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CARL M. OLSEN, Clerk
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Deputy Clerk

6
7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
10

11 PEOPLES TEMPLE OF THE DISCIPLES
OF CHRIST, a nonprofit corpora-
12 tion, JEAN BROWN, and JAMES
McELVANE,
13

Plaintiffs,

14 v.

15 TIMOTHY OLIVER STOEN,
16

Defendant.

No. 740531

DECLARATION OF DEFENDANT IN
SUPPORT OF MOTION UNDER CCP §
2019 (b) (1) FOR PROTECTIVE
ORDER THAT DEPOSITION NOT BE
TAKEN

Date: November 7, 1978
Time: 9:30 A.M.
Department: 9 Law and Motion

17
18
19 I, Timothy Oliver Stoen, declare:

- 20 1. I am the defendant in this action. I object to depositions
21 scheduled by PEOPLES TEMPLE for November 9 and 10, 1978, being taken.
22 2. I believe the purpose of plaintiff in taking said depositions
23 is not legitimate but rather to annoy, embarrass, and oppress. I
24 believe the real purposes of PEOPLES TEMPLE are as follows:
25 a. to discover the names of my clients and other individuals
26 who have had financial dealings with me for the purpose of intimidat-

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1 ting them into terminating further contact with me; and

2 b. to engage in a "fishing expedition" for the purpose of
3 acquiring information to be utilized, and falsely characterized, in
4 a totally separate lawsuit it has already publicly announced, wherein
5 it will allege (falsely) that I was an agent of the FBI and CIA while
6 a member of PEOPLES TEMPLE.

7 3. In support of the aforesaid conclusions, I submit the follow-
8 ing evidence:

9 a. PEOPLES TEMPLE is not seeking information about my current
10 financial condition only but also past financial transactions.

11 b. PEOPLES TEMPLE has employed no discovery on questions of
12 liability.

13 c. PEOPLES TEMPLE knows that while I was a member thereof,
14 my wife and I gave them our house and that for seven years I gave
15 them my salary beyond my immediate needs. I hereby declare that
16 my current net worth is less than zero. I own no real property. My
17 automobile is a 1969 Toyota for which I paid \$675.00. I owe \$15,000.00
18 to The First National Bank of Colorado Springs for a December 1977
19 loan taken out to finance my efforts to regain custody of my son from
20 PEOPLES TEMPLE.

21 d. Since publicly declaring my opposition to PEOPLES TEMPLE,
22 I have been subjected to numerous acts of harrassment designed to
23 create ill will between myself and others. I believe these acts were
24 committed by members of PEOPLES TEMPLE pursuant to a strategy of
25 "divide and conquer". For example, in May 1978 a San Francisco news-
26 paper reporter called me to inquire as to whether I was using his

1 name as supporting the sending of armed mercenaries to Guyana. He
2 said he had received both anonymous letters and letters from PEOPLES
3 TEMPLE members accusing me of using that reporter's name as being in
4 support of such a scheme. I assured the reporter I had never used
5 his name in that way.

6 e. Employees of certain Congressional offices in Washington,
7 D.C. have informed me that they received letters discrediting me
8 shortly after PEOPLES TEMPLE learned their particular offices may
9 be helping me.

10 f. In May 1978 members of PEOPLES TEMPLE were ordered to
11 write to governmental agencies protesting alleged harrassment. In
12 an effort to discredit my standing with such agencies, PEOPLES TEMPLE
13 leaders ordered their members to accuse me of various crimes and im-
14 moral acts, all of which were false. For example, attached as Exhib-
15 it A is an instruction issued to PEOPLES TEMPLE members for a letter
16 to be sent to the State Franchise Tax Board accusing me of being a
17 "terrorist."

18 g. Also in May 1978, an extremely scurrilous open letter
19 dated May 15, 1978 was sent to newspapers, television and radio sta-
20 tions, and governmental agencies throughout the United States. In
21 an effort to create ill will between journalists and myself, this
22 letter falsely stated that "Timothy Stoen * * * Threatened to kill by
23 poison a journalist who embarrassed him in the media." A copy of the
24 relevant portions of that open letter is attached as Exhibit B.

25 h. On October 3, 1978, PEOPLES TEMPLE held a news conference
26 at their San Francisco headquarters wherein their newly-acquired

1 conspiracy-hunter Mark Lane made a number of ridiculous charges and
2 threatened to file on behalf of PEOPLES TEMPLE a "multi-million-dol-
3 lar suit" against the FBI, CIA, Department of State, etc. One of his
4 associates, Donald Freed, apparently stated that I acted as the con-
5 duit to launder money through a foreign country "to finance the anti-
6 Jones campaign." Attached as Exhibit C is an article from the San
7 Francisco Examiner dated October 4, 1978 reporting said news confer-
8 ence. Attached as Exhibit D is an article from the San Francisco
9 Progress dated October 4, 1978 reporting the same conference.
10 PEOPLES TEMPLE is extremely skilled in constructing false theories
11 from minor pieces of information so as to divert public attention
12 from its questionable practices. I believe that PEOPLES TEMPLE wishes
13 to learn everything possible about my financial history so as to con-
14 struct a totally false theory to be publicized, by lawsuit and other-
15 wise, in an effort to divert public attention from the charges made
16 by me and others to the effect that PEOPLES TEMPLE is operating a
17 concentration camp in Guyana, South America.

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

20 Executed on October 31, 1978, at San Francisco, California.
21
22
23

24 *Timothy Oliver Stoen*
25 Timothy Oliver Stoen
26

BB-31-6-154

Mr. Martin Huff, Executive Officer
State Franchise Tax Board
Sacramento, CA. 95867

Dear Mr. Huff,

The recent problems caused for the Peoples Temple church with the Tax Board is only the latest example of merciless harassment on the part of people with terrorist backgrounds and is financed by unethical means. Mr. Conn and Mr. Stoen, who went to the Tax Board, just threw up threats to the Disciples of Christ if they did not throw the Peoples Temple out of their ranks by May 1st. The denomination was incensed, and reported these actions immediately to the Peoples Temple.

Do not let the Tax Board take any part in hurting this remarkable church. I look to your agency to reinstate the Temple's status immediately.

Sincerely yours,

Exhibit A

BB-31-6-155

Dear Mr. [redacted]

What you publicize is your business. But a bit of information on some of the people you are using as sources to spread lies about Peoples Temple might cause you to question the credibility of those sources. Given their backgrounds and past actions, their motives for attacking an interracial, highly constructive organization are obviously not "Concern" for their relatives which they claim to have in Guyana. A recent official statement of the U.S. Department of State proves once and for all that the allegations they are making are lies. What their true motives are, no one in the media seems interested in exploring and disclosing. But it does no credit to you as journalists that you take them at face value. Consider your sources. Their credits are listed below, and there are affidavits to back up every statement.

Timothy Stoen:

Took \$5,000 from hard-working black people to finance a trip to France, London, Washington D.C., and New York.

Threatened to kill by poison a journalist who embarrassed him in the media.

There is much, much more. I personally know all these people, and I saw their names mentioned on a petition presenting themselves as loving, concerned relatives and friends of people overseas at the Peoples Temple mission, and I felt I had to write something to you to inform you of what I know to be true of them.

EXHIBIT B

BB-31-6-156

People's Temple colony 'harassed'

People's Temple, its leader the Rev. Jim Jones and its Jonestown colony in Guyana are under a heavily financed attack by the U.S. intelligence establishment, Mark Lane charged here.

Lane, a Washington lawyer, educator and author whose works include "Rush To Judgment," a book on the John Kennedy assassination, is a director of Citizens Commission Inquiry and was invited by its local chapter to look into temple affairs.

He appeared at a news conference at the temple here yesterday after a trip to Guyana.

Attacks on the colony, both in Guyana and in Congress, have been financed with large sums of money "laundered through banks in neutral countries," and there is evidence of "a concerted effort by the U.S. intelligence establishment to destroy Jonestown," Lane said.

Included in the effort was a trans-jungle trek by a party of 20 men armed with rocket launchers and small arms, Lane said. He declined to name the leader of the group, whom he characterized as an employee of Interpol, the international police coordinating agency.

He said the leader gave him a full statement because "he said he felt misused." The group had been sent to fire on the colony's generator building, darkening the compound, after cutting their way through the supposed barbed wire

and minefields around the compound. After darkening the area, Lane said, they had planned to "free the children" from the supposed evil influences of the colony.

When they discovered there were no minefields nor barbed wire, Lane said, they contented themselves with sniping at the compound for six days. Lane related that the patrol leader told him he was amazed to be invited to visit the colony and stayed there several days.

"He told me he was satisfied that the 'concentration camp' charges against Jonestown were false and that he thought he had been misused," Lane said.

Lane declined to name the agent, but hinted that he might be named after the filing of a multi-million-dollar suit against the government, which Lane said could be expected "within 90 days."

The suit will charge, he said, that a host of federal agencies are doing all they can — much of it illegally — to scuttle the Jonestown colony.

To be named as defendants, he said, are the FBI, CIA, Department of State, Internal Revenue Service, Treasury Department, Postal Service and virtually everybody but the Coast and Geodetic Survey.

The motive for the alleged government conspiracy, he said, is that the colony of 1,200 American expatriates is an embarrassment to



MARK LANE
Accuses U.S. agencies

the government because of its success.

As to charges that people once in the colony are not free to leave, he said that the U.S. Embassy staff has on several occasions sent a car to the colony and offered anyone who wanted one a free ride to the airport and a free flight home.

On the other hand, at another point in his dissertation, he said there are no roads to the colony but that transportation is available by boat or a complicated series of train trips or flights.

Lane was backed up by four persons who had recently returned from the colony, and by Jones' wife, Marceline, also recently returned.

Mrs. Jones said that her husband had remained in Guyana because of the advice of his attorneys and because his presence is needed there.

Exhibit C

BB-31-6-157

Attorney claims King

By E. Cahill Maloney
Attorney Mark Lane, leading proponent of the theory that conspiracy was behind the assassinations of former President John Kennedy and Rev. Martin Luther King, claims the House Select Committee on Assassinations now knows who killed Rev. King.

Lane, who appeared at a press conference called by People's Temple, 1895 Geary St., yesterday, alleged the committee "has absolute proof" that the assassin

was not his client, James Earl Ray.

He said he expects the congressional committee to release new information about the King case in November.

Should the committee fail to do so, Lane said he himself would reveal the names of the individuals involved in the King assassination at that time.

Lane was in San Francisco to announce that he has added People's Temple and its leader Rev. Jim Jones to his list of conspiracy victims.

Jones, a former Housing Authority commissioner, left the City a year and a half ago when charged by former temple members involving phony cancer cures, bizarre temple rituals and unusual property acquisitions surfaced in the press.

He fled to a remote jungle outpost in the interior of Guyana, South America where he and 1,200 of his followers have set up a temple agricultural mission. The mission has been de-

scribed as an armed camp which prohibits freedom of movement and communication by former assistant district attorney Timothy Stoen and other relatives of mission residents.

Lane said a personal investigation conducted by him and other members of the Citizens Committee of Inquiry, an independent organization set up in the wake of the Kennedy assassination, has convinced him that none of the charges against the

killer is known

temple mission are true.

Donald Freed, a researcher for the Committee on Inquiry, said the Jonestown study was an offshoot of ongoing investigation into the Central Intelligence Agency's presence in Latin America, specifically Jamaica and Guyana.

He said he had evidence to show that several hundred dollars "laundered through a neighboring neutral country" helped finance a campaign of harass-

ment against the People's Temple mission in Jonestown, Guyana.

"American intelligence organizations have played a major part in the effort to destroy Jones and Jonestown," Lane alleged.

Donald Freed, a researcher for the Committee on Inquiry, said the Jonestown study was an offshoot of an ongoing investigation into the Central Intelligence Agency's presence in Latin America, specifi-

cally Jamaica and Guyana.

That presence dates back to the early sixties, Freed said.

Lane's conclusion that Jones is the butt of a government conspiracy is based on documentation of intervention in Jonestown affairs by a spate of government agencies, including the Post Office Department, which refused to forward social security checks to the mission, the State Department, the Federal Bureau of

Investigation the Treasury Department, and petitions by 57 congressmen.

Lane said a man who identified himself as an Interpol agent confirmed he had led an armed attack on the colony last year for the ostensible purpose of freeing the children.

Freed told The Progress Stoen acted as the conduit for money used to finance the anti-Jones campaign.

The only members of
(Continued on Page 4)

Progress

CITY
NORTH

Wednesday, Friday and Sunday 15 Cents

Wednesday, October 4, 1978

Exhibit D (Page 1 of 2)

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The San Francisco

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Published

King

(Continued from Page 1)

the conspiracy actually named by Lane are relatives of mission residents, who have personal gripes against Jones and the temple.

Lane admitted that charges against the temple made by former members may not have been part of a government conspiracy when they were first raised, but he claimed that by now some of the relatives are being used as ploys in conspiracy roles.

Lane called the Jonestown mission a remarkable community where one-time welfare recipients, drug addicts, alcoholics and prostitutes and people from the ghettos "who were being crushed by society" are living in fulfillment and freedom.

According to Lane, the existence of such a community "is a great embarrassment for some people in the United States."

Exhibit D (Page 2 of 2)

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