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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

DONALD L. BARNETT)
)
 Plaintiff,)
)
 v.)
)
 JACK A. HICKS, JACK H.)
 DuBOIS and E. SCOTT HARTLEY,)
 individually and as the)
 Board of Directors of)
 COMMUNITY CHAPEL AND BIBLE)
 TRAINING CENTER,)
)
 Defendants.)

NO. 88-2-04148-2

DECLARATION OF PLAINTIFF
DONALD L. BARNETT IN
OPPOSITION TO COMMUNITY
CHAPEL'S MOTIONS FOR
PARTIAL SUMMARY JUDGMENT

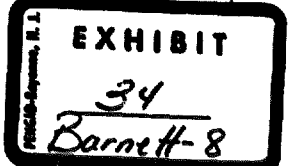
I, Donald L. Barnett, declare:

1. I make this declaration based on my own personal knowledge and am competent to testify to the matters stated in this declaration. This declaration is in opposition to the defendants' motions for partial summary judgment, and specifically responds to the Declaration of Catreena Bingaman, and the Declaration of David Motherwell in Opposition to Barnett's Motion for Judgment on the Pleadings.

2. It is not possible to understand the allegations of sexual misconduct made against me, nor the Declaration of Catreena Bingaman, without some understanding of a special phenomenon which occurred at Community Chapel.

DECLARATION OF PLAINTIFF DONALD L. BARNETT
IN OPPOSITION TO COMMUNITY CHAPEL'S
MOTIONS FOR PARTIAL SUMMARY JUDGMENT - 1

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1 3. I believe Scripture requires the believer in Jesus
2 to partake of the three typological feasts: passover
3 (salvation); pentecost (baptism in the Holy Spirit);
4 tabernacles (experiential perfection). I believe the Holy
5 Spirit is urging us to begin to yield to him to lead us into
6 the great last day culmination, perfection, maturing and
7 harvesting of souls (tabernacles) by uniting, first each local
8 church with the bond of agape (God's love).

9 4. In the beginning of 1985, after two years of
10 intensive prayer retreats, God began to sovereignly pour out
11 his love on us in new ways: loving us through one another,
12 connecting us powerfully together in the Spirit.

13 5. Unfortunately, unbelief, legalism, sexual
14 weaknesses, carnality, insecurity, hurts in marriages, and so
15 forth, gave the devil open doors to attack the saints'
16 vulnerabilities--and through weaknesses of the flesh, destroy
17 much of the great good that God was able to do in the church.
18 Many members and families were greatly helped, and many were
19 greatly hurt--but most of those greatly hurt said they would
20 not have passed up the increased love for Jesus and the saints
21 to avoid the hurts and temptations of the devil, for they were
22 now more spiritual and much more in love with Jesus, having
23 been tried, having failed, and having discovered the end of
24 their strength--and having repented and repaired the breach.

25 6. The history of the church is one of the saints being
26 tested under fire, whenever God sends a revival and moves upon

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1 His church. Over and over in the history of the church, any
2 great movement of God results in division in friction, both
3 in Biblical times and ever since.

4 7. I did not originate this doctrine or practice of
5 spiritual uniting we called "spiritual connections," and did
6 not experience this phenomenon initially. Rather, this
7 scriptural doctrine was started sovereignly by God, Himself,
8 in our satellite church in Kansas. It began to occur (without
9 any teaching on the subject) at the mother church in Seattle
10 and in other satellite churches. Others in my church
11 experienced it months before I did. Once I experienced it,
12 I found many references to it in the Bible and I began to
13 teach on it.

14 8. A spiritual connection is the spiritual union of two
15 human spirits with each other and the spirit of God. I
16 believe that spiritual connections are a necessary practice
17 for any church that seeks the most spiritually intimate place
18 in the Bridehood of Jesus (as pre-figured by the Shulemite in
19 The Song of Solomon). As with many high, spiritual
20 experiences, connections caused a tension between the spirit
21 and the flesh (Gal. 5:17) - the result was much spiritual
22 ecstasy, but also jealousy, which was in turn caused by poor
23 marriages. Jealousy resulted in accusations and accusations
24 resulted in family disputes. This occurred even within
25 marriages where both mates believed that they had experienced
26 genuine spiritual connections. These disputes divided husband

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1 and wife, and caused many to seek even more companionship from
2 their spiritual connections. This led to sexual temptation
3 and sin.

4 9. At the beginning, I imposed numerous legalistic
5 restrictions on spiritual connections. I was concerned that
6 the practice might lead to problems because of the weaknesses
7 of the flesh. I was opposed in this matter by the elders,
8 specifically by John Bergin and others, who opposed any
9 restoration of previous restrictions, or adherence to existing
10 restrictions.

11 10. The following is the true account of my relationship
12 with Catreena Bingaman: the worship services at Community
13 Chapel included dancing in the Spirit. When this happens, the
14 Spirit of the Lord draws two people together. It is a very
15 powerful spiritual experience. During one worship service,
16 I was worshipping with another lady, who was my spiritual
17 connection. Catreena Bingaman was dancing in the Spirit with
18 another man, perhaps 20 or 30 feet away from me. I happened
19 to look over at her at the same time she looked at me. Our
20 eyes met and we both knew by the Spirit that we should be
21 worshipping together. This was not a sexual or romantic
22 experience; it was a spiritual experience. We waited until
23 that song was over and then worshipped together for several
24 songs. This was a very powerful experience and impacted us
25 enormously. This kind of spiritual experience impacts the
26 spirit. But the natural man, having only experienced natural

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1 love in romance, friendly love, or sexual love, can be
2 overwhelmed and confused by such new powerful spiritual
3 experiences. This happened to Catreena. She went about the
4 office singing that she was in love with the pastor and she
5 began an ardent pursuit of me. The only confusion one
6 experiences in understanding the love they feel from God to
7 another is to what extent that love is natural or spiritual.
8 Everyone at the chapel had been taught very clearly that sex
9 has no part in spiritual experiences.

10 11. Catreena's declaration states that I told her that
11 I needed more time alone with her. This is completely false.

12 12. Catreena's declaration states at paragraph 4 that
13 I came to the Publications Department and took her to a
14 private room. This never happened. There is no private room
15 in the Publications Department, and there is no way that I
16 could walk into a busy department of the church and ask a
17 female employee to speak to me in private. There were
18 occasions on which I went to the Publications Department,
19 almost always for other business purposes, and while I was
20 there, spoke with Catreena.

21 13. Catreena's declaration describes at paragraph 5 an
22 account of what she describes as "the first time Barnett
23 committed adultery with me." There was only one incident in
24 which I had sexual contact with Catreena. It did occur at the
25 parsonage, but everything else in paragraph 5 is false. I
26 never pulled her to the floor or claimed that sexual contact

1 with her had any spiritual significance. At the time of my
2 relationship with Catreena, I had steadfastly maintained in
3 a series of about 30 sermons, " Spiritual and Soulical
4 Relationships," that sex has no part in spiritual things. I
5 never told her that she could heal me. I never undressed her.
6 I never forced myself on her, and I was not aggressive. In
7 fact, contrary to the statement in her declaration that she
8 was "completely passive," she was an active initiator of
9 sexual activity. I never told Catreena to "be spiritual" with
10 me. One can't "get spiritual" by choice nor can they control
11 the Spirit--one can only yield to His moving.

12 14. I repented to God with remorse for allowing Catreena
13 to entice me into the sin of adultery--I never intended that.
14 I admit fault, but I vehemently deny that it was any kind of
15 a breach of fiduciary duty or breach of employment contract,
16 or tortious in any way. My relationship with Catreena began
17 as a spiritual connection. When we strayed into a carnal
18 relationship, it had nothing to do with the church. I never
19 used my pastoral role or any corporate role to influence
20 Catreena or take advantage of her.

21 15. Everything in paragraph 6 of Catreena's declaration
22 is false. I never told her that she could have anything she
23 wanted, and I certainly had no practical ability to increase
24 her salary or elevate her position or have the church pay her
25 wages during vacations. I never offered her any special
26 benefits as an employee of Community Chapel. Catreena did not

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1 work for me. She worked in the Publications Department, and
2 was under the supervision of other people. At this point, I
3 had delegated the personnel functions to defendant Jack Hicks.
4 I could not go to Hicks and ask for special favors for
5 Catreena without drawing undue attention to her as my
6 spiritual connection, and without incurring substantial
7 objection by Jack Hicks and the publications manager.
8 Moreover, I had no reason to offer special favors or treatment
9 to Catreena. We had shared a spiritual connection, but I had
10 had, and continued to have, greater spiritual experiences with
11 a number of other spiritual connections as well.

12 16. I never told Catreena that the time she spent with
13 me on vacation would be paid for by the church, or that she
14 would be paid wages for vacation time with me. I did invite
15 her on one occasion to go on vacation with me in Florida, as
16 I invited other spiritual connections to join me on vacation.
17 I offered to pay personally for her vacation, an offer which
18 I extended to any of my spiritual connections who accompanied
19 me on vacation. I never said that the church would pay for
20 her vacation. I never told Catreena not to tell her husband,
21 the elders, or the counseling center anything. I never gave
22 her any presents.

23 17. Paragraph 7 of Catreena's declaration is completely
24 false. There was no second adultery, nor any third. I never
25 suggested to Catreena that she have sexual intercourse with
26 me as a means of "ministering" to me. I have never asked any

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1 woman to "minister" to me through sex. I never asked her to
2 be my mistress. I never suggested that she could remain in
3 the church if she divorced her husband, and I never suggested
4 that she divorce her husband. We had a very strong stand
5 against divorce, and we lost some very key people in the
6 church because they divorced. I certainly could not make an
7 exception for Catreena. I never told Catreena that there was
8 anything spiritual about sexual intercourse. I do not believe
9 that and have never believed it.

10 18. Paragraph 8 of Catreena's declaration is completely
11 false. I never told Catreena not to tell anyone about our
12 relationship, and I never threatened to disfellowship her if
13 she told anyone.

14 19. Paragraph 9 of Catreena's declaration is completely
15 false.

16 20. I must also correct several of the many
17 misstatements in the Declaration of David Motherwell in
18 Opposition to Barnett's Motion for Judgment on the Pleadings.
19 I will not try to correct all of Motherwell's falsehoods--
20 the declaration is filled with so many false statements, that
21 time and space prevent me from denying them one by one. My
22 purpose in this declaration is only to deny the falsehoods
23 which are important for the purposes of the motions for
24 summary judgment.

25 21. Mr. Motherwell incorrectly describes my remarks
26 during the address to the congregation on February 28, 1988.

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1 At paragraph 9 of his affidavit, Motherwell incorrectly states
2 that I said that I had been warned by the elders that I could
3 be disfellowshipped. I never said this, because no one had
4 ever suggested to me that I could be disfellowshipped. I do
5 not believe that any of the elders or senior elders (or
6 Motherwell, who was not an elder) thought that I could be
7 disfellowshipped under the Articles and Bylaws of Community
8 Chapel. If they had thought they could disfellowship me, they
9 would not have skulked around in secret meetings, plotting
10 with attorney Jim Leach how they could get rid of me. If they
11 had thought they could disfellowship me, they would not have
12 gone to the elaborate charade of holding a "meeting" of the
13 Board of Senior Elders at my house at which they claim to have
14 "voted" to amend the Bylaws by cryptically asking one another
15 how they "voted," without ever stating the subject of the vote
16 and without ever reading the proposed amendment to the
17 Articles of Incorporation. If they had thought they could
18 disfellowship me, they would not have run down to Olympia to
19 file their illegal amendment of the articles, and then held
20 a secret meeting to adopt elaborate changes to the Bylaws
21 designed to remove any protections to me. If they had thought
22 they could disfellowship me, they would not have written me
23 a letter on March 4 announcing their decision and stating that
24 disfellowshipping me was not contrary to any provision of the
25 Bylaws according to the amendments they had just adopted. In
26 short, they never thought they could disfellowship me, never

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1 told me they thought they could disfellowship me, and so I
2 never said I have been warned I could be disfellowshipped.

3 22. Mr. Motherwell falsely states that he had warned me
4 that I could be disfellowshipped if I refused to abide by
5 special status. I repeat: no one had ever suggested to me
6 that I could be disfellowshipped. Motherwell's declaration
7 is inconsistent with a letter he wrote to me on March 4, 1988,
8 the day the senior elders illegally voted to disfellowship me.
9 In that letter, which is Exhibit 30 to the Motherwell
10 Deposition, he never states that he had warned me I could be
11 disfellowshipped. To the contrary, Motherwell states in the
12 letter:

13 I have personally recommended this action
14 [disfellowshipping] to the Senior Elders and the
15 entire board of Elders as an act of mercy for your
16 own soul and as a act of responsibility to God and
17 His people. It was pointless for me to warn you of
18 such after your Sunday sermon and given the former
19 construction of the church bylaws.

20 Motherwell would never had said that it was "pointless" to
21 warn me about disfellowshipping if he had already warned me.

22 I declare under penalty of perjury, under the laws of the
23 State of Washington, that the foregoing is true and correct.

24 DATED at _____ this ____ day of
25 December, 1990.

26 _____
DONALD L. BARNETT

Note: Signed faxed page in possession of counsel, this page will be replaced with original signature page when it becomes available.

DECLARATION OF PLAINTIFF DONALD L. BARNETT
IN OPPOSITION TO COMMUNITY CHAPEL'S
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