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3 Telephone: (415) 861-1151
4 Attorney for Defendant
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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

10 PEOPLES TEMPLE OF THE DISCIPLES)
OF CHRIST, a nonprofit corporation,))
11 JEAN BROWN, and JAMES McELVANE,) NO. 740531
12 Plaintiffs,))
13 v.))
14 TIMOTHY OLIVER STOEN,))
15 Defendant.))
16))

DECLARATION BY JAMES COBB, JR.
OPPOSING APPLICATION FOR
PRELIMINARY INJUNCTION

17 I, James Cobb, Jr., declare:

18 1. I am the plaintiff in a lawsuit entitled COBB vs.
19 PEOPLES TEMPLE, JAMES WARREN JONES, JEAN F. BROWN, et al,
20 filed on June 22, 1978, in the Superior Court for the City
21 and County of San Francisco, Civil Case No. 739907. A copy
22 of the complaint is attached and made a part hereof. My
23 attorney is Timothy Oliver Stoen.

24 2. This declaration is made in opposition to plaintiff's
25 application for a preliminary injunction. I am requesting that
26 Timothy Oliver Stoen, the defendant in this action, be allowed

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-1- BB-31-b-110

1 to remain as my attorney and to push my lawsuit.

2 3. On May 11, 1978, Mr. Stoen and I were attending a
3 dinner at a friend's house in San Francisco. At the dinner I
4 brought up the subject of an open letter on PEOPLES TEMPLE
5 stationery that had come to my attention. It was dated
6 March 14, 1978 and was addressed to "All U.S. Senators and
7 Members of Congress". It falsely accused me of being a
8 "radical Trotskyite" who recommended a "violent course."
9 (A copy of this letter is an exhibit in the attached complaint)
10 I told Mr. Stoen that this ridiculous letter was the last straw,
11 and asked him if he would file a lawsuit against PEOPLES TEMPLE
12 and Jim Jones.

13 4. Shortly after quitting PEOPLES TEMPLE in 1973, I began
14 being harrassed by them. Ever since, I have thought it only a
15 matter of time (maybe tomorrow) that I would be killed by them.
16 When the situation presented itself last summer, I engaged in
17 exposing Jim Jones and his evil practices in PEOPLES TEMPLE. I
18 have considered taking legal action against Jones many times
19 before, but it was not until March of 1977 that I felt to seek an
20 attorney.

21 5. A few days after our dinner conversation of May 11, 1978,
22 I visited Mr. Stoen at his office on Montgomery Street and brought
23 with me a list of things that PEOPLES TMEPLE and Jim Jones had
24 done to me since 1973. Mr. Stoen agreed to be my attorney.

25 6. During all this time from 1973 until now, I have been
26 having trouble concentrating in dental school because of the threats

1 which are mentioned in my lawsuit. The thing that has bothered
2 me the most was the threat that my son would be harmed if I
3 didn't stop "badmouthing" PEOPLES TEMPLE.

4 7. Mr. Stoen never approached me at any time to be my
5 attorney. He did not in any way solicit my case. I feel much
6 better now that I am exposing Jim Jones and PEOPLES TEMPLE in
7 the courts. I think one reason Jones has gotten away with so
8 much is that people abused by him, did not sue him earlier. No
9 further libels on me by PEOPLES TEMPLE have come to my attention
10 since I filed my lawsuit.

11 8. I consent to Mr. Stoen disclosing to anyone all of
12 the circumstances by which I asked him to be my attorney. I
13 consent to his disclosing any and all of the information about my
14 lawsuit that has come to his attention from anyone, including me.

15 It would be difficult for me to find another trial attorney as
16 competent as Tim Stoen, particularly with experience equivalent
17 to his as special prosecutor in San Francisco.

18 I declare under penalty of perjury that the foregoing
19 is true and correct.

20 Executed on July 30, 1978, at Berkeley, California.

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James Cobb, Jr.

JAMES COBB, JR.

BB-31-6-112

Also attached to declaration of James Cobb,
as exhibits, which I didn't copy because too bulky and
we already have them anyway:

1. the full complaint of James Cobb and all of his
exhibits that he originally had on his complaint

BB-31-6-113

1 TIMOTHY OLIVER STOEN
120 Montgomery Street, Suite 1700
2 San Francisco, California 94104
3 Telephone: (415) 391-5020
4 Attorney for Plaintiff

ENDORSED
FILED
JUN 22 1978

CARL M. OLSEN, Clerk
BY P. W. MURPHY
Deputy Clerk

739907

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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
10 JAMES COBB, JR.,

11 Plaintiff,

12 vs.

13 PEOPLES TEMPLE OF THE DISCIPLES
OF CHRIST, a nonprofit corpora-
14 tion; JAMES WARREN JONES, also
known as JIM JONES; TERESA BU-
15 FORD; JEAN F. BROWN; PAMELA G.
MOTON; and FIRST DOE through
16 FIFTIETH DOE, inclusive,

17 Defendants.

No. 1

COMPLAINT FOR COMPENSATORY AND
PUNITIVE DAMAGES FOR INTENTIONAL
INFLECTION OF EMOTIONAL DISTRESS
AND FOR LIBEL ON ITS FACE

18
19 Plaintiff alleges:

20 FIRST CAUSE OF ACTION

21 1. Defendant PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST ("PEOPLES
22 TEMPLE") is, and at all times herein mentioned was, a nonprofit cor-
23 poration organized and existing under and by virtue of the law of the
24 State of California. Plaintiff is informed and believes and thereon
25 alleges that the principal place of business of defendant PEOPLES
26 TEMPLE is at 1859 Geary Boulevard in the City and County of San Fran-

BB-31-6-114

Jim,

If you think that you are working only to destroy our friend, you're badly underestimating the course you are on. This is going down on the record as a deliberate attempt to starve out hundreds of good people. You'll be remembered for much more than just a personal vendetta.

Even though what you're trying to do is impossible, you're going to earn for yourselves the bitterest of enemies. We have solid evidence that one of your crowd participated in Chris' death. A whole lot of people not even associated with us can back that up. Whether or not you decide to respond to this hardly matters now. Since you are no doubt fully aware of who you're in with and what you are working for, I count this communication probably a waste of my time. We have real class enemies to deal with, and really aren't worrying about your clumsy efforts. But in the future, don't try to say you didn't know. It won't wash. If you had cared anything about what was right, you would have checked with the officials that live there and have seen the work, and asked them about the kind of society we're building there. But like I said; in the future, don't plead ignorance.

EXHIBIT A

BB-31-6-115



Jim Cobl
103rd Cole St. Apt. A
San Francisco, CA

EXHIBIT A1

BB-31-b-116