

Exhibit 7

Deposition of Jason Cobb as Conducted By Jonathan
D. Cobb, Sr. On Thursday, October 27, 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JONATHAN D. COBB, SR., and
WALTER ARLEN ST. CLAIR,

CERTIFIED COPY

Plaintiffs,

-vs-

No. 3:10-CV-03907-MEJ

ERNEST BREDE, LUIS CONTRERAS,
PAUL KOEHLER, LARRY LAVERDURE,
DONALD SHOWERS, AARON LUCAS,
STEVE MISTERFELD, ALAN
SHUSTER, RICHARD ASHE and DOE
SDG:SSX,

Defendants.

EXAMINATION OF JASON E. COBB

Thursday, October 27, 2011

Volume I, Pages 1 to 107

Reported by: DENISE MURATA, CSR #6097



GROSSMAN & COTTER
CERTIFIED COURT REPORTERS

A P P E A R A N C E S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FOR THE PLAINTIFFS:

JONATHAN D. COBB, SR., IN PROPRIA PERSONA

828 Weeks Street

East Palo Alto, California 94303

(650) 323-9155

ALSO PRESENT:

WALTER ARLEN ST. CLAIR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

EXAMINATION BY:	PAGE
Mr. Cobb	4

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
	(NONE)	

1 BE IT REMEMBERED that on Thursday, October 27,
2 2011, commencing at the hour of 10:03 a.m. thereof, at
3 the East Palo Alto City Hall, 2415 University Avenue,
4 2nd Floor, Room C, East Palo Alto, California, before
5 me, DENISE L. MURATA, a Certified Shorthand Reporter in
6 and for the State of California, there personally
7 appeared

8 JASON E. COBB,
9 called as a witness by the Plaintiff, and who, having
10 been administered the oath by me, was thereupon examined
11 and testified as hereinafter set forth.

12 EXAMINATION

13 BY MR. COBB

14 Q. Okay. Jason, you want to state your full name?

15 A. Jason Everett Cobb.

16 Q. All right. And I'd like to ask you a couple of
17 questions on having to do with the history.

18 You are currently recognized as the CEO of
19 Menlo Park Corporation?

20 A. Yeah. Based on my understanding of corporate
21 law and events to date, it is my understanding and
22 belief that I am the chairman of the board of directors
23 for the Menlo Park Congregation of Jehovah's Witnesses,
24 Incorporated, and I'm also duly elected to serve as the
25 CEO.

1 Q. Okay. And currently is that in dispute? Do
2 you have a case filed currently?

3 A. Right. The defendants in this action have
4 endeavored to appoint themselves as directors and
5 officers pursuant to spiritual appointments in the
6 congregation, but those actions, based on my reading of
7 the CA Corporation's Code, do not conform to law.
8 They're not legally valid in view of the established
9 standards of California that govern voting of officers,
10 directors, their removal, filling vacancies, things of
11 that nature.

12 And so in order to legally establish for all
13 concerned my status and that of my fellow directors, I
14 initiated a State action on September 2nd, 2011,
15 pursuant to CA Corporation Code 56177, and that's a
16 provision that allows a person who had the basis to vote
17 or person who may have served as a director/officer to
18 challenge the appointment of any other officers or
19 directors and so forth.

20 So the election that the defendants in your
21 action conducted on December 16th, 2010, is being
22 contested as it did not conform to legal standards for
23 the State of California for corporations.

24 Q. Okay. Very good. Give us some history on how
25 this -- what developed in order to bring this case

1 about.

2 A. Well, one thing that I think is important is
3 that any observer and certainly the Court will
4 appreciate that this case is not about just one thing.
5 It's not certainly about religion at its core. It is
6 more so secular.

7 And one of the key points of concern or objects
8 of the whole situation is the property that is owned by
9 the Menlo Park Corporation. I refer to the corporation,
10 as stated with the full name a moment ago, as Menlo Park
11 Corporation for brevity, but when I say Menlo Park
12 Corporation during this deposition, I'm referring to the
13 Menlo Park Congregation of Jehovah's Witnesses,
14 Incorporated.

15 So the property that's owned by the Menlo Park
16 Corporation is located at 811 Bay Road, and I feel that
17 that property has been viewed as a prize of sorts, as
18 something to be won or something to be attained. There
19 have been different thoughts and feelings as to how that
20 property should be used, and I feel that there was a
21 general desire to somehow change the use of that
22 property in any number of ways.

23 And those topics were discussed with members of
24 the Regional Building Committee #7 here in Northern
25 California. We had a desire to make modifications to

1 the building, which we call a Kingdom Hall. Others
2 might call it a church building or meeting facility.
3 And so there was a discussion of simple modification,
4 simple remodeling to address things, general maintenance
5 needs.

6 And in those discussions there were different
7 thoughts that members of the Regional Building
8 Committee, or RBC, would present as to how the building
9 might be used, the topic of it possibly being sold in
10 the future and so forth.

11 So there also had been talk of additional
12 congregations coming to share the building, and there
13 was even talk at one point of the idea of the Menlo Park
14 congregation vacating the building and merging with a
15 neighboring congregation in Palo Alto, California, the
16 North Palo Alto.

17 That idea had been presented by a traveling
18 overseer, a representative of the Christian Congregation
19 of Jehovah's Witnesses, Incorporated. His name is James
20 Hall. So that idea was circulated I believe in
21 late 2007, maybe early 2008, and it was just an idea.

22 And in making these statements, it should be
23 clear that conversations about the property, how it
24 would be used, who would stay, who would go, all of
25 those were general discussions as opposed to directives,

1 because the framework of things is that the property is
2 owned legally and outright by the Menlo Park
3 Corporation. And so in having religiously motivated
4 conversations with different representatives as part of
5 Jehovah's organization, or the organization known as
6 Jehovah's Witnesses, these are conversations to talk
7 about ideas.

8 But all of that would lead towards a decision
9 by certainly the religiously appointed elders in the
10 congregation and also by the legally appointed directors
11 and officers of the corporation.

12 So it's not as if someone would come and tell
13 us exactly what to do. There would be a discussion of
14 ideas and ideally a consensus to be reached as to the
15 best course of action.

16 Q. Okay. It has been stated that the decision
17 making would be done exclusively by the governing body
18 of the organization, the highest ecclesiastical order.
19 Is that consistent with what your understanding is?

20 A. Well, I would need to understand the context of
21 that statement. If we're talking about decisions to
22 provide spiritual oversight that governs the religiously
23 motivated activities of Jehovah's Witnesses as a global
24 organization, a global religious organization, then,
25 yes, the governing body occupies that role.

1 However, the governing body, the individuals
2 who constitute that body -- I believe there are seven
3 individuals -- would be the first to say that they don't
4 micromanage or make every decision for each congregation
5 or each congregation member. They provide Bible-based
6 direction in religious matters and provide encouragement
7 toward that end.

8 So there is an acknowledgment of lines of
9 responsibility as it relates to religious doctrine,
10 religious teaching, and then the practical
11 considerations that must occur relative to legal
12 matters, corporations, ownership of property,
13 disposition of property, things of that nature.

14 And so they recognize the range of individuals
15 who contribute to decision making and actions in that
16 respect, and not the least of which would be those that
17 were duly appointed to manage the legal interests of a
18 respective congregation and its corporation.

19 Q. Okay. So --

20 A. Another point that I should add there, in view
21 of what I understand some of the topics have been in the
22 case that you have, the statement is made about the
23 governing body as the highest ecclesiastical authority.
24 That would also draw attention to their standing to
25 weigh in on matters of a judicial or tribunal nature or

1 relative to the religiously-centric policies and stance
2 of the organization as based on scriptures.

3 So we have to be clear on what we're talking
4 about when we make reference to them. Are we talking
5 about something that's religious? Are we talking about
6 an organizational matter that's more administrative or
7 legal? They typically divest themselves from
8 participating in those types of affairs. Or if we're
9 talking about a tribunal hearing, there's a point of
10 what might be called church discipline.

11 Then there are any number of levels of
12 authority in the organization to hear those matters and
13 address those matters. But not every matter of that
14 nature would be brought to the attention of the
15 governing body or handled directly by the governing
16 body. So every case is its own situation.

17 Q. To your knowledge, in 2002, where the governing
18 body -- did they -- strike that.

19 Did they resign their interest in the
20 corporation in 2002?

21 A. Yeah. Based on my understanding, I think there
22 was an article in the Washington Post and any number of
23 other newspapers. I think it might have been the
24 year 2000 where to that point members of the governing
25 body of Jehovah's Witnesses, a number of them had also

1 held positions in the various corporations that are in
2 use by the religious organization called Jehovah's
3 Witnesses, and so they reached a point where they felt
4 they wanted to remove themselves from any involvement
5 with the corporate and legal administration of matters
6 and focus primarily on their spiritual duties of
7 oversight.

8 The interesting thing about that, though, is
9 when they made that decision, they didn't simply allow
10 the next group of individuals to come in and begin
11 occupying roles in the corporation. The governing body
12 of Jehovah's Witnesses acknowledged and submitted to New
13 York State law as it relates to corporations.

14 So before they departed and withdrew from their
15 corporate-held positions, they formally resigned,
16 formally and legally resigned from the corporate
17 positions, and then the corporate formalities carried
18 from that point on. The other individuals had to be
19 duly appointed to handle those duties and go forward.

20 So the governing body resigned from their
21 corporate-held positions and is again focused on their
22 primary duties of spiritual oversight for Jehovah's
23 Witnesses.

24 Q. Okay. Now during the course of your legal
25 action, any -- and prior to that, had anyone from the

1 governing body made contact with you from the standpoint
2 of giving you some direction or any contact?

3 A. No. There's been no contact from the governing
4 body to me directly on any matter of a legal nature.
5 And there hasn't been any interactions beyond the named
6 defendants in my action. There haven't been any actions
7 with anyone within the organization regarding that
8 matter.

9 Q. Okay. So as far as you know and are relating
10 to us, the only ones that you have had contact with is
11 the corporation in Patterson, New York, the Watchtower
12 Bible and Tract Society of Patterson?

13 A. Now when you ask that question, are you asking
14 who have I had contact with specific to my State action,
15 or are you asking who I may have had contact with
16 regarding the events detailed in your action?

17 Q. Okay. I think both would be included; the
18 State action but also on a spiritual level.

19 A. Okay. So the easiest one to answer is the
20 State action. Again, like I mentioned, I have had
21 absolutely no contact with anyone in the religious
22 organization known as Jehovah's Witnesses beyond the
23 named defendants in that action. And for clarity, that
24 action is CIV508137.

25 So that's a State action, and the objective of

1 that action again is simply to initiate a judicial
2 review to determine the validity of the alleged
3 appointments as officers and directors to the
4 corporation of Ernest Brede, Luis Contreras and Larry
5 Laverdure.

6 So I feel that their appointments did not meet
7 the legally sanctioned and established requirements to
8 be viewed as valid for the simple fact that myself and
9 Arlen St. Clair and George Stock were serving mid term
10 as directors at that point in time and as officers and
11 had not been removed by a vote of the members, as
12 required by California law. We had not abandoned the
13 corporation, and we most certainly did not resign from
14 our positions as directors and officers.

15 So those are the three scenarios that are
16 contained in California law that would account for any
17 type of transition or change, removal or deletion for a
18 director of a corporation. They would have to resign,
19 they would have to abandon by virtue of leaving on a
20 permanent basis, or they would have to be specifically
21 and directly removed by the members by virtue of a vote
22 on that specific topic by way of a motion.

23 So none of those things occurred, and in view
24 of that, there really wasn't a basis for the defendants
25 in my State action to essentially call a meeting for the

1 purpose of having themselves voted in as directors and
2 officers. They were not members of the board, and under
3 scrutiny of law they are not members of the board now.

4 Q. So they were totally unauthorized to take the
5 actions they did beginning July the 1st?

6 A. They were unauthorized from a legal standpoint.
7 They were authorized to begin attending the congregation
8 in Menlo Park. They were recipients of spiritual
9 appointments to positions of spiritual oversight in the
10 congregation.

11 But that in itself did not give them standing
12 from a legal standpoint in the corporation, which under
13 California law, to my understanding, the corporation is
14 viewed as a separate entity, you know, in relation to
15 those that contribute to its establishment.

16 Q. So as the Christian Congregation of Jehovah's
17 Witnesses at Patterson or the governing body or any
18 entity that's associated with them, have they made it a
19 point, as far as you know, to go against local laws and
20 establish their own policies above them?

21 A. No. That's a great question. The governing
22 body of Jehovah's Witnesses is comprised by -- seven
23 individuals at present set the preeminent example in
24 their regard for scriptural teachings when it comes to
25 respecting the law.

1 Oftentimes, when we receive spiritual
2 directives, there is an acknowledgment of the need to be
3 mindful of any local laws and provisions to make sure
4 that we are compliant with that.

5 In fact, I think it's important to note that a
6 very recent issue of the Watchtower magazine, the
7 journal that Jehovah's Witnesses are known for
8 circulating worldwide, the September 1, 2011, issue of
9 the Watchtower has an article specifically dealing with
10 Jehovah's Witnesses' stance relative to observing the
11 laws of the land at both State and Federal level, and it
12 helps us to understand clearly our obligation as
13 Christians to obey the law and be compliant with the
14 law.

15 The only time there would ever be a thought to
16 do otherwise is if the laws interfered with our primary
17 loyalty and service to God. So when it comes to
18 corporate laws, I don't see that as interfering with our
19 ability to worship God. I don't see that interfering
20 with the body of our beliefs as based on the Bible.
21 It's an administrative legal matter. You account for
22 it, you do it.

23 However, I think there are some individuals who
24 personally feel that the laws, as it relates to
25 corporate matters and formalities and proceedings, are

1 inconvenient or unnecessary or trivial, and I believe
2 that they have presumed to disregard those laws in
3 giving deference to their religiously motivated view of
4 how matters should be conducted.

5 So in their minds there might be a conflict,
6 but I haven't heard anything from the governing body to
7 validate the point of view that some of those
8 individuals appear to have. And I haven't seen that
9 from anyone associated with the Christian Congregation
10 of Jehovah's Witnesses in like matter. So, no, we obey
11 the law, we do that.

12 The way that I see your Federal action is that
13 that is identifying behavior that is deviant in two
14 ways. The behavior is deviant when it comes to the
15 standards and beliefs of Jehovah's Witnesses, because
16 those individuals are doing things that are not
17 condoned, that are not taught, that are not promoted in
18 the religious organization known as Jehovah's Witnesses.
19 So they're deviating from that belief system, if you
20 will, and that way of life with their conduct.

21 Secondly, they're deviating from secular
22 standards and secular laws by virtue of their alleged
23 conduct. As I understand it, it concerns a bank fraud,
24 concerns of religious affinity fraud, leveraging the
25 inherent basis of trust that would exist in a

1 congregation of Jehovah's Witnesses to the end of
2 essentially inducing acceptance of policies and
3 financial decisions that are questionable as regards to
4 illegality and questionable as to whether or not they're
5 truly intended to benefit the members as represented.

6 There are just a number of things that are
7 going on here or that are alleged to have occurred that
8 conflict with the beliefs of Jehovah's Witnesses and
9 equally conflict with the laws as established at the
10 State and Federal level.

11 Q. Okay. I want to ask you briefly about Ernest
12 Brede, one of the defendants in both cases, the Federal
13 and State. When he went down -- well, strike that.

14 It is alleged that he opened up an account
15 using your credentials, according to the Chase Bank
16 management in Palo Alto. They made that statement.
17 What did they refer to that as?

18 A. Sure. So I think for context we should
19 establish that an announcement was made July 1st, 2010,
20 that the existing body of elders, men occupying
21 religious positions of oversight in the Menlo Park
22 Congregation of Jehovah's Witnesses -- an announcement
23 was made that they would be removed from those positions
24 of oversight. So that happened July 1st, 2010.

25 That could not automatically initiate a removal

1 of the directors and the officers, because that is a
2 legal process and transaction, and there was nothing in
3 the bylaws for our corporation that created any basis of
4 understanding or action that would say, if a person was
5 removed from a religious position of oversight, that
6 they would then automatically be removed from any
7 positions relative to the corporation.

8 There are some religious corporations that do
9 have such terms in their bylaws. It is expressly
10 stated. It's understood, and that's what occurs there.
11 But, again, we didn't have anything like that expressly
12 stated in our bylaws.

13 And point of fact, we did not have bylaws. So
14 bylaws are typically recommended for a corporation, but
15 it is my understanding and belief they are not required
16 by law. Even at one point early on in my corporate
17 duties I contacted a representative of the legal
18 department for the Watchtower Bible and Tract Society in
19 New York. I contacted a representative of the legal
20 department. I discussed the status of our corporate
21 records in an effort to just generally communicate and
22 basically because it was a free call to a lawyer. I
23 needed to get some things answered.

24 So the individual at the Watchtower Bible and
25 Tract Society of New York, a member of the legal

1 department, stated bylaws are a good thing to have, it's
2 viewed as a best practice, it's recommended, but it is
3 not required by law.

4 And I'm just making that point, because our not
5 having bylaws to that point is not necessarily
6 indicative of some deviant view or action on our part.
7 We just, you know, care for the primary duties beyond
8 that. But I feel that that statement from that
9 representative of the legal department is significant.

10 So anyway, in getting back to your question,
11 the body of elders was removed that had served on
12 July 1st, 2010. So basically on July 9th, 2010, eight
13 days later, without the benefit of any legal basis
14 whatsoever, Ernest Brede, Luis Contreras, and I believe
15 Don Showers, if I'm not mistaken, opened an account on
16 behalf of the Menlo Park Congregation of Jehovah's
17 Witnesses, Incorporated. In fact, that was the very
18 name given to the account.

19 They opened that account on behalf of the
20 corporation without any discussion with the directors,
21 the officers, or the members. It was an action that
22 they took on their own without any authorization or
23 communication and without any legal basis.

24 If they wanted to open an account in their
25 names, they could do that. If they wanted to open an

1 account in some other fashion, they are free to do that.

2 But to specifically open an account for the
3 Menlo Park Congregation of Jehovah's Witnesses,
4 Incorporated -- so now they're making a statement that
5 they have some standing relative to that legal entity,
6 and in reality they did not.

7 So in going to the bank to open the account,
8 they presented a printout from the California Business
9 Portal. So this is where you do a look up for any
10 business entity in California, and you can see the name
11 of the corporation, the entity number, the address, the
12 agent of process, all of those things.

13 So they printed the Cal Business Portal
14 information, which showed my name, my home address at
15 the time, and myself being identified as the agent of
16 process, and they took that printout to Chase Bank and
17 used that to establish their standing with the Menlo
18 Park Corporation to the end of opening that account with
19 Chase Bank.

20 And, again, they were not directors, they were
21 not officers, they did not have any legal standing
22 within the corporation as they represented to the bank.

23 Q. So how did the bank refer to it?

24 A. When I had the conversation with the bank -- I
25 became aware of this account in April 2011. I began to