

To Terry Butord

Law Office Report #29

May 10, 1978,

page 1

from June

*Given
J. W. Miller
5/17*

Washington Saunders - The arrangement we had received clearance on was to send Washington back to visit his nephew in Los Angeles, the one who's been so hostile and who originally started the conservatorship on Washington until we stepped in and had Garrison appointed conservator. The nephew came up here last month, visited with Andy and Washington, and Andy introduced the idea that maybe Washington might be more comfortable with the nephew since Garrison is not able to see him that often, being tied up with his business, and suggested Washington stay with him for awhile. He also told him a little about Guyana and that Washington wanted to go there. Washington went down to LA last week and stayed with his nephew. Talked about Guyana and how much he wanted to go. Now, latest development is that the nephew called Andy last night saying that Washington will be coming back to SF Thursday, May 11, noon. The nephew will be returning to SF to see Washington May 24-25. The nephew told Andy Washington can go to Guyana as that is his uncle's deepest wish. (This was not in the plans; we had expected that the nephew would not let him go.) The nephew told Andy he doesn't want his relatives thinking that Washington is not being properly cared for, being blind, and that Washington had insisted that his eyesight would clear up in Guyana. The nephew can't understand how that can't happen here in the states. The nephew doesn't want the rest of the family relatives thinking that he sent Washington to South America to get rid of the responsibility of taking care of him. The nephew told Andy he will be talking with the lawyer who handled the conservatorship, a Mr. Gross in S.F. (Ed is familiar with him), regarding appointment of another conservator (this idea had also been broached to him by Andy back when he came up here last month). The nephew wanted to know what lawyer we would be using now that Chaikin is not here and Andy said he didn't know. The nephew asked if Andy would be going to Guyana in June, as if Washington were to go with him and probably is thinking that Andy would be the new conservator. (This was never part of the plan.) The nephew also would want to be present at the airport if and when Washington went over. The nephew asked which bank Washington's account is in.

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Well, the plan has backfired on us and the nephew is offering to send Washington over; however, who is to say how long it will take for him to change his mind? We could appoint another conservator, and use the original attorney as working for the nephew, which is what we did at the beginning. What are your suggestions on this thing now? Andy still is active in procurement and p.r. so I don't know if you want to make him Washington's conservator---we will definitely need feedback on this BEFORE May 24-25 when the nephew shows up. We have made the necessary deductions for room and board from the account as directed.

B 46 (160)

2. Irma Lee Gill - This case started out early in 1977 when Irma wanted to get retirement from her husband's pension on the railroad. I will take this mess as my mistake because I was the one who suggested to Ed that we file a legal separation in order to get a court order awarding her alimony, which would have been taken into the ~~xxxx~~ railroad retirement people and they would have had to give her her share of the pension. But I procrastinated too long before filing the legal separation for her - and that is my fault, not Ed's as I was way too slow in following through on the divorces cases. Eventually, we filed the case in June 1977 but never served the husband. Sent her to a local attorney when Ed went overseas, who did some simple searching and discovered that Irma's husband had already filed his own divorce in March 1977 and got a court order which did not require him to pay her any alimony. This got him out from under the railroad retirement requirement because he has no court ordered responsibility to pay her support. She went to the railroad retirement after the message came over the radio for her to go in herself and get 2 checks; they told her the same thing they told me when I called the next week: they do not pay the divorced spouse. Looking in the file, the railroad retirement contact representative as early as 2/14/77 had written out a note saying that "Mrs. Gill needs a court order stating that Mr. Gill must provide for her support. Without this order, the Railroad Retirement Board cannot pay her a spouse benefit." Mr. Gill has evaded that by getting the Arkansas court to give him a divorce without requiring him to pay her support. We have a copy of the divorce papers he got and there is nothing in there about her support, other than it says there are no property rights to be determined.

At this point I do not know what to do further; I did apologize to her and explained that it was my fault because she had ~~xxxx~~ talked alot about how it was meant to be that she get the pension, that Father had said it would be...I tried to put it in the light that even though he knows what can happen, sometimes we mess it up by not acting on it soon enough. She wants ~~xxxx~~ assurance from overseas because she feels guilty in not bringing in the extra money that the pension would have assured her. Also she took her file to Leona and asked for help, after I had already apologized to her, so she is taking this situation hard, I think. I would like to see the woman go over; it's a shame she's had to wait this long because of my mistake... Had we known this back in March 1977 she could have gone then.

*I agree
An...
action's*

if not served - but filed

B4 6/1/78



Law

Frank Garcia - Cleveland and Avis's brother, in jail in Whittier, has been there a long time, Avis knows about the case and so does Ed. He wrote a letter, saying that his time is set to 9/78; he wants us to write and offer a place for him so he can be granted probation in SF and stay with us. Richard Clark is his stepfather and could write the letter; thought I understand Richard Clark is slated to go over soon. Ma Hue is familiar with this case also, he did a lot of visits with him before he came up here. I think maybe we should just have Richard Clark and offer a place, then when he gets out, have the guy stay with Richard--if Frank is anything like his brother, Cleveland, who does nothing around here and who has to be tracked down to work for Archie on the crating crew and never does work consistently, I don't know that we should be so anxious to get involved. *I agree. Wait on it awhile*

5
Pracy

Bentzman's letter to IRS re protest of audit - attached is copy of it. I've already have copies of the attachments so I am just sending the letter. His reaction to the conversation he had with Marshal Schwartz was defensive, of course; he resented this guy calling him and did not know how much to tell him - he said he didn't convey this to Schwartz but he told Jean and me and Tim that Schwartz didn't know any more than we did or than he himself. We chuckled at that, when we got home since everything that Schwartz has told us has been more than Bentzman seems to know. It did get him to produce the letter faster than it might have been done had he thought he was not under critical pressure. He is willing to protest the audit.

I still think Schwartz has forged Bentzman's

- 6. When we went in to talk to Eric this weekend, ~~xxxxxxx~~ write-up of which I assume Jean is sending you, one of the things he mentioned was that the Attorney General appealed the Los Angeles case. He had not told us this before; the only reason he told us was that we asked, and that was only because you asked for us to ask. I tried to find the papers on the appeal tonight but couldn't find anything there in his office. He said the judge who found the judgment for our side based his decision on Garry's brief, and Eric of course ~~xxxxxxx~~ just laughed off the fact that the AG had appealed this decision, for our benefit, of course. The AG has to file an opening brief, and then Eric will have to file a reply brief. He may have just been hesitant to go into particulars because we brought so many people with us when we saw him this time (Leona, Tim, McElvane, me, Jean). He did mention once during the conversation, not on this subject, that he didn't know how much he should say considering all that were there, and McElvane had to reassure him that we could be trusted.

B 4 B (162)

7. Air compressor at the office complex: Irvin has been handling this, along with Tim Clancy and I talking with Marshall Bentzman. The situation in detail is that when the office complex in RWV was sold, we rented the garage for 6 months. In that garage, in a small building attached to the garage, we had installed a compressor which we bought new some years ago. It still works good and we use it. It was not listed on the sale inventory of items to remain in the garage when we sold the place. However, the guy that bought the office complex from us and from whom we now rent the garage insists that we leave the compressor there when we finally leave. Marshall Bentzman read the lease, and the sale papers, and noticed that on the real estate purchase contract there was mention of a list of property which was attached to the original realty listing report, which was to remain on the property. We are checking with the realty office to see if the compressor was on that report. If it was not, Bentzman says we should keep the compressor, that we are legally within our rights to keep it; it is not fixed to the wall in such a way as to cause an obvious mark if it were removed, such as a hole; and we should not concede to the guy who insists that we leave it.

Right

Get it from them

8. Garage in office complex - we exceeded our 6 month lease, with repair work still to be done on 3 buses which have cracked blocks. If we sell them that way, we'll lose thousands; if Irvin repairs them we don't have to register that they every had cracked blocks when we go to sell them. He's not sure that he can repair it, but he's going to try with one bus and if that works, he'll do the other 2. For that, he needs the pit and the garage, or so he says. To rent a garage down here with a pit costs a lot more; so now we are paying \$1500 a month to rent the garage in RWV. The guy we sold the office complex to and from whom we rent the garage is very hostile about the whole thing, insists on immediate payment, and we have now gone into the 2nd month past the 6 month lease, and paid \$3000. Once the buses are repaired they go on their way to Florida where they're on consignment for sale, and there are people there waiting to buy. In the long run it's probably a good idea to keep the garage but we better be watchful of our time or we'll lose any profit in paying the rent.

X

John Harris's companion - she wants to leave her children here, in the states with her mom, Mrs. Sanchez. Mrs. Sanchez filed a court suit against her last time she left them with her, alleging abandonment or something like that and made a lot of trouble. The children are teenagers, used to come to service but never really liked it and stayed pretty much aloof from the rest of our teenagers. We figure this is something you will have to discuss over there; the situation has not changed, according to Vee and Florida and McElvane. She came up to SF this last weekend for services and I asked her about the children; she said she talked to Leona about it and would not go into it with me. I asked Leona, who said she had sent her to me to talk about the legal problems with the children. Well, this lady deals in games, so I get the most info from LA counsel who can talk to her down there, and the consensus is that if she goes and leaves her kids, Mrs. Sanchez will pull her act one more time. It would be a problem more than anything, since she would be out of the states and

*She's not
the worst
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be
John Harris
John Harris
John Harris*

B48(63)

Agreed.
not able to be served personally with any court papers Mrs. Sanchez might get together. She also wants to draw out her retirement in advance of her termination of employment with the school department; I told her to talk to her employer about that to see if any special arrangements might be made. If there are any other legal problems you will have to tell me because she doesn't talk a lot about herself, to me at least.

10. Attached is mail I got today re Clara Johnson's relative; I had also sent over previous stuff, in which her attorney had dropped out of the case because he could not contact her or Clara over a long period of time. I don't know what you want to do with this---the defendant she's suing has filed an answer to her complaint, so the next move would most likely be up to her. Check with Ed and Sarah and Clara on this one.

*Do not proceed
right now -*

B46 (164)

LAW OFFICES OF
MARSHALL R. BENTZMAN
1256 MARKET STREET
SAN FRANCISCO, CA 94102
(415) 864-3121

May 5, 1978

Internal Revenue Service
450 Golden Gate Avenue
P.O. Box 36020
San Francisco, California 94102

Attn: Tak Fukuchi
EP/EO: EO-1

Dear Mr. Fukuchi:

Your letter of April 13, 1978 repeats the requests of the letter of February 21, 1978 from the District Director.

That letter of February 21, 1978 from the District Director had no symbols for reference, no telephone number, and no person was indicated as a "person to contact".

I responded to the February 21, 1978 letter by my letter of March 3, 1978 and enclosed a Power of Attorney (Form 2848) with my letter.

My letter of March 3, 1978 pointed out that:

1. your letter of February 21, 1978 was not received by my clients until March 2, 1978,
2. the Power of Attorney directed all correspondence to be directed to my office address, and
3. I needed 30 days to respond to the four requests.

My letter of April 10, 1978 responded to requests #3 and #4. That letter also indicated further data would be supplied subsequently. In addition, a conference was requested to determine:

1. the scope of the examination,
2. reason for it being conducted, and
3. what is expected to be found.

B46 (165)

Your letter of April 13, 1978 completely ignored my two previous letters and my Power of Attorney and was mailed to my clients instead of my office.

I called your office on April 19, 1978 and left a message as you were not in the office. On April 21, 1978 you returned that call, and we talked on the telephone. I explained to you about my prior communications and your office's lack of responsiveness.

Your letter of April 13, 1978 was not responsive to either of my two letters, and you explained that you weren't aware of either letter as they had not been associated with your file. Yet my letter of March 3, 1978 and attached Power of Attorney had been in the possession of your offices for over 30 days.

And your letter of April 13, 1978 sets forth that an audit may be necessary if we are not heard from soon. I told you that "I am disregarding your letter," since it has no basis for being written as we have been in fact responsive to your earlier letter of February 21, 1978.

I further pointed out that this last letter was just another in a series of letters by your office to get my clients in a position where a request for audit can be made on the Regional level of IRS.

Further, when I asked you why was my client being audited, you eventually told me that it was due to adverse publicity surrounding the church in the newspaper and other such media. However, you had previously in our conversation stated that there was nothing in your file of this nature, and that the audit was not motivated by any such publicity. I indicated to you that I really consider this a form of harassment by your office.

I frankly wonder whether bad publicity with a large church such as Episcopalian, Baptist, Catholic, Jewish, etc. would give rise to an audit.

In light of the preceding discussion, my letters, my client's continual subjection to harassment, eavesdropping, arson, robbery of its business records, and "adverse publicity," my client, with my approval, has decided to refrain from responding to your "request" as set forth in your letters of February 21 and April 13, 1978. We feel that this is just a fishing expedition and will not serve to answer any valid questions, as to their being a viable church, which they are.

B 46 (166)

However, in order to protect my clients' interest, their rights are going to be exercised under the Freedom of Information Act before any further data is made available to any office of the Internal Revenue Service.

Furthermore, there will be a series of letters to your office for your files documenting the history of harassment, arson, robbery, and responding to the "adverse publicity" in the media..

Very truly yours;

Marshall R. Bentzman
MARSHALL R. BENTZMAN

MRB/jc
cc: Peoples Temple

- Encls: 1. Letter of March 3, 1978 to IRS and attached Power of Attorney
2. Letter of April 10, 1978 to IRS

B46(167)

1 ROBERT D. BASH, Attorney
2 201 South Lake Avenue, Suite 406
3 Pasadena, California 91101

4 681-3583

5 Attorney for Defendant CHARLIE TURNER
6
7

8 MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
9 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

10 SYOLA WILLIAMS,)
11 Plaintiff,) NO. LA 167 485
12 vs.) ANSWER TO COMPLAINT
13 CHARLES TURNER, DOES I THROUGH V,)
14 INCLUSIVE,)
15 Defendants.)

16 Defendant CHARLIE TURNER, sued and served herein as Charles
17 Turner, separating himself from other Defendants and for himself alone,
18 files his Answer to Complaint and denies, admits and alleges, as follows:
19 1. Answering Paragraphs 1, 2, 3, 6, 8 and 9 of Complaint, Defendant gen-
20 erally and specifically denies each and every allegation thereof.
21 2. Answering Paragraph 5 of Complaint, Defendant admits the allegations
22 in the first sentence thereof, and Defendant generally and specifically
23 denies each and every allegation in the second sentence thereof.
24 3. Answering Paragraph 7 of Complaint, Defendant generally denies each
25 and every allegation thereof, and Defendant affirmatively alleges that
26 he remains in possession as the husband of Plaintiff; that Plaintiff
27 and Defendant were married on November 10, 1945, at Yuma, Arizona;
28 that Plaintiff and Defendant have never been divorced and have been,

B 46 (180)

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at all times from their said marriage to the date hereof, husband and wife.

FIRST AFFIRMATIVE DEFENSE

1. Defendant incorporates by reference his affirmative allegations set forth in Paragraph 3 of Answer to Complaint herein, as though fully realleged herein.

WHEREFORE, Defendant prays that Plaintiff take nothing from her suit and that Defendant recover from Plaintiff his costs of suit herein and such other relief as the Court may deem proper.

ROBERT D. BASH
/S/ ROBERT D. BASH

Attorney for Defendant
CHARLIE TURNER

B 4b (169)

(VERIFICATION - 446 and 2015.5 C.C.P.)

STATE OF CALIFORNIA, } ss. I, the undersigned, say: I am the Defendant
County of LOS ANGELES }

in the above entitled action; I have read the foregoing ANSWER TO COMPLAINT

and know the contents thereof; and that the same is true of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters that I believe it to be true.

I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

Executed on May 3, 1978 at Pasadena, California
(date) (place)

Charlie Turner
CHARLIE TURNER

(PROOF OF SERVICE BY MAIL - 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA } ss.
COUNTY OF LOS ANGELES }

I am a resident of/employed in the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my address is:

201 South Lake Avenue, Suite 406, Pasadena, California 91101

On May 3, 1978, I served the within ANSWER TO COMPLAINT

on the Plaintiff

in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the

United States mail at Pasadena, California
addressed as follows:

Syola Williams
c/o Mrs. Clara Johnson
1435 Alvarado Terrace
Los Angeles, California 90006

I certify (or declare), under penalty of perjury,* that the foregoing is true and correct.

Executed on May 3, 1978 at Pasadena, California
(date) (place)

Helen Long
Signature

*Both the verification and proof of service by mail forms, being signed under penalty of perjury, do not require notarization.

B 46 (170)

To Terry Buford

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from June

1. Washington Saunders - The arrangement we had received clearance on was to send Washington back to visit his nephew in Los Angeles, the one who's been so hostile and who originally started the conservatorship on Washington until we stepped in and had Garrison appointed conservator. The nephew came up here last month, visited with Andy and Washington, and Andy introduced the idea that maybe Washington might be more comfortable with the nephew since Garrison is not able to see him that often, being tied up with his business, and suggested Washington stay with him for awhile. He also told him a little about Guyana and that Washington wanted to go there. Washington went down to LA last week and stayed with his nephew. Talked about Guyana and how much he wanted to go. Now, latest development is that the nephew called Andy last night saying that Washington will be coming back to SF Thursday, May 11, noon. The nephew will be returning to SF to see Washington May 24-25. The nephew told Andy Washington can go to Guyana as that is his uncle's deepest wish. (This was not in the plans; we had expected that the nephew would not let him go.) The nephew told Andy he doesn't want his relatives thinking that Washington is not being properly cared for, being blind, and that Washington had insisted that his eyesight would clear up in Guyana. The nephew can't understand how that can't happen here in the states. The nephew doesn't want the rest of the family relatives thinking that he sent Washington to South America to get rid of the responsibility of taking care of him. The nephew told Andy he will be talking with the lawyer who handled the conservatorship, a Mr. Gross in S.F. (Ed is familiar with him), regarding appointment of another conservator (this idea had also been broached to him by Andy back when he came up here last month). The nephew wanted to know what lawyer we would be using now that Chaikin is not here and Andy said he didn't know. The nephew asked if Andy would be going to Guyana in June, as if Washington were to go with him and probably is thinking that Andy would be the new conservator. (This was never part of the plan.) The nephew also would want to be present at the airport if and when Washington went over. The nephew asked which bank Washington's account is in.

Well, the plan has backfired on us and the nephew is offering to send Washington over; however, who is to say how long it will take for him to change his mind? We could appoint another conservator, and use the original attorney as working for the nephew, which is what we did at the beginning. What are your suggestions on this thing now? Andy still is active in procurement and p.r. so I don't know if you want to make him Washington's conservator---we will definitely need feedback on this BEFORE May 24-25 when the nephew shows up. We have made the necessary deductions for room and board from the account as directed.

B46 (171)

2. Irma Lee Gill - This case started out early in 1977 when Irma wanted to get retirement from her husband's pension on the railroad. I will take this mess as my mistake because I was the one who suggested to Ed that we file a legal separation in order to get a court order awarding her alimony, which would have been taken into the ~~xxxx~~ railroad retirement people and they would have had to give her her share of the pension. But I procrastinated too long before filing the legal separation for her - and that is my fault, not Ed's as I was way too slow in following through on the divorces cases. Eventually, we filed the case in June 1977 but never served the husband. Sent her to a local attorney when Ed went overseas, who did some simple searching and discovered that Irma's husband had already filed his own divorce in March 1977 and got a court order which did not require him to pay her any alimony. This got him out from under the railroad retirement requirement because he has no court ordered responsibility to pay her support. She went to the railroad retirement after the message came over the radio for her to go in herself and get 2 checks; they told her the same thing they told me when I called the next week: they do not pay the divorced spouse. Looking in the file, the railroad retirement contact representative as early as 2/14/77 had written out a note saying that "Mrs. Gill needs a court order stating that Mr. Gill must provide for her support. Without this order, the Railroad Retirement Board cannot pay her a spouse benefit." Mr. Gill has evaded that by getting the Arkansas court to give him a divorce without requiring him to pay her support. We have a copy of the divorce papers he got and there is nothing in there about her support, other than it says there are no property rights to be determined.

At this point I do not know what to do further; I did apologize to her and explained that it was my fault because she had ~~xxxx~~ talked alot about how it was meant to be that she get the pension, that Father had said it would be... I tried to put it in the light that even though he knows what can happen, sometimes we mess it up by not acting on it soon enough. She wants ~~xxxx~~ assurance from overseas because she feels guilty in not bringing in the extra money that the pension would have assured her. Also she took her file to Leona and asked for help, after I had already apologized to her, so she is taking this situation hard, I think. I would like to see the woman go over; it's a shame she's had to wait this long because of my mistake... Had we known this back in March 1977 she could have gone then.

3. Adoption of Mona by Christine & Guy - this is a write up that Guy gave me, dated 5/8: it may have already been relayed on the radio, but here it is: "our attorney, Louis Highman, stated that Judge Kennedy was holding firm that he would rule L.A. County as the proper jurisdiction to hear this matter if we went any further in his court. Highman talked with Willie Brown, and they both agreed that it might be easier to get the adoption in L.A. Co. I disagreed and said that we would not be willing to travel back and forth to LA. Judge Kennedy was willing to grant a dismissal without prejudice on the matter to enable us to prepare a petition for guardianship in another court in this county. The attorney will have the petition ready by next week. The matter will be held before Judge Vavoris (Sarah or Ed should be familiar with the judge), at City

B4B(72)

Hall in the near future. Highman indicated it would be easier to settle the jurisdictional dispute after we're granted guardianship according to the newly revised statute."

I don't really understand this case but I think it's probably good that we're getting out of Kennedy's court, who has been hostile from the start. Sarah may remember Judge Vavoris, I'm not sure that Ed would ...

4. Frank Garcia - Cleveland and Avis's brother, in jail in Whittier, has been there a long time, Avis knows about the case and so does Ed. He wrote a letter, saying that his time is set to 9/78; he wants us to write and offer a place for him so he can be granted probation in SF and stay with us. Richard Clark is his stepfather and could write the letter; thought I understand Richard Clark is slated to go over soon. Mr. Hue is familiar with this case also, he did a lot of visits with him before he came up here. I think maybe we should just have Richard Clark and offer a place, then when he gets out, have the guy stay with Richard--if Frank is anything like his brother, Cleveland, who does nothing around here and who has to be tracked down to work for Archie on the crating crew and never does work consistently, I don't know that we should be so anxious to get involved.
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1346 (73)

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RFB (74)

not able to be served personally with any court papers Mrs. Sanchez might get together. She also wants to draw out her retirement in advance of her termination of employment with the school department; I told her to talk to her employer about that to see if any special arrangements might be made. If there are any other legal problems you will have to tell me because she doesnt talk alot about herself, to me at least.

10. Attached is mail I got today re Clara Johnson's relative; I had also sent over previous stuff, in which her attorney had dropped out of the case because he could not contact her or Clara over a long period of time. I dont know what you want to do with this---the defendant she's suing has filed an answer to her complaint, so the next move would most likely be up to her. Check with Ed and Sarah and Clara on ths one.

B46 (175)

LAW OFFICES OF
MARSHALL R. BENTZMAN
1256 MARKET STREET
SAN FRANCISCO, CA 94102
(415) 864-3131

May 5, 1978

Internal Revenue Service
450 Golden Gate Avenue
P.O. Box 36020
San Francisco, California 94102

Attn: Tak Fukuchi
EP/EO: EO-1

Dear Mr. Fukuchi:

Your letter of April 13, 1978 repeats the requests of the letter of February 21, 1978 from the District Director.

That letter of February 21, 1978 from the District Director had no symbols for reference, no telephone number, and no person was indicated as a "person to contact".

I responded to the February 21, 1978 letter by my letter of March 3, 1978 and enclosed a Power of Attorney (Form 2848) with my letter.

My letter of March 3, 1978 pointed out that:

1. your letter of February 21, 1978 was not received by my clients until March 2, 1978,
2. the Power of Attorney directed all correspondence to be directed to my office address, and
3. I needed 30 days to respond to the four requests.

My letter of April 10, 1978 responded to requests #3 and #4. That letter also indicated further data would be supplied subsequently. In addition, a conference was requested to determine:

1. the scope of the examination,
2. reason for it being conducted, and
3. what is expected to be found.

B46 (176)

Your letter of April 13, 1978 completely ignored my two previous letters and my Power of Attorney and was mailed to my clients instead of my office.

I called your office on April 19, 1978 and left a message as you were not in the office. On April 21, 1978 you returned that call, and we talked on the telephone. I explained to you about my prior communications and your office's lack of responsiveness.

Your letter of April 13, 1978 was not responsive to either of my two letters, and you explained that you weren't aware of either letter as they had not been associated with your file. Yet my letter of March 3, 1978 and attached Power of Attorney had been in the possession of your offices for over 30 days.

And your letter of April 13, 1978 sets forth that an audit may be necessary if we are not heard from soon. I told you that "I am disregarding your letter," since it has no basis for being written as we have been in fact responsive to your earlier letter of February 21, 1978.

I further pointed out that this last letter was just another in a series of letters by your office to get my clients in a position where a request for audit can be made on the Regional level of IRS.

Further, when I asked you why was my client being audited, you eventually told me that it was due to adverse publicity surrounding the church in the newspaper and other such media. However, you had previously in our conversation stated that there was nothing in your file of this nature, and that the audit was not motivated by any such publicity. I indicated to you that I really consider this a form of harassment by your office.

I frankly wonder whether bad publicity with a large church such as Episcopalian, Baptist, Catholic, Jewish, etc. would give rise to an audit.

In light of the preceding discussion, my letters, my client's continual subjection to harassment, eavesdropping, arson, robbery of its business records, and "adverse publicity," my client, with my approval, has decided to refrain from responding to your "request" as set forth in your letters of February 21 and April 13, 1978. We feel that this is just a fishing expedition and will not serve to answer any valid questions, as to their being a viable church, which they are.

B46(177)

However, in order to protect my clients' interest, their rights are going to be exercised under the Freedom of Information Act before any further data is made available to any office of the Internal Revenue Service.

Furthermore, there will be a series of letters to your office for your files documenting the history of harassment, arson, robbery, and responding to the "adverse publicity" in the media..

Very truly yours,

Marshall R. Bentzman
MARSHALL R. BENTZMAN

MRB/jc
cc: Peoples Temple

- Encls: 1. Letter of March 3, 1978 to IRS and attached Power of Attorney
2. Letter of April 10, 1978 to IRS

B46(178)

1 ROBERT D. BASH, Attorney
2 201 South Lake Avenue, Suite 406
3 Pasadena, California 91101
4 681-3583

5 Attorney for Defendant CHARLIE TURNER
6
7

8 MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
9 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

10 SYOLA WILLIAMS,)
11 Plaintiff,) NO. LA 167 485
12 vs.) ANSWER TO COMPLAINT
13 CHARLES TURNER, DOES I THROUGH V,)
14 INCLUSIVE,)
15 Defendants.)

16 Defendant CHARLIE TURNER, sued and served herein as Charles
17 Turner, separating himself from other Defendants and for himself alone,
18 files his Answer to Complaint and denies, admits and alleges, as follows:
19 1. Answering Paragraphs 1, 2, 3, 6, 8 and 9 of Complaint, Defendant gen-
20 erally and specifically denies each and every allegation thereof.
21 2. Answering Paragraph 5 of Complaint, Defendant admits the allegations
22 in the first sentence thereof, and Defendant generally and specifically
23 denies each and every allegation in the second sentence thereof.
24 3. Answering Paragraph 7 of Complaint, Defendant generally denies each
25 and every allegation thereof, and Defendant affirmatively alleges that
26 he remains in possession as the husband of Plaintiff; that Plaintiff
27 and Defendant were married on November 10, 1945, at Yuma, Arizona;
28 that Plaintiff and Defendant have never been divorced and have been,

B46 (17)

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at all times from their said marriage to the date hereof, husband and wife.

FIRST AFFIRMATIVE DEFENSE

1. Defendant incorporates by reference his affirmative allegations set forth in Paragraph 3 of Answer to Complaint herein, as though fully realleged herein.

WHEREFORE, Defendant prays that Plaintiff take nothing from her suit and that Defendant recover from Plaintiff his costs of suit herein and such other relief as the Court may deem proper.

ROBERT D. BASH
/S/ ROBERT D. BASH

Attorney for Defendant
CHARLIE TURNER

(VERIFICATION - 446 and 2015.5 C.C.P.)

1
2 STATE OF CALIFORNIA, } ss. I, the undersigned, say: I am the Defendant
3 County of LOS ANGELES }

4
5 in the above entitled action; I have read the foregoing ANSWER TO COMPLAINT

6
7 and know the contents thereof; and that the same is true of my own knowledge, except as to the matters which are
8 therein stated upon my information or belief, and as to those matters that I believe it to be true.

9 I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

10 Executed on May 3, 1978 at Pasadena, California
(date) (place)

11 CHARLIE TURNER
12 (Signature)

13 (PROOF OF SERVICE BY MAIL - 1013a, 2015.5 C.C.P.)

14 STATE OF CALIFORNIA } ss.
15 COUNTY OF LOS ANGELES }

16 I am a resident of/employed in the county aforesaid; I am over the age of eighteen years and not a party to the within en-
17 titled action; my address ~~is~~ address is:

18 201 South Lake Avenue, Suite 406, Pasadena, California 91101

19 On May 3, 19 78, I served the within ANSWER TO COMPLAINT

20 on the Plaintiff

21 in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the

22 United States mail at Pasadena, California
23 addressed as follows:

24 Syola Williams
25 c/o Mrs. Clara Johnson
26 1435 Alvarado Terrace
27 Los Angeles, California 90006

28 I certify (or declare), under penalty of perjury,* that the foregoing is true and correct.

Executed on May 3, 1978 at Pasadena, California
(date) (place)

Signature

Helen Long

* Both the verification and proof of service by mail forms, being signed under penalty of perjury, do not require notarisation.

346 (181)

To Terry Buford

Law Office Report #29

May 10, 1978

page 1

from June

1. Washington Saunders - The arrangement we had received clearance on was to send Washington back to visit his nephew in Los Angeles, the one who's been so hostile and who originally started the conservatorship on Washington until we stepped in and had Garrison appointed conservator. The nephew came up here last month, visited with Andy and Washington, and Andy introduced the idea that maybe Washington might be more comfortable with the nephew since Garrison is not able to see him that often, being tied up with his business, and suggested Washington stay with him for awhile. He also told him a little about Guyana and that Washington wanted to go there. Washington went down to LA last week and stayed with his nephew. Talked about Guyana and how much he wanted to go. Now, latest development is that the nephew called Andy last night saying that Washington will be coming back to SF Thursday, May 11, noon. The nephew will be returning to SF to see Washington May 24-25. The nephew told Andy Washington can go to Guyana as that is his uncle's deepest wish. (This was not in the plans; we had expected that the nephew would not let him go.) The nephew told Andy he doesn't want his relatives thinking that Washington is not being properly cared for, being blind, and that Washington had insisted that his eyesight would clear up in Guyana. The nephew can't understand how that can't happen here in the states. The nephew doesn't want the rest of the family relatives thinking that he sent Washington to South America to get rid of the responsibility of taking care of him. The nephew told Andy he will be talking with the lawyer who handled the conservatorship, a Mr. Gross in S.F. (Ed is familiar with him), regarding appointment of another conservator (this idea had also been broached to him by Andy back when he came up here last month). The nephew wanted to know what lawyer we would be using now that Chaikin is not here and Andy said he didn't know. The nephew asked if Andy would be going to Guyana in June, as if Washington were to go with him and probably is thinking that Andy would be the new conservator. (This was never part of the plan.) The nephew also would want to be present at the airport if and when Washington went over. The nephew asked which bank Washington's account is in.

Well, the plan has backfired on us and the nephew is offering to send Washington over; however, who is to say how long it will take for him to change his mind? We could appoint another conservator, and use the original attorney as working for the nephew, which is what we did at the beginning. What are your suggestions on this thing now? Andy still is active in procurement and p.r. so I don't know if you want to make him Washington's conservator---we will definitely need feedback on this BEFORE May 24-25 when the nephew shows up. We have made the necessary deductions for room and board from the account as directed.

Given via Radio 5/19 (The Mona Case remains unresolved)

B46/182)

2. Irma Lee Gill - This case started out early in 1977 when Irma wanted to get retirement from her husband's pension on the railroad. I will take this mess as my mistake because I was the one who suggested to Ed that we file a legal separation in order to get a court order awarding her alimony, which would have been taken into the ~~with~~ railroad retirement people and they would have had to give her her share of the pension. But I procrastinated too long before filing the legal separation for her - and that is my fault, not Ed's as I was way too slow in following through on the divorces cases. Eventually, we filed the case in June 1977 but never served the husband. Sent her to a local attorney when Ed went overseas, who did some simple searching and discovered that Irma's husband had already filed his own divorce in March 1977 and got a court order which did not require him to pay her any alimony. This got him out from under the railroad retirement requirement because he has no court ordered responsibility to pay her support. She went to the railroad retirement after the message came over the radio for her to go in herself and get 2 checks; they told her the same thing they told me when I called the next week: they do not pay the divorced spouse. Looking in the file, the railroad retirement contact representative as early as 2/14/77 had written out a note saying that "Mrs. Gill needs a court order stating that Mr. Gill must provide for her support. Without this order, the Railroad Retirement Board cannot pay her a spouse benefit." Mr. Gill has evaded that by getting the Arkansas court to give him a divorce without requiring him to pay her support. We have a copy of the divorce papers he got and there is nothing in there about her support, other than it says there are no property rights to be determined.

At this point I do not know what to do further; I did apologize to her and explained that it was my fault because she had ~~xxxx~~ talked a lot about how it was meant to be that she get the pension, that Father had said it would be...I tried to put it in the light that even though he knows what can happen, sometimes we mess it up by not acting on it soon enough. She wants ~~xxxx~~ assurance from overseas because she feels guilty in not bringing in the extra money that the pension would have assured her. Also she took her file to Leona and asked for help, after I had already apologized to her, so she is taking this situation hard, I think. I would like to see the woman go over; it's a shame she's had to wait this long because of my mistake... Had we known this back in March 1977 she could have gone then.

3. Adoption of Mona by Christine & Guy - this is a write up that Guy gave me, dated 5/8: it may have already been relayed on the radio, but here it is: "our attorney, Louis Highman, stated that Judge Kennedy was holding firm that he would rule L.A. County as the proper jurisdiction to hear this matter if we went any further in his court. Highman talked with Willie Brown, and they both agreed that it might be easier to get the adoption in L.A. Co. I disagreed and said that we would not be willing to travel back and forth to LA. Judge Kennedy was willing to grant a dismissal without prejudice on the matter to enable us to prepare a petition for guardianship in another court in this county. The attorney will have the petition ready by next week. The matter will be held before Judge Vavoris (Sarah or Ed should be familiar with the judge), at City

B48(183)

Hall in the near future. Highman indicated it would be easier to settle the jurisdictional dispute after we're granted guardianship according to the newly revised statute."

I dont really understand this case but I think it's probably good that we're getting out of Kennedy's court, who has been hostile from the start. Sarah may remember Judge Vavoris, I'm not sure that Ed would ...

10-1-78

- 4. Frank Garcia - Cleveland and Avis's brother, in jail in Whittier, has been there a lont time, Avis knows about the case and so does Ed. He wrote a letter, saying that his time is set to 9/78; he wants us to write and offer a place for him so he can be granted probation in SF and stay with us. Richard Clark is his stepfather and could write the letter; thought I understand Richard Clark is slated to go over soon. ~~Ma~~ Hue is familiar with this case also, he did a lot of visits with him before he came up here. I think maybe we should just have Richard Clark and offer a place, then when he gets out, have the guy stay with Richard--if Frank is anything like his brother, Cleveland, who does nothing around here and who has to be tracked down to work for Archie on the crating crew and never does work consistently, I Mont know that we should be so anxious to get involved.

I think they are here

- 5. Bentzman's letter to IRS re protest of audit - attached is copy of it. You already have copies of the attachments so I am just sending the letter. His reaction to the conversation he had with Marshal Schwartz was defensive, of course; he resented this guy calling him and did not know how much to tell him - he said he didnt convey this to Schwartz but he told Jean and me and Tim that Swchwardz didnt know any more than we did or than he himself. We chuckled at that, when we got home since everything that Schwartz has told us has been more than Bentzman seems to know. It did get him to produce the letter faster than it might have been done had he thought he was not under critical pressure. He is willing to protest the audit.

- 6. When we went in to talk to Eric this weekend, ~~write-up of~~ write-up of which I assume Jean is sending you, one of the things he mentioned was that the Attorney General appealed the Los Angeles case. He had not told us this before; the only reason he told us was that we asked, and that, was only because you asked for us to ask. I tried to find the papers on the appeal tonight but couldnt find anything there in his office. He said the judge who found the judgemtn for our side based his decision on Garry's brief, and Eric of course ~~just~~ just laughed off the fact that the AG had appealed th is decision, for our benefit, of course. The AG has to file an opening brief, and then Eric will have to file a reply brief. He may have just been hesitant to go into particulars because we brought so many people with us when we saw him this time (Leona, Tim, McElvane, me, Jean). He did mention once during the conversation, not on this subject, that he didnt know how much he should say conskdering all that were there, and McElvane had to reassure him that we could be trusted.

10-1-78

B4b (184)

7. Air compressor at the office complex: Irvin has been handling this, along with Tim Clancy and I talking with Marshall Bentzman. The situation in detail is that when the office complex in RWV was sold, we rented the garage for 6 months. In that garage, in a small building attached to the garage, we had installed a compressor which we bought new some years ago. It still works good and we use it. It was not listed on the sale inventory of items to remain in the garage when we sold the place. However, the guy that bought the office complex from us and from whom we now rent the garage insists that we leave the compressor there when we finally leave. Marshall Bentzman read the lease, and the sale papers, and noticed that on the real estate purchase contract there was mention of a list of property which was attached to the original realty listing report, which was to remain on the property. We are checking with the realty office to see if the compressor was on that report. If it was not, Bentzman says we should keep the compressor, that we are legally within our rights to keep it; it is not fixed to the wall in such a way as to cause an obvious mark if it were removed, such as a hole; and we should not concede to the guy who insists that we leave it.

8. Garage in office complex - we exceeded our 6 month lease, with repair work still to be done on 3 buses which have cracked blocks. If we sell them that way, we'll lose thousands; if Irvin repairs them we dont have to register that they every had cracked blocks when we go to sell them. He's not sure that he can repair it, but he's going to try with one bus and if that works, he'll do the other 2. For that, he needs the pit and the garage, or so he says. To rent a garage down here with a pit costs a lot more; so now we are paying \$1500 a month to rent the garage in RWV. The guy we sold the office complex to and from whom we rent the garage is very hostile about the whole thing, insists on immediate payment, and we have now gone into the 2nd month past the 6 month lease, and paid \$3000. Once the buses are repaired they go on their way to Florida where they're on consignment for sale, and there are people there waiting to buy. In the long run it's probably a good idea to keep the garage but we better be watchful of our time or we'll lose any profit in paying the rent.

9. John Harris's companion - she wants to leave her children here in the states with her mom, Mrs. Sanchez. Mrs. Sanchez filed a court suit against her last time she left them with her, alleging abandonment or something like that and made a lot of trouble. The children are teenagers, used to come to service but never really liked it and stayed pretty much aloof from the rest of our teenagers. We figure this is something you will have to discuss over there; the situation has not changed, according to Vee and Florida and McElvane. She came up to SF this last weekend for services and I asked her about the children; she said she talked to Leona about it and would not go into it with me. I asked Leona, whosaid she had sent her to me to talk about the legal problems with the children. Well, this lady deals in games, so I get the most info from LA counsel who can talk to her down there, and the consensus is that if she goes and leaves her kids, Mrs. Sanchez will pull her act one more time. It would be a p.r. problem more than anything, since she would be out of the states and

as to whether she is bringing her children or not

1748(RS)

not able to be served personally with any court papers Mrs. Sanchez might get together. She also wants to draw out her retirement in advance of her termination of employment with the school department; I told her to talk to her employer about that to see if any special arrangements might be made. If there are any other legal problems you will have to tell me because she doesnt talk alot about herself, to me at least.

answered

10. Attached is mail I got today re Clara Johnson's relative; I had also sent over previous stuff, in which her attorney had dropped out of the case because he could not contact her or Clara over a long period of time. I dont know what you want to do with this---the defendant she's suing has filed an answer to her complaint, so the next move would most likely be up to her. Check with Ed and Sarah and Clara on ths one.

Do Nothing

answered

B46(186)

LAW OFFICES OF
MARSHALL R. BENTZMAN
1256 MARKET STREET
SAN FRANCISCO, CA 94102
(415) 864-3131

May 5, 1978

Internal Revenue Service
450 Golden Gate Avenue
P.O. Box 36020
San Francisco, California 94102

Attn: Tak Fukuchi
EP/EO: EO-1

Dear Mr. Fukuchi:

Your letter of April 13, 1978 repeats the requests of the letter of February 21, 1978 from the District Director.

That letter of February 21, 1978 from the District Director had no symbols for reference, no telephone number, and no person was indicated as a "person to contact".

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My letter of March 3, 1978 pointed out that:

1. your letter of February 21, 1978 was not received by my clients until March 2, 1978,
2. the Power of Attorney directed all correspondence to be directed to my office address, and
3. I needed 30 days to respond to the four requests.

My letter of April 10, 1978 responded to requests #3 and #4. That letter also indicated further data would be supplied subsequently. In addition, a conference was requested to determine:

1. the scope of the examination,
2. reason for it being conducted, and
3. what is expected to be found.

B46 (187)

Your letter of April 13, 1978 completely ignored my two previous letters and my Power of Attorney and was mailed to my clients instead of my office.

I called your office on April 19, 1978 and left a message as you were not in the office. On April 21, 1978 you returned that call, and we talked on the telephone. I explained to you about my prior communications and your office's lack of responsiveness.

Your letter of April 13, 1978 was not responsive to either of my two letters, and you explained that you weren't aware of either letter as they had not been associated with your file. Yet my letter of March 3, 1978 and attached Power of Attorney had been in the possession of your offices for over 30 days.

And your letter of April 13, 1978 sets forth that an audit may be necessary if we are not heard from soon. I told you that "I am disregarding your letter," since it has no basis for being written as we have been in fact responsive to your earlier letter of February 21, 1978.

I further pointed out that this last letter was just another in a series of letters by your office to get my clients in a position where a request for audit can be made on the Regional level of IRS.

Further, when I asked you why was my client being audited, you eventually told me that it was due to adverse publicity surrounding the church in the newspaper and other such media. However, you had previously in our conversation stated that there was nothing in your file of this nature, and that the audit was not motivated by any such publicity. I indicated to you that I really consider this a form of harassment by your office.

I frankly wonder whether bad publicity with a large church such as Episcopalian, Baptist, Catholic, Jewish, etc. would give rise to an audit.

In light of the preceding discussion, my letters, my client's continual subjection to harassment, eavesdropping, arson, robbery of its business records, and "adverse publicity," my client, with my approval, has decided to refrain from responding to your "request" as set forth in your letters of February 21 and April 13, 1978. We feel that this is just a fishing expedition and will not serve to answer any valid questions, as to their being a viable church, which they are.

B46(198)

However, in order to protect my clients' interest, their rights are going to be exercised under the Freedom of Information Act before any further data is made available to any office of the Internal Revenue Service.

Furthermore, there will be a series of letters to your office for your files documenting the history of harassment, arson, robbery, and responding to the "adverse publicity" in the media.

Very truly yours,

Marshall R. Bentzman
MARSHALL R. BENTZMAN

MRB/jc
cc: Peoples Temple

- Encls: 1. Letter of March 3, 1978 to IRS and attached Power of Attorney
2. Letter of April 10, 1978 to IRS

B 46 (189)

1 ROBERT D. BASH, Attorney
2 201 South Lake Avenue, Suite 406
3 Pasadena, California 91101

4 681-3583

5 Attorney for Defendant CHARLIE TURNER

6
7 MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
8 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
9

10 SYOLA WILLIAMS,)
11 Plaintiff,) NO. LA 167 485
12 vs.) ANSWER TO COMPLAINT
13 CHARLES TURNER, DOES I THROUGH V,)
14 INCLUSIVE,)
15 Defendants.)

16 Defendant CHARLIE TURNER, sued and served herein as Charles
17 Turner, separating himself from other Defendants and for himself alone,
18 files his Answer to Complaint and denies, admits and alleges, as follows:

- 19 1. Answering Paragraphs 1, 2, 3, 6, 8 and 9 of Complaint, Defendant gen-
20 erally and specifically denies each and every allegation thereof.
21 2. Answering Paragraph 5 of Complaint, Defendant admits the allegations
22 in the first sentence thereof, and Defendant generally and specifically
23 denies each and every allegation in the second sentence thereof.
24 3. Answering Paragraph 7 of Complaint, Defendant generally denies each
25 and every allegation thereof, and Defendant affirmatively alleges that
26 he remains in possession as the husband of Plaintiff; that Plaintiff
27 and Defendant were married on November 10, 1945, at Yuma, Arizona;
28 that Plaintiff and Defendant have never been divorced and have been,

B 4b (190)

1 at all times from their said marriage to the date hereof, husband and
2 wife.

3 FIRST AFFIRMATIVE DEFENSE

4 1. Defendant incorporates by reference his affirmative allegations set
5 forth in Paragraph 3 of Answer to Complaint herein, as though fully
6 realleged herein.

7 WHEREFORE, Defendant prays that Plaintiff take nothing from her
8 suit and that Defendant recover from Plaintiff his costs of suit herein and
9 such other relief as the Court may deem proper.

10 ROBERT D. BASH
11 /S/ ROBERT D. BASH
12 _____
13 Attorney for Defendant
14 CHARLIE TURNER
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(VERIFICATION - 446 and 2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of LOS ANGELES } ss. I, the undersigned, say: I am the Defendant

in the above entitled action; I have read the foregoing ANSWER TO COMPLAINT

and know the contents thereof; and that the same is true of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters that I believe it to be true.

I certify (or declare) under penalty of perjury, that the foregoing is true and correct.

Executed on May 3, 1978 at Pasadena, California
(date) (place)

Charlie Turner
CHARLIE TURNER (Signature)

(PROOF OF SERVICE BY MAIL - 1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.

I am a resident of/employed in the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my address ~~is~~ address is:

201 South Lake Avenue, Suite 406, Pasadena, California 91101

On May 3, 19 78, I served the within ANSWER TO COMPLAINT

on the Plaintiff

in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the

United States mail at Pasadena, California
addressed as follows:

Syola Williams
c/o Mrs. Clara Johnson
1435 Alvarado Terrace
Los Angeles, California 90006

I certify (or declare), under penalty of perjury,* that the foregoing is true and correct.

Executed on May 3, 1978 at Pasadena, California
(date) (place)

Helen Long Signature

* Both the verification and proof of service by mail forms, being signed under penalty of perjury, do not require notarisation.

B 46 (192)