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A P P E A R A N C E S

FOR THE PLAINTIFFS:

EPSTEIN BECKER & GREEN, P.C.
BY: JOHN J. ROSENBERG, ESQ.
75 State Street
Boston, Massachusetts 02109
Telephone: (617) 342-4000

FOR THE DEFENDANT:

LAW OFFICES OF LAWRENCE E. FABIAN
BY: LAWRENCE E. FABIAN, ESQ.
444 Madison Avenue, Suite 701
New York, New York 10022
Telephone: (212) 223-4411

ALSO PRESENT: DR. WILLIAM WHITSON
THEODORE H. POPPE
MONTY BARBER, ESQ.
CAROL FORBES, JURIS DOCTOR

THE CARDOMON GROUP, INC.
(800) 298-4336

1 I N D E X

2 EXAMINATION BY: PAGE

3 MR. FABIAN 5

4 AFTERNOON SESSION 115

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6 E X H I B I T S

7 DEFENDANTS' FOR IDENTIFICATION PAGE

8 17 A Course in Miracles 23

9 18 Double Vision 25

10 19 The Lighthouse, Newsletter of the
Foundation for A Course in Miracles 36

11 20 A Course in Miracles, 1975 175

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1 BE IT REMEMBERED that, pursuant to Notice of
2 Taking Deposition, and on March 23, 1999,
3 commencing at the hour of 10:22 A.M. thereof, at
4 Two Embarcadero Center, San Francisco, California,
5 before me, AURA N. CLENDENEN, a Certified
6 Shorthand Reporter in the State of California,
7 there personally appeared

8

9 JUDITH SKUTCH WHITSON

10

11 called as a witness, who, being first duly sworn,
12 was thereafter examined and testified as
13 hereinafter set forth

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1 EXAMINATION BY MR. FABIAN

2 MR. FABIAN: Q. As we discussed off the
3 record, I'm going to refer you as Judy, and I
4 shall do so.

5 MR. ROSENBERG: We'll have the same
6 stipulations that have applied throughout.

7 MR. FABIAN: Yes, I agree to that.

8 MR. ROSENBERG: Thank you.

9 MR. FABIAN: Q. I'm going to show you a book
10 that's not going to be marked. This is one called
11 A Course in Miracles. I'm going to ask,
12 generally, have you seen that before?

13 A. Yes. Yes, I have.

14 You're such a student of the Course in
15 Miracles.

16 Q. It's amazing, isn't it? The amazing
17 part is I can write the same handwriting as Helen
18 did.

19 This indicates in it that there was a
20 copyright in 1975 and 1985. Is that the version
21 that the Foundation for Inner Peace, at least,
22 previously claimed a copyright in?

23 A. Yes, it is.

24 Q. We have another version, another copy,
25 here for a moment. I was wondering if you could

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1 turn to page 415.

2 MR. ROSENBERG: Would the page numbers be the
3 same?

4 MR. FABIAN: No. It's The Forgotten Song.

5 Q. If you can just look at the section
6 called The Forgotten Song, I think it goes for
7 about a page and a half.

8 A. Yes.

9 Q. Have you read that particular portion
10 before?

11 A. Oh, yes, I have.

12 Q. Would it be necessary for you to read it
13 now if I wanted to ask you some questions about
14 it?

15 A. It depends on what you wanted to ask
16 me.

17 Q. If you just take a quick look at it,
18 then I'll ask you some questions.

19 I guess my first question would be who
20 is the author of those particular words?

21 A. As I believe, the inspiration, the
22 source, of these words is Jesus that Helen felt as
23 a symbol within her of perfect love.

24 Q. When you say "Helen," you're referring
25 to Helen Schucman?

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1 A. Yes.

2 Q. We'll refer to her as Helen throughout
3 this deposition.

4 Did you ever have any conversations with
5 Helen in which she discussed with you her role in
6 connection with the actual creation of these
7 words?

8 A. Yes.

9 Q. Did Helen ever tell you words to the
10 effect that Jesus had dictated these words to
11 her?

12 MR. ROSENBERG: Do you mean the exact words?
13 The word "Jesus" is part of it.

10:24:12 14 MR. FABIAN: Yes.

15 THE WITNESS: To the best of my knowledge,
16 there was only one time that Helen ever used the
17 word -- name -- "Jesus" to me.

18 MR. FABIAN: Q. When was that?

19 A. May 29th, 1975, the first time I met
20 her.

21 Q. Okay. What did she say to you when she
22 used the word "Jesus" at that time?

23 A. She was telling me a story of A Course
24 in Miracles, in brief, as to how it came to them,

25 and she kept using the phrase "The voice"; "The

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1 Voice said to me this"; "The voice said to me
2 that." I asked her, "Does the voice have a
3 name?" And she said, something to the effect, "I
4 was afraid you were going to ask me that." And I
5 said, "Well, does it?"

6 And Bill reminded her that in many
7 places in the Course in Miracles it speaks in the
8 first person.

9 So she said to me, "It says it's
10 Jesus." She was not happy when she said that.

11 Q. I notice you used the word "it." Did
12 she use that phrase, "it"?

13 A. Yes. She used the word "it" a lot, and
14 she used the word "voice" a lot.

15 Q. Did she indicate to you why she used the
16 word "it" as opposed to "Jesus" or "the voice"?

17 A. I never asked her.

18 Q. Okay.

19 A. That was not my relationship with her.

20 Q. Are you aware of any writings in which
21 Helen indicated that the source of the voice was
22 it or Jesus?

23 A. What do you mean by "any writings"?

24 Q. Anything that Helen wrote.

25 A. Anything that Helen wrote.

8

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1 To the best of my knowledge, what I
2 remember is in her autobiography, which Bill
3 wanted her to do, she will tell the story first
4 person -- and this is to the best of my knowledge,
5 from what Bill had told me and from what she
6 didn't say.

7 She at first did not mention Jesus at
8 all. She called it the voice. She was very
9 uncomfortable with using the name Jesus. I did
10 ask Bill why Helen was very uncomfortable with the
11 source. It wasn't -- it was an enigma to her, but
12 she certainly believed it was given to her.

13 Q. What do you mean it was given to her?

14 A. The material.

15 Q. When you say that she believed it was
16 given to her, did she believe that it had been, in
17 effect, dictated to her? I believe her writings
18 indicated at least that word.

19 A. She did call it internal dictation,
20 and -- yes, she did call it internal dictation.

21 Q. By the way, has Jesus ever spoken to
22 you?

23 A. That would be a very hard question for

24 me to answer, because I don't know who you mean by
25 "Jesus."

9

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1 Q. Okay. Jesus of the resurrection.

2 A. I am an identified Jewish, and I don't
3 recognize Jesus of the resurrection.

4 Q. Do you recognize an historical Jesus or
5 any other Jesus?

6 A. I recognize that from what I have
7 heard -- and I've never read the New Testament --
8 throughout history and pictures depicting a man
9 who was called Jesus, that a young Jewish rabbi
10 walked the earth in a country we now call Israel
11 practicing Judaism and he seemed to have an
12 extraordinary mystical transformative experience
13 which he talked about.

14 This person, I was told from the time I
15 was very young, was called Jeshua.

16 This was my view. It still remains very
17 much my view. It makes me really -- it's
18 difficult for me to speak in a language that has
19 different intonations. I know what I feel about
20 it, and I feel that the symbol of unconditional
21 love, which is very comforting for me -- by the
22 way, it could be my grandmother because she gave
23 me unconditional love -- but in this book, it

24 feels that it's Jesus.

25 Q. Did Helen ever indicate to you that

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1 Jesus had spoken to her in the many conversations
2 you may have had with her?

3 A. The one conversation I had with her when
4 she was unwilling to identify the name was the
5 only time I ever had a conversation with Helen
6 about the name Jesus.

7 Q. What did she say to you and what did you
8 say to her during that particular conversation?

9 MR. ROSENBERG: Is that the conversation
10 you've already recited?

11 THE WITNESS: Yes.

12 MR. FABIAN: Q. Did you have other
13 conversations with her in which she said that it
14 had spoken to her in some form?

15 A. I don't remember that I had ever any
16 specific conversations with Dr. Helen Schucman
17 about the source of the voice. You see, it wasn't
18 important to me. It really wasn't.

19 MR. ROSENBERG: Just respond to him to the
20 specific inquiry.

21 THE WITNESS: So I would guess the answer is
22 no.

23 MR. FABIAN: Q. Now, I assume you know an
24 individual by the name of Ken Wapnick.

25 A. Yes, I do.

11

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1 Q. In any conversation you've had with
2 Mr. Wapnick, has he ever indicated to you that
3 Jesus had spoken to him?

4 I won't indicate whether it's Jesus the
5 resurrection or historical Jesus.

6 Has he ever used the phraseology that
7 Jesus had spoken to him?

8 A. I don't ever remember Ken saying that
9 Jesus had spoken to him.

10 Q. Okay. Have you ever had conversations
11 concerning with Mr. Wapnick, the issue of whether
12 Jesus could be the author of A Course in Miracles?

13 A. Yes, I have.

14 Q. Has it been more than one conversation?

15 A. Yes, it has.

16 Q. Can you recall approximately when the
17 first conversation may have taken place?

18 A. I can't recall the first conversation.
19 In the last few years.

20 Q. Would it have been in the '70s,
21 however, when you first met him?

22 A. No. Definitely not.

23 Q. It would have been in the '80s?

24 A. Probably not.

25 Q. So it would be in the '90s?

12

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1 A. Yes.

2 Q. Do you recall if anybody else was
3 present when you had any of these conversations,
4 if there were more than one, with Mr. Wapnick
5 concerning whether Jesus might be author the
6 Course in Miracles?

7 A. I don't remember if anyone was ever
8 there.

9 Q. Okay. Now, as best you can, can you
10 tell me what you recall Mr. Wapnick said about
11 this particular issue?

12 A. Dr. Wapnick was very aware that both he
13 and I were raised Jewish. The conversations that
14 we had about the source of the Course -- he was
15 very clear that he felt that this was the voice of
16 unconditional love and the symbol of Jesus. This
17 is through every conversation I can recall that I
18 had with him.

19 Q. How did it happen that you had
20 conversations with Mr. Wapnick concerning this
21 issue? In what context did it come up?

22 A. It came up in the context of my
23 beginning to feel more comfortable with the
24 concept, and so it was more recently that I can
25 recall talking to him about it.

13

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1 Q. What concept?

2 A. Of the source of the material being the
3 symbol of unconditional love.

4 Q. Okay.

5 A. It came up in the context of people
6 asking questions of our Foundation about Jesus,
7 which I always sent on to him. I didn't answer
8 those myself. I didn't feel qualified.

9 Q. When you say questions came up, were
10 people writing letters, faxes, or e-mails, in
11 modern society?

12 A. Yeah.

13 Q. Questioning the issue of who was the
14 author of this book?

15 A. Yes.

16 Q. Okay. How many such requests do you
17 think FIP -- I assume you're talking about FIP
18 when you're talking about your Foundation.

19 A. That's right.

20 Q. How many such requests for information
21 have you gotten since, say, 1990?

22 A. I don't think I could answer how many.
23 Q. Would it be more than ten?
24 A. I doubt it.
25 Q. Okay. But with this limited number, you

14

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1 would pass them on to Mr. Wapnick --
2 A. Yes.
3 Q. -- is that correct?
4 A. That's right.
5 Q. Would Mr. Wapnick send you copies of his
6 responses?
7 A. Yes.
8 Q. Do you have those copies somewhere?
9 A. Very often it was a telephone call but I
10 have a couple of those copies.
11 Q. We would ask for production of those.
12 A. I think they were produced.
13 Q. Were they? We'll look.
14 MR. ROSENBERG: Monty, it was very helpful to
15 me when you wrote that letter after the last one
16 sort of itemizing.
17 I'll state I believe there are some
18 additional documents responsive to your last
19 letter to me. I don't mean to burden you, but
20 could you write a similar letter? That way I can

21 know precisely what you need.

22 MR. FABIAN: We'll look again if they have
23 been produced.

24 Q. Was this in the context of these various
25 letters that you had a conversation from time to

15

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1 time with Mr. Wapnick?

2 A. Yes.

3 Q. Did you ever have a conversation with
4 Mr. Wapnick in which he indicated that students at
5 his particular institution would want to discuss
6 the issue of who was the author of the Course?

7 A. Not to my knowledge.

8 Q. Do you know what Mr. Wapnick teaches to
9 students, if at all, concerning who is the author
10 of the Course?

11 A. I've never attended any of those
12 lectures.

13 MR. ROSENBERG: Do you have any understanding
14 of his position?

15 THE WITNESS: I do have an understanding of
16 his position.

17 MR. FABIAN: Q. Why don't you tell me what
18 you understand.

19 A. I think I told you already that Jesus is
20 the symbol of unconditional love that made itself

21 known through Helen's higher willing mind and
22 impressed upon her A Course in Miracles.

23 Q. I'll ask you this question directly: In
24 your view, then, is Helen the author of A Course
25 in Miracles?

16

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1 A. I believe that Helen took down A Course
2 in Miracles through -- she allowed, let's say,
3 this creativity symbolized by Jesus symbol of
4 unconditional love to give her this information
5 and that it was filtered through who she was in
6 the world. I mean, she was a professor. So we
7 have the work book. She loved Shakespere. So it
8 has evidence of that. She was psychologist. I
9 felt it was a good marriage. In that sense, it's
10 very hard for me to answer the question about who
11 was the author.

12 I believe Jesus was the source and Helen
13 took it down. In that sense, I guess, I would say
14 that there was authorship on Helen's part. That's
15 the best I can do with that now.

16 Q. Now, I understand that in connection
17 with one copyright application that you filed in
18 connection with the Course, that it was indicated
19 that the author was Helen Schucman and anonymous.

20 A. That's right.

21 Q. To the best of your recollection, who
22 did anonymous refer to?

23 A. Helen Schucman.

24 Q. Why was that "anonymous" added as well
25 as Helen?

17

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1 A. "Anonymous" wasn't added. Anonymous was
2 stated first, and Helen Schucman in parenthesis.

3 Q. Why was it written in such manner?

4 A. Because that's what Helen asked.

5 Q. Okay.

6 MR. ROSENBERG: Can you be more specific on
7 that?

8 MR. FABIAN: We'll get to the more specifics
9 later on. I'm trying to get a general feel.

10 MR. ROSENBERG: Sorry. I forget my role.
11 It's so hard for me to sit here and not ask
12 questions.

13 THE WITNESS: I can be more specific.

14 MR. FABIAN: If you'd like to, go ahead. Why
15 not.

16 MR. ROSENBERG: I know just know from my
17 discussions that the answers are broader. Why
18 don't you ask your next question.

19 MR. FABIAN: Q. If you had something more

20 specific that you wanted to add, that will be
21 fine.

22 A. Yes. I think context is really
23 important, and I thought that's what we're here
24 for.

25 Q. Eventually. But I'm happy to hear what

18

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1 you'd like to expand.

2 Did there come a point in time when the
3 issue of seeking a copyright in the Course in
4 Miracles began to be discussed among yourself and
5 perhaps Mr. Wapnick and Ms. Schucman?

6 A. That's not the way it happened.

7 Q. Okay. But was there a point in time in
8 which the copyright registration was filed?

9 A. There was a point in time which a
10 copyright registration was filed at the request of
11 Helen Schucman.

12 Q. Do you remember approximately when that
13 conversation took place that she requested that it
14 happened?

15 A. It took place right before the copyright
16 was applied for. We did what Helen asked us to
17 do.

18 Q. Did you have a conversation with Helen

19 in which she indicated why she wanted the
20 registration application made at that time?

21 A. Yes.

22 Q. What did she say to you?

23 A. Because the voice told her to.

24 Q. Did she refer to it as the voice or it
25 or --

19

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1 A. Sometimes she would say "he," because to
2 her, it had a masculine overtone. She didn't say
3 "she" that I know of.

4 So sometimes she said "he"; sometimes
5 she said "it"; sometimes "the voice." But to me,
6 she never said Jesus.

7 Q. Prior to that time, had there been any
8 indications or any conversations with any third
9 parties that you're aware of where someone talked
10 there should be a copyright filing?

11 A. This is 24 years ago, and I'm trying to
12 be there now. It was clear that I could not carry
13 around that heavy manuscript wherever I went, and
14 it was suggested to me that it be put into
15 manageable copies. And of course, there was no
16 question that a copyright ledger would appear on
17 it because at that point, Helen had said so.

18 So I would say that it was Helen, that

19 no one suggested to me before then, that I can
20 remember, that we copyright the material because
21 it had all happened so fast. It was in a period
22 of a few weeks, and we weren't thinking --

23 MR. ROSENBERG: You've answered the question.

24 THE WITNESS: Okay.

25 MR. FABIAN: Q. I don't mind if you keep

20

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1 talking.

2 A. My counsel said I've answered the
3 question, but thank you very much.

4 Q. Let's go back a step, then.

5 You said that it happened in a matter of
6 a few weeks. Where were you located when Helen
7 indicated to you that the --

8 A. New York City, Manhattan.

9 Q. Was this prior to the time that you went
10 out to California for a period of time or after
11 that?

12 A. The first time I went to California, the
13 best of my recollection, after the meeting of
14 Helen and Bill was approximately two to three
15 weeks later, which would have taken it to
16 mid-June.

17 Q. So let's start when you meet Helen and

18 Bill. Just from a date point of view, that was in
19 about June of 1975?

20 A. May 29.

21 Q. May 29th.

22 MR. ROSENBERG: Which, I may add, it's my
23 birthday.

24 MR. FABIAN: Q. So on May 29, 1975, why does
25 that date stand out in your mind?

21

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1 A. It's the date that I met Helen and Bill
2 and Ken, and the date that I was given A Course in
3 Miracles.

4 Q. When you were given the Course, so the
5 record is clear, did it have any copyright notice
6 at that time?

7 A. No, it did not.

8 Q. Did you ever make any copies of that
9 particular version of the Course that was handed
10 to you?

11 A. Yes, I did.

12 Q. How many copies did you make that you
13 recall?

14 A. I personally made two.

15 Q. Did you give either of those two copies
16 to anyone else?

17 A. No.

18 Q. What did you do with those two copies?

19 A. Those two copies I still have.

20 MR. ROSENBERG: Can I just talk to my client
21 for a second?

22 (Discussion held off the record.)

23 MR. FABIAN: Q. Do you recall any writings,
24 your personal writings, that have been published
25 in which you indicated that you may have given one

22

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1 or more, not full copies but parts of copies, to
2 other persons --

3 A. Yes.

4 Q. -- prior to there being any copyright
5 notice on it?

6 A. Yes.

7 Q. What writings would they be in?

8 A. What writings were they?

9 Q. Where have you written such information,
10 as best you recall?

11 A. Boy, I think I probably -- the only
12 thing that I ever remember of that was in my
13 daughter's book Double Vision where I probably
14 wrote that. I haven't seen it in a long time.

15 Q. Now, in connection with that book --
16 let's go off the record for a moment.

17 (Discussion held off the record.)

18 MR. FABIAN: We're going to deem marked as
19 Exhibit 17 a copy of A Course in Miracles, which
20 Judy will deliver to us tomorrow.

21 (Defendants' Exhibit 17 was marked for
22 identification.)

23 MR. ROSENBERG: Just so we're clear, which
24 edition will that be, Judy?

25 THE WITNESS: I think I'll bring our earliest

23

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1 edition.

2 MR. ROSENBERG: Is that helpful?

3 MR. FABIAN: Yes. If we need another version,
4 we'll get that, but that's fine.

5 Q. So long as we're on the subject --

6 A. I haven't looked at that in so long.

7 Q. I have in my hand a book that's called
8 Double Vision, and it refers to Judy Skutch and
9 Tamara Cohen.

10 Is Tamara Cohen your daughter?

11 A. Yes, she is.

12 Q. Were you and she the authors of this
13 particular book?

14 A. Yes.

15 Q. This is a version that was published by
16 Celestial Arts. Is it still in print?

17 A. As far as I know.
18 Q. Is it still published by Celestial Arts?
19 A. As far as I know.
20 Q. Does FIP publish a copy --
21 A. Oh, no.
22 Q. -- version of this?
23 A. No. No.
24 Q. It says copyright 1985. So was it
25 written before 1985 and then published in 1985?

24

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1 A. It was written -- my daughter's part was
2 written in 1979 and '80.
3 Q. Your part was written when?
4 A. It says published in '85.
5 Q. That's what it says.
6 A. So '84.
7 Q. I would ask that we'll deem marked --
8 maybe some day we'll find a clean copy of Double
9 Vision as Exhibit 18. So we'll have that.
10 MR. ROSENBERG: Do you have one of those
11 anywhere?
12 THE WITNESS: Oh, sure. I can find one.
13 MR. FABIAN: Maybe you can bring it and we'll
14 deem it marked.
15 (Defendants' Exhibit 18 was marked for

16 identification.)

17 MR. FABIAN: Could I get one that's signed?

18 THE WITNESS: By Tamara.

19 MR. FABIAN: Q. Is there any way in looking
20 at the table of content that we can determine what
21 chapters are written by you and which are written
22 by Tamara?

23 A. I really don't remember. If you hand it
24 to me, I'll tell you.

25 Q. Sure. Maybe we can just say it on the

25

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1 record.

2 A. The type. I think hers was written in
3 italics, if I remember correctly.

4 No. No. Well, it was supposed to be a
5 different type.

6 No. There is no way. Sorry.

7 Q. I'd ask you some questions about the two
8 copies that you had made before there was a
9 copyright notice placed on it.

10 Your counsel indicated perhaps there
11 were other copies, other than these two, that you
12 may have given to third parties.

13 A. That's right.

14 Q. I'm going to refer now to prior to there
15 being any copyright notice placed on any copy,

16 what other copies did you receive that you may
17 have given to third parties and to whom did you
18 give them, if you recall?

19 A. To the best of my recollection, Bill had
20 made a few copies -- it could have been Ken. One
21 of the group, but not I, made a few copies. And I
22 was given one when I went to California. Then I
23 took that one with me, and with Helen and Bill's
24 permission I showed it to three people.

25 Q. Which three people did you show it to?

26

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1 A. Dr. Gerald Jampolsky, James Bolen, and
2 Eleanor Criswell.

3 Q. When you were in California, you went in
4 June or July of 1975? Do you recall?

5 A. Late June, probably. Middle to late
6 June.

7 Q. Did you meet any of those other people
8 out there?

9 A. I saw each of them. Yes.

10 Q. I've seen references to public meetings
11 that were held.

12 A. That's right.

13 Q. Was that during this time period?

14 A. No.

15 Q. When did they take place?

16 A. Let's see. Probably the month of

17 August.

18 Q. Okay.

19 A. It could have been mid-July, but my

20 guess is that it was August.

21 Q. After you were out there, the first time

22 in California, did you come back to New York and

23 then go back to California?

24 A. Yes, I did.

25 Q. When did you come back to New York?

27

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1 A. I came back to New York within a week,

2 maybe ten days, and then I stayed in New York a

3 while. Then I went back to California. Probably

4 July through -- the end of July, beginning of

5 August.

6 MR. ROSENBERG: Just hold on one second.

7 (Discussion held off the record.)

8 MR. FABIAN: Q. Were these public meetings?

9 Is that a fair term to use?

10 A. Sure.

11 Q. How did it come about that you

12 participated in these public meetings?

13 A. I called my friends.

14 Q. What did you say to your friends?

15 A. I said that "I have something that's
16 really important to me, that I know you will be
17 interested in," just the way when they had
18 something important, they'd call me or come to
19 their meetings or whatever.

20 I told them a little bit about it on the
21 telephone, and I said that if they're interested,
22 they can show up at 2000 Broadway. That's what I
23 told them.

24 Q. How many of these meetings did you have
25 that you recall --

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1 A. One.

2 Q. -- during this period of time?

3 A. One. One meeting.

4 Q. Just one meeting?

5 A. One meeting.

6 Q. Were there public meetings that others
7 held in which you weren't present?

8 A. Not that I know of.

9 Q. How many people attended this public
10 meeting, then?

11 A. The room held, I believe, 60. So I'd
12 say 50, maybe. Maybe 50 people.

13 Q. At that meeting, did you give out any

14 portions of the Course to these people?

15 A. Not at all.

16 Q. Do you recall any writings in which you
17 indicated that portions of the Course were given
18 out to perhaps a hundred or more people?

19 A. That I indicated?

20 Q. Yeah.

21 A. Is this something that I wrote?

22 Q. Yeah. Do you recall writing any such
23 thing?

24 A. No.

25 Q. Do you recall any writings of Mr. Bolen

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1 or Mr. Thetford -- writings or statements on an
2 audio or audio visual tape which in a way
3 statements are made to the effect that all or part
4 of the Course were given to a hundred or more
5 people?

6 A. No. On behalf of Dr. Thetford, you're
7 saying?

8 Q. Yes.

9 A. No.

10 Q. I would ask the same question about any
11 writings of Roberts Skutch that you are aware of?

12 A. It's been brought to my attention that
13 Robert Skutch wrote something incorrectly.

14 Q. How was that brought to your attention?

15 A. Well, a few years ago -- I think it was
16 a few years ago -- somebody mentioned it.

17 Q. Do you recall who mentioned it?

18 A. I think it was in connection with this
19 lawsuit, because I believe that was the first time
20 I ever realized it.

21 Q. Now, if it was your lawyer, I can't ask
22 you what was said. If it was a lawyer who
23 discussed this with you, I won't discuss this.

24 Any conversation with a third party?

25 Anybody other than a lawyer is a third party, in

30

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1 my mind.

2 A. I really don't remember.

3 Q. Anyone else present that you remember?

4 A. No.

5 Q. Did you ever read Robert Skutch's book
6 Journey Without distance?

7 A. In part.

8 Q. What part did you read that you recall?

9 MR. ROSENBERG: You mean at any time, even in
10 connection with the litigation?

11 MR. FABIAN: Yeah. Prior to the litigation.

12 THE WITNESS: Okay. Prior to the litigation.

13 MR. FABIAN: Which I think is in 1995.
14 THE WITNESS: When Robert Skutch first
15 brought the manuscript, I did not read it.
16 MR. FABIAN: Q. Okay.
17 A. We asked him to please not publish it.
18 We insisted.
19 Q. Who is that "we"? The royal we?
20 A. Yeah.
21 Q. In what kingdom?
22 A. No. I'm kidding. No levity right now.
23 It was Bill and Ken and I. Bob told us
24 that he was writing the book.
25 Q. If you can tell me how it happened that

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1 he told you?
2 A. Bob Skutch and I were going through
3 separation and divorce. He was not highly
4 inclined to tell me what he was writing at the
5 time --
6 Q. Okay.
7 A. -- and I was not paying -- I was paying
8 him the courtesy of not getting involved in what
9 he was doing. That was when he was writing the
10 book.
11 Q. In what period did you go through this
12 divorce? So we can put it in time.

13 A. We were divorced in 1982, I believe.

14 Q. All right.

15 A. We were going through this separation

16 late '79, probably October '79.

17 Q. Does that imply there was some of

18 judicial proceeding going on?

19 A. No.

20 Q. Just discussions?

21 MR. ROSENBERG: You have to answer verbally.

22 THE WITNESS: Yes. Discussions.

23 MR. FABIAN: Q. I don't care whether they

24 were amicable be or not.

25 A. Peaceful.

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1 Q. Now, do you know whether Mr. Wapnick or

2 anybody else read the gallies before they were

3 actually published in Mr. Skutch's book?

4 A. "Gallies"?

5 Q. Gallies. Drafts.

6 A. Gallies, we never saw.

7 Q. How about any drafts of the book prior?

8 A. Manuscript.

9 Q. So Mr. Wapnick saw the manuscript?

10 A. I think Mr. Wapnick.

11 MR. ROSENBERG: If you know whether he read it

12 or --

13 THE WITNESS: Well, to the best of my
14 knowledge, Mr. Wapnick looked over one draft.

15 MR. FABIAN: Q. Okay. Do you recall
16 approximately what year that was?

17 A. About a year before the book was
18 published.

19 Q. Did you have any conversations with
20 Mr. Wapnick after he read it as to what his
21 feelings were, what he founded?

22 A. Jesus.

23 Q. When was that conversation?

24 A. Right after he read it.

25 Q. Was it more than one conversation or

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1 just one?

2 A. Maybe two.

3 Q. What do you recall Mr. Wapnick told you
4 concerning --

5 A. He would much prefer that book not be
6 published.

7 Q. Did he tell you why?

8 A. Yes.

9 Q. Tell us why he said that.

10 A. He felt it was not an accurate portrayal
11 of what really happened, because he had many more

12 facts about Helen and how she was.

13 Q. Did he indicate what facts he thought
14 were incorrect?

15 A. You'll have to ask him that.

16 Q. I'm asking for your recollection.

17 A. Do I remember what facts?

18 Q. If you don't, you don't.

19 A. I'm going to have to say no.

20 Q. Okay. Do you remember anything else of
21 the conversation with Mr. Wapnick concerning the
22 Robert Skutch book?

23 A. No.

24 Q. Did you have any writings between
25 yourself and Mr. Wapnick concerning the Robert

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1 Skutch book?

2 A. No.

3 Q. By the way, have you, since 1975, kept a
4 diary?

5 A. No.

6 Q. Have you ever kept a diary?

7 A. Never kept a diary. No.

8 Q. I note in the Robert Skutch book -- I
9 know it's been sometime since you've seen it --
10 that from time to time, there are quotes. Do you

11 recall whether he claimed he was quoting things
12 you said in that particular book?

13 A. I don't know. I think you'll have to
14 ask him.

15 Q. Did Robert Skutch have any contact with
16 Helen Schucman in 1970?

17 A. Very little.

18 Q. When you say "very little," you were
19 married to him at that time?

20 A. That's right.

21 Q. You met Helen on May 29, 1975?

22 A. That's right.

23 Q. Did Robert Skutch meet her before or
24 after that day?

25 A. After.

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1 Q. Were you ever present when Mr. Skutch
2 met or at least was in the same room with Helen?

3 A. Yes, I was.

4 Q. Do you know on how many occasions?

5 A. I would say he was in the room with her
6 on quite a few occasions since she had dinner at
7 our home with her husband and us. You know, often
8 enough. I don't mean every week but often enough,
9 yes, he was in the room with her.

10 Q. At the time that Helen indicated to you

11 that she wanted the copyright filed that we
12 discussed earlier, was Mr. Skutch present?

13 A. I really don't remember if he was there
14 in the room at the time.

15 Q. Okay.

16 A. I remember what she told me.

17 MR. FABIAN: I'm going to show you what we'll
18 mark Exhibit 19.

19 (Defendants' Exhibit 19 was marked for
20 identification.)

21 MR. FABIAN: I'm going to show you what's been
22 marked for identification as Exhibit 19, which is
23 a document on the letterhead of -- it's a
24 newsletter of the Foundation for A Course in
25 Miracles, Volume 3, No. 4, December 1992.

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1 I'm going to ask you to take a look at
2 that.

3 A. Okay.

4 Q. It indicates on the top the names Ken
5 and Gloria Wapnick, Judy Skutch Whitson, and
6 Robert Skutch.

7 Did you help author this particular
8 piece?

9 A. I was involved in it, but I wouldn't say

10 I authored it.

11 Q. Who actually wrote this?

12 A. To the best of my recollection, Ken
13 and/or Ken and Gloria.

14 Q. Now, on the top, it indicates The
15 Lighthouse. What is the Lighthouse? Is that a
16 particular name for a --

17 A. It's the vehicle newsletter for the
18 Foundation for A Course in Miracles.

19 Q. That's what we've call FACIM?

20 A. That's right.

21 Q. In connection with FACIM, in December of
22 1992, were you on the board of FACIM at all?

23 A. I was never on the board of FACIM.

24 Q. How did it happen that your name was
25 attached to this particular newsletter?

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1 A. Because this newsletter article, I
2 believe, is the one that discusses copyright, and
3 since the Foundation for Inner Peace are -- were
4 the copyright holder at the time, it was important
5 that we make the statement together.

6 Q. Was this read by you prior to its
7 actually being published?

8 A. Yes.

9 Q. Now, if you know, in terms of the

10 publication, who does this go to?

11 A. I believe it goes to the students of Ken
12 Wapnick and Gloria through their foundation.

13 Q. Would that be just the students who were
14 there at the time, or would it be sent out perhaps
15 pursuant to some list that they might have?

16 A. I would imagine, but I do not know for
17 sure.

18 Q. Now, it indicates in parenthesis on the
19 top in part -- I'm reading now -- "This article is
20 a departure from our usual ones."

21 Do you know what the their usual
22 articles are?

23 A. Sometimes I see them --

24 Q. Okay.

25 A. -- discussing things about A Course in

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1 Miracles, I mean issues.

2 Q. Okay. Does the Lighthouse discuss
3 anything other than A Course in Miracles?

4 A. I don't believe so.

5 Q. Do you know approximately when FACIM
6 began producing this Lighthouse -- this
7 newsletter?

8 A. I can't remember the date.

9 Q. Okay. Now, in the bottom of the first
10 paragraph -- well, strike that.

11 Reading the second sentence, in the
12 second paragraph, it says, "When A Course in
13 Miracles was originally published in June of 1976,
14 we made a firm commitment to seek out and listen
15 to the Voice of the Holy Spirit before making any
16 decisions related to the Course."

17 Who does "we" refer to there?

18 A. The "we" refers to Helen Schucman,
19 William Thetford, Ken Wapnick, and myself.

20 Q. When referring to the Voice of the Holy
21 Spirit, are you referring to Jesus Christ?

22 A. It's all interchangeable because we knew
23 it was a symbol.

24 Q. Sorry.

25 A. I think -- I think that's what I mean to

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1 say.

2 Q. Did you in any of your writings ever
3 indicate that when you talked about the Voice of
4 the Holy Spirit or Jesus Christ that this was
5 merely a symbol? I'm asking you for your personal
6 writings.

7 A. I don't remember.

8 Q. Okay. Do you know if Mr. Wapnick in any

9 of his writings ever referred to the Voice of the
10 Holy Spirit or Jesus Christ as a symbol in
11 connection with the Course in Miracles, in any of
12 his writings?

13 A. I don't remember.

14 Q. I would ask the same about Helen: Do
15 you know whether any of her writings, whether a
16 magazine article or perhaps in an audio visual
17 tape or interview -- I always include interviews,
18 and perhaps I'm come back to that -- whether she
19 ever indicated that the Voice or it or Jesus
20 Christ was just a symbol?

21 A. I don't know. I never thought of it
22 that way.

23 Q. By the way, have you ever given
24 interviews that were published, either in writing
25 or in any audio visual tapes, in which you

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1 indicated that the Voice, the it, the Holy Spirit
2 was Jesus Christ as it relates to the Course in
3 Miracles?

4 A. No.

5 Q. Do you know if anyone else has -- strike
6 that.

7 Do you know whether Ken Wapnick has ever

8 done that in an interview?

9 A. I don't believe so.

10 Q. Do you know whether Helen ever did?

11 A. As far as I know, never.

12 Q. Now, reading further down this

13 paragraph, it says, "None of us was prepared,

14 however, for one particular instruction from Jesus

15 to Helen Schucman scribe of the Course."

16 Why did you use the words "scribe of the

17 Course"?

18 MR. ROSENBERG: Object to form. You said

19 "you" and she testified there were other people

20 as well.

21 MR. FABIAN: I'll accept that.

22 Q. Why was the terminology "scribe of the

23 Course" used in this particular sentence, if you

24 know?

25 A. This is the language that Ken uses.

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1 Q. You had participated in conversations in

2 which Ken Wapnick indicated that Helen was scribed

3 of the Course?

4 A. Yes.

5 Q. Did you ever -- strike that.

6 Do you have any sense in your own mind

7 of what the word "scribed" means?

8 A. The way I've always felt it was used --
9 the best of my understanding, it was someone who
10 took something down that somebody said or copied
11 something, a dictation.

12 Q. Mr. Wapnick, on more than one occasion,
13 referred to Helen as scribed of the Course in
14 references in which at least you were present; is
15 that correct?

16 A. Yes.

17 Q. It indicates in the same sentence that
18 there was a particular instruction from Jesus to
19 Helen Schucman. Did you have any conversations
20 with any -- do you see that in there --

21 A. Yes.

22 Q. -- that particular instruction?
23 Do you know what that instruction was?

24 A. I assume that's referring to the
25 copyright.

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1 Q. Okay. Is that the instruction that you
2 discussed before about which you said you had a
3 conversation with Helen?

4 A. Yes.

5 Q. This paragraph, then, goes on to read,
6 "He wanted A Course in Miracles copyrighted, and

7 she stated emphatically he was quite adamant about
8 this."

9 Did you have any conversations with
10 Helen in which she indicated how adamant Jesus was
11 about this?

12 A. She said, "The voice told me."

13 Q. Now, this particular paragraph doesn't
14 refer to the voice. It refers specifically to
15 Jesus. Why didn't you -- strike that.

16 Did you have any conversations with
17 Mr. Wapnick as to why he used the phraseology
18 "Jesus" rather than "the voice"?

19 A. Yes.

20 Q. What did Mr. Wapnick say to you?

21 A. This is what he's comfortable teaching.

22 Q. When you say he's comfortable teaching,
23 he's comfortable teaching that Jesus spoke to
24 Helen?

25 A. No. No. You're talking about the word

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1 "Jesus."

2 MR. ROSENBERG: You're talking generally.

3 MR. FABIAN: I'm asking about this
4 conversation.

5 Q. Did you have a conversation with
6 Mr. Wapnick in which you asked him or he discussed

7 with you why he used the word "Jesus" rather than
8 "the voice"?

9 A. No, I didn't.

10 Q. Okay.

11 MR. ROSENBERG: Again, you mean in this
12 article as opposed to more generally?

13 MR. FABIAN: In this article.

14 MR. ROSENBERG: Okay.

15 MR. FABIAN: Q. There's a sentence that says,
16 "The ideas of a copyright struck all of us
17 somewhat out of character when applied to
18 spiritual teaching such as A Course in Miracles."

19 Did you have a conversation at that time
20 which led to this statement, that it seemed out of
21 character?

22 A. That led to this statement in this
23 publication.

24 Q. Did you have a conversation like that
25 prior to this being published?

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1 A. The only time I ever had a conversation
2 about that was with Helen when she instructed me
3 to have the Course copyrighted.

4 Q. Do you know whether Mr. Wapnick had had
5 conversations with her?

6 A. I don't. No.

7 Q. Okay. Do you know whether your former
8 husband, Mr. Skutch, had had conversation with her
9 about the copyright?

10 A. I can't be sure of that.

11 Q. Do you know whether Robert Skutch
12 reviewed this article before its being published?

13 A. I believe he saw it.

14 Q. Did you have a conversation with him in
15 which he indicated that one or more statements
16 might be untrue or incorrect?

17 A. What he told me -- he wasn't that
18 comfortable with the article, but he had a few
19 suggestions, and he discussed them with Ken.

20 Q. Did he indicate to you why he wasn't
21 comfortable with the article?

22 A. Bob Skutch wasn't comfortable using the
23 word "Jesus." That's my opinion.

24 Q. Okay.

25 A. I don't want to speak for him, but it's

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1 my opinion.

2 Q. Did he tell you why he wasn't
3 comfortable using the word "Jesus"?

4 A. I don't believe I ever asked him. I
5 just knew.

6 Q. I was going to ask you: How did you
7 know?

8 A. I was married to him, and he's my friend
9 and partner. I've known him for 30 years. I know
10 how he was brought up, and I know what he thinks,
11 not all time, but I know his attitudes.

12 Q. Do you know whether Robert Skutch was
13 ever spoken to by Jesus? Did he ever indicate
14 that to you?

15 MR. ROSENBERG: I'll let the witness answer
16 this interesting question of marital privilege,
17 but if you're able -- it's not a waiver as to
18 other areas.

19 MR. FABIAN: I agree that no matter what comes
20 out eventually concerning husband and wife
21 conversations, if one of us uses it, I'll deem
22 that a waiver.

23 MR. ROSENBERG: So I can sort it as to other
24 matters.

25 MR. FABIAN: If even if you miss it in some

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1 conversation.

2 MR. ROSENBERG: I don't want to limit your
3 inquiry because it seems germane.

4 THE WITNESS: Bob Skutch never said, in all

5 the years I've known him, that Jesus spoke to
6 him. No.

7 MR. FABIAN: Q. Did Bob Skutch ever said to
8 you, in whole or part, he believed Jesus could
9 have spoken to other people?

10 A. We never discussed it, that I can
11 remember.

12 Q. As I understand it, from your prior
13 testimony, based on upon your bringing up, your
14 Jewish background, it is difficult, if not
15 impossible, for you to believe that Jesus could
16 speak to someone?

17 A. Not now. It's not difficult for me.

18 Q. Okay. In the past, was that true?

19 A. Yes.

20 Q. Now, when you say not now, why is that?
21 Why this transformation?

22 A. Twenty-four years have passed, and 24
23 years of studying A Course in Miracles, and I've
24 gone beyond disbelief. I've had enough personal
25 experiences to accept that this is a possibility,

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1 that there is a symbol of unconditional love
2 represented by the spirit of Jesus that I've
3 become comfortable with. I call him Jeshua.

4 Q. Given these 24 years of reading the

5 Course, are you comfortable there may have been a
6 Jesus Christ who was resurrected?

7 A. No.

8 Q. There's a sentence in the same
9 paragraph. I'll read it in whole, "Nonetheless,
10 even though we could not envision a need for the
11 Course to be copyrighted, we have, of course,
12 listened to Jesus and proceeded to contact the
13 copyright office of the Library of Congress in
14 Washington, D.C."

15 A. Uh-huh.

16 Q. When this article says "We of course
17 listened to Jesus," who is the "we" that's being
18 referred to there?

19 A. Are you asking me "We of course listened
20 to Jesus and proceeded to contact the copyright
21 office"?

22 Q. Yes. Who is the "we" that's been
23 referred to?

24 A. I think I don't understand the
25 question. If you tell me again, not the "we," but

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1 what is it that you're asking?

2 MR. ROSENBERG: In terms of "We of course
3 listened to Jesus," who does the "we" refer to?

4 THE WITNESS: I surmise from this that Ken
5 made this an easy-to-understand group story from
6 actual events that happened, and this was his
7 interpretation of it in a literary way. I don't
8 know how better to express that.

9 MR. FABIAN: Q. When you first read this, did
10 you indicate to Ken that the use of "We of course
11 listened to Jesus" could be misinterpreted by
12 other people?

13 A. No.

14 Q. Did you ever indicate to him that you
15 didn't want anyone to believe that you had
16 listened to Jesus?

17 A. No.

18 Q. It says, "We of course listened to Jesus
19 and proceeded to contact the copyright office."
20 Who contacted the copyright office?

21 A. Robert Skutch.

22 Q. Okay. Did you ever say to Mr. Wapnick
23 that you wanted it to be clear that it was Robert
24 Skutch who contacted the copyright office rather
25 than the phrase "we" which might refer to all of

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1 you together?

2 A. Looking over this document --

3 Q. Yes.

4 A. -- no, I never said that.

5 Q. Did you ever have a conversation with
6 Kate Forbes in which you indicated to her that you
7 had, in fact, contacted the copyright office?

8 A. I cannot -- I had a conversation with
9 Carol Forbes. Yes. I cannot imagine that I ever
10 could have said to anybody that I contacted the
11 copyright office when I never did.

12 Q. Okay. It says, in the next paragraph,
13 that, "We were informed that a copyright could not
14 be granted to a nonphysical author such as Jesus
15 nor to anonymous."

16 Do you know if Robert Skutch had a
17 conversation with anyone in the copyright office
18 concerning the issue of nonphysical author such as
19 Jesus?

20 A. To the best of my knowledge, Robert
21 Skutch never had a conversation with anyone in the
22 copyright office about Jesus.

23 Q. When it says, then, in this paragraph
24 that "We were informed that a copyright could not
25 be granted to a nonphysical author," who does that

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1 refer to?

2 A. It is being written about a group here.

3 So the "we" would include Judy Skutch and Robert
4 Skutch and Ken, since Gloria wasn't there.

5 Q. Yes.

6 A. And I imagine Helen and Bill. He's
7 talking about Helen and Bill there.

8 Q. Okay. Then my question again is when
9 somebody is informed of something and it refers to
10 "we," they were either informed as a group or one
11 or more individuals were informed of it. Who was
12 informed of this information of that group you
13 just referred to?

14 A. That a copyright could not be granted to
15 a nonphysical author?

16 Q. Yes.

17 A. Nobody.

18 Q. Are you, then, stating that this was
19 just made up? This is not a true story?

20 A. I'm stating that this was something that
21 was written that got by and was never examined
22 that carefully.

23 Q. Now, am I correct that Mr. Wapnick wrote
24 this article?

25 MR. ROSENBERG: As far as you understand.

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1 THE WITNESS: As far as I understand, yes.

2 MR. FABIAN: Q. Do you know Mr. Wapnick to be

3 a liar?

4 A. Not at all.

5 Q. So this is something that you're saying
6 just got by. You yourself read this particular
7 article, as I recall you testified, prior to its
8 being published; is that correct?

9 A. That's correct.

10 Q. Did you ask Mr. Wapnick about this
11 particular sentence that I just read?

12 A. I don't remember that I ever asked him
13 about that sentence at all. No.

14 Q. Now, it says in the next sentence, "On
15 the other hand, Helen's name could not appear on
16 the Course's copyright page because Jesus had
17 cautioned her against publicly associating her
18 name with it, lest people confuse her role with
19 his and the Holy Spirit."

20 Do you recall that particular sentence?

21 A. I do now.

22 Q. Have you ever read it before?

23 A. Yes, I must have.

24 Q. At the time you read it, prior to
25 publication, did you ask Mr. Wapnick about it?

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1 A. No.

2 Q. Did Helen ever have a conversation with
3 you in which she indicated that Jesus had
4 indicated -- had cautioned her against publicly
5 associating her name with the Course?

6 A. No.

7 Q. Do you know if anybody else ever had
8 that conversation with Helen?

9 A. My memory about those times, which are
10 going back 24 years, is that those are the things
11 that Helen discussed with Ken. Bill was more
12 reticent about it, and I understood that they did
13 not want their names identified with the Course in
14 public. So I never did for a long time.

15 Q. Now, did you ever have a conversation
16 with Helen, just in general, in which she
17 indicated she didn't want her name associated with
18 the Course in Miracles?

19 A. In general, yes.

20 Q. When do you recall the first time you
21 had such a conversation?

22 A. Probably 1975.

23 Q. Why did she indicate to you she didn't
24 want her name associated with the Course?

25 A. She felt she didn't practice it very

2 Q. That was, then, in 1975?

3 A. Yes.

4 Q. Did there come a time when she felt she
5 practiced it better?

6 A. No. I think there came a time when she
7 was more relaxed about people knowing that she was
8 involved with it, but never completely.

9 Q. Now, in connection with the next
10 sentence, it says, "Therefore, our guidance was
11 that the copyright registration should be filed
12 with the author listed as anonymous."

13 Did anybody ever tell you who gave this
14 guidance?

15 A. Helen told me that she wanted to have
16 the author listed in the Course in Miracles as
17 anonymous. She could have told Bob Skutch also.

18 Q. We'll come back to this article later,
19 but if you look on the next page for a moment, if
20 you look under on the right-hand side, the next to
21 the last paragraph --

22 A. Yes.

23 Q. -- begins, "The Foundation for Inner
24 Peace has also received application from the
25 United States trademark office to use the title of

1 Course in Miracles as a service mark, similar to a
2 trademark. This will allow us to appropriately
3 limit public use of the title."

4 Did there come a point in time when FIP
5 as a whole made a determination that it wished to
6 limit the use of the title A Course in Miracles?

7 A. To limit it in the extent of?

8 Q. I'm just reading sentence.

9 A. Okay.

10 Q. My question is the sentence says, "This
11 will allow us to appropriately limit publication
12 use of the title."

13 Let's go back for a moment. What does
14 that refer to in that sentence?

15 A. It will be all of us. It will be Ken
16 Wapnick, three of us on the executive board who
17 represented the Foundation for Inner Peace. So
18 "us" will be the Foundation for Inner Peace.

19 Q. This is an article that was put out by
20 FACIM?

21 A. Right.

22 Q. And would also refer to FACIM?

23 A. At that point, it would refer to the
24 Foundation of Inner Peace who owned the copyright
25 and the trademark.

1 MR. ROSENBERG: Larry, I want to make sure the
2 reporter got it just for the sake of completeness.

3 MR. FABIAN: Q. My question is when did FIP
4 determine that it wanted to appropriately limit
5 use of the title for the first time?

6 A. I'm going say that it probably started
7 to happen in the very early '90s, probably
8 around '90.

9 If you give me a specific -- you know,
10 ask me a specific date, I could not tell you the
11 date. It evolved. Some very strange things were
12 happening, and we were getting some very odd
13 requests, plus there were things that were
14 happening that we had to call people on that who
15 didn't request and felt they could go ahead and do
16 it.

17 One of the charges that Helen gave me as
18 president of the Foundation for Inner Peace is to
19 always treat the Course with dignity. It was
20 really important to her. Dignity was an important
21 word. Some of the ways in which the Course was
22 being used, I felt, was the antithesis of that.

23 Q. Would the use of A Course in Miracles on
24 coffee cups be below the dignity that Helen had
25 referred to?

1 A. Certainly.

2 Q. Excuse me a second.

3 (Discussion held off the record.)

4 MR. FABIAN: Let's take a break for a couple
5 of minutes.

6 (Recess taken.)

7 MR. FABIAN: Q. I believe before we had gone
8 off the record you had indicated that you'd had
9 one or more conversations with Helen in which she
10 talked about a certain dignity level. I'm
11 paraphrasing because I don't remember the exact
12 words and I don't want to go back and read it.

13 A. Yes.

14 Q. Do you recall anything else about that
15 conversation in terms of how she felt the Course
16 should be used and for what purposes?

17 A. Yes. It was very early in our
18 association -- and this is probably '75 or '6,
19 late '75 or early '76.

20 Q. Okay.

21 A. And she felt that the message should be
22 kept intact, and she felt that there not be -- it
23 not be used -- the material not be used for
24 something that wasn't worthy of it.

25 She had a very high opinion of this

1 material, and she felt it deserved dignity, and
2 this is what she felt and expected of us. Of
3 course, I was to use my discretion, but she was
4 there with a very strong guiding hand all the
5 time.

6 Q. Sure. Did Helen view a change of the
7 Course in the dignity that it should maintain?

8 A. No. Never.

9 Q. How about your view? Has it ever
10 changed?

11 A. I think it's evolved.

12 Q. Just trying to keep it in terms of this
13 concept of dignity and certain level that it
14 should be kept at. How did that evolved?

15 A. In the beginning, very few people were
16 aware of the Course or familiar with it. Even
17 after it was first published and an article was
18 written about it in a national magazine, there was
19 still very few people who were aware of it.

20 But as more and more people became aware
21 of it, they used it, in their great enthusiasm for
22 it. People like to put its words or its sentence
23 structure in their articles and joke books, things
24 like that. Sometimes people would ask us and
25 sometimes people wouldn't. They, most of the

1 time, wouldn't because they didn't think they
2 needed to.

3 As it started to proliferate, this is
4 how it started to evolve in me that it needed to
5 be more carefully, I'd say, limited than we had
6 been doing. But this was really because of volume
7 and because strange things started to happen.

8 Q. In terms of limitation, are there
9 certain uses of A Course in Miracles, either as a
10 Course or as Course in Miracles that there has
11 been any determination made at the board level or
12 at the individual level of FIP that, you know, you
13 shouldn't associate the phrase of Course in
14 Miracles? Did you decide you didn't want to have
15 it on T-shirts or you didn't want to have it on
16 billboards?

17 A. I cannot remember that there was any
18 board discussion about this before the fact. The
19 board left it up to the executive committee to do
20 their best. Once in a while, a board member will
21 call to our attention something he or she had
22 noticed. But I do not believe it was part of a
23 board discussion, although, informally, we
24 reported it, but not at a formal board meeting.

25 Q. Who is on the executive committee, by

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1 the way, today?

2 A. Ken Wapnick, Bob Skutch, and I.

3 Q. Has that been the board and the

4 executive committee for sometime?

5 A. It's been the executive committee for

6 sometime, but there are other board members.

7 Q. How long has that group been the

8 executive committee?

9 A. Since Ken Wapnick joined the board,

10 there has been just the three of us. So I guess

11 we were the executive committee and the board, but

12 it's always maintained that relationship, the

13 three of us.

14 Q. When did Ken Wapnick join the board?

15 A. I believe it was either late '78 or

16 early '79.

17 Q. So since '79, you three represented the

18 executive committee?

19 A. That's correct.

20 Q. And we'll get into it later as to who

21 the board is.

22 A. Sure.

23 Q. That may be different from just you

24 three?

25 A. That's right.

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1 Q. Now, you indicated that as time went on,
2 there were more uses which you became aware of the
3 phrase of Course in Miracles.

4 Other than uses in articles, has the
5 board consented to the use of the phrase A Course
6 in Miracles in any other way such as on T-shirts,
7 a logo, on paints, on coffee cups, anything like
8 that?

9 A. No.

10 Q. Okay. Have you ever been asked -- you
11 being the executive committee or the board -- for
12 permission to use that phrase in something other
13 than articles or audiovisual tapes?

14 A. Yes.

15 Q. What have you been asked to use it for?

16 A. Calendars.

17 Q. Okay.

18 A. Greeting cards, dairies. A woman called
19 from Canada whose husband had a paper factory.
20 She wanted to do a Christmas item, do the work
21 book on toilet paper.

22 Q. The whole work book on toilet paper?

23 A. The whole work book on the toilet
24 paper.

25 MR. FABIAN: Off the record.

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1 (Discussion held off the record.)

2 MR. FABIAN: Q. You've indicated that someone
3 wanted to put it on toilet paper, I believe.

4 A. Yes. The work book on toilet paper and
5 on sugar packets and fortune cookies.

6 Q. Have you kept those particular requests
7 in some file at FIP?

8 A. They were mostly telephone calls. I
9 don't remember writings because Bob Skutch would
10 handle that, but they were mostly telephone
11 calls. I got calls that were deemed difficult
12 telephone calls, and I was the one who spoke to
13 them on the telephone. It was mostly telephonic.

14 Q. The telephonic calls, was it by
15 telephone or did FIP ever send out formal letters
16 saying --

17 A. No. I called people because I wanted to
18 talk to them personally.

19 Q. Now, other than whatever the defendant
20 in this case might be doing, let's put them aside
21 for the moment, has FIP ever sent any letters to
22 any other groups or individuals in effect saying
23 "Stop doing that"?

24 A. Yes.

25 Q. Who?

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1 A. After the telephone calls.

2 Q. Who have they sent these letters to and
3 can you give me the general idea of what you
4 didn't want them to do?

5 A. All the newsletters, all the centers, we
6 asked them to please be very careful and not to
7 raise confusion about A Course in Miracles and
8 their identity with the students of the Course and
9 their studying of it.

10 So we asked them to please not label the
11 newsletters A Course in Miracles newsletter, but
12 rather if they wished to use the name of the book
13 and say "This is based upon our understanding of
14 the Course, our discussion of the Course in
15 Miracles, a book published by the Foundation of
16 Inner Peace copyright," that that was okay.

17 Q. Do you have copies of any such letters
18 in your files?

19 A. Oh, yes.

20 MR. FABIAN: So we would ask those be
21 produced.

22 MR. BARBER: We have asked.

23 MR. ROSENBERG: Have they been produced?

24 MR. BARBER: No. They were deemed
25 confidential.

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1 MR. ROSENBERG: As everyone knows, I came into
2 the case later. I assumed the documents were
3 produced. If they weren't, I know the client has
4 at least informed me that they were produced.

5 THE WITNESS: Of course.

6 MR. ROSENBERG: If you put in a letter, Monty,
7 we'll look into it. I certainly agree: You're
8 entitled to it, and it will be forthcoming.

9 MR. FABIAN: Q. When was the first time you
10 recall that -- well, let's continue. That's one
11 thing where you've asked people to cease and
12 desist, perhaps, do it in a different way.

13 Any other areas, anything else, you've
14 asked people to stop doing in writing?

15 MR. ROSENBERG: In a trademark sense or
16 copyright sense?

17 MR. FABIAN: Q. Just when you asked people to
18 stop doing anything.

19 A. Oh, yes.

20 Q. Do you recall who else you've asked to
21 stop doing what you didn't want them to do
22 anymore?

23 A. Yes.

24 Q. If you would, tell me that, please.

25 A. There's a lot. I'm going to take the

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1 most important ones first.

2 The most important ones have been the
3 translations. We found out as early as 1980 that
4 people were translating and circulating copies of
5 the translations and we were engaged in just
6 contemplating a translation program because we
7 knew people in other countries were bilingual and
8 wanted to share it. We had to ask these people to
9 stop. In some cases, they stopped. In some
10 cases, we had to go to legal action.

11 Q. So I understand: You asked them to stop
12 translating from the English version. It was not
13 that you asked them to stop making copies you'd
14 already done?

15 A. No. We hadn't done any. It's about as
16 early as 1980.

17 Q. Did you send any letters to say "Stop
18 doing this"? If so, we would ask for production.

19 A. Yeah. Of course. I'm trying to think.
20 Do we have any letters? I think there should be
21 something.

22 Q. Okay. Anything else that you recall,
23 any other areas in which you said to people "Stop
24 doing this"?

25 A. Yes. Someone was producing A Course in

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1 Miracles work book lesson cards, and we asked that
2 person to stop.

3 Q. Okay. Anything else that you recall?

4 A. Someone was producing excerpts from the
5 Course. We asked that person to stop.

6 Q. Did that person stop?

7 A. Off and on.

8 Q. Who was that? Who is or was that
9 person?

10 A. Saul Steinberg.

11 Q. Anything else that you recall?

12 MR. ROSENBERG: Do you want copyright requests
13 from me?

14 MR. FABIAN: I'm not interested whether it's
15 copyrighted or trademark.

16 MR. BARBER: We'd asked for both, of course.

17 THE WITNESS: If you're asking --

18 MR. ROSENBERG: You've been given a log, I
19 believe, of 900 copies of the disposition.

20 THE WITNESS: I was going to mention that we
21 have 900-something.

22 MR. FABIAN: That's something you just sent me
23 that's in my pile?

24 MR. ROSENBERG: No. That was produced a long
25 time ago.

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1 Your people say they have it. I'm informed
2 that it was produced a long time ago. We have to
3 go our production and find out why there is such a
4 discrepancy. I have a whole production here.

5 MR. FABIAN: Off the record.

6 (Discussion held off the record.)

7 MR. FABIAN: Q. Just to go back, you've
8 indicated that there is some compilation you've
9 done. Can you tell me what that compilation is?

10 A. We keep records of everybody who has
11 requested in writing per application to quote, and
12 even telephone calls which we follow up in
13 writing, we have a list of it, a booklet of about
14 970 of them, maybe more, which represents all the
15 permissions or denials we have given over the
16 years.

17 Q. Do you recall when those first requests
18 for permission began?

19 A. My guess is probably anywhere from '80
20 to '83.

21 Q. Okay.

22 A. The bulk of them, of course, started to
23 come in '90 because not that many people were

24 actually writing about the Course then as the
25 numbers that are now.

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1 Q. Did the request come after you notified
2 the public at large that you had, in one or more
3 of your newsletters, a certain copyright
4 principles?

5 A. No. Way before they started. Way
6 before. We had contracts with people way before.

7 Q. All right. When did the bulk of the
8 requests begin?

9 A. We have all that broken down, and in
10 that, we can say exactly by year.

11 Q. So when we get this compilation, it will
12 tell us?

13 A. Yeah. I thought you had it had. I'm
14 stunned you don't.

15 MR. ROSENBERG: I my understanding is you
16 did. I'm stunned as well.

17 MR. FABIAN: Q. In connection with your
18 conversations with Helen starting back in 1975,
19 did Helen ever say to you in words to the effect
20 that she wanted the Course to be gotten out to the
21 public to as many people as possible?

22 A. No. No. Definitely not.

23 Q. Did Helen ever give you personally any
24 limitation -- prior to the copyright notice being
25 put on, did Helen ever give you any limitation to

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1 you in words to the effect, you know, "Don't hand
2 out the Course or copies to anyone"?

3 A. Absolutely. Helen and Bill.

4 Q. Okay. When Helen gave you the two
5 copies and then one more when you first went out
6 to California, did you have a conversation with
7 her, do you recall, concerning the issue of
8 whether copies could be made and you could give
9 out copies in whole or part?

10 A. Yes.

11 Q. What do you recall of that conversation?

12 A. The conversations with everyone, not
13 just Helen alone, and with Bill. I was very aware
14 that they were aware of copyright policy because
15 their own articles were copyrighted. There were
16 distortions of a very well-known psychiatric
17 journal. It was made very clear to me.

18 MR. ROSENBERG: Just say what they said.

19 THE WITNESS: That was part of what they
20 said. It was made very clear to me that the
21 copyright -- not the copyright. I take that
22 back. I misspoke -- that the document that I had

23 was not to be circulated freely among people.

24 I was to clear with them the people that
25 I deemed professionally connected to me, after I

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1 explained to them how it came, because I wanted to
2 have some people I really deeply care for review
3 it.

4 So they knew that this was to be for
5 review for somebody who I liked, like Jerry
6 Jampolsky or James Bolen, who I mentioned in
7 advance, or Eleanore Criswell, who was my advisor
8 at the time that they were going to look at it.

9 Q. This conversation occurred prior to your
10 going to California the first time?

11 A. Yes. I take back what I said before
12 because I'm thinking of contacts now.

13 There were a couple of conversations,
14 but the first conversation before I went to
15 California the first time, we didn't discuss who
16 they were. We just discussed this was to be kept
17 very quiet. The reason I understood that was
18 because they were very disinclined to have it seen
19 publicly, and they trusted me, I think.

20 Q. Do you recall giving an interview which
21 was written by John White and published in Science

22 of Mind in about March of 1986?

23 A. I don't recall it.

24 Q. Do you recall giving such an interview?

25 A. No. But I certainly could have.

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1 Q. Do you recall the following statements
2 being made by you in that interview -- we'll try
3 to pull the interview later, but I'm going to ask
4 you if you recall giving the statement.

5 "When I first met her I asked her --
6 referring to Helen -- I asked her if there was a
7 specific entity dictating it (the Course) to her
8 and if so who" -- I'm not going to quote the whole
9 thing. "Muttering under her breath, quote, 'It
10 says it's Jesus.' I recognized her ambivalence
11 and asked, 'Well, is it?' And she answered, 'Of
12 course.'"

13 Skutch: "Now do I believe it's Jesus?
14 The answer is yes."

15 These are statements that were made in
16 an interview with Judith Skutch and A Course in
17 Miracles -- excuse me -- an interview with Judy
18 Skutch. This is the title A Course in Miracles,
19 Spiritual Wisdom for the New Age by John White
20 March 1986, Science of Mind.

21 Do you remember making those statements?

22 A. I don't remember them. I certainly
23 don't remember them, but he's a friend of mine.

24 Q. Okay. Do you believe that Mr. White
25 would misquote you?

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1 A. No, I don't.

2 Q. Do you remember reviewing the article
3 before it was published?

4 A. No, I don't.

5 Q. Or the interview?

6 A. No.

7 Q. Do you recall ever giving an interview
8 which was published in the Yoga Journal in January
9 February 1983 to the Rama Jyoti Vernon?

10 A. Yes, I do.

11 Q. Tell me if you recall making these
12 statements. This would be the question from the
13 interviewer: "Was the Inner voice of Helen's ever
14 identified?" This is claims to be your answer:
15 "There was no question about that in Helen's
16 mind, even though she was acutely uncomfortable
17 with the idea for the Course uses the first person
18 singular throughout. Secondly the terminology for
19 the Course is Christian although it deals with
20 universal spiritual themes and not with religious

21 doctrines. But I rather let the material speak
22 for itself with this passage: The name of Jesus
23 Christ as such is but a symbol. This Course has
24 come from him because his words have reached you
25 in a language you can love and understand."

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1 "There are also many -- there are also
2 so many Biblical references interpreted that ring
3 true to me that it is difficult to assign this
4 material to an anonymous source."

5 Do you recall giving that statement?

6 A. Yes, I do.

7 Q. Do you still believe that today?

8 A. Yes, I do.

9 Q. I just want to read you a couple more.

10 MR. ROSENBERG: Whatever your pleasure, sir.

11 MR. FABIAN: Q. Again, I don't want to have
12 to put the video on. I'm asking for you recall
13 from the video.

14 Apparently, I believe you stated in a
15 June 1987 video interview with Dr. Jeffrey
16 Mishlove produced by the Spectrum Foundation the
17 following questions and answers. Do you recall
18 giving that particular --

19 A. Yes, I do.

20 Q. -- interview?

21 There was a response to Dr. Mishlove's
22 question: "What are some of the other directions
23 that the course is taking now that so many people
24 are involved? I know there is music. There are
25 videotapes. There are posters, coffee mugs."

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1 Answer, "Oh, yes. Yes. Yes. If people
2 want to express these ideas in the various forms
3 that manifest what they're believing at this time,
4 why not? The Foundation for Inner Peace which
5 publishes A course in Miracles doesn't have
6 anything to do with that. If people want to use
7 the material, why not? And I notice that some of
8 the music is quite beautiful. Some of it I would
9 even call inspired. Someone told me that she was
10 writing a play based upon A Course in Miracles.
11 That part, it'll extend in its own way and in many
12 other ways too, that, I can't even imagine as the
13 ideas of love will."

14 Do you recall giving that response?

15 A. I don't recall the response, but
16 obviously, I gave it.

17 Q. Is that statement still true today of
18 your feelings and beliefs?

19 A. No. It is not true today.

20 Q. What's different?

21 A. What's different is the time. This is
22 what I believed because there was so little
23 activity. When I started to see how exponentially
24 it grew and what was happening to it, I evolved my
25 belief system into something very different.

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1 Q. So that has evolved till today?

2 A. Well, I would say today, as former
3 copyright holder and trademark holder of the
4 Course in Miracles, that I believe it has taken on
5 a more dignified form. I believe that people who
6 are seriously interested in spreading its message
7 can do so. They can teach the way they want to
8 teach, and they know the guidelines for teaching.
9 I believe that there aren't as many spontaneous
10 representations of the Course nor does it adorn
11 its products.

12 I made a mistake by allowing some of
13 those things to happen. I was very inexperienced
14 with this, and in the evolution of this process, I
15 feel it's much more in keeping with what Helen
16 requested of me.

17 Q. When you say you made a mistakes, we all
18 make mistakes.

19 A. I didn't say we all make mistakes. I

20 said I made mistakes.

21 Q. Withdraw that.

22 In connection with these mistakes, can
23 you be more specific in connection with what?

24 A. Yeah. I think I could have stopped if I
25 knew who they were and investigated it, some of

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1 the uses of coffee mugs and T-shirts. I think
2 that I didn't have to be such a nice guy because
3 it seems to be my nature.

4 I think that I could have been perhaps
5 more circumspect about the proliferation of groups
6 that were not aware. This is in retrospect, of
7 course, because I didn't know then what I know
8 now, that they were misusing the name.

9 I think if I went through my files, for
10 instance, I can come up with some things that I
11 wished had been corrected. We did try to correct
12 most of them.

13 Q. Well, when you say, however, that it was
14 a mistake, it was a mistake in the sense that you
15 were aware of something and you didn't do anything
16 about it?

17 A. I wasn't aware of it mostly, and perhaps
18 I could have been. Let's say something came to my

19 awareness that someone sent me a coffee cup, I
20 felt offended by it that it happened, but not
21 knowing where it came from, since it was a gift, I
22 couldn't follow up on it. I think that it was
23 probably very early when all this was happening
24 and it did not really impress itself upon me that
25 it could get serious and it started to with the

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1 translation.

2 Q. The translations, however, I think you
3 indicated were happening as early as 1980?

4 A. Yes.

5 Q. Anything else besides translations and
6 coffee mugs that you became aware that you
7 couldn't follow up on for whatever reasons?

8 A. If I became aware of them, I followed up
9 on them. That was what I did.

10 Q. Okay. Now, do you recall giving an
11 interview in One Earth Magazine in 1989 in which
12 you made the following statement --

13 A. Excuse me. Who was the author of that?

14 Q. We're going to have to dig it out for
15 you, but I want to know if you recall making the
16 statement. That's all.

17 A. Okay.

18 Q. Obviously, we have the obligation to

19 show it in print, but I'm asking if you recall
20 making the statement.

21 "We were guided to give the copyright
22 freely without judgement. If people wanted to
23 make Miracles coffee mugs, they can."

24 Do you recall making that statement?

25 A. I don't recall saying it. Although, I

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1 think you quoted me in the video, but I know I
2 could have. So if you're asking me do I recall to
3 whom I said it? The answer is no, I don't recall.

4 Q. When you say that you could have, this
5 is in 1989, what do you mean you could do that?

6 A. I could have made that statement about
7 what was happening in the beginning.

8 When I say "we," I'm afraid that was
9 partially editorial because I made that decision.

10 Q. That's fine. I was going to ask you
11 that: When you're saying you made that decision,
12 were you delegated by the executive committee to
13 deal with this particular area?

14 A. Actually, Bob Skutch and I were the only
15 ones who did deal with it at that time.

16 Ken Wapnick, for the most part, was in
17 New York. He was setting up his own organization

18 teaching. He did bring it to attention -- he and
19 Gloria -- issues where they felt where there was
20 possibly a misuse, and I followed up on them.

21 Q. Are you familiar with a gentleman by the
22 of name of Robert Draper?

23 A. Robert Draper. I met him.

24 Q. Who is he as it relates to FIP or FACIM?

25 A. He's a student of A Course in Miracles

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1 who is a friend of Ken Wapnick.

2 Q. Do you know where he's located at the
3 present time?

4 A. I believe he's in San Diego, La Jolla.

5 Q. Has he organized or set up any sort of
6 center of A Course in Miracles?

7 A. I believe from what Dr. Wapnick told me
8 that he recently, with Dr. Wapnick's approval, set
9 up a center for a study of Course in Miracles in
10 the West Coast.

11 Q. Do you know whether this Draper
12 Center -- I'm using that for lack of a better term
13 at the moment -- has any affiliation with FACIM or
14 FIP?

15 A. It has no affiliation with Foundation
16 for Inner Peace, and whether or not it has
17 affiliation with FACIM, I really don't know.

18 Q. Do you know whether Mr. Draper was --
19 strike that.

20 Has Mr. Draper ever made any
21 contributions to FIP?

22 A. No.

23 Q. Do you know whether he's made any
24 contributions to FACIM?

25 A. I was told he -- he did.

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1 Q. Do you know how much he contributed?

2 A. I was never told that.

3 Q. Do you know if Mr. Draper has been
4 convicted of a crime?

5 A. I heard that there was a situation that
6 he was involved in an illegal way, and I don't
7 know what the situation was.

8 Q. Okay. Maybe in the time before lunch we
9 can just deal with a simple layer that we can all
10 relax.

11 I'd like to understand some more about
12 the --

13 MR. ROSENBERG: Whenever opposing counsel
14 tells you to relax, you should be most vigilant.

15 MR. FABIAN: She sat up immediately.

16 THE WITNESS: We're from the same hometown.

17 MR. ROSENBERG: You so you understand these
18 Brooklyn guys.

19 MR. FABIAN: Q. Do you recall what
20 year -- strike that.

21 I understand that prior to being called
22 the Foundation for Inner Peace, there was another
23 name for the organization.

24 A. That's correct.

25 Q. What was the name?

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1 A. Foundation for Parasensory
2 Investigation.

3 Q. Do you know the date of incorporation of
4 that?

5 A. Probably fall of 1971.

6 Q. That, I assume, then, was before you
7 ever met Helen Schucman?

8 A. Oh, yes.

9 Q. And before you were introduced to A
10 Course in Miracles?

11 A. It was.

12 Q. At that time, who were the organizers of
13 the Foundation?

14 A. Bob Skutch and I.

15 Q. Were you married to him at that time?

16 A. Yes, I was.

17 Q. What was the purpose of that
18 organization when it was first incorporated?

19 A. When that organization was first
20 incorporated, its purpose was to give us some
21 latitude to raise funds and contribute our own
22 funds to help research in the field of
23 consciousness.

24 Q. Tell me about that. What type of
25 research? Could you explain to me what that means

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1 when you say you wanted to do research in
2 consciousness?

3 A. Yes. I had met people who were involved
4 in the study of parapsychology through various
5 academic connections that were not being funded,
6 most of them, by government or institution. I was
7 very interested in the kind of work they were
8 doing for personal reasons, and I wanted to help
9 them. I was also teaching at York University that
10 subject at that time.

11 Q. For us layman, can you explain to us
12 what the study of parapsychology would be the
13 study of?

14 A. Yes. Extended perceptual abilities.

15 Q. Could you give me some examples of

16 people who would be involved in these extended
17 perceptual abilities studies?

18 A. Yes. Various researches, such as the
19 Maimonides Hospital had a laboratory there called
20 the dream lab, but it was really for
21 biopsychological studies.

22 Q. Okay.

23 A. And they were using various equipment to
24 measure brain waves in both sleep state and
25 wake. They were using mechanisms and protocols to

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1 investigate telepathy, clairvoyance,
2 psychokenises, that kind of thing.

3 Q. I assume, then, that you had some
4 interest in this area personally?

5 A. Very strong interest.

6 Q. What was the basis of your interest?

7 A. My daughter.

8 Q. Could you explain that? How did that
9 interest get --

10 A. The interest got aroused because she
11 was, at a very early age, able to know things not
12 through ordinary channels that I could recognize,
13 meaning beyond the five senses.

14 Q. Could you give me an example so I might
15 understand that?

16 A. Okay. An early example was at two. She
17 was in a playpen. I walked into the kitchen, and
18 she was in the living room. I stood in front of a
19 kitchen cabinet thinking what should I give her
20 brother when he comes home? She said, "Not tuna
21 fish. He hates it." I said, "What did you say?"
22 "He hates tuna fish. I heard you asked
23 me." That was an example.
24 Q. As she has gotten older, what
25 other powers -- is there another word we can use?

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1 A. Ability.
2 Q. What other abilities beyond the five
3 senses that you're able to explain?
4 A. There was discussion a few times of
5 precognitive dreams, dreaming, psychokenises,
6 telepathy, clairvoyance.
7 Q. Is your interest in this area continuing
8 till today?
9 A. Not as much. No. I have some
10 interested people tell me about it.
11 Q. Did there come a time when the name of
12 the entity of the Foundation was changed to
13 Foundation for Inner Peace?
14 A. That's right.

15 Q. Is there a reason why that name change
16 took place?

17 A. Yes. To reflect our interest, No. 1, so
18 that we could be the vehicle for publishing A
19 Course in Miracles which was to be published
20 through not-for-profit, since it did not
21 accurately described what we were doing with the
22 Course in Miracles, although it covered it.

23 Q. What does "parasensory" means?

24 A. Parasensory was a casual phrase that
25 people used in that field to say beyond the five

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1 senses.

2 Q. Did you change the name in part because
3 Helen Schucman did not want to be associated with
4 anything that was parasensory -- that had the name
5 parasensory?

6 A. Yes.

7 Q. Did that come before?

8 A. Yes.

9 Q. Was it conversations?

10 A. Yes.

11 Q. Was it in conversations with Helen?

12 A. Conversations I had with everyone, not
13 Helen alone.

14 Q. Who was present, then, when you say

15 "everyone"?

16 A. Ken Wapnick, Dr. William Thetford, and
17 Dr. Helen Schucman.

18 Q. What was said by Helen, as you recall,
19 during this conversation?

20 A. I can only give you the nature because I
21 can't give you verbatim what was said. It was a
22 conversation we had because we had just agreed to
23 take on the responsibility of publishing a Course
24 in Miracles. It didn't seem appropriate -- so the
25 group felt -- and some of them, not just Helen --

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1 for "parasensory" to be used. And Helen in a
2 meditation had seen -- this is my recollection.

3 Okay?

4 Helen in meditation had seen something
5 she called a vision, and she had seen something
6 saying "Foundation for Teaching Inner Peace." And
7 she said she felt that should be the name.
8 However, "teaching" was a word used in connection
9 with teaching, and we were not at that time a
10 teaching organization yet. So it became
11 Foundation of Inner Peace, which she approved of.

12 Q. Now, do you recall approximately what
13 year the application for the name change was

14 made? Month or year.

15 A. I believe it was '75.

16 Q. Was the application made before or after
17 the first copyright notice was placed --

18 A. I don't remember the date.

19 Q. -- on the Course?

20 A. Bob Skutch did that.

21 Q. He did what?

22 A. He handled that. I don't remember the
23 date.

24 Q. You mean handled the application?

25 A. Yes.

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1 Q. Do you recall in your own mind when was
2 the first time you ever saw a copy of the Course
3 with a copyright notification on it?

4 A. When we printed it.

5 Q. I understand that. I'm asking if you
6 recall the year.

7 A. 1976 -- sorry. 1975. 1975, late
8 summer, I believe.

9 Q. Did you put the copyright notice on
10 before or after the application was made to the
11 copyright office?

12 A. I believe it was after, but it hadn't
13 been approved yet, but I'm not a hundred percent

14 sure of that.

15 Q. Had you ever had any conversations with
16 Ms. Criswell about placing a copyright notice on
17 the Course?

18 A. I believe I did.

19 Q. When did you have those conversations?

20 A. When we decided to print it.

21 Q. Okay. Was that before or after Helen
22 indicated that she had heard either a voice or
23 Jesus saying "We should copyright the Course"?

24 A. Oh, after.

25 Q. So your conversation with Ms. Criswell

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1 was after that particular conversation you've
2 testified to?

3 A. To the best of my recollection, it was.

4 Q. Going back for a moment, I assume at
5 some point in time you finished high school --

6 A. Uh-huh.

7 Q. -- and went on to college.

8 Where did you go to college?

9 A. Hood College in Frederic, Maryland.

10 Q. What years were you there?

11 A. 1948-1951.

12 Q. Did you receive a degree?

13 A. Yes.

14 Q. What did you receive?

15 A. B.A.

16 Q. In what area?

17 A. It was literature.

18 Q. During the period of time that you were

19 in college, had you any interest at that time in

20 parasensory experience?

21 A. Not paranormal. No.

22 Q. Is there a different difference between

23 paranormal and parasensory?

24 A. Not really. I did have an interest in

25 religion.

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1 Q. So if I use "paranormal" "parasensory",

2 could I use them interchangeably?

3 A. I would think you could. I wouldn't

4 stop you.

5 Q. I want to make sure I'm not getting off

6 into two different areas.

7 A. No.

8 Q. You're the expert. I'm not.

9 After college, did you receive any

10 further degrees?

11 A. Not a degree. No.

12 Q. Did you do further study?

13 A. Yes. Columbia University.
14 Q. What did you study?
15 A. I studied American literature and
16 philosophy.
17 Q. How much time did you spend there taking
18 those courses?
19 A. A little over a year.
20 Q. Is there a reason why you didn't
21 continue?
22 A. I got married.
23 Q. Who was your husband at that time?
24 A. Howard Cohen.
25 Q. How long did that marriage last, by the

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1 way?
2 A. Thirteen years.
3 Q. After you completed this course material
4 and you got married, did you begin working?
5 A. Yes, I did.
6 Q. What did you do?
7 A. Worked in a publishing house.
8 Q. Which house?
9 A. Thomas Y. Crowel Corporation.
10 Q. What did you do there?
11 A. Well, I assisted the editor of college

12 texts. I started as a secretary. That's what I
13 did.

14 Q. Can you briefly trace for me your
15 business career, say, up until the time your
16 daughter was born?

17 MR. ROSENBERG: Working career.

18 THE WITNESS: I worked at the Thomas Whitecrow
19 Corporation until my son was born in 1955. I
20 worked there from 1952, late fall, maybe early
21 winter. I worked there until the month before my
22 son was born. He was born October 15, 1955, when
23 I became a full-time mother.

24 MR. FABIAN: Q. How long did you remain a
25 full-time mother until you began to earn a dollar

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1 again?

2 A. Oh, I earned a dollar right away.

3 Q. Okay.

4 A. While I was raising my children, I
5 started a small corporation called Judy Novelties,
6 which was handmade objects, usually paper good,
7 although there were other objects, too, that I
8 designed with a partner and which we sold.

9 Q. How long did you remain in that
10 particular businesses on a part-time basis?

11 A. From 1955 until I moved to Paris, which

12 was 1963.

13 Q. You your daughter was born when?

14 A. She was born in '59.

15 Q. How long did you remain in Paris?

16 A. Oh, from '63 until '64. I'm trying to
17 remember exactly what month. I think it was
18 April 8, 1964, when I left.

19 Q. From '64 and up until the time you
20 received the Course --

21 A. 1975.

22 Q. -- what did you do during that time
23 period?

24 A. From 1964, when I came back to this
25 country, I started to work with a company in 1965,

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1 or maybe '64, called National Patent Development
2 Corporation, 375 Park Avenue in New York City.

3 I was affiliated with them while I
4 started something called Record Fair as an adjunct
5 to Book Fair for the school system.

6 Q. Okay.

7 A. I did that for a while. Then I met
8 Robert Skutch, and we wrote scripts together
9 because he was writing for television and had many
10 of his scripts produced. We were designing a

11 potential television play, I guess -- yeah. And I
12 was doing research.

13 So that brings me to 1965. I married
14 him in 1966. At that time, I had been doing a lot
15 of studying and I went back to school.

16 Q. What did you study?

17 A. I studied parapsychology, which wasn't
18 really called that, but that's okay.

19 Q. When you say "parapsychology," that
20 relates to the study of these various types of
21 events that you've indicated --

22 A. Yes.

23 Q. -- beyond the five senses and abilities?

24 A. Right. Uh-huh.

25 Q. How long did you study that?

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1 A. About two years.

2 A lot of reading, studying, raising
3 children.

4 At the same time, I started a business
5 and that was called Window Silhouettes, and it was
6 in the designing field. I had a partner who was
7 an artist. I worked presenting our designs to
8 restaurants stores and interior designers in New
9 York City, I think from '68 to probably '73
10 or -4. But I was also teaching in New York

11 University.

12 Q. I was going to ask --

13 A. About '71.

14 Q. What were you teaching?

15 A. Experimental parapsychology, new

16 dimensions in healing to courses.

17 Q. From the days of your going to school

18 and your teaching, have you reached any

19 conclusions as to whether there are people who are

20 clairvoyant?

21 A. I did.

22 Q. What conclusion did you reach?

23 A. Everybody has the potential, but some

24 people are gifted.

25 Q. Okay. When you say that someone is

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1 clairvoyant, what does that mean? I understand it

2 to mean you can see the future.

3 A. No. That's not clairvoyance. That's

4 precognition.

5 The general term that was used for many

6 years, which is not used so much now, except by

7 lay people who don't remember, is called

8 Extrasensory Perception or ESP. Today it's called

9 consciousness studies. In those days, it was

10 parapsychology.

11 I took classes at New York University
12 School of Continuing Education Adult. I started,
13 I guess, about -- when I joined, there were about
14 50 people. I arranged conferences on the
15 subjected matter, and Bob and I had started the
16 Foundation for Parasensory Investigation to help
17 support this.

18 Q. Was Mr. Skutch or yourself writing any
19 television shows relating to these types of
20 events?

21 A. No. Not at all. We stopped at that
22 point. He was in a different business.

23 Q. You stopped what?

24 A. He was in a different business.

25 Q. He wasn't writing scripts?

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1 A. No.

2 Q. But in the past, when he was writing
3 scripts, did he write scripts relating to this
4 subject at all?

5 A. No.

6 Q. Did you find out for yourself that you
7 had any of these abilities beyond the five senses
8 personally?

9 A. As I said before, we all do, but it's to

10 what extent. I must have some because I can
11 receive messages that my daughter sends me, and I
12 think it takes two to tango.

13 So I think that I have probably an
14 accepted sensibility towards it, meaning I don't
15 block it out and I let it happen. But to me, a
16 lot of it is intuition.

17 Q. What does that mean?

18 A. I think a lot of our intuition is
19 signals we're getting from yet a more complete
20 level we can imagine. So for instance, when you
21 have a gut feeling that you should not cross the
22 street, if you pull back, you have no idea why,
23 maybe you could have heard the truck coming around
24 the corner, maybe you didn't, maybe you just
25 sensed the danger.

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1 Q. When you say that you at least developed
2 the sense that you can hear what your daughter is
3 telling you --

4 A. Not hear. Feel.

5 Q. Feel. Sorry.

6 She could be in a different state or
7 different country and that ability would still
8 exist?

9 A. She would be in a different state or she
10 would at be at school, most likely. She was a
11 little girl.

12 Q. Any other of these senses that you
13 believe you, at least -- that you're aware that
14 you have that you have been able to use on more
15 than one occasion?

16 A. I was involved in work of this kind with
17 an actual teacher who was a guide, a professor, of
18 psychology who was in New York City at the time.
19 I took part in experiments in which was encouraged
20 to be able to use those extended senses.

21 Q. What extended senses, other than the
22 communication with your daughter -- I'll use that
23 for the sake of this question -- have you found
24 that you're able to feel or sense or use
25 sometimes?

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1 A. Sometimes.

2 Q. Which ones? Give me an example of
3 another extended sense of yours.

4 A. I sense whether a person is comfortable,
5 at peace. I sense whether someone is ill. I
6 sensed when my grandmother died at the exact
7 moment. I was getting out of bed saying "My
8 grandmother has just died." Things that are very

9 ordinary. There are a lot. I can't remember.

10 Q. You said you worked with a teacher --

11 A. Yes.

12 Q. -- in some experimental area?

13 A. Yes.

14 Q. What type of --

15 A. Dr. Lawrence LeShan 1970, perhaps. I
16 don't remember exactly the date.

17 We had a group studying with him, over a
18 period of time on meditation, and it turned into
19 work with healing because that's what his interest
20 was, and those kind of things.

21 They were going on all the time where we
22 lived because we enjoyed the discourse and we
23 liked having people come and have a place called
24 home to be able to do this.

25 Q. Are you familiar with the concept of

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1 remote viewing?

2 A. Yes.

3 Q. What does that mean to you?

4 A. Okay. Remote viewing is when a subject
5 can clairvoyantly see and, in some cases,
6 precognitively know what is going on at a
7 distance, either in the next room or someplace

8 much farther away.

9 Q. Do you have the ability of remote
10 viewing, you personally?

11 A. I can't think at this moment that I ever
12 had an experience that I would call remote
13 viewing.

14 Q. Have you ever met anyone who had an
15 experience of remote viewing?

16 A. Oh, yes. I worked with them in the
17 laboratory. Sure.

18 Q. Who would that be? Just one person, for
19 example.

20 A. Ingo Swan.

21 Q. What would be an example of the type of
22 remote viewing -- is this male?

23 A. Yeah.

24 Q. -- that he would have had?

25 A. Well, the type of remote viewing that

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1 Ingo particularly had would be in an enclosed
2 environment -- meaning it could be a room which is
3 shielded from electromagnetic waves, where he was
4 asked to envision or view something very far away
5 that was top secret, such as a military
6 installation or a particular submarine or some
7 papers in a sealed vault someplace, and he was

8 able to do it. That would be an example.

9 But there's also precognitive remote
10 viewing.

11 Q. What is that?

12 A. It could be any time somebody sees
13 something that happens in advance. It happened to
14 my daughter more than a few times. I don't mean
15 hundreds, but maybe ten.

16 I was driving in a car with her, and a
17 little girl from the back seat, that was my
18 daughter, at about seven said, "Mom, if a funny
19 looking old man that doesn't speak English crashes
20 into our car, do we have to pay to have it
21 fixed?"

22 "I would say no. We have something
23 called insurance."

24 "Well, what's insurance?"

25 Then I go a block. I'm waiting for a

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1 light to change, and a truck driven by an old man
2 who spoke no English doesn't see and crashes into
3 us. She got hysterical because she couldn't avoid
4 it.

5 That's called precognitive remote
6 viewing. We did it many times in the lab. In

7 fact, people have been written about it in
8 research.

9 Q. Do you personally believe -- I'm not
10 referring to Jesus in particular -- that it's
11 possible that there is any greater extracelestial
12 spiritual body that can communicate?

13 A. Yes, I do.

14 Q. Have you ever spoken with anyone?

15 MR. ROSENBERG: You don't mean
16 extraterrestrial?

17 MR. FABIAN: I do not.

18 THE WITNESS: Sorry. I think we have to
19 define the language really carefully. I don't
20 think spiritual body is going to be exclusive to
21 me.

22 MR. FABIAN: Q. How would you characterize
23 it?

24 A. I would say spiritual presence.

25 Q. I'll accept that.

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1 Have you ever spoken to anyone who
2 indicated to you that they had heard from a
3 spiritual presence?

4 A. Yes.

5 Q. Other than having heard Mr. Poppe
6 yesterday, anyone else?

7 A. Yes.

8 Q. Can you tell me who?

9 A. Myself.

10 Q. Okay.

11 A. Yes. After my grandmother, who was very
12 loved to me, died, I felt her presence and I felt
13 communication.

14 Q. All right.

15 A. I visited for over a year period of time
16 various individuals who did this professionally
17 and would convey what they felt they heard as
18 messages, as part of an experiment with Dr. Ian
19 Stevenson in the University of Virginia.

20 Q. Did you come to any conclusions as to
21 whether you could believe or whether you
22 disbelieved these various people that you studied
23 for over a year?

24 A. It's evolved over time and probable will
25 continue to evolve because I don't know the

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1 answers.

2 Q. You mean your personal view?

3 A. Yes. I have a personal view about it
4 today.

5 Q. Okay. Could you convey to me as to

6 whether you believe that people can hear from the
7 spiritual -- what do we call that?

8 MR. ROSENBERG: Presence.

9 MR. FABIAN: Presence. Thank you.

10 MR. ROSENBERG: I do listen.

11 THE WITNESS: I believe that many people -- I
12 would guess all, because I think it's the human
13 capacity -- if they can find within them quiet --
14 some people don't seem to need to, but I think
15 it's probably more helpful to find a quiet place
16 inside where they can feel comfortable and
17 trusting -- that they could probably have that
18 kind of spiritual communication, but I don't think
19 for me, it is not outside. It's a little within.

20 MR. FABIAN: I would propose we can stop here
21 because I can move to another area and come back
22 at a quarter to 2:00.

23 MR. ROSENBERG: If you'd like, we can go
24 another 15.

25 MR. FABIAN: Okay.

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1 Q. We had started to talk earlier about the
2 executive boards of FIP, and you've indicated
3 that, I believe, today the board of directors is
4 larger in numbers than the executive board. Can
5 you tell me who is on the board of directors?

6 A. Yes.

7 Q. Is it directors or trustees?

8 A. It's interchangeable to me.

9 Q. Okay.

10 A. Besides us -- Rob Skutch, Ken Wapnick,
11 and myself -- Dianne Temple, and Teresa Abrams,
12 and Dr. Robert Rosenthal, and Dr. William
13 Whitson.

14 Q. Since FIP came about, in that name, in
15 the late '70s, has there been anyone else who is
16 on the board who's deceased or resigned?

17 A. We've never call it FIP.

18 Q. I understand that you've never called it
19 FIP.

20 A. I understand.

21 Q. I certainly don't mean --

22 A. When other people do, I know what
23 they're talking about.

24 Q. So there's no trademark in FIP, then?

25 A. Well, since we use it and its ours, I

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1 guess there is.

2 MR. ROSENBERG: First use in commerce.

3 MR. FABIAN: Q. My question is has there been
4 other people who have been on the board of

5 directors?

6 A. Yes.

7 Q. Other than these individuals?

8 A. Yes.

9 Q. Can you tell me who they have been and
10 why they left, for what reason?

11 A. Oh, from the beginning, at one
12 point -- let me go back in the very beginning.
13 Judge Paul Klein was a board member. He resigned
14 because he was made a judge, and he had a great
15 deal to do. He was originally our attorney also.
16 And at that point, he was replaced by Dr. Kenneth
17 Wapnick. Then over a period of time -- I believe
18 all this has been provided.

19 Q. If you don't remember, you don't
20 remember.

21 A. Okay. The period of time was Dianne
22 Temple, Dr. Frances Vaughan. As I said, Dianne
23 Temple is still on the board. Dr. Frances Vaughan
24 served for a while and withdrew because she had go
25 to another board and couldn't give it as much time

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1 as she would like.

2 Dr. John Van Praag, he just resigned
3 very recently because he couldn't make board
4 meetings regularly. He lives in London, but he

5 lived in San Francisco for a while. A long time
6 ago, a couple -- and I'm ashamed to say I don't
7 remember their last name -- he was a former priest
8 and she was a former nun: Tom and Mary. They are
9 friends of Ken. They served for a while.

10 Let me see who else. Oh, William
11 Thetford was on the board for one year. My son
12 Jonathan was on the board for two years:
13 Dr. Jonathan Davis Cohen. That's Doctor Doctor.

14 That's a Jewish mother talking.

15 Q. I was going to make that comment, but I
16 bit my tongue.

17 A. I'm sure I've forgotten one or two.

18 Q. During the course of time that there has
19 been a board of directors, has any of the members
20 of the board received any compensation for their
21 services?

22 A. No. Never. Oh, I misspoke.

23 Q. Okay.

24 A. Not for their services on the board.

25 Q. I'm asking for being on the board.

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1 A. No. No.

2 Q. At the present time, do you serve in a
3 capacity other than as an director officer

4 employee --

5 A. Yes.

6 Q. -- of the Foundation?

7 A. Uh-huh.

8 Q. What capacity is that?

9 A. I'm president of the Foundation for
10 Inner Peace, and I serve in that capacity running
11 the Foundation.

12 Q. Do you receive a salary?

13 A. Yes, I do.

14 Q. What salary do you receive?

15 MR. ROSENBERG: Let's talk about this. We may
16 have to designate this --

17 Off the record.

18 (Discussion held off the record.)

19 MR. FABIAN: Q. My question was what
20 compensation do you receive as the president of
21 the Foundation?

22 A. Exactly, I cannot not tell you because
23 Bob Skutch does that, but I think is it's 90,000
24 80-something. Might be a little bit less.

25 Q. Does your husband serve in an employee

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1 or official capacity?

2 A. Yes, he does. He's secretary of the
3 Foundation for Inner Peace.

4 Q. Does he receive any salary?

5 A. No.

6 Q. Do you receive reimbursement, you
7 personally, for any expenses?

8 A. Well, yes, in the sense the Foundation
9 has its own card.

10 If there are any expenses that get put
11 on the Foundation card, and once in a while, I
12 forget. So I would say, like, every month there's
13 a little bit that's forgotten.

14 Q. I guess I would ask: Does the
15 Foundation pay any expenses such as the mortgage
16 on your house?

17 A. I don't own a house.

18 Q. I'm using that as an example.

19 A. No.

20 Q. Am I correct, then, that the only
21 expense the Foundation would pay is if they are
22 Foundation-related expenses that you've been
23 reimbursed or they're on your credit card?

24 THE WITNESS: My lawyer wants to talk to me.

25 MR. FABIAN: Is my question unclear?

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1 MR. ROSENBERG: Again, I'm just being very
2 careful. It's ambiguous.

3 MR. FABIAN: I'm not trying to trick you.

4 MR. ROSENBERG: You asked if they paid
5 mortgage on the house. The foundation owns the
6 house.

7 MR. FABIAN: That was going to be my next
8 question.

9 MR. FABIAN: Q. Are there any services or
10 facilities that you receive, such as living in a
11 house that the Foundation pays for?

12 A. The Foundation owns the house, and I and
13 my husband pay rent.

14 Q. What rent do you pay?

15 A. 30 -- 34.

16 Q. 3400 a month?

17 A. Yeah.

18 Q. Is there a mortgage on the house?

19 A. Yes, there is.

20 Q. Does the 3400 exceed the mortgage on the
21 house?

22 A. No, it does not.

23 Q. Just in terms of, say, electric and gas
24 and so forth, who pays for those?

25 A. It's allocated. The Foundation pays its

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1 support, and the tenants pay their part.

2 Q. "You" being the tenants?

3 A. That's right.

4 Q. Do you receive any other services, such
5 as an automobile or a leased automobile or
6 anything like that?

7 A. The Foundation owns its own automobile
8 which is used for Foundation purposes only.

9 Q. Do you have a separate automobile, then,
10 that you drive?

11 A. Yes, we do.

12 Q. When you, for example, go to dinner
13 personally --

14 A. I lease a separate automobile.

15 Q. Okay. Any other members of your family
16 that receive any compensation from the Foundation
17 for any reason?

18 A. Yes.

19 Q. Who is that?

20 A. My daughter.

21 Q. How much does she receive?

22 A. 20,000.

23 Q. What services does she do?

24 A. She does writing. She's the person who
25 does all the little things I can't do during the

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1 day for the Foundation.

2 She does interviewing. She keeps
3 archives, helps to keep archives. She's working
4 right now on exploring all avenues for CD ROM
5 interactive, which will be DVD rather than CD
6 ROM. She helps with special projects,
7 particularly. It's part-time. She has a baby.

8 Q. Does she receive any other benefits,
9 such as insurance, car, anything like that?

10 A. All the employees, whether part-time or
11 full-time, have health insurance. We cover that.
12 Yes.

13 Q. Now, going back to when the Foundation
14 was first started in its original name, what were
15 the assets of the Foundation at that time when it
16 first started?

17 A. I have no idea, but it would very, very
18 small.

19 Q. Did you and/or anyone else put up any
20 money to get the Foundation started?

21 A. When it was the Parasensory
22 Investigation? Yes.

23 Q. Do you recall how much that was?

24 A. No. I really don't.

25 Q. We're now in 1999, and I assume the

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1 Foundation owns certain assets; is that correct?

2 A. Yes, it does.

3 Q. What assets does it own?

4 A. Well, it owns a house. It owns a car.
5 It owns computers. It owns office furniture. It
6 owns office equipment. It owns, I guess, maybe a
7 telephone or two. I don't remember whether we
8 purchased it or not. It owned the copyright and
9 trademark of A Course in Miracles until last week,
10 but it doesn't now.

11 Q. If it ever did.

12 MR. ROSENBERG: Move to strike counsel's
13 gratuitous, unfounded remarks.

14 MR. FABIAN: I withdraw that. I apologize.

15 MR. ROSENBERG: Never apologize for a little
16 humor.

17 THE WITNESS: Let me think what else. What
18 else? It has cash assets.

19 MR. FABIAN: Q. Does it publish any other
20 books, other than the Course, for example, that it
21 receives income from?

22 A. It publishes books in different forms,
23 like the translations, that it would receive
24 income from. Yes. Even if it's not the copyright
25 holder, it has an exclusive license to publish all

1 the course materials --

2 Q. Okay.

3 A. -- Helen Schucman and its various forms
4 gave us.

5 Q. Just in general --

6 MR. ROSENBERG: When the witness said "even if
7 it's not the copyright holder" meaning because
8 FACIM is not, because there may be some question
9 legally.

10 THE WITNESS: Because it was transferred.

11 MR. FABIAN: We'll get to that in a moment.

12 Q. Could you approximate for me what the
13 net worth of the foundation is today, meaning
14 assets less liabilities? Because I didn't ask you
15 about the liabilities.

16 A. I think that you'll have to ask Robert
17 Skutch, financial officer, that because he has
18 that information. I can give you a guesstimate.

19 Q. Okay.

20 A. I would say -- I'm not going to include
21 the house, or should I include the house?

22 Q. Let's include that separately.

23 A. Because there is a mortgage on that.

24 MR. ROSENBERG: What is the net worth is the
25 question.

1 MR. FABIAN: Keep the house out of it.

2 THE WITNESS: I would say it's about a
3 million and a half. Maybe a little bit more.
4 That's all I know.

5 MR. FABIAN: Q. How about the house? Can you
6 tell us what its worth is and what the mortgage
7 is?

8 A. The mortgage, when we got it, was
9 840,000. The house was purchased for the price of
10 one million four. I cannot tell you what it's
11 worth today. I would hope more than that, but I'm
12 not sure.

13 Q. We all hope.

14 Is the house used for Foundation
15 purposes as well and that's why there is a sharing
16 of expenses?

17 A. Almost primarily.

18 Q. Am I correct there's not a separate
19 facility that -- does the Foundation lease a
20 separate facility for office or anything like
21 anywhere where else?

22 A. The foundation has that facility which
23 is in two parts. One is a separate office
24 building, then the conference room, then the guest
25 quarters for translators is also in that house.

1 That is the only place I know of that we lease. I
2 do not know. Bob Skutch handles his own office
3 alone.

4 Q. I'm just a little unclear --

5 A. It does not own another house, another
6 property. Is that what you asked me?

7 Q. The house is separate from this other
8 facility that you talked about?

9 A. No. The house is not separate from it,
10 but if you had a guest house on your property,
11 right next door, the house, that part of it, is
12 allocated for the Foundation work and its
13 secretary and all its storage.

14 MR. ROSENBERG: So there is no ambiguity, it's
15 separate. It's not connected.

16 MR. FABIAN: But you called it the house.

17 THE WITNESS: I call the whole thing the
18 house.

19 MR. FABIAN: It's all the house.

20 MR. ROSENBERG: It's the same property.

21 MR. FABIAN: Q. Am I correct Mr. Skutch has a
22 separate facility where he works out of?

23 A. Yes.

24 Q. Where is that?

25 A. Mill Valley, California.

1 Q. Does the Foundation pay some of those
2 expenses?

3 A. I really don't know. He owns the
4 house.

5 Q. Does Mr. Skutch draw a salary?

6 A. Yes, he does.

7 Q. How much does he draw?

8 A. \$84,000.

9 Q. Just so I can ask one person: How did
10 it happen that you earn more than he does?

11 A. I'm the president. I'm the president,
12 of course.

13 MR. FABIAN: I'll stop here.

14 MR. ROSENBERG: As well you should.

15 (Lunch recess taken.)

16 (Mr. Poppe is not present.)

17 MR. FABIAN: Q. Other than the mortgage that
18 you indicate exists on the house, are there any
19 other liabilities, other than ongoing, you know,
20 bills that come into the foundation?

21 A. Not that I know of.

22 MR. ROSENBERG: There are documents that we
23 did send to you, the annual reports and the
24 minutes, includes a good deal of this financial
25 information. I'm told, for the last five or six

1 years, it was omitted by -- during an earlier
2 potential production. I'm going to get those to
3 you. So you'll have a balance sheet for each of
4 the years.

5 MR. FABIAN: I just want to finish that.

6 THE WITNESS: Counsel --

7 MR. ROSENBERG: She has a clarification.

8 THE WITNESS: Counsel --

9 MR. FABIAN: I normally don't like people to
10 clarify but --

11 MR. ROSENBERG: He's being facetious.

12 THE WITNESS: I answered a question of yours
13 because -- I answered the question but then I
14 asked counsel later whether I should answer the
15 question that I think you meant, not what you
16 asked.

17 MR. FABIAN: Feel free.

18 THE WITNESS: He said, "You tell him the
19 truth."

20 You asked whether anyone else in my
21 family received a salary from the Foundation for
22 Inner Peace, and I said no, which was accurate.

23 MR. FABIAN: Q. You said your daughter
24 received income.

25 A. Yes. You asked anyone else besides my

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1 daughter, but I said no, because that was true,
2 but my attorney feels that I should tell you.

3 My husband has a consulting firm that
4 he's had, and he's in charge of the translation
5 program. That organization, that entity, gets
6 paid. So it would benefit him, actually.

7 MR. ROSENBERG: I thought that was proper.

8 MR. FABIAN: Absolutely.

9 Q. Is he paid on a consulting job done as
10 opposed to fix?

11 A. It's a contract reviewed every year. I
12 think the latest stipulation of the board is that
13 we should review it every three years, because
14 it's getting boring, and he's doing a very good
15 job. He's paid on a yearly basis by the month.

16 Q. Do you recall the total amount of per
17 year?

18 A. \$7,000 a month.

19 Q. Okay. Are there any members of your
20 present husband's family that receive any money
21 from the Foundation?

22 A. No.

23 Q. Or any companies that he's affiliated
24 with?

25 A. No.

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1 Q. There came a point in time when you
2 received the Course for the first time; is that
3 correct?

4 A. That's correct.

5 Q. Can you just briefly describe for us
6 what was your state of mind at that time? Were
7 you happy? Were you depressed? What was your
8 state of mind at that time?

9 A. In 1975, from March until I received the
10 Course, I was feeling the growing sense of unease,
11 and I couldn't pinpoint it, because I had a
12 wonderful job that I loved. Family couldn't be
13 better, close to my mother and father living
14 nearby.

15 It looked to me as if all my
16 relationships were happy and successful, and I was
17 employed in the job of teaching that I really
18 loved. I had no idea why I was beginning to feel
19 down and empty -- that's the only word I can
20 describe it.

21 It got stronger and stronger until one
22 night when my kids were out doing their stuff, Bob
23 was out, I felt that I needed to really weep, and
24 so I did. I could really let go, which I don't
25 ever remember doing that in my life before.

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1 So from deep within -- within inside of
2 me came my own voice saying "Will someone up
3 there, please, help me." I was stunned. I
4 literally did not think that was inside me. I
5 also didn't connect it with any sense of what that
6 meant. I just knew that I couldn't cope with this
7 feeling which was getting kind of dark.

8 When I said, "Will someone up there,
9 please, help me," I have always believed in God.
10 So that was not strange, but the fact that I would
11 do it under those circumstances. I had always
12 prayed. From the time I was a child, prayer was
13 important in my life. This was something more
14 than the ordinary.

15 Within a few days, I was officiating, in
16 a way, moderating and introducing a conference at
17 the New York Academy of Science, and the subject
18 matter was Kirlian and photography as a diagnostic
19 tool for the medical profession.

20 People who had worked with it from all
21 over the world were there, and I was introducing
22 the subject matter, which I equated with healing
23 in some way, and the way in which I equated it
24 with healing is that some people that might be
25 photographing this device, the electrical output

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1 of the human being in such a way they can equate
2 it with what people see as the aura. Some of
3 these people were interested in that. Some of
4 them weren't.

5 So I was there. It turned out that Bill
6 Thetford happened to attend, which is another long
7 story, but quite interesting.

8 MR. ROSENBERG: The question was --

9 THE WITNESS: My state of mind.

10 When I was on that platform, I had a job
11 to do. So I wasn't going to let this darkness
12 take over, and I knew what I had to do.

13 I went home, and I was not feeling so
14 happy. The next morning I got call from a friend
15 of mine Dr. Douglass Dean, who said that somebody
16 had come up to him, and said briefly that this man
17 wanted to meet him and me in person.

18 I agreed to go with him, although not on
19 the date that they chose, but my own choosing, and
20 I was feeling anxiety leading up to that visit,
21 because I thought that going to a major medical
22 center to talk with people who were in the healing
23 profession might be a way for us to continue our
24 work at the level of Columbia University. That's
25 what I thought.

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1 So I went there with anxiety about
2 meeting him: What I'd say to him? How would they
3 receive me? I didn't have those degrees, and I
4 didn't -- I wasn't a specialist in their field,
5 but also open enough to see where this would
6 lead.

7 So up until that day, I had the sense of
8 darkness in that I didn't know where my life was
9 leading, even though, my God, what else could I
10 possibly want? That's when I met them, in that
11 state of mind. Does that answer your question?

12 MR. FABIAN: If that's your answer.

13 A. Okay.

14 Q. Did this state of depression have
15 anything to do with family relationships?

16 A. No.

17 MR. ROSENBERG: Object to the
18 characterization. "Depression" was never used.

19 THE WITNESS: I said darkness.

20 MR. FABIAN: I didn't realize I said
21 depression.

22 MR. ROSENBERG: How are you doing, Larry?

23 MR. FABIAN: I must have read it somewhere.

24 Q. Let me ask you this: Did you ever write

25 in any book or any article that you were going

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1 through a period of depression at that time?

2 A. I could have. I don't remember.

3 Q. My question was given your state of
4 mind, at that time, did it have anything to do
5 with your marital relationship?

6 A. No.

7 Q. Your marital relationship was fine at
8 the time?

9 A. Yes.

10 Q. Now, I recall that it was on May 29,
11 1975, that you received the Course.

12 A. That I met Helen and Bill at Columbia.

13 Q. What day do you recall did you receive
14 the Course?

15 A. That day.

16 Q. Am I correct you received it in loose
17 leaves?

18 A. Three black binders, three whole punch,
19 1500 pages.

20 Q. I assume this is a memorable moment for
21 you?

22 A. That's why I call it my birthday.

23 Q. Now, let me go back. There was some
24 testimony in which you were not present, which

25 Dr. Wapnick testified as to various versions of

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1 the Course. I just want to determine what your
2 recollection of this is.

3 Could you briefly describe for me as
4 best you know it -- then I'll ask you from what
5 source you gleaned this information -- the various
6 steps in leading up to the Course as it exists
7 today, what drafts or whatever it went through?

8 A. What I know now or what I knew then?

9 Q. Well, let's start with what you knew
10 then back in 1975.

11 A. I knew absolutely nothing that day,
12 except I was given a manuscript to look at.

13 Q. When did you first learn that there were
14 various drafts or dictations or typing?

15 A. Well, I was told that at Columbia, when
16 I first met with Helen and Bill, and Ken was there
17 too. I was told that Helen had shorthand
18 notebooks, that she took down this process that
19 came out in words, and that the result was what I
20 was being handed.

21 Q. Did you ever have any conversations -- I
22 don't mean what you read -- but did you have any
23 conversations with Dr. Wapnick in which he

24 described himself the various steps that the
25 Course went through before it got to the stage

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1 it's in today?

2 A. Much later. Yes, I did.

3 Q. Do you recall when that was?

4 A. Well, as recently perhaps as a few
5 months ago when I was surprised at reading
6 something about it. It could have been -- could
7 have been as recently as his testimony that I read
8 that, but I did not have the sequence at that time
9 in my mind at all or until much, much later. It
10 could be also that Bill Thetford talked about it
11 with me at various times -- this was not a very
12 big topic of conversation -- and then on the
13 videotape when he was being interviewed.

14 Q. You mean the period when he was
15 interviewed?

16 A. Yeah. He was an integral part of that
17 process. He was the one I spoke with most about
18 this.

19 Q. Do you recall that videotape that you're
20 referring to of Mr. Thetford?

21 A. Yes, I do.

22 Q. Were you present when that videotape was
23 taken?

24 A. Yes, I was.

25 Q. Who else was present?

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1 A. Well, the producer director, when Bill
2 was being filmed, the technicians, the camera
3 people.

4 Q. When you say "Bill," you're talking
5 about Bill Thetford?

6 A. Bill. Ken was not there. It's possible
7 that a friend of Bill and mine Patricia Hopkins
8 was there, but I'm not sure. So I'm going to say
9 it's possible.

10 Q. Do you know if there were any outtakes
11 that somebody has of that particular interview?

12 A. I'm trying to trace the outtakes where
13 everything was.

14 Q. Sure.

15 A. Everything was brought back to England
16 because this is where the producer editor lived.
17 It was done in film. I went over with Bill
18 Thetford for three weeks of the editing process at
19 the very end. There was a lot of film on the
20 floor that was thrown away. I cannot tell you
21 that there weren't any outtakes of that that still
22 exist, but the only person to know would be

23 Bridget, the producer.

24 Q. She's still alive?

25 A. Yes.

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1 Q. She lives in London?

2 MR. ROSENBERG: When do we leave?

3 THE WITNESS: She'll come here in a second.

4 MR. ROSENBERG: From New York, it will be
5 easier.

6 MR. FABIAN: If I leave a blank space, could
7 we get the phone number and address?

8

9

10 MR. ROSENBERG: Mr. Barber, would you be kind
11 enough to put it on the letter?

12 MR. BARBER: Yes.

13 MR. ROSENBERG: It's very helpful to me.

14 MR. FABIAN: Q. Do you recall during the
15 course of that how did it come about that
16 Mr. Thetford -- that this film of Mr. Thetford was
17 taken? Whose idea was it?

18 A. Again, it was an evolutionary process.
19 In the beginning, I had felt somewhat responsible
20 for having Helen and Bill's tell the story in the
21 first person. I had been living in Manhattan. I
22 have friends who were photographers. I have

23 friends who are film producers. One friend was
24 interested. He said, "I'd do a videotape."

25 Helen refused to do it. She didn't want

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1 a picture of herself taken and she didn't want a
2 video. There was a time when I thought I would
3 get her to agree to do this, and then she backed
4 down.

5 After her death in 1981, I still felt
6 strongly about it, but Bill Thetford did not want
7 to do it. He was very shy. He felt he didn't
8 want to represent A Course in Miracles. As he
9 said, he was a professor who had nothing to
10 profess, and he felt it shouldn't be associated
11 with an individual. He felt that it should speak
12 for itself.

13 So by the time in 1983 rolled around, he
14 had met and become friendly with Bridget Winter
15 through me and became very good friends and loved
16 and trusted each other. She asked him could she
17 do this as a project.

18 Q. Had she read the Course at that time?

19 A. Oh, yes. She had been a student of the
20 Course since quite a while at that point. Yes.

21 Q. Was there any discussion as to what the

22 purpose of this --

23 A. Yes.

24 Q. -- film or video was to be?

25 A. Yes.

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1 Q. What was that discussion? Who said
2 what?

3 A. Basically, again, it was over a period
4 of time, but basically, the gist of it was to get
5 the story down from Bill, how Bill saw it because
6 he was there.

7 Q. Okay.

8 A. That was the purpose.

9 Q. Based upon your recollection at this
10 moment in time, is there anything in that -- I
11 guess I'll call it an interview --

12 A. Yeah.

13 Q. Is there anything in that interview, if
14 we were to watch it today, that today is untrue in
15 what he said?

16 A. It's a long time.

17 Q. If you don't recall, you don't recall.

18 A. I believe that everything he stated was
19 as he saw it, but since I hadn't been there when
20 all of this happened, I can't tell you whether it
21 is true or not.

22 Q. Were you present at the time of the
23 filming of the interview?

24 A. Part of it, not all of it.

25 Q. Do you recall if at that time when Bill

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1 made any statement at all you said to yourself,
2 "that isn't true" or "I don't believe that" or "I
3 guess disagree with that" just to yourself?

4 A. I don't remember.

5 Q. What use was made of this interview
6 after it was completed?

7 A. Well, Bridget wanted it to be as full as
8 possible. She wanted to include other people who
9 had experience with the Course. She felt that it
10 was possible to have it as a documentary, and she
11 was a documentary film maker. This was her
12 genre.

13 She showed it to the BBC. They felt
14 that there wasn't any balance in it. As far as
15 they were concerned, you have to put somebody on
16 the other side, whatever, that would be -- I don't
17 know, but that's what they felt. She felt it
18 could eventually be a film stating how A Course in
19 Miracles came. This is what was her intent was in
20 doing it. So she, actually, I would say, drove

21 what use would be made of the video.

22 Q. Okay. To your knowledge, what use was
23 made of the video?

24 A. The video was eventually --

25 Q. I guess it was on film so we'll call it

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1 the interview.

2 A. The film was put into cassette. It was
3 eventually put on to cassette to help people get
4 an introduction to A Course in Miracles who asked
5 for it, who had study groups or whatever.

6 Q. Does the Foundation have copies of that
7 today that it sells or give away?

8 A. Yes. Both.

9 Q. What do you sell or give away?

10 A. We sell and give away everything.

11 Q. Who owns the rights to that interview
12 today?

13 A. That --

14 MR. ROSENBERG: If you know.

15 THE WITNESS: It's copyrighted by the
16 Foundation. Well, it's copyrighted by the
17 Foundation for Inner Peace. It's been transferred
18 to the Foundation for A Course in Miracles.

19 MR. FABIAN: Off the record.

20 (Discussion held off the record.)

21 MR. FABIAN: Q. In terms of the work that was
22 done by this young lady, was she compensated by
23 anyone?

24 A. She's my age.

25 Q. Okay. This very lovely and young lady,

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1 then.

2 A. It was a gift of love, two years' work
3 for her to the Foundation for Inner Peace, but
4 there was an agreement with her that she would
5 receive a percentage if it would ever sell for
6 television. That was her interest. But since it
7 never was, then she received a percentage of the
8 videotape sale.

9 Q. Fair enough.

10 A. Yeah.

11 Q. I'm going to jump back for a moment that
12 leads me to the questions that we left unfinished
13 in connection with the Foundation.

14 I was going to ask you if you could tell
15 me the sources of income of the Foundation.
16 You've indicated one now, which is the sale of
17 this particular videotape.

18 Are there other videotapes that it
19 sells?

20 A. Yes.

21 Q. What other videotapes do you sell?

22 A. Wait a second.

23 Q. Maybe --

24 A. Yes. We have another videotape.

25 Q. Do you have, like, a catalog or

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1 something?

2 A. That was all supplied. It also appears

3 through our web site.

4 Q. If it's on the web site, we can down

5 load it.

6 A. But all of that was supplied.

7 MR. ROSENBERG: Off the record.

8 (Discussion held off the record.)

9 MR. FABIAN: Q. We will either look through

10 or it will be produced.

11 A. Right. But you were asking about

12 videotapes.

13 Q. Yes. In general and we'll get the

14 specifics later. I don't want to spend a lot of

15 time going through videotapes.

16 Any other income from videotapes or

17 other sources of income -- I'm not talking about

18 donations right now -- that the Foundation has?

19 A. Well --

20 Q. Could you tell me what they are?

21 A. Yes. From the sale of Course in
22 Miracles per se, it's books -- all its
23 translations, royalties where we get a royalty
24 because we have a co-publisher or someone who
25 actually publishes. Translations are not

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1 published by us. Audiotapes. The whole Course on
2 tape, audiotape package.

3 We have an arrangement with an
4 organization called Central Link, and they put
5 together a search program for the Course, and we
6 get royalties on that.

7 Bob Skutch donates royalties from
8 Journey Without Distance, which is his book
9 published by another publisher, but he donates all
10 the royalties to the Foundation for Inner Peace.
11 That's income.

12 We have it all for you listed.

13 Q. Again, I don't want to spend a --

14 A. It's product oriented. We don't have
15 anything on the outside, other income. You said
16 only the books. You don't want to know about the
17 house and stuff.

18 Q. You were about to indicate -- are there

19 other sources of income?

20 A. Well, the rental that is paid on the
21 house is a source of income.

22 Q. In the year of 1998, do you recall what
23 the gross income was, not including donations?

24 A. Not including donations. The gross
25 income. I'm not going to be accurate on this. I

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1 seem to remember that the figure was \$950,000, but
2 I may be off on it.

3 Q. Do you recall what the total donations
4 was in the year 1998?

5 A. I'm going to say around a hundred
6 thousand dollars.

7 Q. From 1990 forward is a hundred thousand
8 been the average?

9 A. From 1990 to what?

10 Q. To 1998.

11 A. No.

12 Q. Is there any norm for what donations are
13 about now?

14 A. Three years ago, we asked people to help
15 us support the language program, so we send out a
16 letter once a year and ask for donations.

17 If they wish to adopt a language, they
18 can choose a language of their choice. We have to

19 apply it to that language or the general fund, and
20 over a period of -- I think this is the fourth
21 year -- it's been fairly consistent. Maybe a
22 little more one year; maybe a little less.

23 Q. In terms of the translations, have you
24 personally determined that the defendants in this
25 case, which we have been calling Endeavor, is

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1 violating the copyright which you claim in any way
2 by translating the Course?

3 A. Yes.

4 MR. ROSENBERG: To the extent it calls for a
5 legal conclusion, but this witness can give her
6 view.

7 MR. FABIAN: That's all I'm asking for.

8 THE WITNESS: You're asking for me
9 personally?

10 MR. FABIAN: Q. Yes.

11 A. Yes.

12 Q. What have you determined factually?

13 A. We determined from information we were
14 given and requests for information from them
15 somebody made, that portions of the work book are
16 being translated or have been translated.

17 I believe that the segments of the work

18 book of our translations, like the Spanish and the
19 German, I believe, if I remember correctly, were
20 actually word for word. So they were taken from
21 our translations, but the other brand-new
22 translation are being translated now, and we have
23 asked them to stop.

24 Q. Have you seen those translations?

25 A. Yes.

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1 Q. You're talking about the work book?

2 A. Yes.

3 Q. The work books that were done, at least,
4 you think they were done by Endeavor?

5 A. I have seen a few. I cannot say for
6 sure how many. But I believe Spanish and German.
7 And then we were told about the rest of them, but
8 I don't remember if we saw the rest of them.

9 Q. When you say you were told, who told
10 you?

11 A. We have something they printed.

12 Q. Do you recall what that is?

13 A. It was a flyer saying, "Get the
14 translations at the desk." One of the people who
15 had attended the Endeavor Academy told us.

16 Q. Is that the flyer we saw yesterday?

17 A. Yes.

18 Q. How did that flyer come into your
19 possession?

20 A. It was sent to us by somebody who had
21 been there and asked us, "Do you know this is
22 happening?" And I believe up until that point --
23 and I can't tell you the date, but, you know,
24 within the last two, three years -- we didn't.

25 Q. Do you have copies of any of these

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1 translations which by reason of this notice you
2 think that Endeavor is doing?

3 A. We submitted those.

4 Q. Okay.

5 A. Yes, we do.

6 Q. Do you have copies of what you called
7 the word-for-word translations?

8 A. Yes.

9 Q. Those, you've submitted as well?

10 A. Those, we've submitted.

11 Q. I'm asking if you submitted the copies
12 of the translations that were not the
13 word-for-word translations that somebody else may
14 have been doing?

15 A. No. But someone from Holland called us
16 and said that she was trying to get one that her

17 friend had in her possession that was the Dutch
18 one.

19 Q. How do you know that that was done by
20 Endeavor?

21 A. Because she said that someone had been
22 from Endeavor Academy and that this other person
23 who was translating was asked by the Endeavor
24 Academy if they would do the translation for
25 them. That's to the best of my recollection.

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1 Q. So the person who called you spoke
2 English?

3 A. Yes.

4 Q. And indicated to you that she had spoken
5 to somebody who said to her that Endeavor had
6 asked this other person to translate --

7 A. That's right.

8 Q. -- into Dutch or whatever language?

9 A. Yes.

10 Q. What's the name of the person who called
11 you?

12 A. I have to look that up.

13 Q. We'll leave a blank in so we can get a
14 name and address.

15

16

17 Now, did you read any other facts that
18 you have to indicate that Endeavor itself is being
19 in your mind, at least, illegally translating
20 either copying word-for-word translations or
21 creating its own translations other than what
22 you've testified to?

23 A. Do I have any --

24 Q. Any other personal knowledge.

25 A. From something someone said to me and

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1 wrote to me.

2 Q. Okay. Fair enough.

3 A. I believe -- but I haven't read the
4 letter -- that was submitted also. I believe it's
5 probably for Attorneys' Eyes, maybe. I don't
6 know.

7 Q. You at least know there was one letter
8 of somebody who wrote to you?

9 A. Yes. And asked please stop this.

10 Q. And you believe you submitted that part
11 in the document production?

12 A. I believe we have. Yes.

13 Q. Now, were you part of any conversation
14 that took place with Penguin when Penguin received
15 whatever right it has to publish?

16 A. Yes, I was.

17 Q. Who initiated it? How did these
18 conversations come about with Penguin?

19 A. Peter Mayer, then CEO, was interested
20 for a few years, I found out later, in acquiring
21 the right to publish A Course in Miracles, and we
22 had a conversation about it.

23 There was an intermediary who we knew
24 and trusted who was a friend of Peter Mayer and a
25 friend of ours who actually got us together. We

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1 saw Peter Mayer on a few different occasions, one
2 of which was at our home in California.

3 Q. When you say "We saw Peter Mayer," who
4 is that?

5 A. Bob Skutch, myself, Ken Wapnick in
6 New York.

7 Q. Did Mr. Mayer contact you as group or
8 did the intermediary?

9 A. The intermediary did the contact.

10 Q. Who was the intermediary?

11 A. Ivor Whitson, who was former president
12 of E.P. Dutton.

13 Q. Do you recall when you first made
14 contact either by phone or personally with -- what
15 was the name?

16 A. Peter Mayer.
17 Q. -- Mr. Mayer?
18 A. Under these circumstances or ever?
19 Q. Under these circumstances.
20 A. Under these circumstances, probably I
21 would say at least six months before we signed a
22 contract with them.
23 Q. Do you recall when you signed the
24 contract?
25 A. Yes. December 1st, 19 -- what is it

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1 now? -- '95.
2 Q. Do you recall how many meetings, not
3 phone conversations, you had with Mr. Mayer
4 personally between the next six-month period?
5 A. I would say at least three, and then in
6 New York prior to signing the contract, an
7 extended period of over a week.
8 Q. When you say an extended period over a
9 week --
10 A. It wasn't just him.
11 Q. Meetings with him and relatives of
12 Penguin?
13 A. Right.
14 Q. What was the subject of these meetings?

15 A. The subject of the meetings was how they
16 should print A Course in Miracles, whether or not
17 they would be authorized in an agreement to change
18 the look of it, and the fact that we did not want
19 them to advertize or misrepresent it.

20 The kind of relationship we all would
21 have, which is very important, and the fact that
22 they wanted us, which means Dr. Whitson and myself
23 and perhaps Dr. Wapnick, to help inform their
24 sales staff and their personnel on what the Course
25 was and how people could use it.

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1 Q. Did you actually do that at some point
2 in time?

3 A. Yes.

4 Q. How did that take place?

5 A. It took place in, I believe, Ft. Myers,
6 Florida at a conference. They were having an
7 international meeting.

8 Q. Do you recall approximately when that
9 meeting was?

10 A. It was not too long after we signed the
11 contract. Certainly before March 1996. My guess
12 is in that winter.

13 Q. Did you and/or anyone else on your side
14 speak to a group --

15 A. Yes.

16 Q. -- in some way?

17 A. Dr. Whitson and I did.

18 Q. How many people did you speak to?

19 A. How many people were in that room?

20 Let's see. Maybe a hundred.

21 Q. These were sales representatives?

22 A. Yes.

23 Q. Did you have any printed material that

24 you gave to them?

25 A. No. Just what Penguin had printed. I

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1 think it was ready then, but I'm not sure.

2 Q. What type of printed material did

3 Penguin have?

4 A. They prepared some announcement which is

5 on the materials supplied to your client.

6 Q. Other than this -- strike that.

7 Do you know whether there was any

8 internal material that Penguin circulated among

9 its staff in connection with the Course and what

10 it was all about --

11 A. No.

12 Q. -- and what the rules were for marketing

13 and so forth?

14 A. I never read any internal memos. I
15 don't know if there were any.

16 Q. What did your husband speak about?

17 A. Oh, probably what I did.

18 Q. Tell me about, again, what you spoke.

19 A. What the Course said, how it could be
20 represented to bookstores or people who had never
21 heard of it before, what category it was, was it
22 self-help? Was it spiritual? Was it religion?
23 Was it educational? How could they represent it.

24 Q. How did you tell them they could
25 represent it?

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1 A. I felt that it was a self-help course
2 based upon a metaphysical concept and it was
3 spiritual psychotherapy. So it could go into the
4 context of psychology, since it was a
5 psychotherapy.

6 It could go into spiritual because it
7 was based upon a spiritual reality, that it was a
8 nondualistic system.

9 It could go into self-help because
10 that's actually what it was designed for, things
11 like that.

12 Q. Did you have any questions from the
13 audience as to the source of the material?

14 A. No.

15 Q. Any questions concerning the authorship?

16 A. No.

17 Q. Do you know whether Penguin internally

18 sent out any documentation or information with

19 respect to the source or the author of the

20 material?

21 A. Are we talking about among themselves?

22 Q. Yes.

23 A. I don't know.

24 Q. That you've ever seen?

25 A. I don't know that.

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1 Q. Did you reach an agreement with someone

2 on the staff of Penguin as to how the marketing

3 would take place at some point? When I say an

4 agreement, I mean an understanding.

5 A. Not really. It was more our business to

6 inform them that we felt this was very important

7 and that it was a safety trusted that we were

8 handing them over. We wanted them to know that we

9 trusted them.

10 Q. During the course of your conversations

11 with Penguin, who was the point person, other than

12 Mr. Mayer? Was there someone else with whom you

13 really had the most contact?

14 A. Yes.

15 Q. Who was that?

16 A. Robert Dreesen, D-r-e-e-s-e-n.

17 Q. Did you meet with Mr. Dreesen more than
18 one time?

19 A. Yes.

20 Q. More than five?

21 A. No.

22 Q. Did he come to California?

23 A. No.

24 Q. Do you know if Mr. Dreesen still works
25 for Penguin?

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1 A. He does not.

2 Q. Do you know where he is today?

3 A. No.

4 Q. Have you had any communication with him?

5 A. Yes.

6 Q. When was the last time?

7 A. Christmas card.

8 Q. By the way, prior to today, you
9 mentioned this, did you read Mr. Wapnick's
10 transcript?

11 A. Yes. I read Mr. Wapnick's transcript.

12 Q. Did you read the transcript of

13 Mr. Barber and Ms. Forbes?

14 A. Yes, I did.

15 Q. Did you discuss with Mr. Wapnick his
16 testimony at all?

17 A. Barely.

18 Q. What does "barely" mean? Three
19 minutes? An hour?

20 A. It means that we had an -- I
21 acknowledged his transcript. I said I read it and
22 that I see that, you know, he did a good job.

23 Q. By the way, prior to today, have you
24 ever given testimony in a deposition?

25 A. No, I haven't.

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1 Q. Have you ever been the plaintiff in a
2 lawsuit, you individually?

3 A. No. It wasn't a lawsuit. It was
4 divorce.

5 Q. Other than the divorce?

6 A. No. Oh, wait. Wait. You mean me
7 personally?

8 Q. I asked you personally. I'll get to the
9 foundation later.

10 A. Not personally.

11 Q. Have you ever been personally the

12 defendant in a lawsuit?

13 A. No.

14 Q. Has the Foundation ever been the
15 plaintiff in a lawsuit?

16 A. Yes.

17 Q. More than once?

18 A. Two, that I can remember. But, of
19 course, I think, again, all that material was
20 supplied.

21 Q. What are the names?

22 A. I'm sorry, but I think -- I don't want
23 to be at a disadvantage.

24 Lawsuit, doesn't it mean it turned to a
25 court case?

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1 Q. When I say "lawsuit," I mean somebody
2 actually sued the other person. It may have not
3 gone to trial.

4 A. A lawyer wrote a letter and brought an
5 action.

6 Q. Has the foundation ever been the
7 plaintiff in an action?

8 A. Yes.

9 Q. Could you tell me who those actions were
10 against and what they were about, generally, if
11 there was more than one?

12 A. This is confidential, because I don't
13 like to say things about --

14 MR. ROSENBERG: Was it filed in court?

15 THE WITNESS: I believe it was filed.

16 MR. ROSENBERG: Then my view is we can't mark
17 it confidential in good faith.

18 THE WITNESS: What if I am wrong?

19 MR. ROSENBERG: Do you want us to go out?

20 THE WITNESS: Bob Skutch knows more about
21 that than I do.

22 MR. ROSENBERG: Let's, for today, mark this
23 confidential, but everybody one can stay in the
24 room.

25 If in fact it wasn't a lawsuit that was

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1 filed, then I don't know that it should be
2 disseminated. Judy's belief is an action was
3 filed but I've had clients --

4 Since there is confusion, for today,
5 let's tall call it confidential, and we'll deal
6 with it that way. If it ends that up Bob Skutch
7 says there was a lawsuit filed, we can undesignate
8 it confidential.

9 CONFIDENTIAL TRANSCRIPT STARTS ON PAGE 150.

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1 MR. FABIAN: Q. Was there ever a lawsuit
2 commenced against Mariam Williamson?

3 A. No.

4 Q. Do you know who she is?

5 A. Yes, I know who she is.

6 Q. Who is she?

7 A. She is lovely young woman who has
8 studied the Course. When I first met her, she was
9 20-something and came to our house and acted as
10 secretary or assistant helper, volunteer, for a

11 while.

12 Then she helped planning in our office
13 for a period of time, not very long, in
14 California. And she was eventually the
15 receptionist, I believe, at the Manly Hall
16 Foundation in Los Angeles, where it was found out
17 that many people were interested in A Course in
18 Miracles and they decided that was a vital point,
19 and maybe they should be those signed of
20 concession within their organization because they
21 felt akinship with the material, and she was asked
22 if she would be the leader.

23 So, yes, I've known her for a long
24 time.

25 Q. When was the last time, do you remember,

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1 you socialized with her?

2 A. Haven't seen her in a while.

3 Q. When is the last time you recall seeing
4 her?

5 A. When was the last time I saw Marian
6 Williamson? At a conference a couple of years
7 ago. Maybe three.

8 (Recess taken.)

9 MR. FABIAN: Q. Would it surprise if I told

10 that you there was an action filed it in Los
11 Angeles by FIP against Mariam Williamson?

12 A. Yes.

13 Q. That would surprise you?

14 A. Yes.

15 MR. ROSENBERG: Off the record for one second.

16 MR. FABIAN: Yes.

17 (Discussion held off the record.)

18 MR. FABIAN: Q. At any time, was there a
19 controversy between the foundation and Marian
20 Williamson?

21 A. It was not a controversy between Marian
22 and the Foundation. There was absolute amazement
23 when her book Return to Love came out and there
24 was no permission given.

25 Q. Who was the publisher of Return to Love?

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1 A. Hopper Collins.

2 Q. Did the Foundation send any
3 correspondence or anything to Harper Collins and
4 Ms. Williamson reflecting what your views were?

5 A. Absolutely. The Foundation called our
6 Foundation could Bert Skutch. This is the work
7 that he did called what Harper Collins and didn't
8 seem to be anyplace once it had talked to the
9 general counsel.

10 He'll have to tell the story. I take
11 this back because I don't remember his details.

12 All I know is when they did not want to
13 respond to us, to the Foundation for Inner Peace,
14 I called Marsha Burger, who is an attorney in New
15 York City, had been former judge, and is a
16 copyright attorney, and a friend of my
17 ex-husband's, and I explained what was happening.

18 MR. ROSENBERG: I don't think you should say
19 what you told counsel because it's
20 attorney-client.

21 MR. FABIAN: Q. What are the facts, as you
22 understand them, that resulted in this situation
23 between Ms. Williamson and the Foundation?

24 A. The facts as I understand them.

25 Q. What was it that the Foundation was not

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1 happy with?

2 A. The Foundation was not happy with,
3 No. 1, there was no request for permission to
4 quote, and there were many, many quotes from A
5 Course in Miracles, direct quotes, that did not
6 have quotation marks around them or references and
7 paraphrases so close to direct quotes that they
8 needed to be identified. That was the problem

9 with it.

10 Q. Okay. Do you recall whether there was
11 any correspondence from anyone on behalf of FIP
12 outlining specifically each and every situation
13 which FIP wanted changed or removed or deleted?

14 A. I believe so.

15 Q. Just because you seem to know better
16 than us, do you know if the documentation relating
17 to that matter was produced?

18 A. I believe so. If it was asked for, it
19 was produced.

20 MR. ROSENBERG: Assuming that you kept it.

21 THE WITNESS: I assume we have it. We have a
22 file.

23 MR. ROSENBERG: And you've maintained that
24 file?

25 THE WITNESS: Yes.

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1 MR. FABIAN: Q. What was the end result,
2 whether it was lawsuit or result of discussion, of
3 this contact?

4 A. The end result was that the general
5 counsel -- the end result, as I best understand
6 it, was that our counsel who knew counsel at
7 Harper Collins indicated to them what had
8 happened. They were astounded. They couldn't

9 believe what had happened. They said that
10 Ms. Williamson said she had permission from the
11 Foundation of Inner Peace. There was a discussion
12 of what she meant by that.

13 Seemed a few years ago she was
14 contemplating a book which she had, I'm not a
15 hundred percent sure if this is the best --

16 MR. ROSENBERG: What the result was.

17 THE WITNESS: The best of my knowledge, she
18 had written a book and had asked permission to
19 quote, and it was not this book. And that was a
20 question because the book didn't get published,
21 and in a few years, this entire book came out. So
22 that it was settled by Harper Collins' counsel,
23 and they agreed to stop printing that edition.

24 We took that back, the book manuscript.
25 It was in a book form by then, and spent, I

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1 believe, three months going over every single word
2 so that we could reference it for them in all
3 languages that we had, and languages that were
4 being translated, and in English, especially. We
5 presented them with the copy for the new edition,
6 which then became soft cover -- paper back which
7 they then published. And there was a royalty fee

8 that was paid for it.

9 MR. FABIAN: Q. To the foundation for Inner
10 Peace?

11 A. To the best of my knowledge, that was
12 how it was settled.

13 Q. Is that book still in publication
14 today --

15 A. Yes.

16 Q. -- to the best your knowledge?

17 A. Yes.

18 Q. Does the foundation in its catalog sell
19 that book as well?

20 A. No.

21 Q. Would Robert Skutch have more
22 information about this than yourself?

23 A. I believe so.

24 Q. Anyone else at the foundation that might
25 have that information about it?

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1 A. No.

2 Q. I believe I read somewhere a statement
3 to the effect that the Course contains various
4 universal spiritual truths.

5 Have you ever heard a statement to that
6 effect?

7 A. Yes. Put in a specific form.

8 Q. Sorry?

9 A. Put in a specific form.

10 Q. What does that mean?

11 A. It means, if we say "God is love," many
12 people can agree, and that other traditions say
13 the same thing, but the way it is said in A Course
14 in Miracles it contends it's a particular form,
15 which we call -- Helen is the one that put it in
16 that form, but the truths in it are not new.

17 The expression of it is new. The
18 form -- not the expression -- the form of it is
19 not new, but I guess the experience is not.

20 Q. You equated those at least in this
21 testimony?

22 A. Yes.

23 Q. Getting back to what we were discussing
24 before we stopped, I moved into another subject
25 discussion as to your knowledge of the various

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1 steps the Course went through before its ultimate
2 distribution in the form that it now exists.

3 As I understand it, initially, whether
4 it was spoken by Jesus or an inner voice -- we
5 won't contest that at the moment -- Helen took
6 down by shorthand various stenographic books --

7 A. That's right.

8 Q. -- in which we call a dictation --

9 A. Yes.

10 Q. -- for the sake of discussion?

11 A. Yes.

12 Q. Is that correct?

13 A. That's correct.

14 Q. Who did you learn that fact from, if you

15 recall?

16 A. I learned that fact from Helen and

17 Bill. I can't tell you which one, because when

18 they told me the story, they each interjected. It

19 was a conversation that involved the two of them

20 to me. So I heard that that day.

21 Q. Okay. After that step, do you know what

22 the next step was? What next happened to the

23 stenographic books? What came next?

24 A. Helen read her portion that was in her

25 shorthand notes aloud to Bill each day or every

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1 other day, or whenever it ever it occurred, and he

2 typed it up because he was the faster typist.

3 That was the next step.

4 Q. I see. Who informed you of that fact?

5 A. Bill. Along the way.

6 Q. Okay.

7 A. As I said, in the beginning, it didn't
8 matter, but along the way.

9 Q. Do you know what the step was after the
10 first retyping?

11 A. After the first retyping, as I
12 understand it, I wasn't there, Helen --

13 Q. Just trying to find out what people have
14 told you.

15 A. Helen and Bill went over the manuscript
16 that Bill had typed up and found considerable
17 changes that needed to be made. Some of them
18 personal in nature, some wording, and some
19 grammar. And then it was retyped by Helen, after
20 she and Bill had gone over the version or text as
21 we call it today. So it was retyped by Helen.

22 Q. So which is the Helen retyping or the
23 Bill --

24 A. Bill typing from Helen's notebooks. So
25 what we call the urtext.

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1 Q. Now, does there exist anywhere the Bill
2 retyping or the Bill typing with the changes that
3 were made before Helen retyped it?

4 A. I believe so.

5 Q. Okay. Where would that exist?

6 A. It would be Ken Wapnick at the
7 Foundation for A Course in Miracles.

8 Q. How does that happen Mr. Wapnick has
9 this and maybe other drafts as well?

10 A. He kept them all. This was after the
11 fact that I came in. It was not the part that I
12 was interested. He and Helen kept them, and when
13 Helen died, they stayed with him.

14 Q. Were you ever advised on what basis they
15 stayed with him? Was it through Helen's will, or
16 did you ever hear a discussion about how it came
17 about that he retains these?

18 A. I can't say it was a discussion. It was
19 just acknowledged that he was to hold them,
20 because he held a lot of Helen's things that she
21 gave him to hold. And she felt that, at least in
22 the conversation that we all had together, that
23 that was Ken's job.

24 Q. Now, when you say a "conversation we had
25 together," did you ever hear Helen and/or Ken

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1 discuss this issue of holding on to these various
2 drafts?

3 A. I don't remember ever hearing Helen and
4 Bill discussing it. I mean, after Helen died,
5 some of her effects were handed actually to Ken,

6 but of course --

7 MR. ROSENBERG: But the answer to the question
8 is you didn't hear of any such conversation?

9 THE WITNESS: I never heard them in
10 conversation. No.

11 MR. FABIAN: Q. Did you ever have a
12 conversation with Ken Wapnick in which he
13 indicated to you the basis on which he was holding
14 these documents?

15 A. I had a conversation at least with Ken
16 Wapnick about where the documents were and why
17 they should be kept there and they should not be
18 in another place of -- someplace else in case
19 anything happened there, with the understanding
20 that he was the one of us who kept that.

21 Q. But he didn't discuss with you why he
22 was the holder of these documents?

23 A. He didn't need to.

24 Q. When you say he didn't need to, why is
25 that?

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1 A. Because there was an understanding from
2 the very beginning that each of us had a role and
3 we were always very clear about that. There
4 wasn't a question about it.

5 Q. Was that understanding? Was that
6 expressed verbally in any way such that you heard
7 it from anyone?

8 A. Absolutely.

9 Q. Who did you hear it from that Ken
10 Wapnick was to retain physical possession of these
11 documents?

12 A. That Ken Wapnick was to retain
13 possession of the documents, I never heard that
14 per se.

15 Q. What did you hear that led you to
16 believe that Ken should have physical possession
17 of the documents?

18 A. That Ken was to be the teacher of A
19 Course in Miracles, that Ken was to have a
20 teaching center, that Helen envisioned what the
21 center would look like, that Ken was the next
22 generation, that Ken should be on our board of
23 directors. The last thing he said to me before
24 she died --

25 Q. What was the last thing?

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1 A. The last thing.

2 Q. What was the last thing?

3 A. "Take care of your little brother, and
4 you know what I mean."

5 Q. Do you know if Helen left a will?

6 A. I never asked.

7 MR. ROSENBERG: Meaning that you don't know?

8 THE WITNESS: I don't know.

9 MR. FABIAN: Q. Okay. Now, there came a
10 time, as I understand it, when Helen had the
11 Course transferred to the Foundation?

12 A. That's right.

13 Q. Were you present when that transfer took
14 place?

15 A. Yes. I was present.

16 Q. Where were you?

17 A. I was standing in my hallway in my
18 entrance hall to my apartment in New York City,
19 and she was coming out from the living room where
20 we had been meditating.

21 Q. What did she say? What did you say
22 which lead you to believe there had been some
23 transfer?

24 A. She actually instructed me to make sure
25 the Course was copyrighted in the name of the

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1 Foundation for Inner Peace, and that I was to be
2 the person through whom this was to happen,
3 through my Foundation, our Foundation.

4 Q. Has this been something that was
5 discussed in prior meetings or discussions or
6 suddenly?

7 A. No. No. It had been discussed on
8 different occasions because various publishers who
9 heard about it came to visit us in our living room
10 and sat down with all of us to say that they would
11 like to publish the Course.

12 Q. The day in which this conversation of "I
13 want you to have the copyright" -- I'm
14 paraphrasing --

15 A. Uh-huh.

16 Q. -- do you recall when that was, what
17 day?

18 A. No. I don't recall the day.

19 Q. Was anyone else present that heard this
20 conversation?

21 A. There was everybody present, meaning
22 Helen, Bill, Ken, and myself and perhaps Bob, but
23 I don't know.

24 Q. Bob Skutch?

25 A. Yeah. Because he was working and he

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1 would come home at a certain time.

2 Q. Was this in the year 1975?

3 A. Oh, yes.

4 Q. Was it before or after you went to
5 California?

6 A. It was --

7 Q. The first time?

8 A. It was not before the first time I went
9 to California, because I went to California the
10 first time about two weeks afterwards.

11 MR. ROSENBERG: After?

12 THE WITNESS: After I met them.

13 It was between the time I went to
14 California and they came with me.

15 MR. FABIAN: Q. Upon hearing this from Helen,
16 what did you then do? Did you communicate to
17 anyone else that she'd asked you to do this?

18 A. I discussed it with -- it was open. It
19 wasn't close. It wasn't just Helen communicating
20 to me. We were all there. Everyone was there.

21 Q. Obviously, this is an important issue to
22 all of us. I'm going to ask you as best you can
23 recall what were the exact words she said to you
24 in the hallway as best you can recall.

25 A. I remember the mood more than the words.

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1 Q. Okay.

2 A. I don't know. I don't want to

3 reconstruct what she could have said.

4 MR. FABIAN: Can we go back? Just go back to
5 her prior answer.

6 (Answer read: Page 165, line 1)

7 THE WITNESS: May I correct that? Because
8 we're talking about a timeline. Okay?

9 That conversation took place in our
10 living room with everyone there. We would often
11 sit, close our eyes, and meditate, and ask for
12 guidance in making decisions. And as I said,
13 other publishers wanted to do this until we
14 finally realized we wanted to do it ourselves.

15 So there is a timeline here during which
16 there were quite a few conversations, but little
17 bit here, a little bit there.

18 MR. FABIAN: Q. Can we at least pinpoint it?
19 Was it before or after your first California
20 trip?

21 MR. ROSENBERG: The first California.

22 THE WITNESS: It was after the first
23 California trip.

24 MR. FABIAN: Q. Was it before the second
25 California trip?

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1 A. Yes.

2 Q. So at least sometime in there, this is

3 when conversation that we just read back on the
4 record that the Course should be copyrighted in
5 the name of the Foundation for Inner Peace through
6 you takes place?

7 A. Right. Right.

8 Q. So at least we have some setting then.
9 My question is do you then communicate this
10 information to anyone else so that the next step
11 can be taken?

12 A. Bob Skutch.

13 Q. What did you say to Bob Skutch?

14 A. Well, the first thing that I remember
15 telling him -- and then I'm not sure. He wasn't
16 there -- but the first thing I remember discussing
17 with him was the fact that I don't like to do any
18 paperwork, and I don't want to have anything to do
19 to with -- anything that involves filing or
20 anything like that because I don't consider myself
21 an expert at that, and he is. I mean, that's a
22 skill that he has with minutiae that he
23 appreciates and I do not.

24 MR. FABIAN: Off the record.

25 (Discussion held off the record.)

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1 MR. FABIAN: Q. Anything else that you want

2 to add?

3 A. I told him that we have to copyright the
4 Course, that Helen told us. I told him that I was
5 kind of surprised because it was all so open at
6 the time, that I never thought that a spiritually
7 relevant document could or should be copyrighted.
8 It never dawned on me. This is not my field, and
9 that it had to be copyrighted. And since he did
10 all paperwork for the Foundation for Inner Peace,
11 that he was going to do that.

12 Q. Prior to the actual filing of the
13 copyright, was there any discussion that it should
14 be copyrighted in anybody else's name besides
15 Helen?

16 A. No.

17 Q. Was there any discussion, for example,
18 that Mr. Thetford's name should be involved since
19 he did the typing?

20 A. No. No. No.

21 Q. Any discussion that it should be in
22 Mr. Wapnick's name because he had made some
23 editorial changes?

24 A. No. This was Helen's book.

25 Q. Turning the question around a little

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1 now, did Mr. Thetford ever asked that he be given

2 part of the copyright?

3 A. No.

4 Q. Did you ever ask that you be given
5 personally part of the copyright?

6 A. No.

7 Q. Did Mr. Wapnick ever ask that he be
8 given part of the copyright?

9 A. No.

10 Q. Okay. Now, we're at the second typing
11 now. Helen has retyped it?

12 A. Right.

13 Q. When she asks that this copyright take
14 place, what stage are we in terms of -- are we in
15 terms of all the drafts, redrafts, whatever?

16 A. We haven't reached it yet.

17 Q. Where are we, though?

18 A. What I seem to recall was the third
19 stage.

20 Q. Which is?

21 A. Which is Helen having copied, typed over
22 a clean copy of hers and Bill's handwritten notes
23 all over the document.

24 Q. Okay. Now, by the way, when you go to
25 California the first time, is that where you have

1 in the clean copy typed by Helen?

2 A. No.

3 Q. Which version do you take with you?

4 A. I take with me a subsequent version.

5 After Ken. See, Ken hadn't come in by that time.

6 Q. I'm trying to understand the time right
7 now. The conversation you just testified to about
8 the copyright takes place between your two
9 California trips --

10 A. Right.

11 Q. -- and I asked you which version do you
12 take to California. You tell me.

13 A. Not those versions.

14 Q. Okay.

15 MR. ROSENBERG: Off the record for a minute.

16 (Discussion held off the record.)

17 MR. FABIAN: Let's go back on the record.

18 Q. We're in 1975, are we not?

19 A. You're asking me to review the various
20 incarnations of the typing.

21 Q. You go to California for the first time,
22 I believe, in 1975?

23 A. Right.

24 Q. You take a version of the Course with
25 you?

1 A. Correct.

2 Q. On that first trip in 1975 to
3 California, which version do you take?

4 A. The nuns' version.

5 Q. What is the nuns' version?

6 A. When Helen initially typed up what I'll
7 call the third version, Ken came into the
8 picture. That was the one that he saw. As far as
9 I can understand, not in chapters, certainly not
10 numbered, but not divided with subchapter, things
11 like that.

12 Q. Right.

13 A. Then he and Helen -- so I understand. I
14 was not there -- he and Helen worked on the
15 revision, which is, I think, in her words he calls
16 editing for the better part of -- I'm not sure now
17 whether it was a year or two. I know that maybe
18 the first part of the year that they were really
19 getting to know each other, but he volunteered to
20 do that because it needed doing, and Bill didn't
21 want to.

22 Q. But this all occurs before your trip to
23 California?

24 A. This occurs in 1973.

25 Q. Okay.

1 A. I'm not in the picture yet.

2 So this gets done over, let's say, two
3 years. My timeline may be wrong. I wasn't
4 there. But it needed typing again. But this went
5 on for two years. I'm told that at that point,
6 Helen knew two nuns, two sisters, she really loved
7 and trusted who lived in East New York, and they
8 were given the document to revise and gone
9 through.

10 See, I don't know if Ken did any typing
11 or not. I never asked him that, and this was
12 retyped one last time. That was the copy I got,
13 because then I came in after that, and it had been
14 sitting there for a few months already retyped, as
15 I understand.

16 Q. Okay. That's clear. Thank you.

17 A. Okay.

18 Q. What is the source of your information
19 as to the changes from the Helen typed copy to the
20 nuns' typed copy? Where did you acquire the
21 information, for example, Ken working on it in
22 some capacity?

23 A. I would imagine Helen and Bill told me.
24 I believe Bill even talks about this.

25 Q. Do you recall any specific conversation

1 or --

2 A. No. It was organic, you know.

3 Q. Not psychic but organic?

4 A. Very different. Organic has to do with
5 the physical world.

6 MR. ROSENBERG: Not extraterrestrial.

7 MR. FABIAN: Clearly not extraterrestrial.

8 Q. Now, when Robert Skutch commences the
9 copyright procedures, is it then the nuns' version
10 that is being submitted for copyright?

11 A. Correct.

12 Q. You have submitted to us -- do we have
13 it here? Maybe we can mark it.

14 There has been produced for us a copy,
15 one version, of the Course during discovery. I'm
16 going to ask that it be marked so maybe you could,
17 since you produced it, can identify which version
18 it is.

19 MR. ROSENBERG: You want to mark the whole
20 thing?

21 MR. FABIAN: Maybe we can mark the front page.

22 THE WITNESS: It has the table of content as
23 the front page.

24 MR. ROSENBERG: Off the record.

25 (Discussion held off the record.)

1 MR. FABIAN: We're going to have deemed
2 marked -- but we'll only have several pages Bates
3 stamped FP 00548 through FP 01992. In addition to
4 that, then we have 2744 through 2763 --
5 Exhibit 20.

6 (Defendants' Exhibit 20 was marked for
7 identification.)

8 MR. FABIAN: We've deemed marked the entire
9 version.

10 Q. Now, since you, in effect, produced this
11 document for us, can you tell us which version,
12 without having to go through every page and
13 perhaps by looking at the first few pages, which
14 version was that you produced for us?

15 A. I believe this is what I call Version
16 No. 4. It looks just like Version No. 4.

17 Q. Is that the nuns' version?

18 A. That's what I call the nuns' version.
19 Maybe Ken calls it the sisters.

20 Q. Okay. Now, on the bottom, there is a
21 reference to copyright, then in a circle 1975, by
22 the Foundation for Inner Peace. Do you know who
23 put that information down on the bottom?

24 A. No, I don't, but it looks -- no, I can't
25 even say.

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1 Q. Do you know where you obtained this
2 particular copy from that you produced? In other
3 words, this is a copy of a copy --

4 A. My two copies were stored under our
5 house, and it was very hard to get. We need two
6 strong man to go in our storage to pull them out.
7 For the purposes of this production of
8 documentation and things, Jim Bolen copied his and
9 he produced them for me.

10 Q. So because you know so much more about
11 this than me, Jim Bolen was the individual. How
12 did Jim Bolen get his copy?

13 A. I gave him his copy in June, mid-June,
14 probably, of 1975 when I came out the first time
15 to California with the document and I had
16 presented it to Dr. Jim Jampolsky. Jim Bolen was
17 the second person.

18 Q. So am I correct, then, that what we have
19 marked as 19 is a copy of --

20 MR. ROSENBERG: That was 20.

21 MR. FABIAN: Q. As I was saying, Exhibit 20,
22 that we're now looking at, am I correct, then,
23 that this is a copy of the copy that was delivered
24 to Jim Bolen by you sometime in June of 1975?

25 A. That's correct.

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1 Q. And that was when you were in California
2 for the first time --

3 A. With A Course in Miracles.

4 Q. -- with A Course in Miracles?

5 A. Yes.

6 MR. ROSENBERG: Can we take five?

7 MR. FABIAN: Can I finish this line of
8 questioning? I'd appreciate it.

9 MR. ROSENBERG: I want to make sure we're
10 absolute sure.

11 (Witness speaking in low voice with counsel.)

12 MR. ROSENBERG: You can finish the line.

13 MR. FABIAN: I would have liked to finish this
14 line of questioning as opposed to counsel talking
15 with the witness.

16 THE WITNESS: I said he probably did but --

17 MR. FABIAN: Let's ask it again.

18 MR. ROSENBERG: That was all, Larry.

19 MR. FABIAN: Q. Okay. Do you know when
20 Mr. Bolen put the copyright information?

21 A. I have no idea, but he was a publisher.

22 Q. Okay.

23 A. But I have no idea when. The copy that
24 I gave him did not have copyright legend on it.

25 Q. Okay. You indicated there was a period

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1 of time in which several publishers were in your
2 living room or whatever to discuss the potential
3 publication of the Course?

4 A. That's right.

5 Q. When you were giving that testimony,
6 what time were you period were you referring to?

7 A. I would say from September '75 up until
8 around February '76.

9 Q. Okay. Which publishers came to talk to
10 you?

11 A. Double Day, Simon and Shoester, and then
12 an independent group who wanted to be publishers
13 who published yoga material.

14 Q. Did there come a time when the decision
15 was made that it should be published by someone
16 other than those three that you just referred to?

17 A. Yes.

18 Q. Who did the first publication?

19 A. The Foundation for Inner Peace.

20 Q. When did the first publication take
21 place?

22 A. It was began in
23 February -- approximately February 14th when the
24 decision was made, and it came out June 22, 1976.

25 Q. Okay. What role, if any, did Eleanor

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1 Criswell played in the determination to publish
2 the Course in Miracles?

3 A. Eleanor Criswell was my advisor from my
4 doctoral program in California. I was still
5 enrolled as a student in that program. I realized
6 that my life had dramatically taken a different
7 turn and decided to share it with her because I
8 had the feeling I was going drop out of the
9 doctorate program.

10 I carried the manuscript in three
11 binders up to where she was for the day, which is
12 the Transpersonal Association of Psychology
13 office, and I told her the story.

14 She said, "Let me look at it," because
15 she was advising me -- she understood that because
16 of this I was probably going to drop out of the
17 program. She took it home, and she called me up
18 to meet her the next day -- this is what I
19 remember to the best of my ability -- and she said
20 she understood that this was something extremely
21 important. And she said she couldn't see me doing
22 anything but this, and I was obviously very moved
23 by it, and she was too.

24 She said, however, "It must be very hard
25 for you to carry it around this way." She said

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1 she had her own little -- it wasn't even a
2 publishing house service. She had her own service
3 that she performed for her doctoral students so
4 when they gave her their thesis manuscript for
5 their Ph.D., she would have it bound in a much
6 smaller version so they can give it to people or
7 hand it out whatever, and she suggested that we do
8 that.

9 Q. When was this again? I don't know if
10 you said that.

11 A. This was in 1975.

12 Q. In terms of your California trips, can
13 you place it a little more closely?

14 A. This is probably at the end of my first
15 California trip, because then I went back to New
16 York and told everyone about this idea.

17 Q. That would be the end of June '75?

18 A. Yeah. Yeah.

19 Q. Did you have any conversations with
20 Eleanor Criswell about putting a copyright notice
21 on the Course at that time?

22 A. Oh, I cannot tell you that I absolutely
23 remember the conversation, but I could not believe
24 that I wouldn't have, because this was to make it

25 available for those people who wanted to look, at

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1 that time, not just a select few professionals
2 that Helen and Bill would allow me to.

3 This was the first step to making it
4 available to the greater public. So I went back
5 to tell Helen and Bill. Actually, I called them
6 but went back to discuss this and whether or not
7 she would permit to do this with us.

8 Q. Are you back in New York?

9 A. I'm back in New York asking their
10 permission.

11 Q. Right. Did you do this in one or more
12 conversations in which everyone is present?

13 A. I don't think so. I don't think it was
14 more than one. No. We decided that it was going
15 to be done now, you know. It should be done
16 modestly. Nobody believed at the time that more
17 than a few people would be interested. It was
18 modest.

19 Q. So you don't recall specifically but
20 it's most probable that Eleanor Criswell said, "We
21 need some kind of copyright notice"?

22 A. I would know that too.

23 Q. What did Helen say when you indicated
24 that Ms. Criswell suggested putting a copyright

25 notice?

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1 A. Helen was the first time one to say, "If
2 we're going to do that, it needs a copyright."
3 She didn't say it that way. I cannot remember the
4 words, but she said it must be copyrighted, and it
5 surprised me that she would feel so adamant about
6 that because it was curious -- that was the frame
7 of mind I was in at the time -- it was curious,
8 and that's when she told me that the voice told
9 her to do it. That's what he wants.

10 Q. Now, prior to when Helen said that the
11 voice told her to do it, was that at the same time
12 that she told you it should be copyrighted in the
13 name of the Foundation for Inner Peace?

14 A. Yes. I want to add here --

15 MR. ROSENBERG: Is it germane?

16 THE WITNESS: Yes.

17 We're going back 24 years. I had two
18 trips to California within a few weeks of each
19 other, and I can't tell you for sure that Eleanor
20 Criswell spoke to me on the first trip or the
21 second trip. I cannot tell you that.

22 MR. FABIAN: Q. But Eleanor Criswell spoke to
23 you about the copyright, as best you recall, prior

24 to Helen raising it for the first time, the
25 copyright issue?

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1 A. To the best of my recollection, I would
2 say that Helen raised it before Eleanor Criswell.
3 I'm not sure that Eleanor Criswell raised it that
4 way. It was just understood, and that's the best
5 I can remember at that time.

6 Q. Okay. If I asked again the question
7 did -- strike that.

8 I think it's clear. I don't want you to
9 repeat yourself.

10 Prior to the decision or the statement
11 by Helen to go ahead and "Let's copyright this,"
12 did Helen suggest at all that either she or you as
13 a group meditate on the issue?

14 A. Most all the time we did that. I cannot
15 tell you of that instant that we all asked for
16 guidance on that. I remember clearly, only my
17 surprise, when Helen told me. We sat as a group
18 and asked for guidance on that.

19 Q. Do you recall that Helen at some point
20 then indicated to you in a conversation that she
21 had gone into meditation and that Jesus had told
22 her to copyright the Course?

23 A. I don't remember that she said she had

24 gone to meditation. I felt that Helen was in
25 communication with her inner voice at whim, and I

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1 didn't think that Helen had to sit down with a
2 group to do that, although we did that most of the
3 time we were together.

4 Q. My question was do you recall whether
5 Helen ever indicated to you that prior to her
6 giving you the go-ahead to do the copyright filing
7 that she had heard from it, the inner voice, or
8 Jesus that she should go ahead and copyright it?

9 A. I don't have any recollection.

10 Q. That's fine.

11 Now, in connection with Helen -- for
12 lack of better a word -- transferring the
13 copyright to the Foundation, did Helen ask for
14 anything in return?

15 A. At that time, it was never discussed.
16 Later on, we insisted.

17 Q. When you say "later on" and "we," when
18 is "later on" and who is "we"?

19 A. I think that, again, Bob Skutch would
20 have a better recollection of this than I because
21 I believe there is something that indicates it,
22 but it was an ongoing process for the

23 publication.

24 We did not think there would be any
25 remuneration. We did not think we would have any

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1 income from this. The first edition was
2 underwritten by 11 percent. We never expected to
3 have it become what it is. So it was not -- it
4 was not discussed at that time. It just didn't
5 come up.

6 Helen gave the copyright to the
7 Foundation for Inner Peace free and clear. It was
8 later on when it came up in discussion. It could
9 have been two years later. I don't remember the
10 date, but I just remember that it happened. I
11 prevailed upon her, since she was going into
12 retirement, and I was concerned about her income
13 that now there were copies that were being sold
14 and we were going to be doing something with the
15 income proceeds besides reprinting and that she
16 should have some remuneration from this.

17 There was some small percentage. It
18 will say in our Foundation minutes. So I don't
19 want to try to recollect something and then
20 perhaps be mistaken.

21 Q. So I guess my next question is did you
22 produce to Fenwick & West those Foundation

23 minutes, as best you recall, reflecting this
24 remuneration in some form. The entire record of
25 the minutes has gone to Fenwick & West.

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1 MR. ROSENBERG: Off the record.

2 MR. FABIAN: Did you get them?

3 MR. BARBER: No.

4 MR. ROSENBERG: I sent them to you.

5 MR. FABIAN: In the last package?

6 MR. ROSENBERG: Yes.

7 MR. BARBER: That's the second production, I
8 believe.

9 MR. FABIAN: That's the one that came the
10 other day.

11 MR. ROSENBERG: It appears that some documents
12 may not have been produced by Fenwick & West to
13 the defendant that were produced to Fenwick & West
14 by the plaintiff.

15 But my understanding of the reason for
16 that is that no protective order has been entered,
17 and my surmise is that what was held back because
18 it was deemed by Fenwick & West to be confidential
19 and that they are awaiting the finalization of the
20 protective order, which we're still awaiting.

21 I sent those minutes Thursday by

22 overnight mail. I received them, I think,
23 Wednesday, had them copied, Bates stamped, and
24 sent out within 24 hours for these depositions to
25 Mr. Fabian and Mr. Cassidy with a letter saying

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1 that they be deemed Attorneys' Eyes Only because
2 of the financial information but suggesting that
3 we could designate that later. So I want you to
4 know.

5 MR. FABIAN: Fine.

6 MR. ROSENBERG: We have been operating under
7 an agreement to in terms of confidentiality, which
8 will do when I get back to my office, if not
9 sooner, meaning next week. I'll work with
10 Mr. Barber on that and other stuff which falls
11 into that category, and the defendant will abide
12 by our own protective order that we have agreed
13 to, meaning that we treat it confidentially.

14 THE WITNESS: May I talk to my attorney?

15 MR. FABIAN: I was going ask for a little
16 break.

17 (Deposition adjourned at 4:29 P.M.)

18

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1 CERTIFICATE OF WITNESS
2 I, the undersigned, declare under
3 penalty of perjury that I have read the foregoing
4 transcript, and I have made any corrections,
5 additions, or deletions that I was desirous of
6 making; that the foregoing is a true and correct
7 transcript of my testimony contained therein.

8
9
10 EXECUTED this _____ day of _____,
11 19 ____, at _____, _____.

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Signature of Witness

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1 CERTIFICATE OF REPORTER

2

3 I, AURA N. CLENDENEN, the officer before whom
4 the foregoing interview was taken, do hereby
5 certify that the witness whose testimony appears
6 in the foregoing interview was duly sworn by me;
7 that the testimony of said witness was taken by me
8 to the best of my ability and thereafter reduced
9 to typewriting under my direction; that I am
10 neither for counsel nor related to nor employed by
11 any of the parties to the action in which this
12 deposition was taken, and further that I am not a
13 relative or employee of any attorney or counsel
14 employed by the parties thereto, nor financially
15 or otherwise interested in the outcome of the
16 action.

17

18 Dated this 7th day of March 1999.

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AURA N. CLENDENEN, CSR NO. 10080
STATE OF CALIFORNIA

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