

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

**WORLD MISSION SOCIETY CHURCH
OF GOD, A NEW JERSEY NON-PROFIT
CORPORATION,**

Plaintiff,

v.

TYLER J. NEWTON

Defendant.

Case No. 2011-17163

DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF

Defendant Tyler J. Newton ("Newton"), by counsel, pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, hereby requests that Plaintiff World Mission Society Church of God, a New Jersey Non-Profit Corporation ("WMSCOG") answer the following interrogatories fully, in writing, and under oath within 21 days of service, and thereafter supplement such answers as and when required by the Rules, to be updated through the date of any hearing and/or trial.

INSTRUCTIONS

1. If any interrogatory cannot be answered in full after exercising due diligence to secure the information to do so, please so state and answer the interrogatory to the extent possible, specifying any inability to answer the remainder of any such interrogatory, and stating whatever information or knowledge is presently available to you concerning the unanswered portion of said interrogatory.

2. To the extent that you consider any of the following interrogatories objectionable, answer so much of each interrogatory and each part thereof as is not objectionable in your view and separately state that part of each interrogatory as to which you raise objection and each ground for each such objection.

3. These interrogatories seek all knowledge and information within your possession or control. Therefore, each answer should be based not only on your own personal knowledge but also the knowledge of your agents, employees, representatives, experts, attorneys, and other persons you may have consulted concerning any of the facts or issues involved in this action.

4. With respect to any answer or portion of any answer to any of the following interrogatories, identify each person from whom information was obtained on which such answer or part thereof was based.

5. If you object to any interrogatory or part thereof on the claim of privilege, identify each statement or other information for which the privilege is claimed, together with the following information: (1) if the interrogatory elicits information about a meeting, event, or communication, with respect to each such occurrence, please state (a) the date, (b) the names of persons present or represented, (c) the subject matter of the occurrence, and (d) the basis on which the privilege is claimed; and (2) if the interrogatory elicits information relating to a document, please provide, with respect to each such document: (a) the date, (b) the sender, (c) the addressee, (d) the number of pages, (e) the subject matter, (f) the basis on which the privilege is claimed, (g) the names of all persons to whom copies of any part of the document were furnished, together with an identification of their employer and their job titles, (h) the present location of the document and all copies thereof, and (i) each person who has ever had possession, custody, or control of the documents.

6. These interrogatories are continuing in character. You are therefore requested to file supplementary answers if you obtain further or different information prior to any hearing or trial.

7. Whenever you are instructed to state a date or a dollar amount, if such date or amount is unknown to you, state your best estimate of such date or amount and indicate that it is an estimate.

8. The words “and” and “or” shall be construed conjunctively or disjunctively as necessary to make the request inclusive rather than exclusive. The word “including” shall be construed to mean “including but not limited to” or “including without limitation.”

9. The use of the past tense shall include the present tense, and the use of the present tense shall include the past tense, so as to make the question inclusive rather than exclusive.

10. The singular includes the plural, and vice versa.

11. Each question is to be accorded a separate answer, and questions are not to be combined for the purpose of supplying a common answer thereto.

12. Unless otherwise indicated, the relevant time period for purposes of these interrogatories is the time period from January 1, 2009, to the date of the filing of your answers to these interrogatories, to be updated through the date of any hearing or trial.

DEFINITIONS

1. “Date” shall mean the exact day, month and year if ascertainable, or, if not, the best approximation thereof.

2. “You” and “WMSCOG” mean Plaintiff World Mission Society Church of God, a New Jersey Non-Profit Corporation, “WORLD MISSION SOCIETY, CHURCH OF GOD A NJ NONPROFIT CORPORATION,” their agents, representatives, directors, trustees and/or

employees exercising discretion, discharging duties or making policy, in addition the corporate predecessors and successors, any affiliates, subsidiaries and parent organizations or corporations.

3. “Newton” means Defendant Tyler J. Newton and any agents or representatives.

4. “Colon” means Michele Colon, as identified and described in Plaintiff’s

Complaint.

5. The term “Computer System” shall mean and refer to your entire computing environment. The Computer System includes all hardware (the actual computers themselves), peripherals (e.g., terminals, printers, modems, and data storage devices), and software (e.g., program applications) used in your household and/or office or store. This environment may consist of one large computer serving many users or one or more personal computers working individually or linked together through a network or group of networks.

6. The term “document” shall mean any written or any other tangible thing of every kind and description, including electronically stored information, whether in draft or final form, original or reproduction, in your actual or constructive possession, custody or control, including but not limited to: letters, correspondence, notes, films, transcripts, telegrams, teletype messages, contracts and agreements including drafts, proposals, and any and all modifications thereof, licenses, memoranda, transcripts and recordings of telephone conversations or personal conversations, microfilm, microfiche, books, newspapers, magazines, advertisements, periodicals, bulletins, circulars, pamphlets, statements, notices, memoranda (including inter- and intra-office memoranda, memoranda for file, pencil jotting, expense accounts, recorded recollections and any other written form of notation of events thereto, draft minutes, resolutions and agendas), expressions and/or statements of policy, lists of persons attending meetings and conferences, reports, rules, regulations, directions, communications, reports, financial statements,

tax returns, ledgers, books of account, proposals, prospectuses, offers, orders, receipts, analyses, audits, working papers, computations, projections, tabulations, financial records, blueprints, plans, writings, drawings, graphs, charts, photographs, phono-records, invoices, receipts, working papers, desk calendars, appointment books, diaries, time sheets, logs, movies, tapes for visual audio reproduction, recordings, magnetic computer tapes and discs, reports and/or summaries of investigations, opinions and/or reports of consultants, appraisals, reports and/or summaries of negotiations, computer punch cards, electronic mail (a.k.a. "e-mail" or "email") (including e-mail saved on computers, e-mail in hard copy form, and any deleted messages which may be retrieved from backup systems or from your Internet Service Provider), voice mail, any other data compilations from which information can be obtained (translated, if necessary, into reasonably usable form), and/or all material similar to any of the foregoing, however denominated. The term "document" shall also include copies containing additional writing or marks not present on the originals and copies that are otherwise not identical copies of the originals. Additionally, the term "document" shall include any meta-data associated with the underlying document.

7. (a) "Identify" or "identity," when used in reference to a natural person, means to state his or her full name, home and office telephone number and address, business title, business affiliation or, if the above are not known, such information as was last known. If such person has, or at any time in question had, any relationship to you or to any other party to this action, "identify" also means to state what the relationship is or was.

(b) "Identify" or "identity," when used in reference to a corporation, partnership or any legal entity other than a natural person, means to state its full name, form of

organization, jurisdiction of any incorporation, current or last known address, and its principal place of business.

(c) “Identify” or “identity,” when used in reference to a document, means to state the Bates-label number for the document (if applicable) and to state the type of document (*e.g.*, letter, memorandum, contract, telegram, etc.), its date, author or authors, addressee or addressees, if any, a summary of its contents, and its present location or custodian. If any such document is no longer in your possession or subject to your control, “identify” also means to state what disposition was made of it and the date of such disposition.

(d) “Identify” or “identity,” when used in reference to any act, means to describe in substance the event or events constituting such act, what transpired, the place and date thereof, and to identify the persons present, the persons involved, and all documents relating to the act.

(e) “Identify” or “identity,” when used in any other context, means to state and describe in complete detail.

8. Information “relating” to a given subject matter, as used herein, means information that constitutes, embodies, comprises, reflects, identifies, states, refers to, deals with, comments on, responds to, describes, analyzes, contains information containing, or is in any way pertinent to that subject matter, including, without limitation, documents concerning the preparation or presentation of other documents.

9. Unless otherwise specified, the terms “person” or “persons” as used herein mean natural persons, corporations, associations, partnerships, joint ventures, proprietorships, governmental agencies, departments or offices or other legal entities, whether foreign or domestic.

10. The “Complaint” means and refers to the Complaint filed in this case on or about December 6, 2011, as well as any amendments thereto. “Answer” shall refer to the Answer filed in response to the Complaint as well as any amendments thereto.

11. Unless otherwise defined, all words and phrases used herein shall be accorded their usual meaning in plain and ordinary usage.

INTERROGATORIES

INTERROGATORY NO. 1

Identify each person whom you believe may have personal or hearsay knowledge of facts relating to the allegations contained in the Complaint and/or the Answer thereto and describe generally the knowledge you impute to each person so identified.

INTERROGATORY NO. 2

Identify all known meetings, conversations, and correspondence between WMSCOG and Colon. Include in your answer an identification of who participated and what was said and discussed during such communications.

INTERROGATORY NO. 3

Identify each and every individual who was previously a member of WMSCOG but has left (for any reason) WMSCOG since 2009. For each individual, identify the date that individual became a member, the date they left WMSCOG and any agreements entered into between WMSCOG and each individual (whether a non-disclosure agreement or other agreement).

INTERROGATORY NO. 4

Describe, in detail, and any all business relationships, donative relationship or other relationship between WMSCOG and Big Shine Worldwide, Inc.

INTERROGATORY NO. 5

Identify each and every “branch” of the WMSCOG (including New Jersey), as described in paragraph 12 of the Complaint located within the United States. For each branch, provide the location, corporate formation information, number of members, annual budget and identify all senior leadership (pastors, missionaries, deacons/deaconesses, and any other senior leadership), and identify both the Korean and English names used by each such individual.

INTERROGATORY NO. 6

Describe, in detail, the relationship between the New Jersey Branch of WMSCOG and the main headquarters and/or central location of WMSCOG in South Korea as described in paragraph 61 of the Complaint, including any financial payments or transfers to/from between the branches and the South Korean location’s role in doctrine and theology of the New Jersey Branch of WMSCOG.

INTERROGATORY NO. 7

For each senior leader as identified in Interrogatory No. 5 above, identify any contracts, business ownership interests or employment of those individuals outside WMSCOG. For each contract, ownership interest or position, identify the compensation received by the senior leader, the name and nature of the business, and describe any and all other relationship of the business to WMSCOG.

INTERROGATORY NO. 8

Identify any current or former member of WMSCOG that you contend has been harassed as a result of the actions of the Defendant, as alleged in Paragraph 19 of the Complaint, and identify whether the individual is still a member of WMSCOG, when they first became a member, when they left WMSCOG (if applicable) and describe any specific incidents of harassment, including witnesses thereto.

INTERROGATORY NO. 9

Identify any and all grounds for your contention, in Paragraph 19 of the Complaint, that WMSCOG is “losing prospective membership because of Defendants’ conduct” and identify all lost business or members. Include in your answer an identification of (a) all persons with knowledge of the facts disclosed in your interrogatory answer; and (b) all documents (by Bates Number if applicable) referencing or reflecting such facts.

INTERROGATORY NO. 10

Identify any and all grounds for your contention, in Paragraph 20 of the Complaint, that WMSCOG “has lost prospective donative revenue from members, potential members and other benefactors.” Include in your answer an identification of (a) all persons with knowledge of the facts disclosed in your interrogatory answer; and (b) all documents (by Bates Number if applicable) referencing or reflecting such facts.

INTERROGATORY NO. 11

Identify any lawsuit filed by or against any branch of WMSCOG since 2007. For each suit, describe the nature of the suit, the current status of the suit, the jurisdiction where the suit is/was pending and the case number of the suit.

INTERROGATORY NO. 12

Identify any donation in excess of \$1000 in a single donation or \$10,000 cumulative annually. For each donation(s), identify the member or benefactor providing the donation, the date(s) of the donation and, if any, the specific use of the donation by WMSCOG (e.g., mission fund, building fund, general operations, etc.).

INTERROGATORY NO. 13

Identify all information discoverable under Rule 4:1(b)(4)(A)(1) of the Rules of Supreme Court of Virginia: identify any expert witnesses you intend to call at trial; state the subject matter

on which the expert is expected to testify; identify the substance of the facts and opinions to which the expert is expected to testify; and provide a summary of the grounds for each opinion. Please also identify any correspondence or other communications to or from each such expert witness and identify any bibliographies or writings authored by or relating to each such expert witness.

INTERROGATORY NO. 14

Identify each person providing information used to answer these Interrogatories and identify any documents used by said persons to answer the Interrogatories.

INTERROGATORY NO. 15

Identify any and all oral, written, or recorded statements obtained by you or on your behalf from any individual in connection with any of the allegations or defenses in this case. For each statement indicate the name, address, and occupation of the person who made the statement; the name, address and occupation of the person who obtained the statement; the date the statement was obtained; whether the statement is written or oral; if written: state the name and address of the person who has custody of the statement; if oral: state the substance of the statement; and if recorded: state the date and substance of the recording.

INTERROGATORY NO. 16

If you contend that Newton or Colon has made any admissions or declarations against interest concerning the facts or circumstances involved in this lawsuit, identify the statement(s) made, to whom such statement(s) was made, when and where such statement(s) was made, and the name and address of each person who may have heard the statement(s).

INTERROGATORY NO. 17

Identify all persons with access to your Computer System, email system and software, backup system and software (including procedures, formats, and the location of backup storage

media), and document retention/destruction practices. Identify all persons with whom you have shared your passwords to access these devices.

INTERROGATORY NO. 18

Identify all electronic documents that relate to or reference the subject matter of this action that have been deleted or overwritten since this action was filed and state: (a) whether the deletion or overwriting was done through automation or by user action; and (b) what actions you have taken to restore the deleted or overwritten files.

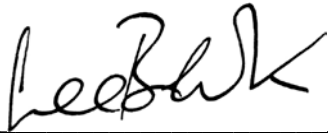
INTERROGATORY NO. 19

Identify how you learned of the closed Facebook Group described in Paragraph 27 of the Complaint and how you learned of the private statements made within the confines of that Group. State whether you or anyone known to you is presently a member of the Group and identify the means and methods that person used to gain access to the Group. Identify all Facebook account names used to access the Facebook Group, and the names of the persons who used these accounts.

INTERROGATORY NO. 20

Please provide an itemized list of the particulars of every expense, financial loss, and/or other damage you contend you incurred as a result of the acts of Mr. Newton or for which you contend he is liable, including attorneys' fees incurred in connection with this case. Identify the total amount of damages claimed and explain how that amount was calculated.

TYLER J. NEWTON
By Counsel



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CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2012, a true and correct copy of the foregoing First Set of Interrogatories was served by facsimile on:

John W. Dozier, Jr.
Dozier Internet Law, P.C.
11520 Nuckols Road Ste 101
Glen Allen, VA 23059
Fax: 804-346-0800



Lee E. Berlik