

EXHIBIT 21

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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: BERGEN COUNTY
DOCKET NO. SWC-F-004225-24

340 BOGERT FUNDING LLC,)

Plaintiff,)

v.)

RIVER EDGE CHURCH, STEVEN)

SOTO, DAYSI DUVERGE, RAFAEL)

L. MARTE, THE REFORMED)

CHURCH OF CHERRY HILL AND)

NEW BRIDGE, STATE OF NEW)

JERSEY, STEPPING STONE)

DAYCARE AND LEARNING CENTER,)

CETI CHURCH, MINISTERIO)

MUNDIAL CHURCH, FIRST)

BAPTIST HAITIAN CHURCH, and)

"JANE DOE and JOHN DOE 1 to)

10" said names of "JANE DOE)

and JOHN DOE 1 to 10" being)

fictitious,)

Defendants.)

DEPOSITION OF:

REVEREND
RODNEY HAVEMAN

TRANSCRIPT of the stenographic notes of
the proceedings in the above-entitled matter as taken
by and before MARY ANN ADAMS, a Certified Court
Reporter and Notary Public of the State of New Jersey,
held at the office of MARSHALL DENNEHEY, P.C., 425
Eagle Rock Avenue, Roseland, New Jersey, on Tuesday,
January 6, 2026, commencing at 9:57 a.m.

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(Exhibits retained by the Certified Court Reporter.)

1 REVEREND RODNEY HAVEMAN, having been duly sworn by the
2 Notary Public, testified as follows:

3 EXAMINATION BY MR. DAVIS:

4 Q. Is Reverend Haveman an appropriate way
5 to address you?

6 A. You can call me whatever you want.

7 Q. Okay. I'll call you Reverend Haveman.

8 Okay. Reverend Haveman, thank you for coming
9 today to this deposition. I'm sure Mr. Mankoff, your
10 attorney, informed you that I am an attorney with
11 Weber McGill, we're a firm in Cedar Knolls,
12 New Jersey, and we're representing 340 Bogert Funding
13 in this case, who's the plaintiff who lent money to
14 River Edge Church and Pastor Soto, and we're
15 foreclosing on the property as you very well know.

16 So just for the record one more time, just
17 please state your name and your address.

18 A. Rodney Haveman, 541 4th Avenue,
19 Westwood, New Jersey 07675.

20 Q. And what's your birthday, Mr. Haveman?

21 A. October 6, 1975.

22 Q. Okay. Have you been deposed before?

23 A. Yes.

24 Q. How many times?

25 A. Once.

1 Q. Okay. How long ago was that?

2 A. I don't know.

3 Q. More than five years?

4 A. No.

5 Q. Okay. What was it about, what was the
6 case about?

7 A. A previous version of this case.

8 Q. Oh, in this -- okay. I think I know
9 what you're talking about. Was Mr. Mankoff your
10 lawyer in that litigation, too?

11 A. Yes.

12 Q. Okay. And who deposed you in that case,
13 do you recall? What party, I don't mean what lawyer.

14 A. It was the lawyer for The River Edge
15 Church.

16 Q. Okay. Mr. Haveman, I'm just going to
17 give you some background instructions just to -- you
18 did it once, you may have forgotten, but this is
19 basically a question-and-answer session. I'm going
20 to ask you questions. You're going to answer the
21 questions to the best of your ability. You realize
22 you're under oath, so you have to answer the
23 questions truthfully. If you don't know the answer
24 or you can't remember the answer, that's a truthful
25 response. Okay?

1 Mr. Mankoff is going to interject an objection
2 every now and again perhaps, unless I get a perfect
3 deposition. That's just for the record. You can go
4 ahead and answer questions. There's very limited
5 circumstances under which he'll instruct you not to
6 answer a question, but just, you know, wait for that.
7 We can have a discussion if that happens.

8 Do you understand all that?

9 A. I do.

10 Q. Okay. So please give me verbal answers
11 to my questions, because the reporter Mary Ann has to
12 take everything down, so nods of the head and uh-huhs
13 and uh-uhs, while they work while we're just hanging
14 out having coffee, don't quite do so good in a
15 transcript, so just be mindful of that I ask.

16 And if you don't understand a question I ask,
17 just ask me to clarify or just say I didn't
18 understand that. If I ask a question and you go
19 ahead and answer it, I'm just going to assume you
20 understood what I asked you. Okay?

21 A. Okay.

22 Q. Please let me finish asking the
23 question. I know you're going to anticipate my
24 question and start -- well, I don't know you will,
25 but many people start answering the question before

1 I'm done. Just let me get the question out so Mary
2 Ann can get it on the record. This is a very formal
3 proceeding. This is a conversation unlike any that
4 anybody has in real life. So I have to get my whole
5 question on the record and then I'll give you the
6 time to answer, and I'll try my best not to talk over
7 your answer. Okay? It's bound to happen though, so
8 don't worry about it.

9 You can guess, but only educated guesses. You
10 don't need to take any wild guesses. All right? And
11 if you are taking an educated guess based on
12 estimates or vague memories, just say so so we have
13 that on the record, too.

14 A. Okay.

15 Q. But if you don't know an answer to a
16 question, there's no need to take a wild guess.

17 If you need a break let me know. If anyone
18 needs a break, we can take one at any time. I don't
19 expect this to be a terribly long deposition, so we
20 can afford breaks, even for lunch, which I left at
21 home by the way.

22 So are those instructions clear, Reverend
23 Haveman?

24 A. Yes.

25 Q. Okay. Are you taking any medications

1 that might affect your ability to understand my
2 questions or articulate answers to them today?

3 A. No.

4 Q. Okay. And did you prepare for today's
5 deposition in any way?

6 A. Yes.

7 Q. What did you do? You don't have to tell
8 me if you talked to you lawyer what you guys
9 discussed, but just tell me what you did and how much
10 time you spent doing it.

11 A. I talked to my lawyer, it was about
12 thirty minutes --

13 Q. Okay.

14 A. -- specific to the case, and I reread a
15 portion of the past deposition that I had.

16 Q. Your past deposition.

17 A. Correct.

18 Q. Okay. And how long did you talk to your
19 lawyer?

20 A. About thirty minutes.

21 Q. Oh, you said that.

22 A. Relative to the case.

23 Q. When was that?

24 A. Yesterday.

25 Q. Was it on the telephone?

1 A. Not Zoom. Microsoft Teams?

2 Q. Video.

3 MR. MANKOFF: Teams.

4 A. Teams, right.

5 Q. Teams? Okay. Tell me a little bit
6 about yourself, Reverend Haveman. What's your
7 current position, if I can call it that?

8 A. It's a broad question. I'll try to be
9 specific. I'm a Minister, Minister of Word and
10 Sacrament at Parkside Community Church, and I am the
11 Clerk of the Classis of Greater Palisades.

12 Q. Can you tell me what affiliation
13 Parkside -- strike that.

14 Does Parkside Community Church and the Classis
15 have any affiliation with each other?

16 A. Yes.

17 Q. And what's that affiliation?

18 A. The Classis is made up of a number of
19 congregations within the Bergen and Hudson County
20 area and two churches in Atlanta, and Parkside
21 Community Church, which is in Westwood, New Jersey,
22 is a member congregation of the Classis of Greater
23 Palisades.

24 Q. Okay. And how many member congregations
25 are in the Classis?

1 A. Approximately 45.

2 Q. Okay. Two are in Atlanta, but the rest
3 of them are in New Jersey?

4 A. Yes.

5 Q. Okay. And how long have you been in
6 this position? Well, strike that. Let me be more
7 specific.

8 How long have you been the Minister at Parkside
9 Community Church?

10 A. It will be 25 years this year. I
11 started in August of 2001.

12 Q. And what's your position with the
13 Classis again?

14 A. I am the Clerk of the Classis.

15 Q. Okay. Why don't you tell me what a
16 Classis is, let's start with that.

17 A. A Classis is an assembly of The Reformed
18 Church in America that has specific responsibilities
19 for the churches that are members of the assembly.

20 Q. And what would some of those
21 responsibilities be?

22 A. The primary responsibilities laid out in
23 the Book of Church Order are the supervision of its
24 churches, the supervision of its ministers, and the
25 supervision of the students who are under its care.

1 Q. Seminary students?

2 A. Correct.

3 Q. Okay. So you supervise the member
4 churches. Not you, the Classis supervises the member
5 churches. Is that correct?

6 A. That is correct.

7 Q. Okay. And how long have you been in
8 that position as the Clerk of the Classis?

9 A. Since February of 2015.

10 Q. Okay. Is there someone above you in the
11 Classis that you report to in any way?

12 A. I am amenable or responsible to the full
13 assembly. As an officer of the Classis, there isn't
14 an individual that I am reporting to or responsible
15 to. It is an Executive Committee that represents the
16 Classis in between its stated sessions that I would
17 say is most likely the body within the Classis that
18 I'm responsible to.

19 Q. Are you also on that Executive
20 Committee?

21 A. I am. As an officer, yes, I am.

22 Q. Are there multiple Classes -- is that
23 the -- I should know that since I teach a lot,
24 Classis and Classes, Classes in the RCA?

25 A. It is Classes, and yes.

1 Q. How many are there?

2 A. Off the top of my head I don't remember
3 specifically. That number shifts and changes. So I
4 don't want to guess.

5 Q. Are they worldwide or are they national
6 bodies or North American?

7 A. The Reformed Church of America is within
8 North America.

9 Q. Okay.

10 A. So Canada and the United States. There
11 is a changing dynamic in The Reformed Church in
12 America. I'm not sure you care about that.

13 Q. I might.

14 A. But it is moving beyond Canada and the
15 United States in that changing dynamic.

16 Q. Now, as the Classis as a supervisory
17 role over the member churches, is there likewise some
18 entity in the RCA that has a supervisory role over
19 the Classes?

20 A. The current assembly is the regional
21 Synod, it's responsible for the Classes within its
22 region, and it has a supervisory role and a
23 judicatory role.

24 Q. How many regional Synods are there,
25 roughly?

1 A. The Reformed Church in America is going
2 through a complete restructuring of its organization.
3 I believe, and this is a guess, because I don't know
4 how many of these regional Synods have been
5 eliminated, but there was always eight.

6 Q. Okay.

7 A. I don't know if that is still the case.
8 There's not more than that. There may be less.

9 Q. And the Classis of -- tell me the name
10 of your Classis again.

11 A. The Classis of Greater Palisades.

12 Q. Greater Palisades is part of what Synod,
13 regional Synod?

14 A. The Synod of Mid-Atlantics.

15 Q. Okay. Mid-Atlantics?

16 A. Correct.

17 Q. As in Mid-Atlantic states?

18 A. Yes.

19 Q. And provinces I presume?

20 Okay. I may come back to some of that, some of
21 these issues as they relate to this case in a minute.
22 Let me just get a sense of your -- a little more of
23 your personal background. You said you're a Minister
24 of Word and Sacrament at Parkside Community Church,
25 you've been there for 25 years?

1 A. My anniversary will be in August of this
2 year, so --

3 Q. Congratulations.

4 A. -- however you do the math on that.

5 Q. Okay.

6 A. But yes.

7 Q. That's fine.

8 A. And thank you.

9 Q. And you went to -- what's your
10 educational background before you started being a
11 Minister?

12 A. I'll start with college.

13 Q. Yeah, exactly.

14 A. Calvin College in Grand Rapids,
15 Michigan. Western Theological Seminary in Holland,
16 Michigan.

17 Q. Okay. And what did you study at Calvin
18 College?

19 A. I have a Bachelor of Arts in religion
20 and theology.

21 Q. Okay.

22 A. And -- yeah.

23 Q. Is Calvin College a liberal arts college
24 or is it specifically a -- sort of a religious
25 training institute?

1 A. It's a liberal arts college.

2 Q. Okay. And then where was your graduate
3 work again?

4 A. I have a Master's of Divinity --

5 Q. Okay.

6 A. -- at Western Theological Seminary.

7 Q. And where is Western Theological
8 Seminary, is that in Michigan, too?

9 A. Yes.

10 Q. What year did you get that?

11 A. I graduated in May of 2001.

12 Q. Okay. And then -- are you from the
13 Midwest?

14 A. Yes.

15 Q. Have you been a Minister since you got
16 your MA from the Theological Seminary?

17 A. It's actually an MDiv, but yes.

18 Q. So you didn't have any other
19 non-ministerial jobs in between?

20 A. No.

21 Q. Okay.

22 A. Can I ask, when you say in between, do
23 you mean in between graduating with my MDiv and
24 starting in August at Parkside?

25 Q. Let me -- I'll just rephrase the

1 question, but that's exactly my question. Did you
2 have any jobs other than your ministerial work after
3 you got your MDiv and before you started acting as a
4 Minister?

5 A. Yeah, I was working at a furniture
6 store.

7 Q. Okay. Making ends meet.

8 A. Correct.

9 Q. All right. Let's do Exhibit R -- can we
10 call this RC-1.

11 (Exhibit RC-1, Second Rule 4:14-2(C)
12 Notice to Take Oral Deposition of Corporate
13 Representative of Defendant The Reformed Church of
14 Cherry Hill and New Bridge, was received and marked
15 for identification.)

16 Q. Reverend Haveman, I've just entered as
17 RC-1 an exhibit that is a deposition notice. If you
18 look at the boldfaced title of the document at the
19 right, it's a Second Rule 4:14-2(C) Notice to Take an
20 Oral Deposition of a Corporate Representative of
21 Defendant The Reformed Church of Cherry Hill and New
22 Bridge. Is it your understanding that you're here
23 today as a corporate representative of The Reformed
24 Church of Cherry Hill and New Bridge?

25 A. Yes.

1 Q. Okay. Can you explain to me -- we
2 talked about a few things already. We've talked
3 about Parkside Community Church. We've talked about
4 The Reformed Church of America. We've talked about
5 the Classis of Greater Palisades. Where does
6 Reformed Church of Cherry Hill and New Bridge fit
7 into that scheme you've just talked about?

8 A. It is a member congregation of the
9 Classis of Greater Palisades.

10 Q. Like Parkside Community Church would be.

11 A. Correct.

12 Q. And what's your relationship -- you're
13 the Minister at Parkside Community Church, so what is
14 your actual relationship to The Reformed Church of
15 Cherry Hill and New Bridge?

16 A. Currently I serve as the President of
17 the Administrative Committee for the church.

18 Q. And what is that, what does the
19 President of the Administrative Committee do, what do
20 they do?

21 A. The Administrative Committee oversees
22 all of the business of the congregation, so its
23 administration of worship, property, finances,
24 relationships with tenants, anything the church does.
25 As the President, I call meetings of the

1 Administrative Committee, I chair those meetings, I
2 help form the agenda for those meetings, and work as
3 the primary communicator with the tenant in
4 partnership with our property manager, who we pay for
5 the management and upkeep of the property at the
6 church.

7 Q. And the church, is The Reformed Church
8 of Cherry Hill and New Bridge that you've just been
9 talking about your roles in respect to, is that the
10 church located in River Edge on Bogert Road?

11 A. Yes.

12 Q. Okay. It's the church building itself,
13 as well as the church as sort of a religious
14 institution, is it considered both?

15 MR. MANKOFF: I object to the form of
16 the question. You can answer.

17 Q. Yeah, let me rephrase the question.

18 The Church of Cherry Hill and New Bridge you
19 just testified is the church in River Edge on Bogert
20 Road. Correct?

21 A. Yes.

22 Q. Okay. When we refer to the word the
23 church, meaning The Church of Cherry Hill and New
24 Bridge, you're talking about that property. So part
25 of your role is to manage the property, the church as

1 a property. Correct?

2 A. The church is more than the property.

3 Q. No, I'm going to break it down. But
4 part of your role is to manage the church property at
5 that location. Correct? 'Cause you said you deal
6 with the tenants?

7 A. At both the church property and the
8 manse, both properties that the church owns, 340
9 Bogert and 360 Bogert.

10 Q. Okay. Distinguish those for me. What's
11 a manse?

12 A. A manse typically is the housing that
13 the church owns to provide as part of compensation
14 for the Minister who is serving the congregation.

15 Q. M-A-N-S-E?

16 A. M-A-N-S-E, yes.

17 Q. And we've been calling that a parsonage
18 in this case. Is that roughly equivalent?

19 A. The name is different depending on who's
20 talking about it or which denomination --

21 Q. Right.

22 A. -- but both of those are typical terms.

23 Q. Okay. But also as the Administrator and
24 the President of the Administrative Committee, do you
25 have oversight over the church itself as a

1 worshipping community?

2 A. Yes.

3 Q. Okay. And do you still have that
4 oversight role at the church on Bogert Road?

5 A. Yes.

6 Q. Okay. Who's the current Pastor at the
7 church there?

8 A. There is no Pastor currently.

9 Q. There isn't.

10 A. No.

11 Q. Do you know who's living in the manse?

12 A. No.

13 Q. Do you know if anybody is living in the
14 manse?

15 A. I don't know.

16 Q. Okay. Are you familiar with the church
17 that goes by the name of River Edge Church?

18 A. In its name, yes.

19 Q. That's all? Do you know anything else
20 about it?

21 A. No.

22 Q. Okay. Do you understand that they
23 purport to be operating as a church community out of
24 the property at Bogert Road in River Edge?

25 A. Yes.

1 Q. Okay. Do you know if there's anyone who
2 purports to be a Pastor of that congregation?

3 A. Currently, no.

4 Q. Okay. How about in the past?

5 A. I -- I think Steven Soto claimed to be,
6 but I don't know.

7 Q. Okay. Was Steven Soto ever a Pastor
8 that was under your supervision?

9 A. No.

10 Q. Do you know how Steven Soto first got
11 involved with the church at Bogert Road?

12 A. The story he told and the previous
13 Pastor told, he came into the church, impressed some
14 people, claimed to be a Minister of some sort, became
15 a part of the church, and was named the person who
16 would take over once Ralph, the previous Minister,
17 retired.

18 Q. Was that Ralph Acerno?

19 A. Yes.

20 Q. A-S-C-E-R-N-O or A-C-E-R-N-O?

21 A. A-C-E-R-N-O.

22 Q. And what was -- strike that.

23 How did you as the President of the
24 Administrative Committee respond to Mr. Soto's sudden
25 involvement in the church at Bogert Road?

1 A. I was not the President of an
2 Administrative Committee at that time.

3 Q. Okay. When did you start in that role?

4 A. I don't remember.

5 Q. Okay. Do you know when Mr. Soto came
6 into the picture as far as you can remember?

7 A. I don't know when he came into the
8 picture with Ralph Acerno and the church. I vaguely
9 remember when he came into -- I remember the process
10 by which we became familiar with Steven Soto being in
11 some form of leadership in the church. I don't want
12 to say like a date or a name, I can give a general
13 timeline, but I don't want to commit to something
14 'cause I'm not a hundred percent sure.

15 Q. Okay. Fair enough. That's fine if
16 that's your answer.

17 So Pastor Acerno, did you or the Administrative
18 Committee have a supervisory role over him?

19 A. The Classis did. That Administrative
20 Committee didn't exist until approximately June, July
21 of 2020. And Reverend Acerno at that time was
22 retired.

23 Q. When you say that Administrative
24 Committee, just for the record, specifically what
25 Administrative Committee did you mean by that

1 Administrative Committee?

2 A. The Administrative Committee that was
3 assigned by the Classis to oversee and administrate
4 the business, all of the work of the church itself.

5 Q. The church being The Reformed Church of
6 River Edge and New Bridge?

7 A. Yes.

8 Q. Do you know if the church on Bogert Road
9 in River Edge is still called The Reformed Church of
10 River Edge and New Bridge -- I'm sorry, The Reformed
11 Church of Cherry Hill and New Bridge?

12 A. It is called by its common name, The
13 Reformed Church of Cherry Hill.

14 Q. Okay. And they don't have a Pastor
15 right now as far as you recall. Correct?

16 A. The Reformed Church of Cherry Hill does
17 not have a Pastor.

18 Q. Okay. Let's take a look at the third
19 page of this notice. It's actually the third and
20 fourth pages. I've listed here a Schedule of Topics
21 that you're here to testify on behalf of The Reformed
22 Church of Cherry Hill and New Bridge. Just for
23 terminology, just for the sake of brevity, when I say
24 Reformed Church in this deposition, I mean that
25 church, okay, Reformed Church of Cherry Hill and New

1 Bridge, just as a shorthand. Okay?

2 A. Okay.

3 Q. If I want to refer to The Reformed
4 Church of America as the broader entity, I'll say
5 that. If my question is ever unclear to you in that
6 point, just ask.

7 A. Okay.

8 Q. Or Mr. Mankoff can ask. So when I say
9 Reformed Church, I'm going to be referring to the
10 entity you're here to represent today.

11 So could you just look at those topics. Go
12 ahead and read them to yourself. There's 14 of them.
13 And then I'll just have a question or two for you.

14 Okay. You've read those 14 points?

15 A. Yes.

16 Q. Rather than go through them one at a
17 time, let me just ask you, have you looked at this
18 Schedule of Topics before this deposition in
19 preparation for it?

20 A. Not that I remember.

21 Q. Okay. Are there any of these topics
22 that you are not prepared to testify about today as
23 the corporate representative of Reformed Church?

24 A. Honestly, that feels really broad.

25 Q. It is really broad.

1 A. If you ask me a particular question,
2 sure.

3 Q. Okay.

4 A. But if you ask me something out of left
5 field, I will say I'm not ready to answer that.

6 Q. Why don't we just take it a question at
7 a time then. But these are the topics that you were
8 called here to testify on just so you're aware.

9 Okay let's put that aside.

10 MR. DAVIS: Let's call this 2.

11 (Exhibit RC-2, Answer to Complaint with
12 Cross-Claims on Behalf of Defendant The Reformed
13 Church of Cherry Hill and New Bridge, was received
14 and marked for identification.)

15 Q. Okay. Reverend Haveman, I've entered as
16 Exhibit 2 a document filed by your attorney and it's
17 titled Answer to Complaint with Cross-Claims on
18 Behalf of Defendant Reformed Church of Cherry Hill
19 and New Bridge. Do you see that?

20 A. Yes.

21 Q. Okay. So this was actually not only
22 your Answer to the Complaint we filed in this action,
23 but also you filed a cross-claim, which begins on
24 page 5. Read as much as you want, but when you're
25 ready, turn to page 5.

1 So this is a cross-claim that you filed in this
2 matter and it's filed against -- could you confirm
3 for me that this cross-claim is filed against The
4 River Edge Church defendant?

5 A. Yes.

6 Q. Okay. As well as Steven Soto, Daysi
7 Duverge, and Mr. Marte?

8 A. Yes.

9 Q. Okay. If you look at the first three
10 paragraphs -- why don't you read the first three
11 paragraphs if you could of the cross-claim and I'll
12 have a couple of questions for you.

13 A. Okay.

14 Q. Just for context, just so you're not out
15 of the blue, but look at the first page of this
16 document, please. And read the first three
17 paragraphs of your Answer, please. This is your
18 Answer to our Complaint.

19 A. You want me to read them?

20 Q. Just read it to yourself.

21 A. Okay.

22 Q. All right. Let me just ask you about
23 this first and then I'll jump to the cross-claim.

24 So in paragraph 1, the last sentence says, "The
25 River Edge Church," which is the defendant against

1 whom you've asserted this cross-claim, "did not hold
2 title to the property in question and its claim to
3 the title is based on fraud." Do you see what I just
4 read?

5 A. Yes.

6 Q. Okay. And then you make the same
7 allegation in paragraphs 2 and 3. Correct?

8 A. Yes.

9 Q. Okay. So I just want to ask you to the
10 extent you know the factual basis for the statement
11 that River Edge Church's claim to title is based on
12 fraud. Can you give me some details as to why
13 Reformed Church is alleging that?

14 MR. MANKOFF: I object to the form of
15 the question. The witness can answer.

16 MR. DAVIS: So much for my perfect
17 deposition.

18 MR. MANKOFF: Nobody bats a thousand.

19 A. The River Edge Church didn't own the
20 property.

21 Q. Okay. But do you have any more details
22 as to -- they claim to, so do you have any more
23 details as to why Reformed Church thinks their claim
24 to title is based on fraud?

25 A. Do you own a home?

1 Q. Well, actually, we can have that
2 conversation after the deposition.

3 A. I'll make the assumption that my
4 attorney owns a home.

5 Q. Okay.

6 A. Can I claim ownership of it?

7 Q. Okay. Well, can you relate that to the
8 situation at 340-360 Bogert Road?

9 A. The Reformed Church of America -- The
10 Reformed Church of Cherry Hill owned, operated, did
11 business, signed leases, was a part of the Classis
12 for over a hundred years, a portion of it at that
13 property, and owned that property with its Consistory
14 members as the Board of Trustees in the ownership of
15 that property, and then suddenly some other church
16 that was previously some form or portion of a tenant
17 there claimed to own it, filed for ownership of the
18 title, and said we owned it.

19 Q. Okay. Let me just take that apart a
20 little bit. You're saying that they were a tenant at
21 the property? Who is "they" specifically?

22 A. The Hispanic -- no, the -- I'm
23 forgetting. It's the Haitian church that I
24 believe -- I don't know for sure who this Rafael
25 Marte is --

1 Q. Okay.

2 A. -- but I believe he was the Pastor of
3 that Haitian church. That Haitian church was the
4 tenant of The Reformed Church of Cherry Hill, and
5 Soto in some way worked with them and then filed that
6 they owned the place.

7 Q. What do you mean filed that they owned
8 the place, filed what and where?

9 A. I don't know how you get a hold of the
10 title and say that you own the title.

11 Q. Okay.

12 A. I assume there's some process within
13 New Jersey to say that you have the title. If I'm
14 free to lay out this for you, I can tell you, a
15 Reformed Church has a Consistory, it's the Board of
16 Trustees. It's made up of a Minister, an Elder -- a
17 Minister or multiple Ministers, Elders, and Deacons.
18 That Consistory is voted on by the congregation and
19 installed as the Board of Trustees. That Consistory
20 in relation to the property of the church is amenable
21 to the Classis. Any change of title holder, sale,
22 gifts, etcetera, must be approved by the Classis, in
23 this case, the Classis of Greater Palisades. If you
24 don't do that, you're violating the Board -- the Book
25 of Church Order, hence, fraud.

1 Q. Okay. So that's your factual basis for
2 the fraud allegation, that they did something against
3 the Book of Church Order?

4 A. It's not my factual, it is the
5 factual --

6 Q. Okay.

7 A. -- dynamic of what happened in this
8 case.

9 Q. So let me just parse that out a little
10 bit. So is the Consistory, is it fair to say that
11 the Consistory is the governing body of the
12 congregation, is that accurate?

13 A. Inasmuch as the congregation has all the
14 business of the church, the property, the worship,
15 the pastoral care, etcetera, etcetera, the Consistory
16 is the Board of Trustees for the congregation.

17 Q. Okay. And it's made up of the Minister
18 or Ministers, Elders, and Deacons.

19 A. Yes.

20 Q. Are they all ordained Ministers or just
21 the Ministers?

22 A. The Minister or Ministers are ordained
23 into the Office of the Minister of Word and
24 Sacrament, Elders are ordained into the Office of the
25 Elder, and Deacons are ordained into the Office of

1 Deacon.

2 Q. Okay. Three different ordinations.

3 When you said the Consistory is amenable to the
4 Classis, what did you mean by amenable?

5 A. The church is a member congregation of
6 the Classis. The Consistory designates one or more
7 representatives that must be from the Elders to be
8 representatives or delegates to the Classis of
9 Greater Palisades.

10 Q. Okay. So they send -- the Consistory
11 sends delegates to the Classis.

12 A. One or more.

13 Q. Okay. And how often -- sends them to
14 what, what kind of -- a Synod?

15 A. We would call it a stated session.

16 Q. Okay.

17 A. Our stated sessions are in February,
18 June, and October.

19 Q. That's my next question. Thank you.

20 A. Yeah. Three during the year. Elders
21 and Ministers serve on committees for the Classis,
22 and those committees do the business of the Classis
23 in between the stated sessions.

24 Q. In your recollection then, who was the
25 last Minister of The Reformed Church of Cherry Hill

1 and New Bridge that had a relationship with the
2 Classis of Greater Palisades?

3 A. Ralph Acerno.

4 Q. Okay. And when did Pastor Acerno retire
5 or leave the church, The Reformed Church?

6 A. I don't know the exact specific dates,
7 but it was in 2019.

8 Q. Okay.

9 A. And I'm guessing, 'cause I don't know,
10 because it was in the beginning or early --

11 MR. MANKOFF: Don't guess as we
12 discussed.

13 A. Okay.

14 MR. MANKOFF: If you can make a
15 reasonable estimate, that's fine.

16 A. 2019, a reasonable estimate would be the
17 beginning of the year.

18 Q. Okay. The beginning of that year 2019.

19 A. Yes.

20 Q. Okay. And did Mr. -- did Pastor Acerno
21 and/or the Elders and Deacons at the time send their
22 delegates to the three meetings up until 2019?

23 A. They were responsible to. The church
24 had a tenuous relationship with the Classis, so they
25 rarely showed up.

1 Q. What do you mean by a tenuous
2 relationship, can you elaborate on that?

3 A. It was not friendly.

4 Q. Okay. Did Pastor Acerno change the name
5 of the church to The Christian Community Church at
6 one time?

7 A. Yes.

8 Q. Did he need approval to do that --

9 A. No.

10 Q. -- from the Classis? No?

11 So even though it was called for however -- let
12 me ask you this. Strike that.

13 How long was The Reformed Church of Cherry Hill
14 and New Bridge called The Reformed Church of Cherry
15 Hill and New Bridge?

16 A. I don't know.

17 Q. Okay. But a Pastor could have changed
18 the name of the church without having to defer to the
19 Classis and call it The Christian Community Church if
20 he wanted to.

21 A. Yes.

22 Q. But would it still in your mind -- go
23 ahead, you want to elaborate?

24 A. A Consistory can change the name of the
25 church.

1 Q. Okay. It has to be a Consistory.

2 A. Not just a Pastor.

3 Q. I got you. Thank you.

4 I had another question, but I lost it.

5 So they did not need Classis approval to do
6 that. Correct? They could just do that.

7 A. Yes.

8 Q. And once that was done, would they still
9 be under the supervision of the Classis even though
10 they had changed the name of the church?

11 A. Yes.

12 Q. Okay. If you look at paragraph 4 of
13 this document. I'm going to jump to the cross-claim
14 in a second, I just had a couple of questions about
15 your Answer first. Paragraph 4, the last sentence
16 says, "The claim by The River Edge Church that it
17 held title to the property was unknown to The
18 Reformed Church of Cherry Hill and New Bridge." Do
19 you see what I've just read?

20 A. Yes.

21 Q. Okay. Can you tell me, if you remember,
22 if you even know, when did Reformed Church find out
23 that RC was -- or River Edge Church, let me just call
24 it River Edge Church, was making a claim to title to
25 the property?

1 A. I don't remember a specific time or
2 date.

3 Q. Okay. Do you remember a rough time or
4 date? Was it -- let me ask you this. Do you know if
5 it was before 2022?

6 A. No.

7 Q. You don't know or it wasn't?

8 A. I don't know.

9 Q. Okay. Paragraph 7, 8, and 9, I just
10 wanted to ask you some -- not 7. You already
11 answered that. Reformed Church, and by Reformed
12 Church I mean Reformed Church of River Edge and New
13 Bridge -- of Cherry Hill and New Bridge -- these
14 New Jersey place names are fascinating, right, 'cause
15 I'm sure that something there used to be called
16 Cherry Hill, it had to be. The hill it's on probably
17 used to be called Cherry Hill I'm guessing. Do you
18 know that?

19 A. This is all a guess.

20 Q. You can guess here 'cause I'm just
21 interested.

22 A. It happened before I was alive.

23 Q. Yeah.

24 A. The church before it was called this, I
25 believe, guess, was in New Bridge relatively close to

1 Hackensack.

2 Q. Yeah.

3 A. Or in Hackensack. And then it bought
4 property in River Edge in what was called Cherry Hill
5 at the time.

6 Q. Yeah.

7 A. And it became The Reformed Church of
8 New Bridge and Cherry Hill because it existed in
9 both. It then, once it got rid of all of its
10 New Bridge/Hackensack association, became The
11 Reformed Church of Cherry Hill in its operating name,
12 though its legal identity remained The Reformed
13 Church of Cherry Hill and New Bridge.

14 Q. Okay.

15 A. Similar to like The Christian Community
16 Church. Right? That's how it operated, but its
17 legal name was not changed, it was The Reformed
18 Church of Cherry Hill and New Bridge.

19 Q. Understood. Thank you.

20 MR. MANKOFF: By the way -- can we go
21 off the record.

22 (Discussion off the record.)

23 MR. DAVIS: Okay. Can we go back on the
24 record.

25 Q. Is The Reformed Church of Cherry Hill

1 and New Bridge still maintaining the property at
2 340-360 Bogert Road?

3 A. Yes.

4 Q. Okay. I meant to ask you before, the
5 manse is 340 or 360?

6 A. I get them confused.

7 Q. Yeah me, too.

8 A. It's one of the two.

9 Q. All right.

10 A. I don't want to be wrong --

11 Q. Okay. That's fine.

12 A. -- and then someone say, look, he lied.
13 So I get them confused.

14 Q. But there's three buildings on the
15 property. Correct?

16 A. There's three entities, the manse, the
17 offices where the tenant is, that's the school, and
18 the sanctuary.

19 Q. Itself.

20 A. I believe the sanctuary and the offices
21 are connected, but those are the three distinct
22 buildings.

23 Q. Okay. And you did say that The Reformed
24 Church is still maintaining that property.

25 A. Yes.

1 Q. And is Reformed -- the tenant is
2 Stepping Stone Daycare Center. Right?

3 A. It's one of the tenants.

4 Q. Okay. How many tenants are there,
5 including Stepping Stone?

6 A. That are currently --

7 Q. Yes.

8 A. -- legitimate?

9 Q. That are paying rent.

10 A. Paying rent is what I mean by
11 legitimate.

12 Q. Yes.

13 A. Two.

14 Q. Stepping Stone and who else?

15 A. The Fort Lee Seventh-Day Adventist
16 Church.

17 Q. Okay. Is that a Korean church?

18 A. Yes.

19 Q. Okay. And they're paying rents to whom?

20 A. To The Reformed Church of Cherry Hill.

21 It may -- to make life a little bit easier for
22 everybody, they may be paying the rent to the Classis
23 right now, but that would be a guess. It's either to
24 The Reformed Church of Cherry Hill or the Classis of
25 Greater Palisades.

1 Q. And those rents are being paid under a
2 lease -- under leases?

3 A. Yes.

4 Q. And the leases are -- who's the lessor
5 under those leases?

6 A. Do you mean who's the landlord?

7 Q. Exactly.

8 A. The Reformed Church of Cherry Hill.

9 Q. Okay. And when's the last time The
10 Reformed Church of Cherry Hill or the Classis as the
11 case may be received a rent check from either one of
12 those tenants?

13 A. I don't know.

14 Q. Are they getting rent -- are they
15 up to date, do you know that?

16 A. Yes.

17 Q. Okay. So I guess the point of my
18 question was, the rents aren't going to somebody else
19 who's not either the Classis or The Reformed Church.
20 Is that correct?

21 A. From those two paying --

22 Q. Yes.

23 A. -- tenants, that is correct.

24 Q. Okay. You seem to be implying that
25 there's somebody else on the property that's an

1 illegitimate tenant. Am I right?

2 A. To my knowledge, yes.

3 Q. Okay. And who would that be?

4 A. That's the tough part of to my
5 knowledge.

6 Q. Okay. Okay. Are they squatters, as far
7 as you know, as opposed to paying rent to somebody?

8 MR. MANKOFF: I'll object to the form of
9 the question, but you can answer it.

10 A. We're not receiving rent from anyone
11 other than --

12 Q. Those two.

13 A. -- the Seventh-Day Adventist Church and
14 Stepping Stones.

15 Q. Okay. Do you think that somebody else
16 is collecting rents from a, quote/unquote,
17 illegitimate tenant?

18 A. I don't know.

19 Q. Okay. The next page of the Answer, I
20 just wanted to know if you know anything about these
21 three entities. Paragraph 13 mentions the CETI
22 Church, which is a church we named in the Complaint
23 because we thought they were a tenant, C-E-T-I, all
24 caps, Church. Do you know who that is?

25 A. I would only be guessing.

1 Q. Well, then you don't have to, unless you
2 have some information on which you're basing your
3 guess.

4 A. If they're at the church, they're not a
5 legitimate tenant, because they haven't been paying
6 us rent.

7 Q. Who is -- same for paragraph 14, do you
8 know who or what Ministerio Mundial Church is?

9 A. No.

10 Q. Okay. Do you know who or what First
11 Baptist Haitian Church is?

12 A. Yes.

13 Q. Who are they?

14 A. It's the Haitian church that I mentioned
15 that used to pay us rent but hasn't been living into
16 their lease for a long time and doesn't pay rent, is
17 an illegitimate tenant.

18 Q. Are they still there, to your knowledge?

19 A. I don't know.

20 Q. Okay. When was the last time First
21 Baptist Haitian Church paid you, and by you I mean
22 Reformed Church or The Church of Cherry Hill and New
23 Bridge, a rent?

24 A. I don't know.

25 Q. Okay. Is it allowable for the church

1 that's in the building under the supervision of the
2 Classis to rent out its space to someone else?

3 A. I'll be -- your question is vague.

4 Q. I'm going to -- I knew it was, so I'm
5 going to re-ask it. Is it allowable to the Classis
6 for the church that's on the property and under the
7 authority of the Classis to rent out the sanctuary to
8 other churches?

9 A. I'll help you with your question. The
10 Classis must approve any leases or any relationships
11 that involve the exchanging of money, so they might
12 not call it a lease, but it's essentially a lease,
13 for anything that would impinge or potentially
14 restrict worship, education, or ministerial housing.

15 Q. They need approval.

16 A. Correct.

17 Q. Okay. But it can be done with approval.

18 A. It can be done with approval. That's
19 why I wanted to make it specific.

20 Q. So the First Baptist Haitian Church
21 could very well have rented out the sanctuary for its
22 services as long as it had been approved.

23 A. Yes.

24 Q. Okay. Do you know if it was approved?

25 A. I do not.

1 Q. Paragraph 21, we're still on the Answer,
2 "The Plaintiff is not entitled to judgment against
3 The Reformed Church of Cherry Hill and New Bridge
4 because the Court held that The Reformed Church of
5 Cherry Hill and New Bridge is the rightful holder of
6 title of the property in question." Do you see that
7 allegation?

8 A. Yes.

9 Q. Do you know what the factual basis is
10 for the statement that the Court held that Reformed
11 Church held title to the property?

12 MR. MANKOFF: Objection as to form. You
13 can answer it.

14 A. I don't know what the judge wrote or
15 said --

16 Q. Okay.

17 A. -- for the factual basis.

18 Q. Okay.

19 A. I know what I know as the factual basis,
20 but that might not be what the judge said.

21 Q. And when you say you know what you know
22 as the factual basis, is that what you explained to
23 me earlier in this deposition?

24 A. Correct.

25 Q. Okay. Do you know if The Reformed

1 Church or the Classis or anybody associated therewith
2 filed a -- strike that.

3 Do you know what a lis pendens is?

4 A. No.

5 Q. Okay. Do you know if The Reformed
6 Church or the Classis or anybody else in a position
7 to do so filed any or recorded any public
8 notification that there was someone disputing title
9 to the property at 340-360 Bogert Road?

10 A. No.

11 Q. Okay. Do you not know or do you know
12 that they didn't?

13 A. I don't know.

14 Q. Okay. Did you, yourself, record any
15 such public notice?

16 A. No.

17 MR. MANKOFF: Craig, not to derail your
18 train of thought, but whenever it would be a good
19 time to take a break.

20 MR. DAVIS: You just derailed my train
21 of thought. A couple of minutes, let me just finish
22 this document. Is that all right?

23 MR. MANKOFF: Yeah, sure.

24 Q. Paragraph 23, you say, "It is denied
25 that the mortgage loan in question was made to a

1 commercial business entity."

2 I'm guessing this is a legal point, but do you
3 have any factual basis in your own understanding as
4 to why the mortgage wasn't made to a commercial
5 business entity, in other words, why The River Edge
6 Church isn't a commercial business entity?

7 A. I don't.

8 Q. Okay. I'll ask Howard.

9 Have you ever seen the mortgage in question
10 that we're foreclosing under?

11 A. No.

12 MR. DAVIS: All right. We can take a
13 break.

14 MR. MANKOFF: Great.

15 (A break was taken.)

16 (Exhibit RC-3, Letter dated 8/17/2020
17 attaching Verified Complaint, was received and marked
18 for identification.)

19 BY MR. DAVIS:

20 Q. All right. We're back on the record,
21 Reverend. I just handed you Exhibit 3, which is a
22 Verified Complaint in an action that The Reformed
23 Church of Cherry Hill and New Bridge filed against
24 Steven Soto in 2020. Do you see all that?

25 A. Yes.

1 Q. And were you involved at The Reformed
2 Church of Cherry Hill and New Bridge when it filed
3 this Complaint against Steven Soto?

4 A. Yes.

5 Q. Do you recall what prompted the filing
6 of this Complaint? And I'll be more specific. Do
7 you recall what relief you were trying to get from
8 Mr. Soto? I mean, you can go ahead and read it and
9 find out, but I was just asking if you remember the
10 case.

11 A. I don't recall --

12 Q. Okay.

13 A. -- the specifics.

14 Q. If you look at this -- you could read
15 the whole thing, but I don't think you would have to,
16 but if you look at the relief requested, which is --
17 where did you guys put it? Oh, it's on page 9 under
18 paragraph 36. There's several points, i., j., k.,
19 l., m., n., o., and p., I don't know why they started
20 at i., oh, I know why, "Wherefore, the plaintiff,"
21 which is you, and when I say you, understand you're
22 here on behalf of Reformed Church, that's why. So
23 when I say you, I mean The Reformed Church of Cherry
24 Hill and New Bridge, you requested the Court issue an
25 order that, and there's one, two, three, four, five,

1 six, seven, eight points listed there. I want you to
2 take a look at those eight points and then I'll
3 have -- and then tell me if any of those -- any of
4 those forms of relief that you are requesting have
5 anything to do with title to the property.

6 MR. MANKOFF: I will object to the form
7 of that question, but he can answer.

8 A. Can you repeat your question?

9 Q. Okay. You've read those nine points?
10 Is there any relief you're asking from Mr. Soto that
11 has any relationship to who owns the property at
12 340-360 Bogert Road?

13 MR. MANKOFF: Continuing objection to
14 the form of the question. You can answer it.

15 Q. In other words -- I can rephrase the
16 question. Are you asking for any judgment from the
17 Court that The River Edge -- that The Reformed Church
18 owns the property and not Steven Soto or River Edge
19 Church?

20 MR. MANKOFF: Continuing objection to
21 form. You can answer it.

22 A. There's nothing listed in these eight
23 forms that says specifically --

24 Q. Okay.

25 A. -- that the church property and all of

1 its finances, etcetera, belong to The Reformed Church
2 of Cherry Hill and not Steven Soto.

3 Q. Okay. If you flip back to the first
4 page of the Complaint, you'll see at the bottom of
5 that first paragraph, you say that, "Having no
6 ownership interest whatsoever, Mr. Soto has gone so
7 far as to attempt to sell the real estate on which
8 the Church is located." Do you see that?

9 A. Yes.

10 Q. Okay. So this is 2020. And if you look
11 at the very tippy-top of this document, there's a
12 stamp on it. That's the timestamp. There's two.
13 But the first one is when it was filed with the
14 court. So we're talking August 14th, 2020. Do you
15 see that?

16 A. Yes.

17 Q. Okay. So what in August 14th, 2020, led
18 The Reformed Church to believe that Mr. Soto was
19 trying to sell the property at which the church was
20 located?

21 A. In or around this time, meaning before
22 it, the Pastor of one of the tenants, one of our
23 Korean church tenants, reported to us that Soto had
24 asked him if they were interested in buying the
25 church and the parsonage, manse, Ministers housing.

1 Q. And that was before August 14th, 2020.
2 Correct?

3 A. Yes.

4 Q. Do you know a little more precisely
5 when --

6 A. No.

7 Q. -- that happened?

8 Did that or anything related to that
9 conversation with the Korean tenant prompt Reformed
10 Church to look at the title records for this property
11 to see if anything had been recorded regarding title
12 to the property?

13 A. No.

14 Q. And again, Reformed Church didn't record
15 any notices to the public that there might be a
16 dispute over ownership of this property at the time.
17 Correct?

18 A. No.

19 Q. Did Reformed Church consider either
20 amending this Complaint or filing a different
21 Complaint that would establish who had title to the
22 property in August 2020 or thereabouts?

23 A. I don't remember.

24 Q. Okay. We'll put this aside for a
25 second. Maybe for more than a second, but.

1 MR. DAVIS: I'm going to put this in as
2 Exhibit 4.

3 (Exhibit RC-4, [Proposed] Verified
4 Complaint for Declaratory and Other Injunctive
5 Relief, was received and marked for identification.)

6 Q. Reverend Haveman, I've put in as Exhibit
7 4 a document that's got that stamp we talked about at
8 the very top. It was filed in the case we were just
9 talking about, and you can see that by, if you look
10 in the middle of the document, you see Docket Number
11 BER-C-153-20. Do you see that?

12 A. Yes.

13 Q. That's the case we were just talking
14 about with the Verified Complaint, so it's the same
15 case. And at the top you see a stamp March 23rd,
16 2021. Do you see that? The very top, it's an
17 electronic stamp along the top. Is it cut off?

18 A. No.

19 Q. Do you see that?

20 A. Yes.

21 Q. Okay. So that tells you that this
22 document was filed in the matter we were just talking
23 about on March 23rd, 2021. And this is a Proposed
24 Complaint for Declaratory and Other Relief filed by
25 now The River Edge Church, a New Jersey nonprofit

1 corporation. Do you see that in the caption to the
2 left?

3 A. Yes.

4 Q. Do you know who or what The River Edge
5 Church, a New Jersey nonprofit corporation, is?

6 A. I don't know who that entity is, like
7 who makes it up, who's their board, who's a part of
8 this church. I know it's an entity that claims to
9 own the place.

10 Q. Okay. Do you understand it to be a
11 church that has ministry in the place?

12 A. I don't know what they're doing.

13 Q. Okay. So this is -- it's not the actual
14 filed Complaint. What they did is they filed a
15 motion to intervene in this action because they
16 claimed to have interest in what was going on in this
17 action you filed against Soto, and they proposed
18 filing this Complaint to the court, which they filed
19 on March 23rd, 2021, as we see.

20 So if you turn to page 8, you'll see Count 1,
21 in which River Edge Church wants to file a Complaint,
22 which is this one, for Declaratory Judgment
23 respecting Ownership of the Church's Property and
24 Assets. Do you see that heading?

25 A. Yes.

1 Q. And if you look at paragraph 59, it
2 says, "The deed to the Church's property located at
3 340-360 Bogert Road, River Edge, New Jersey 07661 is
4 now and has always been recorded in the name of the
5 Church/Consistory." Do you see that?

6 A. Yes.

7 Q. And then skip a paragraph to 61. It
8 says, "Accordingly, lawful title to the Church's
9 property is vested in the Church/Consistory and not
10 the Classis." Do you see that?

11 A. Yes.

12 Q. Okay. So in March 2021, or thereabouts,
13 when The River Edge Church tried to intervene in this
14 case and filed this Complaint, did The Reformed
15 Church file any public notice that there might be a
16 dispute over title to the property?

17 A. No.

18 Q. Did The Reformed Church look at the
19 public property records to see if anything had
20 happened with regards to the deed to this property?

21 A. No.

22 Q. Okay. That's all I have for that one
23 right now.

24 A. Am I allowed to ask you a question?

25 Q. Well, you can ask for clarification to

1 my question. And we can go off the record if you
2 want to have a conversation about something. But if
3 you want to clarify any of your answers, go right
4 ahead. Or you can ask Howard a question.

5 A. I want to be specific so that I
6 understand what this filing is.

7 Q. Yeah, I could explain that to you.

8 A. The River Edge Church, a New Jersey
9 nonprofit, is claiming to be separate than The
10 Reformed Church of Cherry Hill and New Bridge?

11 Q. Well, yeah, they're a party.

12 A. They're a separate entity.

13 Q. In this lawsuit -- and I'll explain this
14 document to you so you can have a full understanding
15 of what my question is. This document represents a
16 pleading or part of a pleading that was filed by The
17 River Edge Church, a New Jersey nonprofit
18 corporation, who have their own lawyer, correct,
19 yeah.

20 A. And it's a separate nonprofit.

21 Q. Well, I -- all I can tell you is, in
22 regards to your question, this is -- they're a party
23 with a lawyer who filed this document, yeah. Does
24 that change any of your answers?

25 A. No.

1 (Exhibit RC-5, Verified Complaint for
2 Declaratory and Other Relief, was received and marked
3 for identification.)

4 Q. Reverend Haveman, Exhibit 5 is actually
5 the same document I just showed you, the difference
6 being -- there's two differences. The first
7 difference is it's a different law office that filed
8 it on behalf of the River Edge Church, and the second
9 difference is that this is actually the Complaint
10 that got filed against The Reformed Church of Cherry
11 Hill and New Bridge. And I'm going to point you to
12 page 10. The page numbers got cut off. Paragraph
13 57. It's the same heading. If you look at the
14 boldface heading, paragraphs 58 and 60 are the same
15 paragraphs we saw in the previous document, if you
16 want to just confirm that for yourself. So disputing
17 ownership of the property essentially and seeking a
18 declaratory judgment from the Court that River Edge
19 Church owned the property and not Reformed Church.

20 So this was filed, if you look at the stamp at
21 the top of the page, in August -- I'm sorry,
22 September of 2021, and I have the same questions for
23 you about this document. In or around September 2021
24 in connection with this filing in the case against
25 Steven Soto, did Reformed Church file any public

1 notices that there was a potential dispute over title
2 to the property?

3 A. No.

4 Q. And did Reformed Church do any sort of
5 title searches to find out what the title history of
6 this property was or at least the recent title
7 history?

8 A. No.

9 MR. DAVIS: Okay. Exhibit 6, please.
10 (Exhibit RC-6, Notice of Motion to
11 Enforce Litigants Rights - Requested to be Heard on
12 Short Notice, was received and marked for
13 identification.)

14 Q. Reverend Haveman, I've entered as
15 Exhibit 6 this document, Notice of Motion to Enforce
16 Litigants Rights. Do you see that heading or that
17 title?

18 A. Yes.

19 Q. And if you look at the top, this was
20 filed in the same matter, BER-C-153-20, on September
21 9th, 2022. Do you see that at the top?

22 A. Yes.

23 Q. Okay. If you look at the third page of
24 this document, actually the fourth page, but the
25 third page is the Order that the filer is proposing

1 that the Court enter. And then if you look at
2 paragraph 2 of that Order on the last page of the
3 document, it says -- now, this is River Edge Church
4 asking the Court to enter an order saying, paragraph
5 2, "The Reformed Church in America holds fee simple
6 title to the real estate located at 340-360 Bogert
7 Road, River Edge, New Jersey." Do you see that?

8 A. Yes.

9 Q. Okay. So do you understand this
10 document as River Edge Church seeking an Order for a
11 judgment from the Court that it owns the property?

12 MR. MANKOFF: Objection to form. Craig,
13 I think you just got that reversed.

14 MR. DAVIS: I probably did. Let me just
15 ask the whole question over again.

16 Q. Do you understand this document as
17 Reformed -- River Edge Church seeking -- I'm sorry,
18 Reformed Church, that's you, seeking a judgment from
19 the Court that it owns the property and not River
20 Edge Church?

21 A. Yes.

22 Q. Okay. And this was filed in
23 September -- the 9th of September 2022. Correct?

24 A. Yes.

25 Q. Okay. And so I have the same questions

1 for you. At or around the time that this was filed
2 when you were seeking a judgment from the Court that
3 Reformed Church and not River Edge Church owned the
4 property, did Reformed Church file or record any
5 public notice regarding a dispute over title to the
6 property?

7 A. No.

8 Q. Did Reformed Church do any title
9 searches to see if there were any updates to the land
10 records regarding this property?

11 A. No.

12 Q. Okay. Do you -- let me just ask you,
13 generally speaking, Reverend Haveman, do you have a
14 sense of the history of the title to this property?
15 What I'm getting at is, do you know -- let me just
16 ask a specific question. Strike that.

17 Do you know when the title to the property was
18 first transferred to The Reformed Church of Cherry
19 Hill and New Bridge?

20 A. No.

21 Q. Okay. So you don't have a general sense
22 of the title history of this property. Is that fair
23 to say?

24 A. Is it fair to say that I don't know the
25 general history? Yes.

1 Q. Okay. When a church property is deeded
2 to somebody, to a church, do you know whose name
3 appears on the deed?

4 MR. MANKOFF: I'm going to object to the
5 form of the question. Are you talking about this
6 particular denomination or in general -- or in
7 broader general terms?

8 MR. DAVIS: Within the Reverend's
9 denomination specifically.

10 A. If done properly, it should have the
11 members of the Consistory, the Board of Trustees,
12 that the property is deeded to.

13 Q. Okay. And so that means, as far as the
14 deed is concerned, title is held by the individuals
15 that you just mentioned. Is that correct?

16 A. It's held by the Consistory.

17 Q. By the Consistory. Let me just put this
18 in just 'cause this might help. This is all going to
19 be one exhibit, although there's several different
20 deeds here. I'm not going to ask you about all these
21 deeds.

22 MR. DAVIS: What are we up to, 7?

23 THE COURT REPORTER: Yes.

24 Q. I just have some questions about what
25 you just said and this will help us focus on that.

1 (Exhibit RC-7, Packet of deeds, was
2 received and marked for identification.)

3 Q. So this is a packet of deeds. This is
4 actually showing the history of the -- at least to
5 some extent for some period of time the history of
6 this property. And the first, the top deed is dated
7 October 20th, 1949. It's very hard to read, but it's
8 really the first line in the document. Do you see
9 that?

10 A. Yes.

11 Q. Okay. And it's from -- between Astor
12 Homes, Inc., the Grantor, and as you were saying,
13 "The Minister, Elders and Deacons of The Reformed
14 Church of Cherry Hill, a corporation of the State of
15 New Jersey, located in Bergen County, New Jersey."
16 Do you see that?

17 A. Yes.

18 Q. Okay. So the title is deeded into, as
19 you said, the Ministers, or it looks like the S is
20 crossed out, Elders and Deacons of The Reformed
21 Church. So to your point, who has title to the
22 property when you read that, that deed document?

23 A. The Consistory.

24 Q. Okay. And are there any restrictions on
25 what the Consistory can do with the property?

1 A. They cannot sell or lease anything that
2 will bring restrictions or impingement or -- of the
3 place of worship, education, or ministers housing
4 without the approval of Classis.

5 Q. Okay. And where is that restriction
6 spelled out?

7 A. In the Book of Church Order.

8 Q. Okay. And the Book of Church Order is a
9 document of The Reformed Church of America or of the
10 Classis or what level does that document govern?

11 A. It governs The Reformed Church of
12 America and all of its constituent parts.

13 Q. Okay. Was the -- and what did you call
14 that document again?

15 A. The Book of Church Order.

16 Q. Book of Church Order. So the Book of
17 Church Order sets the restrictions on the sale of
18 church property, to the extent there are restrictions
19 on the sale of church property.

20 A. Yes.

21 Q. Okay. And has the Book of Church Order
22 ever been recorded in the public land records in
23 Bergen County or any other county?

24 A. I don't know.

25 Q. Okay. Are there any deed restrictions,

1 and you can look through these deeds at your leisure,
2 but is it your practice -- is it The Reformed
3 Church's practice to put deed restrictions in all of
4 its deeds relating to church property that are based
5 on the restrictions in the Book of Church Order?

6 A. Your question is too vague --

7 Q. Okay.

8 A. -- so I can't give an answer.

9 Q. Not to me, but I can understand. Let me
10 just try to ask it a little differently.

11 What in this deed, if you look at this deed in
12 front of you, what in this deed would inform the
13 public that the Ministers, Elders, and Deacons of The
14 Reformed Church of Cherry Hill do not have carte
15 blanche to sell this property?

16 A. That it names it as a Reformed Church.

17 Q. I'm sorry, can you explain your answer?

18 A. A Reformed Church is governed by its
19 order. Therefore, its order defines what it can and
20 cannot do.

21 Q. Okay. And my question was how does the
22 public, someone who wants to buy this property, let's
23 say, for example, know that?

24 MR. MANKOFF: I object to the form of
25 the question. You can answer it.

1 A. I don't know how they would know that.

2 Q. Okay. Is there anything in this deed
3 that would alert them to that?

4 MR. MANKOFF: Objection as to form of
5 the question. You can answer it.

6 A. I cannot account for someone's
7 ignorance.

8 Q. And can you explain what you mean by
9 that?

10 A. It says The Reformed Church of
11 America -- The Reformed Church of Cherry Hill. I
12 cannot account for their ignorance as to the order
13 that restricts or makes free for that Consistory to
14 do what it wants to do with that property.

15 Q. When you say their ignorance, who is the
16 "they" you're referring to?

17 A. The potential purchaser.

18 Q. The public. Okay.

19 Do you recall, and I don't know if you do
20 'cause this is quite a long time ago and it might be
21 before you got -- let me just ask this. In 2009,
22 2010, what was your -- where were you?

23 MR. MANKOFF: You mean geographically?

24 MR. DAVIS: Yes.

25 A. In New Jersey.

1 Q. Okay. And what was your role within the
2 church at that time?

3 A. I was the Pastor of Parkside Community
4 Church.

5 Q. Okay. Were you still involved with the
6 Classis -- at the Classis level?

7 A. As a Pastor, I was a Minister member of
8 the Classis.

9 Q. A Minister member. Okay. Did you have
10 anything -- any -- as a Classis member, did you have
11 any involvement with what was going on with The
12 Reformed Church of Cherry Hill and New Bridge at that
13 time?

14 A. I was not an officer --

15 Q. Okay.

16 A. -- of the Classis.

17 Q. So you weren't privy to the things that
18 the Classis would have been privy to for other
19 congregations. Is that correct?

20 A. I attended stated sessions.

21 Q. All right.

22 A. Anything reported in a stated session
23 during that time I would have had knowledge of.

24 Q. Okay. Then did you -- do you recall
25 that part of the property that we're talking about

1 was sold to the City of River Edge in around 2009,
2 2010 to put up a park?

3 A. I don't know that.

4 Q. You don't recall that at all?

5 Okay. Now, let's go back to what we were
6 talking about earlier. Let's assume, and I think
7 it's correct, but let's just assume that it was under
8 Pastor Acerno's ministry at the church and he sold
9 part of the church property to the town to put a park
10 in. Would the Classis had to have approved that sale
11 of part of the property?

12 A. If the sale of that property impinged or
13 restricted worship, education, or Ministers housing,
14 the Classis would have to approve it. If I'm
15 understanding this correctly, it did not involve the
16 sanctuary, the education or office building, or the
17 manse. Therefore, the Consistory, not Reverend
18 Acerno, the Consistory is capable of selling that
19 property without Classis approval.

20 Q. Okay. And when you say without
21 impinging on ministry in general, let's say,
22 education, would you consider selling the sanctuary
23 as de facto impinging?

24 A. Yes.

25 Q. Okay. I just wanted to get clear on

1 that.

2 A. To be clear, that would impinge on
3 worship.

4 Q. Got it. So can you give -- okay. To
5 put a finer point on this, it might not have required
6 Classis approval to sell part of the property to the
7 city for a park if it didn't impinge on any of these
8 factors you just talked about, in other words, the
9 Consistory could have just gone ahead and done it.

10 A. I would not say it might not. In fact,
11 it is not --

12 Q. So how --

13 A. -- restricted.

14 Q. How would the Consistory know that? I
15 mean, do they have to go to the Classis and sort of
16 get approval that approval is not required, or do
17 they just -- let me just finish the question, or do
18 they just do it on their own based on their own
19 understanding of what they're doing?

20 A. I can't speak to their knowledge or
21 understanding.

22 Q. Okay. Well, I wasn't asking so much
23 what their knowledge was. Is there a procedure that
24 the Consistory has to go through to determine whether
25 or not it needs Classis approval?

1 A. They could read the Book of Church
2 Order.

3 Q. Okay. And interpret it themselves.
4 Okay.

5 A. It requires very little interpretation.

6 Q. Okay.

7 A. Because it says exactly what I've been
8 telling you.

9 Q. Who would have received the proceeds
10 from that sale that we're talking about?

11 A. The church.

12 Q. The church at the location. Reverend --
13 Pastor Acerno's church, the Consistory -- that's run
14 by the Consistory.

15 A. Yes.

16 Q. Okay. Would the Classis or -- would the
17 Classis be entitled to any of those funds, any
18 portion of those proceeds from the sale of the
19 property, assuming it was done in accordance with the
20 Book of Church Order?

21 A. At that time?

22 Q. Uh-hum.

23 A. No.

24 Q. And you said at that time. Has that
25 changed?

1 A. If the Classis supersedes the
2 Consistory, which it has, and takes over the
3 administrative responsibility, the Classis would have
4 responsibility for any of the work of the church.

5 Q. Okay. In that scenario then, it would
6 be the Classis selling the property and not the
7 Consistory.

8 A. Your question is too vague for me to
9 give an answer.

10 Q. Okay. I'll just move on.

11 Do you recall terminating Mr. Soto's -- strike
12 that. Let me ask a question.

13 Was Mr. Soto ever employed by The Reformed
14 Church of Cherry Hill and New Bridge?

15 A. Yes.

16 Q. Okay. And he was paid a salary.

17 A. I don't know.

18 Q. Did you have any involvement in hiring
19 Mr. Soto?

20 A. No.

21 Q. I mean -- by you, I mean you, Reverend
22 Haveman, as opposed to --

23 A. Oh, me.

24 Q. Right.

25 A. Personally.

1 Q. Right.

2 A. No.

3 Q. Okay. Do church employees, including
4 Ministers or Pastors, do they have employment
5 contracts?

6 A. I'll make it clear. Your question is
7 sort of yes and no. Ministers can serve under a call
8 or a contract.

9 Q. What's the difference?

10 A. A call has no end date.

11 Q. And no contract?

12 A. And it lays out all the same things that
13 a contract does, so what's the compensation, what are
14 the benefits, where does the Minister live, what are
15 the responsibilities, etcetera, etcetera, etcetera.
16 A contract has an end date for a year. A call does
17 not.

18 Q. Would it be fair to say that a call is a
19 more informal arrangement?

20 A. No. It's more formal.

21 Q. Really. Not to a lawyer.

22 MR. MANKOFF: Well, if you saw -- if you
23 ever have occasion to review the governance documents
24 for The Reformed Church in America, you will see that
25 it is more involved and more complicated than any

1 contract a lawyer could draw up.

2 MR. DAVIS: Okay.

3 MR. MANKOFF: Fair assessment?

4 THE WITNESS: I don't work as a lawyer,
5 but yes, I think so.

6 Q. Do you recall if Mr. Soto had a -- was
7 under a call situation or if he had a contract?

8 A. He could not have a call.

9 Q. And why is that?

10 A. He's not a Minister.

11 Q. Okay. He's not a Minister within The
12 Reformed Church of America. Is that correct?

13 A. Correct.

14 Q. Might he have been a Minister in --
15 somehow else?

16 A. I don't know.

17 Q. Okay. When I asked you if he was an
18 employee of The Reformed Church, you said he was. As
19 what, what was his job?

20 A. I am guessing.

21 MR. MANKOFF: Do not guess.

22 A. So I won't.

23 Q. Okay. So you weren't involved in either
24 his hiring or sort of as his supervisor for lack of a
25 better word.

1 A. I was not involved.

2 Q. Okay. And do you know what he did for
3 the church or what the church paid him for?

4 A. I'm not going to guess.

5 Q. Do you know who hired him?

6 A. The only body that could would be the
7 Consistory.

8 Q. Okay. So he was paid by Reformed Church
9 of River Edge -- Cherry Hill and New Bridge. I keep
10 doing that. He was paid by The Reformed Church of
11 Cherry Hill and New Bridge, not by anything above
12 that. Is that correct?

13 A. He was not paid by the Classis or any
14 broader assembly.

15 Q. Do you have any direct knowledge of
16 Soto's termination in June 2020?

17 MR. MANKOFF: Objection as to form. You
18 can answer it.

19 A. When a Consistory is superseded, any
20 calls, contracts, etcetera, are automatically
21 terminated. It's the language of the BCO.

22 Q. Any contracts it has with any employees,
23 including Ministers, Pastors?

24 A. Yes.

25 Q. Are Deacons and Elders also considered

1 employees?

2 A. No.

3 Q. Okay. So Mr. Soto's termination was in
4 connection with the supersession of the Consistory by
5 the Classis. Is that correct?

6 A. Yes.

7 Q. And were you involved in that procedure,
8 that specific procedure involving this church?

9 A. I was the Clerk of the Classis and kept
10 minutes of the stated session where the Consistory
11 was superseded.

12 Q. Can you just give me the background of,
13 you know, what led to the supersession -- can I use
14 that word?

15 A. Yeah.

16 Q. What led to the supersession and, you
17 know, why it happened.

18 A. A Classis is responsible to give a
19 notification of show cause as to why a Consistory
20 should not be superseded. Once that is put forward
21 on the agenda for the stated session, sent out to the
22 entire Classis, the show cause will happen. You then
23 go through that process, and the Classis votes to
24 supersede or to not supersede. The Book of Church
25 Order lists the reasons why a Classis could show

1 cause. I don't remember specifically those reasons,
2 but that is what the Classis would vote on and that
3 is what the Consistory would argue that there's no
4 reason to supersede.

5 Q. And when you say an order to show cause,
6 is that in a civil court or is that within an
7 internal parochial court for lack of a better term?

8 A. It's not civil.

9 Q. Okay.

10 A. It's religious.

11 Q. And what were the specific circumstances
12 here in the Soto case that prompted the Classis to
13 supersede the Consistory?

14 A. I don't remember which of the reasons
15 among the list --

16 Q. Okay. That's what you meant by that.

17 A. -- that were given in the notification.

18 Q. Do you recall if it had anything to do
19 with misappropriation of church funds or property?

20 A. I don't recall.

21 Q. Okay.

22 A. That is a reason, but I don't remember
23 if that was listed. Let me be clear, the potential
24 reason on that list.

25 Q. Right. I understand.

1 A. I'm not saying that it was a reason.
2 It's a potential among the...

3 Q. All right. That was a fair
4 clarification.

5 Has the name River Edge Church been used for
6 that location historically, in other words, before
7 all this developed with the Soto situation, is that
8 an old name for that location?

9 A. No.

10 Q. No. Did the River Edge Church that's
11 located there or that was located there recently pay
12 any assessments to the Classis or to a higher church
13 authority?

14 A. The Reformed Church of Cherry Hill did.

15 Q. Okay. Do you recall when those stopped,
16 when that stopped happening?

17 A. No.

18 Q. Does it go the other way, does the
19 Classis or a higher entity in the hierarchy ever
20 infuse funds into a lower-level church, a
21 congregation or a Consistory?

22 A. Yeah.

23 Q. Okay. Is that on request, is that as
24 needed, do you do reviews every year and see who
25 needs the money and give it to them, how does that

1 work?

2 A. We offer grants for any number of
3 ministry needs or church administration, business.
4 We offer loans. And on occasion, we offer relief to
5 all the congregations for a specific issue --

6 Q. Okay.

7 A. -- or challenge that that -- though our
8 congregations may have.

9 Q. Do you recall if any of that -- any of
10 those things you just mentioned were ever provided to
11 The Reformed Church of Cherry Hill and New Bridge
12 under Pastor Acerno's watch?

13 A. Yes.

14 Q. Okay. And none of those funds were
15 provided to the entity that is purportedly governed
16 by Steven Soto. Is that correct? In other words,
17 Steven Soto's church, did he ever get funds from the
18 Classis?

19 A. He did not get any funds.

20 Q. Did he ever ask for them?

21 A. Yes.

22 Q. Okay. In what form did he ask?

23 A. At the beginning of the pandemic, the
24 Classis offered a wide range of grants to
25 congregations that applied for them and showed their

1 need. Steven Soto as a part of The Reformed Church
2 of Cherry Hill applied for a grant and was denied.

3 Q. When you say as a part of The Reformed
4 Church of Cherry Hill, do you know what capacity was
5 he in to apply for a grant from the Classis?

6 A. Somewhere after Ralph Acerno retired,
7 Steven Soto and Nick Valvano were named Elder
8 delegates to the Classis on behalf of the Consistory
9 of The Reformed Church of Cherry Hill.

10 Q. By whom?

11 A. By the Consistory of The Reformed Church
12 of Cherry Hill.

13 Q. Okay.

14 A. And as filling that role as a delegate,
15 he applied on behalf and in conjunction with the
16 Consistory of The Reformed Church of Cherry Hill for
17 grant relief related to the pandemic.

18 Q. Okay. So when he did that, it was on
19 behalf of The Reformed Church of Cherry Hill and New
20 Bridge.

21 A. Correct.

22 Q. And do you know why the request was
23 denied?

24 A. He didn't supply all the information
25 that we asked for in the application process.

1 Q. So -- okay. It was a procedural defect
2 in the application essentially.

3 A. Yeah. He refused to.

4 Q. Refused to. Can you elaborate on that?

5 A. We asked for financial information --

6 Q. Okay.

7 A. -- of the church. He would not -- he
8 would not supply it.

9 Q. When was that? COVID you said, so.

10 A. Somewhere near the beginning of COVID.

11 Q. The beginning, like spring of 2020,
12 summer 2020 maybe?

13 A. Yeah, we'll say between February --
14 we'll say between March and May.

15 Q. March 16th was the shutdown. It was the
16 day before my son's 17th birthday. Anyway.

17 Okay. So did that give you any sense of --
18 that Mr. Soto was doing anything wrong at that time?
19 In other words, let me rephrase the question. The
20 fact that Mr. Soto refused to provide the information
21 that you were requesting, did that give rise to any
22 suspicions on the part of Reformed Church?

23 MR. MANKOFF: Objection as to form.

24 Q. About Mr. Soto's --

25 MR. MANKOFF: You can answer.

1 MR. DAVIS: I'm sorry.

2 Q. About Mr. Soto's work for the church.

3 A. It became part of our investigation and
4 work into why the Consistory should be superseded.

5 Q. Okay. And that happened in June.
6 Correct?

7 A. Yes.

8 Q. And then you filed your Complaint
9 against Mr. Soto in the Chancery Court in August.
10 Right? That's what the document said.

11 A. Yeah, it was dated August, so I think
12 yes.

13 Q. So was this all part of the same
14 process? And by that I mean, did Mr. Soto's
15 application for the grant and his refusal to provide
16 certain information and then prompting your
17 investigation and then the supersession of the
18 Consistory and the termination of Mr. Soto and then
19 the lawsuit in August 2020, was that basically all
20 one process?

21 MR. MANKOFF: Objection as to form. You
22 can answer it.

23 A. The first part of the process was all
24 religious.

25 Q. And what was that?

1 A. Meaning it wasn't civil.

2 Q. Okay.

3 A. It was our process, internal process.

4 Through that it then became civil, and hence the

5 filing in the courts.

6 Q. Okay. I want to make my question clear.

7 Was there a specific piece of information that you

8 found out or a specific action by Soto that prompted

9 the internal investigation, the internal procedure?

10 A. I don't -- I don't recall --

11 Q. Okay.

12 A. -- a specific one.

13 Q. Can you generally recall what gave rise

14 to doing the investigation at all?

15 A. I can't remember a specific like

16 tipping-point moment that gave rise.

17 Q. Okay. Fair enough. If you don't

18 remember, that's your answer.

19 So in the Complaint, the Verified Complaint we

20 looked at earlier, it says that The Reformed Church

21 took the necessary steps to bring the property under

22 The Reformed Church's direct administration. Does

23 that sound like a familiar thing to you, is that what

24 happens when you supersede a Consistory?

25 A. Yes.

1 Q. Okay. What does that look like?
2 Describe those efforts, and what exactly does it mean
3 to take over the direct administration of the
4 Consistory, what does the Classis do?

5 A. Do you want me to repeat what I just
6 said?

7 Q. That was it --

8 A. That's it.

9 Q. -- that process, that investigative
10 process?

11 Okay. But what about taking over control of
12 the property, do you kind of move in with your own
13 property manager, how does that work?

14 A. Once the Classis has voted to supersede
15 the Consistory, the new Consistory becomes the
16 Executive Committee of the Classis, and it appoints
17 an Administrative Committee to then administer the
18 property and take over all of the responsibilities of
19 the church.

20 Q. And that was done here in this case.

21 A. Yes.

22 Q. And so did the Classis put a new
23 Minister in place?

24 A. In this case?

25 Q. Uh-hum.

1 A. No.

2 Q. Okay. Is that a normal thing that is
3 done when a Consistory is superseded?

4 A. There is no normal.

5 Q. So let me ask you, why wasn't it done
6 here if -- why wouldn't a Pastor be put in place?
7 Can I ask you a different question?

8 A. Sure.

9 Q. And then maybe it will help. How big
10 was this congregation at this time.

11 A. Very small.

12 Q. Yeah.

13 A. I don't know.

14 Q. Okay.

15 A. But very small.

16 Q. Okay. Does that question kind of
17 enlighten my other question as to why you wouldn't
18 put a Pastor in place?

19 A. Yes and no.

20 Q. Okay. Was the assumption that Steven
21 Soto was gone?

22 A. No.

23 Q. No. So what was Reformed Church's
24 understanding after this Consistory was superseded
25 and Steven Soto was terminated, what happened to

1 Steven Soto? What happened to Steven Soto in August
2 of 2020?

3 A. He was in the parsonage and refused to
4 leave.

5 Q. Okay. And that's why you brought the
6 suit in August.

7 Okay. Do you know when eventually, if ever, he
8 left?

9 A. We don't know specifically --

10 Q. Okay.

11 A. -- when he left.

12 Q. Might he still be there as far as you
13 know?

14 A. It's my understanding that he's not
15 there.

16 Q. Okay. And what's your understanding
17 based on?

18 A. When our property manager has gone to
19 address issues or problems, someone other than Steven
20 Soto answers the door.

21 Q. Do you know who answers the door?

22 A. I -- I don't.

23 Q. Do you know if it's a man or a woman?

24 A. It's a woman.

25 Q. Are you talking about Mr. Everetts, is

1 he your property manager?

2 A. Yes.

3 Q. Okay. We met.

4 Was Reformed Church aware that Steven Soto had
5 had an appraisal of the property done?

6 A. I can't recall --

7 Q. Okay.

8 A. -- whether we were aware or not.

9 Q. It's in the Complaint that he did try --
10 he did do an appraisal. My question was when did
11 Reformed Church become aware of that. And it sounds
12 like you wouldn't remember.

13 A. I don't want to give --

14 Q. Okay.

15 A. -- dates that I'm unsure of.

16 (Exhibit RC-8, Cover letter dated
17 1/6/2022 with attachments, was received and marked
18 for identification.)

19 Q. This I just entered as Exhibit 8. The
20 first page is a cover letter from Surety Title -- I
21 never know how to pronounce that word, Surety Title
22 Company to the River Edge Church, Attention: Steve
23 Soto. Do you see that?

24 A. Yes.

25 Q. It's dated January 6, 2022. Re: 340-360

1 Bogert Road. This is just a cover letter where
2 someone named Maribeth Dougherty says, "Dear Steve:
3 I found this on my desk from last year."

4 Do you know who Maribeth Dougherty is, by the
5 way?

6 A. No.

7 Q. Okay. Do you know who Surety Title
8 Company is?

9 A. No.

10 Q. All right. But that's just the cover
11 letter. And then the next page is an invoice. And
12 then the third page is a cover sheet for a deed. Do
13 you see that? It says at the top it's the Bergen
14 County Clerk, Document: Deed and Realty Tax Fees.
15 Keep going. It looks like this. Oh, you passed it.
16 Third page. You're there. Okay. So this is a cover
17 page for a deed, and if you're not looking at these
18 documents -- have you ever seen something like this
19 before?

20 A. No.

21 Q. Okay. This is what's recorded in the
22 land records of the county, recording any
23 transactions or any encumbrances having to do with a
24 piece of property. And if you look at the cover
25 page, in the middle it says Primary Name, Reformed

1 Church of Cherry Hill, Secondary Name River Edge
2 Church. So this is a transaction purportedly between
3 those two parties. And then below that in the box on
4 the right, it says the Recorded Date 12/18/2020. Do
5 you see that?

6 A. Yes.

7 Q. That's the date that this was recorded
8 in the public land records. This is just a cover
9 sheet. The next page is actually the deed itself.
10 And this is a Warranty Deed. And if you want to just
11 read it, it's very short, just so you get a sense of
12 what it is. Why don't you take -- why don't you go
13 ahead and take your time and look at it. Those are
14 all -- you can go ahead and read them if you want,
15 but I'm going to ask you about the actual page that
16 says Warranty Deed on it.

17 A. I wish I would have known about this.

18 Q. Well, that was going to be my question.
19 So when you're comfortable, I will ask it. Have you
20 ever seen this document before?

21 A. No.

22 Q. Okay. Well, this was produced by your
23 attorney to us in this litigation -- actually, in a
24 prior iteration of this litigation.

25 MR. DAVIS: Howard, it was in the second

1 matter before Judge Jerejian that this was filed.

2 Q. This was produced to us in discovery, so
3 I guess my question was, where did Reformed Church
4 get it?

5 A. I don't know.

6 Q. Okay. I thought that would be your
7 answer. So you're seeing this for the first time
8 today, Reverend Haveman. Is that correct? As far as
9 you remember.

10 A. Yeah, I --

11 Q. Okay. I just want to point out a couple
12 of things to you. Although it was recorded on
13 December 18th, 2020, as you saw on the cover page,
14 the date on the first paragraph is March 2020, 12th
15 day of March 2020, and it's notarized on September
16 24th, 2020, if you look at the notary page. Speaking
17 of the notary page, you don't know who T'Angelo J.
18 Magee is, do you?

19 A. No.

20 Q. Okay. If you look at the signature
21 page, it says The Reformed Church of Cherry Hill per,
22 and then it looks like the signature Elder/Pastor
23 Steven Soto. Do you see that?

24 A. Yes.

25 Q. Okay. Would an Elder or Pastor of The

1 Reformed Church of Cherry Hill have authorization to
2 execute this deed?

3 A. No.

4 Q. And why not?

5 A. It -- well, I can give you some reasons.
6 First of all, a deed is not held by an individual for
7 a nonprofit, it's held by the Board of Trustees,
8 hence the Consistory. You would not execute a deed
9 for a nonprofit to an individual even if it says per
10 Steven Soto, because you want the entire Board
11 signing for this information. Right? That's the
12 first thing. You can't have an individual do this
13 work. It has to be the Board of Trustees itself, the
14 Consistory.

15 Second, this was never approved by Classis, so
16 the whole thing is fraudulent.

17 Q. Okay.

18 A. Third, and most importantly.

19 Q. Go ahead.

20 A. On September 24th of 2020, he was not a
21 member of the Consistory of The Reformed Church of
22 Cherry Hill. They'd been superseded in June of 2020.

23 Q. Okay.

24 A. The Administrative Committee, whose
25 President was me, which I did not approve of this

1 nonsense, and the Executive Committee of the Classis
2 after we superseded them. This is illegal. It's a
3 misrepresentation of who he is and who the church is.
4 This whole thing is evidence of fraud.

5 Q. Okay. Thank you, but that didn't answer
6 my question, but I understand you're getting worked
7 up over that. And just so you know, I'm not here on
8 behalf of Steven Soto.

9 Okay. So I guess just to hone in on my
10 question.

11 A. You asked me -- apologize for
12 interrupting.

13 Q. No, you can elaborate.

14 A. You asked me about the process or how
15 this would happen. I gave you the answer, which is a
16 deed or a title for a church would not be entered
17 into by an individual. It would be entered into by
18 the Board of Trustees of that nonprofit --

19 Q. Right. And that was my question.

20 A. -- of the church. That's the answer.

21 Q. And then let me follow up. You said
22 that on -- which is well taken, on September 24th,
23 2020, this Consistory had been superseded and Steven
24 Soto had been terminated. Correct? So did you file
25 in the public land records -- strike that.

1 Is there any documentation evidencing the
2 supersession of the Consistory? In other words, is
3 that reflected in a document?

4 A. The minutes of the stated session of
5 June of that year.

6 Q. Is there anything like a resolution that
7 comes out of it or is it just the minutes?

8 A. There's a recommendation --

9 Q. Okay.

10 A. -- by the Supervision of Churches
11 Committee.

12 Q. Which is the minutes.

13 A. The show cause hearing is -- takes place
14 before the Classis, and then it votes on the
15 recommendation.

16 Q. Okay. So everything is in the minutes.

17 A. Yes.

18 Q. Were the minutes superseding the
19 Consistory recorded in the public land records?

20 A. No.

21 Q. Okay.

22 MR. DAVIS: Can we take a short break?

23 MR. MANKOFF: Sure.

24 (A break was taken.)

25 (Exhibit RC-9, Order dated 5/31/2022,

1 was received and marked for identification.)

2 (Exhibit RC-10, Order dated 10/7/2020,
3 was received and marked for identification.)

4 Q. Reverend, you were just handed two
5 exhibits, 9 and 10. 9 is an Order in the case we've
6 been talking about against Steven Soto in which
7 Reformed -- River Edge Church joined -- intervened, I
8 should say, filed on May 31st, 2022, there's a file
9 stamp on the right. And then the other one is an
10 Order, if you look in the body of the Order it was
11 filed on the 7th day of October 2020. Is that what
12 you have in front of you?

13 A. Yes.

14 Q. Okay. I want to talk about Exhibit 10
15 first actually real quick. So this is an Order that
16 arose out of the same litigation we've been talking
17 about against Steven Soto. This was before River
18 Edge Church intervened in the action. And it's
19 granting various relief. And I just want to talk
20 about the first point. You're free to read the whole
21 order if you want for context. But on October 7th,
22 2020, the Court orders, number 1, "The defendant,"
23 who is Steven Soto, "shall not sell, nor attempt to
24 sell, the real estate on which the Church or its
25 parsonage are located." Right? Do you see that?

1 A. Yes.

2 Q. That's an Order. That's not a proposed
3 order, the Court ordered that. So do you recall
4 requesting that relief from the Court in this
5 litigation?

6 A. I don't remember.

7 Q. Okay. Well, the Order ensued and you
8 got the relief. And my question is, did River
9 Edge -- did Reformed Church record this Order in any
10 of the public land records?

11 A. No.

12 Q. Okay. That's all I have for that.

13 And then Exhibit 9 is an Order from May 31st,
14 2022. And this Order ended the case, as we found
15 out, my client, when we tried to intervene in this
16 case after May 31st, 2022, at which time we were told
17 the case was over because of this Order.

18 So on May 31st, 2022, the Court enters its
19 final Order. And just look at the relief. You can
20 read the whole thing, but the first paragraph is just
21 the parties and whatnot. The second page is the
22 actual Order.

23 A. Okay.

24 Q. So in May 2022, this Order is entered,
25 and the upshot of the relief is, paragraph 1,

1 plaintiff's motion, plaintiff being you, is granted
2 in -- as to Count 1, "Defendant Steven Soto shall
3 vacate the parsonage as of 90 days of the date of
4 this Order." Do you see that?

5 A. Yes.

6 Q. And then you told me that's what you
7 wanted, that was sort of your end game, those are my
8 words, with this, and you also told me that -- strike
9 that.

10 Do you know if Steven Soto vacated the manse in
11 response to this Order, and if so, when, keeping in
12 mind the date.

13 A. I don't know --

14 Q. Okay.

15 A. -- if he honored the judge's ruling.

16 Q. And is it correct to say based on your
17 prior testimony that you don't know exactly when he
18 left the manse?

19 A. That is correct, I don't know when he
20 left the manse.

21 Q. So throughout the course of this
22 litigation, which presumably ended with this Order,
23 just to reiterate, did Reformed Church at any time
24 record anything in the public records indicating that
25 there was any dispute about title to the property or

1 about anybody's right to sell the property?

2 A. No.

3 Q. Okay. And at any time during this
4 litigation, which commenced with the August 2020
5 Complaint and ended with the May 31st, 2022, Order,
6 at any time during that period, did The Reformed
7 Church do a title search for this property?

8 A. Not that I remember.

9 Q. Okay. Is there any other relief in this
10 Order that you see regarding ownership of the
11 property?

12 A. I'm not sure what that means.

13 Q. Okay. We saw in paragraph 1 that the
14 relief granted was that defendant Steven Soto shall
15 vacate the parsonage. Correct?

16 A. Yes.

17 Q. Okay. Strike the question, because
18 you'd have to know what counts 1, 2 -- 2, 3, and 4
19 were. So I'm not going to make you go through that.
20 So never mind.

21 Did The Reformed Church record this Order in
22 the public land records?

23 A. No.

24 MR. DAVIS: This will be 11.

25 (Exhibit RC-11, Plaintiff, The Reformed

1 Church of Cherry Hill and New Bridge's, Responses to
2 Intervener-Plaintiff's Interrogatories, was received
3 and marked for identification.)

4 Q. Okay. Reverend Haveman, this is
5 Reformed Church's responses to interrogatories we
6 served in the prior case. Let me give you some
7 context here. Do you know what an interrogatory is?

8 A. I don't want to guess. I'll say no.

9 Q. Okay. It's a question that a lawyer
10 asks in a lawsuit of another party. It's basically a
11 question. And this is a series of questions that my
12 client served on you in the case with the docket
13 number BER-C-27-23. That's the second case involving
14 Reformed Church and River Edge Church that was filed
15 with Judge Jerejian. Do you recall that happening?

16 A. I think so.

17 Q. Okay. We'll get to that in a second,
18 but I just want to talk about the interrogatories
19 right now. But your lawyer and I agree that these
20 interrogatories hold good for this case since it's
21 the same exact issues. So I just wanted to ask you a
22 couple of questions about the interrogatories.

23 First, if you go to the very last page, there's
24 a Verification page which basically attests that to
25 the best of the person's knowledge, these answers are

1 true. And is that your signature there?

2 A. Yes.

3 Q. Okay. Do you remember signing this
4 document?

5 A. Yes.

6 Q. Do you remember having any input into
7 the answers that are reflected in this document?

8 A. I reviewed them.

9 Q. Okay. Did you provide any of the
10 information that went into these answers?

11 A. I don't remember.

12 Q. You don't remember?

13 Look at number 1. That may refresh your
14 memory. The question is, Please identify all persons
15 who answered, assisted, or contributed information to
16 the answering of these interrogatories, and it says
17 you. So does that refresh your memory that you
18 provided the information in these answers?

19 A. Yes.

20 Q. Okay. Number 2 asks all persons who are
21 likely to have knowledge or information pertaining to
22 any of the issues in this case. And Reformed Church
23 lists one, two, three, four, five, six, seven, seven
24 people, and then there's a catchall at the end.

25 We know who Steven Soto is. I don't think

1 we've discussed Pastor Greg Dunlop. Could you tell
2 me who he is and why he's identified here as a person
3 with knowledge?

4 A. Greg is a colleague. He's a Minister
5 member of the Classis of Greater Palisades. When
6 Ralph Acerno retired, he was named the Supervisor for
7 The Reformed Church of Cherry Hill.

8 Q. What is a Supervisor?

9 A. A Consistory cannot exist without a
10 Minister, Elders, and Deacons. You need a Minister.
11 A Supervisor fulfills that function --

12 Q. Okay.

13 A. -- on behalf of the Classis and for the
14 congregation.

15 Q. And that was after Reverend -- Pastor
16 Acerno left.

17 A. It was after his retirement.

18 Q. Okay. And how long was Pastor Dunlop
19 there?

20 A. As the Supervisor?

21 Q. Uh-hum.

22 A. Until the church was superseded.

23 Q. Okay. So between Acerno's retirement
24 and the supersession, Pastor Dunlop was essentially
25 the Minister that The Reformed Church of Cherry Hill

1 had.

2 A. He was the Supervisor.

3 Q. Okay. Acting as a Minister.

4 A. Acting as the President of the
5 Consistory.

6 Q. Okay. Did he have ministerial duties as
7 far as Word and Sacrament or was he an administrator?

8 A. He was the President of the Consistory.

9 Q. Okay. That clarifies that. So who did
10 he supervise -- or let me re-ask that. Who or what
11 did he supervise at the time?

12 A. His primary role is to function as the
13 President of the Consistory to make sure that
14 everything that the Consistory and the congregation
15 does is in good order.

16 Q. Do you know if Steven Soto was one of
17 the people he was supervising in that capacity?

18 A. It's my understanding that Steven Soto
19 was an elder on the Consistory at that time.

20 Q. So would they have been sort of peers in
21 any sense? Co-Consistory members?

22 A. They would have been part of the
23 Consistory.

24 Q. Okay.

25 A. Peers is a word we wouldn't use.

1 Q. Okay. Bad word.

2 Marsha Tulloch, do you know who she is?

3 A. Marsha -- yes.

4 Q. Can you tell me who and why she's listed
5 here as someone with knowledge?

6 A. She was a member of the congregation.

7 Q. Okay. And what would she know about
8 these issues that we're litigating here?

9 A. Her -- in regards to these issues, she
10 helped with the finances of the church and the
11 original Consistory -- sorry, strike that. Let me
12 rephrase what that -- the original Administrative
13 Committee that the Classis set up, Marsha was on
14 that.

15 Q. Okay. Was she paid for that job?

16 A. No, she was not.

17 Q. Volunteer?

18 A. Yeah. Don't I wish.

19 Q. Did she uncover any malfeasance by
20 Steven Soto or anybody else while she was helping
21 with the church's finances?

22 A. She did.

23 Q. And what was that?

24 A. It is -- it was our, whatever you call
25 it, charge, complaint that Soto was responsible for

1 around \$200,000 worth of fraudulent activity within
2 the church.

3 Q. In what specific sense? What was the
4 \$200,000 earmarked to, what was that?

5 A. He bought a variety of things on credit
6 and then sold them on Craigslist and pocketed the
7 money.

8 Q. Do you know he pocketed the money or are
9 you just guessing that's exactly what happened?

10 A. I know the church never saw it.

11 Q. Okay. But you know -- you saw the
12 Craigslist listings -- or either you or Ms. Tulloch
13 saw the Craigslist listings?

14 A. For at least one item, yes.

15 Q. Which was what?

16 A. I can't remember.

17 Q. Okay. One item. So you mentioned
18 \$200,000. Is there -- where did that number come
19 from?

20 A. We have -- Marsha had access to one of
21 the church emails addresses, saw interactions in the
22 history of back-and-forth emails between Soto and
23 people that were buying equipment, brought it to our
24 attention as the Consistory or the Classis. We did a
25 credit search and found that we had hundreds of

1 thousands of dollars worth of back-owed debt that no
2 one was aware of.

3 Q. Credit card debt?

4 A. Not just credit card debt, but credit
5 debt.

6 Q. And was that somehow tied directly to
7 Soto?

8 A. He signed for most of it.

9 Q. Okay. When you say signed, signed what
10 specifically?

11 A. Applications, contracts --

12 Q. Okay.

13 A. -- for --

14 Q. And that was all documented, that was
15 uncovered by Ms. Tulloch or somebody else?

16 A. We submitted it as a part of our
17 complaint --

18 Q. Okay.

19 A. -- charge, whatever you call it.

20 Q. The Civil Complaint.

21 A. Correct.

22 Q. Okay.

23 A. And I'm stating it as what we believed
24 happened and what we argued happened, but I believe,
25 I can't -- well, I can't remember, so I won't say.

1 Q. So Ms. Tulloch is -- correct me if I'm
2 wrong, but Ms. Tulloch is on this list because she
3 has firsthand knowledge of some of Mr. Soto's alleged
4 financial improprieties. Is that correct?

5 A. She's on the list primarily as a member
6 of the Administrative Committee, but in addition to
7 her role in the financial realities of the
8 congregation before it was superseded.

9 Q. And who's Antonios Pallogudis?

10 A. I can't remember, but I know that the
11 other three were members of the Consistory before it
12 was superseded.

13 Q. You mean (e), (f), and (g)?

14 A. Yes.

15 Q. Okay. So you don't really recall --

16 A. Nicholas, Gary, and Arsine.

17 Q. You don't really recall who Antonios
18 Pallogudis was?

19 A. I can't recall who that is.

20 Q. All right.

21 A. And I'm not going to guess.

22 Q. That's fine.

23 A. But I could.

24 Q. Nicholas Valvano's name has come up
25 before. Can you tell me who he is?

1 A. He was an elder in the congregation, and
2 in relation to the Classis was one of the elder
3 delegates that The Reformed Church of Cherry Hill
4 sent to the stated sessions and is a part of the
5 Classis.

6 Q. Was he there at the time of the
7 supersession?

8 A. I don't think he attended the meeting.

9 Q. Was he an Elder at the time of the
10 supersession?

11 A. I don't know.

12 Q. Okay. What about Gary Olsen -- oh,
13 strike that. I want to go back to Mr. Valvano real
14 quickly. Is there anything you can call to mind that
15 he would know about the issues in this case, the
16 specific issues that we're talking about today?

17 A. I can't speak to what he would know or
18 remember.

19 Q. Gary Olsen.

20 A. Gary was also a member of Consistory,
21 longtime member of the congregation, and knew Soto
22 and the general workings and on-goings of the
23 congregation.

24 Q. Okay. The good stuff and the bad stuff?

25 A. I don't know how much of either of

1 those.

2 Q. Okay.

3 A. But Gary still emails me today asking
4 for updates.

5 Q. On this situation?

6 A. On what's going on in his church.

7 Q. Okay. So he's still a member.

8 A. Uh-hum.

9 Q. Okay. Still attends.

10 A. Yeah. Such as the church exists at this
11 point, yeah.

12 Q. Who's -- is it Arsine or Arsine, Arsine
13 Cameron?

14 A. I believe it's Arsine.

15 Q. Arsine, do you know who she is?

16 A. She was a member of the Consistory
17 before the supersession.

18 Q. And what would she know about this case
19 specifically, if you can call to mind?

20 A. I cannot speak --

21 Q. Okay.

22 A. -- to what she would know.

23 Q. Do you know what kind of opinion Pastor
24 Acerno had of Steven Soto?

25 A. I can't --

1 Q. All right.

2 A. -- speak to what Reverend Acerno or
3 Pastor Acerno, what his opinion was.

4 Q. I'll tell you why I asked that question.
5 I saw emails in the documents that were produced
6 where he spoke of Mr. Soto in very glowing terms, and
7 I was just curious as to if you knew anything about
8 that relationship and what would make Pastor Acerno
9 speak so highly of Steven Soto given everything else
10 we know.

11 A. I don't know enough about their
12 relationship to be able to speak to what --

13 Q. That's fine.

14 A. -- Reverend Acerno's opinion is.

15 Q. That's perfectly fair. Turn to page --
16 number 4 very quickly. It says in your response,
17 "Steven Soto admitted that he was not a member of the
18 clergy." So let me ask you a little bit about that.
19 Did he admit that to you? You can go ahead and read
20 the question first, I'm sorry.

21 A. I don't remember.

22 Q. Okay. So you don't really remember that
23 particular admission at all? There's no point asking
24 you any questions? That's what I'm asking.

25 A. Yeah, I --

1 Q. Okay.

2 A. I know there were multiple members of
3 the Classis who had interactions with Reverend Soto,
4 and I don't remember which of those --

5 Q. So he might have stated that -- he might
6 have admitted that to somebody who you're referring
7 to right now and then you heard of it, is that fair
8 enough?

9 A. He might -- well, I don't want to say
10 might have.

11 Q. Okay. But earlier on you did mention
12 that he's not an ordained Minister.

13 A. That's a hundred percent true.

14 Q. And that's -- when you say not an
15 ordained Minister, you mean not within the RCA. Is
16 that right?

17 A. He's not a Reformed Church --

18 Q. Right.

19 A. -- Minister.

20 Q. So he may be ordained in who knows what.

21 A. You could get ordained on the internet.

22 Q. I know. My brother-in-law got -- well,
23 he's a city official, he does marriages, so good for
24 him. Okay.

25 MR. MANKOFF: Off the record for a

1 second.

2 (Discussion off the record.)

3 Q. If you look at number 10, a couple of
4 pages later, Please describe in detail, go ahead and
5 read the question about work at the property.

6 A. Okay.

7 Q. And Reformed Church's response is, "The
8 Reformed Church in America did not make any
9 improvements in the property." I have a couple of
10 questions about that. The answer references The
11 Reformed Church in America, and we've been talking
12 kind of all along about The Reformed Church of Cherry
13 Hill and New Bridge. So just to put a finer point on
14 it. Did The Reformed Church of Cherry Hill and New
15 Bridge make any improvements to the property in
16 response to this particular question?

17 A. Correct. Let me just read it one more
18 time.

19 Q. Yeah. And just so you know, the
20 relevant time frame here isn't going back forever.

21 A. Well, yeah.

22 Q. I can tell you the relevant time frame
23 just to make it easier for you. We're talking 2022
24 and after.

25 A. So in the answer, in the response, we

1 differentiated between improvements and basic
2 maintenance.

3 Q. I understand that. And just to be
4 clear, I'm not asking anything about maintenance.
5 I'm talking about improvements to the structures
6 themselves, construction, renovations, that kind of
7 thing.

8 A. Anything that would require -- what is
9 it that the town or the state --

10 Q. Permits, subcontractors -- contractors
11 and permits, yes.

12 A. Anything that would require a
13 significant permit that didn't have to do with
14 maintenance or repairs, no.

15 Q. Okay. And I just want to make sure
16 we're talking about the same thing, 'cause the answer
17 says RFA, Reformed Church in America, and I'm asking
18 about your church.

19 A. Yeah. It could have been clearer to say
20 The Reformed Church of Cherry Hill. I won't speak to
21 why it says what it does.

22 Q. Okay. So The Reformed Church of Cherry
23 Hill, who you're here as, didn't hire any contractors
24 since 2022 to make any improvements to the property,
25 did they?

1 A. Beyond maintenance, repair.

2 Q. Right, exactly. I'm not talking about
3 general -- I'm not talking about calling a plumber.

4 A. Right.

5 Q. Okay. Do you remember either Steven
6 Soto or anybody else from the property telling you
7 about any such work that was going to be done?

8 A. No.

9 Q. Okay. Did you recall ever hearing from
10 River Edge Church or Steven Soto or anybody else
11 about any loan that they were applying for to do such
12 work?

13 A. No.

14 Q. Do you remember a dumpster -- getting
15 cited for a dumpster on the property in the spring of
16 2022?

17 A. I don't know about the date.

18 Q. Okay. Do you remember getting cited by
19 the town for a dumpster on the property?

20 A. Yes. It wasn't getting emptied, I
21 think.

22 Q. Okay. How did -- why was the dumpster
23 there, if you recall?

24 A. To my understanding -- I don't recall.

25 Q. Okay.

1 A. Sorry.

2 Q. So does that make you rethink your
3 answer about any construction work being done on the
4 property since 2022? Let me -- strike that. Let me
5 just ask a whole nother question.

6 Are you aware of any construction work that was
7 being done at the property starting in 2022? And
8 does the dumpster being there jog your memory?

9 A. We were not aware of any major
10 improvements. I couldn't guess why a dumpster was
11 there.

12 Q. Okay.

13 A. Were they taking out old furniture?

14 Q. So you just don't know.

15 A. Were they moving out, so they were
16 throwing away things while moving, you know, new
17 stuff? You know, I cannot say why that dumpster was
18 there with any certainty or what was happening inside
19 the house. We didn't have access to it, so I don't
20 know.

21 Q. Did you ever go out to the property? I
22 mean, did you ever go to 340-360 Bogert Road? By
23 ever I mean since like in the last five years or so?

24 A. Yes.

25 Q. Okay. How often?

1 A. I don't remember a specific number.

2 Q. Let me re-ask the question. Is it
3 something you did regularly as part of your job, for
4 lack of a better word, with the church or with the
5 Classis or was it just as need arose or as occasion
6 arose?

7 A. As the President of the Consistory, no,
8 it was not part of my regular job --

9 Q. Okay.

10 A. -- personally. We hired a property
11 manager, Ethan Everetts, who is out there as
12 frequently as needed --

13 Q. Okay.

14 A. -- lots and lots of time. And he -- as
15 the Consistory, as the Administrative Committee, we
16 pay him, and he reports monthly to us as to what's
17 happening and what decisions need to be made, those
18 sorts of things.

19 Q. And by decisions, you mean regarding
20 maintenance and upkeep and things like that?

21 A. Yes.

22 Q. And how long has Mr. Everetts been the
23 property manager?

24 A. I don't remember specifically --

25 Q. Can I --

1 A. -- but it was from very soon after the
2 Administrative Committee took over.

3 Q. Okay. 2020-ish?

4 A. It was in 2020.

5 Q. Okay.

6 A. I don't remember.

7 Q. Did Mr. Everetts ever report to you that
8 there was any construction or renovation going on at
9 the property?

10 A. He reported -- you jogging my memory on
11 the dumpster, he reported the dumpster was there.

12 Q. Okay.

13 A. But I don't remember him saying anything
14 about construction inside the house.

15 Q. Okay.

16 A. I can't say anything about outside the
17 house. I don't remember that.

18 Q. Okay. And I guess nobody --
19 Mr. Everetts or yourself really didn't see or know
20 what was going into the dumpster?

21 A. No.

22 Q. Okay.

23 A. Not that I remember.

24 Q. Number 11 asks, "Please identify any
25 lis pendens or other recorded notification of your

1 alleged ownership interest in the Property or claim
2 of title to the Property." And we talked about a lis
3 pendens before. That's just any -- that's a recorded
4 notice that there's a -- something's going on with
5 the property in the courts basically.

6 And your answer is, "No lis pendens was filed
7 because the plaintiff was not aware that its
8 ownership was contested." Do you see that answer?

9 A. Yes.

10 Q. So I just want to go back to all the
11 documents we've looked at from that first case
12 against Steven Soto where all these orders were
13 issued, there was a motion to enforce litigants
14 rights, and there were several orders and motions in
15 which you were asking the Court to not allow him to
16 sell the property, there was one motion in which you
17 were asking -- actually asking for a declaration that
18 you own the property.

19 So in light of all that, which was the bulk of
20 the middle part of this deposition, does your answer
21 to this interrogatory change at all when you say that
22 the plaintiff was not aware, and by plaintiff now
23 that means you, the plaintiff was not aware that its
24 ownership was contested?

25 MR. MANKOFF: Objection as to form. You

1 can answer it.

2 Q. It was a long question, I'm sorry.

3 A. We were not aware that Soto was
4 attempting to transfer the deed or the title or sell
5 the property in the way in which we were aware he
6 tried to sell the property. We were not aware that
7 he was trying to take a loan out from it. So from
8 that sense, we were not aware of any of that.

9 Q. Okay. But based on the documents we
10 looked at earlier, you were at least aware that Soto
11 might attempt to sell the property.

12 A. We were aware that he did attempt to in
13 a -- not a listing, but in a private conversation
14 with one of the Ministers who were a tenant there and
15 then reported that back to us. But we were not aware
16 beyond that that he was trying to list it, that he
17 was trying to get a real estate agent for it. I
18 think -- we just put that in there because we wanted
19 it in the record don't do that, 'cause he tried.

20 Q. Okay. And in order to sell the
21 property, he would have to show somebody that he
22 owned the property, don't you think?

23 A. One would presume, but what I'm learning
24 through this process is I can claim that I own your
25 house.

1 Q. Okay. Want to buy it?

2 A. Why not. I'll buy it for a dollar.
3 That's what he did with this church or claimed to.

4 Q. I'll ask you about number 13, and I
5 think I know the answer, but it says, "Please
6 describe in detail when and how you became aware of
7 the mortgage held against the Property by Bogert
8 Funding."

9 Before I go to your answer, can you just tell
10 me right now as you're sitting here when you first
11 became aware of my client's mortgage or any mortgage
12 on the property?

13 A. I don't know the specific date or time.
14 I know that it was after the judge ruled in our favor
15 on Count 1.

16 Q. Okay.

17 A. After the whole case was done --

18 Q. Okay.

19 A. -- and we were ready to move forward.

20 Q. Right.

21 A. -- we found out about this, and I don't
22 know how.

23 Q. Okay.

24 A. Or when that was.

25 Q. All right. Thank you. We're done with

1 that document.

2 MR. MANKOFF: A lot of time-outs being
3 called during the last two minutes.

4 MR. DAVIS: I never said two minutes.

5 THE WITNESS: Metaphorically speaking.

6 MR. MANKOFF: Yes.

7 Q. I don't think we really need to talk
8 about this. I said I'd show it to you. This is just
9 the Complaint that we saw earlier. So this is a
10 third iteration of this case. Right? There was the
11 case you filed against Soto. That ended after we
12 tried to get involved. You sued him again, you sued
13 River Edge Church. Right? And that was the second
14 action I was talking about, which Judge Jerejian
15 asked us to get rid of and now we're here. But we
16 don't need to talk about that. There wasn't much to
17 it, to be honest with you.

18 (Discussion off the record.)

19 (Exhibit RC-12, Series of emails, was
20 received and marked for identification.)

21 MR. DAVIS: Let's get back on the
22 record.

23 Q. So Exhibit 12, Reverend Haveman, is a
24 series of emails that was produced to us, and I don't
25 really know if it was produced in your litigation

1 with Steven Soto. I'm assuming it was, but that's
2 neither here nor there. It's a series of emails.
3 You're on some of them, not on all of them. But I
4 had a few questions about some of these emails.

5 Just the first one, there's
6 pastor@woodcliff.org. Do you know who that is, whose
7 email address that is?

8 A. Uh-hum. Greg Dunlop.

9 Q. That's Greg Dunlop. Okay. And it's to
10 Almega Iglesia. I don't know if that's a person.
11 I'm assuming it's not. Do you know whose email
12 address that is?

13 A. It's the email address that we had for
14 Steven Soto.

15 Q. Okay.

16 A. I -- it's either Steven Soto or his
17 wife.

18 Q. That does clarify quite a bit. So Greg
19 Dunlop is reaching out to Steven Soto here in
20 February 2020, asking him if he reached out to Ruth,
21 "Please let us know the status." Do you know what
22 that's about, who Ruth is?

23 A. Ruth at the time was the Treasurer of
24 the Classis of Greater Palisades.

25 Q. Okay.

1 A. I don't know what that's in reference
2 to.

3 Q. And then in the next email -- is it
4 Pastor Dunlop, is that what it is? I guess so,
5 'cause it's pastor@woodcliff. Right?

6 A. Yeah.

7 Q. Pastor Dunlop again emails a whole bunch
8 of people, including the Almega Iglesia email, which
9 is -- you think it might be Soto or his wife. And
10 you're copied on this one as well. And he's
11 saying -- Pastor Dunlop is saying, "As you are aware,
12 we've been making progress improving the financial
13 reporting, but as we discussed at the last meeting,
14 we still have more work to do." Do you know what
15 that's talking about?

16 A. Generally. Pastor Greg came in as the
17 Supervisor of the church, as the President of
18 Consistory.

19 Q. Let me -- was that after the
20 supersession or before?

21 A. Oh, it was before.

22 Q. Okay. Before the supersession.

23 A. Before the supersession.

24 Q. Okay.

25 A. So what I had said before was when you

1 no longer have a Minister, in this case, Ralph Acerno
2 retired, the Classis sends in a Supervisor. His work
3 went from when he started as the Supervisor until the
4 Consistory was superseded. That's when his role as a
5 Supervisor had ended.

6 Q. Okay.

7 A. Ministers come in as Supervisors and
8 they find Consistories functioning in a variety of
9 ways. Some are working in good order and others are
10 not. Pastor Greg told me that the financial
11 reporting for the Consistory was not sufficient, not
12 enough detail, not enough professionalism.

13 Q. And that was under Pastor Acerno's
14 ministry. Right?

15 A. Yes.

16 Q. Okay. Do you have any reason to believe
17 that had anything to do with Steven Soto?

18 A. In February of 2020, I don't have any
19 reason or knowledge at that point.

20 Q. These are going in reverse chronological
21 order, so it might be a little confusing, so why
22 don't we just start at the back. Not the last page,
23 but the second to last page. No, they're not.
24 They're all mixed up. Okay. Let's just stay where
25 we are.

1 The second page of this document, again, Almega
2 Iglesia, who you believe might be Steven Soto, emails
3 Pastor Dunlop, yourself, and Ruth Shaw, and Gary
4 Olsen who we talked about and several other people
5 who I'm not going to ask you about, and he says, "The
6 Consistory" -- he or she says, "The Consistory of The
7 Reformed Church of Cherry Hill dba River Edge Church
8 would like some clarity." Do you remember what this
9 was about and what this person was asking for clarity
10 about? Again, we're in February 2020.

11 A. No.

12 Q. Okay. And you notice here he says, "The
13 Consistory of The Reformed Church of Cherry Hill dba
14 River Edge Church." Do you see that?

15 A. Uh-hum.

16 Q. Is that something that you were aware of
17 at the time that they were going under this name?

18 A. I was aware they were doing business as.
19 They were not a separate nonprofit.

20 Q. As far as you knew.

21 A. No, they were not a separate nonprofit.

22 Q. Did you check the records with the state
23 to see if they had registered?

24 A. No.

25 Q. Okay. So they could have been and you

1 just weren't aware. There's a date where they
2 organized. I just don't know what it was.

3 A. It was not --

4 Q. Okay.

5 A. -- February in 2020.

6 Q. All right. I'll double-check that.

7 So then on the next page, this is you now in
8 April 2020, we're almost at the supersession. Right?
9 It's a couple months away. Right? In June. And
10 you're talking to Ralph, I'm assuming that's Ralph
11 Acerno, the Pastor, and you say you have a question.
12 Go ahead and read your email to yourself.

13 A. Okay.

14 Q. So in the middle of that paragraph you
15 say, "I have heard nothing about the Consistory or
16 the members of the River Edge Church. Has anyone
17 asked them if they want to sell the building? Has
18 anyone ascertained the will of the Consistory?"

19 Could you just -- do you remember the context
20 of this conversation and why you would be asking
21 whether The River Edge Church Consistory wants to
22 sell the church building or the building?

23 A. No.

24 Q. Okay. But there seems to be some
25 indication in this email that selling the church

1 property was somehow an issue that was being
2 contemplated or discussed. Right?

3 A. I don't remember.

4 Q. All right.

5 A. I mean, I'm not a member of the
6 Consistory. I'm not privy to their discussions. I
7 don't remember anyone on Consistory or Greg telling
8 me that they're talking about selling the building.

9 Q. Okay. I think my question was like why
10 would you ask that then. Right? Has anyone asked
11 them if they want to sell the building.

12 A. And I could make assumptions.

13 Q. Okay.

14 A. But I've been told not to make
15 assumptions or guesses.

16 Q. That is correct.

17 And the next email is someone writing Hi Jon.
18 It looks like it's -- it looks like Pastor Acerno if
19 you look at that tag line before the email. Do you
20 know who Jon, J-O-N, might be?

21 A. His name is Jon Norton.

22 Q. Who's that?

23 A. Jon Norton was the Executive Minister
24 for the Classis of Greater Palisades.

25 Q. For the Classis. Okay. So the

1 Executive Minister. I think I know what that means.
2 What is an Executive Minister? He's at the Classis
3 level.

4 A. Yeah.

5 Q. Okay. So is he the Minister to the
6 Ministers essentially?

7 A. It's one of his job description
8 responsibilities, yes.

9 Q. Okay. So this is it looks like Ralph
10 Acerno telling Mr. Norton, or Pastor Norton, Reverend
11 Norton -- if you look at the next page, there's a
12 paragraph that starts, "I have gone back and forth on
13 trying to find a way." Do you see that?

14 A. Uh-hum.

15 Q. Go ahead and read that paragraph.

16 A. Okay.

17 Q. Okay. And then you can read everything
18 in between if you think it helps you, but I also want
19 you to read the last paragraph which starts, "You
20 need to let the Classis know." And take your time to
21 read all of it if you want.

22 A. Okay.

23 Q. So this is Reverend Norton -- no, Pastor
24 Acerno writing to the Executive Minister of the
25 Classis, and he's telling him, he being Steve Soto,

1 this is in that top paragraph, "took strong legal
2 steps to provide New Jersey courts," the word's cut
3 off, but "with a sufficient reason to grant him the
4 property should it become a fight." Do you have any
5 recollection of this issue being discussed in April
6 2020 between the Classis and the Consistory?

7 A. No.

8 Q. Okay. But it does appear from this
9 email that both the Classis and the Consistory were
10 aware that Steven Soto was at least potentially
11 making a claim to the property. Correct?

12 A. Do you know Ralph Acerno?

13 Q. Personally?

14 A. Yeah.

15 Q. No.

16 A. Do you know anything of his character?

17 Q. This is not my deposition, so.

18 A. I'm asking because I'm going to say some
19 things about Ralph Acerno right now.

20 Q. Well, if that's the answer to the
21 question, then go ahead.

22 A. Write it down so it's in the public
23 record. Ralph Acerno is a jackass.

24 Q. That's going to be in there you know.

25 A. Put it in there.

1 Q. Okay.

2 A. He's a blowhard --

3 Q. Okay. But let me --

4 A. -- and he has threatened me and the
5 Classis with legal action many times, all of which
6 accumulated to nothing because he just wanted to do
7 what he wanted to do.

8 Q. Okay.

9 A. This is how we interpreted this, as a
10 list of a long list of threats from Ralph Acerno
11 about what was going to happen. None of which
12 happened by the way.

13 Q. Okay. But let me just get -- putting
14 Ralph Acerno aside and getting to the content of this
15 email, it appears at least that Ralph Acerno was
16 emailing Minister Norton in April 2020 that at least
17 he thought or was claiming that Steven Soto was
18 taking steps to basically get title to the property.

19 A. Ralph Acerno is a retired Minister
20 living in Nevada, had nothing to do with the
21 congregation, was not present at any Consistory
22 meetings, can say whatever he thought was happening.

23 Q. Okay. So is it your testimony that
24 Ralph Acerno is making this up?

25 A. It's my testimony that Ralph is sending

1 an email to which he does not have direct information
2 about.

3 Q. And what's the basis for your saying
4 that?

5 A. He's a retired Minister living in
6 Nevada, not attending any Consistory meetings or
7 having any responsibility over the church at the
8 time.

9 Q. But this email seems to imply a
10 conversation he's had with Steven Soto, at least some
11 communications he's had with Steven Soto.

12 A. It's an implication. Ralph lies to me
13 more times than I have fingers and toes.

14 Q. So --

15 A. What am I to know if it's true or not.

16 Q. The last paragraph similarly says,
17 "Steven," Soto, that is, "already has interested
18 parties desiring to purchase from him the property."
19 So were you aware of this communication between
20 Acerno and Reverend Norton?

21 A. I don't remember.

22 Q. Okay. And I guess my question is, is
23 this part of the set of circumstances that led you to
24 think that Steve Soto was trying to sell the
25 property, which is what you represented in your

1 pleadings and motions in the case you brought against
2 Soto?

3 MR. MANKOFF: Objection as to form. You
4 can answer it.

5 A. I don't remember if this -- I don't
6 know.

7 Q. Okay. 'Cause you mentioned earlier in
8 the testimony that you think you got wind of Soto's
9 attempts to sell the property from the tenant whom
10 you say Soto approached about selling the property.
11 Right?

12 A. Yes.

13 Q. And I guess this makes me ask, was there
14 anything more going on that gave you any clues or
15 information about Steven Soto's alleged desire to
16 sell the church property?

17 A. Than that?

18 Q. Yeah.

19 A. No.

20 Q. Okay.

21 A. This email could be referring to that.

22 Q. Okay. It could be? It could be
23 referring to that, meaning the conversation with the
24 Korean church?

25 A. Correct.

1 Q. In fact, is it -- well, I don't want to
2 ask you that 'cause you'll be speculating, 'cause you
3 just did.

4 A. Could be. Sorry.

5 MR. DAVIS: All right. I just want to
6 take five minutes and look at notes and --

7 MR. MANKOFF: Sure.

8 MR. DAVIS: -- see where we stand.

9 (A break was taken.)

10 MR. DAVIS: Okay. Let's go back on the
11 record real quick.

12 BY MR. DAVIS:

13 Q. Just very quickly, Reverend Haveman,
14 thank you very much for the time you've spent here
15 today. It wasn't too bad lengthwise. I apologize
16 for getting you upset a couple times, but it's the
17 nature of the beast.

18 Did you receive any funds from River Edge
19 Church or from Steven Soto that may or may not have
20 been in connection with a loan Steven Soto took out
21 with my client?

22 A. No.

23 Q. Okay. Are you aware of -- do you have
24 access to any of River Edge Church's bank accounts,
25 and by you I mean Reformed Church of Cherry Hill and

1 New Bridge and the Classis?

2 A. You need to be more specific than that.

3 Q. Okay. Let me just ask it a little more
4 generally. Does the Classis generally have access to
5 a congregation's or -- I call it a parish, I guess
6 you call it a congregation. Does the Classis have
7 access to the bank accounts of a particular
8 congregation?

9 A. In a general situation like
10 supersession, yes. The situation for The Reformed
11 Church of Cherry Hill doing business as The River
12 Edge Church was different.

13 Q. Okay. Would the Classis have had any
14 access to those accounts after the supersession?

15 A. Yes.

16 Q. Okay. And did it review any of those
17 accounts?

18 A. Yes.

19 Q. How many accounts did it review?

20 A. That we found evidence of, two.

21 Q. And whose name were they in?

22 A. One was The Reformed Church of Cherry
23 Hill, the other was The River Edge Church.

24 Q. And do you recall how much was in --
25 were they -- strike that.

1 What bank were they with or banks?

2 A. It was banks. I think I know, but I'm
3 not going to guess.

4 Q. Okay. I can follow up.

5 And one was in River Edge Church and one was in
6 Reformed Church of Cherry Hill and New Bridge you
7 said.

8 A. Yes.

9 Q. Do you recall how much was in those
10 accounts, each one?

11 A. Generally, yes.

12 Q. How much, roughly?

13 A. They were both negative.

14 Q. They were.

15 MR. DAVIS: All right. I have no
16 further questions. Thanks a lot.

17 MR. MANKOFF: I have no questions.

18 (Deposition adjourned at 1:17 p.m.)

19

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1 CERTIFICATE

2
3 I, MARY ANN ADAMS, a Certified Court Reporter
4 and Notary Public of the State of New Jersey, License
5 No. X101026, do hereby certify that prior to the
6 commencement of the examination, REVEREND RODNEY
7 HAVEMAN was duly sworn by me to testify as to the
8 truth, the whole truth, and nothing but the truth.

9 I DO FURTHER CERTIFY that the foregoing is a
10 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
21 *Mary Ann Adams, C.C.R.*
22

Notary Public of the State of New Jersey

23 My Commission expires August 10, 2029
24
25

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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 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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