

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

GENERAL CONFERENCE  
CORPORATION OF SEVENTH-DAY  
ADVENTISTS, et al.,

Plaintiffs,

vs.

No. 1:06-CV-01207-JDB-egb

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

Defendants.

---

DEPOSITION OF

WALTER "CHICK" MCGILL

Taken on Behalf of the Plaintiffs

November 9, 2015

VOWELL, JENNINGS & HUSEBY, INC.  
Court Reporting Services  
207 Washington Square Building  
214 Second Avenue North  
Nashville, Tennessee 37201  
(615) 256-1935

**GENERAL CONFERENCE CORP., ET AL. vs. WALTER MCGILL, ET AL.**  
**Walter Chick McGill on 11/09/2015**

**Pages 2..5**

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2	For the Plaintiffs:	2			
3	PHILIP M. KIRKPATRICK, ESQ.	3			
4	Adams and Reese LLP	4	Exhibit 8	Description Late-filed: Mailing list with names of the 100 to 300 people and their email addresses, and any other information contained on the mailing list	Page 59
5	424 Church Street, Suite 2700 Nashville, Tennessee 37219	5			
6	615.259.1485	6			
7	phil.kirkpatrick@arlaw.com	7	Exhibit 8A	Pages printed from adventistry.to	79
8		8			
9	Also Present:	9	Exhibit 9	Pages printed from faithofjesus.to	84
10	Todd R. McFarland	10	Exhibit 10	Page printed from faithtojesus.to	85
11	SDA Associate General Counsel	11			
12		12	Exhibit 11	Pages printed from thetrueadventistchurch.to	86
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15		15	Exhibit 13	Pages printed from adventismodelacreacion.org	91
16		16	Exhibit 14	Pages printed from thetrueadventistchurch.to	93
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18		18	Exhibit 15	Pages printed from adventismodelacreacion.org	95
19		19	Exhibit 16	Pages printed from creation7thdayadventist.to	96
20		20			
21		21	Exhibit 17	Pages printed from blogger.com/profile/13112019061178158534 and lexiconofapurefaith.blogspot.com	98
22		22			
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24		24	Exhibit 18	Page printed from blogger.com/profile/11365397044184427065	100
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3	WALTER "CHICK" MCGILL	3			
4	Examination By Mr. Kirkpatrick .....7	4	Exhibit 19	Description Pages printed from iglesiaasdhalladafalta.blogspot.com/	Page 100
5		5			
6	EXHIBITS	6	Exhibit 20	Pages printed from creation7thdayadventists.blogspot.com	102
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1 The deposition of WALTER "CHICK"  
2 MCGILL was taken on behalf of the Plaintiffs on  
3 November 9, 2015, at 10:16 a.m. in the offices of  
4 Adams & Reese, 424 Church Street, Suite 2800,  
5 Nashville, Tennessee , for all purposes under the  
6 Federal Rules of Civil Procedure.  
7 The formalities as to notice,  
8 caption, certificate, et cetera, are waived. All  
9 objections, except as to the form of the  
10 questions, are reserved to the hearing.  
11 It is agreed that Terri Beckham,  
12 being a Notary Public and Court Reporter for the  
13 State of Tennessee, may swear the witness, and  
14 that the reading and signing of the completed  
15 deposition by the witness are waived.  
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1 P R O C E E D I N G S  
2 WALTER "CHICK" MCGILL  
3 was called as a witness, and after having been  
4 first duly sworn, testified as follows:  
5 EXAMINATION  
6 BY MR. KIRKPATRICK:  
7 Q. Would you state your full name, please,  
8 sir.  
9 A. Walter Ogden McGill III.  
10 Q. And, Mr. McGill, you have filed what you  
11 called an objection as a response to the pending  
12 motion in these proceedings in federal court in  
13 Jackson, Tennessee, and therein stated that you  
14 were appearing pro se. Are you familiar with  
15 that?  
16 A. Yes.  
17 Q. And you are here today for your deposition  
18 and is it correct that you are still pro se,  
19 representing yourself?  
20 A. As of today.  
21 Q. So you do not currently have counsel; is  
22 that correct?  
23 A. That's correct.  
24 (Exhibit 1 was marked.)  
25 MR. KIRKPATRICK: We have marked as

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1 Exhibit 1 the order entered in this case by  
2 Magistrate Judge Edward Bryant to take this  
3 deposition and granting leave for the plaintiffs  
4 to file a memorandum brief.  
5 And in reply, Exhibit 2 is the Notice  
6 of Deposition, and Exhibit 3 is the Motion To Add  
7 Further Specifics To The Court's Permanent  
8 Injunction Entered May 28, 2009, As Further  
9 Defined By The Order Entered January 6, 2010.  
10 (Exhibit 2 was marked.)  
11 (Exhibit 3 was marked.)  
12 MR. KIRKPATRICK: And we'll mark as  
13 Exhibit 4 the objection that you filed,  
14 Mr. McGill.  
15 (Exhibit 4 was marked.)  
16 MR. KIRKPATRICK: We'll be making  
17 reference to these documents, but for housekeeping  
18 purposes and the record, those have been  
19 premarked.  
20 BY MR. KIRKPATRICK:  
21 Q. To touch base for a moment on sort of  
22 rules of protocol in depositions, I'll be asking  
23 you a number of questions today, Mr. McGill, and  
24 if I ask you anything that you do not understand  
25 or that doesn't make sense to you in terms of what

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1 the question is asking, feel free to tell me that  
2 and I'll take a shot at asking the question in a  
3 different fashion so that you can feel comfortable  
4 understanding it, okay?  
5 A. (Nodding.)  
6 Q. I need a verbal response.  
7 A. Yes.  
8 Q. That was going to be the next thing. And  
9 not to fuss at you, but so that this court  
10 reporter, in taking down your responses, doesn't  
11 have to put down either a nod of the head or a  
12 shake of the head but instead an out loud, verbal  
13 response so that there is no dispute between us at  
14 all down the road in terms of what your response  
15 was. It's fine with me to nod your head or shake  
16 your head, but if you would, just in addition to  
17 that, give me the out loud or verbal response,  
18 okay, sir?  
19 A. I understand.  
20 Q. If you need to take a break at some time,  
21 you feel free to tell me that and we'll do that,  
22 okay?  
23 A. Okay.  
24 Q. You and I were in court last Tuesday  
25 before Magistrate Judge Bryant on a status

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<p>1 conference, and at that time we had discussions to</p> <p>2 set this deposition for today. And what I would</p> <p>3 like to know is everything that you have done to</p> <p>4 prepare for this deposition, Mr. McGill.</p> <p>5 A. I've prayed. I have gone over the legal</p> <p>6 filings. I have reviewed an original deposition</p> <p>7 taken by Jeffrey Tew. And that's it.</p> <p>8 Q. And whose deposition did you review?</p> <p>9 A. It was my deposition, taken by Jeffrey</p> <p>10 Tew.</p> <p>11 Q. And was that taken in connection with this</p> <p>12 litigation back when it was initially being</p> <p>13 litigated or some other proceeding?</p> <p>14 A. It was this one, when it was originally</p> <p>15 being litigated.</p> <p>16 Q. And do you recall when that deposition</p> <p>17 happened?</p> <p>18 A. If my memory serves me, it was May of</p> <p>19 2007.</p> <p>20 Q. And were you represented by counsel at</p> <p>21 that deposition?</p> <p>22 A. Yes.</p> <p>23 Q. And who was that, please, sir?</p> <p>24 A. Ronald Michael.</p> <p>25 Q. And how did you obtain that deposition to</p>	<p>1 few days ago.</p> <p>2 Q. Okay. And what was the substance of that</p> <p>3 conversation and why did you have that</p> <p>4 conversation? I'm not fussing at you; I'm just</p> <p>5 asking the question.</p> <p>6 A. He likes to know what's going on in legal</p> <p>7 matters among Seventh-Day Adventists, and I</p> <p>8 informed him of what is going on.</p> <p>9 Q. And what did you advise him?</p> <p>10 A. That there is a new motion in this matter</p> <p>11 and that I was going to be deposed today in your</p> <p>12 office.</p> <p>13 Q. And what was the reason for that</p> <p>14 communication?</p> <p>15 A. Can you ask that another way?</p> <p>16 Q. Yes, sir. What motivated you -- did you</p> <p>17 call him or did he call you?</p> <p>18 A. Initially I called him.</p> <p>19 Q. And what was the purpose in making that</p> <p>20 call?</p> <p>21 A. I would hope that he would publish it to</p> <p>22 his constituency.</p> <p>23 Q. The fact you're being deposed?</p> <p>24 A. Yes, so that people could pray for me.</p> <p>25 Q. Have you talked to anyone else other than</p>
Page 11	Page 13
<p>1 review it?</p> <p>2 A. It's stored online somewhere. I don't</p> <p>3 remember.</p> <p>4 Q. So you found it online?</p> <p>5 A. That's what I -- that's what I -- I</p> <p>6 originally found it online and had downloaded it</p> <p>7 onto my computer.</p> <p>8 Q. Have you reviewed anything else</p> <p>9 preparatory to the deposition today?</p> <p>10 A. Not that I recall.</p> <p>11 Q. Have you discussed this deposition with</p> <p>12 anyone?</p> <p>13 A. My wife.</p> <p>14 Q. Anyone else?</p> <p>15 A. Not that I recall -- well, there's a</p> <p>16 Seventh-Day Adventist by the name of Vance</p> <p>17 Ferrell.</p> <p>18 Q. And you had some discussions with that</p> <p>19 gentleman or person?</p> <p>20 A. I told him that I was being deposed today.</p> <p>21 Q. And who is that?</p> <p>22 A. He is a publisher of books and</p> <p>23 newsletters.</p> <p>24 Q. And when did you speak with Mr. Ferrell?</p> <p>25 A. I don't know the exact date, but it was a</p>	<p>1 Mr. Ferrell and your wife about the deposition?</p> <p>2 A. I have to think about it.</p> <p>3 Q. Okay.</p> <p>4 A. I believe I posted it on Facebook.</p> <p>5 Q. And what did you say in that post?</p> <p>6 A. I don't remember. I'm not even sure I</p> <p>7 posted.</p> <p>8 Q. But posted just some notice you were going</p> <p>9 to be deposed today in this case?</p> <p>10 A. To my recollection that's what it would</p> <p>11 have been, in the order of a prayer request,</p> <p>12 probably.</p> <p>13 Q. Any other communications by you with</p> <p>14 anyone about this deposition that you can recall?</p> <p>15 A. I'm not recalling any.</p> <p>16 Q. You haven't consulted with any legal</p> <p>17 counsel -- I'm not asking what you may have said</p> <p>18 or what that counsel may have said -- but have you</p> <p>19 consulted with any legal counsel in connection</p> <p>20 with this deposition or about this deposition?</p> <p>21 A. I don't think I've reached anyone.</p> <p>22 Q. Mr. McGill, just a little bit of</p> <p>23 background. Would you tell me what your</p> <p>24 educational background is please, sir?</p> <p>25 A. What do you mean by "background"?</p>

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<p>1 Q. Schooling, formal schooling, for right 2 now. 3 A. I completed six years of university level. 4 Q. Okay. Where did you grow up? 5 A. I grew up in Tennessee, Alabama, and 6 Montana. 7 Q. And whereabouts in those states? 8 A. Knoxville, Tennessee; Enterprise, Alabama; 9 Stevensville, Montana. 10 Q. And prior to your university experience 11 that you just mentioned to me, what was your 12 schooling, your elementary school, your high 13 school, your college? 14 A. Elementary school in Knoxville, Tennessee, 15 Enterprise, Alabama. I think I was transferred to 16 Stevensville, Montana, in junior high school. 17 Q. And where did you graduate from high 18 school? 19 A. Stevensville, Montana. 20 Q. What was the name of the high school, do 21 you recall? 22 A. Stevensville High School. 23 Q. And then you mentioned some college 24 experience; is that correct? 25 A. University of Tennessee.</p>	<p>1 A. Yes, sir. 2 Q. And what's your degree, please, sir, and 3 what year approximately did you get it? 4 A. I believe my degrees were accomplished in 5 1980. I had a bachelor's of education, a 6 bachelor's of psychology, with a minor in music, 7 and, if I recall correctly, a minor in 8 mathematics. 9 Q. And have you had any postgraduate 10 education? 11 A. I went to graduate school at the 12 University of Montana, in the psychology master's 13 program. 14 Q. And how long did you attend there and did 15 you obtain a postgraduate degree? 16 A. I attended one year and did not finish. 17 Q. And that would have been what year, 18 please, sir? 19 A. If I recall correctly it was 1980, '81. 20 Q. Have we now covered all of the formal 21 schooling, including college experience, that 22 you've had? 23 A. Except for my military training. 24 Q. And what branch of the military were you 25 in, Mr. McGill?</p>
Page 15	Page 17
<p>1 Q. And approximately when and what was your 2 area of study? 3 A. My area of study at the University of 4 Tennessee was electrical engineering, 5 pre-engineering. 6 Q. And for how many years did you attend? 7 A. I attended one year there and I 8 transferred to the University of Montana. And 9 then I was interrupted with the Vietnam war. 10 Q. So this would have been in approximately 11 what year that you were at UT for a year and then 12 at the University of Montana? 13 A. It was approximately 1965. 14 Q. All right. And how long did you attend 15 the University of Montana, approximately? 16 A. Well, that was belated because of military 17 service. I went back some years later -- and I 18 don't remember the years immediately -- but I 19 attended the University of Montana for about five 20 years. 21 Q. And can you tell me approximately what 22 years? 23 A. I believe it was in the '70s. 24 Q. And so did you obtain a degree from the 25 University of Montana?</p>	<p>1 A. U.S. Air Force. 2 Q. And when approximately did you go in and 3 when approximately did you come out? 4 A. 1966 through early '70. 5 Q. And what rank did you achieve? 6 A. E5. 7 Q. To a layperson what -- 8 A. Staff sergeant. 9 Q. Would you just summarize for me where you 10 were located and what your military experience 11 involved and sort of were you always in the U.S.? 12 Were you in Vietnam? If you would just sort of 13 summarize that for me. 14 A. I was in boot camp in Mississippi, I 15 believe. I was assigned to Mountain Home, Idaho, 16 Air Force base. I volunteered for the Vietnam War 17 and was sent to Thailand. I spent two-and-a-half 18 years in Thailand and was discharged after that. 19 Q. In summary fashion, what were your duties 20 in Thailand? 21 A. I was a communications navigations 22 technician. 23 Q. And so did you maintain and repair 24 equipment in that role? 25 A. Yes.</p>

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<p>1 Q. Would that be equipment aboard aircraft or 2 equipment on the ground? 3 A. Yes. 4 Q. I'm sorry? 5 A. Yes. 6 Q. Both? 7 A. Yes. 8 Q. Okay. And did you, in your military 9 training, receive any sort of certification for 10 that training or diploma or something in the 11 nature of such a notification and notice? 12 A. I received several certifications. I had 13 a top-secret security clearance at one time. I 14 worked in crypto. 15 Q. And did you have duties that actually 16 required you to fly in an aircraft during your 17 Vietnam stay? 18 A. Only as transport, from one location to 19 another. 20 Q. And you said you were discharged in early 21 '70, and was that an honorable discharge? 22 A. Yes. 23 Q. Since then would you tell me what type of 24 work you have done? And if you would, just sort 25 of summarize it in terms of the years.</p>	<p>1 Q. And tell me what self-employment you have 2 engaged in. And, if you would, summarize it and 3 bring me forward to today. 4 A. I opened a business repairing 5 coin-operated video games and the like. 6 Q. What was it called, Mr. McGill? 7 A. Chick's Video Service. 8 Q. And where was that and how long did you do 9 that approximately? 10 A. I can't remember. The years do not come 11 together for me. 12 Q. Where was that located? 13 A. Knoxville, Tennessee. 14 Q. And so from 1985 for a period of years you 15 did that, or a period of months? 16 A. Well, I did that for years, but it 17 doesn't -- it doesn't fit with what I've 18 previously said, so I have my years mixed up 19 somehow. 20 Q. And do you know what year you stopped 21 running the Chick's Video Service? 22 A. I believe it was 1988. 23 Q. And then what did you start doing, sir? 24 A. I received a call from God to do 25 evangelism.</p>
Page 19	Page 21
<p>1 A. I'm pausing for the reason of faulty 2 memory. 3 (Pause.) 4 I believe I obtained employment with 5 Bally's Aladdin's Castle shortly after my 6 discharge. 7 Q. And what did you do there? 8 A. I was an electronics technician and 9 amusement center manager. 10 Q. And for what years, approximately, did you 11 do that? 12 A. '82, 1982, to perhaps 1985, '6. 13 Q. And, generally speaking, what were your 14 duties? 15 A. I was responsible for supervising 16 employees, hiring and firing employees. 17 Q. And what kind of business was that? 18 A. It was a family amusement center chain. 19 Q. And when did you depart that employment? 20 A. I'm guessing 1985. 21 Q. And if you would, just bring us forward, 22 summarizing where you've worked and generally what 23 you did and what years. 24 A. I have been self-employed ever since 25 leaving that position.</p>	<p>1 Q. And when approximately did that occur? 2 A. I believe it was June of 1988. 3 Q. And just tell me what you have done since 4 then in terms of work and employment. 5 A. I have worked as an evangelist, a pastoral 6 counselor, family counselor, and a pastor. 7 Q. All right. Would you just tell me with 8 what churches or other organizations you've been 9 involved as an evangelist, pastoral counselor, and 10 pastor, and generally describe for me the time 11 period of it. 12 A. I was with the Lord Our Righteousness 13 Church for almost two years. 14 Q. From approximately when to approximately 15 when? 16 A. That would have been 1988 to 1990. 1990, 17 I was an independent. 18 Q. Independent what, please, sir? 19 A. Independent evangelist. 20 Q. Okay. And for how long? 21 A. (Pause.) 22 I don't have the years. There was a short 23 time of independence but it could be also 24 construed as continuing independently because 25 there was no organization as such.</p>

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<p>1 Q. Where have you worked or performed as a 2 pastoral counselor and approximately when? 3 A. I opened a counseling, family counseling, 4 center in Corinth, Mississippi, in 1998 maybe. 5 Q. And for how long? 6 A. Until 2006 or '7 maybe. 7 Q. What was it called? 8 A. Help 4U. 9 Q. And what work did you do there? 10 A. I offered free family counseling, 11 substance abuse counseling, adolescent counseling, 12 marriage counseling. 13 Q. And you did that from '98 until '06 or 14 '07? 15 A. Yes. 16 Q. And then what did you start doing, sir? 17 A. I received a call from God to Africa, East 18 Africa, as a missionary. 19 Q. And when was that, please, sir, 20 approximately? 21 A. 2007, '08, right in there; 2007, slash, 22 2008, in that area. 23 Q. Okay. And what did you do after that or 24 as a result of that? 25 A. As a result of that I returned to America</p>	<p>1 A. I was released from the San Bernadino 2 County jail in July 2012. Since that time I have 3 been traveling the country, the United States 4 country, as a retired pastor/evangelist/family 5 counselor, walking prayer walks through towns and 6 communities of America. 7 Q. You told me earlier that you have worked 8 as than evangelist, as a pastoral counselor, and 9 as a pastor. You tell me that you have been an 10 independent evangelist at times. Tell me where 11 you have been a pastor. 12 A. Spring City, Tennessee, St. Joseph, 13 Tennessee, and Guys, Tennessee. 14 Q. And what were the names of the church or 15 churches in each of those locations? 16 A. Spring City Remnant Church of Creation 17 Seventh-Day Adventists; St. Joseph Seventh-Day 18 Adventist -- no -- St. Joseph Creation Seventh-Day 19 Adventist Church. In Guys it was First Creation 20 Seventh-Day Adventist Church and then changed to A 21 Creation Seventh-Day &amp; Adventist Church. 22 Q. Any other churches where you've been the 23 pastor? 24 A. No. 25 Q. And would you tell me approximately what</p>
Page 23	Page 25
<p>1 after five years or so. 2 Q. Returned to America when, sir? 3 A. After five years or so. 4 Q. So you spent five years or thereabouts in 5 Africa? 6 A. Yes. 7 Q. Where? 8 A. Rwanda and Uganda. 9 Q. And what were you doing during that period 10 of time? 11 A. I was doing humanitarian services for the 12 vulnerable African people. 13 Q. Then you said you returned to the United 14 States after approximately five years, and what 15 did you begin doing in terms of work or activity? 16 A. I was incarcerated. 17 Q. And was that in connection with 18 litigation? 19 A. Yes. 20 Q. And is that the litigation that was going 21 on in federal court in Jackson? 22 A. Yes. 23 Q. And since that time would you tell me what 24 work you have done and where and the approximate 25 years, please, sir?</p>	<p>1 years you did pastoral work or were the pastor at 2 Spring City, Tennessee, at Remnant Church Creation 3 Seventh-Day Adventist? 4 A. 1991, 1992, maybe 1993. I'm not 5 remembering. 6 Q. And were you the pastor there for the 7 entirety of those years during that time period, 8 '91 to '93 time frame? 9 A. I don't remember the times accurately, but 10 I was the only pastor there. 11 Q. The only pastor? 12 A. Yes. 13 Q. All right, sir. And as to Creation 14 Seventh-Day Adventist Church in St. Joseph, 15 Tennessee, give me the dates that you were pastor 16 there as best you can recall, the time frame. 17 A. It would have been immediately following 18 the Spring City tenure. 19 Q. And for how long approximately? 20 A. I would say until 1997 or '8. 21 Q. Okay. And were you also the full-time 22 pastor at that church during that time frame, '93 23 to '97 time frame? 24 A. Yes. 25 Q. All right. And the Creation Seventh-Day</p>

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<p>1 Adventist Church in Guys, Tennessee, how long were 2 you the pastor there and what years? 3 A. I was pastor there from 1998 until 2012. 4 Q. And you were the full-time pastor there 5 during that time frame? 6 A. I was the full-time pastor. 7 Q. And where is Guys, Tennessee, as compared 8 to Nashville, Tennessee? 9 A. Guys, Tennessee, is on the southern 10 portion of Tennessee near Corinth, Mississippi, on 11 the state line. 12 Q. Do you know what county Guys is in? 13 A. It's called McNairy County. 14 Q. How many members did the church in Guys, 15 Tennessee, Creation Seventh-Day Adventist Church, 16 have during your tenure there? 17 A. Three members, myself and two others. 18 Q. Who were they, please, sir? 19 A. My wife. 20 Q. Her name, please? 21 A. Barbara. 22 Q. Barbara McGill? 23 A. Yes. 24 Q. Okay. 25 A. And Lucan, L-u-c-a-n, Chartier.</p>	<p>1 mart. 2 Q. Had been in the past? 3 A. Yes. 4 Q. Was it occupied by anything other than the 5 church from 1998 until 2012? 6 A. I did some remodeling and my wife and I 7 had an apartment there. 8 Q. So you lived there as well? 9 A. At times, yes. 10 Q. Anyone live there other than you and your 11 wife, Mr. McGill? 12 A. Lucan Chartier also resided there. 13 Q. You said it started as a lease. Did that 14 change at some point? 15 A. Yes. 16 Q. And how? 17 A. My wife purchased it. 18 Q. From whom? Do you recall? 19 A. Not really. 20 Q. Does she still own it? 21 A. No. 22 Q. What happened to it? 23 A. Well, we could not continue there so she 24 sold it. 25 Q. And approximately when was that?</p>
Page 27	Page 29
<p>1 Q. Would you spell that for us, please? 2 A. C-h-a-r-t-i-e-r. 3 Q. And did you start that church? 4 A. I was involved in that process but I would 5 say God started it and I was inspired to be a part 6 of it. 7 Q. And how did you go about finding a 8 location? 9 A. Can you ask that a little more 10 specifically? 11 Q. Where was it located, the address? 12 A. You want the address? 13 Q. Yes, sir. 14 A. 1162 Old Highway 45 South, Guys, 15 Tennessee. 16 Q. And was that a building that you leased or 17 owned or what? 18 A. It began as a lease. 19 Q. Who entered into the lease? 20 A. I'm not sure. It could have -- it 21 probably was my wife and myself, but I don't 22 remember precisely. 23 Q. And would you describe the building that 24 you had the church located in? 25 A. It was a service station, a convenient</p>	<p>1 A. It's been since 2012, but I don't 2 remember. 3 Q. Okay. When you and your wife occupied 4 that location in Guys, Tennessee, from 1998 to 5 2012, did you have signs indicating the name of 6 the church on the building or about the building? 7 A. Yes. 8 Q. What did they say? 9 A. The first sign said "Creation Seventh-Day 10 Adventist Church." 11 Q. And did that change, when you say the 12 first sign? 13 A. Yes. 14 Q. Or were there other signs put up that said 15 the same thing, when you say "first"? 16 A. The sign was changed. 17 Q. And how so? 18 A. From "Creation Seventh-Day Adventist 19 Church" to "A Creation Seventh-Day Adventist &amp; 20 Adventist Church." 21 Q. And what led to that name change, and 22 approximately when did that occur? 23 A. We were in litigation. 24 Q. This trademark litigation? 25 A. Yes.</p>



<p><b>Page 30</b></p> <p>1 Q. Go right ahead.</p> <p>2 A. And I had been praying about what could be</p> <p>3 done to solve our dilemma, and I had a dream</p> <p>4 wherein God showed me to separate the Creation</p> <p>5 Seventh-Day from Adventist Church. And he</p> <p>6 instructed me to change the sign and present that</p> <p>7 to the Court showing good faith and trying to</p> <p>8 avoid what the plaintiffs were saying was going to</p> <p>9 happen, such as confusion or something like that.</p> <p>10 Q. And so you filed legal papers advising the</p> <p>11 judge in this trademark litigation of that name</p> <p>12 change or not?</p> <p>13 A. I remember -- at the time I had counsel,</p> <p>14 and I did not keep abreast of as much of what was</p> <p>15 going on, primarily because I was out of the</p> <p>16 country five years of this time. What I do recall</p> <p>17 reading at some point was that the district court</p> <p>18 judge -- and I don't know if it was Judge Breen or</p> <p>19 the one prior to him. There was one prior to him</p> <p>20 that was involved in this litigation. One of them</p> <p>21 concluded that the change was not sufficient.</p> <p>22 That's all I remember.</p> <p>23 Q. Was the -- or is the Creation Day</p> <p>24 Seventh-Day Adventist Church and/or the A Creation</p> <p>25 Seventh-Day Adventist &amp; Adventist Church</p>	<p><b>Page 32</b></p> <p>1 A. May I look at the paper?</p> <p>2 Q. Yes, sir. (Tenders.)</p> <p>3 A. (Reviewing.)</p> <p>4 "On behalf of." I can't remember</p> <p>5 precisely my meaning. Would you be willing to ask</p> <p>6 the question another way and maybe I can -- you</p> <p>7 can trigger something.</p> <p>8 Q. I'm just trying to figure out who that is</p> <p>9 that you're referring to or what that is, what</p> <p>10 organization or entity or association.</p> <p>11 A. Which one is this, Worldwide adherents of</p> <p>12 the Religion of Seventh-Day Adventism?</p> <p>13 Q. Yes, sir.</p> <p>14 A. I would understand that to mean anyone in</p> <p>15 the world that believes in the religion of</p> <p>16 Seventh-Day Adventists.</p> <p>17 Q. Is that what you meant by it when you</p> <p>18 filed it?</p> <p>19 A. I think so, but I -- this is quite some</p> <p>20 time ago.</p> <p>21 Q. During the time period you were the</p> <p>22 full-time pastor at Creation Seventh-Day Adventist</p> <p>23 Church and the successor to it in name, as you've</p> <p>24 described it, how often did the church meet and</p> <p>25 have services or other meetings, approximately?</p>
<p><b>Page 31</b></p> <p>1 affiliated with any other churches, denomination</p> <p>2 or organization?</p> <p>3 A. I cannot answer that accurately until I</p> <p>4 get your verb tense squared away.</p> <p>5 Q. At any time?</p> <p>6 A. No.</p> <p>7 Q. Has it ever had any affiliation with the</p> <p>8 plaintiffs in this case?</p> <p>9 A. No.</p> <p>10 Q. We have marked as Exhibit 5 the Answer to</p> <p>11 Complaint, Affirmative Defenses, and Request for</p> <p>12 Jury Trial, filed October 17, 2006, by you, which</p> <p>13 states (as read): "Comes Defendant Walter McGill,</p> <p>14 pro se, before this honorable Court and on behalf</p> <p>15 of, among others, the spiritual church of Jesus</p> <p>16 Christ, the Creation Seventh-Day Adventist Church,</p> <p>17 and the worldwide adherents of the religion of</p> <p>18 Seventh-Day Adventist adventism, to answer the</p> <p>19 plaintiffs' complaint."</p> <p>20 (Exhibit 5 was marked.)</p> <p>21 BY MR. KIRKPATRICK:</p> <p>22 Q. You have told me about Creation</p> <p>23 Seventh-Day Adventist Church, and when you say</p> <p>24 worldwide adherents of the religion of Seventh-Day</p> <p>25 Adventism, what were you referring to?</p>	<p><b>Page 33</b></p> <p>1 A. We would have weekly sabbath services. At</p> <p>2 times we would have mid-week prayer meetings.</p> <p>3 Twice a year we would have a camp meeting.</p> <p>4 Q. Meaning what? What would happen?</p> <p>5 A. We would send out invitations to a mailing</p> <p>6 list of Seventh-Day Adventists, members of the</p> <p>7 plaintiff church and others, other types of</p> <p>8 Christians, anyone that we could invite to have a</p> <p>9 gathering of spiritual worship.</p> <p>10 Q. And this mailing list was acquired from</p> <p>11 what source?</p> <p>12 A. I don't remember. I didn't take care of</p> <p>13 the mailing list.</p> <p>14 Q. Who handled that?</p> <p>15 A. Whoever handled that is probably long</p> <p>16 gone.</p> <p>17 Q. You've told me about three members, you,</p> <p>18 your wife and the other gentleman; would it be --</p> <p>19 A. Well, this would be a prayer list -- I</p> <p>20 mean, a list that was passed down.</p> <p>21 Q. But so was there a fourth person or a</p> <p>22 number of other people who --</p> <p>23 A. No.</p> <p>24 Q. -- came into the church and someone</p> <p>25 handled this activity or -- I'm just trying to</p>

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1 find out who --

2 A. As I was a pastor previous to the Guys

3 work, over the years, from 1990 -- 1988, there

4 would be a collection of people who were

5 interested in discussing religious matters. And,

6 of course, you try to keep a contact list if

7 you're going to send mailings or announce meetings

8 or anything like that.

9 Q. All right. And were these announcements

10 or written communications inviting some activity,

11 as you've described it?

12 A. To my knowledge they were all paper.

13 Q. Mailed?

14 A. Mailed, yes, postal mail.

15 Q. All right. And tell me what activity the

16 Creation Seventh-Day Adventist Church had on the

17 Internet.

18 A. Now, when you're saying the Creation

19 Seventh-Day Adventist Church, what are you

20 referring to now? The Guys church?

21 Q. You've told me you were the pastor of

22 Creation Seventh-Day Adventist Church, and you've

23 given me a time frame of 1998 to the year 2012.

24 And so during that time what Internet activity and

25 use did your church that you started there have?

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1 A. The church had very little involvement,

2 the church being my wife and Lucan Chartier. I

3 was the primary actor on the Internet.

4 Q. And what did you do as that actor?

5 A. I published numerous websites calling

6 attention to our message.

7 Q. And can you tell me what those websites

8 were, please, sir?

9 A. To my knowledge they've all been taken

10 away, and I don't remember what they were.

11 Q. And when you say "taken away," were they

12 the subject of the injunction in this case and

13 listed by name in the injunction?

14 A. I think so.

15 Q. Okay. And all of those websites, you're

16 telling me, were taken down?

17 A. To my knowledge.

18 Q. When? Over the course of what time

19 period?

20 A. I don't remember.

21 Q. Prior to 2012?

22 A. Yes --

23 Q. Prior to --

24 A. -- I think so.

25 Q. And who took them down, if you know?

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1 A. I don't know.

2 Q. Did you send -- did you do anything to

3 take them down?

4 A. Not that I recall.

5 Q. They were taken down, though, in

6 connection and as a result of the orders and

7 injunction in this case?

8 A. I think so.

9 MR. KIRKPATRICK: I'm going to mark

10 as Exhibit 6 a copy of The Court's order January

11 6, 2010, wherein -- and I'm going to hand this to

12 you, Mr. McGill -- wherein there are a number of

13 websites listed on page 2 and 3 of the order, and

14 the language in the order includes "and that all

15 persons acting in concert with defendant,

16 including any web-hosting companies and domain

17 name registrars, are hereby enjoined from using or

18 enabling the use of such domain names and

19 websites." And then it lists a number of websites

20 on those two pages.

21 (Exhibit 6 was marked.)

22 BY MR. KIRKPATRICK:

23 Q. I want to hand you that. And are those --

24 A. Do you need this back? (Tenders.)

25 Q. -- the websites that you were referring to

Page 37

1 that you were operating and that have been taken

2 down?

3 A. (Reviewing.)

4 There are a few that I don't recognize.

5 Q. Do you want to mark those for me with this

6 pen, please.

7 A. (Complying.)

8 Q. And you have, by a checkmark on Exhibit 6,

9 checked four of the websites that were enjoined by

10 the order, and the first one is

11 creationseventhdayadventistchurch.ca.

12 Is it your testimony you had nothing to do

13 with that website?

14 A. Right.

15 Q. Whose website was that?

16 A. I'm not sure.

17 Q. You don't have any idea who operated that

18 .ca?

19 A. Not really.

20 Q. You've checked www.csda-korea.org. Is it

21 your testimony you had nothing to do with that

22 website?

23 A. Right.

24 Q. And whose website was that, if you know?

25 A. The only Korean person I know that it

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1 could have been is Ye Isbell, I-s-b-e-l-l.  
 2 Q. And who is that?  
 3 A. She was at one time an adherent of the  
 4 Creation Seventh-Day Adventist religion in Canada.  
 5 Q. And how do you know her?  
 6 A. I had met her when I traveled to Canada  
 7 one time. I had met her there.  
 8 Q. And do you know if the content of her  
 9 website violates the injunction?  
 10 A. No.  
 11 Q. You don't know one way or the other?  
 12 A. No.  
 13 Q. And you met her when?  
 14 A. I don't remember the year. I was on one  
 15 of my travels to Canada and met her there.  
 16 Q. Okay. Did you give her permission to use  
 17 the Creation Seventh-Day Adventist Church website?  
 18 A. I had no talk about websites.  
 19 Q. You've checked  
 20 www.seventhdayadventistchurchfoundwanting.us. Is  
 21 it your testimony you never had anything to do  
 22 with that website?  
 23 A. I have never.  
 24 Q. And no affiliation with anyone who owns or  
 25 operates it?

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1 A. I don't know. Never knew.  
 2 Q. So you have no knowledge of who put that  
 3 website up, operated it or had anything to do with  
 4 the content of it?  
 5 A. No.  
 6 Q. Never at any time?  
 7 A. No.  
 8 Q. And then you've checked  
 9 www.binaryangel.net. Are you familiar with that  
 10 website?  
 11 A. I seem to remember it at one time.  
 12 Q. And did you have anything to do with that  
 13 website or any affiliation with that website?  
 14 A. No.  
 15 Q. Do you know who operated it at any time?  
 16 A. I would have to speculate.  
 17 Q. All right. Speculate.  
 18 A. Dr. David Aguilar.  
 19 Q. And what causes you to so speculate?  
 20 A. I believe he has used that terminology  
 21 before.  
 22 Q. And upon what do you base that belief?  
 23 A. Apparently I've seen it on the Internet or  
 24 in email, but I'm not remembering the time and  
 25 place.

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1 Q. Who is Dr. David Aguilar?  
 2 A. He is a friend of mine. He is an adherent  
 3 to the religion of Creation Seventh-Day  
 4 Q. What is the religion Creation Seventh-Day  
 5 Adventist, as you use that term?  
 6 A. It is a religion of Christianity that  
 7 believes in keeping the sabbath on the seventh  
 8 day. It believes in the creation as stated in the  
 9 book of Genesis. It's a religion that believes in  
 10 the second coming of Christ to end the world and  
 11 deliver God's people from this earth. It is a  
 12 religion that does not believe in using court  
 13 systems to settle disputes.  
 14 Q. Where did the name "Creation Seventh-Day  
 15 Adventist" come from? Who came up with that?  
 16 A. It is intellectual property of God.  
 17 Q. Are you the first person to come up with  
 18 that name to use in your church, Creation  
 19 Seventh-Day Adventist? Was that your idea or  
 20 someone else?  
 21 A. I received a vision from God, and another  
 22 gentleman received a vision from God.  
 23 Q. Who's that, please, sir?  
 24 A. His name was Danny Smith, in Spring City,  
 25 Tennessee. And these visions were identical. And

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1 the name "Creation Seventh-Day Adventist" was  
 2 given to him and to me in identical visions.  
 3 Q. And when did this happen to your  
 4 knowledge?  
 5 A. About 1990.  
 6 Q. And so you, for your church, you're the  
 7 person who came up with the name -- you've told me  
 8 about the vision or that experience -- but in  
 9 terms of human beings in coming up with that name,  
 10 that was your doing and something that originated  
 11 with you as you've just described it?  
 12 A. I don't know if there were others in the  
 13 world that came up with it as well. I just know  
 14 that I did what God told me to do.  
 15 Q. And how did the Creation Seventh-Day  
 16 Adventist church differ from the Seventh-Day  
 17 Adventist Church?  
 18 A. What do you mean by "church" when you're  
 19 asking that question?  
 20 Q. Well, you used the term "Creation  
 21 Seventh-Day Adventist Church," and how does it  
 22 differ from the Seventh-Day Adventist Church of  
 23 the plaintiffs?  
 24 A. I can't speak authoritatively about  
 25 churches. I can speak authoritatively about

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1 religions.  
2 Q. You have been the pastor of the Creation  
3 Seventh-Day Adventist Church. You came up with  
4 the name to start using Creation Seventh-Day  
5 Adventist Church, correct?  
6 A. (Pause.)  
7 Q. As you've just described it?  
8 A. I'm trying to be -- I'm trying to avoid  
9 violating my integrity. I cannot speak about a  
10 church unless I know what I'm talking about.  
11 Q. I'm talking about your church.  
12 A. I only had one church recently that was in  
13 the litigation, the Guys, Tennessee, congregation  
14 of my wife, Lucan Chartier, and myself. We  
15 believe in the Creation Seventh-Day Adventist  
16 religion.  
17 Now, we use the word "church" as the  
18 English version of the Greek "ecclesia," the  
19 called-out ones.  
20 Now, perhaps I erred by using the word  
21 "church." I could have used "congregation," I  
22 could have used "assembly," or a number of other  
23 words, a gathering of people who believe the  
24 Creation Seventh-Day Adventist religion.  
25 And you asked me the difference in that

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1 religion and the Seventh-Day Adventist religion.  
2 We believe that there is no trinity in God, that  
3 God is the father, the heavenly father, and he has  
4 a son, and they share the Holy Spirit. The  
5 Seventh-Day Adventist religion believes that God  
6 is three persons, one God with three persons. We  
7 worship different gods. They worship a pagan god  
8 and we worship the Bible god.  
9 So there are two different religions here.  
10 Q. What do you mean by "a pagan God"?  
11 A. A pagan God is one that has one body and  
12 three heads, as an illustration. You see it in  
13 Greek mythology and you see it in pagan religions  
14 illustrated that way. We do not accept that  
15 teaching, so our religion is separate. We believe  
16 in creation as it is in Genesis, and many  
17 Seventh-Day Adventist authorities today do not  
18 accept that teaching, so we are different in those  
19 ways.  
20 Another difference: We do not believe in  
21 church/state union. We do not believe in using  
22 the civil arm to correct or persecute or in any  
23 way violate the conscience of another religious  
24 believer. The Seventh-Day Adventist religion  
25 today obviously believes in using the civil court

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1 to correct heretics and others who they deem  
2 unfit.  
3 There may be other differences, but I have  
4 elucidated the salient differences.  
5 Q. How did you come up with the word  
6 "creation" to use in front of the words  
7 "Seventh-Day Adventist Church," Mr. McGill?  
8 A. The vision gave the words to me. Some  
9 years later it was revealed to me the reason for  
10 that word being added.  
11 Q. Okay. But you, as far as a human being,  
12 you've mentioned one other person who had a  
13 vision --  
14 A. Yes.  
15 Q. -- or experience, but you are the person  
16 who came up with the word "Creation" to use with  
17 Seventh-Day Adventist Church; that was something  
18 that happened with you; is that right?  
19 A. I received the vision, as I told you.  
20 Q. But you coined that or came up with the  
21 idea to use the word "Creation" with Seventh-Day  
22 Adventist Church?  
23 A. I am not going to agree to you. I did not  
24 come up with the idea. Sir, it was given to me by  
25 God.

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1 Q. Okay. What I'm trying to determine is  
2 you're the human being that first started using it  
3 and had the idea as a result of what you just  
4 described in your own words, correct?  
5 A. I obeyed God.  
6 Q. Okay. And in so doing came up with the  
7 word or began using the word "Creation" in front  
8 of Seventh-Day Adventist Church, correct?  
9 A. Creation Seventh-Day. You see, the  
10 Creation Seventh-Day is not the same as the  
11 Seventh-Day. The Seventh-Day Adventists believe  
12 in the seventh day. They keep sabbath on the  
13 seventh day of the calendar. But in China they're  
14 known as the sixth-day people because their  
15 seventh day falls on the sixth day of the  
16 calendar.  
17 So we worship on the creation seventh day,  
18 and that creation seventh day can be traced back  
19 to creation.  
20 Q. And it was sometime during 1998 that you  
21 came up with the word "creation" as you've  
22 described it from your experience --  
23 A. It was actually 1990, thereabouts, when  
24 the vision was given to use "Creation Seventh-Day  
25 Adventist."

Page 46	<p>1 Q. When did you first start using "Creation 2 Seventh-Day Adventist Church"?</p> <p>3 A. That was in Spring City, Tennessee, at a 4 group meeting of then-Seventh-Day Adventists.</p> <p>5 Q. And approximately what was the date of 6 that meeting?</p> <p>7 A. No way I know. I can't remember that. 8 1990, slash, 1991, you know, in that era.</p> <p>9 Q. And did you use the name Creation 10 Seventh-Day Adventist Church on the church in 11 Spring City? Was there signage saying that?</p> <p>12 A. I can't remember.</p> <p>13 Q. When did you first use "creation" in front 14 of Seventh-Day Adventist Church on the Internet 15 approximately?</p> <p>16 A. I feel a little bit jerked around right 17 now, going from one time period to the other, you 18 see.</p> <p>19 Q. Well, as I've told you --</p> <p>20 A. I'm going to try.</p> <p>21 Q. As I've told you at the beginning, if I've 22 asked you a question you want some clarity to, 23 I'll try to do that, Mr. McGill, okay?</p> <p>24 A. Please do. Please do.</p> <p>25 Q. What I'm trying to find out is when in</p>	Page 48	<p>1 was recognized on things they called search 2 engines, which I didn't know what that was 3 until -- then, and then I realized that, through 4 search engines, people anywhere in the world could 5 find out who you are and what you're doing.</p> <p>6 And so, as the result of that fledgling 7 website, I received hundreds and a few thousand 8 interests of people around the world who emailed 9 me and corresponded with me, and I sent them 10 packages of literature and things of that nature 11 to tell them what I'm doing.</p> <p>12 Q. What was the reason for using, in the name 13 Creation Seventh-Day Adventist Church, the words 14 "A Seventh-Day Adventist Church"? Why did you 15 choose those words?</p> <p>16 A. I was an adherent to the Seventh-Day 17 Adventist religion.</p> <p>18 Q. For how long, approximately?</p> <p>19 A. My tenure began 1974. I was also an 20 adherent to the Baptist religion.</p> <p>21 When you progress from one religion to 22 another you progress because of some conviction 23 that comes to your heart that you need to change 24 something. When I was Baptist I worshiped on 25 Sunday. When I came to realize Sunday is not a</p>
Page 47	<p>1 time did you, in any capacity, as pastor of the 2 first church or the second church or the third of 3 the three churches you've told me about, use 4 Creation Seventh-Day Adventist Church on the 5 Internet, in a website or any other communication, 6 posting or any other method?</p> <p>7 A. To my memory it would have been in Spring 8 City, approximately 1996.</p> <p>9 Q. And how did you first use it on the 10 Internet?</p> <p>11 A. I built a website.</p> <p>12 Q. And what was the website?</p> <p>13 A. Creation Seventh-Day Adventist Church.</p> <p>14 Q. Dot-com?</p> <p>15 A. In those days we had no knowledge of 16 domain names or anything of that nature. There 17 were many providers such as Tripod, Angelfire, 18 Lycos, to name a few, who offered free website 19 templates. And people that did not know coding 20 could register with these free web providers and 21 use an online template and just insert text and 22 produce a website.</p> <p>23 Of course, when I first did it I didn't 24 even know what a website was, and so I did it. 25 And, in fact, I noticed that my fledgling website</p>	Page 49	<p>1 biblical sabbath, I changed to Seventh-Day 2 Adventist religion. And I accepted it line, hook 3 and sinker.</p> <p>4 Q. And this would have been in 1974 sometime?</p> <p>5 A. 1974.</p> <p>6 Q. And how long were you what you call an 7 adherent to the Seventh-Day Adventist Church?</p> <p>8 A. I was an adherent to the religion, and I 9 volunteered my membership to one of their many 10 churches.</p> <p>11 Q. And what church was that?</p> <p>12 A. The First Knoxville Seventh-Day Adventist 13 Church.</p> <p>14 Q. And is that church, to your knowledge, 15 affiliated with the plaintiffs?</p> <p>16 A. Yes.</p> <p>17 Q. What was the location of that church in 18 Knoxville, if you can recall?</p> <p>19 A. I remember it was on Kingston Pike.</p> <p>20 Q. And how long were you a member of that 21 church, approximately?</p> <p>22 A. I don't remember.</p> <p>23 Q. A period of years?</p> <p>24 A. Give it two years, maybe.</p> <p>25 Q. And then what was the reason for leaving</p>

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1 that membership?

2 A. I think I transferred to another, smaller

3 congregation.

4 Q. So back to the reason for using

5 Seventh-Day Adventist Church, those words in the

6 name of your church, what was the reason for doing

7 that? What were you seeking to identify yourself

8 as?

9 A. I was only seeking to obey God's command.

10 I myself had been an adherent to the Seventh-Day

11 Adventist religion. I was now in a transition to

12 a new religion that had some foundation in the

13 Seventh-Day Adventist religion.

14 You see it happen in many denominations,

15 such as Baptist. There will be a certain kind of

16 Baptist and then there will be a metamorphosis or

17 evolution and a person will become maybe a

18 Missionary Baptist or they'll become a Free Will

19 Baptist or they'll become some other kind of

20 Baptist.

21 The Creation Seventh-Day Adventist

22 religion grew out of and away from Seventh-Day

23 Adventist religion but retained the sabbath and

24 the second coming of Christ aspects.

25 Q. Were there other people using the name

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1 "Creation" that you were familiar with back when

2 you started using that word?

3 A. I cannot tell you if anyone used it before

4 me.

5 Q. You're not familiar with anybody using it

6 before you?

7 A. I'm not familiar with it.

8 Q. The other person who you said had a

9 vision, who is that? And I mean the vision of

10 Creation Seventh-Day Adventist.

11 A. Danny Smith.

12 Q. Who is Danny Smith?

13 A. Well, he was a very close friend of mine

14 in those days, the early '90s.

15 Q. Was he with you when this vision happened

16 or were you gentlemen separate from each other?

17 A. We were in the same building.

18 Q. Did it happen on the same day?

19 A. Yes.

20 Q. What did he say to you about that?

21 A. I don't remember.

22 Q. Did he then start using -- did he then

23 start a church?

24 A. Let me add a little bit to this. There

25 was a spiritual worship meeting happening at this

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1 time. There were other people there, present,

2 when those visions occurred. I don't recall

3 precisely where I was, in what context.

4 But those visions were revealed to the

5 people present, and the people present decided,

6 based upon biblical doctrine that let every fact

7 be established by two or more witnesses, the

8 congregates who were there at the time concluded

9 that, yes, this is God speaking. Not one man said

10 it; two men said it, identically. Therefore, it

11 is supernatural and they believed it was from God.

12 And so they concluded to embrace the name

13 "Creation Seventh-Day Adventist" in Spring City at

14 that time, which was 1990, 1991, right in there.

15 MR. KIRKPATRICK: All right. Why

16 don't we take a five-minute break and then we'll

17 reconvene and continue.

18 THE WITNESS: Okay.

19 (Recess observed.)

20 BY MR. KIRKPATRICK:

21 Q. Mr. McGill, we filed the motion to add

22 further specifics to The Court's permanent

23 injunction entered May 28, 2009, as further

24 defined by the order entered January 6, 2010, on

25 July 23, 2015, and sent copies of that to you.

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1 Did you receive it?

2 A. Yes.

3 Q. Okay. And how did you receive it? Was it

4 by email or was it by mail or was it both?

5 A. Email.

6 Q. And at what email address did you receive

7 it?

8 A. sda\_trademark\_lawsuit@yahoo.com.

9 Q. And is that an email address that you

10 created for yourself?

11 A. Yes.

12 Q. When approximately?

13 A. I don't know.

14 Q. Was it as a result of this litigation?

15 A. Yes.

16 Q. Do you have any other email addresses that

17 you currently use?

18 A. Yes.

19 Q. Would you give them to me, please?

20 A. Explain the need for that.

21 Q. If you don't want to provide it you can

22 just tell me that. I'm just asking for it, in

23 terms of Internet use.

24 A. I'm beginning to feel a little violated in

25 my privacy.

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1 MR. KIRKPATRICK: Let's move on.  
2 (Exhibit 7 was marked.)  
3 BY MR. KIRKPATRICK:  
4 Q. Once you were served with a copy of this  
5 motion that we have now marked as Exhibit 7, did  
6 you talk to anybody about it?  
7 A. (Pause.)  
8 Q. Or tell anybody about it?  
9 A. Yes.  
10 Q. Okay. I'd like to know with whom you  
11 spoke and the substance of those conversations and  
12 if you sent it to anyone else.  
13 A. I sent it to everybody I know, probably.  
14 Q. Did you send it to Mr. Aguilar?  
15 A. He's on my mailing list.  
16 Q. Is that a yes?  
17 A. He's on my mailing list.  
18 Q. I need to establish -- is everybody on  
19 your mailing list -- did you send it out to  
20 everybody on your mailing list?  
21 A. Yes. I would think so.  
22 Q. All right. So that would include  
23 Mr. Aguilar?  
24 A. Yes.  
25 Q. Why would you have sent it to him?

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1 A. I would think any of my friends would be  
2 interested in what's going on with my lawsuit  
3 situation.  
4 Q. And how many people are on that mailing  
5 list that you've just testified about?  
6 A. I don't -- I don't know, sir. I don't  
7 keep a count of that.  
8 Q. And that's a written list that you have?  
9 A. I don't know if we have a written list or  
10 if it's an electronically stored list. All I do  
11 is hit the send button.  
12 Q. And when you said "we" who are you talking  
13 about, "we have a written list"?  
14 A. My wife and I.  
15 Q. So that mailing list is maintained in your  
16 computer?  
17 A. No.  
18 Q. Where is it maintained?  
19 A. I would say it would be web-based.  
20 Q. Okay. Can I find it on the web by putting  
21 in a website?  
22 A. I don't think so.  
23 Q. Okay. All right. And are there five or  
24 ten or more like a dozen or more like two dozen or  
25 more like a hundred names on this mailing list?

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1 A. There would be a large number.  
2 Q. When you say that --  
3 A. I don't know.  
4 Q. -- give me an idea.  
5 A. A hundred, two hundred, three hundred, I  
6 don't know.  
7 Q. Somewhere between 100 and 300?  
8 A. Perhaps.  
9 Q. Okay. And did you send this motion to all  
10 of the people on that 100- to 300-person mailing  
11 list?  
12 A. I'd have to speculate.  
13 Q. Well, it sounds like you did, from  
14 earlier. You said Mr. Aguilar's on your mailing  
15 list, and I think you said -- I may have  
16 misunderstood you, but I think you said you did  
17 send it to everybody on the mailing list; is that  
18 right?  
19 A. I probably did.  
20 Q. Okay. And what was the purpose of doing  
21 that?  
22 A. To inform everybody that knows me that the  
23 General Conference of Seventh-Day Adventists have  
24 begun persecuting me again.  
25 Q. And how do you know these 100 to 300

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1 people on this mailing list? What affiliation  
2 have you had with them in the past for them to be  
3 on a mailing list of yours?  
4 A. Friends.  
5 Q. Any other affiliation? Any religious  
6 affiliation? Any church affiliation?  
7 A. Seventh-Day Adventist members.  
8 Q. And when you say that, are you talking  
9 about the church of the plaintiffs or some other  
10 church?  
11 A. The church of the plaintiffs.  
12 Q. Do some of these 100 to 300 people operate  
13 websites?  
14 A. I don't know.  
15 Q. Do any of them operate websites that  
16 contain the name "Creation Seventh-Day Adventist  
17 Church" in any of the content?  
18 A. From your filing it has come to the  
19 surface that Dr. David Aguilar has a website of  
20 that nature.  
21 Q. And did you speak to Dr. Aguilar about  
22 this motion?  
23 A. Speak? What do you mean by speak?  
24 Q. Talk.  
25 A. No.

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1 Q. No verbal conversation?

2 A. No.

3 Q. Emails?

4 A. Email was the notification.

5 Q. Any followup emails other than your

6 notifying him of this filing?

7 A. Yes.

8 Q. And tell me what followup email

9 communications you've had with Dr. Aguilar with

10 regard to this motion and these proceedings.

11 A. I don't recall details.

12 Q. Okay. How many emails did you and he

13 exchange back and forth?

14 A. I don't recall.

15 Q. Do you have copies of them?

16 A. I don't know. I would assume. It's

17 possible.

18 Q. I would like to ask for a copy of the

19 mailing list of this 100 to 300 people to whom you

20 distributed the motion and ask you if you will

21 agree to provide me with a copy of that. Will you

22 do that, sir?

23 A. I would have to pray about that one.

24 MR. KIRKPATRICK: All right. I'm

25 going to request that that be provided as

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1 late-filed Exhibit No. 8.

2 (Late-filed Exhibit 8 was marked.)

3 BY MR. KIRKPATRICK:

4 Q. How long have you had that mailing list,

5 Mr. McGill?

6 A. I don't remember.

7 Q. How did you go about compiling it?

8 A. Some of it was harvested from the

9 Internet.

10 Q. And with what method? Or based upon what,

11 I guess, is the better question.

12 A. Based upon affiliation with the

13 Seventh-Day Adventist Church or the Seventh-Day

14 Adventist religion.

15 Q. And of those 100 to 300 people whose names

16 are on the list that we've asked for as late-filed

17 Exhibit No. 8, how many of them, if you can tell

18 me, have some affiliation with the Creation

19 Seventh-Day Adventist Church or Creation

20 Seventh-Day Adventist religion, if you can break

21 those down?

22 A. I don't know.

23 Q. Can you tell me what percentage of the 100

24 to 300 people on the list have some affiliation

25 with the Creation Seventh-Day Adventist Church or

Page 60

1 Creation Seventh-Day Adventist religion?

2 A. There would be very few that I know.

3 Q. And who would they be, please, sir?

4 A. I don't feel comfortable giving you names

5 of people that are my friends and that may adhere

6 to the Creation Seventh-Day Adventist religion.

7 Q. What's the difference in the Creation

8 Day -- excuse me -- Creation Seventh-Day Adventist

9 Church and the Creation Seventh-Day Adventist

10 religion to you?

11 A. To me? The Creation Seventh-Day Adventist

12 Church is owned and operated by God. It is not an

13 earthly organization. The Creation Seventh-Day

14 Adventist religion is the belief system that God

15 has inspired in the hearts of various people

16 around the world.

17 Q. And are there groups, associations,

18 churches, other than your Creation Seventh-Day

19 Adventist Church, that are organized and

20 practicing in connection with this religion in the

21 United States or elsewhere as you've just

22 described the religion? Does it have other

23 churches?

24 A. There is no -- what do you mean by

25 "church," please?

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1 Q. An organization of two or more people who

2 call themselves a church.

3 A. There are none that I'm aware of in

4 America. I believe that Dr. Aguilar is involved

5 in some type of work in Belize. I would not say

6 that he has a church, per se. I would say that

7 there are -- and I've been notified through

8 Facebook -- that there are several hundred people

9 in India, but I don't know if they are operating

10 as a church.

11 Honestly I don't know of any churches, per

12 se, but there are people who, it is my belief, are

13 adherents to the beliefs of the Creation

14 Seventh-Day Adventist religion.

15 Q. What causes you to have that belief,

16 Mr. McGill? Is it information that you see on the

17 Internet with them using that name? Is it

18 information you received in Facebook where they're

19 using that name? What causes you to believe that

20 those adherents are Creation Seventh-Day Adventist

21 adherents?

22 A. This religion of mine has been around now

23 for over 25 years.

24 Q. And you started it?

25 A. No.



<p><b>Page 62</b></p> <p>1 Q. Who started it?</p> <p>2 A. God.</p> <p>3 Q. Any other human being who started it other</p> <p>4 than you?</p> <p>5 A. I did not say I started it.</p> <p>6 Q. All right. What was your participation in</p> <p>7 getting the Creation Seventh-Day Adventist Church</p> <p>8 operable?</p> <p>9 A. I notice you keep using the word "church,"</p> <p>10 and I have repeated a few times that church is --</p> <p>11 I've told you pretty much my affiliation with</p> <p>12 churches. I separate church from religion, and so</p> <p>13 over the number of years that I have been an</p> <p>14 adherent to the Creation Seventh-Day Adventist</p> <p>15 religion, there have been scores of people out</p> <p>16 there that I knew, in America and other countries,</p> <p>17 that adhere to Creation Seventh-Day Adventist-ism.</p> <p>18 Now, I think it's obvious that when you're</p> <p>19 in litigation, when you're being, in my mind,</p> <p>20 persecuted and the news media picks it up and</p> <p>21 Adventist news media picks it up and it goes</p> <p>22 worldwide, and then it goes worldwide that Pastor</p> <p>23 Chick McGill has been incarcerated for the use of</p> <p>24 the name "Creation Seventh-Day Adventist," you</p> <p>25 know, I don't know how to explain, but it seems</p>	<p><b>Page 64</b></p> <p>1 Q. Do you know of anyone else using that</p> <p>2 combination of words before you?</p> <p>3 A. No. I -- I may be one of the first.</p> <p>4 Q. And that, for you, commenced in the</p> <p>5 mid-'90s?</p> <p>6 A. 1990, slash, '91, as I remember it.</p> <p>7 Q. How do you use those words now, nowadays,</p> <p>8 Creation Seventh-Day Adventist, Creation</p> <p>9 Seventh-Day Adventist religion?</p> <p>10 A. Give me more, please.</p> <p>11 Q. Well, how do you use them now? Do you</p> <p>12 identify yourself using those words? Do you use</p> <p>13 them in connection with your walking? Do you use</p> <p>14 them in connection with a church? Do you use them</p> <p>15 on the Internet?</p> <p>16 A. No.</p> <p>17 Q. Do you use them on a website? How do you</p> <p>18 use those words now?</p> <p>19 A. I use them only in cases where someone</p> <p>20 asks me what I am.</p> <p>21 Q. And your response then is what?</p> <p>22 A. "I am a Creation Seventh-Day Adventist."</p> <p>23 Q. And to you there's significance in needing</p> <p>24 to use the word "creation"?</p> <p>25 A. There is no other way to identify who I am</p>
<p><b>Page 63</b></p> <p>1 obvious to me that many people in the world got</p> <p>2 that information and began looking into it somehow</p> <p>3 and asking questions and wondering what this is</p> <p>4 all about.</p> <p>5 And so there have been people evidently</p> <p>6 that have become adherents to the Creation</p> <p>7 Seventh-Day Adventist religion or faith because of</p> <p>8 this litigation. However, they would not be</p> <p>9 inclined to start a church because if they did,</p> <p>10 they would wind up in jail like Pastor Chick</p> <p>11 McGill did. And so the human nature doesn't</p> <p>12 really want to go to jail.</p> <p>13 And so I think what the plaintiffs have</p> <p>14 done is advertise my religion to the world and at</p> <p>15 the same time strike fear in any of those people</p> <p>16 who might adhere that they would, in like manner,</p> <p>17 wind up in jail if they had a church.</p> <p>18 Q. Are you the first person that you're aware</p> <p>19 of to use the term "Creation Seventh-Day Adventist</p> <p>20 religion"?</p> <p>21 A. To use the term with "religion"? Or just</p> <p>22 the term, the name?</p> <p>23 Q. "Creation Seventh-Day Adventist" or</p> <p>24 Creation Seventh-Day Adventist religion."</p> <p>25 A. Okay.</p>	<p><b>Page 65</b></p> <p>1 in the religious world except "Creation</p> <p>2 Seventh-Day Adventist."</p> <p>3 Q. And you feel that you are compelled to use</p> <p>4 the words "Seventh-Day Adventist" in describing</p> <p>5 yourself? I mean as you've testified, and your</p> <p>6 activities.</p> <p>7 A. I am compelled by conscience to death. To</p> <p>8 the death I am compelled to say I am a Creation</p> <p>9 Seventh-Day Adventist.</p> <p>10 Q. Do you belong to any organization in that</p> <p>11 capacity?</p> <p>12 A. No. No.</p> <p>13 Q. When was your last organizational activity</p> <p>14 in the capacity as Creation Seventh-Day Adventist</p> <p>15 or Creation Seventh-Day Adventist Church?</p> <p>16 A. Guys, Tennessee, 2012, I was incarcerated,</p> <p>17 and after my incarceration I had no more</p> <p>18 affiliation.</p> <p>19 Q. So you have not operated or called</p> <p>20 yourself Creation Seventh-Day Adventist Church</p> <p>21 since after the incarceration that you're</p> <p>22 describing; is that right?</p> <p>23 A. Yes.</p> <p>24 Q. Including not in any way on any website or</p> <p>25 on the Internet?</p>

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1 A. You are correct.

2 Q. Are there any of the 100 to 300 people on

3 your mailing list who operate websites to your

4 knowledge other than Dr. Aguilar? You've already

5 told me about him.

6 A. I would not know any.

7 Q. On the mailing list does it contain the

8 email addresses of these 100 to 300 people that

9 you've mentioned?

10 A. Please repeat.

11 Q. Does the mailing list contain the email

12 addresses of the people on it?

13 A. I think so.

14 Q. I take it, in sending out copies of the

15 motion to those folks, that's the way you sent it,

16 was by scanning it in and emailing it to them; is

17 that right?

18 A. Actually, those email addresses are

19 available on the plaintiffs' website.

20 Q. Your 100 to 300 people that are on your

21 list are included in some other list on the

22 plaintiffs' website? Is that what you're telling

23 me?

24 A. Yes.

25 Q. And is the plaintiffs' list limited to

Page 67

1 those 100 to 300 people?

2 A. No.

3 Q. So to determine who the 100 to 300 people

4 are who you communicate with on your mailing list,

5 we would need your list, wouldn't we, sir?

6 A. Well, I intend to communicate with

7 everyone that I can find on their list.

8 Q. Okay. And what websites would that

9 involve for you and for them?

10 A. I don't recall the exact URL, but if you

11 do a search on Google for Adventist Church

12 directory, you can find those there, I believe.

13 Q. Are the 100 to 300 people on your mailing

14 list adherents to what you call the Creation

15 Seventh-Day Adventist religion?

16 A. There would be some on there, I think.

17 The major number of the adherents would be

18 Seventh-Day Adventist adherents.

19 Q. And are you asked from time to time, in

20 your using the words "Creation Seventh-Day

21 Adventist" to describe yourself, whether or not

22 you have some affiliation with the Seventh-Day

23 Adventist Church of the plaintiffs? Do you get

24 that question?

25 A. No.

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1 Q. I want to hand you a copy of the motion

2 that's Exhibit 7, and on pages 2 and 3 there

3 are -- excuse me. On pages 4 and 5 there are a

4 number of websites under Paragraph No. 7. Can you

5 identify any of those websites and who is involved

6 with the operation of those websites?

7 A. I know that adventistry.to and

8 faithofjesus.to is owned and operated by Dr. David

9 Aguilar. I do not know who operates these.

10 Now --

11 Q. You mean the remainder of them on page 4?

12 A. The remainder on page 4, I do not know, do

13 not recognize, except this Angelfire, these two

14 Angelfire websites.

15 Q. Who is that?

16 A. I don't know, really. You see Angelfire I

17 mentioned earlier? That was one of the ones that

18 gave free website templates a long time ago, in

19 the 1996, '97, somewhere in there. When I looked

20 at these pages I hardly recognize them except

21 there was some remnants of what I had put on there

22 long ago.

23 Q. You mean pages on the website?

24 A. Yeah. But I did not have access to them

25 for many years, so I don't understand that,

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1 really.

2 Q. Are any of the other -- are there any

3 websites on page 4 of that motion that you sent

4 copies of our motion to?

5 A. I don't understand the question.

6 Q. Did you direct a copy of the motion to any

7 of these websites or anyone operating any of the

8 websites on page 4 of the motion?

9 A. No. I don't know anybody except

10 Dr. Aguilar.

11 Q. Okay.

12 A. And I -- now, hold on. There was one --

13 see, I don't recognize these things by URL, but my

14 memory's coming to me that -- maybe it's on this

15 page. Okay. Maybe it's this page. Do you want

16 me to turn the page?

17 Q. Yeah, that's five. What I'm looking for

18 is for you to identify any of those websites on

19 pages 4 and 5 of the motion as to which there are

20 email addresses that are contained on your mailing

21 list --

22 A. Oh, no.

23 Q. -- and let's deal with that first.

24 A. Okay.

25 Q. Are there?

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1 A. No.

2 Q. All right. And are --

3 A. Well, I wouldn't -- no, none of these

4 would be on my mailing list because I don't know

5 any of these except the one that's my wife's.

6 There's one here that was a Google account, and I

7 never could figure out exactly why that one was

8 included.

9 Q. What's her web address listed on the

10 motion?

11 A. It's not a web address. It's a Google

12 Plus account.

13 Q. Which one are you talking about,

14 Mr. McGill?

15 A. It must be one of these Plus Googles, but

16 I don't know which one it is.

17 Q. That's page 5?

18 A. It's the one ending in 164, so it would be

19 the top one.

20 Q. When you sent out copies of the motion to

21 the people on your mailing address by way of

22 email, did you suggest to them that they take

23 action to take down certain stuff? Or what

24 communication did you make along with sending it

25 out to them?

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1 A. Well, if I had -- if I had told anybody to

2 take anything down I would have had to know they

3 had something up, so that wasn't the case. I was

4 giving an informational email about this motion

5 that is very overreaching and very dangerous to

6 net neutrality. I contacted organizations such as

7 Electronic Frontier Foundation out in San

8 Francisco who actually wanted to file an amicus

9 brief but did not timely do so. There are people

10 who are interested in this litigation because of

11 the implications of what your new motion is asking

12 for.

13 Q. Do any of the 100 to 300 recipients of the

14 motion to whom you emailed it operate a Creation

15 Seventh-Day Adventist Church?

16 A. Not to my knowledge.

17 Q. Do any of them use the term "Creation

18 Seventh-Day Adventist" on their websites to your

19 knowledge?

20 A. Not to my knowledge.

21 Q. Have you given any of those people, those

22 100 to 300 people on your mailing list, permission

23 to use the words "Creation Seventh-Day Adventist"

24 or "Creation Seventh-Day Adventist Church"?

25 A. I don't give anyone permission to do

Page 72

1 anything.

2 Q. Have you encouraged any of those people on

3 your mailing list to use the term "Creation

4 Seventh-Day Adventist" in connection with their

5 religion or in connection with a church?

6 A. No.

7 Q. Have you requested of anyone on your

8 mailing list that they not use the words "Creation

9 Seventh-Day Adventist" or "Creation Seventh-Day

10 Adventist Church"?

11 A. No.

12 Q. In your objection to the motion you make

13 the statement to the effect that you have no

14 affiliation with a Creation Seventh-Day Adventist

15 Church any more and that you are in no way, in

16 your view, committing any infringing acts as to

17 those words, terms, marks that are the subject of

18 these injunction orders.

19 Are you familiar with your statement to

20 that effect --

21 A. Yes.

22 Q. -- and your objection?

23 A. Yes.

24 Q. And your last use, then, of "Creation

25 Seventh-Day Adventist Church" on the Internet was

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1 sometime during 2012?

2 A. To my recollection. I don't even know if

3 I was using it on the Internet then, but that was

4 my last use.

5 Q. All right. And we have asked in this

6 motion for certain relief. We have asked to

7 include a number of websites, as you see in the

8 motion on pages 4 and 5, and we have asked for

9 some language to be added to the order.

10 Do you, given that you have taken the

11 position that you are not involved with the

12 activity we are seeking to have the order

13 specifically address and the websites to

14 specifically address, do you have any objection to

15 the relief being sought in the motion, if you have

16 no affiliation with any of the persons, firms or

17 entities to whom it is directed?

18 A. Please be a little more specific about the

19 relief.

20 Q. Do you still resist and object to and

21 oppose the relief being sought in our motion,

22 given that you have -- that it's your position

23 that you have no affiliation and that you no

24 longer operate a Creation Seventh-Day Adventist

25 Church? Do you still oppose the motion?

<p style="text-align: right;">Page 74</p> <p>1 A. I oppose the motion on the grounds that I 2 mentioned in my objection. I would not change 3 that until I can retain counsel to get legal 4 advice. 5 Q. So at this point, in order to obtain the 6 relief that we are seeking in the motion, we're 7 going to need to move forward with presenting our 8 reply and go forward with the judge? You're not 9 in agreement to the relief we are requesting at 10 this point? Is that correct? 11 A. And please articulate the relief. 12 Q. Well, you've read the motion. 13 A. You're saying the whole motion? 14 Q. So as stated in the motion there are 15 specific websites -- 16 A. Okay. 17 Q. -- as to which we're seeking to have the 18 order direct that the relief requested. As to the 19 websites listed on pages 4 and 5, do you still 20 oppose the order being made specifically 21 applicable to those websites? 22 A. The websites don't bother me so much as 23 the specifics you're asking to be added to the 24 motion. I have -- I have received, on information 25 and belief, some legal reasons why your motion's</p>	<p style="text-align: right;">Page 76</p> <p>1 counsel on what -- because I don't want to -- see, 2 I have to answer to God. And if I make an 3 agreement -- I feel somewhat pressured already, 4 and if I make an agreement and then I feel sorry 5 for it later, I would really be hurting. 6 Q. What I'm asking you, though -- I'm meaning 7 to ask it straightforward and as plain and simple 8 as I can -- is do you oppose paragraph 7 asking 9 that the injunction specifically applies to the 10 websites listed at the bottom of page 4 and top of 11 page 5? I'm not asking if you agree that it 12 should. I'm asking whether or not it's your 13 position at this point that you still oppose it. 14 A. I oppose until I can get some legal 15 counsel. 16 Q. Okay. Now, the motion -- and I'm going to 17 come around to sort of beside you a minute, 18 Mr. McGill, just so that we can read this 19 together. 20 The motion also asks, in paragraph 4 (as 21 read): "As a result of developments, advances and 22 changes in technology-based communication for 23 effective enforcement, the plaintiffs now have 24 need of adding the language -- excuse me -- adding 25 to the language any website hosting companies and</p>
<p style="text-align: right;">Page 75</p> <p>1 language is not something I should agree to. 2 Q. Let's stick with the websites for a 3 minute, just so that I can understand what you 4 would be in agreement to and what you would not be 5 in agreement to. 6 In paragraph 7 of the motion we say: "The 7 plaintiffs further request that The Court 8 specifically add the following websites as being 9 enjoined from using, enabling or facilitating the 10 use of such domain names and websites." 11 And they're listed at the bottom -- from 12 the middle to the bottom of page 4 and on the top 13 of page 5. Do you oppose the injunction stating 14 that it is specifically applicable to those 15 websites at the bottom of page 4 and page 5? 16 A. (Reviewing.) 17 I would object only on the grounds that 18 whoever the owners are would not have a reasonable 19 opportunity to answer for why they're doing it 20 or -- or -- for them to be able to have a day in 21 court, so to speak, so that -- I mean, some of 22 those probably aren't violative. And for me to 23 agree would be for me to say I agree with you 24 guys, they're violative. 25 That's why I'm really wanting some legal</p>	<p style="text-align: right;">Page 77</p> <p>1 domain name registrars from the 2010 order, the 2 following being additional users, enablers or 3 facilitators who are enjoined, quote, domain name 4 registries, domain name hosts, web servers, blog 5 publishing services, search engines, social 6 networks, social media companies and other service 7 providers." 8 So the same question as to paragraph 4 of 9 our motion: Do you oppose what's being requested 10 in paragraph 4 of the motion? 11 A. From what I understand of the meaning of 12 it, I oppose it, and I've stipulated it in my 13 objection. 14 Q. Okay. And if you would read paragraph 5 15 and tell me whether you continue to oppose 16 paragraph 5 and what's requested therein? 17 A. (Complying.) 18 I oppose. 19 Q. And the same question as to paragraph 6. 20 A. (Reviewing.) 21 I have to refer to my -- I don't think 22 I -- I didn't break it down point by point. I 23 oppose, again, because I need legal counsel to 24 help me understand the depth and breadth of 25 this -- of this No. 6.</p>

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1 Q. So notwithstanding your position that you  
2 claim to no longer have any affiliation with  
3 anyone operating any of the websites, which is the  
4 subject of our motion on pages 4 and 5, you  
5 continue to resist the relief being sought; is  
6 that right?  
7 A. I resisted on the grounds that I'm of the  
8 opinion and understanding that what you're  
9 requesting is overreaching and abusive. Now, if I  
10 retain counsel and counsel assures me that this is  
11 a matter of legal wording that's required, then  
12 there may be some other option.  
13 Q. All right. And do you have a timetable of  
14 when you hope to obtain counsel for that purpose?  
15 A. Well, I've been given four firms to draw  
16 from, and of course I have to have pro bono work.  
17 And if it works, I'm hoping that it will not be a  
18 long period of time.  
19 Q. All right. I want to go over with you  
20 some documents that are in this notebook, and the  
21 first one says: "CSDARAU, Creation SDA Relief  
22 Association of Uganda."  
23 Do you recognize this document and do you  
24 have anything to do with this document, this page  
25 being on the Internet?

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1 A. Some years ago, yes.  
2 Q. And what was your involvement with this  
3 document being on the Internet?  
4 A. I don't remember what specifically I was  
5 involved in except I was a missionary to Uganda.  
6 Q. Let's move this just a little closer for  
7 you to be able to examine and us to examine it  
8 together.  
9 Now, this document -- and let's mark it as  
10 Exhibit 8.  
11 (It was later determined that the  
12 exhibit would be marked Exhibit 8A.)  
13 (Exhibit 8A was marked.)  
14 BY MR. KIRKPATRICK:  
15 Q. It states: "In order to continue  
16 providing assistance to Uganda in the form of  
17 health counseling, education, and vocational  
18 training, CSDARAU is dependent on the  
19 contributions of people like you. If you would  
20 like to donate to the CSDARAU fund, please contact  
21 us using the contact button to the left, or use  
22 the convenient Paypal button below."  
23 Are you depicted in this paragraph?  
24 A. That's me there.  
25 Q. Okay. So you're the gentleman seated in

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1 the white --  
2 A. Yes.  
3 Q. -- shirt and pants?  
4 A. Yes.  
5 Q. And did you publish Exhibit 8[A] on the  
6 Internet? Did you cause that to be issued? To be  
7 put on the Internet?  
8 A. I don't remember, but this organization, I  
9 think, is dissolved.  
10 Q. What was your involvement? You're in a  
11 picture shown with some other people asking for  
12 donations. What was your involvement?  
13 A. I was a missionary.  
14 Q. Okay. And it uses Creation SDA. Does  
15 that stand for Seventh-Day Adventist --  
16 A. Yes.  
17 Q. -- Relief Association?  
18 A. Yes.  
19 Q. Is that a name that you used?  
20 A. Yes, it's -- I think it's a name of a  
21 corporation in Uganda.  
22 Q. All right. So you don't deny you were  
23 affiliated with Creation SDA, using that name and  
24 seeking donations on the Internet, as evidenced by  
25 Exhibit 8[A], do you, sir?

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1 A. I cannot deny that I was involved in the  
2 association.  
3 Q. Do you know who else was involved in it?  
4 A. My wife and several Ugandans.  
5 Q. And what Internet indicator is on the  
6 bottom of Exhibit 8[A]? It says adventistry.to;  
7 is that correct?  
8 A. Yes.  
9 Q. Who is adventistry.to? Who operates that?  
10 Is that your website or someone else's?  
11 A. It looks like Dr. Aguilar's.  
12 Q. Okay. So you and Dr. Aguilar were working  
13 together in connection with this Creation SDA  
14 Relief publication on the Internet; is that  
15 correct?  
16 A. I did not have any knowledge of that.  
17 Dr. Aguilar's -- he was not affiliated with the  
18 organization.  
19 Q. With the Creation SDA Relief?  
20 A. No.  
21 Q. That was your organization?  
22 A. I was a principal as far as I was the only  
23 American.  
24 Q. All right. And then let's go to another  
25 page, which shows a domain, faithofjesus.to,

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1 created Wednesday, August 27, 2014. Is  
 2 faithtojesus.to your website?  
 3 A. No.  
 4 Q. Whose website is that?  
 5 A. I believe that's the one that's on the  
 6 list that Dr. Aguilar has claimed.  
 7 Q. All right. And there's a page following  
 8 that that says: "Barb's Devotional Page."  
 9 Do you know who's responsible for this  
 10 page?  
 11 A. No, I don't.  
 12 Q. And then there are external links listed,  
 13 and above the external links it says:  
 14 "Barbi@hotmail.com." Do you know who that is?  
 15 A. That's my wife.  
 16 Q. Okay.  
 17 A. But, now, this page here looks like  
 18 something from many years ago.  
 19 Q. The "Witnessing to Others"?  
 20 A. Yeah, this looks like something from the  
 21 mid-'90s.  
 22 Q. The next page says: "Binary Angel CSDA  
 23 Chatroom." Can you tell me what that is?  
 24 A. That was a -- that was an online -- I'm  
 25 trying to use the word -- an online, real-time

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1 meeting, Internet meeting area, I think.  
 2 Q. All right. And did you originate that --  
 3 A. No.  
 4 Q. -- chat room?  
 5 A. No.  
 6 Q. Who originated that chat room, Binary  
 7 Angel CSDA Chatroom? Is that your wife?  
 8 A. No.  
 9 Q. Do you know who that is?  
 10 A. Well, this email right here --  
 11 Q. FlyingCreature --  
 12 A. -- @hotmail. That looks like  
 13 Dr. Aguilar's email address.  
 14 Q. Then the next page is "Binary Angel, The  
 15 Library," and some continuation with Binary Angel,  
 16 and throughout these pages that we're about to  
 17 mark as Exhibit 9 are the letters "CSDA." What  
 18 does that stand for?  
 19 A. That's Creation Seventh-Day Adventist.  
 20 Q. Okay. And did you give permission to  
 21 Dr. Aguilar to use Creation Seventh-Day Adventist  
 22 Church in this Binary Angel content?  
 23 A. No.  
 24 Q. Is he a member of your church?  
 25 A. No.

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1 Q. Do you know why he uses "Creation  
 2 Seventh-Day Adventist Church"?  
 3 A. I really don't.  
 4 Q. You would agree that that violates the  
 5 order, wouldn't you, Mr. McGill?  
 6 A. I'm not -- I'm not sure.  
 7 MR. KIRKPATRICK: All right. We're  
 8 going to mark those pages as Exhibit 9.  
 9 (Exhibit 9 was marked.)  
 10 BY MR. KIRKPATRICK:  
 11 Q. And we've now gone to another website on  
 12 the faithtojesus.to. Is faithtojesus.to your  
 13 wife's website?  
 14 A. No.  
 15 Q. Does she have anything to do with it?  
 16 A. Not that I'm aware of.  
 17 Q. Is that Dr. Aguilar as well?  
 18 A. It would be on the list.  
 19 Q. On the list that we have in our motion?  
 20 A. Yeah, that's the domain name, right? And  
 21 so any file that follows that domain name would be  
 22 in the library of that website, I think.  
 23 Q. Do you know who operates faithtojesus.to  
 24 and that resulting page published that we're  
 25 marking Exhibit 10?

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1 A. It has to be Dr. Aguilar.  
 2 (Exhibit 10 was marked.)  
 3 BY MR. KIRKPATRICK:  
 4 Q. And it does state Creation Seventh-Day  
 5 Adventist Church, correct?  
 6 A. It also states Seventh-Day Adventist  
 7 Church.  
 8 Q. Okay. So from looking at this, with  
 9 someone reading this, would it appear that it is a  
 10 publication, this page that's Exhibit 10, of  
 11 Creation Seventh-Day Adventist Church or  
 12 Seventh-Day Adventist Church?  
 13 A. Well, it says up here choose between life  
 14 and death, good and evil, and two Adventist  
 15 churches, SDA church and CSDA church."  
 16 So it looks like there's a juxtaposition,  
 17 choose one or the other.  
 18 Q. And can you tell who put it out there, who  
 19 published this? Is it Creation or is it  
 20 Seventh-Day Adventists?  
 21 A. I don't know if you can tell.  
 22 Q. It's confusing, isn't it?  
 23 A. Well, I'm not -- I think on paper it might  
 24 be confusing. If it was -- for example, if you  
 25 were on the Internet and any of these things are

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<p>1 click-able, hot links, then it perhaps would not 2 be that way. But this is -- it looks like it's 3 out of context or something. 4 Q. All right. The next page of Exhibit 5 No. 10, Creation Seventh-Day Adventist Church 6 Message Board. And do you know who operates that? 7 A. No. 8 Q. Did you authorize anyone to use the name 9 Creation Seventh-Day Adventist Church on this 10 message board? 11 A. No. 12 Q. And is it your testimony that you had 13 absolutely nothing to do with the appearance of 14 Exhibit 10, that first page that you said you 15 can't tell which Seventh-Day Adventist 16 organization it represents or with this followup, 17 official forms of the CSDA church message board? 18 You had nothing whatsoever to do with any of that? 19 A. No. 20 Q. Okay. Let's go to the next one, which 21 I'll mark as Exhibit 11. 22 (Exhibit 11 was marked.) 23 BY MR. KIRKPATRICK: 24 Q. It says at the top: "The source of every 25 Christian, and thus the church, is" -- you want to</p>	<p>1 Seventh-Day Adventist Church," "Church Membership 2 and Its Significance." And at the top of these 3 pages, "CSDA Church Membership." 4 Do you have and have you in the past had 5 any involvement with the CSDA church as it is 6 referenced in this Exhibit 11? 7 A. What -- what I seem to see here is that 8 there's an amalgamation of old information. For 9 example, this is my name right here. 10 Q. Pastor Walter "Chick" McGill? 11 A. Yeah. 12 Q. And it says: "A Sure Covenant, Church 13 Membership: Is it important? Is it biblical?" 14 And then it says "By Pastor Walter 'Chick' McGill, 15 edited by David P. Aguilar." 16 A. Okay. And this was -- when I had the 17 church in Guys years ago, I wrote "A Sure 18 Covenant," and Dr. Aguilar took it, by my 19 permission, to edit it and publish it. 20 Q. So you and he were working together on 21 that? Is that correct? 22 A. He asked to edit it and publish it and I 23 gave him permission. 24 Q. And does he have your permission to use 25 Creation Seventh-Day Adventist Church and CSDA on</p>
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<p>1 pronounce that for me? 2 A. "Yahweh." 3 Q. Creation Seventh-Day Adventist Church. It 4 says "CSDA Internet radio." 5 Who put this page on the Internet? 6 A. I would have to speculate. 7 Q. It says faithtojesus.to. Who is that? 8 A. The owner is Dr. David Aguilar. 9 Q. All right. And did you have some 10 involvement with Dr. Aguilar in the placement of 11 Exhibit 11 on the Internet? 12 A. No. 13 Q. Is his placement on the Internet with your 14 permission -- 15 A. No. 16 Q. -- of Exhibit 11? 17 A. No. 18 Q. Would you be willing to request that he 19 cease publishing this? 20 A. I'm not -- I'm not sure that I would be -- 21 I wouldn't be in a position to request that he do 22 anything. 23 Q. All right, sir. So the page we put the 24 exhibit sticker on, Exhibit 11 is the first page, 25 and this is followed by content stating "Creation</p>	<p>1 this website? 2 A. No, I have no -- I have no authority in 3 that line. I was talking about my work. This was 4 my work here. 5 Q. Well, do you prohibit him from using 6 Creation Seventh-Day Adventist Church or do you 7 agree with him using Creation Seventh-Day 8 Adventist Church? 9 A. I neither prohibit nor authorize because 10 I'm not in that position. 11 Q. So you don't stand in the way of it, do 12 you, sir? 13 A. I would never stand in the way of 14 anybody's convictions. 15 Q. All right. Do you know the website 16 thetrueadventistchurch.to? Do you know whose 17 website that is? 18 A. No. 19 Q. You have no knowledge of it whatsoever? 20 A. No. 21 Q. Had you ever seen it before just now? 22 A. I think I've seen it. I don't remember if 23 it was in the filings or where. 24 MR. KIRKPATRICK: We're going to mark 25 this Exhibit 12.</p>

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<p>1 (Exhibit 12 was marked.)</p> <p>2 BY MR. KIRKPATRICK:</p> <p>3 Q. The next page says "Stop." There's a stop</p> <p>4 sign. At the top it says "Choose between life and</p> <p>5 death, good and evil, and two Adventist churches,</p> <p>6 SDA Church and CSDA Church," correct?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Did you have anything to do with that</p> <p>9 content I just read being on this website?</p> <p>10 A. No.</p> <p>11 Q. Has Dr. Aguilar ever belonged to your</p> <p>12 church that you started and called Creation</p> <p>13 Seventh-Day Adventist Church?</p> <p>14 A. No.</p> <p>15 Q. Has he ever collaborated with you -- other</p> <p>16 than what you've already described -- but has he</p> <p>17 ever collaborated with you on creating other</p> <p>18 content or editing content to be published on the</p> <p>19 Internet?</p> <p>20 A. No.</p> <p>21 Q. And the next page is another page that has</p> <p>22 a foreign language depiction and a yellow circle,</p> <p>23 and it says: "Creator of heaven and earth."</p> <p>24 Do you know what that foreign depiction</p> <p>25 is, what that says in any language? Are you</p>	<p>1 adventismodelacreacion.org. Do you know whose</p> <p>2 website that is?</p> <p>3 A. Not really.</p> <p>4 Q. Do you have any idea?</p> <p>5 A. Well, it's Spanish, and there are a number</p> <p>6 of Spanish people who have been interested in</p> <p>7 our -- in my teachings and so forth over the</p> <p>8 years, but I don't know to any certainty.</p> <p>9 Q. And what communications have you had back</p> <p>10 and forth with regard to those Spanish-speaking</p> <p>11 persons?</p> <p>12 A. I don't -- I don't communicate with them.</p> <p>13 Q. You have in the past. You said they've</p> <p>14 had some interest in your teachings.</p> <p>15 A. Well, I don't remember the specifics,</p> <p>16 but....</p> <p>17 Q. They're using the name of the church you</p> <p>18 started with, the Creation Seventh-Day Adventist</p> <p>19 Church, though, aren't they, sir?</p> <p>20 A. You know, when Pastor Perez in Florida,</p> <p>21 who was also in a lawsuit with your plaintiffs, he</p> <p>22 was a Spanish-speaker, English-speaker, and he had</p> <p>23 a lot of members who were also interested in our</p> <p>24 work. And, in fact, Pastor Perez was interested</p> <p>25 in becoming a Creation Seventh-Day Adventist</p>
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<p>1 familiar with whether that says Creation</p> <p>2 Seventh-Day Adventist Church?</p> <p>3 A. This is Hebrew.</p> <p>4 Q. And what does it say?</p> <p>5 A. It says Yahweh and Yahshua.</p> <p>6 Q. And what does that mean?</p> <p>7 A. Yahweh is the Father and Yahshua is the</p> <p>8 Son.</p> <p>9 Q. And just below that yellow circle are the</p> <p>10 words "The Creation Seventh-Day Adventist Church,"</p> <p>11 correct?</p> <p>12 A. Correct.</p> <p>13 Q. And then we have the Seventh-Day Adventist</p> <p>14 Church on here, just as in the previous exhibit</p> <p>15 that you've testified to, correct?</p> <p>16 A. Correct.</p> <p>17 Q. The next exhibit is going to be 13.</p> <p>18 (Exhibit 13 was marked.)</p> <p>19 BY MR. KIRKPATRICK:</p> <p>20 Q. This is another of the picture with the</p> <p>21 Hebrew and the yellow circle listing both Creation</p> <p>22 Seventh-Day Adventist Church and Seventh-Day</p> <p>23 Adventist Church, correct?</p> <p>24 A. Right.</p> <p>25 Q. All right. And this is on the website</p>	<p>1 himself, and so I can't be certain.</p> <p>2 Q. All right. So you can't rule those folks</p> <p>3 out as far as having placed Exhibit 13 on the</p> <p>4 Internet?</p> <p>5 A. I can't rule anybody out, really, except</p> <p>6 it looks like they're Spanish.</p> <p>7 MR. KIRKPATRICK: All right. The</p> <p>8 next exhibit is going to be 14.</p> <p>9 (Exhibit 14 was marked.)</p> <p>10 BY MR. KIRKPATRICK:</p> <p>11 Q. It says at the top: "The Creation</p> <p>12 Seventh-Day Adventist Church."</p> <p>13 Do you recognize this document?</p> <p>14 A. Yes.</p> <p>15 Q. What is that?</p> <p>16 A. It looks like an old page that I made</p> <p>17 years ago.</p> <p>18 Q. And it states: "Our website has undergone</p> <p>19 a number of small changes, including the addition</p> <p>20 of Twitter and Facebook share buttons on various</p> <p>21 articles and pages," correct?</p> <p>22 A. Right.</p> <p>23 Q. So you created this page that you say now</p> <p>24 is old?</p> <p>25 A. I did not put this box in here.</p>



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1 Q. The "News" box?

2 A. The "News" box. It was more abbreviated,

3 but it looks similar, this part here.

4 Q. CSDA radio?

5 A. Years ago I had a CSDA radio at Guys, and

6 that was part of it.

7 Q. All right. This is a website,

8 theadventistchurch --

9 A. thetrueadventistchurch.to.

10 Q. Whose website is that?

11 A. I don't know.

12 Q. All right. On page 2 of Exhibit 14 it

13 states at the top: "The Creation Seventh-Day

14 Adventist Church, CSDA, United States field

15 contact, 1162 Old Highway 45 South, Guys,

16 Tennessee 38339," with a toll-free 800 phone

17 number. That is your church in Guys, is it not?

18 A. That's where we were.

19 Q. Okay. So you listed your church as the

20 field contact on this Internet content, correct?

21 A. I didn't.

22 Q. Did you agree for it to be on this page?

23 A. I did not.

24 Q. Then is that without your permission?

25 A. It had to be done without my permission.

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1 I did not....

2 Q. So if we communicate with the person who

3 operates or operated this website,

4 thetrueadventistchurch.to, what is shown on this

5 Exhibit 14 on the bottom of the pages, you expect

6 whoever they are to say that they did this and put

7 this Guys, Tennessee, address field contact

8 without your permission?

9 A. I don't know what they would say, but --

10 Q. But that's your position, right?

11 A. That's my position.

12 MR. KIRKPATRICK: Okay. We're going

13 to the next exhibit, which is 15.

14 (Exhibit 15 was marked.)

15 BY MR. KIRKPATRICK:

16 Q. This looks to be in Spanish, and it's --

17 would you read the --

18 A. I --

19 Q. I'll do it, adventismodelacreacion.org.

20 Do you know whose website that is?

21 A. It looks like the same one you showed me

22 before. I don't know Spanish.

23 Q. Okay. And it, again, has the same

24 photograph we've looked at before, which is

25 Creation Seventh-Day Adventist Church and

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1 Seventh-Day Adventist Church on the second page,

2 correct?

3 A. Correct.

4 Q. Did you have any awareness of these

5 publications on the Internet?

6 A. No.

7 Q. Not at any time?

8 A. No.

9 MR. KIRKPATRICK: Okay. And that's

10 Exhibit 15. Now we'll go to Exhibit 16.

11 (Exhibit 16 was marked.)

12 BY MR. KIRKPATRICK:

13 Q. This is, again, the same photograph that

14 says Creation Seventh-Day Adventist Church and

15 Seventh-Day Adventist Church. This we've seen and

16 discussed before?

17 A. Right.

18 Q. And the next page is a full page that's

19 blue with a yellow round circle, the Creation

20 Seventh-Day Adventist Church.

21 Do you recognize this, which has the

22 website listed, creation7thdayadventist.to? Do

23 you recognize that page and do you know that

24 website?

25 A. I think it's on the list that you have put

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1 there, but I don't recall.

2 Q. Do you know who operates that website?

3 A. No, I don't.

4 Q. Or with whom it's affiliated?

5 A. No.

6 Q. It has the name of your church on it,

7 though, does it not?

8 A. It has a reading, the Creation 7th Day

9 Adventist Church, and it has the yellow logo,

10 but --

11 Q. And you're not familiar with any other

12 Creation Seventh-Day Adventist churches other than

13 ones you operated, are you, sir? Or are you?

14 A. Okay. There was one in Canada. There was

15 one in Florida. There was one in Kansas.

16 Q. And who were the people affiliated with

17 those three churches?

18 A. I've forgotten most of their names. The

19 ones in Canada were Abraham Dyck, last name

20 D-y-c-k, Kevin Gauthier -- I don't know how to

21 spell his last name.

22 Q. And then the third one?

23 A. The third one was Ye Isbell.

24 Q. And you know all three of those folks?

25 A. I know them, but I haven't been affiliated

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1 with them for many years.  
 2 Q. But you were at one point in time?  
 3 A. Only by friendship. We don't even  
 4 communicate any more.  
 5 Q. All right. Back at that time, though, did  
 6 you communicate about the Creation Seventh-Day  
 7 Adventist Church?  
 8 A. I would say that we shared adherence to  
 9 the Creation Seventh-Day Adventist religion.  
 10 Q. Okay. Were they ever members of your  
 11 church?  
 12 A. No.  
 13 Q. But they were adherent?  
 14 A. They were adherents to the religion.  
 15 Q. Of Creation Seventh-Day Adventist?  
 16 A. That religion, Creation Seventh-Day  
 17 Adventist.  
 18 MR. KIRKPATRICK: All right. The  
 19 next exhibit will be 17.  
 20 (Exhibit 17 was marked.)  
 21 BY MR. KIRKPATRICK:  
 22 Q. It says "Blogger: Religious freedom for  
 23 all." And it is blogger.com/profile with a number  
 24 that ends in 534.  
 25 Do you recognize that?

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1 A. No, sir.  
 2 Q. All right. And I'm turning to a page,  
 3 lexiconofapurefaith.blogspot.com. Do you  
 4 recognize that?  
 5 A. No, sir.  
 6 Q. The next page of that is "The Lexicon of A  
 7 Pure Faith - Creation 7th Day Adventism." Do you  
 8 recognize that, that page?  
 9 A. I believe I saw it when I was going  
 10 through the list of websites that you're -- on  
 11 your list.  
 12 Q. Do you have any affiliation with this  
 13 lexiconofapurefaith.blogspot.com?  
 14 A. No.  
 15 Q. So you have no idea who that is?  
 16 A. No, sir.  
 17 MR. KIRKPATRICK: Okay. We'll mark  
 18 this as Exhibit 17, and the page "The Lexicon of A  
 19 Pure Faith - Creation 7th Day Adventism" and the  
 20 following pages.  
 21 BY MR. KIRKPATRICK:  
 22 Q. Here's another blogger, "The Creation 7th  
 23 Day & Adventist Church."  
 24 Is that the name that you changed to that  
 25 you testified earlier in your deposition?

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1 A. It's not exactly. It's -- the one on the  
 2 Guys church was "A Creation 7th Day & Adventist  
 3 Church." This looks like somebody in Spanish  
 4 that's copying something.  
 5 Q. And do you know who that is?  
 6 A. No.  
 7 (Exhibit 18 was marked.)  
 8 MR. KIRKPATRICK: Let's mark that as  
 9 Exhibit 18.  
 10 Then Exhibit 19 is going to be some pages  
 11 that include this blogspot.com.  
 12 (Exhibit 19 was marked.)  
 13 BY MR. KIRKPATRICK:  
 14 Q. Do you recognize this name that starts  
 15 with i-g-l-e-s?  
 16 A. No.  
 17 Q. Could that be the lady you've referenced  
 18 earlier in the deposition?  
 19 A. The -- Ye Isbell?  
 20 Q. Yes, sir.  
 21 A. I don't know.  
 22 Q. The next page states "Freedom of  
 23 Conscience" up at the top and goes into a third  
 24 page that, on the right, says: "The Creation  
 25 Seventh-Day Adventist Church, Welcome to the

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1 School of Christ."  
 2 Are you familiar with this content and the  
 3 use of "The Creation Seventh-Day Adventist  
 4 Church"?  
 5 A. No.  
 6 Q. This page states, toward the bottom:  
 7 "Really practices SDA General Conference of the  
 8 principle of freedom of consciousness [verbatim],"  
 9 are you familiar with what that's talking about?  
 10 A. It says: "Really practices SDA General  
 11 Conference of the principle of freedom of  
 12 conscience for all, or for members of his  
 13 organization alone?"  
 14 I really don't know what that means.  
 15 Q. All right. But this Exhibit 18 -- excuse  
 16 me -- 19 does have the name of your church on it,  
 17 on this page where it states "The Creation 7th Day  
 18 Adventist Church," does it not?  
 19 A. It doesn't have any church on it, but it  
 20 has the words, "The Creation 7th Day Adventist  
 21 Church."  
 22 Q. And it says: "View my profile."  
 23 And do you know what profile that would be  
 24 if someone had clicked onto that?  
 25 A. No.

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1 MR. KIRKPATRICK: All right. The  
2 next one is being marked Exhibit 20.  
3 (Exhibit 20 was marked.)  
4 BY MR. KIRKPATRICK:  
5 Q. It says at the top: "Barbara's Posts."  
6 Is this your wife's posts?  
7 A. It would probably be, although I don't  
8 remember seeing it.  
9 Q. Okay. And she has participated with you  
10 in the operation of the Creation Seventh-Day  
11 Adventist Church, has she not, sir?  
12 A. In Guys, yes.  
13 Q. Okay. So you would expect that she is  
14 responsible for the content in Exhibit 20?  
15 A. Yes.  
16 Q. Including the pages that follow that say  
17 "Barbara's Posts"?  
18 A. Yes.  
19 Q. Do you know if she still has this material  
20 up and still uses this --  
21 A. I've never seen it, so I don't know.  
22 Q. And that's the  
23 creation7thdayadventists.blogspot.com, correct?  
24 A. Right.  
25 Q. And then "new to Twitter." This page says

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1 CSDA Church@CSDAChurch, Twitter."  
2 And it states: "The Creation 7th Day  
3 Adventist Church Official Twitter Account, Not  
4 Affiliated with the General Conference of  
5 Seventh-Day Adventists."  
6 This is your church Twitter account and  
7 your Twitter account isn't it, Mr. McGill?  
8 A. No, it is not. In fact, let me --  
9 Q. Whose is it, if you know?  
10 A. I do not know, but I can tell you that  
11 there's something that stands out about this that  
12 tells me that the person who did it is not  
13 connected to me.  
14 Q. And what's that?  
15 A. This disclaimer: "Not affiliated with the  
16 General Conference of Seventh-Day Adventists."  
17 An agent of mine would never use that.  
18 Q. This Twitter page that we've marked as  
19 Exhibit 21 states, on the second item down, CSDA  
20 Church, August 29: "Our primary domain has been  
21 lost due to a demand from GC lawyers. Please  
22 redirect bookmarks to our permanent site IP."  
23 And it gives an http of 93.88.247.151/.  
24 Is that message something that you posted?  
25 A. No.

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1 Q. Do you have any knowledge of who put this  
2 message on here, "Our primary domain has been lost  
3 due to a demand from GC lawyers"?  
4 A. No.  
5 Q. And do you know whose permanent site IP it  
6 references there with the 93.88, et cetera?  
7 A. I'm not sure.  
8 Q. There's an entry that says: "The enemy  
9 will suggest that the Lord will not keep us from  
10 sinning, and make us obedient to all his  
11 requirements," and it has the name Ellen G. White  
12 beside it. Do you know who that is?  
13 A. Yes.  
14 Q. Who is that?  
15 A. That's the founder of the Seventh-Day  
16 Adventist Church.  
17 Q. Do you know who caused that content to  
18 appear on this page?  
19 A. No.  
20 Q. Do you know -- here, listed on the  
21 left-hand side, is faithofjesus.to. And is that  
22 Mr. Aguilar's website?  
23 A. It looks to me the one that's on the list,  
24 Mr. Aguilar.  
25 Q. All right. And it goes on with several

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1 other pages and eventually says, under CSDA  
2 Church: "Fight for the Word: 2 West Tennessee  
3 religious leaders continue fight over church name  
4 jacksonsun.com."  
5 Do you know who that's referencing and  
6 whether it includes you?  
7 A. This -- I'm looking at the date this is --  
8 Q. 16 October 2012.  
9 A. 2012. That was -- I know the Jackson Sun  
10 did an article about Lucan Chartier and myself in  
11 relationship to the incarceration, something about  
12 that.  
13 (Exhibit 21 was marked.)  
14 BY MR. KIRKPATRICK:  
15 Q. Exhibit 21 shows this Twitter account. It  
16 says "twitter.com/CSDAChurch."  
17 Do you know whose Twitter account that is?  
18 A. No, I don't.  
19 Q. You have nothing whatsoever to do with it  
20 and never have had?  
21 A. I've never -- I didn't even know the thing  
22 existed.  
23 MR. KIRKPATRICK: I want to ask for a  
24 copy of the emails between you and Mr. Aguilar  
25 with regard to the motion that we have filed. And

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1 I'm going to ask that that become late-filed  
 2 Exhibit 22, and for you to let me know if you're  
 3 willing to provide those or not.  
 4 (Late-filed Exhibit 22 was marked.)  
 5 MR. KIRKPATRICK: Also, with regard  
 6 to the other late-filed exhibit of the mailing  
 7 list with email addresses and other information  
 8 contained on it, what else is on that mailing  
 9 list, Mr. McGill, other than names and email  
 10 addresses? Do you recall?  
 11 A. No, I don't. I don't recall.  
 12 Q. All right. As you sit here are you  
 13 willing to provide that to me as the late-filed  
 14 exhibit I requested earlier?  
 15 A. I would have to pray about it.  
 16 Q. Okay. All right.  
 17 MR. KIRKPATRICK: Let's take a break  
 18 and go off the record.  
 19 (Recess observed.)  
 20 BY MR. KIRKPATRICK:  
 21 Q. Mr. McGill, does your wife continue to be  
 22 involved with Internet activity with any website  
 23 at this time?  
 24 A. Not that I'm aware of.  
 25 Q. And I asked you early on in the deposition

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1 what email addresses you use, and you felt like  
 2 that was -- you objected or sort of semi-objected  
 3 to that, so I want to revisit that for just a  
 4 minute and just ask you if you would state for the  
 5 record all of the email addresses that you and  
 6 your wife currently use.  
 7 A. (Pause.)  
 8 Q. I just need to get an answer, whether  
 9 you're willing provide that or not.  
 10 A. I'm not willing at this time.  
 11 Q. Okay. So you refuse to answer that  
 12 question, correct? So that the judge can see the  
 13 transcript.  
 14 A. Okay. I feel like it's violating my  
 15 privacy and I strongly prefer not to answer.  
 16 Q. Okay. And what I need to know, and I'm  
 17 not fussing at you, is do you refuse to answer at  
 18 this time and provide that information?  
 19 A. Yes.  
 20 MR. KIRKPATRICK: Okay. And what I  
 21 want to ask for in a late-filed exhibit, 23, I  
 22 want to ask for a list of the email addresses that  
 23 you and your wife currently use, as well as the  
 24 email addresses that you have used in the past, to  
 25 be late-filed Exhibit 23.

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1 (Late-filed Exhibit 23 was marked.)  
 2 BY MR. KIRKPATRICK:  
 3 Q. To your knowledge does your wife now, in  
 4 any Internet website or other methodology, use the  
 5 words "Creation Seventh-Day Adventist Church,"  
 6 together like that?  
 7 A. I'm not aware of it.  
 8 Q. How about "Creation Seventh-Day Adventist  
 9 religion"?  
 10 A. I'm not aware of it.  
 11 Q. Do you and she still live together?  
 12 A. Yes.  
 13 Q. And you're still married?  
 14 A. Happily.  
 15 Q. So you still communicate daily?  
 16 A. Yes.  
 17 Q. I know you are doing some traveling,  
 18 you've talked about, and you have on your shirt  
 19 the www.walkingcoast2coast.com. What is that?  
 20 A. It's my assignment from God.  
 21 Q. And so your activities nowadays are what?  
 22 A. My activities are living, surviving,  
 23 sharing God with as many people as I can,  
 24 promoting a new birth of freedom and integrity,  
 25 calling attention to the 10 Commandments, the

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1 golden rule, and our nation's founding documents.  
 2 Q. You have mentioned "Walking Coast 2  
 3 Coast." Can you tell me what that endeavor is and  
 4 what you are doing in connection with that?  
 5 A. After I was released from jail in 2012 God  
 6 told me to walk across America, promoting a new  
 7 birth of freedom and integrity of America, calling  
 8 attention to the 10 Commandments, the golden rule,  
 9 and our nation's founding documents. He told me  
 10 to carry the American flag and show Americans true  
 11 integrity and respect, set an example that they  
 12 might return to God and leave their sins. And so  
 13 I obeyed.  
 14 Q. So are you actually walking distances on a  
 15 daily basis? That's sort of what I'm getting to.  
 16 What is the activity in this effort? Or are you  
 17 traveling by car or what?  
 18 A. For almost a year-and-a-half I walked from  
 19 coast to coast, and I finished that National  
 20 Prayer Walk April 29 of this year. Since that  
 21 time I've been recovering from the physical  
 22 ailments that came from that walk, and I have been  
 23 doing community prayer walks, shorter walks, not  
 24 daily but weekly, through counties, through  
 25 communities, carrying the American flag and

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1 representing my country and my veteran brethren  
2 who defended this nation in wartime.  
3 Q. Do you use the term "Creation Seventh-Day  
4 Adventist Church" in your current activity?  
5 A. No, sir.  
6 Q. And the last time that you caused any  
7 Internet publication of those words would have  
8 been what year?  
9 A. To the best of my knowledge, 2012.  
10 Q. You have not, then, had as much  
11 involvement using the Internet since '12 as you  
12 did before? Or is your activity about the same in  
13 terms of what you publish on the Internet?  
14 A. What I publish now is related to my prayer  
15 walking.  
16 Q. How many websites do you operate now?  
17 A. I think it's two or three.  
18 Q. And what are they, please, sir?  
19 A. transamericancrosswalk2014.com and  
20 walkingcoast2coast.com, with the numeral 2.  
21 Q. Okay. In your objection you stated: "No  
22 significant changes have occurred in the fields,  
23 technologies and services in terms of Internet and  
24 our description of the need for more specifics."  
25 So your statement, No significant changes

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1 have occurred in these fields altering plaintiffs'  
2 ability to enforce the injunction since the  
3 original order, upon what do you base that  
4 position, sir?  
5 A. I have friends who are IT people, and  
6 that's my understanding from IT-minded  
7 individuals.  
8 Q. Anybody you can identify?  
9 A. Not accurately.  
10 Q. You don't yourself, contend to be an  
11 expert in the field of the current technologies,  
12 Internet technologies, blog sites, Internet  
13 service providers? That's not something that you  
14 deal with on a daily basis, is it, sir?  
15 A. No. I'm not an authority on anything,  
16 really.  
17 Q. All right, sir. Have you ever been a  
18 party to a civil action, a civil lawsuit, other  
19 than the one we're here about today?  
20 A. (Pause.)  
21 Q. As either a plaintiff or a defendant?  
22 A. Yes.  
23 Q. Would you briefly tell me about each one  
24 of those, if there's more than one.  
25 A. To my memory, years ago I was sued by my

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1 sister-in-law regarding a boating accident.  
2 Q. A personal-injury kind of thing?  
3 A. Right.  
4 Q. What was her name?  
5 A. I don't remember. It wasn't my current  
6 wife.  
7 Q. All right, sir. Any other civil  
8 litigation you've ever been a party to?  
9 A. I think The City of Guys sued me -- I  
10 believe it was civil -- sued me over our driveway  
11 there, saying it was a city street.  
12 Q. How many years did you occupy that  
13 premises in Guys, Tennessee, approximately?  
14 A. '98 through 2012 maybe.  
15 Q. Other than the one gentleman you  
16 identified who also lived there in addition to you  
17 and your wife, did anybody else reside there  
18 during that period of time?  
19 A. Not other than visitation.  
20 Q. And you don't have any criminal record, do  
21 you, Mr. McGill?  
22 A. Not unless -- you know, when I was  
23 arrested they said I was arrested on a criminal  
24 warrant.  
25 Q. You're talking about in connection with --

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1 A. In connection with this litigation.  
2 Q. Okay. Otherwise you don't have any  
3 criminal record, do you, sir?  
4 A. No.  
5 Q. All right, sir. I do want to renew the  
6 efforts to get the late-filed exhibits as promptly  
7 as possible. We have a deadline for filing a  
8 reply memorandum, and I'd like to get those or  
9 else present that to the Court for a decision.  
10 So, if you would, let us know what your  
11 decision is on agreeing to provide the late-filed  
12 exhibits.  
13 A. Do you mind writing it down so I can  
14 clearly remember what it is you're asking for?  
15 Q. The first late-filed exhibit is the  
16 mailing list that you've described in this  
17 deposition, in its entirety, with all the names of  
18 the 100 to 300, as you've estimated, people and  
19 their email addresses and any other information  
20 about them that's contained on that mailing list,  
21 and you've advised you sent the motion to all of  
22 those folks. So that is the first one.  
23 The email addresses that you and your wife  
24 have used before and are using now. And let's go  
25 back to 2012 on that request.

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1 Those are the two that I recall at this  
2 moment, and my office will make a list and send an  
3 email to you of that, okay, sir?  
4 A. Okay.  
5 Q. All right. And the information you've  
6 given me in your responses has been truthful and  
7 correct to the best of your ability; is that  
8 right?  
9 A. Yes, sir.  
10 Q. Okay. You've understood all my questions,  
11 haven't you, sir, in responding to them?  
12 A. Yes, sir.  
13 Q. All right. We may or may not have some  
14 need of some further questioning, depending on if  
15 we get the late-filed exhibits or not, but  
16 primarily I'm interested in getting those  
17 late-filed exhibits. And that's all I have at  
18 this time. Thank you, Mr. McGill.  
19 A. Thank you.  
20 Q. In connection with the objection that you  
21 filed in this case, and I know you represented  
22 yourself pro se, but did you consult with any  
23 lawyers with regard to the preparation of that  
24 objection?  
25 A. No.

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1 Q. You are the sole person who authored that  
2 objection?  
3 A. I had help from Lucan Chartier.  
4 Q. And does Mr. Chartier have any legal  
5 training to your knowledge?  
6 A. No.  
7 Q. Anybody else who assisted you?  
8 A. No.  
9 Q. Mr. Aguilar had nothing to do with it?  
10 A. No.  
11 Q. But you and he have collaborated over the  
12 fact that he was going to file a response to the  
13 motion, have you not?  
14 A. Yes.  
15 Q. And your communications, your email  
16 communications with Mr. Aguilar, those  
17 communications comprise another late-filed exhibit  
18 that I've requested and that we would want to know  
19 what your response is as to that.  
20 And also, if there are followup  
21 communications with the people on the mailing list  
22 after you sent the motion to them, I'm going to  
23 request that those communications and emails be  
24 provided to us as late-filed Exhibit No. 24.  
25 (Late-filed Exhibit 24 was marked.)

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1 MR. KIRKPATRICK: And with that,  
2 that's all I have. Thank you, sir.  
3 THE WITNESS: Thank you.  
4 (Proceedings adjourned at 2 p.m.)  
5 FURTHER DEPONENT SAITH NOT.  
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1 REPORTER'S CERTIFICATE  
2 I certify that the witness in the  
3 foregoing deposition, WALTER "CHICK" MCGILL, was  
4 by me duly sworn to testify in the within entitled  
5 cause; that the said deposition was taken at the  
6 time and place therein named; that the testimony  
7 of said witness was reported by me, a Shorthand  
8 Reporter and Notary Public of the State of  
9 Tennessee authorized to administer oaths and  
10 affirmations, and said testimony, pages 1 through  
11 116, was thereafter transcribed to typewriting.  
12 I further certify that I am not of  
13 counsel or attorney for either or any of the  
14 parties to said deposition, nor in any way  
15 interested in the outcome of the cause named in  
16 said deposition.  
17 IN WITNESS WHEREOF, I have hereunto  
18 set my hand on November 23, 2015.  
19  
20  
21  
22  
23  
24  
25

*Terri Beckham*

Terri Beckham, RPR, RMR, CRR, LCR No. 355  
My commission expires: 3/6/2018

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**Walter Chick McGill on 11/09/2015**

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