

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	CG Docket No. 02-278
Junk Fax Prevention Act 2005)	
)	CG Docket No. 05-338
Rules and Regulations Implementing the)	
Telephone Consumer Protection Act of 1991)	

**DR. ROBERT L. MEINDERS, D.C., LTD. SUPPLEMENT TO ITS PRIOR
COMMENTS ON THE EMERY WILSON CORPORATION
d/b/a STERLING MANAGEMENT SYSTEMS' PETITION FOR WAIVER**

Emery Wilson Corporation d/b/a Sterling Management Systems (“Emery”) filed a petition on November 10, 2014, seeking a retroactive of the regulation requiring an opt-out notice on fax advertisements sent with “the prior express consent or permission of the recipients”.¹ Emery based its Petition, in part, on “industry-wide confusion” from an apparent inconsistency between a footnote contained in the Commission’s *Junk Fax Order* and section 64.12000(a)(4)(iv).²

Commenter Dr. Robert L. Meinders, D.C., Ltd., the plaintiff in a private TCPA action³ pending against Emery, filed a Comment to Emery’s Petition on December 12, 2014.⁴ The Comment argued, in part, that the Commission should deny the Emery Petition because Emery did not claim that it was actually confused,

¹ Petition of the Emery Wilson Corporation d/b/a Sterling Management Systems for Waiver, CG Docket Nos. 02-278, 05-338 (filed Nov. 10, 2014) (the “Petition”).

² Petition, p. 3.

³ *See* Meinders v. Emery Wilson Corporation, et al., 14-cv-00596 (S.D. Ill.).

⁴ Comment of Dr. Robert L. Meinders, D.C., Ltd. on the Emery Wilson Corporation d/b/a Sterling Management Systems’ Petition for Waiver, CG Docket Nos. 02-278, 05-338 (filed Dec. 12, 2014) (the “Comment”).

there was no evidence of confusion, and Emery's own statements rebutted any presumption of confusion.⁵

Plaintiff now offers to supplement its Comment with new evidence gathered in discovery in the litigation. On May 12, 2015, Plaintiff took the deposition of Emery's corporate representative, Ms. Dana Moraru. In response to a line of questioning about the lack of a compliant opt-out notice on the faxes Emery sent, Ms. Moraru testified that she was not confused about whether an opt-out notice was required on the faxes, but instead had no knowledge of the laws regarding fax advertising:

Q. Did you have any knowledge about what the law was about faxed advertising?

A. No.

Q. Did you have any knowledge about an opt-out requirement before the lawsuit was filed?

A. No.

Q. Were you confused about whether you needed to include an opt-out notice before the lawsuit was filed in May of 2014?

A. I had no idea about the existence of it. Confusion, it's if you know something and you don't understand, but I didn't know about it.⁶

Thus, the evidence clearly shows that Emery was merely ignorant of the law, and not confused about whether it could sent faxes without a compliant opt-out notice. The Commission emphasized "that simple ignorance of the TCPA or the

⁵ Comment, pp. 8-10.

⁶ Deposition Transcript of Dana Moraru (May 12, 2015), 118:21—119:7. The relevant pages are attached hereto as Exhibit A.

Commission's attendant regulations is not grounds for waiver."⁷ There is no good cause to grant Emery's Petition for a waiver and Plaintiff respectfully requests the Petition be denied.

Respectfully submitted,

By: /s/ Julia L. Titolo
One of the Attorneys for Plaintiff

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⁷ *In re Rules & Regulations Implementing the Telephone Consumer Protection Act of 1991; Junk Fax Prevention Act of 2005; Application for Review filed by Anda, Inc.; Petitions for Declaratory Ruling, Waiver, and/or Rulemaking Regarding the Commission's Opt-Out Requirement for Faxes Sent with the Recipient's Prior Express Permission*, CG Docket Nos. 02-278, 05-338, Order, FCC 14-164 (rel. Oct. 30, 2014) ("Opt-Out Order"), ¶26.

EXHIBIT A

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF ILLINOIS
3
4 DR. ROBERT L. MEINDERS, D.C.,
LTD., individually and as
5 the representative of a
class of similarly situated
6 persons,
7 Plaintiff,
8 vs. CASE NO. 14-cv-00596
9 THE EMERY WILSON CORPORATION,
d/b/a STERLING MANAGEMENT
10 SYSTEMS, and JOHN DOES 1-12,
11 Defendants.
~~~~~  
12  
13  
14  
15 DEPOSITION OF  
16 DANA MORARU  
17  
18 May 12, 2015  
19 10:18 a.m.  
20  
21 2029 Century Park East  
Suite 600  
22 Los Angeles, California  
23  
24 Dawn Schetne, CSR No. 5140  
25

Page 2

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16  
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21  
22  
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24  
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Page 3

1 INDEX OF EXAMINATION  
2  
3 WITNESS: DANA MORARU  
4 EXAMINATION PAGE  
5 By Mr. Piper 6  
6  
7  
8 INSTRUCTION NOT TO ANSWER  
9 PAGE LINE  
10 38 14  
39 16  
11 83 3  
85 14  
12 86 7  
86 24  
13 87 3  
88 2  
14 88 7  
89 15  
15 92 15  
92 22  
16 97 9  
102 11  
17 102 21  
108 10  
18 108 20  
137 25  
19 138 6  
173 6  
20 173 12  
174 17  
21 174 23  
178 14  
22 179 19  
180 4  
23 180 13  
181 5  
24  
25

Page 4

1 INDEX TO EXHIBITS  
2  
3 Exhibit Description Page  
4 1 Amended notice of deposition 25  
5 2 Postcard 29  
6 3 Pages from Sterling employee  
handbook 77  
7  
8 4 Four-page document entitled 86  
"Welcome To My Website"  
9 5 One-page document entitled 88  
"Dead File Routing Form"  
10  
11 6 Dead file for Robert Meinders 91  
12  
13 7 Two-page document entitled 96  
"Enrollment Agreement Sterling  
Management Program"  
14  
15 8 Fax regarding Sterling 98  
workshop in Philadelphia  
16 9 Special invitation for 109  
practice management workshop  
17  
18 10 One-page document regarding 111  
Philadelphia workshop  
19 11 Fax regarding Austin 113  
workshop preparations  
20  
21 12 Two-page document regarding 113  
workshop in Chicago  
22 13 One-page document regarding 116  
Universal Hilton workshop  
23  
24 14 Sterling Fax Cover Sheet 117  
25  
15 One-page document entitled 119  
"Sterling Management Systems  
Client Account Calculation  
Sheet"

Page 5

| Exhibit | Description                                                                                   | Page |
|---------|-----------------------------------------------------------------------------------------------|------|
| 16      | Two-page document regarding workshop in Minneapolis                                           | 123  |
| 17      | Special invitation for workshop in Chicago                                                    | 126  |
| 18      | Letter to Dear Doctor from Ben Rei, with attached certificates of achievement                 | 131  |
| 19      | One-page handwritten document                                                                 | 135  |
| 20      | Four-page document entitled "Organizing Board"                                                | 138  |
| 21      | One-page handwritten document                                                                 | 138  |
| 22      | One-page handwritten document                                                                 | 141  |
| 23      | Defendant's supplemental responses and objections to plaintiff's first set of interrogatories | 171  |
| 24      | Defendant's responses and objections to plaintiff's first set of interrogatories              | 171  |
| 25      | Two-page document entitled "Sterling's 28th Year of Practice Management"                      | 172  |
| 26      | Two-page document entitled "A Personnel Manual for CEOs"                                      | 174  |
| 27      | Two-page document entitled "About L. Ron Hubbard Management Technology"                       | 176  |
| 28      | Five-page document entitled "Scientology"                                                     | 180  |

Page 7

1 A. Filing clerk.  
 2 Q. When did you become director of public affairs?  
 3 A. In '94.  
 4 Q. Did you have any other positions between '88  
 5 and '94?  
 6 A. Yes, many positions.  
 7 Q. Why don't you go through them as best you can.  
 8 A. Okay. From filing clerk in our central files,  
 9 I went to quality control position, which was helping  
 10 with examination of our clients after their services,  
 11 meaning some training and consulting. And I was  
 12 promoted to the assistant to the vice-president for  
 13 technical services for a pretty good period of time, I  
 14 think about two years or so. Then I took over  
 15 personnel, hiring, so I did a lot of -- and marketing.  
 16 And that was until '92, something like that. And then  
 17 for a pretty short period of time, probably less than a  
 18 couple of years, I was over the technical services,  
 19 meaning all consultants and their admins.  
 20 Q. What was the last word?  
 21 A. Their admins, technical administrators. Then I  
 22 took over the director of public affairs, which has been  
 23 a long time. 21 years.  
 24 Q. So that was 1994?  
 25 A. (The witness nodded her head.)

Page 6

1 DEPOSITION OF DANA MORARU  
 2 May 12, 2015  
 3  
 4 DANA MORARU,  
 5 having been first duly sworn, testifies as follows:  
 6 EXAMINATION  
 7 BY MR. PIPER:  
 8 Q. Could you state your name for the record?  
 9 A. Dana Moraru.  
 10 Q. And where do you reside?  
 11 A. Thousand Oaks, California.  
 12 Q. Okay. Could you give me the street address,  
 13 please.  
 14 A. The street?  
 15 Q. Yes, please.  
 16 A. It's 2993 Darlington Drive in Thousand Oaks,  
 17 91360.  
 18 Q. How are you currently employed?  
 19 A. How I am employed? I'm employed by Emery  
 20 Wilson and Sterling.  
 21 Q. Okay. Do you have a job title there?  
 22 A. Yes. I'm director of public affairs.  
 23 Q. When did you start work there?  
 24 A. Oh. 1988. 27 years ago.  
 25 Q. And what position did you start in?

Page 8

1 Q. Have you ever been deposed before?  
 2 A. Yes.  
 3 Q. Okay. How many times?  
 4 A. Just once.  
 5 Q. What kind of case was that?  
 6 A. It was an employment matter with a temp agency  
 7 while I was over the personnel. A long time ago.  
 8 Q. So as you may remember, the court reporter is  
 9 taking down what you say.  
 10 A. Yeah.  
 11 Q. If she needs help with a word or something, but  
 12 the more you can speak up, that will make it easier for  
 13 her. If you don't understand one of my questions, feel  
 14 free to ask me to rephrase it. Sometimes I am slow  
 15 speaking, so if you can wait until I finish the question  
 16 before you answer, that will probably make a cleaner  
 17 record. And sometimes your counsel -- or the company's  
 18 counsel may object to a question, and unless she  
 19 instructs you not to answer, you can just go ahead and  
 20 answer the question.  
 21 A. All right.  
 22 Q. And if you need a break at any time, feel free  
 23 to ask for one.  
 24 A. Thank you.  
 25 Q. So what do you do as director of public

Page 9

1 affairs?  
2 A. This position oversees all relations with our  
3 clients. I also approve all the marketing, promotions.  
4 Basically relations with our public.  
5 Q. When you say relations with clients, what do  
6 you mean by clients?  
7 MS. TAGVORYAN: Objection. It's a vague and  
8 ambiguous question.  
9 BY MR. PIPER:  
10 Q. Well, for example, is Dr. Meinders, the  
11 plaintiff in this matter, a client of your company, as  
12 far as you're concerned?  
13 A. Yes.  
14 Q. And what makes him a client?  
15 MS. TAGVORYAN: Objection. Calls for a legal  
16 conclusion.  
17 BY MR. PIPER:  
18 Q. And that's where you can go ahead and answer.  
19 Why is he a client?  
20 MS. TAGVORYAN: To the extent you understand.  
21 THE WITNESS: Well, our clients are health  
22 professionals or CPAs or other professionals signing up  
23 for a management program with Sterling. They at one  
24 point in time became our clients, and they get services,  
25 they get consulting, training, seminars, whatever is

Page 10

1 part of their program.  
2 BY MR. PIPER:  
3 Q. Do you have any former clients?  
4 A. Former?  
5 Q. People who signed up once and who are no longer  
6 clients.  
7 A. No, we don't consider them former, but we could  
8 say that some of them are active right now, being more  
9 involved. I have a lot of clients from the '80s  
10 continuing with our programs, and some of them may take  
11 a break for a few years, may come back. They're all  
12 clients.  
13 Q. Do you have any marketing to people that are  
14 not clients?  
15 A. Yes, we have prospects.  
16 Q. Have your responsibilities as director of  
17 public affairs changed since you took the position in  
18 1994?  
19 A. No.  
20 Q. Do you oversee any people in your position as  
21 director of public affairs?  
22 A. Juniors, no.  
23 Q. Pardon me?  
24 A. No.  
25 Q. So you don't have any group of people that you

Page 11

1 direct?  
2 A. No. We are a small company.  
3 Q. Okay. How many people are currently employed  
4 at Emery Wilson?  
5 A. 25.  
6 Q. How many were employed in '94 when you became  
7 director of public affairs?  
8 A. Close to 300.  
9 Q. Is there any particular reason why the number  
10 of people working there has gone down?  
11 A. Well, I can answer with one question. The  
12 economy. One answer I meant. The company went down  
13 with a number of personnel during the years. A lot of  
14 ex-personnel created their own companies. In the '80s  
15 Sterling was the only one with this type of management,  
16 and now there are many based on our ex-personnel.  
17 Q. When you say this type of management, what  
18 particular type of management services does Sterling  
19 provide?  
20 A. We use a specific technology. We call it  
21 management by statistics. We help professionals to  
22 better organize their businesses, basically their small  
23 practices, like dental or chiropractor. They are good  
24 professionals. They don't know how to manage, either  
25 their personnel or their income, their marketing,

Page 12

1 whatever.  
2 Q. Maybe I misunderstood you, but did you say that  
3 people had left the company to set up their own  
4 practices using the same training techniques?  
5 A. Uh-huh.  
6 Q. So do they also use the management by  
7 statistics --  
8 A. Uh-huh, yes.  
9 Q. -- at their new positions?  
10 A. Yes.  
11 Q. Do they use the same types of course materials  
12 as Sterling?  
13 A. Yeah. I cannot speak on their behalf. I don't  
14 know exactly what they use, but technically, yeah, it's  
15 the same.  
16 Q. So when you were a larger number of employees,  
17 did that include more people doing the actual training  
18 sessions?  
19 A. Oh, yes.  
20 Q. How many people do the training sessions now?  
21 MS. TAGVORYAN: Objection. Vague, open ended,  
22 no date range.  
23 MR. PIPER: I said now.  
24 MS. TAGVORYAN: Vague and ambiguous.  
25 ///

Page 13

1 BY MR. PIPER:  
2 Q. So the people at Sterling now, how many do  
3 training sessions themselves?  
4 A. You mean our personnel?  
5 Q. Right.  
6 A. I don't understand the question.  
7 Q. Okay. Are there people that work at  
8 Emery Wilson now who lead seminars that are sponsored by  
9 Emery Wilson?  
10 A. Okay. So we're talking about consultants?  
11 Q. Well, I'm talking about people that actually  
12 are hired by Emery Wilson.  
13 MS. TAGVORYAN: Objection. Ambiguous, vague,  
14 unintelligible, incomplete hypothetical.  
15 THE WITNESS: Yeah.  
16 BY MR. PIPER:  
17 Q. What is it that you don't understand?  
18 A. You are referring to Sterling employees or to  
19 clients? That's what I don't understand.  
20 Q. Right, Sterling employees.  
21 A. Okay. And the question?  
22 Q. You said there were 25 people that worked for  
23 Sterling.  
24 A. Right.  
25 Q. Of those 25 --

Page 14

1 A. Of the 25, okay.  
2 Q. -- are involved in actually doing seminars or  
3 other training sessions.  
4 A. Okay. We have five consultants.  
5 Q. Who do what?  
6 A. They are the primary relation with our public.  
7 They consult the public.  
8 Q. And when you say five consultants, would those  
9 be among the 25 people that are employed?  
10 A. Yes.  
11 Q. Okay.  
12 A. We have one supervisor of our training class.  
13 Why it's called supervisor is because we don't have a  
14 lecture. It's just people are studying on their own  
15 based on materials.  
16 Q. Who do you report to as director of public  
17 affairs?  
18 A. To our executive council.  
19 Q. And who's the executive council currently?  
20 A. The name?  
21 Q. Yes.  
22 A. Kevin Wilson.  
23 Q. Is the council just one person?  
24 A. No.  
25 Q. So Kevin Wilson is one. How many are on the

Page 15

1 executive council?  
2 A. Barbara Wilson.  
3 Q. Barbara Wilson.  
4 A. And that's it.  
5 Q. So it's those two people?  
6 A. Yes.  
7 Q. What is Mr. Wilson's title?  
8 A. Chairman of the board.  
9 Q. And how about Barbara Wilson?  
10 A. She's senior vice-president of public.  
11 Q. And those are the only two people on the  
12 executive council?  
13 A. Yes.  
14 Q. Is Barbara Wilson related to Kevin Wilson?  
15 A. Yes. His wife.  
16 Q. Okay. Were those the people you've always  
17 reported to as director of public affairs? Is there  
18 anyone else?  
19 A. No.  
20 Q. Who are the other people that report directly  
21 to the executive council?  
22 A. We have a so-called advisory council. We have  
23 a person that oversees the personnel, a person who  
24 oversees the technical services, another person who  
25 oversees the quality control, finances, and so forth.

Page 16

1 That's the advisory council.  
2 Q. So the advisory council consists of the people  
3 you just described?  
4 A. Right.  
5 Q. The person in charge of personnel, technical  
6 service, and so forth?  
7 A. Right.  
8 Q. Is the advisory council the only entity or  
9 person within Emery Wilson that reports directly to the  
10 executive council?  
11 A. Yes.  
12 Q. And has that structure changed since 1994?  
13 A. No.  
14 Q. What work did you do before you came to  
15 Emery Wilson?  
16 A. I came in U.S. from Romania in '86 and was  
17 briefly employed at a small company doing data entry,  
18 computer data entry.  
19 Q. So is Sterling Management Systems a business  
20 name for Emery Wilson Corporation?  
21 A. Actually, it changed as Sterling.  
22 Q. Now it's just called Sterling?  
23 A. It's called Sterling. dba Sterling.  
24 Q. Okay. Are there any other doing business names  
25 that Emery Wilson uses?

Page 17

1 A. Yes, we have a few more dba's. Sterling  
2 Dentist, Sterling CPA, Sterling Veterinarians.  
3 Basically all the professions we work with.  
4 Sterling OD.  
5 Q. What is OD?  
6 A. Eye doctors.  
7 Q. Oh, okay.  
8 A. I don't know how many.  
9 Q. Is there one for chiropractors?  
10 A. I don't think so. I don't know. I'm not sure.  
11 I don't know.  
12 Q. Okay. When did it change from Sterling  
13 Management Systems to Sterling?  
14 A. To the best of my recollection, I think it was  
15 2007.  
16 Q. And was there a reason for making that change?  
17 A. I -- let me think for a second if there was a  
18 reason. I think it was more related to the fact that we  
19 started to promote more individually to each group.  
20 Meaning we had newspapers or letters directed to  
21 separate dentists, separate CPAs. It might be  
22 chiropractors as well. There are about 70 different  
23 dba's.  
24 Q. Okay.  
25 A. In the past we were promoting to everybody, one

Page 18

1 bulk thing. Now we started to divide, and I think  
2 that's -- if -- that's my recollection.  
3 Q. Okay. So the actual substance of the seminars  
4 became more specialized to the particular target groups?  
5 A. Not necessarily that, no. Not the seminars,  
6 no.  
7 Q. But it was the marketing that became more  
8 targeted?  
9 A. Right.  
10 Q. As director of public affairs, do you have  
11 responsibility for the various websites for the Sterling  
12 business?  
13 A. My responsibility is to see if the copyrights  
14 are correct, if the content of the websites reflect  
15 correctly what we're doing, and so forth. I'm  
16 overseeing that aspect.  
17 Q. Do you oversee the actual preparation of the  
18 content?  
19 A. Not the preparation.  
20 Q. Do you manage the domain names for the  
21 websites?  
22 A. What do you mean by manage?  
23 Q. Well, I saw something that referred that you  
24 owned the Sterling Management Systems URL for that  
25 thing. I don't know if that's true or not. Is that

Page 19

1 true?  
2 MS. TAGVORYAN: Objection. Vague and  
3 ambiguous. I don't know what you mean by "you." Are  
4 you referring to the company or to the individual?  
5 BY MR. PIPER:  
6 Q. Do you individually own any of the domain names  
7 for any of the Sterling websites?  
8 A. I don't own them.  
9 Q. Okay. Are you the one at Sterling that would  
10 register those websites for Sterling?  
11 A. No.  
12 Q. Has there ever been any different corporation  
13 other than Emery Wilson that was doing business as  
14 Sterling Management Systems?  
15 A. No.  
16 Q. Are there any affiliated companies of  
17 Emery Wilson that are involved in the Sterling  
18 Management Systems business?  
19 A. Not currently.  
20 Q. Was that ever the case? Was there a time when  
21 that was the case?  
22 A. Was it what? Excuse me.  
23 Q. Was it ever the case that there were other  
24 affiliated companies that were involved?  
25 A. For a period of time we had a separate

Page 20

1 corporation that was holding the licenses for Sterling.  
2 Copyrights and licenses. J. Chase was the corporation.  
3 We dissolved that corporation.  
4 Q. When was that dissolved?  
5 A. 12 years ago.  
6 Q. What sort of licenses did it hold?  
7 A. We are using a management technology that is  
8 developed by L. Ron Hubbard. And the rights to use his  
9 copyrighted works, it's licensed. And we needed that  
10 license to use this in our business. To use this  
11 technology.  
12 Q. Okay. So J. Chase Wilson used to hold those  
13 licenses?  
14 A. Right, but now Emery Wilson holds the licenses.  
15 Q. How did the -- if J. Chase Wilson held the  
16 license, how did that enable Emery Wilson to use the  
17 materials, if you understand my question? In other  
18 words, if the license holder was J. Chase Wilson, how  
19 was Emery Wilson able to use the materials?  
20 A. It was the same owner, and for paying royalties  
21 as a company to the license holder.  
22 Q. Have you read that license at any time? Have  
23 you ever seen it?  
24 MS. TAGVORYAN: Objection. This whole area of  
25 questioning is completely irrelevant.

Page 21

1 THE WITNESS: I feel it's irrelevant.  
2 BY MR. PIPER:  
3 Q. Have you read the license?  
4 A. Read the license? Yeah.  
5 Q. Okay. And does it include that Emery Wilson  
6 can use the materials?  
7 A. Yeah.  
8 Q. Okay.  
9 A. Sure.  
10 Q. And is that the same management by statistics  
11 system that you talked about earlier?  
12 A. Uh-huh.  
13 Q. And is the license owner the WISE organization?  
14 A. Yes.  
15 Q. The seminars that are presented by  
16 Emery Wilson, do they ever have people leading the  
17 seminars or giving presentations that are not employees  
18 of Emery Wilson?  
19 A. No.  
20 Q. So the people that have left Emery Wilson to  
21 set up their own competing businesses don't work with  
22 Emery Wilson in presenting the training?  
23 A. No.  
24 Q. Okay. Have you ever been director of finances  
25 at Sterling?

Page 22

1 A. Yes.  
2 Q. Are you currently director of finances?  
3 A. Yes.  
4 Q. Okay. So what do you do as -- what other  
5 positions other than director of public affairs and  
6 director of finances do you hold at Emery?  
7 MS. TAGVORYAN: Objection. Asked and answered.  
8 MR. PIPER: Well, she didn't mention this one  
9 the last time, so I'm just asking if there are any  
10 others.  
11 Q. So what are all the positions that you hold at  
12 Emery Wilson?  
13 MS. TAGVORYAN: That you didn't mention.  
14 THE WITNESS: Director of finances and director  
15 of public affairs.  
16 BY MR. PIPER:  
17 Q. And that's it, just those two positions?  
18 A. Yeah.  
19 Q. What do you do as director of finances?  
20 A. I oversee the ingoing and outgoing of finances  
21 for Sterling.  
22 Q. Do you have people that report to you as  
23 director of finances?  
24 A. One.  
25 Q. And who's that? What's their position?

Page 23

1 A. It's my assistant. Olga Chrcisos,  
2 C-h-r-c-i-s-o-s.  
3 Q. And as director of finances, do you also report  
4 to the executive council?  
5 A. Yes.  
6 Q. Are you aware of a website for Sterling called  
7 sterlingdc.net?  
8 A. Not -- I don't know.  
9 MS. TAGVORYAN: Objection. All of this area of  
10 questioning about licenses, affiliates, websites are not  
11 in the deposition notice.  
12 MR. PIPER: Well, if you're objecting that  
13 she's not authorized to speak as the company  
14 representative --  
15 MS. TAGVORYAN: It's not one of the categories  
16 in the deposition notice, so if you wanted to ask about  
17 this, you should have added the category to the  
18 deposition notice.  
19 MR. PIPER: Well, I can ask her anything I  
20 want. It may not be --  
21 MS. TAGVORYAN: Correct, but I'm putting on the  
22 record that all of this area of questioning is not in  
23 the deposition notice.  
24 MR. PIPER: Okay. So you're just saying that  
25 she's not here as corporate representative?

Page 24

1 MS. TAGVORYAN: I am not saying that. I'm  
2 saying this is not in the deposition notice.  
3 MR. PIPER: Okay. So that's noted.  
4 Q. Are you familiar with a website called  
5 sterlingmanagementsystems.net?  
6 A. Yes. It used to be. I don't know.  
7 Q. Okay. That one is no longer in effect?  
8 A. Correct.  
9 Q. Did that go out of effect because of the name  
10 change?  
11 A. Not necessarily, but that was the orientation  
12 we had, to have different websites for each profession.  
13 Q. How about sterling-management.com?  
14 A. That's an E-mail.  
15 Q. So that's a URL that you use mainly for E-mail  
16 purposes?  
17 A. Uh-huh.  
18 Q. How about practice-management.sterlingcpa.net?  
19 A. I'm not sure if that's being used right now.  
20 Q. What's the main -- is there a main website for  
21 Sterling now?  
22 A. sterling.us.  
23 Q. Does Emery Wilson have any other websites other  
24 than sterling.us?  
25 A. No. All of our websites are under Sterling.

Page 25

1 Q. Does Emery Wilson have any business other than  
2 Sterling?  
3 A. No.  
4 Q. I'm marking as Exhibit 1 an amended notice of  
5 deposition pursuant to Federal Rules Civil Procedure  
6 30(b)(6), dated April 21st, 2015.  
7 (Exhibit 1 was marked.)  
8 MS. TAGVORYAN: Thank you.  
9 THE WITNESS: Okay.  
10 BY MR. PIPER:  
11 Q. Have you seen this document before?  
12 A. Yes.  
13 Q. And is it your understanding that you're  
14 appearing today as a representative of Emery Wilson to  
15 testify about the topics listed on the third page?  
16 A. Sure.  
17 Q. So that is your understanding?  
18 A. Yes.  
19 Q. And are you prepared to talk about the seven  
20 topics that are listed on the third page?  
21 A. Sure. To the best of my knowledge, sure.  
22 Q. Did you do anything -- apart from talking to  
23 your lawyer, did you do anything to become more  
24 knowledgeable about any of these topics for the  
25 deposition today?

Page 26

1 A. No.  
2 Q. Did you review any documents to be able to talk  
3 about these topics today?  
4 A. No, not necessarily, outside of the exhibits  
5 that we have. That's it. I didn't do anything else.  
6 Q. Okay. When you say the exhibits that we have,  
7 what are you referring to?  
8 A. A and B as you're naming them here.  
9 Q. Okay.  
10 A. The two --  
11 Q. The exhibits to the complaint, the two faxes?  
12 A. Yes.  
13 Q. Did you talk to anybody at Emery Wilson to get  
14 ready for your deposition today?  
15 A. No.  
16 Q. Turning to the first topic, which is the  
17 circumstances surrounding how Sterling Management  
18 obtains fax numbers prior to transmitting faxes similar  
19 to the faxes attached to plaintiff's pending  
20 class-action complaint.  
21 Do you know how Sterling obtains fax numbers  
22 that are used to transmit faxes advertising seminars of  
23 Sterling?  
24 A. Yeah.  
25 Q. So how does Sterling get those fax numbers?

Page 27

1 A. We have a few ways. We have a postcard that is  
2 sent in the mail, along with our newspapers or dear  
3 colleague letters, and potential client's response with  
4 that card.  
5 Q. Is the card included both in the mailings and  
6 in the newspapers?  
7 A. It's included in the newspapers. It's like a  
8 physical card. It's an insert.  
9 Q. Okay.  
10 A. It could be a return. It has postage.  
11 Q. Are there mailings other than the newspapers  
12 that include those cards?  
13 A. The what?  
14 Q. Are there mailings besides the newspapers that  
15 include those cards?  
16 A. No, the newspapers. And, as I mentioned, we  
17 have a dear colleague type of letter.  
18 Q. So there's newspapers, there's dear colleague  
19 letters. Are there any other means that you use to  
20 distribute those postcards?  
21 A. No.  
22 Q. Has that been the case as long as you have been  
23 at Emery Wilson?  
24 A. Correct.  
25 Q. Okay. Other than the physical cards that go

Page 28

1 with those mailings, are there any other ways that you  
2 get fax numbers for sending faxes?  
3 A. Direct contact.  
4 Q. Any other means?  
5 A. Phones. Most -- I mean, the majority is done  
6 on a period of time. It's not from the beginning. The  
7 first thing is the card. That's what I want to make  
8 clear. It's a sequence of events. First is the card  
9 that we get. Then --  
10 Q. So if there is -- I'm sorry. I didn't mean to  
11 interrupt you.  
12 A. After the card is received, we contact them by  
13 phone. If the card comes back and somebody says yes,  
14 I'm interested, somebody will call. So it's a contact  
15 by phone. The fax is already on the card. It could end  
16 here, thank you very much, end of story, or it can move  
17 forward and they become our clients by signing to a  
18 program. So at that point we continue the phone  
19 contacts. We have a contract and so forth. These are  
20 different means to obtain their information.  
21 Q. And just to make sure I'm understanding, in the  
22 vast majority of cases, you would have gotten back a  
23 return of a physical card before you would make the  
24 phone contact or the direct contact?  
25 A. Yeah. In all the cases, yeah.

Page 29

1 Q. In all the cases. Let's see. I'm going to --  
2 you've got a set of your production; right?  
3 MS. TAGVORYAN: I did, but I think I gave it to  
4 my assistant. Let me check. You don't have two copies?  
5 MR. PIPER: I've only got one handy, which  
6 is -- I just want to figure out if that's the postcard  
7 that she's talking about.  
8 MS. TAGVORYAN: You can show it to her.  
9 THE WITNESS: Yeah.  
10 BY MR. PIPER:  
11 Q. Okay. So I'll go ahead and mark what's been  
12 produced as Sterling 18 and 19. It's two pages.  
13 Do you know if there's a stapler somewhere in  
14 here?  
15 MS. TAGVORYAN: Let's see. Yeah. While we are  
16 at it, can we take a short break?  
17 MR. PIPER: Sure. Well, if we can just answer  
18 this question.  
19 MS. TAGVORYAN: Okay. Because I drank too much  
20 water.  
21 (Exhibit 2 was marked.)  
22 BY MR. PIPER:  
23 Q. So I'm going to show you that Exhibit 2. Is  
24 that an example of the postcard you're talking about?  
25 A. Yes.

Page 30

1 MR. PIPER: Why don't we take a break now.  
2 MS. TAGVORYAN: Okay. Thanks.  
3 (Recess.)  
4 BY MR. PIPER:  
5 Q. Okay. So why don't you explain to me what  
6 Exhibit 2 is.  
7 A. Okay. As I said, it's a card. It's a pretty  
8 plain cardboard white card that goes as an insert in our  
9 mails, our newspapers. And whoever is interested in  
10 receiving a DVD or is interested in talking to us,  
11 sending this card back to us.  
12 Q. Has the format of the card changed since you've  
13 been working at Sterling?  
14 A. Never.  
15 Q. Okay. Did you always have the DVD involved?  
16 A. It was called video a few years ago.  
17 Q. Okay. It's one of those tapes that you put  
18 into a machine?  
19 A. Yeah. Now it's called DVD.  
20 Q. Did it always include a blank for a fax number?  
21 A. Yeah.  
22 Q. When you get a card like this back that's been  
23 filled out by -- at that point they would be called a  
24 prospect? Is that the term? Or what would you call  
25 them?

Page 31

1 A. No, we call them leads.  
2 Q. Leads. Okay. So if you get a card filled out  
3 by a lead, what do you do with the information on the  
4 card?  
5 A. They get to a person who is contacting them  
6 over the phone.  
7 Q. And when you sent out the mailer to this lead,  
8 where did the information come from to send the mailing?  
9 What sources of information did you have to send them  
10 this?  
11 A. We didn't send any mail to them.  
12 MS. TAGVORYAN: Objection. A vague and  
13 ambiguous question, compound.  
14 BY MR. PIPER:  
15 Q. Well, how did these cards get to the leads to  
16 fill out?  
17 A. First we sent the magazines, the newspapers  
18 out. They fill in the card. We get the card. The card  
19 becomes the lead. We call it lead. The card itself,  
20 called lead, goes to a person who's calling them.  
21 Q. Okay. And do these cards also go out with the  
22 dear colleague letters?  
23 A. Yes.  
24 Q. Okay. My question is where do you get the  
25 information to send out the dear colleague or the

Page 32

1 magazines in the first place?  
2 A. Oh. We have mailing lists.  
3 Q. Would that be sort of like purchased lead  
4 lists, like InfoUSA or something like that?  
5 A. Yes.  
6 Q. Is InfoUSA the one you used, do you know?  
7 A. We did use InfoUSA. We used professional --  
8 like dental -- dental association lists. Different  
9 sources.  
10 Q. But -- at the point where you're just sending  
11 out the mailing of the magazine or the dear colleague  
12 letter, was that always done based on a third-party list  
13 that you had gotten from a vendor?  
14 A. Yes.  
15 Q. You never used your own internal lists for the  
16 mailings?  
17 A. No.  
18 Q. Okay. Once you get the card back and somebody  
19 has become a lead, do you have a way of storing that  
20 data?  
21 A. No, we don't store that data until a person --  
22 it's just one person calling them. That's the process.  
23 So it's a person calling them to find out if it's a  
24 legitimate interest from that person. It could be just  
25 send me the DVD, that's all I care about. We don't keep

Page 33

1 at all those. We trash them.  
2 Q. Okay. So what would the person have to do  
3 to -- for you to maintain their fax number?  
4 A. Well, if the person is interested, then our  
5 salesperson are giving them a phone consultation. And  
6 if they are interested in purchasing services, we send  
7 them out a DVD. If they watch the DVD and they become  
8 interested, they sign up for a program. When they sign  
9 up for the program, then at that point in time they sign  
10 a contract with us, and we get all the information  
11 again, whatever.  
12 Q. And what do you do with that information once  
13 they sign the contract?  
14 A. They become a part of our database.  
15 Q. So the database is only the people who have  
16 actually signed contracts for training of some sort?  
17 A. Purchased something, yeah.  
18 Q. Beyond a DVD? They would have had to purchase  
19 some sort of service?  
20 A. Right.  
21 Q. Do you have a term that you use for sort of the  
22 services you provide, whether it be a seminar or a  
23 consultant?  
24 A. No, seminars are not an item by itself.  
25 Q. Okay.

Page 34

1 A. We have executive programs. Different types.  
2 We have different names.  
3 Q. Do you have an overall name for all the types  
4 of services you provide your clients?  
5 A. It's called management programs.  
6 Q. Okay.  
7 A. That's what they are.  
8 Q. And what are the main types of management  
9 programs? What's the most popular one?  
10 A. We have an introductory package that's very  
11 popular. It's four days of consulting and short  
12 training, like a basic training. We have an executive  
13 booster program, called executive booster program. That  
14 has training and consulting and seminars. Seminars are  
15 free of charge, are included with the package.  
16 Q. Okay.  
17 A. They have an executive booster program which  
18 has more training, more consulting. It's the largest --  
19 yeah, it's our largest package.  
20 Q. How many days does that involve?  
21 A. 14.  
22 Q. 14 days. Now, you've described the  
23 introductory, the executive. Was there another one you  
24 described?  
25 A. It's a smaller package. It's an executive

Page 35

1 booster customized. It's a smaller package.  
2 Q. How many days would that be?  
3 A. 15 hours, consulting hours. The other one has  
4 25. Those kinds of things.  
5 Q. Okay. So besides the introductory, the  
6 executive booster, the customized executive booster, are  
7 there any other basic programs?  
8 A. Yeah. We have a program called SPEEDO. This  
9 is an office visit, so it's not done on our premises.  
10 It's done through the client's office. It trains his  
11 staff and basically organize the office. Establishes  
12 and organize the office.  
13 Q. Any other types of management programs?  
14 A. We have office visits which are -- they don't  
15 include training basically. We send out somebody who's  
16 just organizing the office.  
17 Q. Okay.  
18 A. Short. Three days.  
19 Q. What sort of things would they do to organize  
20 an office?  
21 MS. TAGVORYAN: Sorry. Can you repeat that?  
22 BY MR. PIPER:  
23 Q. In the office visits that doesn't include  
24 training, what sorts of things would the person from  
25 Sterling do to organize the office?

Page 36

1 A. One of the first options is to establish what  
2 job each person has. That's something that apparently  
3 people don't know to devise. They do everything. The  
4 purpose is to organize, to make order in that office.  
5 We have a software that is implemented with the  
6 management by statistics. Each person is given a  
7 statistic that will reflect their production. Then the  
8 idea is to release the owner of the business from all  
9 the management type of functions and have him to just be  
10 the leader of the group and the one who professes  
11 whatever his profession is, dentist, chiropractor,  
12 whatever. There are many options, but that's the whole  
13 purpose.  
14 Q. Is that system used at Emery Wilson itself to  
15 manage the business?  
16 A. Sure.  
17 Q. Is there -- what statistics are there for your  
18 position as director of public affairs?  
19 MS. TAGVORYAN: Objection. Vague and ambiguous  
20 in terms of statistics.  
21 BY MR. PIPER:  
22 Q. In the management structure at Emery Wilson, do  
23 you have statistics to measure your performance as  
24 director of public affairs?  
25 A. Yes.

Page 37

1 Q. Is there one statistic or multiple, or how does  
2 that work?  
3 A. I have multiple.  
4 Q. What would be the statistics that are used for  
5 public affairs?  
6 A. Number of happy clients.  
7 Q. Okay.  
8 A. Meaning I don't have any problems.  
9 Q. Would that be based on forms that clients fill  
10 out at the end of a program or complaints that are  
11 received, or all of the above?  
12 A. All of the above.  
13 Q. And what other -- do you have other statistics?  
14 A. These are subproducts. That's the main thing.  
15 I have other, but they're not -- you know, they're  
16 subproducts.  
17 Q. What is sub --  
18 MS. TAGVORYAN: I just want to put on the  
19 record -- sorry to cut you off -- that counsel is asking  
20 questions related to topics that are not in the  
21 deposition notice, and if he continues to do so, I'm  
22 going to instruct the witness not to answer.  
23 MR. PIPER: Well, I have the right to do that.  
24 MS. TAGVORYAN: You actually don't.  
25 MR. PIPER: I do.

Page 38

1 MS. TAGVORYAN: Under the rules you cannot ask  
2 questions if it's not in the categories in the  
3 deposition notice.  
4 MR. PIPER: Well, we have a disagreement on  
5 that, but --  
6 MS. TAGVORYAN: If you would like, I can point  
7 you to the case law that says that.  
8 MR. PIPER: I can point you to the case law  
9 that says the opposite, including in the southern  
10 district.  
11 Q. Do you have statistics that measure your  
12 performance as director of financial affairs?  
13 A. Yes.  
14 Q. And what are those?  
15 MS. TAGVORYAN: I'm going to instruct the  
16 witness not to answer.  
17 BY MR. PIPER:  
18 Q. Okay. You can answer or not, as you see fit.  
19 Are you going to follow your lawyer's instruction?  
20 A. I think I should. To me, it's not relevant,  
21 but what do I know? I can answer.  
22 Q. You could answer if your lawyer doesn't  
23 instruct you not to? Is that what you're saying?  
24 A. Yeah.  
25 Q. Do you know when Emery Wilson went into

Page 39

1 business?  
2 A. Yes. In '83.  
3 Q. Do you know when in 1988 you began working at  
4 Emery Wilson as a filing clerk?  
5 A. Month?  
6 Q. Yes.  
7 A. What month? October, as a matter of fact,  
8 Halloween day.  
9 Q. Now, I've seen both on the -- well, I've seen  
10 references to Emery Wilson going into business in  
11 September of 1988. Is that contrary to your  
12 understanding, that there was a different corporation  
13 that ran Sterling before that?  
14 A. No, it wasn't a different corporation. It was  
15 a different owner.  
16 Q. Okay. So what happened in 1988?  
17 MS. TAGVORYAN: Objection. Again, this is not  
18 a category in the deposition notice. I mean, is this  
19 whole deposition going to be about the company's history  
20 and who the owners are and who the affiliates are?  
21 Counsel, I mean, can you please explain to me on the  
22 record why you are asking these questions when they are  
23 not in the deposition notice and how they are relevant.  
24 MR. PIPER: Well, I'm asking her personal  
25 knowledge.

Page 40

1 MS. TAGVORYAN: I understand what you're asking  
2 her. My question is different.  
3 MR. PIPER: Right. I'm asking her what I'm  
4 entitled to ask her, which is anything --  
5 MS. TAGVORYAN: You are not entitled to ask  
6 her --  
7 MR. PIPER: Well, we don't need to argue about  
8 what the law is. If you're telling her not to answer a  
9 question about --  
10 MS. TAGVORYAN: I'm going to instruct her not  
11 to answer this line of questioning.  
12 BY MR. PIPER:  
13 Q. Do you know when the content of the marketing  
14 that Sterling did for its seminars was first created?  
15 Was that already created when you began to work there  
16 in --  
17 MS. TAGVORYAN: Objection. Compound question.  
18 Two questions in one.  
19 BY MR. PIPER:  
20 Q. Had that already been created, for example, the  
21 postcard, when you began work there in 1988?  
22 MS. TAGVORYAN: Objection. Vague and  
23 ambiguous.  
24 THE WITNESS: Yeah, I'm a bit confused.  
25 ///

Page 41

1 BY MR. PIPER:  
2 Q. Okay. Had the basic content of that postcard  
3 been created already when you started working there in  
4 1988?  
5 A. Yes, with one exception. The E-mail was not  
6 invented yet.  
7 Q. To your knowledge, the company that ran  
8 Sterling when the content of the postcard was created  
9 was an earlier company with -- or was different  
10 ownership?  
11 A. Yes, it was a different ownership.  
12 Q. Okay. So when the postcard was first created,  
13 who was the ownership for Sterling Management?  
14 A. I cannot -- I know who was the ownership, but I  
15 am not aware of anything prior to the date I was hired.  
16 I cannot respond to that.  
17 Q. But you know there was a different ownership  
18 when the card was created?  
19 A. Yeah.  
20 Q. So who was that ownership?  
21 A. Gregory Hughes.  
22 Q. Was it just Gregory Hughes or Gregory Hughes  
23 and Kevin Wilson?  
24 A. No, only Gregory Hughes.  
25 Q. And did Mr. Hughes have any involvement with

Page 42

1 the company at the time that you got hired?  
2 A. No.  
3 Q. Okay. So once the postcard is received and  
4 there's been a contact where the person has expressed  
5 interest and signed a contract, is that when their  
6 information is put into the database?  
7 A. That's correct.  
8 Q. And has that been the case since you started  
9 back in 1988?  
10 A. Yes.  
11 Q. Do you know, was that true from the beginning  
12 of the business?  
13 A. I'm assuming, yes, but obviously I cannot --  
14 MS. TAGVORYAN: Calls for speculation.  
15 THE WITNESS: I don't know. It's speculation,  
16 correct.  
17 BY MR. PIPER:  
18 Q. Okay. But you don't have any information that  
19 would cause you to doubt that that was the same practice  
20 before you were employed?  
21 MS. TAGVORYAN: Could you repeat the question?  
22 THE WITNESS: I can answer. I can answer.  
23 Going to the folders, the original folders when I was  
24 hired, then I had some visual of existing cards prior to  
25 the date of my hiring. When that started, I don't know.

Page 43

1 BY MR. PIPER:  
2 Q. So when you were hired, you knew that there  
3 were cards that predated your hiring?  
4 A. Yes.  
5 Q. And how about the process of putting the  
6 information in the database once the client signed up?  
7 Was that the practice going back before you were hired?  
8 A. I know that we just started -- at the time that  
9 I was hired, we just started to have computers, so I  
10 don't know if the prior storage -- how it was done, I  
11 cannot answer that question, but we started to enter  
12 data around '87, '88.  
13 Q. Is there a name for the database?  
14 A. We call it central files.  
15 Q. And was central files in existence when you  
16 started in '88?  
17 A. Yes.  
18 Q. Do you know what kind of software is used to  
19 maintain central files?  
20 A. Now?  
21 Q. Yes.  
22 A. It's called Infusion. It's a web-based  
23 program.  
24 Q. Do you know when you started using Infusion?  
25 A. Mid '14.

Page 44

1 Q. 2014. What software did you use before  
2 Infusion?  
3 A. We had ACT.  
4 Q. A-C-T?  
5 A. A-C-T.  
6 Q. And how long did you use ACT?  
7 A. I would say a long time, but let me think.  
8 Early 2000.  
9 Q. And did you use software before 2000 when you  
10 started with ACT?  
11 A. We had Goldmine.  
12 Q. And do you know when you started using  
13 Goldmine?  
14 A. I don't remember. I would say -- just an  
15 estimation, mid '90s.  
16 Q. Did you use software to maintain the database  
17 before Goldmine?  
18 A. I don't think so.  
19 Q. When you would change the software for the  
20 database, would you migrate the data from the old  
21 software to the new --  
22 A. That's my understanding.  
23 Q. Are any of the databases that you use -- are  
24 they all third-party software that you obtained from  
25 some software company?

Page 45

1 A. Meaning did we purchase them or if they worked  
2 for us? I don't understand that.  
3 Q. Well, I guess because you market management  
4 systems, I'm wondering if any of these are a database  
5 that Sterling or Emery Wilson created for data  
6 management.  
7 A. No, they're not our creation.  
8 Q. Okay. They were created by third parties?  
9 A. Yes.  
10 Q. And then you purchased them. Okay. Do you  
11 know whether the plaintiff, Robert Meinders, is in the  
12 database?  
13 A. I think so, yeah. Go ahead.  
14 Q. Have you looked at his entries in the database?  
15 MS. TAGVORYAN: Objection. Vague and ambiguous  
16 as to which database he's talking about.  
17 BY MR. PIPER:  
18 Q. The central files database.  
19 A. Currently he's no longer in our database.  
20 Q. Okay. Why was he taken out of the database?  
21 A. When somebody is asking to be taken off or if  
22 they have a legal situation like the one we have now, we  
23 take them in a so-called dead file.  
24 Q. Okay. And how are the dead files maintained?  
25 A. Currently dead file is still in ACT. We didn't

Page 46

1 move it. We didn't transfer it to Infusion.  
2 Q. And if somebody was in Infusion and then became  
3 a dead file, how could that be recorded? Would they be  
4 in Infusion with a notation that they were a dead file?  
5 A. No. We would take them completely out.  
6 Completely out and move them to the other database.  
7 Q. The ACT database?  
8 A. To the ACT database.  
9 Q. Okay. So after he filed this lawsuit,  
10 Mr. Meinders was taken out of the Infusion database and  
11 put into the ACT database; is that correct?  
12 A. It wasn't Infusion at that time. It was before  
13 Infusion. Yes, he was taken out from the clients to the  
14 dead files.  
15 Q. Well, this lawsuit was filed in 2014, so was  
16 Mr. Meinders -- Dr. Meinders made a dead file before  
17 that?  
18 MS. TAGVORYAN: What month?  
19 THE WITNESS: April, May.  
20 BY MR. PIPER:  
21 Q. Was he taken out of the -- was he ever in the  
22 Infusion database?  
23 A. No.  
24 Q. So he was made a dead file before 2000? Or I'm  
25 sorry. 2014 is when you started Infusion?

Page 47

1 A. Right.  
2 Q. Okay. So he became a dead file when he filed  
3 the lawsuit?  
4 A. Right. He never asked to be taken off.  
5 Q. Are the -- are the fields for the individuals  
6 in the central files the same in the Infusion and in the  
7 ACT database?  
8 A. Yes.  
9 Q. What are the fields in the database?  
10 A. It's the personal contact. We have a field of  
11 notes where we can register information about that  
12 person, including what type of service they get, if they  
13 completed the service. These kind of things.  
14 Q. When you say service, what program?  
15 A. The courses. Program, yeah.  
16 Q. Anything else?  
17 A. Who was the consultant. These kind of things.  
18 Q. How about their contact, including the --  
19 A. All the contact information.  
20 Q. Okay. Is there anything that would note when  
21 they went from -- if they were in the ACT database as a  
22 dead file, would there be anything that would note when  
23 they became a dead file?  
24 A. Can you repeat, please.  
25 Q. Is there anything for the dead files that would

Page 48

1 reflect when the person became a dead file?  
2 A. Yeah.  
3 Q. Is that a field?  
4 A. It's a field.  
5 Q. Okay. And are you able to access the dead  
6 files in the ACT database currently?  
7 A. No, I did not.  
8 Q. Are you able to?  
9 A. Oh, yeah. Everyone.  
10 Q. At the point when you looked at Professor  
11 Meinders' -- I'm sorry -- Dr. Meinders' information, was  
12 he still in central files?  
13 MS. TAGVORYAN: Objection. Assumes facts not  
14 in evidence, misstates prior testimony.  
15 BY MR. PIPER:  
16 Q. You can go ahead and answer.  
17 MS. TAGVORYAN: Can you repeat the question?  
18 THE WITNESS: Yeah.  
19 BY MR. PIPER:  
20 Q. When you looked at the database entries for  
21 Dr. Meinders, was he in the central files at that point,  
22 or was he already in the dead files?  
23 A. I did not look for him.  
24 Q. Okay. You have never looked at Dr. Meinders?  
25 A. For him, no.

Page 49

1 Q. In either file? In either central files or  
2 dead files?  
3 A. Correct.  
4 Q. Do you know whether he was, in fact, moved to  
5 dead files?  
6 A. Yes.  
7 Q. How do you know that?  
8 A. I get informed.  
9 Q. And who informed you of that?  
10 A. The person who is actually doing the central  
11 files. The central file officer.  
12 Q. And who is the central file officer?  
13 A. Eve Alroth.  
14 Q. Can you spell that?  
15 A. E-a -- I need to see if I know how to spell her  
16 name.  
17 Q. Okay. It's Altof, A-l-t --  
18 A. No. It's A-l-r-o-o-t-h. I'm still a third grade  
19 speller.  
20 Q. Okay. And you had a conversation with the  
21 central files officer specifically about whether  
22 Dr. Meinders had been moved to the dead files; is that  
23 correct?  
24 A. Yes.  
25 Q. What was the nature of that conversation?

Page 50

1 A. It's actually not a conversation. It's a form  
2 that we have in writing requesting removal. I think you  
3 have that. And when the removal is done, the form comes  
4 back with the confirmation that it has been done.  
5 Q. Do you save those forms?  
6 A. If I see them, yes. Most of the time I  
7 originate them.  
8 Q. If you got a request that simply stated that  
9 someone didn't want to receive faxes, would that be  
10 sufficient to have them become a dead file?  
11 A. Yes.  
12 Q. Is it correct that the only people that are  
13 sent faxes advertising Sterling management programs are  
14 people that are in the closed files database?  
15 A. Yes.  
16 MS. TAGVORYAN: Wait. Can you repeat your  
17 question so I can state my objection properly?  
18 MR. PIPER: Could you reread the question?  
19 (Record read.)  
20 MS. TAGVORYAN: Here's my objection. Vague and  
21 ambiguous, assumes facts not in evidence, misstates  
22 prior testimony, and I have no idea what database he is  
23 referring to because that was never discussed.  
24 MR. PIPER: Did you get the witness's answer?  
25 (Record read.)

Page 51

1 BY MR. PIPER:  
2 Q. Are there any fax numbers other than from the  
3 closed files database that you send fax advertisements  
4 for the Sterling management programs?  
5 MS. TAGVORYAN: Objection. Vague and ambiguous  
6 as to "closed files database."  
7 THE WITNESS: What do you mean by closed files?  
8 BY MR. PIPER:  
9 Q. Well, earlier when I asked you about the  
10 database -- I'm sorry. You're correct. I meant central  
11 files. So my question is, is it accurate that all of  
12 the fax numbers to which you send faxes advertising  
13 Sterling management programs come from the central files  
14 database?  
15 A. Yes.  
16 Q. And when I said closed files earlier  
17 erroneously, you understood I meant central files?  
18 A. Central files, yeah.  
19 Q. I apologize for that, and I appreciate counsel  
20 pointing it out. And are there any fax numbers outside  
21 the central files database that you use to send  
22 advertisements for the Sterling --  
23 A. No.  
24 Q. Are there people in the central files database  
25 that don't have fax numbers entered?

Page 52

1 A. I don't know. It could be. It's possible.  
2 Q. If somebody didn't have a fax machine, that  
3 wouldn't prevent you from entering --  
4 A. Correct. It's totally possible.  
5 Q. When -- and has the use of fax numbers from the  
6 central files database to send the advertisements  
7 changed during the time that you have worked at  
8 Sterling?  
9 A. No. No.  
10 Q. So it's always been the case that it was only  
11 the fax numbers in central files that the ads went to?  
12 A. Yes. Correct.  
13 Q. When a management program is scheduled -- well,  
14 first of all, the faxes advertising the management  
15 program, did those ever go out when there isn't a  
16 specific management program scheduled?  
17 A. I think that's incorrect. We don't send any  
18 advertising to the faxes that we get out of these cards.  
19 Q. Well, for example, Exhibit A and Exhibit B to  
20 the complaint, are you saying those aren't  
21 advertisements?  
22 A. Yes, they are advertising, but they are not --  
23 these are already clients that signed for a program with  
24 us, and they have the seminars included with their  
25 program.

Page 53

1 Q. Okay. So what was it you -- you thought I was  
2 asking about sending out the postcards?  
3 A. Right. Like, we're not using these faxes that  
4 we collect from the original mailer to have advertising,  
5 is what I'm saying.  
6 Q. Right. Okay. So you're just emphasizing that  
7 the faxes only go to people that you call clients, which  
8 are people that you have previously signed up for a  
9 management program?  
10 A. Complete the program.  
11 Q. Okay. Once someone is a client in the central  
12 files database, do they get advertisements from Sterling  
13 other than advertisements for specific scheduled  
14 programs?  
15 MS. TAGVORYAN: Objection. Assumes facts not  
16 in evidence, lacks foundation. All the last five  
17 questions lack foundation.  
18 THE WITNESS: Okay. I can answer the question.  
19 We use different methods of advertising to our public,  
20 such as cards, postcards, magazines. These kind of  
21 things. Letters.  
22 BY MR. PIPER:  
23 Q. Right. At the moment I'm focusing on faxes,  
24 the faxed advertising.  
25 A. No, we don't use faxes, custom faxes, or

Page 54

1 sending faxes.  
2 Q. Well, you sent faxes to the plaintiff  
3 advertising a couple of programs; correct?  
4 A. Right.  
5 Q. And my question is when you faxed those kinds  
6 of -- when you fax advertisements to clients -- well,  
7 let me step back.  
8 The two faxes that were sent to the  
9 plaintiff --  
10 A. Correct.  
11 Q. -- advertised specific programs within --  
12 A. Correct.  
13 Q. -- the time and place scheduled for them?  
14 A. Correct.  
15 Q. And do you send faxes for those kinds of  
16 programs to people other than Dr. Meinders from time to  
17 time? Is that correct?  
18 A. Only if a person over the phone requests to use  
19 a fax. We don't send faxes to every single client.  
20 That's the way. If we have a client interested, or  
21 somebody from his personnel, and if they request, can  
22 you send me the schedule and the information by fax, we  
23 send by fax. Most of the time in the last four years  
24 for sure we use E-mails and other means.  
25 Q. Okay. But my question -- that's not responsive

Page 55

1 to what I was asking.  
2 A. Okay. Sorry.  
3 Q. Are there any ads, other than the ones that are  
4 for specific programs, that go by fax?  
5 MS. TAGVORYAN: Objection. A vague and  
6 ambiguous question.  
7 THE WITNESS: I don't understand, because we  
8 don't send advertising by fax. We have the magazines --  
9 BY MR. PIPER:  
10 Q. Forget about all of that stuff. I'm talking  
11 about faxes you send.  
12 A. The answer is no.  
13 Q. So you never sent a fax advertisement to  
14 Dr. Meinders?  
15 A. Yes, we did.  
16 Q. Okay. And you send those --  
17 MS. TAGVORYAN: Objection. Two different  
18 questions. Misphrases, misconstrues prior testimony,  
19 and now we're having two different questions asked at  
20 the same time, so compound.  
21 BY MR. PIPER:  
22 Q. And you send faxes similar to the one you sent  
23 to Dr. Meinders to other clients in the closed files  
24 database from time to time?  
25 MS. TAGVORYAN: Central files.

Page 56

1 BY MR. PIPER:  
2 Q. Central files. From time to time you send  
3 those same types of faxes advertising a specific event  
4 to other clients?  
5 A. If somebody requests to do that, yes.  
6 Q. Now, my question that I've been trying to ask  
7 is, the advertisements that are faxed to some clients  
8 from time to time, is their content ever something other  
9 than a specific scheduled seminar, such as the ones that  
10 Dr. Meinders got?  
11 A. Not that I know of.  
12 Q. Okay. To your knowledge, to the extent you do  
13 fax advertisements, it's the specific come to this place  
14 on this date for this event?  
15 A. Right.  
16 Q. Okay. You don't send out an ad that's just  
17 generically what a great company Sterling is?  
18 A. No.  
19 Q. So would I be correct that the program event in  
20 a particular city on particular dates is scheduled  
21 before any advertisements relating to that event are  
22 created?  
23 A. Correct.  
24 Q. And once an event is scheduled -- for example,  
25 you know, one of the faxes here was a Chicago event in

Page 57

1 June of --  
2 MS. TAGVORYAN: Objection. The exhibit is not  
3 in front of the witness, and we have no idea what he's  
4 looking at right now.  
5 BY MR. PIPER:  
6 Q. Do you recall the events that the faxes were  
7 for in this case?  
8 MS. TAGVORYAN: Objection. Vague and ambiguous  
9 as to the faxes he's referring to.  
10 BY MR. PIPER:  
11 Q. The exhibits attached to the complaint, do you  
12 recall the events?  
13 A. The events, yes.  
14 Q. And do you recall that one of them was a June,  
15 2013, event in Chicago?  
16 A. It was an event, and usually in June in  
17 Chicago, yes.  
18 Q. Okay. So suppose an event is set up for June  
19 in Chicago at a particular location, a hotel, say, and  
20 that space is reserved. So what would be the process  
21 that would then lead to a fax being sent?  
22 A. All the clients have seminars at no charge  
23 included with their programs, management programs. We  
24 call for that region. These are called regional  
25 workshops, regional seminars. They are all over the

Page 58

1 country. We call them. If they are interested -- they  
2 might say no, I don't have time. If they are interested  
3 to attend, then we ask them how do you want us to send  
4 you the information about the seminar. Then we provide  
5 that information most of the time by E-mail now.  
6 Q. Okay. Was there ever a time when you most  
7 often sent the information via fax?  
8 MS. TAGVORYAN: Objection. Vague and ambiguous  
9 as to "most often."  
10 THE WITNESS: From time to time we would send  
11 it by fax if they ask for it.  
12 BY MR. PIPER:  
13 Q. But at some point E-mail wasn't commonly used,  
14 so at that point did you mostly use faxes, or did you  
15 send it by U.S. mail, or how do you do that?  
16 A. Mail. A lot of mail, yeah, and faxes if they  
17 asked for a fax, or if they had a fax. I don't know how  
18 far back you want to go on that, but I'm assuming all  
19 means. For a long time it was mail and the postcards.  
20 I'm not talking about this postcard. We have postcards  
21 for each. Like a glossy, we are still using that. With  
22 the image of the city, and on the back it has the  
23 schedule, the dates, all that stuff. We are still using  
24 that.  
25 Q. Who at -- what job title at Emery Wilson is

Page 59

1 responsible for scheduling the events and setting up the  
2 hotel and that sort of thing?  
3 A. It's a combination of questions here.  
4 Q. Okay.  
5 A. The first one is who, and the answer will be  
6 the executive council established the locations and  
7 topics. The second part of your question was who's  
8 doing the logistics, who decides what hotel and so  
9 forth, so we have a separate person who is searching for  
10 hotels.  
11 Q. Okay. And do they have a title?  
12 A. Okay. We used to have logistics I/C. And  
13 director of administration. It's a person who is in  
14 charge with flights, everything that's administration  
15 for that. Hotels and those things. Travel.  
16 Q. Who would that person have been in 2013?  
17 A. Alyssa Thompson.  
18 Q. And why don't you spell her first name.  
19 A. It's A-l-y-s-s-a, if I'm getting that spelling.  
20 Q. And would the process of contacting potential  
21 clients who might be interested start before or after  
22 the flier for the event was created?  
23 A. I don't -- I don't get it. So you're talking  
24 if we have the flier first and then we start contacting?  
25 Q. Right, or vice versa, or both.

Page 60

1 A. It could be both ways. Most of the time we  
2 have the promotion piece, and we're using it in letters.  
3 All of those kind of things.  
4 Q. Okay. And who makes the calls to the clients  
5 about the event? Is there a department internally? Do  
6 you use an outside calling service? How is that done?  
7 A. Internal.  
8 Q. Is there a name for that group of people?  
9 A. Well, for a while we had Josh Gillion. You  
10 have his name already. His position was call-in  
11 officer.  
12 Q. What did call-in mean?  
13 A. His job was to call for services. Not only for  
14 seminars. To call people to schedule them to attend any  
15 kind of service.  
16 Q. So call-in does not mean that he only got  
17 incoming calls?  
18 A. No. No.  
19 Q. Did he get incoming --  
20 A. He was calling to get people in.  
21 MS. TAGVORYAN: Oh.  
22 THE WITNESS: So that was -- yeah.  
23 BY MR. PIPER:  
24 Q. How about if somebody called in response to a  
25 mailer for an event? Would that go to a particular

Page 61

1 person?  
2 A. Yeah, to him. It was to go to him.  
3 Q. Were there other people who did that -- was it  
4 always just one person doing that, or were there more  
5 people at some point?  
6 A. Well, each consultant has a group of clients,  
7 so this information could come from the client -- from  
8 the consultants as well. They are consulting over the  
9 phone, ask if the client wants to attend. The client  
10 says yes.  
11 Q. For one of these events, would all the  
12 consultants go to help provide the training or  
13 consulting at the event? Like, for example, this  
14 Chicago 2013 event, would all five consultants have gone  
15 to that event to help?  
16 A. Not necessarily. If each of them have clients  
17 attending that seminar, they'll all attend, but mostly  
18 they attend if they have clients to consult.  
19 Q. Okay. And does every client who signs up for  
20 a -- does every client in the database have a consultant  
21 assigned to them? That is, does everybody in the  
22 central files database have a consultant assigned to  
23 them?  
24 A. At one point in time they had.  
25 Q. Is that included in the database, the initial

Page 62

1 consultant that was signed up with them?  
2 A. Yeah.  
3 Q. Now, suppose, for example, Dr. Meinders signed  
4 up in 1987 and didn't come to the seminars after that.  
5 Did -- if somebody has been inactive for a long time and  
6 then they say, hey, I would like to come to this next  
7 event you're having and their initial consultant is no  
8 longer around, would they get assigned to a new  
9 consultant at that point?  
10 A. Correct.  
11 Q. And would that be updated in the central files  
12 database?  
13 A. Correct.  
14 Q. So if an event is scheduled, say, for Chicago  
15 in 2013, what are all the means -- now I'll ask the  
16 question about everything you do, not limited to the  
17 faxes -- what are all the means that you would use to  
18 get the word out about that event to clients?  
19 A. First we send out the postcard. It goes out  
20 probably about three months ahead of the event. We  
21 write letters. We get the names of the potential  
22 attendees by phone through the consultant, as I  
23 mentioned already, or any other person, as a matter of  
24 fact. If I talk to a client, I'll ask, hey, will you  
25 come to Chicago? It's always an exchange of letters. I

Page 63

1 mentioned letters; right? But we write letters to  
2 clients, which are usually personal letters. Dear Joe,  
3 so forth. That's pretty much what we do.  
4 Q. How do you create the list of people to send  
5 the postcards to?  
6 A. We have prior attendees. We have existing  
7 clients. We have clients that are from a specific area.  
8 So we use all these sources.  
9 Q. And those would all be drawn out of the central  
10 files database?  
11 A. Right.  
12 Q. How many people are in the central files  
13 database roughly?  
14 A. Probably about 3,000. It's roughly.  
15 Q. Has that changed much over -- since 1988? Has  
16 it always been roughly 3,000, or did it go up or down?  
17 A. It changed. It went up.  
18 Q. Okay. How big was it -- when was it the  
19 biggest?  
20 A. Again, it's speculation.  
21 MS. TAGVORYAN: We don't want you to speculate.  
22 THE WITNESS: Then I don't know.  
23 BY MR. PIPER:  
24 Q. Okay.  
25 A. I know Sterling was doing the best around 1991,

Page 64

1 so I'm assuming.  
2 Q. '99. Okay.  
3 MS. TAGVORYAN: '91 or '99?  
4 THE WITNESS: 1991.  
5 MS. TAGVORYAN: Oh, okay.  
6 BY MR. PIPER:  
7 Q. And roughly how big was it at the highest  
8 point?  
9 MS. TAGVORYAN: Objection. Vague and ambiguous  
10 as to what "it" is.  
11 BY MR. PIPER:  
12 Q. What's the largest that the number of people in  
13 the database has been, to your recollection?  
14 MS. TAGVORYAN: Objection. Asked and answered.  
15 THE WITNESS: I really don't know.  
16 BY MR. PIPER:  
17 Q. Do you recall whether it was ever over 10,000  
18 people in the database?  
19 A. I don't know.  
20 Q. Do you know --  
21 A. I really don't know. I mean, I -- it wouldn't  
22 be accurate to give you an answer.  
23 Q. Do you know whether it was ever over 5,000?  
24 A. I'm sure it was over 5,000. Let's go with this  
25 answer.

Page 65

1 Q. Okay. So would it be accurate, to the best of  
2 your knowledge, that at some point it was twice what it  
3 is now, that it's gone down by 50 percent?  
4 A. It wouldn't be accurate from my -- because I  
5 don't know.  
6 Q. Okay. You can say it was 5,000 but not 6,000?  
7 A. I can say one thing. It was higher.  
8 Q. Okay.  
9 A. But it would be wrong for me to indicate the  
10 number when I really don't know.  
11 Q. Okay. When you send the postcards out for an  
12 event, such as the Chicago event in 2013, is there a  
13 usual number of postcards that you send or a range of  
14 postcards that you would send for an event?  
15 A. It depends on the area, we have more public  
16 east or north, or whatever. We don't have CPAs, for  
17 instance, for a period of time when they do the taxes.  
18 We don't mail to CPAs at all. So it's different. It  
19 could be around maybe 200.  
20 Q. Are there a series of cities that you do every  
21 year?  
22 A. Yes.  
23 Q. What are the cities you do every year?  
24 A. Chicago, New York, Los Angeles. We change  
25 Los Angeles locations, but it's the area of California,

Page 66

1 Southern California.  
2 Q. Okay.  
3 A. These are the most established ones. South we  
4 have Austin, but that changes from time to time. We  
5 went to San Antonio for a while. Houston, Dallas, you  
6 know, different. In the last four or five years it was  
7 Austin. We have, again, some changes. For one seminar,  
8 it's either D.C. or Baltimore. It changes.  
9 Philadelphia we had for a while. Philadelphia we  
10 changed. So some of the locations are the same.  
11 New York, Chicago, LA. The others, we rotate different  
12 cities. For instance, Minneapolis was just one year.  
13 We changed it with Orlando.  
14 Q. And between Chicago and New York and Southern  
15 California, is there one that is -- that has a higher  
16 attendance typically, or are they all about the same?  
17 A. The attendance, it varies. It's not -- like,  
18 for some years -- that's the reason we're changing from  
19 a location to another, when the attendance goes really  
20 low. It varies. These are mostly small seminars.  
21 They're not large.  
22 Q. Is it fair to say that the average attendance  
23 is 20 or less?  
24 A. 20 or less.  
25 Q. Do you ever have more than 20?

Page 67

1 A. Yes, we did.  
2 Q. How about in the last couple of years?  
3 A. No.  
4 Q. What were the largest ones that you've had in  
5 the whole period you've been at Emery Wilson in terms of  
6 attendance?  
7 A. I would say 35. That is just -- yeah.  
8 Q. Okay. What would be the process where faxes  
9 would be sent for these programs?  
10 A. I already mentioned that. So somebody is  
11 calling, either the consultant or somebody, a call-in  
12 person, and ask if the person wants to attend. If they  
13 confirm the attendance, we put their names on a board.  
14 Then if the person is requesting more information, we  
15 mail them the schedule or whatever they are asking for.  
16 The logistics, the topics of the event, whatever. If  
17 anybody requests a fax, to get it by fax, which is less  
18 and less, then we get that request by fax.  
19 Q. You mean then you send a fax?  
20 A. Yeah.  
21 Q. So is it your testimony that the program  
22 information is never faxed to a person for an event  
23 unless a phone call has been made to that person  
24 specifically about that event?  
25 A. That's what I know, yeah.

Page 68

1 Q. And how does that happen? How does somebody  
2 get told to send a fax? How does it happen that a fax  
3 is sent once a request has been made?  
4 MS. TAGVORYAN: Objection. Vague and ambiguous  
5 as to how it happens. Are you referring to physically  
6 how it happens?  
7 BY MR. PIPER:  
8 Q. Well, how does the company organize that  
9 process once a request is made to have information faxed  
10 to when a fax gets sent?  
11 MS. TAGVORYAN: Objection. Vague and ambiguous  
12 as to how the company organizes the process.  
13 THE WITNESS: Can you rephrase what exactly you  
14 are asking me?  
15 BY MR. PIPER:  
16 Q. Well, suppose someone is on the phone to a  
17 client --  
18 A. Uh-huh.  
19 Q. -- talking about this program in Chicago --  
20 A. Uh-huh.  
21 Q. -- and the person says, well, okay, send me the  
22 information. The Emery person says okay, I'll fax it  
23 right to you. Then what happens?  
24 A. We fax it if that's the request. It's not  
25 necessarily from the owner. It could come from the

Page 69

1 office manager, from somebody in the office. These  
2 seminars are open not only to the client but to their  
3 staff as well. And there are many offices just sending  
4 their staff to the seminar. So then we're sending the  
5 fax to a fax machine.  
6 Q. And who is it that sends the fax?  
7 A. The person who is getting the call and request.  
8 Q. Okay. You don't have one centralized person  
9 who is responsible for sending all the faxes?  
10 A. No.  
11 Q. It's whoever had the phone call?  
12 A. Yeah.  
13 Q. Is there someone -- if the consultant has the  
14 phone call, is there someone they can give the fax  
15 number to and say please send them the fax for Chicago?  
16 A. Usually they do it. The fax machine is right  
17 there.  
18 Q. Is there just one fax machine at the office?  
19 A. No, we have two fax machines.  
20 Q. Okay.  
21 A. But they are in separate areas.  
22 Q. Okay. Which one is the one that's used for the  
23 sending of the ads for the seminars or programs?  
24 A. They're both Xerox fax machines, and we have  
25 one that's located exactly in this technical services

Page 70

1 area. The other one is located by our salespeople area.  
2 Q. Okay. Is it a two-story building?  
3 A. Yes.  
4 Q. And are these both on the same floor --  
5 A. Yes.  
6 Q. -- or on different floors?  
7 Which floor is it that has the two fax  
8 machines?  
9 A. It's the first floor, whatever, on the ground.  
10 Q. And are the salespeople and the technical in  
11 different wings of the building?  
12 MS. TAGVORYAN: Sorry. I didn't hear you.  
13 MR. PIPER: On different wings of the building.  
14 THE WITNESS: Right. Left or right.  
15 BY MR. PIPER:  
16 Q. So you walk in the front door. Which direction  
17 is the salespeople's area?  
18 A. On the right side.  
19 Q. Okay.  
20 A. It's like a building with an atrium in the  
21 middle, and there are two wings.  
22 Q. And technical services is on the left when you  
23 walk in?  
24 A. Is on the other side.  
25 Q. Which is your office in?

Page 71

1 A. It's on the technical area.  
2 Q. And the consultants would be -- would they be  
3 in the salespeople area?  
4 A. No.  
5 Q. Where do they --  
6 A. Technical.  
7 Q. They're technical, too. So who are the  
8 salespeople?  
9 A. Do you want the names, or what?  
10 Q. Well, first of all, explain what they do. Are  
11 these the people like Josh Gillion?  
12 A. No. Josh was not the salesperson.  
13 Q. Would he have been sitting on the technical  
14 side, too?  
15 A. In the technical administration.  
16 Q. Okay. My first question is what do the  
17 salespeople do that's different than what you and Josh  
18 and the consultants do, because it seems to me you're  
19 all marketing? So what do the salespeople sell?  
20 MS. TAGVORYAN: Objection. Argumentative and  
21 assumes facts not in evidence.  
22 THE WITNESS: Okay. So salespeople sell  
23 programs, the ones that we discussed, and we've got the  
24 list.  
25 ///

Page 72

1 BY MR. PIPER:  
2 Q. And they do that by mainly making phone calls?  
3 A. Yes.  
4 Q. And are those phone calls all to the closed  
5 files people?  
6 MS. TAGVORYAN: Central files.  
7 BY MR. PIPER:  
8 Q. Central files. Sorry.  
9 A. No. We have two kinds of sales, just to make  
10 that part clear. One is sales to potential clients, so  
11 these are the people selling new programs, something  
12 new, a new package. And then we have one person who  
13 sells to existing clients, who wants to purchase more  
14 consulting time and other services. These are the only  
15 people selling.  
16 Q. Okay. And is that a full-time job for them to  
17 sell?  
18 A. Yes.  
19 Q. And how many of them are there currently?  
20 A. How many?  
21 Q. Yes.  
22 A. We have two that sell to the new public, and  
23 one sells to existing public.  
24 Q. And those of you on the technical side, to the  
25 extent you do it, it's sort of an adjunct to what your

Page 73

1 normal job is? That is, if you're talking to a client,  
2 you might mention the --  
3 A. The seminar, yeah.  
4 Q. With the exception of Josh, who would do it on  
5 a more regular basis?  
6 A. Right.  
7 Q. Was there anybody else on your side that would  
8 do it more often other than Josh?  
9 MS. TAGVORYAN: Objection. That's vague and  
10 ambiguous as to "do it."  
11 BY MR. PIPER:  
12 Q. Sell the seminars to the existing client.  
13 A. We don't sell because they're free, and they're  
14 already in the package. We don't sell seminars. The  
15 answer is everybody in the company can do that. When  
16 they sign up for a seminar -- for a program, for a  
17 service at the beginning, their package includes the  
18 seminars, and it's a lifetime warranty. They can attend  
19 as many as they want at no charge. We're not selling.  
20 Q. So on the technical services side, if you are  
21 sending advertisements for an event to current clients,  
22 it would be free to a client?  
23 A. Yes.  
24 Q. And that's the only kind of promotion of the  
25 events that you would be doing on the technical services

Page 74

1 side?  
2 A. Correct.  
3 Q. Okay. Do you know what company provides the --  
4 well, do you know what the fax numbers are for either of  
5 the Xerox machines?  
6 A. Say it again, please.  
7 Q. Do you know what the fax phone number would be  
8 for either of the Xerox machines?  
9 A. Yes.  
10 Q. What would those be?  
11 MS. TAGVORYAN: You can look in your notes if  
12 you can't remember.  
13 THE WITNESS: On of them is 818-241-4837.  
14 BY MR. PIPER:  
15 Q. Okay. Do you know which one that is?  
16 A. That's the one used by the technical people.  
17 Q. And how about on the sales side?  
18 A. 818-241-0271.  
19 Q. And do you know which phone company provides  
20 the service to those numbers?  
21 A. AT&T.  
22 Q. Now, are these Xerox machines just fax  
23 machines, or do they have other functions as well?  
24 A. Copiers.  
25 Q. So they're copiers, faxes. Do they do

Page 75

1 scanning?  
2 A. Yeah.  
3 Q. So all-purpose machines basically?  
4 A. Yes.  
5 Q. Do you know whether the company keeps any phone  
6 records for either of these numbers?  
7 A. No, we don't.  
8 Q. You don't keep the phone records. Do you get  
9 records from the phone company about incoming and  
10 outgoing calls on these numbers?  
11 A. The phone bills you mean?  
12 Q. Right.  
13 A. Yeah, but we -- we pay the bill. We don't keep  
14 the records.  
15 Q. Did you make any effort to find if there were  
16 any bills for the time period of 2013?  
17 A. No.  
18 Q. Who's in charge of paying the bills?  
19 A. Me.  
20 Q. And is that in your function as director of  
21 financial services?  
22 A. Yes.  
23 Q. So is it your testimony that the faxes sent  
24 from Emery Wilson promoting management programs are  
25 never done on a mass basis to multiple recipients?

Page 76

1 A. No.  
2 MS. TAGVORYAN: I'm sorry. Can you repeat the  
3 question?  
4 (Record read.)  
5 MS. TAGVORYAN: And the answer.  
6 (Record read.)  
7 BY MR. PIPER:  
8 Q. And is that true going back to when you started  
9 at Emery Wilson?  
10 MS. TAGVORYAN: I'm sorry. Can you repeat the  
11 question?  
12 BY MR. PIPER:  
13 Q. Is that true from when you started your  
14 employment at Emery Wilson?  
15 A. I don't know.  
16 Q. When faxes are sent from both -- from either of  
17 these fax machines, to your knowledge, is there a way to  
18 program multiple fax numbers into the fax machines to  
19 send multiple faxes?  
20 A. I don't think so. These are kind of old fax  
21 machines. I don't know.  
22 Q. Have you ever done that, to your knowledge,  
23 that you've input more than one number into either of  
24 these machines?  
25 A. I have no idea.

Page 77

1 Q. I'm asking if you've ever done that.  
2 A. Me personally, no.  
3 MS. TAGVORYAN: You personally.  
4 THE WITNESS: No.  
5 MR. PIPER: What do you want to do about lunch,  
6 because I'm sure we will go two or three more hours? Do  
7 you want to take lunch now? This seems like a good  
8 breaking point.  
9 MS. TAGVORYAN: I think that's a good idea.  
10 \* \* \*  
11 LUNCHEON RECESS  
12 \* \* \*  
13 BY MR. PIPER:  
14 Q. I'll mark that as Exhibit 3.  
15 (Exhibit 3 was marked.)  
16 BY MR. PIPER:  
17 Q. Exhibit 3 is pages produced by defendant,  
18 Bates-numbered Sterling 23 to 25. They appear to be  
19 pages out of an employee handbook. Do you recognize  
20 this document?  
21 A. Yeah.  
22 Q. Did you select the pages to be produced here?  
23 A. It's a whole handbook that has -- I don't know  
24 exactly how many pages. It says page 34 and 35 on it.  
25 It has probably about 60 pages.

Page 78

1 Q. So this is a few selected pages out of the  
2 employee handbook?  
3 A. Right.  
4 Q. Did you select these pages to produce?  
5 A. Yes. Yeah.  
6 Q. Okay. And why did you pick these pages to  
7 produce?  
8 MS. TAGVORYAN: Objection. Attorney-client  
9 privilege communication. Calls for attorney-client  
10 privilege communication.  
11 BY MR. PIPER:  
12 Q. Well, why are these the only pages out of the  
13 handbook that are produced?  
14 MS. TAGVORYAN: Objection. Calls for  
15 attorney-client privilege communication.  
16 BY MR. PIPER:  
17 Q. Did you -- well, are you the one who made the  
18 decision to produce these pages and not the whole  
19 handbook?  
20 A. Yes.  
21 Q. And why did you -- what was the basis for that  
22 decision?  
23 MS. TAGVORYAN: Objection. Calls for  
24 attorney-client privilege communication.  
25 THE WITNESS: It looks like we're going in

Page 79

1 circles on the same issue.  
2 BY MR. PIPER:  
3 Q. So when you made the decision to produce these  
4 three pages of the employee handbook in response to our  
5 document requests, was that based on discussions you had  
6 with your attorney?  
7 A. Not necessarily. I think the question was  
8 what's your policy on security and handling the  
9 documents, so I thought these are the pages that would  
10 explain.  
11 Q. Okay. So you made the decision based on your  
12 determination that these were the only two pages that  
13 related to document retention policies?  
14 A. Yeah.  
15 Q. And the whole handbook is about 60 pages?  
16 A. Correct.  
17 Q. Is there any problem with producing the rest of  
18 the handbook?  
19 A. None.  
20 Q. Okay. On the page 34, Bates-marked 24, the  
21 third paragraph under Security Of Our Quarters, there  
22 are the initials LRH. Is that a reference to L. Ron  
23 Hubbard?  
24 A. Yes.  
25 Q. In the last paragraph on this page, there's a

Page 80

1 reference to the comm center. What is the comm center?  
2 A. It's -- we call it communications center. For  
3 short, comm center. It's where each of the employees  
4 have a basket where the mail comes between us. We  
5 communicate between us in writing. So it's somebody who  
6 picks up our out basket, because we have an out basket,  
7 and route it into our basket in the communication  
8 center. We pick up those baskets regularly. Or mail or  
9 things like that.  
10 Q. So it's basically a set of incoming and  
11 outgoing mailboxes?  
12 A. Right.  
13 Q. Do you have a mail person that goes around and  
14 delivers that stuff, or do you get your own?  
15 A. You can do your own, but we have somebody.  
16 Q. Okay. And then on the next page there's a  
17 reference to "Dir Comm." Does that mean director of  
18 communications?  
19 A. Director of communications.  
20 Q. Who is the director -- what is the director of  
21 communications?  
22 A. He's in charge -- well, right now we don't have  
23 one. In charge with the mail, with receiving the mail  
24 and sending it out. That's internal letters. Those  
25 kind of things.

Page 81

1 Q. Okay. Does the communications center include  
2 any entities outside of Emery Wilson?  
3 A. No.  
4 Q. In the third paragraph there's a reference to  
5 ethics orders. What are ethics orders?  
6 MS. TAGVORYAN: Which paragraph?  
7 MR. PIPER: The third paragraph on page 35.  
8 THE WITNESS: Well, we have a code of ethics,  
9 so we have a series of types of orders. And to make it  
10 simple, if you have -- let's say if somebody has  
11 misconduct for whatever reason, like makes mistakes,  
12 files something wrong, whatever, a knowledge report,  
13 which is the form of reporting of facts, it's written.  
14 So we have -- in our personnel area, it's somebody who  
15 is in charge of receiving this type of ethics orders and  
16 follows up, finds out why that happened, if there are  
17 incidents. We do corrections based on that. Meaning  
18 that person is corrected for the mistake. These type of  
19 things.  
20 BY MR. PIPER:  
21 Q. Then there's a reference to SMS EDs.  
22 A. Uh-huh.  
23 Q. Does SMS mean Sterling Management Systems?  
24 A. Right. We still use that abbreviation. The  
25 booklet was done some time ago. ED, executive

Page 82

1 director -- directives. And PD, policy directives.  
2 Non-E, nonexistence. Nonexistence, it's a condition.  
3 We call it condition that starts when somebody is new in  
4 a position. So it starts fresh in that position. So we  
5 used to send out a letter -- that's why it says non-E  
6 letter -- to staff introducing themselves. Hi, I'm Dana.  
7 I'm doing this. I'm doing that. These are my -- that's  
8 my extension where you can find me. Pretty much  
9 introducing themselves. And this letter goes out to all  
10 staff.  
11 Q. What does it mean, that that's a nonexistence  
12 letter?  
13 A. That's the nonexistent. You're not yet to the  
14 position. You are new. It's a name. We have names for  
15 these conditions. It's part of the technology we use,  
16 and the condition of -- when somebody starts, you don't  
17 have any kind of statistics. You are new. You just got  
18 posted on that. To be able to move up and be accepted  
19 by the group, you need to send first to introduce  
20 yourself and to find out what's needed and wanted and  
21 start to produce. So as soon as you start to produce,  
22 we are calling you out of nonexistence. Now everybody  
23 knows you, so you are no longer nonexistent. That's our  
24 language.  
25 Q. And that's language that comes out of the

Page 83

1 L. Ron Hubbard management systems?  
2 A. Right, uh-huh.  
3 Q. Are most of the people that work at  
4 Emery Wilson involved in the broader Church of  
5 Scientology?  
6 MS. TAGVORYAN: Objection.  
7 THE WITNESS: Yes.  
8 MS. TAGVORYAN: I will instruct the witness not  
9 to answer the question.  
10 MR. PIPER: Well, it's relevant to just  
11 understanding the terminology.  
12 MS. TAGVORYAN: The objection is not only based  
13 on relevance. It's not relevant to understanding the  
14 terminology at all, and it's not a category in the  
15 deposition notice.  
16 MR. PIPER: Well, it's a question based on the  
17 language of the document that was produced.  
18 MS. TAGVORYAN: I disagree that it's relevant  
19 to the language in the document. You can rephrase your  
20 question, but the question as phrased is not relevant to  
21 the language in the document.  
22 BY MR. PIPER:  
23 Q. Well, I'm questioning the use of some of the  
24 terminology here. Some of the terminology here is also  
25 used within the broader Scientology --

Page 84

1 MS. TAGVORYAN: Can you please repeat his last  
2 question.  
3 MR. PIPER: Well, you asked me to rephrase it,  
4 so I'm rephrasing it.  
5 MS. TAGVORYAN: I know, but I want her to  
6 repeat the last question that you asked so you can hear  
7 it's not related to the language in the document.  
8 MR. PIPER: You're asking me to hear it?  
9 MS. TAGVORYAN: I'm asking all of us to hear  
10 it.  
11 (Record read.)  
12 MS. TAGVORYAN: How is that related to the  
13 language in the document?  
14 BY MR. PIPER:  
15 Q. Some of these terms in the document, are they  
16 terms that are used in the broader Church of  
17 Scientology?  
18 MS. TAGVORYAN: Objection. Calls for  
19 speculation.  
20 BY MR. PIPER:  
21 Q. Would you have to speculate to answer that  
22 question?  
23 A. No, not necessarily. Hubbard was known for  
24 many things. Church of Scientology, it's a totally  
25 separate entity. We don't use anything that is used in

Page 85

1 the Church of Scientology. He wrote science fiction,  
2 too. We don't use that either. We use just the  
3 management technology. He wrote a series. It's called  
4 the management series. That has different subjects.  
5 There's a language that is not necessarily -- it's like  
6 in any kind of subject or technology. You have a  
7 specialized language, and there are some words such as  
8 nonexistence or conditions or these things that are  
9 specialized language, and they're not part of the Church  
10 of Scientology.  
11 Q. Those aren't terms that are used in the Church  
12 of Scientology?  
13 A. I have no way of knowing.  
14 Q. You're not a member of the Church of  
15 Scientology?  
16 MS. TAGVORYAN: Objection. I will instruct the  
17 witness not to answer that question. That is very  
18 inappropriate, Counsel.  
19 MR. PIPER: It's not at all inappropriate.  
20 MS. TAGVORYAN: Yes, it is inappropriate, and  
21 I'm going to instruct the witness not to answer that  
22 question.  
23 MR. PIPER: Okay. Why don't we go off the  
24 record for a second.  
25 (Discussion off the record.)

Page 86

1 (Exhibit 4 was marked.)  
2 BY MR. PIPER:  
3 Q. Do you recognize these documents?  
4 MS. TAGVORYAN: You can answer yes or no.  
5 THE WITNESS: Yes.  
6 BY MR. PIPER:  
7 Q. And what do you recognize these to be?  
8 MS. TAGVORYAN: Objection. Let the record  
9 reflect that this appears to be a web page of a -- let's  
10 see -- oursites.org/danamoraru. Welcome to my website.  
11 I am a Scientologist. Support religious tolerance. Now  
12 that's on the record.  
13 Anything about this exhibit I instruct the  
14 witness not to answer. It's completely irrelevant, and  
15 counsel has not stated a basis for its relevance or how  
16 any of the religious-affiliation-related questions are  
17 in the deposition notice as a category, which they are  
18 not, nor are they relevant to any of the claims made in  
19 the complaint, which relate to fax advertising and not  
20 to Sterling Management employees' religious  
21 affiliations. It is harassing, and I instruct the  
22 witness not to answer.  
23 BY MR. PIPER:  
24 Q. Okay. Did you help to create this document?  
25 MS. TAGVORYAN: I instruct the witness not to

Page 87

1 answer any questions about this exhibit.  
2 BY MR. PIPER:  
3 Q. How do you recognize this? How was it that you  
4 recognize this document?  
5 MS. TAGVORYAN: You can tell him you will not  
6 answer any questions about this exhibit.  
7 THE WITNESS: I'm not answering any question  
8 about this exhibit.  
9 BY MR. PIPER:  
10 Q. Well --  
11 A. It's not relevant.  
12 MS. TAGVORYAN: And if counsel continues to ask  
13 the witness questions about her religious affiliation,  
14 we will move to suppress the testimony and move for  
15 sanctions.  
16 MR. PIPER: Stop showboating. I'm entitled to  
17 ask her stuff. I asked her a question about the  
18 documents. She said she doesn't know anything about  
19 Scientology. I've produced a document which she  
20 recognizes and saying she's a member of the church, and  
21 I have every right to pursue this line of questioning.  
22 MS. TAGVORYAN: I disagree.  
23 THE WITNESS: I didn't say I don't know  
24 anything about it. I didn't say that.  
25 ///

Page 88

1 BY MR. PIPER:  
2 Q. Okay. What do you know about the Church of  
3 Scientology?  
4 MS. TAGVORYAN: Objection. I instruct the  
5 witness not to answer.  
6 BY MR. PIPER:  
7 Q. How did you come to learn about it?  
8 MS. TAGVORYAN: Objection. Same objection.  
9 MR. PIPER: Do we have Exhibit 3, or did I  
10 overmark one? Oh, that's the handbook. Let's mark the  
11 next exhibit.  
12 MS. TAGVORYAN: Let the record reflect that  
13 counsel has still not stated a basis for the relevance  
14 of this document, Exhibit 4.  
15 MR. PIPER: Stop your grandstanding. I have  
16 stated plenty of bases, and you are just being  
17 argumentative.  
18 (Exhibit 5 was marked.)  
19 BY MR. PIPER:  
20 Q. Could you look at Exhibit 5, please.  
21 A. Yes.  
22 Q. What is an entheta? That's a Scientology term;  
23 right?  
24 MS. TAGVORYAN: Objection. Assumes facts not  
25 in evidence.

Page 89

1 BY MR. PIPER:  
2 Q. Isn't that a Scientology term?  
3 A. Do you know that every technology has  
4 nomenclature? Meaning terminology. We use the word  
5 entheta to define if somebody is enturbulating a  
6 business.  
7 Q. And what does enturbulating mean?  
8 A. Meaning disturbing the business.  
9 Q. And entheta and enturbulating are terms that  
10 come out of Scientology; correct?  
11 A. It comes out of the management technology.  
12 Q. And it's not in any other Scientology  
13 doctrines?  
14 A. It probably is.  
15 Q. And, in fact, you designated the plaintiff --  
16 that is, you personally designated the plaintiff, Robert  
17 Meinders, an entheta because you thought he was  
18 enturbulating your business; isn't that true?  
19 MS. TAGVORYAN: Objection. Argumentative,  
20 harassing the witness. I instruct you not to answer.  
21 Counsel --  
22 BY MR. PIPER:  
23 Q. Isn't it true you designated Mr. Meinders to  
24 be --  
25 MS. TAGVORYAN: I instruct the witness not to

Page 90

1 answer. It's harassing. It's argumentative. It  
2 assumes facts not in evidence. It lacks foundation.  
3 And if he continues on this road, I'm going to stop the  
4 deposition, and I'm going to move the court for  
5 sanctions.  
6 BY MR. PIPER:  
7 Q. Well, let's mark the next exhibit. Well, you  
8 did a dead file for --  
9 MS. TAGVORYAN: Let the record reflect also  
10 that this firm has already been in trouble with the  
11 court many times before, previously. Okay? And this is  
12 going to be another round of that if he continues with  
13 this line of questioning.  
14 MR. PIPER: You may be the one in trouble if  
15 you're going to try to frustrate our deposition like  
16 this.  
17 MS. TAGVORYAN: I know the rules very well,  
18 Counsel.  
19 MR. PIPER: You may also have to pay to fly me  
20 out here another time.  
21 MS. TAGVORYAN: And I also know that you are in  
22 this only for the money because you think the Church of  
23 Scientology is somehow behind this. It's very improper.  
24 MR. PIPER: That's ridiculous. Furthermore, I  
25 assume you're doing this as a pro bono case.

Page 91

1 MS. TAGVORYAN: You assume incorrectly.  
2 MR. PIPER: Right. So you're in it for the  
3 money.  
4 MS. TAGVORYAN: You need to stop it.  
5 (Exhibit 6 was marked.)  
6 BY MR. PIPER:  
7 Q. Look at Exhibit 6. Is that the dead file for  
8 Robert Meinders?  
9 A. Yeah.  
10 Q. And what does it show his ID status to be?  
11 A. Major entheta.  
12 Q. Right, and this is something that came into  
13 existence because you asked to have it created; right?  
14 MS. TAGVORYAN: Objection. Assumes facts not  
15 in evidence, vague and ambiguous as to "created."  
16 BY MR. PIPER:  
17 Q. Is that correct?  
18 A. Yes.  
19 Q. And you're the one that asked to have plaintiff  
20 designated as major entheta; correct?  
21 A. That's correct.  
22 Q. What does major entheta mean?  
23 A. The word major means he signed up for a major  
24 program. Meaning not the short program or the four-day  
25 program, but he paid for a full -- actually, it's

Page 92

1 abbreviated here. At the time it was called Sterling  
2 Management Program, SMP, and that's the name major.  
3 Entheta means disturbing. I defined the word before.  
4 Obviously receiving the lawsuit, it was disturbing.  
5 Q. Okay. And you also consider that to be  
6 enturbulating the business; is that correct?  
7 A. Sure.  
8 Q. And those are terms that you're familiar with  
9 from the Church of Scientology; correct?  
10 A. No. It's from the management books that we  
11 have on the management technology.  
12 Q. And you have no knowledge of those terms from  
13 Scientology?  
14 A. I have those knowledge.  
15 Q. And that's because you're a member of the  
16 Church of Scientology?  
17 MS. TAGVORYAN: Objection. Asked and answered,  
18 and I will instruct her not to answer.  
19 BY MR. PIPER:  
20 Q. What was the answer?  
21 A. The answer is I'm a Romanian Orthodox.  
22 Q. Okay. Are you also a supporter of the Church  
23 of Scientology?  
24 MS. TAGVORYAN: Objection. I instruct you not  
25 to answer.

Page 93

1 THE WITNESS: Yes.  
2 BY MR. PIPER:  
3 Q. Pardon me?  
4 MS. TAGVORYAN: Yes, you will not answer.  
5 THE WITNESS: Yes, I'm not going to answer.  
6 BY MR. PIPER:  
7 Q. It also says entheta, yes. Do you see that?  
8 It's down at the lower right.  
9 MS. TAGVORYAN: Left.  
10 THE WITNESS: Yes, I see that.  
11 BY MR. PIPER:  
12 Q. And what is the difference between that entry  
13 and the one that says major entheta?  
14 A. It's not -- major defines the type of program  
15 he did. Entheta is the same word.  
16 Q. What is an entheta letter?  
17 MS. TAGVORYAN: Objection. Asked and answered.  
18 BY MR. PIPER:  
19 Q. As used in Exhibit 5.  
20 A. Okay. If a client writes us a letter that says  
21 I don't want to continue the program with you, or  
22 whatever reasons he has, that's an entheta letter.  
23 Q. So even if there's no criticism of the program,  
24 it's considered entheta if they want to stop being a  
25 part of the program?

Page 94

1 A. Usually it's a criticism of the program or  
2 whatever upset they might have.  
3 Q. Is one of the upsets that causes people to send  
4 entheta letters that they didn't realize that Sterling  
5 was part of Scientology?  
6 MS. TAGVORYAN: Objection. Vague and  
7 ambiguous.  
8 THE WITNESS: Yeah. Can you repeat or make it  
9 more clear?  
10 BY MR. PIPER:  
11 Q. Well, don't some people ask to stop getting  
12 communications when they find out that the program is  
13 related to Scientology?  
14 A. I can answer this question. Our contractual  
15 agreement has a paragraph that states the origin of  
16 Sterling, so up front we tell them that our management  
17 technology is developed by L. Ron Hubbard, who is the  
18 founder of the Church of Scientology, that we are not  
19 affiliated, we are not a subdivision, that we are a  
20 privately owned corporation, and we use just the  
21 management technology developed by Hubbard. So they  
22 know in advance what it's about.  
23 Q. And nobody ever complains that they didn't know  
24 that when they asked to stop being part of -- stop  
25 receiving your communications?

Page 95

1 MS. TAGVORYAN: Objection. I'll let the  
2 witness answer this last question about complaints about  
3 the company being affiliated with the Church of  
4 Scientology. After this I will instruct the witness not  
5 to answer. It is not relevant to the claims in the  
6 lawsuit.  
7 THE WITNESS: Okay. So the question was?  
8 BY MR. PIPER:  
9 Q. When people send the entheta letters, do the  
10 entheta letters ever contain complaints that the client  
11 didn't previously understand that Sterling --  
12 A. Unless they don't know -- sorry.  
13 Q. Do you ever get those complaints from people?  
14 A. Unless they don't know how to read, but they  
15 have to initial that page. Actually, every single page  
16 of the contract. And if they see that paragraph,  
17 obviously they had to read and initial. If they didn't  
18 read it, they might claim that.  
19 Q. Okay. So they might claim that in the letters  
20 you get?  
21 A. I don't know. Yeah. We give them a copy of  
22 the contract to read it again.  
23 Q. When did that disclosure first become part of  
24 the contract?  
25 A. I don't have -- I thought it was part of the

Page 96

1 contract from the beginning. I don't know.  
2 (Exhibit 7 was marked.)  
3 BY MR. PIPER:  
4 Q. Maybe it is. I'm showing you Exhibit 7, which  
5 is a two-page document entitled "Enrollment Agreement  
6 Sterling Management Program," Bates-numbered Sterling 1  
7 and Sterling 2, dated August 1, 1987.  
8 A. Uh-huh.  
9 Q. Do you recognize this document?  
10 A. Yeah.  
11 Q. What is this document?  
12 A. It's the enrollment agreement signed by  
13 Dr. Meinders.  
14 Q. Does this include that disclosure about the  
15 Church of Scientology?  
16 A. Okay. It looks like the paragraph I was  
17 talking about was not part of this particular contract.  
18 Q. Okay.  
19 A. So to answer your question, probably it wasn't  
20 in use in '87 when I was there.  
21 Q. Do you know when that was first put into the  
22 contract?  
23 A. No. As long as I know, I saw that paragraph in  
24 the contracts, but I don't have a time to give you.  
25 Q. Okay. And you don't have any knowledge of

Page 97

1 whether -- you don't have any evidence in your records  
2 about Dr. Meinders complaining when he found out there  
3 was a connection to Scientology about the programs he  
4 attended?  
5 A. No. He arrived at Sterling. He did the  
6 program. He saw the books. He received a set of books.  
7 Hubbard's name was on them. So I guess he knew from the  
8 start.  
9 Q. As part of the management programs, are clients  
10 ever recommended to read Dianetics?  
11 MS. TAGVORYAN: Okay. Objection. Counsel, do  
12 you want to state why you believe this line of  
13 questioning is relevant to whether your plaintiff  
14 consented to receive a fax advertisement?  
15 MR. PIPER: Well, I think when he was told he  
16 was going to have a heart attack because he didn't want  
17 to read Dianetics, that might have stopped there being  
18 an existing business relationship.  
19 MS. TAGVORYAN: So are you asking specifically  
20 about Dr. Meinders?  
21 MR. PIPER: No, I'm asking whether it's true  
22 that Dianetics is sometimes referred to clients --  
23 MS. TAGVORYAN: Objection. Irrelevant, and the  
24 basis for the relevance is it has absolutely nothing to  
25 do with the question he's asking. So I object and

Page 98

1 instruct the witness not to answer.  
2 BY MR. PIPER:  
3 Q. Do you know whether Dianetics was recommended  
4 to Dr. Meinders?  
5 MS. TAGVORYAN: Objection.  
6 THE WITNESS: No.  
7 MS. TAGVORYAN: I move to strike this area of  
8 questioning with regard to the Church of Scientology,  
9 including the questioning at the beginning of the  
10 deposition about the relationship with the affiliates  
11 and the websites and the copyrights. It is not in the  
12 deposition notice, it is not relevant, and I move to  
13 strike it.  
14 MR. PIPER: Okay. Well, you can keep  
15 maintaining that.  
16 MS. TAGVORYAN: You will see a motion for  
17 sanctions from us about this line of questioning.  
18 MR. PIPER: Well, you'll probably see a motion  
19 to compel from us, but good luck.  
20 MS. TAGVORYAN: Thank you.  
21 (Exhibit 8 was marked.)  
22 BY MR. PIPER:  
23 Q. Take a look at that, Exhibit 8. Do you  
24 recognize this document?  
25 A. Yeah.

Page 99

1 Q. And what is this document?  
2 A. It's a promotion for a seminar in Philadelphia.  
3 Q. And is this a promotion that was faxed by Josh  
4 Gillion to someone?  
5 A. I have no idea if he faxed it.  
6 Q. Well, do you see on the first page it has fax  
7 numbers and it says facsimile transmittal sheet?  
8 A. Right. What I know is I know he was talking to  
9 people, and if they needed more information, probably he  
10 was E-mailing it. And if they asked for a fax, he'll  
11 fax that.  
12 Q. Oh, excuse me.  
13 MS. TAGVORYAN: It looks like there's a page in  
14 here that doesn't belong.  
15 MR. PIPER: Yeah. The second page, that seems  
16 like it came from your copy machine. I will give those  
17 back to you.  
18 MS. TAGVORYAN: Oh, it's on another matter.  
19 THE WITNESS: Yeah, I was looking at --  
20 MR. PIPER: You can remove the second page.  
21 THE WITNESS: I was trying to make sense of it.  
22 MR. PIPER: For the record, you made a copy for  
23 me, and something got stuck in it.  
24 MS. TAGVORYAN: Yeah. It's a three-page  
25 document, not a four-page document.

Page 100

1 THE WITNESS: Okay.  
2 BY MR. PIPER:  
3 Q. Why don't you read the first paragraph after --  
4 the first couple of sentences after it says, "Dear  
5 Redacted."  
6 A. Okay. Which one? The last paragraph of his  
7 letter?  
8 Q. Well, you'll see it says, "Dear Redacted."  
9 A. Yeah. So it's a personal letter. Just change  
10 it for each person.  
11 Q. And it says: I'd like to invite you to attend  
12 our --  
13 A. Uh-huh.  
14 Q. So is it your testimony that he's sending this  
15 saying, "I'd like to invite you," after he's already  
16 invited them over the phone?  
17 A. Yeah.  
18 Q. And that makes sense to you, that he's --  
19 MS. TAGVORYAN: Objection. Argumentative.  
20 THE WITNESS: I don't see any -- any -- it's  
21 like a polite way to start a letter. It's an  
22 invitation.  
23 BY MR. PIPER:  
24 Q. Where did you find this document to produce in  
25 this case? How did you locate it?

Page 101

1 A. What? This one?  
2 Q. Yes.  
3 A. I think -- this is actually dated after the  
4 seminars in discussion, Exhibit A and B. It's for the  
5 fall of 2014, I guess. I asked -- at that time he was  
6 employed by Sterling, and I asked him to give me  
7 whatever he has right now, using as his documents, and  
8 he gave me a copy.  
9 Q. Okay. So you got this from him while he was  
10 still working for the company?  
11 A. Right.  
12 Q. In 2014?  
13 A. Right.  
14 Q. When did he leave the company?  
15 A. I think it was October, 2014.  
16 Q. So shortly after this?  
17 A. Well, I think this type of communication was  
18 way in advance. I'm guessing he was starting to call  
19 and sent communication around August probably if the  
20 seminar was in October.  
21 Q. Well, when do you think you got this from  
22 Joshua Gillion?  
23 A. Probably around that time. Between August and  
24 October. It's redundant to invite somebody to come in  
25 October for an October seminar. Probably they have

Page 102

1 other plans, so I'm just guessing it was prior to that,  
2 like September or August.  
3 Q. Did you ask him in response to discovery in  
4 this case?  
5 A. I don't think so. I think -- based on my  
6 recollection, I was trying to see what we're actually  
7 using to collect materials because I know we're not  
8 keeping any kind of materials. We shred everything we  
9 send. We trash everything. I just want to make sure I  
10 have some documents.  
11 Q. Does the content of these advertisements  
12 disclose anywhere the connection to L. Ron Hubbard or  
13 explain who he is?  
14 MS. TAGVORYAN: Objection. Irrelevant. I  
15 instruct the witness not to answer. The document speaks  
16 for itself.  
17 BY MR. PIPER:  
18 Q. Well, I don't see anything. Do you see  
19 anything?  
20 A. I see a lot of things.  
21 Q. That relates to L. Ron Hubbard.  
22 A. What I see --  
23 MS. TAGVORYAN: Objection. I instruct the  
24 witness not to answer anything about Ron L. Hubbard.  
25 MR. PIPER: L. Ron Hubbard.

Page 103

1 MS. TAGVORYAN: L. Ron Hubbard.  
2 THE WITNESS: I can say this: The topics of  
3 the seminars are not necessarily based on L. Ron  
4 Hubbard. They derive from different other angles based  
5 on what our public is interested in. So, for instance,  
6 we're talking here how to have a smoother-running,  
7 higher-performance practice, how to deliver customer  
8 service, how to increase revenue and sales.  
9 BY MR. PIPER:  
10 Q. Right, and those are all things that are  
11 included in --  
12 A. So they are not necessarily -- I mean, they are  
13 not necessarily based on Hubbard's works.  
14 Q. Well, his works do touch on all of those  
15 topics, don't they?  
16 A. Not necessarily. Some of them might. I don't  
17 know. Some of them might not. So that's -- what I'm  
18 trying to say, number one, it's not relevant because all  
19 of these clients who attend the seminars, they already  
20 know that the knowledge is based on Hubbard's works.  
21 That's all.  
22 Q. But the same brochure is also sent to prospects  
23 that haven't signed up previously; correct?  
24 MS. TAGVORYAN: Objection. Mischaracterizes  
25 prior testimony, misstates prior testimony. That's not

Page 104

1 what the witness has testified.  
2 BY MR. PIPER:  
3 Q. Well, when the salespeople are calling about  
4 workshops, that's going to prospective clients; correct?  
5 A. When the division -- the -- what are you  
6 talking about?  
7 Q. Okay. Earlier you testified about the  
8 salespeople that try to sell to people that aren't  
9 clients yet; correct?  
10 A. Right.  
11 Q. And these same brochures would have been used  
12 to sell these programs to those people that weren't  
13 clients; is that correct?  
14 A. No.  
15 Q. Okay.  
16 A. The way it works, we first sell a package that  
17 includes the seminars. They arrive at Sterling in  
18 person. They do some training, and they receive some  
19 consulting, and then they attend during the year period,  
20 the future year -- they attend a couple of -- it's one  
21 of the conditions -- not conditions. It's one of the  
22 parts of the agreement, that they will attend at least  
23 two seminars within the next year. And they've already  
24 picked. Okay, I would like to go to Philadelphia or I  
25 would like to go to Chicago. So we already know from

Page 105

1 the start. When they arrive at Sterling, they might get  
2 the information from their consultant.  
3 Q. So you're saying that the flier that's attached  
4 here would have gone to people who are already clients?  
5 A. Already clients.  
6 Q. Okay. So is it your testimony that it's not  
7 true that all of the management and training courses  
8 offered by Sterling are based on the works of L. Ron  
9 Hubbard?  
10 MS. TAGVORYAN: Objection. A long double  
11 negative, compound, ambiguous.  
12 BY MR. PIPER:  
13 Q. Is it true that all of the Sterling management  
14 and training courses are based on the works of L. Ron  
15 Hubbard?  
16 A. Yes.  
17 MS. TAGVORYAN: Objection.  
18 THE WITNESS: Sorry.  
19 MS. TAGVORYAN: Objection. Same objections.  
20 THE WITNESS: I already responded.  
21 MS. TAGVORYAN: You already responded. Yeah,  
22 that's fine.  
23 THE WITNESS: The courses --  
24 MS. TAGVORYAN: You've already responded.  
25 ///

Page 106

1 BY MR. PIPER:  
2 Q. But you're saying the workshops aren't  
3 necessarily based on L. Ron Hubbard?  
4 MS. TAGVORYAN: Asked and answered a million  
5 times.  
6 THE WITNESS: And I have a response to that,  
7 why.  
8 BY MR. PIPER:  
9 Q. Sure.  
10 A. Would you like me to tell you that?  
11 Q. Sure.  
12 A. These seminars are attended by our clients'  
13 staff, so we just want to present topics that would  
14 communicate directly to their staff and would be more  
15 appropriate for their understanding.  
16 Q. Okay. That answer is referring to the free  
17 workshops that are --  
18 A. Right.  
19 Q. Such as Exhibit A?  
20 A. Right.  
21 Q. Okay. Whereas the management and training  
22 courses would be the programs that you have to pay for,  
23 whether you're a client or not; correct?  
24 A. Yeah.  
25 Q. That is a compound question, but the training

Page 107

1 courses would refer to the courses that the clients sign  
2 up for when they first become clients; is that correct?  
3 A. To start with, yes.  
4 Q. And would it also include the executive and the  
5 booster?  
6 A. Correct.  
7 Q. And do the clients have to pay for any of the  
8 courses that they take?  
9 A. Yes. It's part of the package.  
10 Q. But if they sign up for one package and then a  
11 few years later they sign up for another one, do they  
12 have to pay for it again?  
13 A. Yes.  
14 Q. Okay.  
15 A. Although they have a life warranty. If they  
16 want to redo the same course, they don't need to pay for  
17 it.  
18 Q. If they paid for one, they can retake it later?  
19 A. Yes.  
20 Q. Okay. Is it accurate that WISE or another  
21 Scientology -- well, WISE stands for World Institute of  
22 Scientology Enterprises; correct?  
23 A. Uh-huh.  
24 Q. Is it true that WISE or any other  
25 Scientology-related entity pays money to Emery Wilson --

Page 108

1 MS. TAGVORYAN: Objection.  
2 BY MR. PIPER:  
3 Q. -- if Emery Wilson recruits people --  
4 MS. TAGVORYAN: I instruct the witness not to  
5 answer.  
6 MR. PIPER: Well, let me state my question  
7 before you object to it.  
8 MS. TAGVORYAN: Finish your question.  
9 BY MR. PIPER:  
10 Q. Is it true that WISE or any other  
11 Scientology-related entity makes payments to  
12 Emery Wilson if Emery Wilson recruits or causes to be  
13 recruited people to Scientology?  
14 MS. TAGVORYAN: I'll instruct the witness not  
15 to answer.  
16 THE WITNESS: Okay.  
17 MS. TAGVORYAN: Not to mention the form of the  
18 question is absolutely unintelligible.  
19 BY MR. PIPER:  
20 Q. Well, let me rephrase it, then. Does WISE or  
21 any other Scientology-related entity pay money to --  
22 MS. TAGVORYAN: I instruct the witness not to  
23 answer.  
24 BY MR. PIPER:  
25 Q. -- to Emery Wilson if Emery Wilson recruits

Page 109

1 people to Scientology?  
2 MS. TAGVORYAN: I instruct the witness not to  
3 answer that question.  
4 (Exhibit 9 was marked.)  
5 BY MR. PIPER:  
6 Q. Actually, I'm just going through this stack.  
7 Could I see that again? It's just a one-page exhibit.  
8 Do you recognize that document?  
9 A. Yeah.  
10 Q. And what is that?  
11 A. It says Special Invitation.  
12 Q. Do you remember this being one of the documents  
13 Joshua Gillion gave you when you asked him what he was  
14 sending out?  
15 A. I don't remember. There are so many formats.  
16 I don't know.  
17 Q. Do you know whether he was sending all of these  
18 by fax?  
19 A. No.  
20 Q. Do you know --  
21 MS. TAGVORYAN: Objection. Calls for  
22 speculation.  
23 BY MR. PIPER:  
24 Q. Do you know who he was sending these to?  
25 MS. TAGVORYAN: Objection. Calls for

Page 110

1 speculation.  
2 THE WITNESS: It looks like a general thing.  
3 No, I don't know.  
4 BY MR. PIPER:  
5 Q. Meaning general to whom?  
6 A. Like Dear Client. Dear Sterling Client. It's  
7 not Dear Joe. I don't know who he sent them.  
8 Q. When was the last time you saw Joshua Gillion?  
9 A. Before he left. October something.  
10 Q. Do you know, does he still live in the  
11 Los Angeles area?  
12 A. No. He moved.  
13 Q. Do you know where he moved to?  
14 A. Florida.  
15 Q. Do you know where in Florida he moved to?  
16 MS. TAGVORYAN: We provided you with his  
17 address in Florida. His last known address in Florida.  
18 MR. PIPER: Oh, that was in an E-mail  
19 subsequent to your interrogatory answers.  
20 MS. TAGVORYAN: Uh-huh.  
21 MR. PIPER: Okay.  
22 THE WITNESS: I think Clearwater. I don't  
23 remember.  
24 BY MR. PIPER:  
25 Q. How did you learn he was in Clearwater?

Page 111

1 A. I think that's what I remember, because I  
2 provided the address. How did I know where he moved? I  
3 didn't know for a while, until he asked for his W-2. We  
4 needed to know where to send him his W-2, so this is  
5 when we got his address.  
6 Q. So he asked you to send the W-2 earlier this  
7 year and sent you that address to send it to?  
8 A. Yeah.  
9 (Exhibit 10 was marked.)  
10 BY MR. PIPER:  
11 Q. Okay. You can look at the next exhibit, which  
12 is Sterling 030. Do you recognize this document?  
13 A. Yeah.  
14 Q. What is it?  
15 A. Well, it's a logistic type of letter that shows  
16 where the hotel is, how much is it, what phone number to  
17 call for reservation. Regular logistic type of  
18 information.  
19 Q. And how did you get this document?  
20 A. I got it from Joshua.  
21 Q. Did you ask any of the other people at Sterling  
22 if they had copies of things that they had faxed to  
23 clients about workshops?  
24 MS. TAGVORYAN: Objection. Assumes facts not  
25 in evidence. The witness never testified that these

Page 112

1 documents were faxed to anyone.  
2 BY MR. PIPER:  
3 Q. Did you ever ask anyone at Sterling for copies  
4 of documents they had faxed to clients?  
5 A. No. We don't keep what's sent out, so no, I  
6 didn't ask.  
7 Q. Okay. Well, if you don't keep what is sent  
8 out, why did Joshua have materials when you asked him?  
9 MS. TAGVORYAN: Objection. Calls for  
10 speculation.  
11 BY MR. PIPER:  
12 Q. Why did you even ask him if you --  
13 A. Okay. That was what he was doing in that  
14 moment when I asked him. He was sending out things, so  
15 he had that material with him. They don't keep it as a  
16 separate history of information or anything like that.  
17 Q. But why did you think he would have that  
18 information?  
19 MS. TAGVORYAN: Objection. Asked and answered.  
20 THE WITNESS: I --  
21 MS. TAGVORYAN: Calls for speculation.  
22 THE WITNESS: I'm assuming this is what he was  
23 working with. These are his tools of work. His job was  
24 to provide information about a hotel, about what do you  
25 need to -- I'm assuming there is information about the

Page 113

1 weather if they asked maybe for the seminar or something  
2 like that. I don't know. These are like -- they used  
3 to be his tools for presenting our clients with  
4 information.  
5 (Exhibit 11 was marked.)  
6 BY MR. PIPER:  
7 Q. This is the next one. Do you recognize this  
8 document?  
9 A. No, but I'm assuming, again, that it was part  
10 of his job to prepare -- these are things addressed to  
11 people confirming that they are going to attend. So,  
12 yes, I'm coming to the seminar. So we're asking after  
13 that. If somebody says a hundred percent I've already  
14 got my flight tickets, I already have the hotel booked,  
15 okay, good. So now we have a few questions for you that  
16 will help the consultant when you're going to meet to  
17 consult you and give you whatever directions you might  
18 need.  
19 (Exhibit 12 was marked.)  
20 BY MR. PIPER:  
21 Q. That's Exhibit 12, which is a two-page brochure  
22 about a Chicago event in December, 2014. Do you  
23 recognize this?  
24 A. Yeah. It's standard.  
25 Q. And was this part of the materials Joshua gave

Page 114

1 you?  
2 A. I doubt it, even though it's possible. He was  
3 promoting a couple of months before the seminar, so it's  
4 possible, but I don't remember.  
5 Q. Well, this was produced to us in March of this  
6 year when defendant was producing examples of other  
7 materials that were faxed.  
8 A. Probably it was Josh.  
9 MS. TAGVORYAN: Objection. That's not a  
10 question. It also assumes facts not in evidence when  
11 you say we produced this as an example of something that  
12 was being faxed. That is not true.  
13 MR. PIPER: Well, would you care to explain why  
14 it was produced after you were ordered to do that?  
15 MS. TAGVORYAN: I believe your discovery  
16 requests asked for all advertisements. Not only those  
17 that were sent by fax.  
18 MR. PIPER: Okay. You're saying you produced  
19 this, so it's an advertisement?  
20 MS. TAGVORYAN: It's an example of an  
21 advertisement, not an example of something that was  
22 faxed.  
23 MR. PIPER: Okay.  
24 Q. Do you know one way or the other?  
25 MS. TAGVORYAN: What's your question?

Page 115

1 MR. PIPER: I'm asking the witness does she  
2 know one way or the other.  
3 MS. TAGVORYAN: One way or the other what?  
4 Vague and ambiguous.  
5 BY MR. PIPER:  
6 Q. Why it was produced.  
7 A. Because --  
8 MS. TAGVORYAN: I just stated why it was  
9 produced.  
10 THE WITNESS: -- we collected everything we can  
11 show as examples of what we do as far as promotion for  
12 seminars. That was the simplicity of it.  
13 BY MR. PIPER:  
14 Q. When did you do that?  
15 A. I think -- when did I do that? Well, I started  
16 from the beginning when we had this lawsuit. I don't  
17 know. I started to look -- I wasn't interested in these  
18 kind of things. I had other important stuff to do. I  
19 started to collect stuff just to have materials,  
20 examples.  
21 Q. And what prompted you to do that?  
22 A. The lawsuit.  
23 MS. TAGVORYAN: Objection. Calls for  
24 attorney-client privilege communication.  
25 THE WITNESS: The lawsuit.

Page 116

1 BY MR. PIPER:  
2 Q. Did you collect web pages promoting Sterling?  
3 A. No.  
4 Q. Okay. Why did you collect some types of  
5 advertisement and not others?  
6 MS. TAGVORYAN: Objection. Calls for  
7 attorney-client privilege communication.  
8 BY MR. PIPER:  
9 Q. Was it because of something your lawyer told  
10 you to do?  
11 A. No.  
12 Q. So why did you do it?  
13 A. Because it was easier for me.  
14 Q. Okay.  
15 A. In all fairness, it's probably like around that  
16 corner. It was easy for me to go and grab it.  
17 (Exhibit 13 was marked.)  
18 BY MR. PIPER:  
19 Q. Why don't you look at 13, which is a one-page  
20 ad for Universal Hilton.  
21 A. Uh-huh.  
22 Q. Do you know where the Universal Hilton is?  
23 A. Yes.  
24 Q. Is that here in LA?  
25 A. LA.

Page 117

1 Q. Like Universal City?  
2 A. Yes.  
3 Q. Do you know what this document is?  
4 A. It's one of similar fliers as the others.  
5 Q. Do you know whether this was sent by fax?  
6 MS. TAGVORYAN: Objection. Calls for  
7 speculation.  
8 THE WITNESS: I have no idea. As far as I see  
9 it, it's not a fax thing. Again, we're not sending it  
10 out. We are printing this to be used in letters or if a  
11 client is asking, can you send me something.  
12 BY MR. PIPER:  
13 Q. Do you know if this is one of the ones that  
14 Joshua gave you?  
15 A. No. Oh, 2014. Probably, yeah. He was there  
16 in 2014. Yeah.  
17 Q. But do you think he gave this to you when you  
18 asked him for his materials?  
19 A. I don't know.  
20 (Exhibit 14 was marked.)  
21 BY MR. PIPER:  
22 Q. I'm showing you Exhibit 14, which is a -- it's  
23 called Sterling Fax Cover Sheet. Do you recognize that?  
24 A. Yeah.  
25 Q. And what is that?

Page 118

1 A. It's a fax cover sheet. It's a general fax  
2 cover sheet. It's used for any kind of communication by  
3 Sterling. I'm using it to send to vendors. I don't  
4 remember using the fax in a long time. Now they are  
5 E-mails.  
6 Q. Do you know when this particular sheet was  
7 created?  
8 A. Yes. It was created probably May. I would say  
9 May. It might have a -- no, it doesn't have a date.  
10 Q. May of 2014?  
11 A. Right.  
12 Q. Was it created partly because you realized that  
13 the opt-out notice at the bottom had to be included in  
14 faxes?  
15 A. Yes.  
16 Q. And was that something you had any information  
17 about before the lawsuit was filed?  
18 MS. TAGVORYAN: Objection. Vague and ambiguous  
19 as to "was that something."  
20 BY MR. PIPER:  
21 Q. Did you have any knowledge about what the law  
22 was about faxed advertising?  
23 A. No.  
24 Q. Did you have any knowledge about an opt-out  
25 requirement before the lawsuit was filed?

Page 119

1 A. No.  
2 Q. Were you confused about whether you needed to  
3 include an opt-out notice before the lawsuit was filed  
4 in May of 2014?  
5 A. I had no idea about the existence of it.  
6 Confusion, it's if you know something and you don't  
7 understand, but I didn't know about it.  
8 Q. Okay. What's that? 14?  
9 A. Uh-huh.  
10 (Exhibit 15 was marked.)  
11 BY MR. PIPER:  
12 Q. Here is Exhibit 15.  
13 MS. TAGVORYAN: Is this something that was  
14 produced? It doesn't have a Bates number.  
15 MR. PIPER: It was produced.  
16 MS. TAGVORYAN: By who?  
17 MR. PIPER: By you, to my knowledge.  
18 THE WITNESS: I think it was produced. It's an  
19 account sheet.  
20 BY MR. PIPER:  
21 Q. Is this still a sheet that is used by the  
22 company?  
23 A. No.  
24 Q. Is it something you're familiar with from when  
25 you started at the company?

Page 120

1 A. At the time we didn't use computers. Now we  
2 do.  
3 Q. But is this form something that you are  
4 familiar with?  
5 A. Yeah.  
6 Q. What does this reflect?  
7 A. It's a breakdown of services purchased and done  
8 by Dr. Meinders.  
9 Q. Do you know a Pat Gutierrez?  
10 A. I don't remember this person, but I'm assuming  
11 it's somebody who worked in the finance section.  
12 Q. Do you know when these courses were taken by  
13 Dr. Meinders?  
14 A. There is no date here, but they were taken  
15 prior to the 12-16-88.  
16 Q. But you don't know how long before?  
17 A. He signed the agreement -- usually they  
18 arrive -- he signed the agreement in August, so it's  
19 between August and December.  
20 Q. But he signed August, '87, and this is  
21 December, '88.  
22 A. So between those dates.  
23 Q. But when you don't know?  
24 A. If it's not in writing, I have no way of  
25 knowing.

Page 121

1 Q. Okay. Do you know what these various course  
2 descriptions refer to?  
3 A. Yes.  
4 Q. Okay. What is plan?  
5 A. Actually, they have longer names. It's how to  
6 plan your business.  
7 Q. How about BO?  
8 A. Basic organization.  
9 Q. Policy?  
10 A. How to write effective policy for the company.  
11 Q. MBS?  
12 A. Management by statistics.  
13 Q. Is the next one EI or EL?  
14 A. L. Effective leadership.  
15 Q. Okay. FP?  
16 A. Financial planning.  
17 Q. EFF?  
18 A. Efficiency, how to improve your efficiency.  
19 Q. Under Books & Packs, what does 7 WISE pack  
20 mean?  
21 A. The course packs. At that time we used some  
22 course packs with secularized materials for the public.  
23 Q. And does WISE here refer to World Institute of  
24 Scientology Enterprises?  
25 A. Yes. We used to purchase those materials from

Page 122

1 them.  
2 Q. Okay. So some of these books would have been  
3 produced by Emery Wilson, and some by World Institute of  
4 Scientology?  
5 MS. TAGVORYAN: Objection as to the word  
6 "produced," compound. I think you meant purchased.  
7 BY MR. PIPER:  
8 Q. Well, some of these were produced -- book  
9 packages, what are those?  
10 A. Okay. So, no, they are not produced by  
11 Sterling at that time.  
12 Q. Oh, all of them were produced by WISE; is that  
13 correct?  
14 A. Yes.  
15 Q. And what is the difference between the WISE and  
16 the book package?  
17 A. The book package contained different books,  
18 not -- the course package, it's a binder with the  
19 spiral, whatever, with pages in it, and that's the book  
20 package -- the course pack. The book package are books.  
21 Q. Okay. And all of them were -- none of them  
22 were produced by -- at that time by Sterling Management?  
23 A. No. At that time, no.  
24 Q. Okay. They were all produced by WISE, or did  
25 anybody else produce them?

Page 123

1 MS. TAGVORYAN: Objection. Calls for  
2 speculation, compound.  
3 BY MR. PIPER:  
4 Q. To your knowledge, were they all produced by  
5 WISE?  
6 A. Probably, but I have no way of knowing.  
7 Q. I'm going to mark Exhibit 16, which is a  
8 two-page Minneapolis brochure.  
9 (Exhibit 16 was marked.)  
10 BY MR. PIPER:  
11 Q. Do you recognize this?  
12 A. Yeah.  
13 Q. Does Emery Wilson still have its own copy of  
14 this document, other than the one that was attached to  
15 the complaint?  
16 A. You mean if I still have the complaint, the  
17 original complaint? I should have it.  
18 Q. Well, this was attached to the complaint, but  
19 do you have an independent copy in your own records?  
20 A. No.  
21 Q. Okay. Because it was produced back to us, but  
22 it looked like the same one that was attached to the  
23 complaint, so I was just trying to clarify that.  
24 And do you have any direct knowledge about this  
25 document based on your own personal experience?

Page 124

1 A. No.  
2 Q. Did you see this document back in March, 2013?  
3 That is, the underlying brochure.  
4 A. I saw the documents attached to the complaint,  
5 but I haven't seen it before.  
6 Q. Okay. So you didn't see the ads for this  
7 Minneapolis workshop back when it was getting organized?  
8 A. Probably. I sent it. Yeah, I've seen all the  
9 documents, but -- I mean all the promotions, but it's  
10 like a standard thing. It's the same for all of the  
11 seminars. The graphic is different. The dates.  
12 Q. And when faxes for the seminars were sent to  
13 clients, would they have been similar materials if they  
14 were faxed?  
15 A. What do you mean? I don't understand.  
16 Q. Well, would the basic layout of this be the  
17 same sort of --  
18 A. As you can see from the others, it's a graphic  
19 change from time to time. Obviously the content has  
20 different topics and stuff, but that's pretty much the  
21 same. As far as being faxed, I don't -- it's the same  
22 material. It could be put in a letter. It could be  
23 used for the E-mail. It could be used for anything.  
24 Q. And if it was faxed, it would have been faxed  
25 through one of those two Xerox machines on site?

Page 125

1 A. It's from the one that's in the technical  
2 section.  
3 Q. And if it was going to clients that existed, it  
4 would have been clients that are in the -- that were in  
5 the central files at the time that it was sent --  
6 A. Yes.  
7 Q. -- unless they had been moved to the dead files  
8 since then?  
9 MS. TAGVORYAN: A compound question, lacks  
10 foundation, assumes facts not in evidence.  
11 BY MR. PIPER:  
12 Q. Well, when faxes for workshops were sent to  
13 clients, they would have been clients that were in the  
14 central files --  
15 A. Yes.  
16 Q. -- at the time the fax was sent?  
17 A. Yes.  
18 Q. And they would still be in the central files,  
19 unless they've been moved to the dead files at this  
20 point?  
21 A. Correct.  
22 MS. TAGVORYAN: How many more exhibits do you  
23 have?  
24 MR. PIPER: I don't know.  
25 MS. TAGVORYAN: I'm wondering whether we should

Page 126

1 take a five-minute bathroom break.  
2 MR. PIPER: I've got enough to do to warrant  
3 taking a break.  
4 MS. TAGVORYAN: Okay.  
5 (Recess.)  
6 (Exhibit 17 was marked.)  
7 BY MR. PIPER:  
8 Q. Here's Exhibit 17. For the record, it's  
9 Exhibit B to the complaint. It's a fax about a  
10 June 22nd to 23rd Chicago, Illinois, workshop.  
11 MS. TAGVORYAN: Objection. Assumes facts not  
12 in evidence. You stated that this is a fax, and that  
13 has not been put forth in evidence yet.  
14 MR. PIPER: You mean at this deposition it  
15 hasn't been?  
16 MS. TAGVORYAN: Yeah. You just testified that  
17 this is a fax, but you haven't laid the foundation for  
18 why you believe that.  
19 MR. PIPER: Defendants have admitted that this  
20 is a fax, but be that as it may.  
21 Q. Do you recognize this document?  
22 A. Yeah.  
23 Q. What is this document?  
24 A. One of the letters from the workshop  
25 coordinator regarding a workshop in Chicago in 2013.

Page 127

1 Q. And is workshop coordinator the same as  
2 call-in --  
3 A. I don't know. Went by this name here.  
4 Q. Now, have you ever seen a document like the  
5 front page before?  
6 A. Yeah. It states the place where the seminar  
7 is. Yeah. Phone numbers. Yeah.  
8 Q. And is it your testimony that invitations like  
9 this were sent by various means, not limited to faxing?  
10 A. Yes.  
11 Q. Okay. Do you know how those were sent to  
12 Dr. Meinders?  
13 A. I don't think -- it doesn't look like being  
14 faxed, so I'm assuming it was E-mailed.  
15 Q. So were these sometimes sent by E-mail?  
16 A. Sure.  
17 Q. When you say it doesn't look like a fax, you  
18 just mean it doesn't have a fax line at the top?  
19 A. Yeah.  
20 Q. If it did, you would --  
21 A. No, I'm looking at the other one. It has a  
22 line.  
23 Q. So do you know what causes those lines to be  
24 created?  
25 A. I guess the fax is generating when it sends a

Page 128

1 fax.  
2 Q. But you don't know for sure whether all the  
3 faxes that go out through Xerox machines have those  
4 lines at the top, do you?  
5 A. I'm sure they have.  
6 Q. Okay. How do you know that? Have you ever  
7 gotten faxes from the Xerox machines?  
8 A. The faxes always have a line that has the  
9 dates. What is it? The time.  
10 MS. TAGVORYAN: It's called transmittal  
11 information.  
12 BY MR. PIPER:  
13 Q. And are you saying that you've gotten enough  
14 faxes from the Xerox machines at your work -- you've  
15 received them at home on your fax machine there?  
16 A. I don't have a fax machine.  
17 Q. So how do you know what the outgoing faxes look  
18 like?  
19 A. Any kind of fax machine. I've seen many faxes,  
20 especially many years ago when faxes were used more,  
21 when we didn't have E-mails.  
22 Q. Okay. And you're testifying that you know  
23 there's always a transmittal line at the top based on  
24 what?  
25 A. Yeah.

Page 129

1 Q. Have you ever used a fax machine other than the  
2 ones at your work?  
3 A. If I used a fax machine?  
4 Q. Have you ever had to work with a fax machine  
5 other than the ones at --  
6 A. At work, no.  
7 Q. But you think you know what shows up on other  
8 fax machines' faxes?  
9 MS. TAGVORYAN: Objection. Asked and answered  
10 several times.  
11 BY MR. PIPER:  
12 Q. Do you think you know what shows up on faxes  
13 that are received at places other than at Emery Wilson?  
14 MS. TAGVORYAN: Same objection.  
15 THE WITNESS: No.  
16 BY MR. PIPER:  
17 Q. What was the answer?  
18 A. The answer was no, because I didn't use another  
19 fax machine.  
20 Q. Okay. But you're assuming that --  
21 MS. TAGVORYAN: Oh, my God.  
22 BY MR. PIPER:  
23 Q. -- the difference between these --  
24 A. The documents, the two that you are showing me,  
25 all I'm saying, that one shows a line that it has been

Page 130

1 faxed. This one does not, so I don't know if this one  
2 was faxed or not.  
3 Q. Okay.  
4 A. I cannot identify it as a fax.  
5 Q. Okay. Did you ever ask Joshua Gillion about  
6 that?  
7 A. No.  
8 Q. Do you know if anyone ever interviewed Joshua  
9 Gillion about the faxes in this case --  
10 A. No.  
11 Q. -- while he was at the company?  
12 MS. TAGVORYAN: Other than your attorneys.  
13 BY MR. PIPER:  
14 Q. While he was at the company.  
15 MS. TAGVORYAN: I'm sorry. I didn't hear the  
16 last part of the question.  
17 BY MR. PIPER:  
18 Q. Do you know if anyone ever interviewed him  
19 other than -- do you know if anyone interviewed him  
20 while he was still at the company?  
21 A. No.  
22 Q. And this document would have been sent to  
23 people that had not yet signed up for the workshop;  
24 correct?  
25 MS. TAGVORYAN: Objection. A leading question

Page 131

1 and assumes facts not in evidence and misstates prior  
2 testimony. Can you repeat your question?  
3 MR. PIPER: Yeah.  
4 Q. In this document where it says to register for  
5 this workshop, that's something that Joshua Gillion  
6 would have said to someone who had not already  
7 registered for the workshop; correct?  
8 A. It looks like per the wording here -- it says  
9 we still have a few more seats available.  
10 Q. So this looks like something that was sent to  
11 people who hadn't signed up yet --  
12 A. Yeah.  
13 Q. -- correct?  
14 MS. TAGVORYAN: Objection. Vague and ambiguous  
15 as to "signed up yet." To what?  
16 BY MR. PIPER:  
17 Q. To the workshop. Correct?  
18 A. Yeah, that's what -- agree.  
19 Q. Okay. I'll mark Exhibit 18, which is Bates  
20 number Sterling 6 to 12.  
21 (Exhibit 18 was marked.)  
22 BY MR. PIPER:  
23 Q. Have you seen this document before?  
24 A. Yeah.  
25 Q. Where did you see this?

Page 132

1 A. We keep these in our central files.  
2 Q. Is that where this came from?  
3 A. I think that's the only place where it could  
4 come.  
5 Q. Let's see. I'd like to compare this to the  
6 Exhibit 15 and just make sure I know which seminars are  
7 reflected here.  
8 A. Not seminars. Courses.  
9 Q. Courses. Okay.  
10 A. Yes.  
11 Q. Why don't we start with Exhibit 15. Is the  
12 planning in here?  
13 A. I'm not sure these are everything he did.  
14 Q. Right, I don't know if it is either.  
15 A. I don't see it.  
16 Q. So planning, you don't see the certificate  
17 here?  
18 A. Oh, yeah, it's here. It's longer. It says how  
19 to expand your company by making planning become  
20 reality.  
21 Q. What's the number on that page at the bottom?  
22 A. Oh, you go by 00.  
23 MS. TAGVORYAN: Just the last number.  
24 THE WITNESS: 8.  
25 ///

Page 133

1 BY MR. PIPER:  
2 Q. So planning is 08. It's how to expand your  
3 company by making planning become actuality; is that  
4 correct?  
5 A. Yeah.  
6 Q. The next one is BO. Is that basic --  
7 A. Basic organization.  
8 Q. Okay. And that's page 7?  
9 A. Yes.  
10 Q. Policy, is that in here?  
11 A. I don't see that one.  
12 Q. Okay. Management by statistics?  
13 A. Yeah, I saw that.  
14 Q. That's page 12; is that correct?  
15 A. Yeah.  
16 Q. EL?  
17 A. Effective leadership. It's 11.  
18 Q. FP?  
19 A. I don't see that one.  
20 Q. What does that stand for again?  
21 A. Financial planning.  
22 Q. Okay. And EFF?  
23 A. That's No. 9. How to increase efficiency in  
24 your company.  
25 Q. Okay.

Page 134

1 A. And there is one --  
2 Q. Is that the office organization, page 10?  
3 A. It's page 10 here. That is given at the end of  
4 the program when the services were done. It looks like  
5 he did the program in October, 2000. I mean 1987. And  
6 the continuous education credits he received.  
7 Q. Okay. So from what you can see on here, all of  
8 the courses he took were in August to October?  
9 A. No, I don't think he -- I mean, everything was  
10 done -- oh, yeah, it looks like August, August, August.  
11 Yeah, so he did the courses in August, and we sent him  
12 the credits in October.  
13 Q. Is the office organization reflected anywhere  
14 here on the calculation sheet?  
15 A. No. It's the name that they give for the  
16 credits, for the continuous education credit, to show  
17 that he finished the 16 units, or whatever it says here.  
18 16 credits.  
19 Q. If he had finished -- would they have given him  
20 the office organization if he hadn't taken the financial  
21 planning and the policy classes?  
22 A. I think he took all the classes, but they are  
23 missing from the records.  
24 Q. So probably --  
25 A. Because we --

Page 135

1 Q. To your knowledge, policy and financial  
2 planning would have been also taken in August of 1987?  
3 A. Correct.  
4 Q. Do you think why it took -- why it was  
5 December, '88, when they did this calculation sheet?  
6 A. I don't know.  
7 (Exhibit 19 was marked.)  
8 THE WITNESS: Do I have to keep everything in  
9 order?  
10 MS. TAGVORYAN: That's okay.  
11 BY MR. PIPER:  
12 Q. You don't have to keep them in order. The ones  
13 that relate to his -- it might help to keep those  
14 together just in case you've got to check which courses  
15 he took or something.  
16 A. I got it.  
17 Q. Okay. Do you recognize this document?  
18 A. Yeah.  
19 Q. And do you know if this is from your files?  
20 A. Central files, yeah.  
21 Q. And this is a write-up that Dr. Meinders would  
22 have done at the time he was taking the courses; is that  
23 correct?  
24 A. Yeah.  
25 Q. Do you know what PC would stand for?

Page 136

1 MS. TAGVORYAN: Objection. Calls for  
2 speculation.  
3 THE WITNESS: Where is it?  
4 BY MR. PIPER:  
5 Q. At the top.  
6 A. No.  
7 Q. Is that the name of a course?  
8 MS. TAGVORYAN: Objection. Calls for  
9 speculation. This document --  
10 THE WITNESS: I don't know.  
11 MS. TAGVORYAN: -- was written by your client,  
12 and you're asking her about what it could mean.  
13 BY MR. PIPER:  
14 Q. Have you ever seen these abbreviations as part  
15 of the training materials for Sterling?  
16 A. No. I don't know what that is.  
17 Q. And, incidentally, we don't know for sure who  
18 wrote what on this sheet since the handwriting is  
19 various. Do you know what any of the -- what's the  
20 point of this kind of document? Have you seen this  
21 before?  
22 A. Yeah. At the end of any course there is a test  
23 with a few questions. It varies. A few questions. And  
24 after that, after the test, they are asked if they want  
25 to write something, like a success story. If they like

Page 137

1 the course, if they want to write something. And each  
2 person writes whatever they thought about the course.  
3 Q. Have you ever heard of the org board that's  
4 referred to in the second line?  
5 A. Uh-huh.  
6 Q. What does that refer to in the Sterling system?  
7 A. Well, it's an organizing board that has  
8 positions and functions, what everybody is doing.  
9 Q. So how does that work in the management system?  
10 A. I --  
11 Q. What's the training they get about that?  
12 A. It's part of the basic organization course.  
13 It's something that they learn, how to organize. Here  
14 we have the functions of the executive of the business.  
15 Here we have the office manager, what the office manager  
16 needs to do. What the hygienist needs to do. Let's say  
17 taking a dental practice.  
18 Q. Okay. So it's setting up an org board in  
19 someone's business as part of the training they get?  
20 A. Uh-huh. To make them know -- for each person,  
21 what they're supposed to know. Usually it's posted so  
22 everybody can see it.  
23 Q. Okay. Which exhibit is that?  
24 A. 19.  
25 Q. And is organizing board also a concept within

Page 138

1 the Church of Scientology?  
2 MS. TAGVORYAN: Objection. I'll instruct the  
3 witness not to answer.  
4 (Exhibit 20 was marked.)  
5 BY MR. PIPER:  
6 Q. This is Exhibit 20. Do you recognize this  
7 description of the organizing board from  
8 scientologycourses.org?  
9 MS. TAGVORYAN: Objection. I instruct the  
10 witness not to answer any questions about this exhibit.  
11 (Exhibit 21 was marked.)  
12 BY MR. PIPER:  
13 Q. This is Exhibit 21. Do you recognize this  
14 document?  
15 A. Yeah.  
16 Q. What is this one?  
17 A. It's another success story. I happen to know  
18 what this is.  
19 Q. Okay. What is PPR?  
20 A. Personal practice review.  
21 Q. Okay.  
22 A. So I'm assuming the other one had another  
23 abbreviation of some sort. This is the last thing that  
24 the client does before leaving. After the training,  
25 they meet with the consultant, and they have a strategic

Page 139

1 plan. They have some guidance programs, what he's going  
2 to implement after leaving Sterling. That's why it's  
3 called personal practice review.  
4 Q. Okay. So would this have been basically the  
5 last of the commentaries that the attendee would have  
6 written?  
7 A. Uh-huh.  
8 Q. Is that a yes?  
9 A. Yes.  
10 Q. Okay. Is the word preclear used at all in the  
11 Sterling management program?  
12 A. No.  
13 Q. So you've never seen PC used for that in that  
14 context?  
15 A. I'm a hundred percent sure that this  
16 abbreviation here does not refer to PC.  
17 Q. I'm talking about the other one that said PC.  
18 A. Yeah.  
19 Q. The other exhibit.  
20 A. Yeah, the other one.  
21 Q. You feel confident that's not preclear?  
22 A. I'm a hundred percent sure. It could be  
23 practice. I don't know.  
24 MS. TAGVORYAN: We don't want you to guess.  
25 THE WITNESS: Yeah.

Page 140

1 BY MR. PIPER:  
2 Q. This one in the middle, it says: I realized I  
3 have been coping for years.  
4 Is coping a term that's used in the training at  
5 Sterling Management Systems? Is it a term of art or a  
6 term that's used in any particular meaning? Does that  
7 ring a bell?  
8 A. Is it a word in English?  
9 Q. Well, it's certainly a word in English, but he  
10 uses it in a couple of these, and I was just wondering  
11 if that's part of the training materials that you're  
12 aware of.  
13 A. I don't know. We're not using these courses  
14 anymore. For quite a while. For quite a long time.  
15 Q. Okay.  
16 MS. TAGVORYAN: Objection. Calls for  
17 speculation as to how the plaintiff is using this  
18 English word in this sentence.  
19 MR. PIPER: Well, I didn't ask her how he's  
20 using it. I asked her if it was a word that is used in  
21 the materials at Sterling, and she said she doesn't  
22 know.  
23 MS. TAGVORYAN: Okay. Then asked and answered.  
24 MR. PIPER: She answered it after I asked it.  
25 So it's sort of tautological.

Page 141

1 (Exhibit 22 was marked.)  
2 BY MR. PIPER:  
3 Q. Why don't you look at Exhibit 22, which is  
4 another similar document called planning. And is this  
5 another similar document that you recognize from his  
6 file?  
7 A. Yeah.  
8 Q. Do you know which of the courses planning would  
9 refer to?  
10 A. It's the one with the long title. How to  
11 expand your company by making planning become actuality.  
12 Q. By the way, the initials there -- and also on  
13 Exhibit 19 -- there's a KQ. Would that be Mr. Wilson?  
14 A. No. It's an abbreviation for key question.  
15 Q. Okay.  
16 A. Key question.  
17 Q. Oh, I see. Okay. How about V something?  
18 A. I don't know if it's the person who signed. I  
19 don't know.  
20 Q. The one below that, do you recognize that at  
21 all?  
22 A. Oh, it could --  
23 MS. TAGVORYAN: Objection. Calls for  
24 speculation.  
25 ///

Page 142

1 BY MR. PIPER:  
2 Q. Do you recognize that as anybody's initials?  
3 MS. TAGVORYAN: Objection. Assumes facts not  
4 in evidence, lacks foundation, and we haven't  
5 established that these are anyone's initials.  
6 MR. PIPER: Right. I'm asking her if she  
7 recognizes this.  
8 THE WITNESS: No, because I wasn't even there  
9 at that time.  
10 BY MR. PIPER:  
11 Q. What does key question mean?  
12 A. It's a question asked by the examiner. Meaning  
13 if the person would like to share the gains from  
14 whatever they learned with somebody else, with other  
15 people.  
16 Q. Okay. What does it mean that that's marked on  
17 the paper there?  
18 MS. TAGVORYAN: Objection. Calls for  
19 speculation.  
20 THE WITNESS: I can answer that. So it's a key  
21 question. We want to know if that person is satisfied  
22 or not, if they are happy with what they received. Yes,  
23 I loved the course. I would love my staff to know about  
24 it. So it's a good indicator for us.  
25 ///

Page 143

1 BY MR. PIPER:  
2 Q. Okay.  
3 A. That's why we call it the key question.  
4 Q. Why don't you give those back to me. I may  
5 have some follow-up on some of these.  
6 Exhibit 6, in the contents of the page that's  
7 been provided here today, there's no indication of when  
8 he became a client or who his consultant would have been  
9 or what courses he took or things like that. Is that  
10 information that would be on a different tab of the dead  
11 file?  
12 A. I don't think so.  
13 Q. Well, earlier you suggested that all the  
14 central file information would get transferred over to  
15 the dead file.  
16 A. My only answer to this is that probably at the  
17 time we had Mr. Meinders as a client, we were not  
18 collecting all of that information. That is what we do  
19 now. New clients, they have all of this information, so  
20 I guess it's all we have.  
21 Q. There are some other tabs further down the  
22 page, like opportunities, history, notes. Do you know  
23 whether any of those tabs are filled out for  
24 Dr. Meinders?  
25 A. No. I don't think so.

Page 144

1 Q. Is it possible if the person operating with  
2 this -- is this, to your knowledge, a screen print of  
3 basically what's on the screen?  
4 A. Yeah.  
5 Q. Is it possible that if someone clicked on one  
6 of those other tabs, there would be more information?  
7 A. I'm sure there's not more, because if there  
8 would be more, I would have it in hard copy. If I have  
9 more information. But everything we had were the  
10 success stories and certs, and that's it.  
11 Q. But I mean if there were data in the database  
12 in central files, when it was moved over to dead files,  
13 would that all show up on this page?  
14 MS. TAGVORYAN: Objection. Misstates prior  
15 testimony. I believe the witness testified that the  
16 plaintiff was never in the central files, or in the new,  
17 current central files.  
18 BY MR. PIPER:  
19 Q. Are you saying that Dr. Meinders was never in  
20 central files, even before this lawsuit was filed?  
21 A. He was in the central file. He was not in the  
22 Infusion, the new program that we have.  
23 MS. TAGVORYAN: Right.  
24 BY MR. PIPER:  
25 Q. Okay. And in the ACT central files, there were

Page 145

1 more fields in the central files that's what is shown on  
2 this page?  
3 A. Regarding him?  
4 Q. Well, in general there were other fields that  
5 aren't included here, either blank or otherwise, which  
6 would include his history with the company and so forth?  
7 A. If we have the information, yes.  
8 Q. Okay. And if that information existed in  
9 central files, it should have transferred over to the  
10 dead file; is that correct?  
11 A. Right.  
12 Q. Is it possible that there's more information in  
13 his dead file under different tabs than what's shown on  
14 this page?  
15 A. I don't think so.  
16 Q. Okay.  
17 Is that something you could agree just to  
18 double-check?  
19 MS. TAGVORYAN: That's fine. I was waiting for  
20 you to ask, and so, yes, we will double-check.  
21 MR. PIPER: Okay.  
22 MS. TAGVORYAN: I've been waiting for you to  
23 ask. We'll double-check.  
24 THE WITNESS: Okay.  
25 ///

Page 146

1 BY MR. PIPER:  
2 Q. Why don't you give me that back.  
3 Do you have a dead file routing form for  
4 Dr. Meinders, the hard copy?  
5 A. I don't remember. There should be. I need  
6 to -- I need to check.  
7 Q. Okay. Well, that, again, would be something  
8 that --  
9 A. I can make a note.  
10 MS. TAGVORYAN: Let me see that again.  
11 THE WITNESS: Well, it definitely went to the  
12 right routing form. It could be by E-mail because I'm  
13 using more of the E-mail. Okay, I will check.  
14 BY MR. PIPER:  
15 Q. Could I see the notes that you brought to help  
16 for the deposition today?  
17 MS. TAGVORYAN: No, you cannot. It has my  
18 notes on it as well.  
19 MR. PIPER: Well, that's something she referred  
20 to in the course of the deposition.  
21 MS. TAGVORYAN: Except it's privileged, so no,  
22 you cannot see them.  
23 MR. PIPER: It may not be if she's referred to  
24 them.  
25 MS. TAGVORYAN: It has my attorney work product

Page 147

1 and my mental impressions, and, no, you cannot see them.  
2 MR. PIPER: She's referred to it during the  
3 testimony while giving testimony, so I'm just asking to  
4 see it.  
5 MS. TAGVORYAN: Right, and our answer is that  
6 you cannot see it.  
7 MR. PIPER: Okay. Okay is saying I understand  
8 what you have just said, and we'll have to resolve that  
9 later. I'd just ask you to preserve those notes.  
10 MS. TAGVORYAN: That's fine.  
11 BY MR. PIPER:  
12 Q. I'll ask you to take a look at that for a  
13 second. I have some follow-up questions on this one.  
14 What is CF officer?  
15 A. Central file.  
16 Q. Officer. Who would be a central file officer?  
17 Who is the central file officer?  
18 A. Eve Alroth.  
19 Q. Okay. And she's the person that assists you?  
20 A. She's the person who has the data entry duty.  
21 Q. And she reports to you?  
22 A. I cannot say she reports to me, but she's doing  
23 what I'm asking her to do.  
24 Q. So she works closely with you to assist you  
25 with data entry things?

Page 148

1 A. When the case is, yeah.  
2 Q. Does she sit near you? Do you have your own  
3 office, or how is that structured?  
4 A. Yeah, I have my own office.  
5 Q. Does she sit close to your office?  
6 A. She's across, on the other side, but we're  
7 close. Is that relevant?  
8 Q. I'm just trying to understand your relationship  
9 since she doesn't report to you but she assists you.  
10 MS. TAGVORYAN: She didn't say she doesn't  
11 report to her.  
12 THE WITNESS: Well, if I ask her to do  
13 something, she'll do it. So in that way.  
14 BY MR. PIPER:  
15 Q. She assists you?  
16 A. Yeah.  
17 Q. And she works right next to you. Okay. So  
18 locates the CF folder of the person, does that refer  
19 to -- and under 1 -- well, it says CF officer, and then  
20 it says /addresso I/C. Do you know what addresso I/C  
21 means?  
22 A. It's the same person who is in charge. I/C,  
23 it's in charge. With any kind of address changes,  
24 contact information changes.  
25 Q. And is that someone other than Eve, or the same

Page 149

1 person?  
2 A. She's the same, yeah.  
3 Q. Now, the way you use this form, do you check  
4 off the things that are to be done?  
5 A. Yeah.  
6 Q. And do you check it by a check mark or by  
7 signing it?  
8 A. Check mark.  
9 Q. Okay. Where it says, "Locates the CF folder of  
10 the person, marks enttheta on it, scanned," would the  
11 CF folder be the physical -- central files physical  
12 folder?  
13 A. Yeah. If there is one, yeah.  
14 Q. Okay. Do you know if there was one for  
15 Dr. Meinders?  
16 A. I think so.  
17 Q. And do you know if you checked off that that  
18 should have enttheta marked on it?  
19 A. Yes. Again, at one point we scanned every  
20 single folder, so we got rid of the physical folders.  
21 We had them scanned.  
22 Q. Okay. So even though he once had a physical  
23 folder, at this point they're scanned?  
24 A. Right.  
25 Q. Is that in the same database as the central

Page 150

1 files database?  
2 A. Correct.  
3 Q. So in addition to the data entries in the  
4 fields, there's a copy -- is that a PDF of the original  
5 central file?  
6 A. Yes.  
7 Q. And is that sort of linked to the -- if you  
8 brought up these fields in the central files, would that  
9 PDF be linked to it in some way?  
10 A. I don't know. I don't think so. I think they  
11 are two separate things. We scan the folders for each  
12 person. I mean, the success stories and all of that.  
13 Q. Have you ever pulled up that kind of folder  
14 yourself?  
15 A. No.  
16 Q. Okay. Who do you have do that for you?  
17 A. Eve.  
18 Q. Okay. So what would the scanning here be?  
19 Would that be to rescan the whole folder, or just rescan  
20 the cover sheet?  
21 A. It's a general thing. If there is still a  
22 folder that's -- scanning was a long process. It took  
23 longer.  
24 Q. Okay.  
25 A. So if it wasn't scanned yet, then scan it. If

Page 151

1 it was already scanned, then you have it.  
2 Q. So if it's already scanned, you don't need to  
3 do anything to mark enttheta on it?  
4 A. No.  
5 Q. Do you know whether the second one would have  
6 been checked for Dr. Meinders?  
7 A. The second one, sends a rush communication to  
8 computer I/C. These kind of things, yes.  
9 Q. Do you know if he was on any mailing lists or  
10 calling lists?  
11 MS. TAGVORYAN: Objection. Compound and lacks  
12 foundation.  
13 BY MR. PIPER:  
14 Q. Do you know if he was on any mailing list?  
15 A. Yes.  
16 Q. Okay. What would the mailing list have been?  
17 A. The mail house.  
18 Q. And what is the mailing list?  
19 A. It's a list of our clients.  
20 Q. And is the mail house --  
21 A. Okay. Go ahead.  
22 Q. Is the mail house the same as the communication  
23 center?  
24 A. No.  
25 Q. What is the mail house?

Page 152

1 A. It's an external company who does our mail.  
2 Q. Okay. So you still use an external company for  
3 mailing?  
4 A. To just do the mail, yes.  
5 Q. Okay. And what's the name of that company?  
6 A. Star Mailing.  
7 Q. Star Mailing. Okay. Are they located here in  
8 LA?  
9 A. Yes.  
10 Q. Do you know where in LA, what street or  
11 neighborhood?  
12 A. Not off the top of my head. I don't know.  
13 Q. It's just Star, S-t-a-r?  
14 A. Yes.  
15 Q. How about calling lists?  
16 MS. TAGVORYAN: What's your question?  
17 BY MR. PIPER:  
18 Q. What are calling lists as referenced in the  
19 form here?  
20 A. So people calling. Josh, he had his own list  
21 of people calling, so that's the calling list. That was  
22 used for each seminar.  
23 Q. And do you know whether Dr. Meinders was on a  
24 calling list?  
25 A. Yes, he was prior to being dead file.

Page 153

1 Q. Are those calling lists maintained anywhere?  
2 A. No. They are updated now with Infusion. Our  
3 clients will just go in Infusion, and take the names  
4 from Infusion to be used. We're not printing this.  
5 Q. How does that work for the person that's making  
6 the calls? Do they get one list out of Infusion, or do  
7 they get numbers fed to them one at a time?  
8 A. Okay. Now we're talking about present time?  
9 Q. Correct.  
10 A. You don't need to create a list, to print out a  
11 list. Like, old times, there were lists printed.  
12 Select the Chicago area and print all of our clients in  
13 Chicago. 20 of them, whatever they are. In Infusion  
14 you just log in, and you have -- you select Chicago  
15 people, and you have their names, so you just use the  
16 information from the computer.  
17 Q. But how does that appear on the computer screen  
18 of the person -- well, am I correct that that list in  
19 the current way appears on the computer screen of the  
20 person that's asking for the list?  
21 A. I don't know if -- no, it's not appearing like  
22 a list. It appears similar to what you see here.  
23 Q. So would it be appear sort of one person at a  
24 time?  
25 A. Right, right.

Page 154

1 Q. And then you call them, and then you flip to  
2 the next person?  
3 A. Right.  
4 Q. And how does -- do you know how the mail house,  
5 Star Mailing, maintains the mailing list? Is it on a  
6 computer or a physical copy?  
7 MS. TAGVORYAN: Objection. Calls for  
8 speculation.  
9 THE WITNESS: Yeah, it would be speculation. I  
10 don't know.  
11 BY MR. PIPER:  
12 Q. Then the next entry is: Deletes the DF person  
13 from the clients list and adds the name to the DF list.  
14 Is there a clients list other than simply the  
15 database itself? Is there a list of clients somewhere?  
16 A. Okay. We call it list because it says a series  
17 of names, but, again, we have it on this computer in  
18 this kind of format.  
19 Q. Okay. Was that true under ACT also --  
20 A. Yes.  
21 Q. -- or was there a printed list for ACT?  
22 A. No, it was the same thing.  
23 Q. Okay. Then it says: Sends a notification to  
24 Division 6 to take the name off the tags list, or any  
25 calling lists.

Page 155

1 What is Division 6?  
2 A. We call it like that because it's the sales  
3 section of the company.  
4 Q. And what's the tags list?  
5 A. These are people who are willing to talk, to  
6 refer us to others. We have a number of people that we  
7 know that help us with the sales. We call them tags.  
8 What they do, they just tag. That's why we call them  
9 tags.  
10 Q. What do you mean, to tag?  
11 A. I mean they are willing to talk to a prospect.  
12 It's used only for prospects. It's not used for regular  
13 clients. Let's say you have a prospect that wants to do  
14 the program, so would you like to talk to somebody in  
15 your area that did our program? And they go, yeah,  
16 sure. So here is the phone number. So they can talk  
17 between them and find out more about us. And we call  
18 these people tags.  
19 Q. Okay. Are there people that are dead filed who  
20 are not in central files but are only tags? That is,  
21 are the tags separate -- my understanding was the people  
22 that the salespeople were calling were not in the  
23 central files. So are the tags in the central files or  
24 a separate group?  
25 A. No, it's not a separate list.

Page 156

1 Q. Okay. So there are some people who are in the  
2 central files that the salespeople in Division 6 are  
3 also calling? Is that what you're saying?  
4 A. No.  
5 MS. TAGVORYAN: Objection. Vague, misstates  
6 prior testimony, confusing.  
7 THE WITNESS: No, I'm not saying that.  
8 BY MR. PIPER:  
9 Q. Okay. So explain it to me again.  
10 A. Okay. Assuming the person A buys the program  
11 from us. He is getting a phone call -- or he calls  
12 person B, who's telling him yes, I already did this  
13 program, and I like it very much, and this is what  
14 happened to me.  
15 Q. Okay.  
16 A. The person B gets a tag. He's already on our  
17 clients list. Now, assuming at one point in time the  
18 person B gets upset with us for whatever reason, then we  
19 make sure that that person is taken out of -- completely  
20 out of any kind of potential places that he might be.  
21 Q. Okay.  
22 A. It's implicit that he is going to be taken out  
23 completely.  
24 Q. Okay. And what's the point of the tags list?  
25 What is that used for?

Page 157

1 MS. TAGVORYAN: Objection. Asked and answered.  
2 THE WITNESS: It's not -- it's not -- the  
3 purpose -- no, it's actually -- not necessarily a list,  
4 but we need to know -- the salespeople need to know who  
5 would be available and who would be interested to  
6 recommend Sterling to others. So they would know that  
7 in Chicago we have Joe. Joe is going to be a good  
8 reference for us. So they have Joe's name. We don't  
9 have too many, but, you know, that's the purpose of it.  
10 BY MR. PIPER:  
11 Q. Okay. And shipping off, is that sending  
12 products to people?  
13 A. No. We have a guy who is boxing things and  
14 shipping out.  
15 Q. Okay. But that would be like shipping books  
16 out or something like that?  
17 A. Shipping books mostly.  
18 Q. Okay. Then it says: Sends notification to any  
19 reg on the cycle plus to Department 10 with do not call  
20 on it.  
21 What does that refer to?  
22 MS. TAGVORYAN: What's your question? Sorry.  
23 BY MR. PIPER:  
24 Q. What does sends notification to any reg on the  
25 cycle plus to Department 10 with do not call on it?

Page 158

1 A. So the way it flows here is from somebody who  
2 originates a request. Assuming we get a letter,  
3 somebody says I don't want to have anything to do with  
4 you. So I get the letter, and I originate this form.  
5 It goes to the central file, who removes the name from  
6 anyplace that could be possible, the mail house, this,  
7 that, whatever. Then sends an E-mail, which is a  
8 notification, to the technical service. These are the  
9 people like Josh who are calling. Do not call. Make  
10 sure they have this information, because otherwise they  
11 wouldn't know. They are saying we can still call Bob.  
12 Q. What does reg on the cycle mean?  
13 A. Which one?  
14 Q. Sends notification to any reg on the cycle.  
15 A. Oh, reg -- we call reg registrar, the  
16 salespeople.  
17 Q. And the cycle?  
18 A. Cycle?  
19 Q. What does the cycle mean?  
20 A. See, that's our argot. Sometimes it's not  
21 understood. We call cycle if there's a potential --  
22 let's say a client is in the middle of a sales item. So  
23 he -- at one point he says, well, I will be interested  
24 in buying a little bit more, and then he gets upset.  
25 Now, you have to notify the salesperson that this person

Page 159

1 is no longer to be called, no longer to have contact  
2 because the person is dead file. So we need to notify  
3 every single person who might have contact with that  
4 person that they are not allowed to bother that person  
5 anymore if they ask to be taken off.  
6 Q. And Department 10?  
7 A. Well, we call Department 10 -- they have names.  
8 The technical administrative section of the company.  
9 Q. Okay. Then we've got minor and major, which  
10 you've sort of explained, but what would a minor be?  
11 A. Clients who purchase smaller packages.  
12 Q. Okay. So that's really just the dollar value?  
13 A. Right. Yeah, like a four-day introductory  
14 program.  
15 Q. Okay. And what is FSM data?  
16 A. Field staff member. These are people that are  
17 referring us to other friends or colleagues, so we call  
18 them field staff members. We consider them -- if they  
19 refer somebody to us, here is my friend.  
20 Q. So those would be other clients usually, or  
21 would it be people just --  
22 A. Clients, yeah.  
23 Q. Division 1 and director I & R post?  
24 A. Division 1 is division of personnel. Director  
25 of inspection and reports needs to be informed that we

Page 160

1 need to make sure that we're not communicating basically  
2 with that person.  
3 Q. Okay.  
4 A. So we take every single angle to cover that  
5 that person is not communicated to anymore.  
6 Q. Then under technical services administration --  
7 first of all, is that your group, or who's in charge of  
8 technical services administration?  
9 A. We have a person who is actually supervising  
10 the administrative section of the technical section, so  
11 that's Alyssa Thompson. I already gave you that name.  
12 Q. That's a different position than what you hold?  
13 A. Yes.  
14 Q. Have you ever been in charge of technical  
15 services administration?  
16 A. I was in charge with more than that at one  
17 point in time, but long ago, which was I was in  
18 charge -- I was over -- I was senior vice-president over  
19 the services, including consultants, including finances,  
20 including everything.  
21 Q. Okay. What exactly does technical services  
22 administration do?  
23 A. They have a lot of functions. They service the  
24 consultants. They help with scheduling appointments  
25 with their clients, doing all sort of admin filing, all

Page 161

1 these things. And, also, within the same section are  
2 the seminars and logistics for different services.  
3 Remember, I mentioned the office visits. They book  
4 hotels. They book flights. These kinds of things.  
5 Q. They wouldn't be in charge of the computer  
6 systems?  
7 A. No.  
8 Q. Who's the computer systems under?  
9 A. Do you want the name?  
10 Q. Well, is there a title for that function, like  
11 director of something?  
12 A. No. It's the computer I/C.  
13 Q. Computer I/C. Who is the computer I/C now?  
14 A. Stephen Owens.  
15 Q. And does he have assistants, or does he do it  
16 himself?  
17 A. He's doing it himself.  
18 Q. So under TSA, it says: Sends a notification to  
19 workshop in charge to take the name off the seminar  
20 calling list.  
21 A. Right.  
22 Q. Would that have been what Joshua was doing --  
23 A. Uh-huh.  
24 Q. -- or something else?  
25 A. Yeah.

Page 162

1 Q. That was Joshua?  
2 A. Uh-huh.  
3 Q. Who is doing the seminar calling now?  
4 A. We don't have somebody.  
5 Q. Okay. Sends a notification to DTS and the tech  
6 section?  
7 A. Director of technical services.  
8 Q. Okay. Now, folders regarding the DF person,  
9 client, student, qual, et cetera, would there be folders  
10 outside of central files?  
11 A. Yes.  
12 Q. What would that be in those types of folders?  
13 A. The consultant keeps notes of their  
14 communication by phone. It's a record of the billable  
15 hours. Different information regarding the client.  
16 Q. Okay. None of those files existed for  
17 Dr. Meinders?  
18 A. We couldn't locate. We trashed old folders. I  
19 mean, we've moved a couple of times since '87, so a lot  
20 of folders were gone.  
21 Q. And then they route everything to the board  
22 finance officer?  
23 A. Uh-huh.  
24 Q. And the board finance officer is -- what is the  
25 board finance officer's job?

Page 163

1 A. Actually, it's a position that I am holding  
2 from above.  
3 Q. Okay.  
4 A. Meaning it's part of the finance section, and  
5 it has specific functions. The main one being to keep  
6 the negative thing out of somebody who is upset, out of  
7 everybody's plates. Meaning we don't want people to get  
8 upset or anything, so I'm taking that pleasure.  
9 Q. Okay. Do they basically just oversee the  
10 billing of the clients and payments?  
11 A. I have to do that.  
12 Q. You do that. Okay. Do you know if there was  
13 any -- did you look to see whether there was a refund  
14 due to Dr. Meinders when you did this?  
15 A. Based on what I've seen in his account, I think  
16 he owes us.  
17 Q. Okay. That plus 100 means he owes you, not you  
18 owe him?  
19 A. No, I think it was a minus. I don't have it  
20 here.  
21 Q. It's Exhibit 15. I've got it. Okay. First of  
22 all, is Exhibit 15 what you're talking about?  
23 A. Yes.  
24 Q. Well, at the bottom it says balance on the  
25 account is 103.

Page 164

1 A. That's correct. We owe him \$103.88.  
2 Q. And that's somehow a total of all of these  
3 other balances up above?  
4 A. Uh-huh.  
5 Q. Okay. And what's the DPA post?  
6 A. Director of public affair.  
7 Q. So that's you again?  
8 A. Yeah.  
9 Q. So you just keep passing this form back to  
10 yourself? I'm just joking. Sorry. Do you have any --  
11 are you aware of any documentation that specifically  
12 states that Dr. Meinders agreed to receive faxed  
13 advertisements from Emery Wilson?  
14 A. No, but we have -- always calling somebody, we  
15 ask them if they consent to send them the information,  
16 so they give us the verbal consent.  
17 Q. Okay. But you don't have any documents that  
18 reflect that that ever happened with Dr. Meinders?  
19 A. I answered no.  
20 Q. Do you have any evidence that he did any  
21 business with Emery Wilson after 1987?  
22 A. No. I don't know when he attended the  
23 seminars. There is no date on that document, but he  
24 attended a couple of seminars. I don't know if he  
25 attended the seminars after. Probably it was after.

Page 165

1 Q. You mean the ones that aren't shown as -- we  
2 don't have the certificates?  
3 A. Left.  
4 Q. Right. So if there are seminars that there's  
5 no certificate --  
6 A. No, we don't give certificates.  
7 Q. You mean if he attended a free workshop later?  
8 A. Yes.  
9 Q. But you don't have any record of that?  
10 A. At that time they were charged. Now they are  
11 free.  
12 Q. But you don't have any record that he attended  
13 any workshops after 1987?  
14 A. I don't know when he attended the seminars.  
15 Q. Which seminars?  
16 A. He attended two seminars based on that. It's  
17 on the right side of the paper. It says seminar.  
18 Q. Oh, these two here?  
19 A. Right.  
20 Q. So sometime before December of 1988 he attended  
21 two seminars, but you don't know when that was?  
22 A. Correct.  
23 Q. But you don't have any evidence that he did any  
24 business with Sterling or Emery Wilson after December of  
25 1988?

Page 166

1 A. No.  
2 Q. Do you have any evidence of a continuing  
3 business relationship after December, 1988?  
4 MS. TAGVORYAN: Objection. Calls for a legal  
5 conclusion.  
6 THE WITNESS: No, I don't have. No.  
7 BY MR. PIPER:  
8 Q. Are you aware of evidence in writing of any  
9 other client that consented to receive -- that any other  
10 client other than Dr. Meinders expressly agreed to  
11 receive faxes from Emery Wilson?  
12 MS. TAGVORYAN: Objection. Compound.  
13 THE WITNESS: What --  
14 MS. TAGVORYAN: And vague and ambiguous.  
15 THE WITNESS: Okay.  
16 MS. TAGVORYAN: Lacks foundation.  
17 THE WITNESS: The only evidence that I have is  
18 that he never asked to be removed, so that's the only  
19 clear thing, that he had enough time to claim that he  
20 doesn't want to be bothered.  
21 BY MR. PIPER:  
22 Q. Do you know whether he received any fax  
23 advertisements other than the two that are attached to  
24 the complaint?  
25 A. More than the ones that you see here?

Page 167

1 Q. Yes.  
2 A. I have no idea.  
3 Q. Okay. And as to any other client other than  
4 Dr. Meinders, do you know if there's any written  
5 documentation where they asked to receive faxes?  
6 A. We got verbal agreement from each of -- the  
7 consultants -- per our policy, the consultants are  
8 asking permission. They are asking their consent if  
9 they want to receive information from us.  
10 Q. Where is that policy set forth? Is it in  
11 writing?  
12 A. I don't have -- it's not in the employee  
13 handbook. I can tell you that.  
14 Q. Do you know if it's in writing anywhere else?  
15 A. No, I don't know. It could be in their  
16 consultant's training package. I don't know.  
17 Q. But you haven't seen anything that expressly  
18 set that forth?  
19 A. I haven't seen it, no.  
20 Q. And other than the fact that you think the  
21 consultants are supposed to ask that, have you ever seen  
22 in any client file where any client specifically stated  
23 that they wanted to receive faxes from Emery Wilson?  
24 A. No, I haven't seen that, although it was  
25 implied by the fact that they agreed to do our program,

Page 168

1 so they give us voluntarily their information. When we  
2 ask them over the phone if you would like to receive  
3 some of our information, sometimes they originate. They  
4 want to receive the information. They ask us, send me  
5 the topics of the seminar. Seminars are -- yeah.  
6 Q. But you've never seen that in writing where  
7 somebody signed something saying I want to receive fax  
8 advertisements from Emery Wilson?  
9 A. Right now we do have that in writing.  
10 Q. Since the lawsuit started?  
11 A. Yes.  
12 Q. Okay.  
13 A. We didn't know we need something in writing.  
14 Q. So before the lawsuit, you didn't have that in  
15 writing?  
16 A. Yes.  
17 MS. TAGVORYAN: Well, you don't need it in  
18 writing, but yeah.  
19 THE WITNESS: I didn't even know.  
20 BY MR. PIPER:  
21 Q. Have you ever seen where a sales consultant or  
22 anyone else at Emery Wilson specifically wrote down this  
23 client asked me to fax information to them and put that  
24 in the permanent file?  
25 A. I have no way of knowing. I'm assuming if they

Page 169

1 take notes, they will have information, but I don't  
2 know.  
3 Q. And if that did exist, the normal course would  
4 be to destroy those kind of notes; correct?  
5 A. Most of the time the personal notes -- if they  
6 are documents related to the client, like they are  
7 statistics or they are financials, things like that, we  
8 keep that.  
9 Q. A note saying this person asked me to fax them  
10 a flier, or would it something to be destroyed under the  
11 company policy?  
12 A. No, we don't have a policy of destroying  
13 things. I have no way of knowing what the consultants  
14 are considering important to keep, so I don't know about  
15 that.  
16 Q. But you had never seen something like that in  
17 the files?  
18 A. No.  
19 Q. Okay. Well, probably what we should do is take  
20 a five-minute break and give me 10 minutes to look  
21 through this stuff and see if I have any more questions,  
22 but I may be done.  
23 MS. TAGVORYAN: Okay.  
24 (Recess.)  
25 ///

Page 170

1 BY MR. PIPER:  
2 Q. Have you -- to the extent -- well, let's do it  
3 this way. You've assisted counsel in collecting  
4 documents for discovery in the case; is that correct?  
5 A. Yeah.  
6 Q. To your knowledge, have you provided all the  
7 documents that reflect advertisements for Sterling  
8 courses or workshops that you've been able to collect?  
9 A. Yeah.  
10 Q. Okay. And are you aware of any, other than the  
11 ones we've looked at today, that you've located?  
12 A. Pretty much so, yeah.  
13 Q. Well, do you think that's all the ones that  
14 you've been able to find?  
15 A. We did not provide the magazines and the  
16 newspapers that I was talking about at the beginning.  
17 Those I didn't think --  
18 Q. They're too large to be faxed basically?  
19 A. Oh, yeah. They're like 32 pages, things like  
20 that.  
21 Q. Okay. So to the extent you could find any  
22 brochures you thought might have been conceivably faxed,  
23 you provided those to counsel?  
24 A. Yes.  
25 Q. To the best of your recollection, we've looked

Page 171

1 at all of those at some point today? Can you think of  
2 any we haven't looked at?  
3 A. No.  
4 Q. Were all the ones you found pretty much from  
5 the last year?  
6 A. Yes.  
7 Q. In fact, they're pretty much all the ones after  
8 the lawsuit was filed?  
9 A. Correct.  
10 Q. I'll just mark this as Exhibit 23.  
11 (Exhibit 23 was marked.)  
12 BY MR. PIPER:  
13 Q. I'm marking as Exhibit 23 the supplemental  
14 responses to plaintiff's first set of interrogatories,  
15 which is dated March 9th, 2015. If you could look at  
16 that, and mainly I want to confirm that that is your  
17 signature.  
18 A. Yes. Yeah.  
19 Q. Did Emery Wilson ever, to your knowledge, hire  
20 an outside fax broadcaster to send advertisements?  
21 A. No.  
22 Q. I'll mark the responses to interrogatories from  
23 December 22nd, 2014.  
24 (Exhibit 24 was marked.)  
25 ///

Page 172

1 BY MR. PIPER:  
2 Q. Look at that and tell me --  
3 A. We're done with this one; right?  
4 Q. Yes. Look at that and tell me if it's your  
5 signature at the end.  
6 A. Yeah.  
7 (Exhibit 25 was marked.)  
8 BY MR. PIPER:  
9 Q. I'll show you Exhibit 25, which is a web page  
10 from sterling.us. Do you recognize this write-up?  
11 A. Yeah. Kind of old. A few years ago.  
12 Q. And down at the bottom where it says, "What  
13 have we accomplished in 28 years," do you see the second  
14 bullet says, "We have delivered over 70,000 management  
15 and personal achievement courses, to clients and their  
16 staff, all based on the works of L. Ron Hubbard"?  
17 The fact that the courses are all based on the  
18 courses of L. Ron Hubbard is correct?  
19 A. Right. I just want to mention here that based  
20 on L. Ron Hubbard works, so we do not deliver courses  
21 written by Hubbard.  
22 Q. Okay. Although articles by him have been  
23 included in course materials from time to time; is that  
24 correct?  
25 A. Yeah, could be, but the courses we deliver

Page 173

1 right now are purchased from a third party, not from  
2 WISE.  
3 Q. Who's the third party that you buy them from  
4 now?  
5 A. It's called Accelerated Training Solutions.  
6 Q. Okay. Do they also have a license from WISE to  
7 use Hubbard materials?  
8 MS. TAGVORYAN: Objection. Calls for  
9 speculation and irrelevant, and I instruct you not to  
10 answer.  
11 BY MR. PIPER:  
12 Q. Do you know whether they have a license to use  
13 Hubbard's materials?  
14 MS. TAGVORYAN: Same objection.  
15 BY MR. PIPER:  
16 Q. Are you familiar with a book called "Personnel"  
17 by Kevin Wilson?  
18 A. Uh-huh.  
19 Q. And is that something that Sterling still  
20 markets?  
21 A. We are selling it, yes.  
22 Q. And that includes articles by L. Ron Hubbard on  
23 personnel; correct?  
24 A. No, there are excerpts. It's written by Kevin,  
25 so it's not -- it's based -- when we say based on

Page 174

1 Hubbard's works, it's like you take an idea -- I'll give  
2 you an example. You take an idea of Hubbard. Meaning  
3 how to reward or how to penalize production. That's an  
4 idea from Hubbard. And Kevin took that idea, and he  
5 wrote a whole booklet entitled "Personnel, Your Biggest  
6 Asset Or Your Highest Burden," or something like that.  
7 And he goes over that idea that was originally from  
8 Hubbard, but he came with his own examples and how it  
9 works and all that stuff.  
10 Q. Okay. Let me just show you Exhibit 26, which  
11 is a web printout from sterlingdc.net.  
12 (Exhibit 26 was marked.)  
13 BY MR. PIPER:  
14 Q. That is an ad for the "Personnel" by Kevin  
15 Wilson.  
16 A. Uh-huh.  
17 Q. And do you see where it says that it includes  
18 vital articles from L. Ron Hubbard on personnel? Do you  
19 disagree with that characterization?  
20 MS. TAGVORYAN: Objection. I'm going to  
21 instruct the witness not to answer.  
22 BY MR. PIPER:  
23 Q. Well, do you agree that the "Personnel" by  
24 Kevin Wilson includes vital articles from L. Ron Hubbard  
25 on personnel?

Page 175

1 MS. TAGVORYAN: Same objection.  
2 MR. PIPER: So if the exhibit impeaches her  
3 testimony, she can't answer the question?  
4 MS. TAGVORYAN: What testimony does it impeach?  
5 MR. PIPER: She said it did not include vital  
6 articles from L. Ron Hubbard.  
7 THE WITNESS: I didn't say that.  
8 BY MR. PIPER:  
9 Q. So it does include vital articles?  
10 A. I didn't say that either.  
11 Q. Well, you said it included excerpts.  
12 MS. TAGVORYAN: Objection. The document speaks  
13 for itself. We have not laid a proper foundation. I  
14 don't see anywhere here where it says the book contains  
15 vital articles from Ron Hubbard on personnel. It's just  
16 a bullet point on the exhibit. So lacks foundation,  
17 assumes facts not in evidence.  
18 MR. PIPER: Right. Well, she's familiar with  
19 the book, so I'm asking whether, based on her  
20 experience, it includes vital articles from Ron Hubbard  
21 on personnel.  
22 MS. TAGVORYAN: Can you repeat the question one  
23 more time?  
24 BY MR. PIPER:  
25 Q. Based on your knowledge of the book, does it

Page 176

1 include vital articles from L. Ron -- well, let's skip  
2 the vital.  
3 Based on your familiarity with the book, does  
4 it include articles from L. Ron Hubbard on personnel?  
5 A. Okay. I can answer that.  
6 MS. TAGVORYAN: You can answer that question,  
7 sure.  
8 THE WITNESS: I can answer the question. As I  
9 said, we have excerpts. Let's say he's talking about  
10 rewards and penalties. So we have an excerpt from  
11 Hubbard, and then Kevin develops that in 20 more pages  
12 that go over how that works.  
13 MS. TAGVORYAN: Right, and let the record  
14 reflect that this category line of questioning is not on  
15 the deposition notice, so to the extent that he wants to  
16 know what Kevin Wilson publishes, obviously it's beyond  
17 the scope of this 30(b)(6) testimony. It's irrelevant.  
18 Move to strike. It's also irrelevant as to impeachment.  
19 MR. PIPER: Well, we can take all of that up  
20 later.  
21 (Exhibit 27 was marked.)  
22 BY MR. PIPER:  
23 Q. The next exhibit, 27, is two pages from  
24 wise.org website on L. Ron Hubbard management  
25 technology.

Page 177

1 MS. TAGVORYAN: What's your question?  
2 MR. PIPER: I'm giving her a chance to look at  
3 it.  
4 Q. To your understanding, is this the L. Ron  
5 Hubbard management technology that is the basis of all  
6 of the Sterling management courses?  
7 MS. TAGVORYAN: Objection. Lacks foundation,  
8 assumes facts not in evidence, a lack of authentication  
9 of this document. We don't know where this document  
10 came from or what it describes. Calls for speculation.  
11 THE WITNESS: This is the first time I see this  
12 document. As I said, currently we use -- we do not use  
13 directly Hubbard-written materials. We use materials  
14 that are based on Hubbard's works.  
15 BY MR. PIPER:  
16 Q. Okay. So you have not seen this description of  
17 L. Ron Hubbard management technology?  
18 A. No, this is the first time I've seen it. It's  
19 a website of WISE.  
20 Q. When did you stop using the WISE materials and  
21 move to the Accelerated company?  
22 MS. TAGVORYAN: Objection. Assumes facts not  
23 in evidence. It's a leading question, compound, vague  
24 and ambiguous.  
25 THE WITNESS: A few years ago. I would say

Page 178

1 five, six years ago there were a lot of new materials  
2 coming out that were more appropriate for our public,  
3 more easy to understand, with less terminology that  
4 might confuse our public, so we started with a book  
5 called "Breaking The Code." Now we use "How to Overcome  
6 The Stress," "Winning The Game Of Life." These are  
7 books. They are all course materials. They are all  
8 based on some of the principles from the management  
9 technology. Obviously the management by statistics is  
10 the key one that's used and how to grasp statistics.  
11 These kind of things. They are just books that have  
12 more examples, easier to understand.  
13 BY MR. PIPER:  
14 Q. Okay. Forget about this exhibit, then, since  
15 you haven't seen it before, but the license that  
16 Sterling had with WISE was for L. Ron Hubbard management  
17 technology materials; is that correct?  
18 MS. TAGVORYAN: Objection. Outside the scope  
19 of the 30(b)(6) witness category, outside of the scope  
20 of the claims made in the complaint, and I instruct the  
21 witness not to answer.  
22 MR. PIPER: Well, this is going to the  
23 materials, the content of the ads that were sent out.  
24 MS. TAGVORYAN: I didn't hear anything in the  
25 question about content of the ads.

Page 179

1 BY MR. PIPER:  
2 Q. Well, the ads were for courses that would  
3 explain L. Ron Hubbard -- principles of L. Ron Hubbard  
4 management technology; correct?  
5 A. We don't have any ads for courses.  
6 Q. Well, the --  
7 A. The seminar topics are you talking about?  
8 Q. Right. It would include materials related to  
9 L. Ron Hubbard management technology.  
10 A. Not necessarily.  
11 Q. And the seminars were the only things that --  
12 the only things that Dr. Meinders ever signed up for  
13 were courses on L. Ron Hubbard management technology;  
14 correct?  
15 A. Yeah.  
16 Q. And that was technology that was licensed from  
17 WISE; correct?  
18 A. Correct.  
19 Q. Is it correct that L. Ron Hubbard management  
20 technology, which is actually what was being provided to  
21 Dr. Meinders when he signed up, was originally created  
22 as a set of guidelines and principles for running the  
23 Scientology organization?  
24 MS. TAGVORYAN: Objection. Convoluted,  
25 compound, assumes facts not in evidence, lacks

Page 180

1 foundation, mischaracterizes prior testimony, and I  
2 instruct the witness not to answer.  
3 BY MR. PIPER:  
4 Q. Are you familiar with the Scientology credo of  
5 a good and skilled manager?  
6 MS. TAGVORYAN: Same objection.  
7 MR. PIPER: Well, we'll take that up later. I  
8 think -- well, let's see. Let's just get it into the  
9 record so it's there. Let me mark this as the next  
10 exhibit.  
11 (Exhibit 28 was marked.)  
12 BY MR. PIPER:  
13 Q. Are you familiar with this document?  
14 MS. TAGVORYAN: Same objection.  
15 BY MR. PIPER:  
16 Q. So you're not going to answer that.  
17 Let me just ask -- I understand there's been  
18 controversy about Scientology. I'm not trying to harass  
19 you or the organization.  
20 MS. TAGVORYAN: You are.  
21 BY MR. PIPER:  
22 Q. Do you feel embarrassed talking about the  
23 relationship between Emery Wilson, L. Ron Hubbard, and  
24 Scientology?  
25 A. I don't feel it's relevant to what we are

Page 181

1 discussing in this case.  
2 MS. TAGVORYAN: I object. I think you're  
3 harassing the witness.  
4 BY MR. PIPER:  
5 Q. Okay. I understand there's a dispute about  
6 relevance, but do you personally feel embarrassed about  
7 having to talk about those things?  
8 MS. TAGVORYAN: Objection. Badgering and  
9 harassing the witness. You cannot ask that question  
10 again.  
11 THE WITNESS: The word embarrassed --  
12 MS. TAGVORYAN: I instruct you not to answer.  
13 THE WITNESS: Okay.  
14 MR. PIPER: Well, you have alleged that I'm  
15 trying to embarrass her, so I'm just asking if she feels  
16 that that's embarrassing.  
17 MS. TAGVORYAN: I have not -- I'm sorry. Did  
18 you say I alleged that you're embarrassing her?  
19 MR. PIPER: Right.  
20 MS. TAGVORYAN: I have never alleged that you  
21 are embarrassing her. I think you are harassing her. I  
22 think it is improper and irrelevant.  
23 MR. PIPER: Okay. Well, I'm just trying to  
24 clarify whether there's any truth to that.  
25 MS. TAGVORYAN: And you have yet to state on

Page 182

1 the record the basis and the relevance of this line of  
2 questioning. And the reason why you have failed to do  
3 so is because you are very well aware it is not  
4 relevant, it is not necessary, and it's just harassing  
5 the witness.  
6 MR. PIPER: Well, until your witness conceded  
7 the opposite, you contended there was an established  
8 business relationship between --  
9 MS. TAGVORYAN: I have yet to see the  
10 connection to an established business relationship  
11 defense. This line of questioning has nothing to do  
12 with that defense.  
13 MR. PIPER: Well, I've laid that out for you.  
14 MS. TAGVORYAN: You have not.  
15 MR. PIPER: Anyway, if you want to do whatever  
16 you want to do, that's fine. I'll be seeking some of  
17 the documents we discussed.  
18 MS. TAGVORYAN: And we will be seeking  
19 sanctions. And we will probably also file a motion to  
20 disqualify counsel.  
21 MR. PIPER: Based on what?  
22 MS. TAGVORYAN: Based on the occurrence of  
23 today.  
24 MR. PIPER: Go ahead. I look forward to  
25 responding.

Page 183

1 MS. TAGVORYAN: Great. Are we off the record?  
2 Are you done with the deposition?  
3 MR. PIPER: Yeah.  
4 MS. TAGVORYAN: Thank you. Off the record.  
5 (The deposition concluded at 4:05 p.m.)  
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Page 184

REPORTER'S CERTIFICATION

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2  
3 I, Dawn Schetne, a Certified Shorthand Reporter in  
4 and for the State of California, do hereby certify:  
5  
6 That the foregoing witness was by me duly sworn;  
7 that the deposition was then taken before me at the time  
8 and place herein set forth; that the testimony and  
9 proceedings were reported stenographically by me and  
10 later transcribed into typewriting under my direction;  
11 that the foregoing is a true record of the testimony and  
12 proceedings taken at that time.  
13  
14 IN WITNESS WHEREOF, I have subscribed my name this  
15 19th day of May, 2015.  
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Dawn Schetne, CSR No. 5140

Page 185

1 DEPOSITION ERRATA SHEET

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4 Our Assignment No. 334469

5 Case Caption: Meinders vs. The Emery Wilson Corporation

6

7 DECLARATION UNDER PENALTY OF PERJURY

8 I declare under penalty of perjury

9 that I have read the entire transcript of

10 my Deposition taken in the above captioned matter

11 or the same has been read to me, and

12 the same is true and accurate, save and

13 except for changes and/or corrections, if

14 any, as indicated by me on the DEPOSITION

15 ERRATA SHEET hereof, with the understanding

16 that I offer these changes as if still under

17 oath.

18 Signed on the \_\_\_\_ day of

19 \_\_\_\_\_, 20\_\_\_\_,

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21 \_\_\_\_\_

22 Dana Moraru

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Page 187

1 DEPOSITION ERRATA SHEET

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25 Dana Moraru

Page 186

1 DEPOSITION ERRATA SHEET

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25 Dana Moraru

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