EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE NATIONAL SPIRITUAL ASSEMBLY OF
THE BAHAI'S OF THE UNITED STATES OF
AMERICA UNDER THE HEREDITARY
GUARDIANSHIP, INC.,

Counter-Defendant,

vs. Civil Action No. 64 C 1878
The Honorable Amy J. St. Eve
NATIONAL SPIRITUAL ASSEMBLY OF
THE BAHAI'S OF THE UNITED STATES
OF AMERICA, INC.,

Counterclaimant.

VIDEO 30(b)(6) DEPOSITION OF FRANKLIN D. SCHLATTER
April 20, 2007
1:43 p.m.
Bean & Associates, Inc.
500 Marquette, N.W., Suite 280
Albuquerque, New Mexico 87102

PURSUANT TO THE FEDERAL RULES OF CIVIL
PROCEDURE, this deposition was:

TAKEN BY: MR. CHRISTOPHER M. DOLAN
Attorney for the Counterclaimant

REPORTED BY: Jan A. Williams, RPR, CCR 14
Bean & Associates, Inc.
Professional Court Reporting Service
500 Marquette, Northwest, Suite 280
Albuquerque, New Mexico 87102

(3781M) JAW

A P P E A R A N C E S

For the Counter-Defendant:
MR. JEFFREY A. GOLDBERG
P.O. Box 254
Albuquerque, New Mexico 87103-0254
505-321-2932

For the Counterclaimant:

BRINKS HOFER GILSON & LIONE
NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
312-321-4200
BY: MR. CHRISTOPHER M. DOLAN

Also Present:
DAVID BROWN, Videographer

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(Exhibit No. 122 was marked.)

THE VIDEOGRAPHER: We are on the record. The date is April 20, 2007. The time now is 1:43 p.m. Mountain time. This is the videotaped 30(b)(6) deposition of the Provisional National Baha'i Council, Case No. 64 C 1878, in the United States District Court for the Northern District of Illinois, Eastern Division.

We are in the offices of Bean & Associates at 500 Marquette, Northwest, Suite 280, Albuquerque, New Mexico, 87102. The videographer is David Brown with Bean & Associates. The court reporter is Jan Williams.

Will the attorneys please introduce themselves for the record.

MR. DOLAN: Christopher M. Dolan for National Spiritual Assembly.

MR. GOLDBERG: And Jeffrey A. Goldberg for the orthodox Baha'i respondents.

THE VIDEOGRAPHER: Will the reporter please swear in the witness.

FRANKLIN D. SCHLATTER,
after having been first duly sworn under oath,
was questioned and testified as follows:

MR. DOLAN: To make a brief statement for the

record, please let the record reflect that this is a deposition being taken pursuant to Notice under Rule 30(b)(6) of the Federal Rules of Civil Procedure in connection with the civil contempt proceeding relating to Civil Action No. 64 C 1878 which is pending in the United States District Court for the Northern District of Illinois.

Complainant has marked as Exhibit 122 the Notice of Rule 30(b)(6) Deposition of Provisional National Baha'i Council which includes the subject matters of the Rule 30(b)(6) deposition.

Mr. Goldberg, is it correct that the witness present today, Franklin Schlatter, is being designated to testify on behalf of Provisional National Baha'i Council with respect to the matters listed in the Rule 30(b)(6) deposition notice?

MR. GOLDBERG: Yes, it is correct, without waiving any of the objections that I sent to counsel in writing.

MR. DOLAN: What objections are you referring to?

MR. GOLDBERG: There were some objections that I made to some of the subject matter of the deposition being beyond the institutional knowledge of the Provisional National Baha'i Council and also

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having some assumptions built into them that I didn't agree with.

Also there were some portions of that that I didn't think that anybody was able to respond, that nobody had personal knowledge of within the institution.

MR. DOLAN: If I reach a matter that is subject to any of the objections that you raised, will you raise that objection then?

MR. GOLDBERG: Yes, sir.

MR. DOLAN: Can we assume that, if you don't do that orally, that all the matter that we've covered is within the topics and he is appearing and answering in connection thereto?

MR. GOLDBERG: Yeah. I mean under the rules it's sufficient to send a written objection. But I will object if I feel that the questions are beyond the scope.

EXAMINATION

BY MR. DOLAN:

Q. Okay. Mr. Schlatter, you remember the rules of the deposition --

A. Yes.

Q. -- from earlier today --

A. Yes.

Q. In your fact witness deposition. Who is Joel B. Marangella?

A. Joel B. Marangella is the individual who we consider to be the third guardian of the Baha'i faith.

Q. When you refer to we, are you referring to the Provisional --

A. I'm referring to the orthodox Baha'is.

Q. Are you also referring to the Provisional National Baha'i Council?

A. Yes.

Q. Have there been other guardians?

A. Yes.

Q. Who were they?

A. The first guardian was Shoghi Effendi Rabbani, the second guardian was Charles Mason Remey.

Q. And Joel B. Marangella is the third guardian?

A. That is correct.

Q. When did Joel B. Marangella become the third guardian?

A. He became a guardian on November 12, 1969. Oh, wait, correction, correction. He became a guardian before that time. That's when his proclamation was. That's when I realized that he was the guardian. He actually became the guardian at the time that the International Baha'i Council was

activated.

Q. And when was that?

A. And that would have been in February of 1966.

Q. And who activated that council?

A. Mason Remey, Charles Mason Remey, we know him as Mason Remey, the second guardian of the faith.

Q. Was the second International Baha'i Council formed before it was activated in February 1966?

A. Yes. It was formed in October of nine -- let me get this straight. Yeah. It was formed in 1964, October of 1964.

Q. Was Joel B. Marangella a member of the council at that time?

A. He was -- he was named as the president of the council.

Q. How do you refer to the general group of people that accept Joel B. Marangella as the third guardian?

A. The people who accept Joel Marangella as the third guardian, we refer to them as orthodox Baha'is.

Q. Is there an administrative body for those people in the United States that accept Joel B. Marangella as the third guardian?

A. That body at this time is known as the Provisional National Baha'i Council.

Q. What is the function of the Provisional National Baha'i Council?

A. The function of the National Baha'i Council is to take care of the administrative details for the faith in the United States.

Q. And what does that entail?

A. Essentially seeing to it that the believers receive information, if it comes to them from the guardian, to indicate what kinds of actions are felt necessary by the council in terms of spreading the teachings of the faith.

Q. And what are those teachings?

A. The teachings of Baha'u'llah.

Q. Do those teachings include teaching the hereditary guardianship principle?

A. Yes.

Q. And that Mason Remey was the second guardian?

A. Yes.

Q. And that Joel B. Marangella is the third guardian as appointed by Mason Remey?

A. Yes.

Q. What are the goals of the Provisional National Baha'i Council?

A. Among other things to attempt to get individuals from the National Spiritual Assembly's

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organization to understand that the teachings call for a continuing guardianship and that the Universal House of Justice, therefore, must have a guardian as its head. That's one of the things.

That there is a world order that is to be established. And that the key elements within that world order; that is, the pillars of that world order of Baha'u'llah are the guardianship and the Universal House of Justice.

Q. Is there anything else?

A. I'm sure there's something else, but at the moment I'm not thinking of what it is.

Q. Is one of the goals to increase the number of people who accept or recognize Joel B. Marangella as third guardian?

A. I would say that that definitely is a goal, yes.

Q. And earlier in your answer you referred to National Spiritual Assembly. Was that a reference to my client?

A. That is a reference to your client.

Q. That's the counterclaimant in this case?

A. Yes, yes. It's because we do not call ourselves National Spiritual Assembly.

Q. Was the Provisional National Baha'i Council

ever known by a different name?

A. Mother Baha'i Council.

Q. Are the Provisional National Baha'i Council and the Mother Baha'i Council one and the same?

A. Yes.

Q. Was there a predecessor to the Mother Baha'i Council, slash, Provisional National Baha'i Council?

A. Yes, it was known as the bureau, the --

Q. Was it the National Bureau?

A. The National Bureau.

Q. And what was its purpose?

A. It served a number of functions such as the guardian would send messages and they would see to it that those messages were transmitted to the believers. The believers themselves could send information to -- to that bureau.

They were supposed to establish a library, they were supposed to establish a center, if at all possible, because it was being formed in New York City. But unfortunately they were not able to do that because they didn't have sufficient number of members in order to do it.

Q. What was the number of members that they would have needed?

A. They would have needed six members.

Q. And how many did they have?

A. They had four.

Q. Did you have any involvement with the National Bureau?

A. Only on the basis of getting their -- their information.

Q. And what do you mean by on the basis of getting their information?

A. Well, they would -- as I indicated the guardian would send information to them. And that meant -- that information was forwarded then to people like us who were just believers under Joel Marangella.

(Exhibit No. 123 was marked.)

BY MR. DOLAN:

Q. I'm handing you what's been marked as Exhibit 123. Do you recognize this document?

A. Yes.

Q. And what is it?

A. It's the Bylaws of the National Bureau of the Orthodox Baha'i Faith of the United States and Canada.

Q. Do you know who prepared this?

A. This was prepared by the National Bureau of Orthodox Baha'is.

Q. And who were those four people I believe you said?

A. At the time that this was prepared, this would have been later, this was probably prepared in about 1974.

Q. Do you know who prepared it?

A. It's my typewriter.

Q. You at least typed it is what you're saying?

A. Yeah.

Q. Okay. Do you think that you contributed to the content?

A. Yes, as a member of the bureau at the time, yes.

Q. Do you see the first paragraph that states that the function -- one of the functions of the national bureau is to serve "as the official point of contact between the guardian and the Baha'is under the guardianship"?

A. Yes.

Q. Is that a reference to the guardian, is that a reference to Joel B. Marangella?

A. That is correct.

Q. And the Baha'is under the guardianship in the U.S. that it refers to, was that an identified group of people, do you know who they were?

A. You mean who was on the National Bureau?

Q. Yes, and who the National Bureau was serving

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in terms of the U.S. followers under the guardianship that had pledged to Joel Marangella?
A. Okay. The first -- the first group which was in New York, that was four members. And that was back in 1970. Those four members -- did you want them named?
Q. If you know them, please.
A. [redacted] four, none are in the United States at this time, three of them are dead.
Q. Were those four people involved with the NSA Under the Hereditary Guardianship?
A. Of the people who were there, I believe three of them were. I think Joel -- I don't think Joel J. Marangella was involved.
Q. But Joel J. Marangella is Joel B. Marangella's son; is that correct?
A. Yes.
Q. And Joel B. Marangella was involved?
A. Joel J. Marangella was involved with this bureau as the treasurer for that -- for that initial bureau. And then in 1970 the guardian -- correction. 1972, the guardian transferred the bureau to New Mexico. And he added three people to it. That was in

1972.
Q. Do you remember the names of those three people?
A. Yeah, they're on the tip of my tongue. [redacted] There were just three that were named at that time. [redacted]
Q. Were those three people in New Mexico, had they been involved with the NSA Under the Hereditary Guardianship?
A. No.
Q. Which of them was not involved?
A. [redacted]
Q. When you say Orthodox Baha'i Faith, were you --
A. I'm sorry.
Q. Were you referring to the NSA Under the

Hereditary Guardianship?
A. I'm talking -- I'm talking about the National Spiritual Assembly of the Baha'is Under the Hereditary Guardianship.
Q. In paragraph 3, if you would direct your attention there, it says that the national bureau would serve "as a provisional custodian of a National Fund pending reestablishment of the Baha'i Administrative Order in that country." And my question is did the establishment of the Mother Baha'i Council represent the reestablishment of the Baha'i administrative order in the U.S.?
A. Yes.
Q. If you could please turn to the second page. Do you see Article II? It states "The National Bureau shall use the following statement of beliefs as its basis of association with avowed believers."
A. Yes.
Q. Are these beliefs described there the same as the Provisional National Baha'i Council's beliefs that it would use as its basis of association with avowed believers?
A. I believe that is the case, yes.
Q. How many members were there in the National Bureau?

A. How many members? At one point -- well, there were nine individuals.
Q. Do you recall who those nine were?
A. That would have been in 1974. And in that year it would have been -- in January of 1974, there were three who were added. And I was one of those who was added in 1974, I was not a member prior to that time.
[redacted] What is that, eight?
Q. Of those people was there anyone who was not involved with NSA Under the Hereditary Guardianship?
A. I don't know. Do you have a listing there? It seems to me that we had the document at some point, that we turned in those names.
Q. We had the mailing list that we looked at earlier.
A. No, not the mailing list.
MR. GOLDBERG: Are you talking about the interrogatory responses?
THE WITNESS: Yeah. I know that that -- I know that we provided a list of those individuals.
MR. DOLAN: Okay. Well, let's go off the

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record for just a moment and we'll take a look.
THE VIDEOGRAPHER: We are off the record. The time now is 2:05 p.m.
(Recess.)
THE VIDEOGRAPHER: We are on the record. The time now is 2:08 p.m.
BY MR. DOLAN:
Q. Mr. Schlatter, I would like to put the question to you a little differently, and that is of those people that you listed, is there anyone in that group that had not accepted Mason Remey as second guardian and was under the auspices of the NSA of the Hereditary Guardianship?
A. Could we repeat back the names of the individuals that I gave so I can know who they are.
Q. Sure.
Would you be able to do that, court reporter?
THE REPORTER: "That would have been in 1974. And in that year it would have been -- in January of 1974, there were three who were added. And I was one of those who was added in 1974, I was not a member prior to that time.
[redacted]

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[redacted]
THE WITNESS: The only ones who would have been on the National Spiritual Assembly would have
[redacted]
BY MR. DOLAN:
Q. Were there any individuals in the listing of names that was just repeated by the court reporter to you that were not members under the auspices of the NSA of the Hereditary Guardianship? I'm referring to general members.
[redacted]
A. No.
Q. If you look at -- if you look back at the Article II, please. When it refers to avowed believers, was there -- were there mailing lists that identified those avowed believers?
A. I would assume so.
Q. But you didn't compile those?
A. No.
Q. Okay. Now we're going to ask you -- put a few names to you.
A. Okay.

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Q. And ask if they were general members under the auspices of the National Bureau and a couple follow-up questions to that as well. The first name is
[redacted]
A. I don't know.
Q. Do you recognize the name?
[redacted]
A. Yes.
Q. Was he in both groups?
A. I don't know.
Q. Was he in the Remey NSA Under the Hereditary Guardianship group?
A. Yes.
Q. You do not know if he was in the later group under the National Bureau; is that correct?
A. I do not know.
[redacted]
A. Yes.
Q. When you say yes, do you mean she was in both groups?

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A. She was in both groups.
[redacted]
A. I don't know.
[redacted]
A. No.
[redacted]
A. Yes.
Q. When you say yes, you mean she was in both groups?
A. I believe so.
[redacted]
A. Yes.
[redacted]
A. Yes.
[redacted]
A. No, is not in the current. She was.
Q. Okay.
A. She was but is no longer.
Q. Pardon me. She was in both the group under the hereditary guardianship under Remey and then she was later under the auspices of the National Bureau and Joel B. Marangella?
A. What's the question?
Q. The question is whether [redacted] was in

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both groups, the early group in the sixties under the hereditary guardianship --
A. I think so.
Q. Okay. Was [redacted] in both groups?
A. I don't believe so.
Q. Were [redacted]
A. Oh, yes.
Q. Was [redacted] in both groups?
A. I believe so.
Q. Were [redacted] in both groups?
A. I think so.
Q. I think I may know your response to this, but was [redacted] in both groups?
A. He's known as [redacted] to me, yes.
Q. Okay. [redacted] was in both groups?
A. Yes. No, no, he was not. He was -- he was in the second group, but not in the first group.
Q. What of [redacted] was she in the group under the Remey NSA and in the group under the National Bureau?
A. I believe she was.
Q. What of [redacted]
A. I think so.
Q. Was [redacted] in both groups?

A. No.
Q. What groups was [redacted] in according to your memory?
A. National Bureau, but not the national -- not the -- not under hereditary guardianship.
Q. Okay. Was Dr. [redacted] in both groups?
A. I learned yesterday that -- or the other day that she was, yes.
Q. Okay. Did you learn that through the mailing that you received from Joel Marangella?
A. Yes. It came as a surprise to me, because I don't think that she stayed in, I think that she was in for a short length of time is what happened.
Q. So you're saying that she would have been involved in the early days of the National Bureau but maybe was not involved at the Mother Baha'i Council?
A. That's what I'm saying, yes.
Q. [redacted]
A. Yes.
Q. She was in both groups?
A. Yes.
Q. Okay. What of the -- there used to be a [redacted]
A. No.
[redacted]

A. [redacted] would have been in both groups.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. No, that's a young -- that's a man.
Q. Oh, it is.
A. Yeah.
Q. I apologize.
A. And I don't know.
Q. Was [redacted] in both groups?
A. I think so.
Q. You mentioned earlier I believe that [redacted] was in both of the groups; is that right?
A. Yes.
Q. Were [redacted] and --
A. Just the first group.
Q. Okay. Was [redacted] in both groups?
A. First group.
Q. Was [redacted] in both groups?
A. I don't know.
Q. If she was, would she appear on the mailing lists and --
A. Yes.
Q. Okay.

A. I would assume so.
Q. Okay. I think you mentioned [redacted] was in both groups?
A. Yes.
Q. Was [redacted] --
A. Yes.
Q. -- also in both groups?
A. Yes.
Q. Was a person named [redacted] in both groups?
A. I think so.
Q. Now, there are a series of people named King. So I don't run them together, [redacted] was she in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. I'm not sure because they would have been quite young.
Q. I see.
A. And, therefore, it's hard to know with the children.
Q. Do you remember [redacted] being a member under the National Bureau?
A. Yes.
Q. And what's [redacted] relationship, if

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any, to the other [redacted] that were in the group?
A. An adopted son.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. I can't answer that, I don't know.
Q. Do you know if she was in the first group?
A. That's why I can't answer. I couldn't know that. But I think she was in the second group.
Q. I see. Was [redacted] in both groups?
A. I think [redacted] was just in the second group.
Q. What of a person named [redacted]
A. I don't know that name.
Q. Okay. You mentioned earlier I believe that you were uncertain if [redacted] was in the earlier NSA Under the Hereditary Guardianship; is that right?
A. He -- I don't -- he would not have been in the United States.
Q. I see. Would [redacted] have been in the United States?
A. No.
Q. And that is [redacted] is that correct?

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A. Yes.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. As a very young man for the first group, I mean very young. He was sitting on Mason Remey's knee during that conference. So to call him a member of that group does not really seem to match.
Q. I understand. Was [redacted] a member of both groups?
A. No, only in the first group.
Q. And is [redacted] his son?
A. Yes.
Q. Was [redacted] a member of both groups?
A. Yes.
Q. Is she currently a member of --
A. Yes.
Q. Were there any other [redacted] that were in both groups that you can think of?
A. No.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. Yes.

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Q. Was her name [redacted]?
A. Yes.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. Yes.
Q. And I don't know if their children may be in the same situation as [redacted] that you mentioned?
A. That is correct.
Q. But they were in the later group; is that correct?
A. Yes.
Q. Was [redacted] in both groups?
A. I don't think so. Only the second group.
Q. Was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. Yes.
Q. And was [redacted] in both groups?
A. Yes, although [redacted] was quite young also. But not as young as the others.
Q. Then, of course, you were in both groups, correct?
A. Yes.
Q. And your [redacted]

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A. Yes.
Q. What of [redacted]
A. Yes.
Q. And [redacted] was she in both groups?
A. I think so, yes.
Q. I should be clear for the record. When I asked about [redacted] I meant was she in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. Yes.
Q. And was [redacted] in both groups?
A. Yes.
Q. Was [redacted] in both groups?
A. I think so.
(Exhibit No. 124 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you a document that's been marked as Exhibit 124. Do you recognize this document?
A. I recognize it as our mailing list of orthodox Baha'is in the United States.
Q. Is that a list that you would have compiled?
A. Huh-uh.
Q. Do you know who would have?

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A. It must have been compiled by the -- by the bureau at that time.
Q. Could you please take a look at it and confirm that it appears to be a mailing list in that the members are those that you recall from 1972?
A. Yes.
(Exhibit No. 125 was marked.)
BY MR. DOLAN:
Q. I'm handing you now what's been marked as Exhibit 125. Have you seen this document before?
A. Yes.
Q. And what is it?
A. Mailing List of the Orthodox Baha'i Faith of the United States, November 1979.
Q. Was this one that you would have compiled?
A. Either I compiled it or it was compiled by somebody on the Mother Baha'i Council.
Q. It appears, if you go through and estimate the number of members, it appears there are approximately 46. Does that sound about right, if you want to count them?
A. That sounds about right.
(Exhibit No. 126 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you what's been marked as

exhibit --
A. Are you saying 46 people?
Q. I am.
A. Or 46 addresses?
Q. Forty-six people.
MR. GOLDBERG: This is 126.
THE WITNESS: That looks close, yes.
BY MR. DOLAN:
Q. I'm handing you now what's been marked as Exhibit 126. Do you recognize this document?
A. It's an Orthodox Baha'i Mailing List, B.E. 145.
Q. Does 145 equate to 1988?
A. Or '89.
MR. GOLDBERG: Don't look at me.
THE WITNESS: You're going from 1844.
BY MR. DOLAN:
Q. Can you explain what that date means, B.E. 145?
A. Yeah, it's Baha'i Era 145. It goes from the Declaration of the Bab.
Q. So this is a Baha'i -- orthodox Baha'i mailing list of 1988 or 1989?
A. Yes.
Q. So would this have been put together by

yourself?
A. Not necessarily. It could have been put together by one of the individuals on the council.
Q. Okay. Could you please take a look at it and see if it comports with your recollection of the membership during that period?
A. Yes.
(Exhibit No. 127 was marked.)
BY MR. DOLAN:
Q. The next document I'm going to hand you is Exhibit 127. Do you know who this document is?
A. Yeah, the top document is the official transfer of powers from the National Bureau of the Orthodox Baha'i Faith of the United States and Canada to the Mother Baha'i Council of the United States. Yes, I recognize this document.
Q. And it states that that transfer is effective April 21st of 1978?
A. That is correct.
Q. Now, who was on the National Bureau just prior to this transfer?
A. It would be the people who are listed at the bottom of page 1.
Q. Did they then become the directors of the Mother Baha'i Council?

A. No.
Q. Who became --
A. Because the Mother Baha'i Council then would be those individuals in Roswell, New Mexico, who assumed the responsibilities.
Q. Could you read the names of the National Bureau members into the record, please.
A. The National Bureau members that are listed here?
Q. Yes, please.
A. Are [redacted]
Q. If you recall, who of these members were members of the NSA Under the Hereditary Guardianship? And I'm referring to the nine-member board throughout the 1963 through '66 period.
A. [redacted]
Q. Were the remaining six people in the membership under the auspices of the NSA Under the Hereditary Guardianship?
A. Yes.

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Q. Did you prepare this document?
A. I think I did.
Q. If you would turn a page in, it appears to have articles of incorporation for the Mother Baha'i Council?
A. Yes.
Q. The first paragraph, could you please read that under Article II into the record.
A. "We, the undersigned, all being of full age do hereby certify that we have on this day formed a corporation under the laws of the State of New Mexico. And we do further certify."
Q. Could you please go to Article II and the numbered paragraph 1 and read that into the record.
A. "The object and purposes are: 1, To assume the duties and functions previously ascribed to the National Bureau of the Orthodox Baha'i Faith of the United States and Canada for governing orthodox Baha'i affairs in the United States. And to serve as the provisional national Baha'i administrative institution pending the election in the future of a National Baha'i Council under the auspices of the Guardian of the Faith."
Q. Thank you. If you could turn to one -- well, the next page actually. Do you see an Article III,

there's a statement of beliefs as its basis of association with avowed believers?
A. A statement of beliefs?
Q. Article III.
A. Article III, yes.
Q. Would that statement of beliefs be the same as that of the National Bureau?
A. As I recall, it was.
Q. If you could please turn to the next page at Article IV.
A. Yes.
Q. It states that "The location of the principal office in New Mexico shall be in the city of Roswell. The registered agent and office for the corporation shall be the secretary, Franklin D. Schlatter, 407 North Elm, Roswell." Was that your home?
A. That was my home.
Q. Was that a different location than 3111 Futura?
A. Yes. We moved after that.
Q. If you turn to the next page, please. It presents the membership of the Mother Baha'i Council; is that correct?
A. That is correct.
Q. Of those nine members, how many are your

relatives?
A. My relatives?
Q. Yes. Or your wife's or somebody that's connected to you by relation?
A. You have my wife and I and [redacted]
Q. And was [redacted]
A. [redacted] yes. Her name was [redacted]
Q. Was she on the -- was she in the membership under the auspices of the Remey NSA?
A. No.
Q. Were [redacted]
A. No.
Q. Or [redacted]
A. No.
Q. Who are they?
A. They were individuals who joined the faith in Roswell, New Mexico, after Joel Marangella's proclamation.
Q. Did they learn of his status from you?
A. Yes.
Q. Did [redacted] also learn of --
A. Yes.

Q. -- the status from you. Did [redacted]
A. Yes.
(Exhibit No. 128 was marked.)
BY MR. DOLAN:
Q. I'm handing you now what's been marked as Exhibit 128. It's OBF 5518. Do you recognize this document?
A. Yes.
Q. And what is it?
A. It's an amended Bylaws of the Mother Baha'i Council of the United States. The amendments were adopted by the Mother Baha'i Council at meetings on March 25, 1979, April 15, 1979, and June 3, 1979.
Q. Who was the guardian when these bylaws were adopted by the Mother Baha'i Council?
A. Joel B. Marangella.
Q. If you could turn to the last page, please. Is that your signature?
A. That is my signature.
Q. And that's that of [redacted]
A. Yes.
Q. And could you read Article 12 into the record, please.
A. "Where the Mother Baha'i Council has been

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given in these bylaws exclusive and final jurisdiction and paramount executive authority in all matters pertaining to the activities and affairs of the Baha'i cause in the United States, it is understood with any decision made or action taken upon such matters shall be subject in every instance to ultimate review and approval by the Guardian of the Cause."

Q. And that guardian it refers to is Joel B. Marangella?

A. That is correct.

Q. So according to this Joel Marangella in every instance has the right of ultimate review and approval of the Mother Baha'i's Council's decisions and actions?

A. Yes.

Q. And you had stated earlier that the Mother Baha'i Council is the same as the Provisional National Baha'i Council?

A. Yes.

Q. Did you also write this document?

A. I know that I typed this document. But the council itself would be the ones who actually made the approval of a document.

Q. So the group of nine that you read into the record --

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A. Yes.

Q. -- earlier would have contributed to this?

A. Yes.

Q. Would you talk a little bit more about your role with the National Bureau in the early 1970s. You stated that you provided information to them. Did you mean in the sense of a liaison between the guardian and the bureau?

A. Wait. Go back. Restate that.

Q. I'm asking you to elaborate on your role in connection with the National Bureau between I guess 1970 and --

A. 1974.

Q. -- that early period, that early period before you were more involved, yes.

A. Oh, the early period?

Q. Yes.

A. I don't understand the question.

Q. I believe what you had stated before is that you provided information to them that they may have needed. Do you recall saying that? Okay. Well, we can start from scratch then.

A. Okay. Start from scratch.

Q. Could you please explain what your role was with the National Bureau beginning in 1970.

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A. In 1970?

Q. Yes.

A. I had no role with the National Bureau in 1970.

Q. But you had acknowledged Joel Marangella as guardian?

A. Yes, yes.

Q. Did you have any contact with the National Bureau during that -- during that --

A. Only -- only as a -- only as a believer.

Q. Okay. And what was the nature of those contacts?

A. Simply that it may indicate whatever teaching activities we might have going on in Roswell.

Q. You would consult with them on teaching activities, is that what you're saying?

A. I wouldn't call it consulting. It would be just simply providing them with some information about what was going on.

Q. Did you serve in any capacity as a liaison between Mr. Marangella and that bureau?

A. No.

Q. So it was more -- you were more in the nature of a member at that time?

A. Say again.

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Q. You were more in the nature of a member at that time is what you're saying?

A. All I'm saying is that I was a member.

Q. And when did you become more involved with it?

A. Only when the guardian identified me or appointed me to the bureau in 1974.

Q. And why do you think that he appointed you to the bureau in 1974?

A. He needed an individual, he needed a body. I was the body.

Q. Because he was trying to reach a certain number on the bureau?

A. Yes, I think so. I mean the three of us made a total of nine.

Q. I see. And why was nine significant?

A. Nine is the number for our assemblies or for councils.

Q. You stated earlier that the Roswell local council became the Mother Baha'i Council?

A. Yes.

Q. At whose direction did that occur?

A. Joel B. Marangella's.

Q. Were you on the Roswell local council?

A. Yes.

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Q. Who else was on the Roswell local council at the time?
A. The names of those individuals who actually became the Mother Baha'i Council.
Q. Is identical?
A. Yes.
Q. And what became of the National Bureau directors that performed the transfer of power between the two entities?
A. They became members of the organization but not doing anything in terms of the administrative actions of the Mother Baha'i Council.
Q. And why was the Mother Baha'i Council formed?
A. I think that the Mother Baha'i Council was formed so that there would be an actual administrative body. We had jurisdictional aspects which the earlier bureau did not have.
Q. Is that because you had nine members in one community?
A. Yes.
Q. And that was the only location in the U.S. that had nine members in one community?
A. That is correct.
Q. So the National Bureau was composed of people that were in separate locations working together, is

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that right, or it just was not nine?
A. Well, they weren't nine for part of the time and then they became nine. But nine was not the significant factor. The factor was that the guardian appointed them and indicated that their functions were going to be those functions which he established. And he established what those functions were.
Q. So is it your understanding that that was an interim body until a group of nine in a given community --
A. Yes.
Q. -- would be achieved?
A. Yes. And then -- and then we elected our officers. We -- and the officers of the bureau actually were elected as well. I mean we elected the officers within the bureau.
Q. When you say you elected officers, the initial part of your answer, were you referring to the Roswell council and the Mother Baha'i Council?
A. When I was referring to the Mother Baha'i Council, yes, we elected our officers.
(Exhibit No. 129 was marked.)
BY MR. DOLAN:
Q. I'm handing you what's been marked as Exhibit 129. Do you recognize this document?

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A. Gosh, that's a long letter. This is the first time I've seen this letter since I -- since I wrote it I think.
Q. Does it -- if you look to the end, does it look like it was your letter?
A. Well, I recognized -- I recognize that I must have written it.
Q. Do you see the header Mother Baha'i Council of the United States and I believe that's your home address below there?
A. Yes, yes.
Q. If you could please turn to OBF page 1458. Do you see, at the very bottom of the page, it reads "As of this time, only one location in the United States, Roswell, meets the requirements to hold an election. Thus, the one place in America where the Administrative Order is in effect; that is, where the membership is large enough to hold an election of a Local Council is Roswell. And as you know the third guardian has named this body the Mother Baha'i Council of the United States, the temporary organization in charge of Baha'is affair" -- "Baha'i affairs in this country."
A. Yes.
Q. This was as of 1980; is that correct?

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A. That's what it says.
(Exhibit No. 130 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you what we've marked as Exhibit 130. Do you recognize this document?
A. Yes.
Q. And what is it?
A. The annual corporate report turned in to the State Corporation Commission of New Mexico for the taxable year of 1980.
Q. And did you fill in the information provided on this form?
A. It appears that I did. Certainly I've signed it.
Q. At the top it states the corporate name is The Mother Baha'i Council of the United States. And then it gives a principal place of business as 3111 Futura?
A. Right.
Q. And that's your home?
A. That's my present home.
Q. And reflected below, is that the composition of the Roswell local council that you described earlier?
A. Yes.

Q. And, on the second page, it looks as though that's your signature; is that right?
A. That is my signature.
Q. Mr. Schlatter, is it true that, as recently as 1989, the Orthodox Baha'i Faith administrative system in the U.S. was nearly lost because the Roswell community had fallen under nine members?
A. Yes.
Q. Do you recall an occasion when a person asked the Mother Baha'i Council for help because he was being deported to Iran?
A. No.
(Exhibit No. 131 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you what's been marked as Exhibit 131. Do you recognize this document? It seems to have 1999 handwritten on the top. And take your time and review it.
A. It would appear that those are the minutes of a meeting for September 20, 1999.
Q. Of the meeting of what body?
A. Yes, that would be the Mother Baha'i Council.
Q. Do you see, at the bottom of the fifth paragraph, the minutes indicate that a person who had corresponded with you asked for help because he was

being deported to Iran?
A. I see that.
Q. And it goes on to say that you would forward this to Wilmette according to the individual's request. Does that refer to the NSA, my client?
A. I'm sure it does.
Q. Do you recall that happening on any other occasions?
A. No.
Q. Do you recall an occasion in 1995 when there was discussion of dissolving the Mother Baha'i Council due to high absenteeism?
A. I recall that.
(Exhibit No. 132 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you what's been marked as Exhibit 132. Do you recognize this document?
A. Yes.
Q. And what is it?
A. It's a document signed by Karen Jo Herman and Franklin D. Schlatter of July 10, 2000, regarding the change of the name for our organization.
Q. And it was changing the name from what to what?
A. Changing the name from Mother Baha'i Council

of the United States effective April 21st, 2000, to Provisional National Baha'i Council.
Q. Could you please read the paragraph into the record that appears after subject.
A. "At the direction of the Guardian of the Faith, Joel B. Marangella, the Mother Baha'i Council duly established at its April 16, 2000, that effective April 21, 2000, the newly named Provisional National Baha'i Council shall assume the same provisional national Baha'i administrative responsibilities and prerogatives previously ascribed to the Mother Baha'i Council."
Q. Do you know why this action was taken?
A. Yes, we had dropped below nine members.
Q. Who had dropped below nine members?
A. The Roswell -- the Roswell Mother Baha'i Council had dropped below nine members.
Q. Why did that necessitate a change of name to Provisional National Baha'i Council?
A. I don't know. Oh, well, because it was going to be necessary for us to reach out beyond Roswell.
Q. What do you mean by that?
A. In order to form a national Baha'i administrative organization that is not a Mother Baha'i Council per se -- Mother Baha'i Councils are

set up with certain geographic boundaries, whereas national Baha'i administrative responsibilities are of a larger scope.
Q. So this represented an enlargement of jurisdiction or activities?
A. Not necessarily that so much as just simply a takeover of responsibilities.
Q. I see. And this document is on letterhead, I believe that's the design you said was created by -- was that by your son?
A. Steve Rhodes.
Q. Oh, your brother-in-law?
A. Yes.
Q. And this document, this stationery bears your home address again; is that right?
A. Yes.
Q. At this time were there any other communities of nine under the --
A. No.
Q. Under the Orthodox Baha'i Faith?
A. No.
(Exhibit No. 133 was marked.)
BY MR. DOLAN:
Q. I'm handing you what's been marked as Exhibit 133. Do you recognize this document?

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A. Yes.
Q. And what is it?
A. It's a Restated Articles of Incorporation of the Provisional National Baha'i Council of the United States which takes it to the name of the corporation shall be the Provisional National Baha'i Council of the United States.
Q. And did you prepare this document?
A. I along with the members of the Provisional National Baha'i Council formed this statement.
Q. Were those the same members of the Roswell community that you described earlier?
A. This would have been the new corporation, this would -- or this would have been with the addition of individuals who were no longer just within Roswell.
Q. Would that include [redacted]
A. Yes.
Q. Anyone else?
A. [redacted]
Q. And who is [redacted]
A. [redacted] was a believer in Espanola.
Q. Isn't he a relative of the Meyers?
A. I believe he's a grandson.

Q. Okay. Can I ask you to please look at the -- well, it's page 1486 on this document. Do you see paragraph 1? Towards the end it states the objects and purposes of the corporation. And then at the end it says "pending the election in the future of a National Baha'i Council under the auspices of the Guardian of the Faith." What does that mean?
A. That essentially has to do with, when there are three or more fully formed local councils, that that then will be an election that will be held for that kind of a body.
Q. Has that happened?
A. No.
Q. If you could please turn the page and look at paragraph 13. One of the items listed under the object and purposes of this corporation seeks "To perform such other duties as may be specifically assigned on a one-time or permanent basis by the Guardian of the Faith." Do you see that?
A. Yes.
Q. Is that in keeping with how this corporation is operated?
A. I would say so, yes.
Q. And if we could turn to Article VIII, please. Could you please just read into the record the names

there that appear as the directors of this board.
A. The names of the directors are [redacted]
Q. And just reviewing this it appears they all live in New Mexico?
A. Yes.
Q. Were these all people that were under the auspices of the Mother Baha'i Council before it changed its name?
A. Yes.
Q. Is it true that, since the Provisional National Baha'i Council began having a presence on the Internet through web pages and the like, that those who have joined the Orthodox Baha'i Faith have come in via Internet contact?
A. In large measure, yes, I think that is correct.
Q. I'm going to ask you now to please take a look at Exhibit No. 41, it was previously marked as 41. And give counsel an opportunity to --
A. Is that yours?
MR. GOLDBERG: No, that's yours.
BY MR. DOLAN:

Q. -- get a copy. Do you recognize this document?
A. It's a mailing list that was sent out at some time I suspect, relatively recently.
Q. A mailing list for what, if you can elaborate?
A. For the Orthodox Baha'i Faith.
Q. Would this include the membership in the United States?
A. Yes.
Q. And how many U.S. members are counted on this list?
A. Could you count them?
Q. I have a good idea. I counted 43. Does that sound about right?
A. That sounds about right.
Q. Okay. If we could take a look please at this. Take your time and hand through it. And if you could just announce names of those that were also either on the NSA Under the Hereditary Guardianship or under its auspices?
A. [redacted]
Q. Was [redacted] on the --

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A. No.
Q. Was she a member?
A. She's a member currently but not -- not under the Mason -- you were referring to Mason Remey, right?
Q. I was.
A. Yeah. No. Where did I leave off? [redacted] That's it.
Q. Did you include [redacted]
A. If I didn't, I should have.
Q. Now, could you please look at this list again. And, of those people listed that you did not indicate were in the Remey NSA or under its auspices, are there people related to the persons who were and could you please identify those?
A. I think [redacted]
Q. Is [redacted] --
A. And [redacted] is the daughter of [redacted] And [redacted] is the son for -- and [redacted] are the son and daughter of [redacted] And [redacted] is the daughter of [redacted]

Q. I think you mentioned earlier that [redacted] is also?
A. And [redacted] is her son.
Q. Is [redacted] son?
A. Yes. And [redacted] is the son of [redacted] But he has not declared himself, he's simply on the mailing list.
Q. And [redacted] also appears in that?
A. And [redacted] is divorced wife of [redacted] is the daughter of [redacted] and [redacted] And [redacted] is the son of [redacted] and [redacted]
Q. Is that everyone?
A. I'm looking.
Q. Okay.
A. I'm not sure if [redacted] has actually made a declaration. He's the son of [redacted]
Q. And how old is he?
A. Seventeen or 18.
Q. Was [redacted] --
A. But she was not a member.
Q. I see.
A. She was not a member. I was just looking at relationships.
Q. I'm sorry. Go ahead.
A. That's it.

Q. Okay. If I could ask you to again look through this list and could you identify members with Illinois addresses?
A. [redacted] at the current time, [redacted] I don't think there are any others.
Q. [redacted] was listed as Champaign?
A. [redacted] is a student at school. Her home address actually is Roswell, New Mexico.
Q. Was [redacted] a resident in Illinois when he gave his declaration --
A. Yes.
Q. -- to Joel B. Marangella?
A. Yes.
Q. Do you recall that there are Baha'i, orthodox Baha'i Illinois regional conferences held annually?
A. Orthodox Baha'i annual conferences?
Q. Illinois regional Baha'i conferences I think they're referred to.
A. Since what date?
Q. Well, I could ask you, but I would say that it's probably recent.
A. It would be recent, yes, it would be very recent because the purpose of such gatherings is simply to have talk about things that should go

forward at the annual -- all right.
The -- we have two, two meetings annually, one in the spring and one in the fall, that are national or international conferences. And they get together during those times to talk about what should be on the agenda for that. And so they meet maybe once a year for that purpose.
Q. Are you aware that there's a person under the auspices of the Provisional National Baha'i Council in Illinois that's established what he calls a Baha'i center?
A. [redacted] did that. It's no longer in existence since he's now in a rest home.
Q. I see. And what town was that in, if you recall?
A. Whatever town [redacted] was in. Galesburg.
Q. Okay. Was a person named [redacted] ever a member of the Orthodox Baha'i Faith?
A. Yes.
Q. When was that?
A. Gosh, when was it. A few years ago. That's the best I can do, I can't remember specific dates on him.
Q. Would you say four years ago or more than that or less?

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A. He was a member during the time that we met in Chicago. So was that 1999?
Q. I think that's what you testified to earlier.
A. I think that's what I testified to earlier. And I think that's when we had our meeting in Chicago.
Q. Okay. He subsequently left --
A. Yes.
Q. -- the group. Do you remember when that was?
A. A couple of years later.
Q. Just a couple years?
MR. GOLDBERG: I'm going to have to object on the purposes of the -- it seems to me that issues regarding Brent Reed are beyond the scope of the discovery order, the very limited discovery we have. And I don't -- I never did understand what Brent Reed had to do with it.
MR. DOLAN: I understand. The reason that I'm asking, if I -- I would identify it in the subject matter of the notice would be under violation. I think that's a fairly broad topic within our limited discovery.
And I think based on the fact that he came to your group and my understanding is that he left from under the auspices of the NSA in Wilmette to do so. That's why I'm asking the questions. That was

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actually my last question on it.
MR. GOLDBERG: All right.
MR. DOLAN: Are you okay with that?
MR. GOLDBERG: Yes.
BY MR. DOLAN:
Q. Okay. Mr. Schlatter, could you tell me a bit about the third International Baha'i Council?
A. It's only been recently formed. And that particular council was formed. And the guardian indicated that the vice president would be his successor. And then he provided it in a certain sequence so that, if that vice president was unable to become his successor, that the line that was given would be the line that would be taken for the next guardian of the faith.
Q. That person would become the fourth guardian?
A. That person would become the fourth guardian.
Q. And I believe you're second in line?
A. Don't say that too loudly, please.
Q. Why?
A. I'm praying for the good health of Nick.
Q. What's the purpose of the third International Baha'i Council?
A. I would say that the purpose of the third International Baha'i Council is something that the

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guardian has been looking towards for some time, because he has had an international interest and he wants to see to it that there are individuals who are able to promulgate the teachings of the faith throughout the world.
Q. What's its relationship to the Provisional National Baha'i Council?
A. Essentially none at this time.
Q. Can you explain that.
A. It has no jurisdiction whatsoever over anything. It is a body that has been formed by the guardian to carry out international functions but not administratively at this point anyway.
Q. When you say international functions, do you mean that it's the coordinating body for national -- National Baha'i Councils in the interest of the Orthodox Baha'i Faith?
A. Yes, I would say that.
Q. Is it similar to the relationship that the second International Baha'i Council had to the NSA Under the Hereditary Guardianship?
A. No.
Q. What's different about it?
A. Mason -- Mason Remey never indicated anything of that nature, he never talked about anything along

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those lines. He just simply indicated that it was an International Baha'i Council.
Q. Why did Joel Marangella name it the third International Baha'i Council?
A. Because there had been a second International Baha'i Council I guess and a first International Baha'i Council. And I think he probably wanted us to recognize that, in effect, this is an organization that has the guardian as its head because he is the president of that organization; and, therefore, has certain similarities to the first International Baha'i Council which was formed by Shoghi Effendi.
And it was through that means that Mason Remey proclaimed his guardianship. And it's through this means that the guardian of the faith has identified his successor by naming him the vice president and saying that the line would be continuing if the vice president is not able to take -- take over as guardian.
Q. Just to be clear, in the second International Baha'i Council that you referred to as there had been a second one, that was the council under the hereditary guardianship of --
A. That is correct.
Q. Of Mason Remey?

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A. Yes.
Q. Okay. And what's your title on this council?
A. Secretary general.
Q. You mentioned this was recent. Do you know what your duties are as of yet?
A. Oh, I know what some of my duties are, yes, I do.
Q. And what are those?
A. I'm to put out a newsletter known as the -- it's a newsletter that is called the Harbinger of a New Day. And it's one that the editor himself decided upon and with the approval of the guardian of the faith. That and recently I've given the assignment to develop the Ridvan letter which is a letter in April of each year. And it's my responsibility to write the Ridvan letter this time.
Q. Who had written the Ridvan letter prior to today?
A. Always the guardian.
Q. Do you know why he's delegated that work to you?
A. He didn't say.
Q. Were there any other duties that you're aware of?
A. That I will be contacting secretaries of the

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National Spiritual Assembly -- national spiritual. National council throughout the world for purposes of disseminating information and getting information back for the newsletter, for the Harbinger.
Q. What's the purpose of compiling that information and sending it to --
A. So that people know what's going on within the faith.
Q. To promote the Orthodox Baha'i Faith?
A. To promote -- yes.
Q. And that's in the United States and outside the United States?
A. Yes.
(Exhibit No. 135 was marked.)
BY MR. DOLAN:
Q. I'm handing you a document that's been marked as Exhibit 135. Do you recognize this document?
MR. GOLDBERG: Did you skip 134 or did I miss it?
THE WITNESS: 135?
BY MR. DOLAN:
Q. Yes.
A. I have 135 in front of me.
Q. Okay. Do you recognize it?
A. Yes.

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Q. And what is it?
A. I'm responding to the guardian. And he was asking whether or not I would be using the same P.O. box number for the IBC as has been used for the national here. And the answer was that I would since there hasn't been all that much activity in the box.
Q. When you say the national here, are you referring --
A. I'm referring to the national provisional -- Provisional National Baha'i Council. I'm tired of all these words.
Q. Do you see the third paragraph there, it states that you will alert Jeff. Is that Jeffrey Goldberg?
A. That is Jeffrey Goldberg.
Q. "To the fact that you will be sending a contribution as soon as he has a Baha'i bank account opened for the IBC."
A. Yes.
Q. What does that refer to?
A. It refers to the fact that he apparently felt that it was going to be necessary to expend some funds. And he didn't indicate what those funds were going to be spent on, but I assumed that they would be spent on such things as the Harbinger.

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Q. And, when you say he, you're referring to Joel --
A. I'm referring to Joel Marangella, the third guardian of the faith.
Q. And the Harbinger is the newsletter that you described?
A. And the Harbinger is the newsletter.
Q. So did he send a contribution?
A. As far as I know, he did. But I don't keep track of the money.
Q. Who does?
A. I trust my treasurer does.
Q. Is that Jeffrey Goldberg?
A. I trust that that's who it is. I say my treasurer, I'm talking about the IBC's treasurer.
Q. Do you know where a Baha'i bank account would have been opened for this account?
A. Undoubtedly in Albuquerque.
(Exhibit No. 137 was marked.)
BY MR. DOLAN:
Q. I'm going to hand you what's been marked as Exhibit 137. I think we skipped one there. Do you see that?
A. Yes.
Q. Do you recognize this document?

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A. I'm looking at it to see what it is pertaining to. Yes.
Q. Do you see, on the second page of this document, there's reference to questions by Jeffrey. I guess you could confirm this, Jeffrey Goldberg?
A. Yes.
Q. He's asking if members of the third International Baha'i Council can also serve on the Provisional National Baha'i Council. Do you see that?
A. Yes.
Q. Is it still the case that they can?
A. Yes.
Q. And how many people on the third International Baha'i Council are also on the Provisional National Baha'i Council? If you know them by name, please indicate.
A. [redacted] I think that's it.
MR. DOLAN: Could we go off the record for a moment.
THE VIDEOGRAPHER: We are off the record. The time now is 3:21 p.m.
(Recess.)
THE VIDEOGRAPHER: We are on the record. The time now is 3:46 p.m.

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BY MR. DOLAN:
Q. Mr. Schlatter, if you could please take another look at Exhibit 137 that's in front of you. Do you see the language towards the end of the communication from Mr. Marangella that he states "I look forward to our future close collaboration in the work that lies ahead"? Do you know what work he was referring to there?
A. He's probably simply referring to the fact that he would be in contact with me as the secretary general.
Q. In connection with what work?
A. Whatever work he feels needs to go forward. And I have no idea what that work is going to be other than making contacts with the -- the other places around the world.
Q. In your position as secretary general of the third International Baha'i Council, do you coordinate and work with Marilyn Meyer in her capacity as the secretary of the Provisional National Baha'i Council?
A. To a very slight degree. But there has not been any -- I say slight because at this point there hasn't been any developments because it's been so recent, we haven't really gotten much going in the way of activity.

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Q. How recent was the formation of the third International Baha'i Council?
A. September of this last year.
Q. Of 2006?
A. Yes.
Q. Are you coordinating with her in the recent past with respect to the publications that you mentioned?
A. Yes.
Q. And what does that involve?
A. Well, if there is something that I feel that she needs to be aware of in terms of the national body, since it would be strictly national news, that I might encourage her to either send email communications to everybody within the United States or to develop the newsletter, the Star of the Covenant, for the United States.
Q. When you say everyone in the United States, who are you referring to?
A. I'm referring to the believers, the 43.
Q. The 43 members?
A. The 43 members of the present day organization of the Orthodox Baha'i Faith.
Q. Is that the group that the new publication, Harbinger, will be delivered to, distributed to?

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A. It's distributed to them and it's also distributed overseas by me or by my associates in Roswell.
Q. What associates in Roswell?
A. I have called upon the other individuals in Roswell to stand ready, if I need some assistance.
Q. Who are you referring to?
A. I'm referring to members of the local, the local membership.
Q. Okay. I'm asking for names, please.
A. The same names that are in the local organization, [redacted]
Q. Thank you. Could you tell me who are the current as of today officers and directors of the Provisional National Baha'i Council?
A. Since I'm not on the Provisional National Baha'i Council, somebody else can probably answer that question better than I. I know that [redacted]
Q. And is [redacted] on the council as well?
A. Oh, and other council members include [redacted]

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[redacted]
Q. Is there anyone else?
A. Am I missing one?
Q. Let me ask this, has it changed since last year?
A. No.
Q. Okay. Thank you. I hand you a previously marked exhibit. Could I have 32, please.
(Discussion off the record.)
MR. DOLAN: Here you go. I just located it. Do you have it, Jeffrey?
MR. GOLDBERG: Yes.
BY MR. DOLAN:
Q. Could you turn to 5421 on this document, please. Do you see, about the middle of the page, there's an individual that we discussed earlier, [redacted] Is this the person you identified as [redacted]
A. Yes.
Q. And it gives an address for this person of TKE House in Highlands University, Las Vegas, New Mexico. Do you see that?
A. No.
Q. It's right after his name.
A. I don't see [redacted] on here. 5421?

Q. Uh-huh. It's just below [redacted]
A. Oh, okay.
Q. Do you see that?
A. Yes, I do see it. Okay. What's the question, about [redacted]
Q. No, the question is actually about [redacted] I think you testified earlier that he was not under the auspices of the NSA Under the Hereditary Guardianship of Mason Remey. I'm trying to determine if this appears to be a list of names and addresses from that period so we can decide if [redacted] was --
A. This is -- this would have been a list which was prepared after Joel B. Marangella's proclamation.
Q. This list would have been?
A. Yes.
Q. How do you know that?
A. I know that because [redacted] the name directly under [redacted] name, came into the faith after Joel B. Marangella's proclamation.
Q. Do you know what the purpose of this list would have been?
A. I have absolutely no idea.
Q. If you take -- if you review it, is it a list of members who had declared their belief that Joel B.

Marangella was the third guardian?
A. I don't know.
Q. Okay. If I could hand you now an exhibit that we previously marked, it's No. 120. This was marked in connection with your deposition as a fact witness.
A. Yes.
Q. Is this the official web site of the Provisional National Baha'i Council?
A. Yes, it is.
Q. Does the Provisional National Baha'i Council encourage the members under its auspices to create web pages --
A. Yes.
Q. -- to promote the Orthodox Baha'i Faith?
A. Yes.
Q. Who are the people that are involved with the web site located there at domain name rt66.com/~obfusa.com?
A. When you say involved with, what do you mean?
Q. With providing content to the web site.
A. Providing content. That would be the National Baha'i Council of the -- of the United States as it presently exists. And, if there were an individual who were to write an article and the

National Baha'i Council were aware that it was something that was suitable for the web site, that they would see to it that it was placed on the web site.
Q. Do you see, on the second or third page, there are links to other web sites?
A. Yes.
Q. One of them is to truebahai.com?
A. Yes.
Q. What do you know about that web site?
A. I know that it's produced and maintained by [redacted]
Q. Does it promote the Orthodox Baha'i Faith?
A. I believe it does.
Q. There's another link there to something called the guardian's page?
A. Yes.
Q. And what is that?
A. That link is to the guardian's web page. And it's maintained by [redacted] or [redacted] But it's the guardian that provides the documentation that goes on that web page. And that's under his sole direction. The truebahai is under the sole direction of [redacted] Those are links that are just links.

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Q. Are the goals of the Provisional -- the Provisional National Baha'i Council to teach that Mason Remey was the second guardian and that Joel B. Marangella is the third guardian and to teach the continuing guardianship hereditary principle?
A. I would say that that was one of our goals, yes. But it's a spiritual line.
Q. Is that also a goal of the third International Baha'i Council?
A. Yes.
Q. I'm handing you a booklet that was previously marked as Exhibit 53 A. Have you seen this before?
A. Yes.
Q. Is this a publication of the Provisional National Baha'i Council?
A. Yes.
Q. Do you know when it was published?
A. It indicates it was published January 2004.
Q. Do you know anything about the circumstances of its publication?
A. I was not involved with that particular decision since I was not on the -- I was not on the council at the time. Wait a minute. January 2004. I've been here too long I can tell. I was not on the council in 2004.

Q. Do you know if Joel B. Marangella ever covers the publishing costs of the Provisional National Baha'i Council?
A. The publishing costs?
Q. Yes.
A. Covers them? I know that there are occasions, when certain publications have been produced, that he has covered costs of those publications, yes.
Q. Those are publications --
A. Wait. Whether they're publications of the council itself, I know that he has made contributions. Whether or not those contributions took up the entire cost or not I can't say.
Q. Do contributions travel in the other direction as well, does the Provisional National Baha'i Council fund Joel B. Marangella as the third guardian in any way?
A. I can't answer that, I don't know.
Q. Was that the case when you were on the board of the Provisional National Baha'i Council?
A. I don't -- I don't recall that we had sufficient funds to send money to the guardian.
Q. Is it more often the case that the guardian supplies funds to you for --

A. I would say so.
Q. And those funds are to be used in connection with promoting the Orthodox Baha'i Faith?
A. Yes, yes.
MR. DOLAN: That's all I have at this time. Jeffrey, did you want to ask any questions? Would you like to go off the record for a moment?
MR. GOLDBERG: Let me just take a minute.
MR. DOLAN: Let's go off the record.
THE VIDEOGRAPHER: We are off the record. The time now is 4:02 p.m.
(Recess.)
THE VIDEOGRAPHER: We are on the record. The time now is 4:09 p.m.

EXAMINATION

BY MR. GOLDBERG:

Q. Frank, you testified about the goals of the PNBC and the Orthodox Baha'i Faith as continuing the hereditary guardianship. I've heard this phrase, hereditary guardianship principle. That was the same goal that the NSA Under the Hereditary Guardianships had; is that correct?
A. It's the same goal essentially that Shoghi Effendi had. It's the goal that Abdu'l Baha had. I mean it all started with Abdu'l Baha indicating that

the guardian of the faith would be -- that is the successor of the guardian of the faith would be appointed during the lifetime of a guardian. And so this principle is one which is very much that of the Orthodox Baha'i Faith.
Q. Is there any differences in the manner carried out -- manner that the Remey NSA was carrying out these goals and the manner the PNBC carries out the goals?
A. The manner in which the goals of the faith were being carried out?
Q. Yes.
A. Mason Remey was not all that interested, for instance, in publications. He indicated we don't need anymore publications. Joel Marangella on the other hand pushes for publications and for publicity.
Of course, Mason Remey didn't have access to the Internet because the Internet is recent. And the reason for our use of the Internet is that that is the way to go obviously. Any organization that is not employing the Internet is a dummy organization, it's just there. And we all know that the Internet is the means of publicity for the faith in the world.
Mason Remey was interested in all of the believers looking to him and he looked to them as

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being their spiritual -- their spiritual head. Joel Marangella recognizes or maintains that these individuals who are following the NSA, he calls -- he identifies them as misled, that they are not following the true teachings.

The -- I don't know. I'm sure there are other -- other major differences in the way in which they proceeded.

MR. GOLDBERG: Okay. No other questions.

MR. DOLAN: I have nothing further. Thank you very much.

THE VIDEOGRAPHER: We are off the record. The time now is 4:13 p.m.

(At 4:13 p.m. the deposition was concluded.)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE NATIONAL SPIRITUAL ASSEMBLY OF THE BAHAI'S OF THE UNITED STATES OF AMERICA UNDER THE HEREDITARY GUARDIANSHIP, INC.,

Counter-Defendant,

vs. Civil Action No. 64 C 1878
The Honorable Amy J. St. Eve

NATIONAL SPIRITUAL ASSEMBLY OF THE BAHAI'S OF THE UNITED STATES OF AMERICA, INC.,

Counterclaimant.

CERTIFICATE OF COMPLETION OF DEPOSITION

I, JAN A. WILLIAMS, New Mexico CCR #14, DO HEREBY CERTIFY that on April 20, 2007, the 30(b)(6) deposition of FRANKLIN D. SCHLATTER was taken before me at the request of, and sealed original retained by:

For the Counterclaimant:
BRINKS HOFER GILSON & LIONE
NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
MR. CHRISTOPHER M. DOLAN

I FURTHER CERTIFY that copies of this certificate have been mailed or delivered on _____, with changes, if any, by the witness appended, to the following counsel of record and parties not represented by Counsel:

For the Counter-Defendant:
MR. JEFFREY A. GOLDBERG
P.O. Box 254
Albuquerque, New Mexico 87103-0254

I FURTHER CERTIFY that examination of this transcript and signature of the witness was requested by the witness and all parties present.

On _____, a letter was mailed or delivered to MR. JEFFREY A. GOLDBERG regarding obtaining signature of the witness.

I FURTHER CERTIFY that the recoverable cost of the original and one copy of the deposition, including exhibits, to MR. CHRISTOPHER M. DOLAN is $_____.

I FURTHER CERTIFY that I did administer the oath to the witness herein prior to the taking of this deposition; that I did thereafter report in stenographic shorthand the questions and answers set forth herein, and the foregoing is a true and correct transcript of the proceeding had upon the taking of this deposition to the best of my ability.

I FURTHER CERTIFY that I am neither employed by nor related to nor contracted with (unless excepted by the rules) any of the parties or attorneys in this case, and that I have no interest whatsoever in the final disposition of this case in any court.

_____
JAN A. WILLIAMS
Certified Court Reporter #14
License Expires: 12/31/07

(3781M) JAW
Date taken: April 20, 2007
Proofread by: JB

NSA (Hereditary) vs. NSA
WITNESS SIGNATURE/CORRECTION PAGE

If there are any typographical errors to your deposition, indicate them below:

PAGE LINE
_____ Change to _____
_____ Change to _____
_____ Change to _____
_____ Change to _____

Any other changes to your deposition are to be listed below with a statement as to the reason for such change.

PAGE	LINE	CORRECTION	REASON FOR CHANGE

I, FRANKLIN D. SCHLATTER, do hereby certify that I have read the foregoing pages of my testimony as transcribed and that the same is a true and correct transcript of the testimony given by me in this deposition on April 20, 2007, except for the changes made.

_____ _____
DATE SIGNED FRANKLIN D. SCHLATTER

(3781M) JAW
Proofed by: JB

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IN THE UNITED STATES DISTRICT COURT
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EASTERN DIVISION
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Counterclaimant.

AFFIDAVIT

Deposition of: FRANKLIN D. SCHLATTER, 30(b)(6)

Date taken: April 20, 2007

The witness in this case was notified of the need for signature on _____.
Failure of the witness to timely sign this deposition has resulted in the filing of this deposition on _____.

_____BEAN & ASSOCIATES, INC.

(3781M) JAW

DATE DELIVERED: _____
MR. JEFFREY A. GOLDBERG
P.O. Box 254
Albuquerque, New Mexico 87103-0254
RE: NSA (Hereditary) vs. NSA
DEPOSITION OF: FRANKLIN D. SCHLATTER, 30(b)(6)
DATE TAKEN: April 20, 2007
Dear MR. JEFFREY A. GOLDBERG:
At the time of the above deposition/sworn statement, it was requested that the witness read and sign his/her transcript.
_____Enclosed is your copy of the transcript with the original signature page. Please ask the witness to read the transcript, make any corrections on the signature page, and return the original signature page to our Albuquerque office.
_____Enclosed is your copy of the transcript. Please read it, note any corrections on the signature page, and return the original signature page to our Albuquerque office. You may keep the transcript for your files.
_____The transcript is now ready to review. Please contact our Albuquerque office, 505-843-9494, to make arrangements to have the transcript read and signed. If you live outside the Albuquerque area, please call 1-800-669-9492.
_____The transcript is now ready for review. Please remit payment in the amount of $_____ to our Albuquerque office. As soon as payment is received, your transcript will be delivered. If you choose not to pay, please contact our Albuquerque office, 505-843-9494, to make arrangements for signature.

_____Trial in this matter is set for _____. If the transcript has not been read and signed before that date, the original will be filed without a signature.

_____Other:_____
_____
_____
The Federal Rules of Civil Procedure provide the witness 30 days in most instances from the receipt of this letter to read and sign his/her transcript. If he/she has not read and signed the transcript in that time, we will file the original transcript without the signature page.

Sincerely,

BEAN & ASSOCIATES, INC.

(3781M) JAW

RECEIPT
DATE: April 20, 2007
JOB NUMBER: (3781M) JAW
WITNESS NAME: FRANKLIN D. SCHLATTER, 30(b)(6)
CASE CAPTION: NSA (Hereditary) vs. NSA
****
ATTORNEY: MR. CHRISTOPHER M. DOLAN
DOCUMENT: Transcript / Exhibits / Disks / Other _____
DATE DELIVERED: _____ DEL'D BY: _____
REC'D BY: _____ TIME: _____
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ATTORNEY: MR. JEFFREY A. GOLDBERG
DOCUMENT: Transcript / Exhibits / Disks / Other _____
DATE DELIVERED: _____ DEL'D BY: _____
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