

The Creation Seventh Day (and) Adventist Church
1162 Old Highway 45 South
Guys, Tennessee 38339-5216
<http://www.csda-adventistchurch.to>

July 18, 2012

Re: Official Statement from George Johnson Jr, North American Seventh-day Adventist Church Communications Director

Having recently been made aware of a press release by the Seventh-day Adventist church purporting to explain the history of Pastor McGill and his relationship with the Seventh-day Adventist denomination, we offer this official response. Having reviewed the document, it is our position that the news release in question is an inaccurate account of both the history and the relevant facts.

Creation Seventh Day Adventist church records show the first complaint from the Seventh-day Adventist church came via legal filing in 2006. The Seventh-day Adventist church has never, on any occasion, attempted to reach out to McGill asking him to cease and desist usage of the name "Creation Seventh Day Adventist" prior to litigation. No attempt was made to resolve the matter amicably, and we would challenge the office responsible for the official statement in question to offer evidence supporting any claims to the contrary.

Court records clearly demonstrate that the Seventh-day Adventist church sought the permanent incarceration of Pastor McGill as early as 2009, only three months after Pastor McGill had filed his appeal with the Sixth Circuit and while that appeal was pending a hearing. While the court declined to grant their request, it is demonstrably false that it "is not now nor has it been the intention of the Seventh-day Adventist church [...] for Pastor McGill to be jailed." Recent actions by the court are solely the result of the Seventh-day Adventist church persistently and repeatedly requesting sanctions involving incarceration against Pastor McGill in a civil lawsuit.

It has been established both within and out of court that the use of the name "Creation Seventh Day Adventist" is an integral part of the religious beliefs of the eponymous church and its members. The exercise of those beliefs requires the use of the name. For evidence that the Seventh-day Adventist church does not believe in Pastor McGill's right to freely exercise his religious belief, one must look no further than a jail cell in San Bernardino Co.

According to Judge Karen Moore, "No one has questioned the sincerity of McGill's belief that God requires him to continue his infringing use of the plaintiffs' marks. Being compelled to stop could substantially burden his religious practice." (Opinion in *G.C.C. v. McGill*, U.S. Court of Appeals for the Sixth Circuit, p. 10)

Finally, the court records show that the Seventh-day Adventist church was unable to produce a single item of evidence demonstrating confusion between the Creation Seventh

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Day Adventist Church and the Seventh-day Adventist denomination from 1991 to the present. Pastor McGill has not identified himself with the Seventh-day Adventist denomination since his separation, nor has the church of which he is a member. We again challenge the issuing office to provide any evidence whatsoever supporting the claim that the media, the public, and Seventh-day Adventist members are at times confused.

According to Judge J. Daniel Breen, “While the use of the mark was certainly knowing, there is no evidence that the Defendant intended to confuse the public into believing that his church was one of the Plaintiffs’. Rather, the proof supports the conclusion that McGill chose the name for his church based on a divine revelation.” (*G.C.C. v. McGill*, Order Granting in Part and Denying in Part Plaintiff’s Motion for Summary Judgment, p.22)

The Creation Seventh Day Adventist Church welcomes questions and requests for documentation to support any of its claims. Despite the hostile and aggressive actions of the Seventh-day Adventist denomination, it continues to operate internationally, offering the gospel of freedom from sin to those in need and preparing a people to stand in the day of God without blemish.

Note: For further information or inquiries, please contact Lucan Chartier at (731) 607-9546 or email at claimvictory@hotmail.com, or David Aguilar at flyingcreature@hotmail.com

