?
 22 A. Yes.
 23 Q. And on this page they have
 24 recommendation number three. Are you familiar with
 25 the substance of the recommendation number three,

<p style="text-align: right;">Page 90</p> <p>1 mutually generated separation? 2 A. Yes. 3 Q. Are you aware that on October 16, 2021, 4 the Reformed Church in America adopted new rules and 5 regulations prescribing the general use separation 6 when local churches wish to leave the RCA based on 7 this recommendation? 8 A. Say that date again. 9 Q. October 16, 2021. 10 A. Yes. 11 Q. It says, "given we are entering a period 12 when there will likely be more petitions being put 13 forth than has been typical, we believe it is the 14 right time to provide more guidance for this process 15 so that generosity is prescribed rather than simply 16 permitted." 17 Do these new rules and regulations also 18 apply to the Reformed Church of Cherry Hill? 19 A. No. 20 Q. Why not? 21 A. Because the consistory was superseded in 22 June of 2020. 23 Q. But for the supersession would these new 24 rules have applied? 25 A. You are asking me a hypothetical?</p>	<p style="text-align: right;">Page 92</p> <p>1 America based on the same sex marriage and related 2 issues? 3 A. I'm confused. Do you mean that in any 4 legal way? Like legal by way of church law not legal 5 by way of civil law? 6 Q. Yes. Well, in any form or fashion, did 7 someone communicate with you the desire and the vote 8 and the intention of the local church, the Reformed 9 Church of Cherry Hill and New Bridge to separate from 10 the Reformed Church in America for those reasons? 11 A. In any legal way is my question. 12 Q. Yes. 13 A. No. 14 Q. How about -- 15 A. Because by legal I mean by church law. 16 Q. Putting aside how about in a way that 17 didn't comply with church law, was there -- 18 A. So are you saying, I apologize. I cut 19 you off, Crew, so I'm sorry about that. 20 Q. Maybe it will be cleaner if I restate 21 the question. 22 So you had indicated that you are not 23 aware of any formal lawful or compliant request to 24 separate from the church. You aware of any more 25 informal or any expression of intention to separate</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. Yes. 2 A. Hypothetically it could, if they went 3 through the process of actually doing it. 4 Q. I will show you what was premarked as 5 exhibit RH-8. 6 (Whereupon RH-8 was marked for 7 identification.) 8 Q. Have you ever seen this document dated 9 March 8th, the Reformed Church of Cherry Hill, looks 10 like it's from Elder Steven Soto, Deacon Arsine 11 Cameron and Pastor Francois Nicollette? 12 A. I have not seen this document. 13 Q. Okay. Were you familiar or aware that 14 the Reformed Church of Cherry Hill had voted 15 unanimously to sign by-laws and to separate from the 16 Reformed Church in America based on same sex marriage 17 issues and with reference to the same Vision 18 document, Vision 2020 final report, that was marked 19 as Exhibit 7? 20 A. Relative to this document, no. Never 21 seen the document before. 22 Q. Putting aside this particular document 23 that you have never seen, did anyone ever communicate 24 with you the fact that the Reformed Church of Cherry 25 Hill sought to separate from the Reformed Church in</p>	<p style="text-align: right;">Page 93</p> <p>1 from the RCA? 2 A. That was given to me by the consistory? 3 Or Soto? No. 4 Q. Have you heard it indirectly through 5 other means or is this the first time you have ever 6 heard that the Reformed Church of Cherry Hill and New 7 Bridge sought to separate for these reasons? 8 A. Informally outside of the legal and 9 appropriate way, and not directly to me, indirectly, 10 yes. 11 Q. Okay. What did you hear and how? 12 A. That the consistory voted to leave the 13 Reformed Church in America because of its position on 14 human sexuality, I think same sex marriage, but I 15 can't remember that one for sure. 16 Q. And when did you first hear this? 17 A. I don't know. 18 Q. How did you first hear it? 19 A. I don't remember. I would estimate that 20 it came from Gregg Dunlap, but that might -- that's 21 only an estimate. 22 Q. Have you ever discussed with anyone 23 affiliated with classis or the RCA the Reformed 24 Church of Cherry Hill's desire to separate from the 25 RCA?</p>

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1 A. Again I'm estimating that Greg told me
 2 and if that's right, then I would say yes.
 3 Q. Did you or did anyone else from classis
 4 ever communicate with the Reformed Church of Cherry
 5 Hill to provide guidance instructions or protocol how
 6 to make a formal legal petition to accomplish that
 7 end?
 8 A. I need more specificity. Do you mean in
 9 light of this or ever in my time as a clerk?
 10 Q. Ever since I guess starting in March of
 11 2021.
 12 A. No.
 13 Q. Okay.
 14 A. I apologize for interrupting.
 15 Q. It's okay. So how about earlier before
 16 that, did you ever or did anyone from classis besides
 17 you ever communicate with anyone from the Reformed
 18 Church of Cherry Hill and New Bridge about what was
 19 the required lawful protocol to petition the RCA to
 20 separate?
 21 A. Ralph Acerno shared a desire to want to
 22 have the church leave. I don't remember the date. I
 23 informed him of the section of the BCO that is
 24 required to have to transfer a church to another
 25 denomination and I have created a checklist for the

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1 congregation and for the relevant committees of the
 2 classis for the process.
 3 It's a step-by-step process. I
 4 forwarded that to Ralph so that he would know exactly
 5 how to do it.
 6 Q. Do you know when approximately you
 7 forwarded that information to Ralph Acerno?
 8 A. It was after February of 2015.
 9 Q. Do you still have a copy of that
 10 information you provided to him?
 11 A. I have a copy of the checklist based off
 12 of the BCO.
 13 Q. How about how was it conveyed to Pastor
 14 Acerno, by e-mail, in person, mailed, do you have any
 15 recollection?
 16 A. E-mail.
 17 Q. Would you be able to also obtain a copy
 18 of that e-mail to provide that?
 19 A. I hope so. I don't want to say yes.
 20 Q. Was it --
 21 A. But I usually don't erase
 22 correspondence. So I think I could find it.
 23 Q. But to your knowledge was this
 24 information, this checklist or protocol ever provided
 25 to Steven Soto?

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1 A. I never gave it to him.
 2 Q. Were you aware before the supersession
 3 in June of 2020, that the Reformed Church of Cherry
 4 Hill desired to separate from the Reformed Church in
 5 America?
 6 A. No, it wasn't shared with me that I can
 7 recall.
 8 Q. If it had been shared with you, would
 9 that have any impact on the supersession process?
 10 A. No.
 11 Q. Why not?
 12 A. If I'm understanding you correctly, a
 13 petition to be transferred from the RCA to a new
 14 denomination is not a reason for supersession. So it
 15 would not be relative or relevant to the action of
 16 the classis to supersede.
 17 Q. Might it have been an alternative to
 18 supersession?
 19 A. I don't know what you mean by an
 20 alternative.
 21 Q. Well, what I meant by alternative is
 22 that if they had understood what the checklist was,
 23 and complied with it, would they have then been able
 24 to leave the RCA and keep title to the property as
 25 opposed?

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1 MR. MANKOFF: Objection, you can answer.
 2 Q. As opposed to being superseded and then
 3 no longer having any entitlement or rights to the
 4 property?
 5 A. So this is all hypothetical?
 6 Q. Yes.
 7 A. Because there is no way for me to answer
 8 this question, but I will practice the hypothetical
 9 with you quickly.
 10 If they did everything the BCO requires,
 11 the classis has the right to approve the transfer or
 12 not approve the transfer.
 13 If the classis approves the transfer it
 14 can set any contingencies on that transfer that it
 15 likes. If the classis does not approve the transfer,
 16 then the church will not be transferred.
 17 The last thing by way of hypothetical
 18 although I have not read this document because I
 19 haven't seen it, right, there is no process for the
 20 church to leave the RCA, Not within the BCO, not
 21 currently that I'm aware of within the regulations of
 22 the BCO. Only BCO ordained process is to transfer a
 23 congregation to another denomination because we are a
 24 hierarchal church. And we would not transfer or just
 25 let a congregation become congregational. We would

<p style="text-align: right;">Page 98</p> <p>1 only transfer them to another hierarchal church. 2 Q. When you say that you would never let 3 local church become congregational, what does that 4 mean to be congregational? Is that a term of art? 5 How did you intend to -- I guess also just for 6 clarification as compared with hierarchal? 7 A. Within theological terms, there are 8 congregational churches, i.e. independent. They 9 report to no supervisory body. Within theological 10 terms there are episcopal churches, i.e. the Roman 11 Catholic Church. They function with bishops and they 12 have a firm and hard hierarchal relationship. 13 Within theological terms there are 14 Presbyterian government which is what the reformed 15 church is, its hierarchal congregations are 16 supervised and are responsible to higher assemblies 17 and presbyteries or classis or synods. 18 In that Presbyterian relationship 19 organization it is hierarchal because the essential 20 matters of the church, its formation, its ordination 21 of ministers, its installations, its sale of 22 property, its closure, its superseding of leadership, 23 its judicatory dynamics, bringing charges, complaints 24 are all handled by a higher or broader assembly for 25 congregations. That means the classis.</p>	<p style="text-align: right;">Page 100</p> <p>1 A. No. By definition we are a 2 denomination. And churches that are a part of our 3 denomination are a part of the hierarchal 4 relationship within the RCA. 5 Q. Do you know whether the RCA has ever had 6 a relationship with a local church that was 7 congregational or independent as opposed to 8 hierarchal? 9 A. As far as an organized congregation, no. 10 Q. No, you don't know or no, you know there 11 was never such a relationship? 12 A. No, I don't know. The best of my 13 understanding there has not been that kind of 14 relationship. 15 Q. Understood. 16 A. It would be -- it's nonsensical within 17 our order. 18 MR. MANKOFF: Can we stop here for a 19 minute? I wanted to check in with the witness and 20 reporter, we have been going for a while. I know the 21 witness expressed some health concerns about having 22 to eat at regular intervals, etc., so Rodney I wanted 23 to know from you how we are doing? 24 THE WITNESS: My blood sugar according 25 to my pump says I'm good. So I'm fine with</p>
<p style="text-align: right;">Page 99</p> <p>1 So the classis organizes and closes 2 churches. The classis ordains students after 3 educating them or at least examining them. The 4 classis oversees ministers, it installs ministers, it 5 examines ministers. 6 The classis hears complaints or charges 7 against ministers. The classis declares a minister 8 retired, has the ability to depose or omit ministers. 9 The classis is the primary supervisor in that 10 hierarchal relationship and it is the one assembly 11 that has appellate and original power within our 12 polity. 13 So when I say congregational, I mean 14 independent. Doesn't have anybody it answers to. 15 Doesn't have anybody that it sends assessments to or 16 organizes their church or it reports its history and 17 finances to or installs its ministers, or sends 18 delegates for their stated sessions. All the things 19 that our classis does for all of its organized 20 congregations including the Reformed Church of Cherry 21 Hill. 22 Q. Did I understand your earlier testimony 23 that the classis or the Reformed Church in America 24 does not have any local churches that are 25 congregational or independent at this time?</p>	<p style="text-align: right;">Page 101</p> <p>1 continuing. But I'm only speaking for me not the 2 court reporter. 3 (Whereupon a discussion takes place off 4 the record.) 5 Q. I will show you a document that has been 6 premarked as Exhibit RH-9. 7 (Whereupon RH-9 was marked for 8 identification.) 9 Q. You see this is the Classis of Greater 10 Palisades meeting minutes from June 25, 2020? 11 A. Yes. 12 Q. You see where on page three I believe it 13 says right here supervision of -- no. Supervision of 14 churches, Pamela Pater-Ennis. Then it says see 15 attached. Do you know what was referenced here as 16 the attachment? 17 A. It's her full report which has to do 18 with other churches I think, the essence of it 19 relative to what has to do with the Reformed Church 20 of Cherry Hill is our board. 21 Q. Do you have her full report? 22 A. Yes. 23 Q. Do you know whether that was something 24 that was produced in discovery? 25 A. Can you scroll down to the bottom of the</p>

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1 document?

2 Q. All the way to the end, this is a 39th

3 page.

4 A. Go to page 39, please. So if you scroll

5 up there you see it says -- I apologize, scroll down

6 a minute. You see it says respectfully submitted,

7 Pamela Pater-Ennis on behalf of the members of the

8 church supervision committee. This I believe

9 represents her report. So if you scroll up, there

10 you have it.

11 Supervision of church's committee

12 June 25, 2020. The full activities of the committee

13 relative to churches that we supervise and then in

14 the middle of that I believe you saw the

15 recommendation. There.

16 Q. So when we were on page three and it

17 referenced an attachment, page 37 contains that

18 attachment?

19 A. Well, 37, well, I don't know if it was

20 37. I think it was the bottom of 36, all the way

21 down to --

22 Q. Right, 36?

23 A. -- to 39.

24 Q. So that is the report that was

25 referenced?

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1 A. Correct.

2 Q. Thank you. Now, you see it says here,

3 "Therefore, the classis seeks to dissolve the

4 consistory of the Cherry Hill Reformed Church a/k/a

5 Christian Community Church and further the church,

6 its ministry and its property is to come under the

7 direct administration of the Classis of Greater

8 Palisades.

9 "Further the classis appoints the

10 executive committee of the classis or its chosen

11 subcommittee to exercise the functions of a

12 consistory or a board of elders or a board of deacons

13 as may be necessary."

14 So can you tell me who was appointed for

15 the executive committee?

16 A. The executive committee is what I have

17 referenced earlier and the members who are currently

18 on it with the caveat that I was doing that off the

19 top of my head and I think I got everybody, but I

20 really don't want a gotcha that I missed someone, so

21 I'm not guaranteeing that I got everybody and I know

22 with some confidence that the executive committee in

23 2020 was not the exact executive committee of our

24 current classis.

25 The executive committee is made up of

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1 the chairs of our committees plus elders at large,

2 the officers and employees of the classis. And I

3 don't have right in front of me who the members of

4 the executive committee of the classis were at that

5 moment.

6 If you really wanted to make a show of

7 it, we could go through the entire document and I can

8 pull out the names of the chair people that reported

9 and then you will have it. Plus elders at large and

10 the employees and officers.

11 Frankly, I prefer to either send it to

12 you or you could just read the minutes and see them

13 yourself.

14 Q. I will try to find it myself. If I have

15 trouble I will request it. You don't have to waste

16 time doing that now.

17 A. Yeah. Happy to help.

18 Q. Was Pastor Soto or anyone else on behalf

19 of the Cherry Hill Reformed Church provided an

20 opportunity to address the reasons stated herein for

21 the supersession?

22 A. Yes.

23 Q. Did anyone say anything at this meeting

24 in opposition to the supersession?

25 A. In opposition to supersession, no.

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1 Q. Okay. But they were given an

2 opportunity, they just, you are saying, chose not to

3 raise any objection?

4 A. They were called to give reasons why at

5 a no show cause hearing, why they should not be

6 superseded. Victor and Marcia attended along with

7 Arsine and Elder Soto, not Pastor Soto, and I believe

8 the other guy you mentioned before in that document,

9 I mean, he wasn't a member of the consistory, but

10 nevertheless, him.

11 The only one who spoke was Elder Soto.

12 He used his time to speak about Gregg Dunlap and his

13 complaints relative to Gregg's leadership. And he

14 used his time to complain about the classis from his

15 perspective. And then he concluded his statements by

16 saying that he doesn't disagree with the

17 supersession.

18 Q. And I looked through these minutes and I

19 have -- let me take a step back -- strike that. When

20 you referred to Elder Soto, that's my client, right,

21 that's Steven Soto. It's not a different person is

22 it?

23 A. Correct.

24 Q. Same guy?

25 A. Elder Steven Soto.

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1 Q. You were correcting he is not a pastor
 2 he was an elder?
 3 A. Correct.
 4 Q. Understood. So I was going to ask you
 5 isn't it true that while he attended -- it was
 6 virtual, right, everyone who attended this attended
 7 via Zoom?
 8 A. Correct.
 9 Q. Okay. Isn't it true he was kept on mute
 10 the entire time and not given a chance to speak?
 11 A. That is not true.
 12 Q. So he did have an opportunity to speak
 13 and you said he complained about Mr. Dunlap?
 14 A. He did.
 15 Q. Okay. Why isn't that reflected in these
 16 minutes?
 17 A. As the clerk I am not required to be a
 18 court reporter.
 19 Q. Okay.
 20 A. I'm not for better or for worse I do not
 21 write down every word that takes place in our
 22 minutes.
 23 Q. Was there a video recording of the Zoom
 24 session?
 25 A. I wish there were. Unfortunately for

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1 us, it was our first Zoom meeting and we did not know
 2 that we were going to be in this situation so we
 3 didn't record it.
 4 Q. Did you speak with any representative of
 5 Zoom to see if it would be possible to get a
 6 recording?
 7 A. I did not.
 8 Q. Did any member of the consistory of the
 9 Reformed Church of Cherry Hill speak out at that
 10 meeting in favor of supersession?
 11 A. I believe and I'm going by memory so it
 12 would be an estimate, that Victor who was a member of
 13 the consistory at that time, and Marcia, his wife who
 14 functioned like a treasurer, both agreed with the
 15 supersession. Arsine did not speak and Elder Soto
 16 did as I shared with you.
 17 Q. I see that one of the reasons for the
 18 supersession was the insufficiency of confessing
 19 membership to fulfill the purposes and
 20 responsibilities of the church, number two. And
 21 three, has shown long term or rapid decline in
 22 participation or membership.
 23 So those were two of five reasons for
 24 the supersession, right?
 25 A. Yes.

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1 Q. Okay. Was COVID 19 the pandemic
 2 considered as a contributing factor for the declining
 3 membership numbers?
 4 A. No.
 5 Q. Is there any reason why it wasn't
 6 considered a factor?
 7 A. It wasn't relative.
 8 Q. Would COVID have contributed to the
 9 reduced numbers?
 10 A. Hypothetically it could have, but I
 11 don't know.
 12 Q. Has COVID contributed to the reduced
 13 membership just in generally throughout all of the
 14 local churches that you oversee as the clerk of the
 15 classis?
 16 A. I don't know.
 17 Q. Have you noticed any trend that since
 18 the global pandemic that church membership or
 19 attendance has declined?
 20 A. I have not paid attention to it. So no.
 21 Q. All right.
 22 A. And I don't even know what you are
 23 talking about. Are you talking about church
 24 membership? Are you talking about worship? Are you
 25 talking about in person vs. virtual? Are you talking

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1 about denominations that report this information or
 2 congregational churches that don't?
 3 Your questions are, so they are so vague
 4 or general as to offer me nothing other than, no, I
 5 have no idea.
 6 Q. Let me try to be a little more precise.
 7 It seems like two of the five bases for the
 8 supersession was the decline in membership
 9 participation or the decline in the number of
 10 membership of people confessing membership of the
 11 church.
 12 I'm asking given that we are in unique
 13 times, you know, global pandemic where we are social
 14 distancing, might that have contributed to the
 15 decline in participation by members that might be
 16 temporary or something just to be considered as
 17 almost a mitigating factor when you are deciding
 18 whether or not to supersede a church?
 19 A. Long term decline? No. Insufficiency
 20 of confessing members to fulfill its purposes, I
 21 don't know. I have no idea if it was a relevant
 22 issue for the congregation.
 23 Q. I see in the bottom in parenthesis says
 24 "The minister vote 37, yes. Zero, no. Four
 25 abstain."

<p style="text-align: right;">Page 110</p> <p>1 Are there any documents to identify who 2 voted in any, in favor or who abstained in the issue 3 of supersession? 4 A. No. 5 Q. It's not something you would typically 6 memorialize who voted for what? 7 A. Typically no. Any vote, all votes by 8 classis are done by voice. If a member wants to get 9 a written vote they can ask for it. If a member of 10 classis wants to get a named vote, they can ask. If 11 a member wants to put their name into the record, as 12 a vote, they can do so. But typically names are not 13 associated with votes. 14 Q. Who, if anyone, did the classis appoint 15 as trustee of the property of the Reformed Church of 16 Cherry Hill following this meeting? Was it the 17 executive committee and all the people we talked 18 about before or was there someone in particular given 19 that responsibility? 20 A. Immediately it was the executive 21 committee. 22 Q. How about after then, not immediately? 23 A. If the executive committee chooses to it 24 can form a subcommittee. 25 Q. Was a subcommittee ever formed?</p>	<p style="text-align: right;">Page 112</p> <p>1 that event and the fact of the matter, yeah, he 2 didn't speak to any of them. 3 Q. Okay. Was the church or anyone else 4 provided with an opportunity to cure besides just 5 showing up at this meeting and to show cause, were 6 they told what they would have had to do in order to 7 avoid supersession? Like for example, provide the 8 names of the board that was the governing body or the 9 names or the addresses of the persons who were 10 confessing membership or to address any of the 11 alleged financial irregularities or improprieties, 12 were they given an opportunity to cure what is listed 13 here as the basis for supersession? 14 MR. MANKOFF: Objection. 15 MR. SCHIELKE: I'm sorry. Go ahead. 16 MR. MANKOFF: Objection as to form. You 17 can answer. 18 A. A notification was sent. What they did 19 with the time between the notification and the 20 meeting, is up to them. They are to show -- it's a 21 summons to show cause. Hypothetically, if the 22 classis sent my church or my consistory a summons to 23 show cause, they would do a lot to show the classis 24 why they shouldn't be superseded. 25 When we superseded Han Ma Um CHURCH,</p>
<p style="text-align: right;">Page 111</p> <p>1 A. Yes. 2 Q. Is there a name or some other way to 3 identify that subcommittee? 4 A. The superseding consistory is the 5 general or, you know, informal name for that 6 subcommittee and I gave you the names of who was on 7 it. 8 Q. Okay. So if the River Edge Church or 9 Reformed Church of Cherry Hill in New Bridge were 10 able to demonstrate that it could -- strike that. 11 Was the Reformed Church of Cherry Hill 12 and New Bridge given an opportunity to cure or to 13 rectify any of the five factors that were provided as 14 the basis for supersession? 15 A. The consistory of the Reformed Church of 16 Cherry Hill was given notification of a summons to 17 show cause why they should not be superseded with the 18 reasons for the supersession. 19 Q. Okay. And you said when they showed up 20 the only person who spoke was Pastor Soto, right? 21 A. Elder Soto. 22 Q. I'm sorry, Elder Soto. Okay. And he 23 didn't really speak to the substance of these five 24 points, is that a fair characterization? 25 A. As a characterization of my memory of</p>	<p style="text-align: right;">Page 113</p> <p>1 they did nothing. Each congregation does with it 2 what they will. 3 Q. If the River Edge Church demonstrates 4 that it can address and resolve stated reasons for 5 its supersession, would the classis reconsider its 6 decision to supersede the church? 7 MR. MANKOFF: Objection as to form. You 8 can answer. 9 A. It's a hypothetical that makes no sense. 10 So I don't know how to answer it. Let me ask, so I 11 think I can answer it appropriately. 12 We superseded in June. Are you 13 suggesting that if hypothetically they would have 14 come to the October session and said here's all the 15 reasons we shouldn't have been, could we then reverse 16 that, is that what you are asking? 17 Q. Yes. 18 A. No. 19 Q. Why not? 20 A. Because the consistory no longer exists. 21 You can't have a consistory show cause why it 22 shouldn't be superseded if it doesn't exist. It's 23 been dissolved. 24 Q. So there is no procedure or mechanism in 25 order to, like, look for reconsideration or appeal</p>

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1 the decision or any other way for or address from the
 2 super --
 3 A. That's different. That's different
 4 because you, you weren't clear.
 5 A consistory or, yeah, a consistory can
 6 complain the action of a classis, any elder or
 7 minister or in this case because it affects a
 8 consistory, can complain the action of the classis to
 9 the regional synod and the regional synod would then
 10 hold a hearing of its judicial business committee to
 11 ascertain if the classis did everything correctly and
 12 if there was sufficient reason, whatever, basically
 13 just to see if the classis did everything correctly.
 14 Not a lot different from a regular court
 15 system, right?
 16 And if the regional synod finds in the
 17 favor of the classis then the supersession is
 18 essentially approved and if they overturn the action
 19 of the classis, then the consistory is no longer
 20 dissolved and they remain the consistory of the
 21 Reformed Church of Cherry Hill.
 22 Q. Okay. Have you ever been involved or
 23 aware of the scenario where that happened?
 24 A. Absolutely. The first Reformed Church
 25 of Secaucus was superseded by, I'm estimating but I

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1 think I'm right, June of 2017. They complained that
 2 action of the classis to the regional synod. The
 3 judicial business committee heard that case and found
 4 in favor of the classis.
 5 Q. Have you ever been involved or aware of
 6 a scenario or situation where there was an appeal by
 7 the local church the consistory where they were
 8 successful in challenging the action of the classis?
 9 A. So we need to be precise. Appeal is a
 10 term used for a charge. Charge has to do with a
 11 judicial action. So now it's adjudicatory and not an
 12 assembly.
 13 As long as I have been the clerk, a
 14 complaint, meaning not judicial, for an action of the
 15 classis, I am unaware of any action of the classis
 16 being overturned, an appeal relative to a charge and
 17 the classis action in light of that charge, or that
 18 decision of a local congregation was overturned by
 19 the regional synod and then kicked back to the
 20 classis to do it again and do it again correctly or
 21 to just drop it.
 22 Q. I will show you what was premarked as
 23 RH-10.
 24 (Whereupon RH-10 was marked for
 25 identification.)

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1 Q. And this is, you see this is the church
 2 statistical data stats from 2020 -- I'm sorry, from
 3 2000 to 2020 for the River Edge Cherry Hill church.
 4 A. Yup.
 5 Q. Have you seen this information before?
 6 A. Yes.
 7 Q. Do you know whether this is a printout
 8 from the Reformed Church in America's website?
 9 A. Yes, I think somebody must have printed
 10 it out. It came from the RCA website under the CRF
 11 section, the tables and minutes of the general synod.
 12 Q. Did you print out this information
 13 yourself for purposes of discovery?
 14 A. I sent it. I sent it to my attorney. I
 15 don't know if I printed it and mailed it or sent it
 16 as an attachment for him to add as an exhibit.
 17 Q. Okay. And do you know who provides this
 18 information, like the underlying information here to
 19 the RCA?
 20 A. A representative of the church.
 21 Q. Do you know which representative of the
 22 church reported that there were 20 total members as
 23 of 2018?
 24 A. It would be an estimate. I believe it
 25 was Ralph Acerno, but I am estimating or I don't know

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1 if I'm allowed to use the word guess, but I was not
 2 there with Ralph filling out the CRF. But that is
 3 who I communicated with about the CRF forms.
 4 Q. And how about the 12 total members in
 5 2019. Did you also believe or estimate that's from
 6 Ralph?
 7 A. That one I would estimate and this, I
 8 don't know, but it would be Steven Soto.
 9 Q. Same thing for 2020 with the three
 10 members that a came from Mr. Soto?
 11 A. That I would say was me.
 12 Q. Do you know who those three members are?
 13 A. Victor, Marcia, and Ari, I think. Maybe
 14 Arsine. I can't remember who -- because I spoke with
 15 Victor and Marcia about they are the ones who were,
 16 you know, in the church. And that would be who I
 17 think. I'm estimating though.
 18 Q. Why does this information only go back
 19 to 2000?
 20 A. Because the RCA only put the information
 21 in the records online starting in 2000.
 22 Q. Does the RCA have older church
 23 statistical data?
 24 A. Yes.
 25 Q. And that also something that we would

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1 get from Matt Gasero?

2 A. Yes. It would look like this.

3 Q. Okay.

4 A. Basically the acts and proceedings along

5 with the statistical tables and financial statements,

6 these orange books, are published every year and sent

7 to us and that I don't know. I know that -- well, I

8 will say this. From 2000 to present day, yes. 2000

9 to 2020, although the general synod did not meet in

10 2020, so there would be no proceedings and acts for

11 2020. The most recent one would be 2021 after their

12 October meeting.

13 Q. I will show you what's been premarked as

14 RH-11.

15 (Whereupon RH-11 was marked for

16 identification.)

17 Q. This is the church statistical data for

18 Westwood Parkside Community. Is this the church that

19 you are involved with?

20 A. Yes.

21 Q. You familiar with the information set

22 forth here?

23 A. Yes.

24 Q. And you see there is 87 members, total

25 members listed as of 2020?

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1 A. Total membership, yes.

2 Q. And do you know who provided this

3 information to the RCA? Was it you?

4 A. Yes.

5 Q. Are there any other documents or records

6 that reflect these numbers, like a roll call

7 attendance sheet, sign-in, something like that to

8 help corroborate actual membership?

9 A. No.

10 Q. Is it head counts? How did you quantify

11 membership?

12 A. Our consistory keeps a regular record

13 of, you know, generally confessing members adherence

14 baptized members, inactive members and then the total

15 membership. And that's what we work off from. But I

16 don't know. I can only speak to our situation.

17 Q. So do you know why there is no income

18 listed since 2017?

19 A. I don't know. It shouldn't be that way.

20 But it is for whatever reason. I don't know.

21 Q. Was there income since that day?

22 A. Yeah.

23 Q. Okay. It's just a matter of data entry?

24 A. I think it's a data entry mistake

25 because we filled out the CRF and that income

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1 information would have been part of it.

2 I need to actually see if I can find out

3 why that data entry is incorrect.

4 Q. Has COVID impacted these statistics in

5 any way?

6 A. It's such a weird question. By way of

7 total membership if you think about confessing

8 members, baptized members, and our inactive members,

9 no.

10 As far as adherence, I would say we

11 increased, but that's such a weird term, right?

12 Because we -- the most people we have had on

13 virtually that have attended our worship based on the

14 data, I'm estimating, it's over a hundred people.

15 Maybe more.

16 I think the highest number as far as

17 worship participation was well over 300 people, but

18 that's all virtual, right? So what does that mean?

19 I mean, in one sense it means that the reach of the

20 congregation has increased, but our membership hasn't

21 increased. We don't count virtual attendance as a

22 member. That's not how it works. So I don't know

23 how to answer your question.

24 Q. Why don't you count virtual as a member?

25 What would a person who is afraid to attend in person

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1 because of the pandemic, what would they have to do

2 in order to be counted as a member?

3 A. So the process for becoming a member in

4 our congregation is we hold regular, usually annual,

5 new membership classes. People sign up for them and

6 then meet with me for that education and that new

7 membership class.

8 Depending on the length of each

9 particular meeting it can be as many as three

10 classes, it can be as few as three, as many as five.

11 They produce a base statement a spiritual biography,

12 a spiritual autobiography, and usually work through

13 spiritual gifts and then come before the board of

14 elders to be examined.

15 They are examined by the board of elders

16 with five priests with questions established by the

17 RCA. The board of elders after those questions hold

18 their meeting or have that person step out and vote

19 on whether to receive them as members. And once they

20 are received as members, they, we then hold a

21 reception of membership in worship in which those

22 candidates for membership will answer the same

23 questions, but then also the congregation will answer

24 questions having to do with support and prayer and

25 all of the rest and then they become members.

<p style="text-align: right;">Page 122</p> <p>1 Now, the tricky dynamic for us is what 2 does that look like virtually? And that's not so 3 easy to figure out. Because it's new. But that's 4 the process in our congregation for what would 5 typically happen. 6 I can say that I don't know what we 7 would do relative to virtual membership because we 8 have not had somebody sign up to meet with me 9 virtually and then meet with the elders virtually and 10 then I can just, I don't know. 11 Q. Is there any prohibition, like any rules 12 or regulations, something, you know, adapted or 13 formalized by the Reformed Church in America that 14 would prohibit a local church from granting 15 membership to people who only attend virtually? 16 A. That I am aware of, no. But we are in a 17 different world. I don't know that anybody thought 18 of it before even this year. Meaning 2021. I'm 19 sorry. 20 Q. No problem. Now, you had mentioned 21 before that part of the process was the, work 22 spiritual gifts, what does that mean? How does one 23 work through a spiritual gift as part of their 24 membership? 25 A. In our congregation we have spiritual</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. Can you see this document here? 2 A. Yes. 3 Q. Do you recognize this as the letter you 4 sent to Mr. Soto? 5 A. Yes. 6 Q. So why did you send this letter, can you 7 explain the background? 8 A. If you -- can you scroll down a little 9 further? I'm sorry, right there. 10 Book of Church Order in the section that 11 is highlighted there, states that when a consistory 12 is superseded, the consistory is dissolved and any 13 ministerial relationships of that church terminated. 14 And the classis takes such steps as must be necessary 15 to bring that church, its ministry and its property 16 under the direct administration of the classis. 17 Steven was functioning as a preaching 18 elder to the best of our understanding. And in that 19 regard the relationship as preaching elder and, 20 therefore, the living in the parsonage and any salary 21 or payment is terminated. 22 So the point of the letter other than to 23 make clear what BCO says, we needed Steven to move 24 out of the parsonage so that we could do what the BCO 25 required which is to bring the church, its ministry</p>
<p style="text-align: right;">Page 123</p> <p>1 gifts and assessment. So they go through a test, an 2 assessment. And it's self-reported. Obviously, you 3 know, what do you like and if you are in this 4 situation, this situation, I mean, it's a similar 5 test to like a Meyers-Briggs, but the context is 6 within church spiritual life, the gifts that you 7 self-report. 8 And then we get the results back from 9 that and we meet with the prospective new members and 10 talk with them about these gifts. We give a working 11 definition of what the gifts are within the church, 12 do they feel like it's accurate to their sense of 13 their own spiritual life. And on and on. 14 Q. This is a related question. I think 15 it's different. Has the RCA or classis adopted any 16 new rules or regulations or procedures to record 17 membership statistics since the start of COVID? 18 A. No. 19 Q. Do you anticipate that is something in 20 the works or that will happen? 21 A. Honestly I don't know. 22 Q. I will show you what's been marked as 23 RH-12. 24 (Whereupon RH-12 was marked for 25 identification.)</p>	<p style="text-align: right;">Page 125</p> <p>1 and its property under the direct administration of 2 the classis. 3 Q. And there is no date on this letter. Do 4 you know approximately when you sent it? 5 A. Oh, boy, early July. 6 Q. So how did the classis determine that 7 the Reformed Church of Cherry Hill lacked a governing 8 body? 9 A. That was shared with us by Gregg Dunlap 10 who was the supervisor. 11 Q. Was there anything more involved rather 12 than just Gregg Dunlap saying there was no governing 13 body? Was there an investigation, testimony, 14 anything like that that would be the factual basis to 15 support that conclusion? 16 A. Other than the supervising minister 17 reporting to the classis what he's experienced or 18 seen as the supervisor? No. 19 Q. Okay. Did anybody tell you that there 20 was a governing body, that you know, Steven Soto was 21 part of it, that Arsine Cameron was part of it or 22 Francoise Nicollette was part of it or anybody else? 23 A. I know that Steven Soto and Arsine were 24 a part of the body. I don't even know who Francois 25 is. I don't know who he is.</p>

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1 Q. And was it that the classis was unaware
 2 that Steven and Arsine and Francois Nicollette were
 3 purporting to be the governing body or did the
 4 classis reject their qualifications or just ability
 5 to serve in that capacity?
 6 A. The classis was aware that Victor and
 7 Arsine were deacons and Steven was an elder. But an
 8 actual governing body needs more than one elder.
 9 Q. What are the requirements for an actual
 10 governing body?
 11 A. A board cannot be one, there's no -- I
 12 mean, first of all, consistory must have a minister,
 13 board of elders and a board of deacons. When there
 14 is not a minister installed then the classis provides
 15 a supervisor. Which is what Greg Dunlap did.
 16 The label within the BCO is a board of
 17 elders. By definition there must be more than one
 18 because elders is plural. We have no, we have no
 19 regularity of a more than one elder who was
 20 functioning in any way at the function, so it lacked
 21 a governing body as described, a minister, a board of
 22 elders and a board of deacons.
 23 Q. So it sounds from what you said that the
 24 deficiency was not the minister because Mr. Dunlap or
 25 Greg Dunlap served in that capacity and not the

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1 deacon because there were two deacons, Victor and
 2 Arsine. It was just that there was one elder. So if
 3 there had been more than one elder would that have
 4 secured the deficiency or was there anything else?
 5 MR. MANKOFF: Objection as to form. He
 6 can answer.
 7 A. Yeah, well, I guess it's my
 8 understanding if the consistory would have brought
 9 that information and said here is our board of
 10 elders, here is our board of deacons, here is the
 11 date they were installed, here is the date they were
 12 elected at a regular congregational meeting, here is
 13 the date they were installed or ordained and
 14 installed at a regular service of worship, then I
 15 think the classis -- all hypothetical, right -- I
 16 think the classis would have said well, we are
 17 crossing off number one because they have a
 18 congregational meeting with the elections according
 19 to the BCO. They have the date of the ordination and
 20 the installation according to the BCO. And they have
 21 the record of the people who are now considered, you
 22 know, the members of consistory.
 23 The classis holds a show cause hearing
 24 and says please tell us why you shouldn't be
 25 superseded. They never told us.

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1 Q. How about number two, has an
 2 insufficiency of confessing membership to fulfill the
 3 purposes and responsibilities of an organized church.
 4 How many confessing members are required
 5 to avoid supersession?
 6 A. So that is a term of art, right? The
 7 answer is I don't know.
 8 Q. Okay.
 9 A. I say I don't know just to be clear
 10 because it's not my position. It is the decision of
 11 the classis. And do you want hypotheticals, I can --
 12 Q. Looking for more than hypotheticals. If
 13 there is any guidance in the Book of Order or in the
 14 by-laws or any of the governing documents about a
 15 required minimum number in order to fulfill the
 16 purposes and responsibilities of an organized church?
 17 A. No.
 18 Q. So it's kind of a discretionary or
 19 arbitrary number to be determined in a case by case
 20 scenario?
 21 MR. MANKOFF: Objection as to form. You
 22 can answer.
 23 A. It is within the power of the classis to
 24 determine if there is an insufficiency of confessing
 25 membership.

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1 Q. Okay. Do you know the terms of the
 2 governing body, was Nick Valvano as the treasurer
 3 someone who was also considered as an elder or a
 4 member of the governing body?
 5 A. He was an elder and he left the church.
 6 Q. Because he left --
 7 A. At the time of supersession or
 8 superseding, it was reported to us by Gregg Dunlap
 9 that he had left the church. He is no longer an
 10 elder.
 11 Q. I understand. How about number three,
 12 has shown long term or rapid decline in participation
 13 or membership.
 14 So are there any set factors or criteria
 15 for concerning this or any rules of thumb about what
 16 is required to avoid supersession?
 17 A. No. It is the responsibility of the
 18 classis to determine if there is long term or rapid
 19 decline based on its understanding in participational
 20 membership.
 21 Q. Was there any communication or
 22 discussion among the deciding members of the classis
 23 about how to factor into this analysis COVID and the
 24 pandemic and how that would have impacted membership?
 25 MR. MANKOFF: Objection to form. You

<p style="text-align: right;">Page 130</p> <p>1 can answer.</p> <p>2 A. In this case, no.</p> <p>3 Q. In other cases?</p> <p>4 A. We haven't had any -- let me be -- I</p> <p>5 apologize.</p> <p>6 We have not had any supersessions of,</p> <p>7 supersedings of consistories or consistory of a</p> <p>8 particular church during the COVID pandemic other</p> <p>9 than the Reformed Church of Cherry Hill.</p> <p>10 So no, there has been no other cases</p> <p>11 where discussion of COVID and membership has taken</p> <p>12 place because there is no other superseding of</p> <p>13 consistory.</p> <p>14 Q. I understand. Now, how about number</p> <p>15 four. Has financial irregularities or improprieties</p> <p>16 including, but not limited to, the improper use of</p> <p>17 church funds.</p> <p>18 I know you provided some of the details</p> <p>19 about that earlier but the question about this is was</p> <p>20 pastor -- I'm sorry, Mr. Soto, provided an</p> <p>21 opportunity to refute any of these allegations at</p> <p>22 that meeting?</p> <p>23 A. At the meeting in June 25th, it was a</p> <p>24 show cause hearing. The entire consistory including</p> <p>25 Elder Soto could speak to any or all of these five</p>	<p style="text-align: right;">Page 132</p> <p>1 the process for the whole show cause hearing.</p> <p>2 Q. And what about the last one. Has an</p> <p>3 inability to provide adequate ministerial services.</p> <p>4 What was the factual basis to support</p> <p>5 that conclusion?</p> <p>6 A. I suppose the factual basis for it was</p> <p>7 in order to have an elder become a preaching elder,</p> <p>8 you need to tell the classis that you can't afford a</p> <p>9 minister at this time.</p> <p>10 Typically the classis does not supersede</p> <p>11 a congregation for any, for just one of these things.</p> <p>12 Particularly number five.</p> <p>13 It's included because it was the</p> <p>14 understanding of the classis as reported by Greg that</p> <p>15 the financial situation of the church was rather dire</p> <p>16 as far as the amount of money that they had currently</p> <p>17 in their accounts.</p> <p>18 Q. Okay. Now, were any documents or other</p> <p>19 information provided to classis in opposition for the</p> <p>20 supersession?</p> <p>21 A. By the consistory?</p> <p>22 Q. Yes.</p> <p>23 A. No.</p> <p>24 Q. By anyone else?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 131</p> <p>1 reasons for supersession and provide any</p> <p>2 documentation or argument for why this shouldn't</p> <p>3 happen. Including financial statements and regular</p> <p>4 witness or bearing witness by any and all of the</p> <p>5 consistory members to the regular practice of the</p> <p>6 finances and the use of the church's funds. But they</p> <p>7 didn't do any of that.</p> <p>8 Q. Were there any limitations in terms of</p> <p>9 time, amount of time that they were given to speak or</p> <p>10 the documents that they were able to provide in</p> <p>11 connection with the June 25th meeting?</p> <p>12 A. No.</p> <p>13 Q. Would they have been permitted to appear</p> <p>14 with the assistance of counsel?</p> <p>15 A. They would be allowed to appear with the</p> <p>16 assistance of counsel provided it was a member of a</p> <p>17 minister or an elder within the Reformed Church of</p> <p>18 America.</p> <p>19 Q. Meaning the legal counsel himself or</p> <p>20 herself would have to be a member of the church you</p> <p>21 are saying?</p> <p>22 A. Not a member of the Reformed Church of</p> <p>23 Cherry Hill. But they could obtain counsel from any</p> <p>24 minister or elder in the entire denomination who</p> <p>25 would provide them with the support and the aid and</p>	<p style="text-align: right;">Page 133</p> <p>1 Q. I will show you what has been marked,</p> <p>2 premarked as Exhibit RH-13.</p> <p>3 (Whereupon RH-13 was marked for</p> <p>4 identification.)</p> <p>5 Q. Can you see this resolution here?</p> <p>6 A. Yes.</p> <p>7 Q. It says, "Whereas J. Zabriski and</p> <p>8 Rasamond Zabriski, (Phonetic spellings) his wife as</p> <p>9 tenants in common are desirous of making a second</p> <p>10 mortgage loan to the minister and elders and deacons</p> <p>11 of the Reformed Church of Cherry Hill in the sum of</p> <p>12 \$6,000."</p> <p>13 Date here, date written here is 5/13/52.</p> <p>14 Have you ever seen this document before?</p> <p>15 A. No.</p> <p>16 Q. Okay. It says, "Now therefore, be it</p> <p>17 resolved that the proper officers of the minister,</p> <p>18 elders and deacons of the Reformed Church of Cherry</p> <p>19 Hill are hereby authorized to sign said mortgage bond</p> <p>20 and other papers necessary to complete said loan and</p> <p>21 to affix the seal of church thereon."</p> <p>22 Question. Is this type of financial</p> <p>23 document like a resolution signed by the elders and</p> <p>24 the minister and the deacons of the church, is that</p> <p>25 something that would typically have to be approved of</p>

<p style="text-align: right;">Page 134</p> <p>1 or somehow supervised by the classis or the Reformed 2 Church in America? 3 A. What is the mortgage on? 4 Q. I'm not sure if it says that in that 5 particular document. Let me look at the next one. 6 Resolution, there is a certain mortgage together with 7 a bond by the minister, elders and deacons of the 8 Reformed Church of Cherry Hill to the Hackensack 9 Trust Company, are you familiar with the Hackensack 10 Trust Company? 11 A. No. 12 Q. Trustee for the ministers, elders and 13 deacons of the Reformed Church of Cherry Hill under 14 agreement and looks like there is mortgage for 15 \$2,400. Property situated on the northeast corner of 16 Howland Avenue and Bogert Road, River Edge, New 17 Jersey. Is that where the church is located? 18 A. I don't have an address in that 19 document. So I'm estimating that the answer is yes. 20 Q. Is this a type of transaction that at 21 least at the present time would need to be approved 22 by the classis before the local church or consistory, 23 the minister, deacons and elders would be able to 24 sign it? 25 A. Yes.</p>	<p style="text-align: right;">Page 136</p> <p>1 I would like, if we can, take a break now and resume, 2 we can do it at 3:15 if you would like or 3:00? The 3 sooner the better for me. I anticipate my call is 4 probably going to be done before then but I know Jae 5 had something and we wanted to do lunch. So I'm 6 certainly open to any suggestions. 7 THE WITNESS: The sooner the better for 8 me. I don't want to be here until 10:00 at night nor 9 tomorrow. 10 MR. SCHIELKE: I'm almost done with 11 mine. I know Jae has some questions as well, but I'm 12 just about done with all of my documents. 13 MR. MANKOFF: That's fine. 14 (Whereupon a break was taken.) 15 Q. Let me show you what's been premarked as 16 Exhibit RH-14. 17 (Whereupon RH-14 was marked for 18 identification.) 19 Q. So this is Classis of Greater Palisades 20 RCA balance sheet and it was produced in discovery 21 recently. Have you seen this document before? 22 A. Yes. 23 Q. And what is it? 24 A. It's the balance sheet of the Classis of 25 Greater Palisades.</p>
<p style="text-align: right;">Page 135</p> <p>1 Q. If they were to sign such a document 2 would there need to be some type of reference in the 3 document itself to the classis to confirm that the 4 authority of the church also included permission from 5 the classis? 6 A. I apologize. My brain is fuzzy. A 7 classis approves a loan of any property that might 8 impinge worship, residence of a minister, or 9 education. So if, in fact, this document was a loan 10 relative to those things, the congregation has an 11 obligation to get the approval of the classis for 12 that loan. 13 Q. Would classis approval need to be 14 reflected in the document itself? Have you ever seen 15 a document where it was either a mortgage or a 16 resolution reciting the authority of the local church 17 to sign it that also referenced the classis and that 18 the permission of the classis had been obtained? 19 A. Yes. 20 Q. Is that something you would be able to 21 provide if we added it to our list, like an example 22 of a document where the classis approval is 23 memorialized in a resolution for mortgage? 24 A. Yes. 25 MR. SCHIELKE: So it's now 12:18 [sic].</p>	<p style="text-align: right;">Page 137</p> <p>1 Q. Does anything referenced in this 2 document relate to the plaintiff Reformed Church of 3 Cherry Hill and New Bridge? 4 A. No. 5 Q. So was there a particular discovery 6 demand that this was responsive to? 7 MR. MANKOFF: Objection as to form. You 8 can answer. 9 A. I don't recall. 10 Q. I will show you what has been premarked 11 as RH-15. 12 (Whereupon RH-15 was marked for 13 identification.) 14 Q. Do you recognize this document? 15 A. I do. 16 Q. And what is this? 17 A. It's the income statement of the Classis 18 of Greater Palisades. 19 Q. And who prepared it? 20 A. Our treasurer. 21 Q. Does anything referenced in this 22 document relate to the plaintiff? 23 A. I can't see it any longer but at least 24 as far as the size of the font, I don't think so. 25 Q. So I will show you what's been marked as</p>

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1 Exhibit RH-16.
 2 (Whereupon RH-16 was marked for
 3 identification.)
 4 Q. You see this is executive meeting
 5 minutes from the Classis of Greater Palisades meeting
 6 from May 13, 2020?
 7 Did you want me to repeat the question?
 8 MR. MANKOFF: What is the question?
 9 Q. Do you see this, shall --
 10 A. Oh, yes. I'm sorry for interrupting.
 11 Yes, it's the minutes, the executive meeting minutes.
 12 Q. Who prepared this document?
 13 Q. So I will show you on page 20, you see
 14 on page 20 number seven, there is reference to the
 15 River Edge Church under the leadership of Elder Soto
 16 under the mentorship of Ralph Acerno, may be taking
 17 the classis to civil court.
 18 It goes on with some additional
 19 background. Whose report is this and I ask that just
 20 for by way of clarification on the page before, page
 21 19, it has a separate report and then it ends with
 22 respectfully submitted by Rodney Haveman.
 23 A. Yes.
 24 Q. This one says executive minister's
 25 report and it has the report and then it doesn't have

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1 a signature on it. Then the next one does. By Jon
 2 Norton.
 3 A. I apologize. I'm sorry. Can you scroll
 4 down there again?
 5 Q. Okay. It looks like --
 6 A. I'm sorry, Jon Norton, do you want to
 7 finish?
 8 Q. Go ahead.
 9 A. The report of the executive minister is
 10 signed by Jon Norton, who is the executive minister.
 11 Q. Okay. See it says here, "I have had
 12 several long conversations with Rodney and with other
 13 classis, others in the classis about this situation.
 14 A. Yes.
 15 Q. Can you tell us about these
 16 conversations? Do you recall them?
 17 A. The specific details of them, no. But
 18 Jon and I met regularly, close to monthly, and we
 19 talk about many of our churches within the classis.
 20 One of those churches was the Reformed Church of
 21 Cherry Hill. And I don't remember the specific
 22 conversations, but I believed Jon, and to the best of
 23 my recollection, we talked about the items that are
 24 listed there in his report.
 25 Q. What did you discuss about the Elder

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1 Soto refusing to begin the processes, that he refused
 2 to begin the process -- let me see if I can find
 3 that.
 4 "Steven also refused to begin the
 5 process of becoming a commissioned pastor preaching
 6 elder."
 7 Can you provide any details about that,
 8 did he express interest and then change his mind?
 9 What do you recall?
 10 A. To the best of my recollection, Elder
 11 Soto expressed interest in becoming a preaching elder
 12 for the church. This was brought to the supervision
 13 of ministers committee that works through the process
 14 for commissioning a preaching elder. They shared the
 15 process with Elder Soto which includes an educational
 16 certificate offered by the New Brunswick Theological
 17 Seminary.
 18 Gregg Dunlap brought Elder Soto to the
 19 seminary to give him a tour and introduce him to
 20 folks within the seminary and gather more information
 21 about that program. Elder Soto expressed interest --
 22 and I was not there -- to the best of my knowledge he
 23 expressed a desire to enter the program and go
 24 through it.
 25 And then he never followed up. He never

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1 enrolled in the program. He never, to the best of my
 2 knowledge, never enrolled in the program, never
 3 informed the classis that he was entering that
 4 certificate program that New Brunswick Theological
 5 Seminary offers.
 6 And as to why, I'm not going to
 7 speculate.
 8 Q. Did you have any communications with
 9 Mr. Soto about this?
 10 A. No.
 11 Q. Do you know what he is talking about
 12 here, both of these men meaning Ralph Acerno and
 13 Steven Soto, have either spoken or written in angry
 14 terms of their unhappiness with the classis listing
 15 several different reasons.
 16 Are you aware of any written
 17 correspondence from them that was angry?
 18 A. Yes. I must admit e-mail is a form of
 19 communication that does not allow for a lot of
 20 nuance. So threatening legal action feels angry, but
 21 that just might be Jon's interpretation. It could be
 22 they were quite mellow and happy.
 23 Q. Have you reviewed or read these e-mails
 24 yourself?
 25 A. The e-mails to Jon, no, I don't think

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1 so.

2 Q. Do you know if these were the documents

3 produced in discovery?

4 A. I don't think they were. But I don't

5 know.

6 Q. What about spoken communications? Did

7 Jon tell you about what he was referring to?

8 A. We talked about the essential -- what he

9 reports here is what we talked about.

10 Q. He's talking about angry communications

11 and some written, I will ask you to add to the list

12 copies of any e-mails that are responsive or relate

13 to this.

14 But now I'm asking if you can provide

15 any more details about the spoken communications that

16 were angry. Did he give you any details about what

17 either Mr. -- Pastor Soto or Mr. Soto said to him

18 that would fall under that category?

19 A. It's Pastor Acerno and Elder Soto, but I

20 can't remember specifics. I would just say that it

21 is generally, the conversation was generally around

22 the report that is shared here.

23 Q. Okay. And what was the basis to

24 conclude that Mr. Soto has little understanding of

25 the Reformed Church policy?

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1 A. I don't know. That's Jon's words.

2 Q. So he didn't discuss with you his

3 reasons for coming to that conclusion?

4 A. No, I can presume, again, I don't

5 remember the specifics. So I don't remember the

6 specifics of his assumption or his belief of Soto's

7 lack of knowledge or understanding. Sorry.

8 Q. It says here, "I have met only very few

9 of the members with Ralph Acerno remain on the role,

10 I met only one."

11 Do you know who he's referring to?

12 A. No.

13 Q. Do you know whether there are any

14 communications from the classis to Elder Soto

15 demanding he provide a financial report to classis.

16 A. So I'm aware of two. Gregg Dunlap was

17 the supervisor for the church and therefore ran the

18 consistory meeting as its president while he was the

19 supervisor. He, Greg, told me that when he first

20 came on the consistory as the supervisor, they were

21 not providing regular monthly treasurer reports for

22 the finances. And he asked them to do so, demanded

23 if you will, that a nonprofit organization needs to

24 have open finances and reporting on what is happening

25 with their funds. So that was one demand made of the

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1 consistory including Elder Soto.

2 The second demand of the consistory and

3 in this case every church that wanted to apply, the

4 classis organized a process for financial support and

5 assistance in light of the COVID 19 pandemic to

6 provide grants and/or loans to any congregation in

7 need that applied.

8 The Reformed Church of Cherry Hill

9 applied for a grant, but they only provided

10 essentially a bottom line number of their current

11 financial situation. In other words, here is how

12 much was spent and here's how much we took in with no

13 further details. And the committee who was doing the

14 determination of whether or not grants or loans would

15 be offered asked for further detail of the financial

16 situation of the church. Didn't demand because it's

17 an application process. If they wanted the grant,

18 they could give it to us. If they didn't, they don't

19 have to give it to us.

20 We never got more detailed financial

21 reports from the church and so the grant was denied.

22 Q. And do you know how that request for

23 further information was conveyed? Was it by e-mail,

24 was it telephone, like, verbal, do you have any idea?

25 A. E-mail.

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1 Q. Do you have a copy of that e-mail?

2 A. I would presume, yes, but I would have

3 to go through my e-mail history to see if I can find

4 it.

5 Q. And who would it be from? Who would be

6 the sender of that e-mail?

7 A. Me.

8 Q. You typically delete your sent e-mail?

9 A. I try not to. I don't typically do it.

10 So I'm presuming it's there.

11 Q. Now, when was the last time you received

12 a financial report from the Cherry Hill reformed

13 church?

14 A. I think the best way of answering that

15 question is the information that was provided in the

16 consistorial report form for the end of 2019. So

17 that would have been end of year finances for 2019,

18 that would have been due between or by or before

19 March of 2020.

20 Q. And who provided it, was that Pastor

21 Acerno or Elder Soto?

22 A. I don't know. I presume -- I don't

23 know. Some representative of the Reformed Church of

24 Cherry Hill. Different churches do it differently.

25 Q. And do you still have that document?

<p style="text-align: right;">Page 146</p> <p>1 A. The CRF?</p> <p>2 Q. Yes.</p> <p>3 A. Yes. It's on the -- it's in the records</p> <p>4 that we went through earlier. The CRF of the church.</p> <p>5 Q. So that was one of the documents that I</p> <p>6 shared the screen on or is that just something that</p> <p>7 you talked about? Do we actually have possession of</p> <p>8 this document or that something you would have to</p> <p>9 provide and I should add to my list?</p> <p>10 A. You have the document. You showed it to</p> <p>11 me. The year based on CRF, I'm not sure if I can</p> <p>12 get -- I'm not sure if I can get added detail of that</p> <p>13 particular report.</p> <p>14 Q. Let me just stop this sharing and you</p> <p>15 say I showed that to you before. I want to just</p> <p>16 share my screen again and see if I understand</p> <p>17 correctly what is the document you're referring to.</p> <p>18 Is this what you're referring to?</p> <p>19 A. Yes. That is the summary statistical</p> <p>20 data of the Reformed Church of Cherry Hill.</p> <p>21 Q. Okay. But the CRF, the report form,</p> <p>22 that's a different document, right? That was the</p> <p>23 source of this information, but this information is a</p> <p>24 printout from the website of RCA whereas the CRF is a</p> <p>25 document that is provided to the CRA by the church;</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. You see this is an e-mail from you?</p> <p>2 A. Yes.</p> <p>3 Q. Looks like Gary Olson, Nick Valvano,</p> <p>4 some other people, dated June 15, 2020.</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Do you recall sending this e-mail</p> <p>7 to the consistory, Greater Consistory of the Reformed</p> <p>8 Church of Cherry Hill?</p> <p>9 A. Yes.</p> <p>10 Q. What is the difference between the</p> <p>11 consistory and the Greater Consistory of the Reformed</p> <p>12 Church of Cherry Hill?</p> <p>13 A. The consistory is the current installed</p> <p>14 board of elders and board of deacons. The greater</p> <p>15 consistory is those who have been ordained as elders</p> <p>16 and deacons or as an elder or deacon, but are not</p> <p>17 currently installed and serving in that capacity.</p> <p>18 Q. Thank you. Who are the recipients of</p> <p>19 this e-mail? I understand this one is Gary Olson,</p> <p>20 this one is Nick Valvano. Do you know who "purple</p> <p>21 zebra" is?</p> <p>22 A. I do not actually. That, it was</p> <p>23 probably given to me by somebody but I can't</p> <p>24 remember. If I had to guess I would say it was Gregg</p> <p>25 Dunlap because he was the supervisor. That's the one</p>
<p style="text-align: right;">Page 147</p> <p>1 correct?</p> <p>2 A. Yes. The consistorial report form is</p> <p>3 filled out and that document is used to create what</p> <p>4 we are looking at.</p> <p>5 Q. So if I were to ask you to provide me</p> <p>6 with the CRF and you did that, would that identify</p> <p>7 who prepared it, is it usually signed by the</p> <p>8 preparer?</p> <p>9 A. When I filled out the CFR for our</p> <p>10 church, it is signed. I sign it for the sections</p> <p>11 that I fill out. So I believe if I can go back and</p> <p>12 find it, I believe that you would find out who signed</p> <p>13 it and who submitted it.</p> <p>14 But I am -- that's a couple layers of</p> <p>15 speculation because I'm not entirely sure I can get</p> <p>16 that CRF form any longer. And I'm not entirely sure</p> <p>17 if the CRF form that is on file, if it's on file has</p> <p>18 in addition to that the signature of the person who</p> <p>19 prepared it.</p> <p>20 Q. This is my -- this is the last document</p> <p>21 I'm going to share with you. You see this is an</p> <p>22 e-mail this is a document that's been premarked as</p> <p>23 RH-17.</p> <p>24 (Whereupon RH-17 was marked for</p> <p>25 identification.)</p>	<p style="text-align: right;">Page 149</p> <p>1 I don't know. King Phemmy is Victor. Laura Marcia</p> <p>2 is Marcia. They are married. Elder Soto, Steven</p> <p>3 Soto and Arsine.</p> <p>4 Q. Why did you send the e-mail to these</p> <p>5 seven people?</p> <p>6 A. Well, they are the people at any one</p> <p>7 time that I was aware of that were serving or have</p> <p>8 served as a part of the consistory of the Reformed</p> <p>9 Church of Cherry Hill.</p> <p>10 Q. And who provided you with these e-mail</p> <p>11 addresses?</p> <p>12 A. As I said just a minute ago, I don't</p> <p>13 remember. If I were to guess, I probably shouldn't,</p> <p>14 it was Gregg Dunlap as the supervisor. But that is</p> <p>15 an estimate. I don't remember with certainty.</p> <p>16 Q. Now, I see copied on that was Richard</p> <p>17 Bierwas and Pamela Ennis, who are they?</p> <p>18 A. Richard Bierwas was serving at that time</p> <p>19 as the president of classis and Pamela Pater-Ennis</p> <p>20 was serving as the chair of church supervision.</p> <p>21 Q. Did anyone respond to your e-mail?</p> <p>22 A. That I remember, no.</p> <p>23 MR. SCHIELKE: I have no further</p> <p>24 questions.</p> <p>25 CROSS-EXAMINATION BY MS. LEE:</p>

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1 MS. LEE: Can you leave that up if you
 2 don't mind?
 3 Q. Okay. Mr. Haveman, I represent River
 4 Edge Church. I want to remind you same instructions
 5 will apply and also if at any time you need to take a
 6 break or otherwise, please let us know. Okay?
 7 A. Okay.
 8 Q. But you are okay to continue right now?
 9 A. Yes.
 10 Q. Okay. This e-mail that we are looking
 11 at, was this the first notice that you gave the
 12 consistory or the Greater Consistory of the Reformed
 13 Church of Cherry Hill, notice of the supersession?
 14 A. Yes.
 15 Q. Okay. And did you include any documents
 16 as an attachment to this e-mail?
 17 A. I believe there was a document attached
 18 to it.
 19 Q. Okay.
 20 A. I don't see that on here. What I
 21 remember that I had the document attached. I know,
 22 as I said, it was mailed to you and there you go,
 23 attachments.
 24 Q. Okay. Is this the attachment that
 25 you're referring to?

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1 A. Yes.
 2 Q. Other than this attachment was there
 3 anything else that was included in the notice either
 4 e-mail or the mail?
 5 A. No, this is the notification and summons
 6 that was e-mailed and mailed.
 7 Q. And this was the first time they were
 8 notified, they being consistory, of the supersession?
 9 A. Yes.
 10 Q. Okay. In this document does it provide
 11 them with any reports that were ultimately utilized
 12 during the June 25th supersession?
 13 A. In this document, no. It gives the
 14 reasons and summons them to show cause why they
 15 should not be superseded.
 16 Q. Prior to June 25th of 2020, were any
 17 other documents delivered to Steven Soto or the
 18 consistory or the Greater Consistory of Reformed
 19 Church of Cherry Hill?
 20 A. That I'm aware of, no.
 21 Q. All right. Based on your understanding
 22 this was the only notice that was given to them of
 23 the supersession?
 24 A. That I'm aware of, yes.
 25 Q. Okay. I just want to go back to

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1 something on the CRF, that's the consistory report
 2 form; is that correct?
 3 A. Consistorial, but yes.
 4 Q. Consistorial. Is this a standard form?
 5 A. Yes.
 6 Q. Okay. Who generates this form?
 7 A. The Reformed Church of America, the
 8 general synod.
 9 Q. And how is it disseminated to the local
 10 churches, do you know?
 11 A. It is given to the clerk and the clerk
 12 disseminates it to the local churches.
 13 Q. That's the clerk of classis, are you
 14 referring to --
 15 A. Me.
 16 Q. And you served in that capacity since
 17 when, I'm sorry?
 18 A. February 2015.
 19 Q. Since February of 2015, have you been
 20 given the River Edge Church and Cherry Hill the CRFs
 21 for them to fill out?
 22 A. Since 2015, the report is sent at the
 23 end of the year, not February but, yes.
 24 Q. What is the general procedure? You
 25 provide them with the blank CRF first, is that how

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1 the process is initiated?
 2 A. I provide them with their ID number, the
 3 website, the CRF website on the RCA's, the CRF link
 4 on the RCA's website, their church ID number and
 5 their password.
 6 I also provide them with instructions
 7 for filling it out and a link for a video that they
 8 could go to that gives explanation by the RCA for how
 9 to do it.
 10 Q. And this has been the procedure since
 11 you've been the stated clerk?
 12 A. Yes.
 13 Q. Is there any other procedure where the
 14 local churches can fill out this information by hard
 15 copies instead of on the computer?
 16 A. Yes and no. You can take that CRF form
 17 online and print it. When it's printed out you can
 18 fill it out with paper and pencil. Somebody needs to
 19 go on the actual website and input those numbers into
 20 the website. So yes, you can do it by paper, but no,
 21 it eventually has to get done online.
 22 Q. For these local churches can they mail
 23 you a hard copy, is that possible?
 24 A. They can ask me if I would be willing to
 25 input those numbers into their CRF.

<p style="text-align: right;">Page 154</p> <p>1 Q. And what happens and this is I'm 2 sorry -- strike that. This is an annual requirement? 3 A. Yes. 4 Q. It's an annual requirement to prepare 5 CRFs? 6 A. Yes. 7 Q. What happens if a local church does not 8 complete the CRF annually? 9 A. Typically, nothing. What could happen 10 consistory could be superseded or disciplined. It is 11 a requirement but it is up to the classis's purview 12 or decision making about how to handle a church that 13 doesn't fill out the CRF. 14 Q. Okay. Is there any kind of guideline as 15 to how many years elapses when they don't fill it out 16 before action is taken? 17 A. No. 18 Q. So it's discretionary? 19 A. Yes. 20 Q. Okay. What happened in the case of the 21 River Edge -- I'm sorry, the Reformed Church of 22 Cherry Hill when Ralph Acerno was there, did he fill 23 out these forms online or send you hard copies, do 24 you recall? 25 A. I am not, I don't want to presume that</p>	<p style="text-align: right;">Page 156</p> <p>1 Q. Do you know how long Aleta Shepler was 2 the stated clerk? 3 A. Not off the top of my head. 4 Q. Did she train you for your position? 5 A. No, not really. 6 Q. Okay. Did anyone train you for your 7 position as a stated clerk? 8 A. Yes and no. 9 Q. Okay. I guess what I want to discern 10 is, are you aware of whether the Reformed Church of 11 Cherry Hill while Ralph Acerno was a pastor regularly 12 filed CRFs? 13 A. While I was the clerk Ralph regularly 14 filed the CRF. 15 Q. How about before you? 16 A. I have no idea. I don't have, I didn't 17 have access to any of that. 18 Q. I understand. Do you know when classis 19 started to have the CRFs filed online, I think you 20 told me, I apologize if you did, but I just want to 21 ask it again. 22 A. I don't. I know that it happened while 23 I was a minister here at Parkside. So sometime 24 between 2000 and 2001 and today, and I think I can 25 say that with confidence because we filled it out</p>
<p style="text-align: right;">Page 155</p> <p>1 I'm putting something hard and fast two plus two 2 equals four. I'm going by memory back to 2015. 3 Q. Sure. 4 A. If Ralph was typical and I believe he 5 was, he filled it out online and did not mail 6 anything to me. 7 Q. So when you referred to that 2019 CRF 8 report, was that something that was filled out 9 online? 10 A. Yes. 11 Q. Okay. And how are you able to discern 12 that whether the church did it online themselves or 13 asked you to do it? 14 A. Well, I know they didn't ask me to do it 15 because they didn't ask me to do it. 16 Q. Have you ever done that for Ralph Acerno 17 or his church the River Edge -- I'm sorry, the 18 Reformed Church of Cherry Hill? 19 A. No, no. 20 Q. Who was the stated clerk before you? 21 A. Aleta Shepler. 22 Q. I'm sorry, can you spell that last name? 23 A. S-H-E-P-L-E-R. 24 Q. And first name was Aleta? 25 A. A-L-E-T-A.</p>	<p style="text-align: right;">Page 157</p> <p>1 back in the day on paper and I think mailed it in. 2 We maybe had to fax it in. I don't remember. I 3 apologize, it's a while ago. 4 Q. You have personal experience in your own 5 church you're saying? 6 A. Yes. 7 Q. So how would you determine the rule of 8 data -- we asked you if you could get that CRF 9 report, how would you go about getting that if it was 10 something that was entered by a church online? 11 A. Well, the first thing I would do while 12 the time is open to enter that data I can go on there 13 and see who has filled out a form, which forms they 14 filled out, if they have completed all of the forms 15 or just part of them and who has, I believe, who has 16 signed off on those forms. 17 Once the deadline for the CRF reporting 18 has passed Then the only person who can change them 19 is me. And I have access and our statistical monitor 20 person for the denomination will ask about any 21 discrepancies or odd numbers and I don't change them, 22 I talk to the congregations to find out, you know, 23 what is going on, if I can get an answer. And then 24 they are set. 25 I believe the deadline, don't take this</p>

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<p>1 as gospel, is April 15th because it needs to be 2 printed and put into the publication of the minutes 3 of the general synod. 4 Q. I know we looked at one of those, but 5 generally what kinds of information are asked in the 6 CRF? 7 A. So membership information, baptized 8 members, inactive members, confessing members, 9 adherence, worship attendance. And then they will 10 ask for financial information, income that's taken in 11 by offerings, requests, donations, income that's 12 taken in by rentals, expenses, money given to 13 commissions or other ministry activities. I don't 14 know if they lay out all the specifics of, like, 15 salary and all that stuff. Although there is a 16 separate form later on that talks about minister 17 compensation, payments into the RCA retirement 18 accounts and the like. That's not very well 19 organized, but they have like a membership tab, a 20 finance tab, a history of the ministry for the year 21 tab, a minister compensation and retirement 22 obligation tab, a listing of elders and deacons tab, 23 youth ministry like a youth minister tab. And I 24 think that's all of them. 25 And under each of those tabs they ask</p>	<p>1 Q. Do you know where she is a member of a 2 local church? 3 A. No. 4 Q. Is that information discernible through 5 RCA records or classis records? 6 A. Classis, no. RCA records maybe. 7 Q. Okay. What records are stored at 8 classis as to the local churches? 9 A. The classis has a roster of the churches 10 that are a part of the classis. The classis has the 11 CRFs and the constitutional inquiries. 12 Q. What is a constitutional inquiry? 13 A. It's a separate document that the BCO 14 requires each congregation to fill out. And it asks 15 a bunch of questions that are relevant to the 16 ministry of the church in regard to BCO. 17 Q. And that is an annual requirement? 18 A. It is. 19 Q. Okay. Can you be more specific as to 20 what they ask for in this constitutional inquiry 21 report? 22 A. I'm looking for the BCO. I don't have 23 it readily up. Let me see if I can find it. 24 Q. Thank you. 25 A. So chapter one, part two, article seven,</p>
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<p>1 for specific things that are part of the CRF. 2 Q. Are the final CRFs stored somewhere at 3 classis, hard copies? 4 A. No. 5 Q. Were they ever? 6 A. I don't think so, but I can't speak to 7 somebody before my term. 8 Q. Would the RCA have passed CRFs? 9 A. I believe so. I don't think they purge 10 that information. 11 Q. And this is what we spoke about before 12 the archivist; correct? 13 A. Very likely the archivist. But I don't 14 want to say a hundred percent. That would be the 15 first place I would look. 16 Q. Is your predecessor Aleta, is she still 17 with classis? 18 A. No. 19 Q. Do you know where she is? 20 A. I do not. 21 Q. All right. Would classis have a record 22 of her address or contact information? 23 A. No. 24 Q. Is she a member of your local church? 25 A. No.</p>	<p>1 section one says, "The classis shall annually engage 2 its members and elder delegates in a review of the 3 ministry of the separate congregation by addressing 4 the following questions. The answers shall be 5 entered in minutes of classis for the information of 6 the synod." 7 And then we have A through N. And it 8 begins with, "Are the doctrines of the gospel 9 preached in your church in conformity with the Word 10 of God, the standards of the Reformed Church in 11 America? 12 "B, are the points of doctrine contained 13 in the Heidelberg Catechism explained in your 14 congregation as required by Chapter 1 Part 1, Article 15 2, Section 11 of the Book of Church Order. 16 "C, does your congregation regularly 17 engage in the principles of the Belhar Confession, 18 Heidelberg Catechism, Cannons of the Synod of Dort, 19 and Belgic Confession. 20 "D, has your consistory or governing 21 body considered the nature and extent of the ministry 22 of the congregation in accordance with Chapter 1, 23 Part 1, Article 2, Section 1 of the Book of Church 24 Order." 25 Do you want me to keep going --</p>

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1 Q. No, I didn't mean to interrupt you but
 2 yes, that's fine. Now, this is an annual requirement
 3 for each local church?
 4 A. It is.
 5 Q. Did the plaintiff submit these annually?
 6 A. I do not know.
 7 Q. Would there be someone at classis other
 8 than yourself who would know?
 9 A. No.
 10 Q. Okay. Who would be the person in charge
 11 of knowing this information as far as their regular
 12 duties?
 13 A. Me.
 14 Q. Okay. Is there, have you ever seen a
 15 past report by the plaintiff or the constitutional
 16 inquiry report?
 17 A. I don't remember. I'm sorry, say that
 18 again.
 19 Q. Have you ever seen a past report from
 20 the plaintiff, past report meaning the constitutional
 21 inquiry report?
 22 A. I don't remember.
 23 Q. Okay. Can I ask you to look and we will
 24 make a demand as a follow-up?
 25 A. Yes, I can look.

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1 Q. Thank you.
 2 A. But yes, you can ask me.
 3 Q. All right. What are the consequences if
 4 the annual constitutional inquiry report is not
 5 completed and filed?
 6 A. That is the discretion of the classis of
 7 what they want to make of those consequences.
 8 Q. So reasonably it could be nothing?
 9 A. Correct.
 10 Q. Okay. At classis is there a, like a
 11 hard copy filed for this entire dispute?
 12 A. At classis?
 13 Q. Yes.
 14 A. No.
 15 Q. Okay. Is there a file anywhere else
 16 that you're aware of, synod, RCA or otherwise that
 17 you've seen?
 18 A. No.
 19 Q. Okay. How did you, how did you compile
 20 your information as to this dispute in your capacity
 21 at classis?
 22 A. I worked with our attorney to gather all
 23 the relevant information, shared it with our attorney
 24 and the attorney drafted the case with all of the
 25 relevant information and the attorney holds all that

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1 relevant information.
 2 Q. Okay. But in-house you did not, you
 3 yourself at classis, look at them, compile them
 4 before you sent them to your attorneys?
 5 A. I mean we didn't create a suit until we
 6 created a suit, we don't create records of a lawsuit
 7 before there is a record of a lawsuit that we give to
 8 the attorney to create. So no.
 9 Q. I understand. What is your first
 10 recollection of this dispute? How did you first
 11 learn of it?
 12 A. Between the church and Elder Soto?
 13 Q. Yes.
 14 A. I mean, he superseded the consistory
 15 according to the BCO, asked Soto to leave the
 16 parsonage and he refused.
 17 Q. Okay. No, no, what I'm asking is when
 18 did you first learn of this dispute involving Steven
 19 Soto?
 20 A. I don't understand what you mean by
 21 dispute.
 22 Q. Let me ask it to you this way. When was
 23 the first time at classis that you are aware of when
 24 it was discussed to supersede this church?
 25 MR. MANKOFF: Wait, just discussion

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1 among whom?
 2 MS. LEE: Discussion among classis.
 3 MR. MANKOFF: Like in a meeting?
 4 MS. LEE: Yes. Whatever. Meeting,
 5 phone call, otherwise.
 6 MR. MANKOFF: Well, I object to the form
 7 of the question. You can answer it.
 8 A. An estimate would be between August of
 9 2019 to May of 2020.
 10 Q. What makes you say August 2019, was
 11 there an event that happened in August of 2019?
 12 A. From time to time Gregg Dunlap would
 13 call me with questions about policy or order or what
 14 to do with, how to do something in a consistory. I'm
 15 the resource person for how stuff is supposed to get
 16 done. Perfect, no, but I am.
 17 So in approximately estimate August,
 18 Greg shared with me that he thought there were
 19 reasons to supersede. But he wanted to give the
 20 church time to do more, to grow, to be responsible,
 21 to do the right things. And he's the supervisor so I
 22 said okay. If you don't think that it's time to
 23 supersede, then do what you think. At least as far
 24 as recommendations.
 25 I'll estimate it was around that time,

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1 could have been a little earlier, could have been a
 2 little later, but around that time. And we had more
 3 than one conversation about that Gregg's feeling that
 4 the church could be superseded, but his pastoral
 5 desire, heart, to try to give them more time, more
 6 opportunity to grow, to do the right thing, to
 7 function as a church.
 8 Eventually Greg brought to the
 9 supervision of churches and myself there's, it needs
 10 to be superseded.
 11 Q. And when did Greg tell you that it
 12 needed to be superseded?
 13 A. I don't know. The estimate would be
 14 between March and June of 2020.
 15 Q. Okay. So your notice for the
 16 supersession was dated June 15th that we just looked
 17 at, 2020. In relation to that notice are you able to
 18 recall when it was determined by Greg to go forward
 19 with the supersession?
 20 A. Well, no. And I need to make it clear.
 21 Supervisor can make a recommendation, there is no one
 22 individual that has the power to do that sort of
 23 thing. Supervisor can tell the committee that he or
 24 she functions under supervision of church's
 25 committee, here's what's going on, I think this

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1 church, this consistory needs to be superseded.
 2 That committee brings a recommendation
 3 to the classis through -- well, to the classis and
 4 the classis votes on it.
 5 Q. Did such a vote happen in this matter?
 6 A. Yes, the minutes of June 25th that we've
 7 noted earlier with voting numbers of ministers, yes
 8 and no and abstaining, and the elders' yes and no.
 9 And when they voted on that.
 10 Q. Okay. So prior to that was there a vote
 11 to proceed with the supersession?
 12 A. No.
 13 Q. Whose decision -- now, you said it
 14 wasn't Gregg's decision to supersede; correct?
 15 A. Correct.
 16 Q. So he made a recommendation to
 17 supersede?
 18 A. He brought a recommendation to the
 19 supervision of churches committee.
 20 Q. And how did he bring that
 21 recommendation?
 22 A. I don't know, but my estimate is that he
 23 told me and I referred it to supervision of churches.
 24 Q. Supervision of church committee, who is
 25 on that at the time we are talking about, the time

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1 frame we are discussing?
 2 A. I don't know. I know who the chair is
 3 and was. Pam Pater-Ennis. I would need to, well, if
 4 you want it now I can fumble through my documents on
 5 my computer to pull that up. Otherwise I can get it
 6 to you.
 7 Q. Pull what up?
 8 A. The standing committee roster
 9 supervision of churches in 2020.
 10 Q. Okay. But do you know when that meeting
 11 was?
 12 A. That the supervision of churches
 13 committee happened?
 14 Q. Yes. That it was determined to go
 15 forward with the supersession?
 16 A. No, I don't know when that committee
 17 happened. I'm not a part of that committee.
 18 Q. I understand. And does each committee
 19 like that keep reports and minutes?
 20 A. It depends on the committee and how they
 21 report. In this particular case, if you look at what
 22 attorney Crew --
 23 THE WITNESS: Am I saying your name
 24 correctly, Crew?
 25 MR. SCHIELKE: Yes, that's right.

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1 THE WITNESS: I don't want to be
 2 disrespectful.
 3 A. When he drew up the recommendation and
 4 then the report, we paged down to page 36 to 39 and
 5 that was the committee's report. Is it their full
 6 minutes? Maybe. I don't know. But it's how that
 7 committee decided to report to the classis.
 8 Q. Sure.
 9 A. For our stated session.
 10 Q. Would that be in the May minutes or the
 11 June minutes?
 12 A. It was that committee report was for the
 13 June stated session minutes.
 14 Q. So are the May -- how are the May
 15 minutes different from the June minutes?
 16 A. One meeting took place in May and the
 17 other meeting took place in June.
 18 Q. Yes, as far as substance there any
 19 difference between those meetings?
 20 A. Yes. Yes, it would depend on the
 21 committee's reports and actions and work that has
 22 happened in May or needs to be approved.
 23 Q. Okay. So in the May minutes that we
 24 looked at was there a vote to proceed with the
 25 supersession?

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1 A. I do not think so. No.

2 Q. Okay. Who instructed you to send out

3 the notice for the supersession or did anyone?

4 A. It's my responsibility as clerk to send

5 out communication from the classis to any church

6 relative to the actions of the classis.

7 Q. On your notice was dated June 15th. Was

8 your instruction to send out the notice given to you

9 in writing, do you recall?

10 A. I don't think so. I was just looking at

11 my calendar. Our executive committee meeting that

12 month was June 10th. The second Wednesday of each

13 month we meet unless we don't. And that is where we

14 established the agenda for the June stated session.

15 And with that agenda came the

16 recommendation of the supervision of churches

17 committee to supersede. Once that goes on the

18 agenda, it's my responsibility to provide

19 notification and summons to the consistory to show

20 cause why they should not be superseded. Nobody told

21 me to do that. It's my job.

22 Q. Okay. So you knew to send out the

23 notice based on the June 10th executive committee

24 meeting?

25 A. Yes.

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1 Q. Are there minutes for the June 10th

2 executive committee meeting?

3 A. Yes.

4 Q. Okay. And I will make a demand for that

5 as well.

6 You talked about Gregg Dunlap going and

7 making a recommendation to the supervision church

8 committee. Do you know if he prepared a written

9 report?

10 A. I don't.

11 Q. Okay. Is that written report contained

12 in the June 25th, 2020, minutes?

13 A. No.

14 Q. Have you ever seen any written report

15 from Gregg Dunlap concerning this dispute involving

16 Steven Soto?

17 A. I don't recall.

18 Q. Okay. Gregg Dunlap reported to the

19 supervision of church committee as far as his

20 investigation of the supersession?

21 A. No, Gregg Dunlap didn't do any

22 investigation. He's the supervisor.

23 Q. Okay.

24 A. His role is to be the minister in the

25 local church, as a part of that work as supervisor,

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1 he came to the conclusion that the best course of

2 action for the classis was to supersede. He shared

3 that information with me and I passed it along to the

4 supervision of classis committee.

5 Q. We are calling him a supervisor, a

6 supervisor of the consistory, is that what we are

7 talking about?

8 A. Yeah.

9 Q. When was he appointed as the supervisor

10 of the consistory of Reformed Church of Cherry Hill?

11 A. I believe officially you would say March

12 of 2019.

13 Q. Is every local church required to have a

14 supervisor for its consistory?

15 A. No.

16 Q. Why was this church given a supervisor

17 in the way of Gregg Dunlap?

18 A. Because every local church that does not

19 have an installed minister is required to have a

20 supervisor.

21 Q. So at that point in March of '19, Pastor

22 Acerno had retired?

23 A. Yes.

24 Q. Okay. Do you know of any other

25 supervisors that were ever appointed to the plaintiff

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1 church?

2 A. Between March and June when it was

3 superseded, no.

4 Q. How about during your time at classis as

5 the stated clerk?

6 A. They had an installed minister Ralph

7 Acerno, so no, there was no need.

8 Q. Are there any instances where they would

9 have a supervisor where there is an installed

10 minister?

11 A. No.

12 Q. Okay.

13 A. Well, let me back that up. No, but if a

14 charge was brought against a pastor, a classis

15 representative would be present because the minister

16 would have to abstain. So in a typical supervisor,

17 no. There is, no, that never happens. But in a

18 charge, where a minister can't be, even though he is

19 still installed or she is still installed, he or she

20 needs to abstain from the leadership of the

21 consistory at that point.

22 Q. Didn't we talk about Ralph Acerno being

23 charged at some point?

24 A. Yes, but that was before my time and I

25 don't know what they did in light of that.

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1 Q. Do you know when that was that he was
 2 charged just as a ballpark estimate?
 3 A. I do not. I know it was before 2001. I
 4 believe, estimate, around about, Ralph was the
 5 minister between 20 to around about, between 20 to
 6 30 years, which I know that is really wide but it
 7 means that the charges were brought sometime in the
 8 '90s.
 9 Q. I understand that's your estimate it was
 10 in the '90s?
 11 A. That's my estimate.
 12 Q. Who did you say heads the real estate
 13 committee for the executive committee at classis?
 14 A. Dominick Apollo.
 15 Q. How long has Dominick Apollo been in
 16 that capacity?
 17 A. An estimate, three to 4 years.
 18 Q. Do you know who served in that capacity
 19 in 2009?
 20 A. No.
 21 Q. All right. There would be an archive
 22 record of who the real estate committee head was in
 23 2009 at classis?
 24 A. Maybe.
 25 Q. Okay.

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1 MS. LEE: I would like to make a demand
 2 for that as well to the extent that it exists.
 3 A. And I will just say that maybe because I
 4 don't know if the real estate committee existed in
 5 2009.
 6 Q. I understand. When do you believe it
 7 started, the real estate committee?
 8 A. I have no idea, but it would have been,
 9 it's between now and 2001.
 10 Q. Okay.
 11 A. Because it did not exist when I first
 12 came into classis. And it started sometime during my
 13 tenure in classis.
 14 Q. And you first came into classis in 2001?
 15 A. Correct. Yes.
 16 Q. Today what does the real estate
 17 committee do or Dominick Apollo, what are the
 18 functions if you know?
 19 A. I will give you a general overview.
 20 Provides loans and grants to congregations in need of
 21 real estate repairs or enhancements. Provides search
 22 work for deeds, titles, if necessary. They oversee
 23 the well being of structures within the classis and
 24 any loans that are taken from outside of the classis.
 25 So our synod foundation or a local bank

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1 or the church growth fund or RCA the real estate
 2 committee is the one who goes over the paperwork,
 3 what is required, what the financial status of the
 4 congregation is, etc. etc., to provide a
 5 recommendation to the classis to approve that loan
 6 and I'm guessing there is probably a few things more
 7 it does but it's a general overview of the work they
 8 do.
 9 Q. Thank you. Was the real estate
 10 committee involved in this supersession at all?
 11 A. No.
 12 Q. Did they provide any information
 13 whatsoever?
 14 A. No.
 15 Q. During the course of this dispute, did
 16 classis consult with the RCA or the synod in any
 17 matter?
 18 A. No.
 19 Q. So the RCA really didn't get involved in
 20 the supersession. This is something that classis
 21 does?
 22 A. Yes, let me go back just a minute.
 23 Because I want to make sure that I'm clear here.
 24 Q. Thank you.
 25 A. Anything having to do with the

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1 supersession, no. I believe through our attorney we
 2 contacted the RCA's general counsel to give an
 3 overview of the status of the Vision 2020 report.
 4 But that was really just about that report and that
 5 work not really the superseding of the consistory or
 6 anything involved with the stuff we were talking
 7 about.
 8 Q. So as a general matter classis does not
 9 need the approval of the synod or the RCA in order to
 10 supersede?
 11 A. That is correct. Although I wouldn't
 12 use the word RCA.
 13 Q. Why not?
 14 A. I would say regional synod and general
 15 synod. The RCA doesn't, the way that we are talking
 16 about it, it doesn't exist in the way we are talking
 17 about it. The assemblies are how the RCA exists and
 18 then its congregations. So the regional synod and
 19 the general synod had nothing to do with any of this.
 20 Q. So when we talk about the RCA are we
 21 just generally referring to a denomination?
 22 A. Correct. The classis is the RCA, right,
 23 it's an assembly of the RCA. When you asked me did
 24 we consult the RCA the answer is yes because we are
 25 the RCA. But I think what you mean is did we consult

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1 the regional synod or the general synod and the
 2 answer to that is, no.
 3 Q. Because you don't have to?
 4 A. Because we don't have to.
 5 Q. I understand. Do you have to provide
 6 them any documentation or updates as to what is going
 7 on with the supersession, is there a requirement such
 8 as that?
 9 A. Yes.
 10 Q. Okay. And did that happen here?
 11 A. Yes.
 12 Q. Okay. What was provided to either
 13 synods?
 14 A. Yeah. The RCA, in this case the general
 15 synod has a variety of forms. The one that is
 16 relevant to this is called a Tan form. It's
 17 essentially any changes that happened to the churches
 18 within the oversight of the classis.
 19 When consistory of the Reformed Church
 20 of Cherry Hill was superseded, that Tan form was
 21 filled out and submitted to the woman who organizes
 22 and keeps the record of changes within the
 23 denominational record.
 24 Q. Other than the Tan form, were there any
 25 other forms sent by classis to the synod regarding

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1 this supersession?
 2 A. I believe that the clerk of the regional
 3 synod or at least his administrator, so the clerk
 4 through the administrator is on my e-mail list for
 5 when I send out minutes. So I can't guarantee that
 6 she was on that e-mail, but it is typical that she
 7 would have been. And then there is an annual report
 8 that is given to the regional synod that includes
 9 consistories that, well, any changes within classis.
 10 Now, I have to be -- life was rather
 11 fascinating for 2020 given COVID, I believe, and I'm
 12 just going off from memory, but I think I'm right
 13 that I made that report in 2021 because the year such
 14 as it exists for the regional synod starts the first
 15 Sunday in May and ends the first Sunday -- the first
 16 Saturday of May.
 17 So they didn't meet in 2020. We
 18 superseded in June and I gave the report in 2021 for
 19 both 2020 and 2019 because they didn't meet. Just a
 20 weird dynamic because of COVID.
 21 Q. And --
 22 A. Those are the two reports.
 23 Q. I'm sorry. And then they being, they
 24 being the regional synod?
 25 A. Correct.

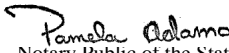
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1 Q. Okay. And you supplied two reports for
 2 two different years. That's what we are talking
 3 about?
 4 A. Well, the report in 2021 included what
 5 happened for the classis in both 2019 and 2020 from
 6 the May to May date. It's weird. It's not fiscal,
 7 it's not calendar, it's just. . .
 8 Q. I got you. And you sent those reports
 9 by way of an e-mail. Is that what you are saying?
 10 A. E-mail to the administrator for the
 11 regional synod who works essentially as an
 12 administrator for the clerk.
 13 Q. And also the Tan report that you
 14 referenced, did you prepare that?
 15 A. I did.
 16 Q. And did you send that to the regional
 17 synod?
 18 A. Not to the regional synod, to the
 19 general synod.
 20 Q. The general synod. Where is the
 21 regional synod located?
 22 A. Currently, I believe, estimate, because
 23 I don't have the address in front of me, it's on the
 24 campus of New Brunswick Theological Seminary.
 25 Q. Okay. So I would like to make a demand

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1 for the Tan report as well as your e-mail
 2 transmitting it and also the two reports that you,
 3 two annual reports that you sent to the regional
 4 synod as well as the e-mail transmitting those.
 5 A. I want to be clear, the one report would
 6 have been e-mailing the minutes. I'm not a hundred
 7 percent sure that she would have been on that e-mail.
 8 So I may not be able to give you that because it may
 9 not exist. The other report I can give.
 10 Q. Okay. There is a Classis of Bergen that
 11 we talked about earlier, I believe, it's no longer in
 12 existence. Right?
 13 A. Yes.
 14 Q. Why is it no longer in existence?
 15 A. For better or for worse, the regional
 16 synod decided to consolidate classis and took three
 17 classis in this general area and consolidated them
 18 into one.
 19 Q. Okay. Would the Classis of Bergen have
 20 any historical records pertaining to the Reformed
 21 Church of Cherry Hill while Ralph Acerno was pastor?
 22 A. I don't know. I don't know when he
 23 started and the official date of the Classis of
 24 Palisades, so I don't know.
 25 Q. Okay. But do you keep any records that

1 were previously held by the Classis of Bergen?
 2 A. No.
 3 Q. Do you know where those records are
 4 held?
 5 A. If I have to guess I would say in the
 6 archives of the RCA because the classis no longer
 7 exists.
 8 Q. Okay. Let me just look at my notes. I
 9 think that's pretty much gone through everything, but
 10 I want to make sure I didn't miss anything.
 11 So you said earlier Gregg Dunlap wanted
 12 to give the church an opportunity to cure itself or
 13 grow its congregation before they supersede; is that
 14 right?
 15 A. Yes.
 16 Q. What exactly did Greg do towards that
 17 end, do you recall?
 18 A. I was not there, but I assume in his
 19 work -- well, I was not there. I should not assume.
 20 Q. Okay. Don't. Now, did that sort of
 21 consideration make its way into any minutes or
 22 reports that you are aware of?
 23 A. Not that I'm aware of.
 24 Q. Okay. Have you seen any documents from,
 25 have you seen any documents whatsoever where Gregg

1 CERTIFICATE.
 2
 3 I, PAMELA ADAMO, a Notary Public and
 4 Certified Shorthand Reporter of the State of New
 5 Jersey, do hereby certify that prior to the
 6 commencement of the examination RODNEY HAVEMAN was
 7 duly sworn by me to testify the truth, the whole
 8 truth and nothing but the truth.
 9 I DO FURTHER CERTIFY that the foregoing
 10 is a true and accurate transcript of the testimony as
 11 taken stenographically by and before me at the time,
 12 place and on the date hereinbefore set forth.
 13 I DO FURTHER CERTIFY that I am neither a
 14 relative nor employee nor attorney nor counsel of any
 15 of the parties to this action, and that I am neither
 16 a relative nor employee of such attorney or counsel,
 17 and that I am not financially interested in the
 18 action.
 19
 20 
 Notary Public of the State of New Jersey
 21 My commission expires April 29, 2023
 License No. 30X100209200
 22
 23
 24
 25

1 Dunlap talks about the ability for this local church
 2 to grow or cure itself before supersession?
 3 A. No.
 4 Q. Okay.
 5 MS. LEE: I don't think I have anything
 6 further.
 7 MR. SCHIELKE: Me either.
 8 MR. MANKOFF: Questions, Rodney?
 9 (Whereupon the deposition is concluded
 10 at 5:14 p.m.)
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New Jersey Rules Governing Civil Practice

Part IV, Rule 4:14

Depositions Upon Oral Examination

4:14-5. Submission to Witness; Changes; Signing

If the officer at the taking of the deposition is a certified shorthand reporter, the witness shall not sign the deposition. If the officer is not a certified shorthand reporter, then unless reading and signing of the deposition are waived by stipulation of the parties, the officer shall request the deponent to appear at a stated time for the purpose of reading and signing it. At that time or at such later time as the officer and witness agree upon, the deposition shall be submitted to the witness for examination and shall be read to or by the witness, and any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness. If the witness fails to appear at the time stated or if the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the witness' failure or

refusal to sign, together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress under R. 4:16-4(d) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

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VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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