

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

GENERAL CONFERENCE
CORPORATION OF SEVENTH-DAY
ADVENTISTS and GENERAL CONFERENCE
OF SEVENTH-DAY ADVENTISTS,

Plaintiffs,

vs.

Case No.
1:06-cv-01207-JDB

WALTER MCGILL d/b/a CREATION
SEVENTH DAY ADVENTIST CHURCH
et al.,

Defendants.

Motion Hearing
Before The Honorable EDWARD G. BRYANT
May 25, 2010

Transcribed from AUDIO CD by: Shara D. Sohn, CCR

APPEARANCES:

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1 THE WITNESS: He is a pastor.
2 THE COURT: And what would you be?
3 THE WITNESS: I'm his assistant I
4 suppose. I guess I'd be an assistant pastor. I take
5 over the services when he's gone.
6 THE COURT: And everybody else would be
7 members?
8 THE WITNESS: We have other pastors,
9 evangelists, members. Depends on the position
10 [inaudible].
11 THE COURT: Okay. Now, Mr. Aguilar, is
12 he also of this church that you belong to?
13 THE WITNESS: Yes.
14 THE COURT: And does he -- you've
15 obviously discussed this with him. As I look through
16 my notes, you had some communications with him?
17 THE WITNESS: I talk with him fairly
18 regularly, yes.
19 THE COURT: And do you look to him for
20 advice and counsel? Is he an elder to you? Not in
21 the legal sense, but elder in a church, but someone
22 that you look up to guidance -- [overlapping speech]
23 church guidance from?
24 THE WITNESS: Yes.
25 THE COURT: Okay. Did he instruct you or

1 to accept these sanctions?
2 THE WITNESS: I don't know if they would
3 or not. I certainly wouldn't advise them to, but that
4 would be entirely between them and what God advises
5 them to do.
6 THE COURT: And how old are you? How old
7 are you right now?
8 THE WITNESS: Pardon?
9 THE COURT: How old are you?
10 THE WITNESS: I'm 24.
11 THE COURT: Okay. And how old is
12 Mr. McGill?
13 THE WITNESS: Sixties somewhere.
14 THE COURT: And Mr. Aguilar?
15 THE WITNESS: I think he's over 30. I
16 don't know their exact ages.
17 THE COURT: Tell me about this place, a
18 little bit more, this 1162 Old Highway 45. Is this
19 the location where the signs are at issue have been
20 and are?
21 THE WITNESS: Yes.
22 THE COURT: And is that -- as I
23 understood maybe an old gasoline service station?
24 THE WITNESS: Right. It was an old
25 gasoline station, and it has been [inaudible] store

1 encourage you to repaint these signs and put these
2 signs back up?
3 THE WITNESS: He didn't instruct me, but
4 again, as a member of the church, it was agreed by him
5 as well.
6 THE COURT: Okay. Now, are either
7 Mr. McGill or Mr. Aguilar prepared to come back to
8 this jurisdiction of this Court and stand in the
9 witness box as you're doing and defend those actions
10 that [overlapping speech] --
11 THE WITNESS: I really couldn't answer on
12 their behalves for that. I haven't asked them
13 specifically that question.
14 My understanding -- I don't believe that
15 Pastor McGill intends to return at this point. It may
16 be if there's an appeal hearing that he has to appear
17 for. I'm not really certain on his -- on the
18 specifics of it. I couldn't answer on his behalf.
19 THE COURT: When the Court has issued
20 sanctions -- and I'll have to go back and review those
21 and -- if it were to appear to the Court that
22 you've -- would -- in the Court's view be required to
23 have additional sanctions against you, would
24 Mr. McGill or Mr. Aguilar come back into the country,
25 into the jurisdiction of this Court and stand with you

1 and a few other things before we had purchased it.
2 THE COURT: And who actually owns it?
3 Who's the title owner?
4 THE WITNESS: I think it's
5 Pastor McGill's wife, Barbara Eisenberg.
6 THE COURT: All right. And you now live
7 there?
8 THE WITNESS: Correct. Well, not in the
9 church, but there's a mobile home on the property
10 where I live.
11 THE COURT: And you believe Mr. McGill
12 and his wife own that trailer, mobile home?
13 THE WITNESS: I believe either him or his
14 wife does, yes. It's on their property.
15 THE COURT: How much property are we
16 talking? Is it an acre? Half acre?
17 THE WITNESS: I'm very bad at estimates
18 for measurements. I would say maybe an acre or so.
19 THE COURT: And when you would gather as
20 a church, where would you gather on that property if
21 it were indoors?
22 THE WITNESS: Generally, it would be in
23 the church or the former gas station. They have a
24 fairly large sanctuary.
25 THE COURT: Okay. Let me ask you, if

1 REPORTER'S CERTIFICATE

2
3 I, Shara D. Sohn, CCR, Notary Public and
4 Court Reporter, do hereby certify that I transcribed
5 the RECORDED presentation to the best of my skill and
6 ability, and that said transcript is a true, accurate,
7 and complete transcript to the best of my ability.
8 I further certify that I am not an
9 attorney or counsel of any of the parties, nor a
10 relative or employee of any attorney or counsel
11 connected with the action, nor financially interested
12 in the action.

13 SIGNED this 21st day of June, 2010.

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19 _____
20 Shara D. Sohn, CCR

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22 My commission expires: March 11, 2013
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24
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