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A P P E A R A N C E S

FOR THE PLAINTIFFS:

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

FOR THE DEFENDANTS:

LAW OFFICE OF LAWRENCE E. FABIAN
BY: LAWRENCE E. FABIAN, ESQ.
444 Madison Avenue, Suite 701
New York, New York 10022
(212) 644-8096

ALSO PRESENT: CAROL FORBES, MONTY BARBER.

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I N D E X

EXAMINATION BY:	PAGE
MR. FABIAN	195

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E X H I B I T S

DEFENDANT'S DESCRIPTION	PAGE
21 Multi-page document "Preamble"	202
22 Journey Without Distance	233
23 Four-page document "One Earth"	
article	239
22A Paperback version Journey Without Distance marked in Volume III, attached to Volume II.	

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2 of Taking Deposition and on March 24, 1999,
3 commencing at the hour of 11:52 a.m. thereof, at
4 Epstein, Becker and Green, Two Embarcadero Center,
5 Suite 1650, San Francisco, California, before me,
6 JOSEPHINE V. ANGUIANO, a Certified Shorthand
7 Reporter in the State of California, there
8 personally appeared

9

10 JUDITH SKUTCH WHITSON,

11

12 called as a witness, who, being previously duly
13 sworn, was thereafter examined and testified as
14 hereinafter set forth.

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1 MR. FABIAN: I understand we're going to

2 go until 1:00, and then we're going to pick up
3 Mr. Skutch in the afternoon.

4 Am I correct then Mr. Bolen is tomorrow
5 morning?

6 THE WITNESS: Yes.

7 MR. FABIAN: And you've requested --
8 Mr. Poppe indicated he could be here tomorrow
9 afternoon.

10 MR. ROSENBERG: Which is fine, but I want
11 to say this: If you don't finish with Judy or with
12 Bob, it's not likely we're all going to want to come
13 back to San Francisco. I love coming out here, but
14 you know what I'm saying?

15 If Mr. Poppe will agree to make himself
16 available, because I'm going to see Mr. Anderson on
17 the East coast, I would let you try to finish these
18 folks for purposes of convenience.

19 Am I making any sense?

20 MR. FABIAN: You are. And I'm going to
21 discuss that at the end of the day after I've
22 started with Mr. Skutch so I'll know where we were.

23 MR. ROSENBERG: Right. And I will need
24 to know for my preparation purposes.

25 MR. FABIAN: No problem. I'll try to

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1 give you as little time as possible to prepare, but
2 at least notify you.

3 MR. ROSENBERG: As you usually do.

4

5 EXAMINATION BY MR. FABIAN

6 MR. FABIAN: Q. Judy, are you familiar
7 with a group known as Stanford Research Institute?

8 A. Yes, I am.

9 Q. And what is that?

10 A. Stanford Research Institute originally
11 had been funded by Stanford University to do some of
12 the early work and research that were assigned.

13 They separated themselves from Stanford,
14 so they were an independent institute quite a many
15 years ago. I don't remember how many. Maybe 25.

16 Q. And did you do any work with the Stanford
17 Research Institute either as a consultant or an
18 employee?

19 A. I wasn't a consultant. I wasn't an
20 employee. I funded a program for research. I
21 helped fund.

22 Q. And do you recall approximately what year
23 that was?

24 A. Probably 1973, '4.

25 Q. Okay.

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1 A. Up to '75, I would guess.

2 Q. And could you just briefly describe the

3 nature of the program you helped fund?

4 A. Yes. It was a program looking at the
5 abilities of an Israeli named Mr. Uri Geller and
6 others.

7 Q. Just for the record, Mr. Geller practiced
8 or did work in what area?

9 A. Mr. Geller was a showman. He used -- he
10 purported to use abilities to interact with people's
11 minds, so we call it telepathy, to be able to effect
12 matter, which we call psychokinesis. And I don't
13 think -- I don't remember if we used Uri as a
14 subject in precognition.

15 Q. And other than raising the funds for this
16 particular party, did you have any personal
17 involvement in the project on a working level?

18 A. I was there for some of the testing. I
19 was friendly with the researchers.

20 Q. And did this research group reach any
21 conclusions concerning --

22 A. They published their conclusion.

23 Q. And was there a title of those
24 conclusions? If I wanted to look for it, could I
25 find it?

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1 A. They have them in a few different books.
2 There were papers published in Nature magazine,
3 which they presented an at annual meeting of the --

4 a branch of the Association for Advancement of
5 Science.

6 Let's see. One of the books would be
7 called "Mind Race" by Russell Targ. Another one was
8 by Hal Puthoff, but I forgot the name of it.

9 Q. Did you personally reach any conclusions
10 on the basis of reviewing this research as to what
11 Mr. Geller was attempting to do was actual or, in
12 fact, some sort of showmanship?

13 A. My conclusion was at times in the
14 laboratory it was actual. At times on stage he
15 augmented.

16 MR. ROSENBERG: Well said.

17 MR. FABIAN: Q. Was your contact with
18 people at the Stanford Research Institute prior to
19 or after your receiving A Course in Miracles for the
20 first time?

21 A. Prior.

22 Q. And after you received the Course, did
23 you give to any people that you knew who worked at
24 the Stanford Research Institute portions of or
25 entire copies of the Course, and prior to any

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1 copyright notice being put on, just so we'll have a
2 date in time.

3 A. I brought Helen and Ken and Bill and I

4 think Helen's husband Louie to see my environment,
5 the things that I was involved in, and they all came
6 to Stanford Research Institute to see my friends
7 there.

8 There was a copy of the manuscript with
9 us, probably in Bill's or Ken's possession. It was
10 heavy. I didn't carry it all the time. So there
11 was a copy of the manuscript there and they did see
12 it.

13 Q. And my question is, Did you then make
14 copies of portions or all of the manuscript or any
15 manuscript involving the Course prior to its
16 copyright being placed on it and then give it to any
17 of these people at the Stanford Research Institute?

18 A. Well, the people at Stanford with whom I
19 were friendly were not interested in it. In fact,
20 they were annoyed at me because they felt it was
21 distracting to my work with them. I was obviously
22 very intrigued with it.

23 Russell Targ had a friend named
24 David Hurt, and he felt that this particular
25 gentleman is of that bent. And he asked me as a

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1 friend could he have a part of it.

2 I cannot tell you if it was the whole
3 manuscript or not because I can't remember.

4 Russell Targ was very well aware that

5 Helen and Bill, because they told him, did not want
6 this circulated, but he felt that David Hurt was
7 very reliable.

8 And so at that point, and I can't tell
9 you when, whether it was Russell who took a piece
10 for David Hurt or whether he copied it for
11 David Hurt, I don't remember. But that was the only
12 person at Stanford Research, and I don't know that
13 Mr. David Hurt is still there.

14 Q. Did you discuss with Helen or Bill prior
15 to giving this portion to Mr. Hurt or to Mr. Targ
16 the fact that you were going to do so?

17 A. They were there.

18 Q. So they knew that this was happening.

19 I'm just trying to understand if
20 Helen Schucman and Bill Thetford were aware that a
21 copy of either a portion or the entire Course was
22 being made at that time to give to Mr. Targ or to
23 Mr. Hurt.

24 A. I really can't tell you that because they
25 were aware of everything I did, because I wouldn't

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1 do anything without discussing it with them. I
2 can't tell you that.

3 Q. Do you know if Mr. Hurt in any way made
4 copies himself and gave it to people?

5 A. I have no idea because I haven't seen or
6 heard from him in so many years, so I have no idea
7 what he did with it.

8 I do know that he was represented to me
9 by Russell Targ as a very serious man, a fellow
10 scientist and a man he very much respected.

11 Q. Did you have any conversations with
12 David Hurt before you gave to him -- or before some
13 portion of the copy wound up in his hands?

14 A. I can't tell you whether I met him before
15 or not. I know he co-designed a machine that I was
16 working with, the ESP Teaching Machine.

17 I could have met him before. I really
18 don't remember.

19 Q. Did you discuss with him the Course in
20 any manner after he received a copy?

21 A. I could have. I don't remember.

22 Q. Okay. Do you know whether he had any
23 discussions with Helen directly?

24 A. I don't remember.

25 Q. And do you know whether he had any

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1 conversations with Ken Wapnick or Bill Thetford?

2 A. I don't remember.

3 Q. When was the last time you had any
4 communication with Mr. Hurt, if at all?

5 A. Maybe 20 something -- 22, 23, 24 years

6 ago probably.

7 Q. And just so I'm clear, am I correct then
8 that the copy you gave him, whether it was the
9 Nunn's version or another version, had no copyright
10 notice on it?

11 A. That's true.

12 Q. That portion?

13 A. That's true.

14 Q. Now, I received from counsel, and I
15 understand I have a full copy at home in my office,
16 a copy of a document which has on the front page
17 something called a "Preamble," and then it goes on
18 to be described as a transfer and license agreement.

19 There appear to be exhibits, which I
20 don't have, and I'm not saying this is the entire
21 document, but I would like to deal with what we have
22 at this point in time.

23 Can we mark this as 21?

24 MR. ROSENBERG: Yes, except I believe the
25 exhibits are on there. I have a copy identical to

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1 the one I gave you and I see Exhibit 1. I see
2 Exhibit 2, at any rate, and I see some other
3 attachments.

4 MR. FABIAN: I take it back. I see an
5 Exhibit 1 and I see an Exhibit 2.

6 MR. ROSENBERG: Another malicious effort
7 to distort the record, Mr. Fabian.

8 The record should reflect that was a
9 sarcastic and facetious and humored remark.

10 MR. FABIAN: And totally uncalled for.

11 MR. ROSENBERG: As most of mine are.

12 MR. FABIAN: I would ask that we mark
13 this Exhibit 21.

14 (Whereupon, Defendant's
15 Exhibit 21 was marked
16 for identification.)

17 MR. FABIAN: Q. I'm just going to ask
18 you, Judy, if you could look at this quickly and
19 tell me if you've ever seen this document before.

20 A. Yes, I have.

21 Q. And looking at the end, there are various
22 signatures. Do you recognize them to be the
23 signatures, looking at the agreement for a moment,
24 the signatures of Judy Skutch Whitson and
25 Robert Skutch?

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1 A. I recognize mine. Bob's looks like his.

2 Q. Were you present when he signed?

3 A. No. I don't think so.

4 MR. ROSENBERG: You can't ask Mr. Skutch.
5 Just your best recollection. If you were, you were
6 or weren't or you don't know.

7 THE WITNESS: No.

8 MR. FABIAN: Q. Were you present when
9 Ken Wapnick and Gloria Wapnick reportedly signed?

10 A. No. I was not.

11 Q. And looking now at Exhibit 1.

12 A. Which one is that?

13 Q. I'm just checking.

14 Is that your signature at the end?

15 A. Yes, it is.

16 MR. ROSENBERG: And, again, so the record
17 is clear, this is Exhibit 1 attached to Exhibit 21.

18 Exhibit 21 is the designation at the
19 deposition.

20 Exhibit 1 is the reference in exhibit to
21 the document itself.

22 MR. FABIAN: Q. Is that the signature of
23 Robert Skutch?

24 A. Yes.

25 Q. And were you present when he signed?

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1 A. I don't think so.

2 Q. I note at the end there's a notary and it
3 says on the 22nd day of September 1998 both
4 Judith Skutch Whitson and Robert Skutch, their
5 signatures were notarized, and that's the reason why
6 I ask if you were present.

7 A. Could be.

8 Q. Were you present when the document was
9 notarized?

10 A. I was present when the document was
11 notarized, but I don't remember.

12 MR. ROSENBERG: You don't remember
13 whether Bob was there or she notarized him later?

14 THE WITNESS: No, I don't.

15 MR. FABIAN: Q. And in connection with
16 Exhibit 2, if you look at the last page of
17 Exhibit 2 -- and, again, it's Exhibit 2 to the
18 document that we have marked as Exhibit 21.

19 Is that your signature at the end of
20 Exhibit 2?

21 A. Yes, it is.

22 Q. And is that Mr. Skutch's signature?

23 A. Yes, it is.

24 Q. And do you recall whether he was present
25 when you signed that document?

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1 A. I don't recall.

2 Q. Okay.

3 A. My short-term memory isn't as good as my
4 long term. That happens when you get over 65.

5 Q. I note there is attached to this document
6 various approvals of transfer of copyright
7 ownership. If you could take a look at those, it

8 looks like there's about six.

9 Is everyone who signed a director or a
10 trustee of the Foundation for Inner Peace?

11 A. Yes.

12 Q. And were you present when everyone
13 signed?

14 A. No, I was not.

15 Q. Did you have conversations with any of
16 the other directors concerning their signing?

17 MR. ROSENBERG: Concerning their signing?

18 MR. FABIAN: Q. Is there any director
19 that indicated to you that they were not going to
20 sign consents?

21 A. No.

22 Q. Okay. When did the negotiations which
23 led to the execution of this document and perhaps
24 others that are related to it that had been
25 delivered to me, when did those negotiations begin,

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1 as best you know -- recall?

2 A. I would think late 1991 or early '92.

3 Q. And how did it happen that these
4 negotiations began? Was there anything that
5 prompted them?

6 A. Yes. We were going through what we call
7 an internal audit, making sure that everything -- we

8 do this periodically -- making sure that everything
9 was in order and good with our attorneys, our
10 Foundation attorneys. And they suggested --

11 MR. ROSENBERG: Well, it's a different
12 thing. I don't really want you to testify because
13 it's attorney-client privilege what the attorneys
14 told you or suggested.

15 You could say, "We spoke to our
16 attorneys," and then you could tell what happened as
17 a result.

18 Is that okay, Larry?

19 MR. FABIAN: Q. So you talked about
20 conversations with other trustees or directors but
21 not with your attorneys?

22 A. We spoke with our attorneys.

23 MR. ROSENBERG: Period.

24 MR. FABIAN: Q. And did you then have
25 conversations with anyone other than attorneys

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1 concerning the potentiality of transferring a
2 copyright and/or trademark?

3 A. Various board members.

4 Q. Did you participate in these discussions
5 with other board members?

6 A. Yes, I did.

7 Q. And do you recall what you said and, if
8 you could, identify who said something back and who

9 you were talking to concerning this issue?

10 A. It was over a period, obviously, of
11 years. And what I presented to our board of
12 directors is that it would be a good idea to
13 establish now -- I don't want to say a level -- no.
14 I'm sorry. A line. A line of succession. And we
15 all agreed anything could happen at any time,
16 meaning people die and also that we are considerably
17 older than some of our board members. And that they
18 were reminded once again what Helen's wishes were
19 concerning how the Foundation should continue and
20 who should be doing what.

21 We started to talk about various options
22 for succession. This was not an immediate various
23 option, but this came up as an option, and that was
24 the first time we discussed it. And then
25 subsequently we discussed it until we all agreed.

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1 Q. Am I correct that these discussions would
2 be reflected from minutes from time to time of the
3 Foundation?

4 A. Probably. I would imagine.

5 Q. And we have been provided with those
6 minutes?

7 A. Yes.

8 MR. ROSENBERG: I'll represent that you

9 have.

10 MR. FABIAN: Q. Were these discussions
11 at the executive committee level or -- first, I'll
12 ask, Were they at the executive committee level?

13 A. Yes.

14 Q. And at the board level?

15 A. Yes.

16 Q. There would be minutes reflecting this at
17 both levels?

18 A. I would imagine so.

19 Q. Now, you indicated there were other
20 options discussed other than the one eventually
21 agreed upon. What were those options?

22 A. Merger.

23 Q. Merger between which entities?

24 A. Foundation for Course in Miracles and
25 Foundation for Inner Peace.

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1 Q. And why was that particular option not
2 accepted or agreed upon?

3 A. Well, historically we became two
4 organizations, because it's kind of hard to run an
5 organization from two coasts.

6 Since the organization had different
7 branches, meaning we did the publishing and FACIM
8 was doing the teaching, it didn't seem to work. So
9 that was -- to the best of my recollection, that was

10 the main reason.

11 Q. Was there any other option discussed
12 besides that?

13 A. I don't remember. It went through
14 permeations of discussions.

15 Q. And at the time these discussions were
16 going on, was Mr. Wapnick a member of the board of
17 directors of FIP, just so we can identify it?

18 A. Yes.

19 Q. And was he also a board of directors and
20 an officer of FACIM?

21 A. Yes.

22 Q. Was there any discussion of Mr. Wapnick
23 really becoming an officer at the appropriate time
24 of FIP and thereby not having any transfer of
25 documents -- transfer of copyright?

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1 A. He already was an officer.

2 Q. Was there any discussion of his, at the
3 appropriate time, merely becoming the president and
4 chief operating officer of FIP and not having to go
5 through any transfers or mergers?

6 A. At one time that was a suggestion, yes.

7 Q. And do you recall when that suggestion
8 was discussed?

9 A. They were all suggested more or less

10 together as many options.

11 Q. When was the final decision made as to
12 the form of the transfer of copyright made?

13 A. To the best of my recollection, the final
14 decision was sort of subwaysed into, so I can't give
15 you an exact date, but it was a few years ago and
16 probably -- I'm going to guess at this. I shouldn't
17 guess.

18 MR. ROSENBERG: You shouldn't guess.

19 THE WITNESS: No. No. I shouldn't
20 guess.

21 MR. FABIAN: Q. Would there be minutes
22 that would reflect the approximate date?

23 A. There may be, but they would be after the
24 fact.

25 Q. Okay. And when you say they'd be after

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1 the fact, is that a common practice to do --

2 A. Minutes are taken, but they're not
3 necessarily presented to the board right away.

4 Q. But as a general practice --

5 A. Before the next meeting --

6 Q. We need to get into our yesterday rhythm.

7 Did there come a point in time when
8 attorneys were selected to prepare the paperwork to
9 effectuate whatever transfer was agreed upon by the
10 board at FIP?

11 A. Yes.

12 Q. And which counsel actually were
13 designated to prepare the paperwork and do the
14 paperwork?

15 A. The same counsel we always had since 1991
16 or '92, Silk and Adler, who were our Foundation
17 counsel in California.

18 Q. And are they in the San Francisco area?

19 A. There are in the San Francisco area, yes.

20 Q. And who is the primary counsel there?

21 A. Betsy Adler and Rosemary Fei.

22 Q. And do you recall if there was more than
23 one draft of the document before it arrived in its
24 final form for signature?

25 A. Yes.

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1 MR. ROSENBERG: Can I ask my client a
2 question?

3 (Counsel confers with client.)

4 MR. FABIAN: Q. I was asking whatever
5 firms -- if you want to clarify this -- represented
6 FIP. I haven't asked who represented FACIM.

7 A. I'm not finished. Do you want more?

8 MR. ROSENBERG: I think her testimony is
9 initially the firm that was identified --

10 THE WITNESS: That's right. They do

11 different things.

12 You lawyers have specialties. They were
13 our Foundation and still are our overall Foundation
14 attorneys and advisors.

15 Then we have our copyright firm. That's
16 Fenwick and West. Still is. And Fenwick and West
17 was very involved in this, but there was a change in
18 personnel there, a whole line of them.

19 MR. ROSENBERG: Just explain as best you
20 remember who you went through there.

21 THE WITNESS: Roberta Cairney,
22 C-a-i-r-n-e-y.

23 Let's see. Who was next?

24 MR. ROSENBERG: You're not talking about
25 litigation but about the transfers?

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1 MR. FABIAN: Yes.

2 THE WITNESS: Who's after? Susan Dunn,
3 D-u-n-n, John Sullivan, and then Kate Fritz and
4 Rodger Cole looked over it; but they really had not
5 much to do with it, but they suggested things.

6 MR. FABIAN: Q. Now, when you said
7 Kate Fritz and Rodger Cole, did they look over this
8 after the litigation had begun between Endeavor and
9 the plaintiffs in this action?

10 MR. ROSENBERG: We're getting a little
11 close to attorney-client privilege now.

12 MR. FABIAN: I will withdraw the
13 question.

14 Q. When did the first draft of this document
15 in written form get produced?

16 MR. ROSENBERG: You mean Exhibit 21,
17 "Transfer and License Agreement"; is that right.

18 MR. FABIAN: I'll also include the
19 Preamble.

20 Q. Is the Preamble part of the transfer and
21 licenses?

22 A. Oh, yes.

23 Q. So when I talk about this document, I'm
24 talking about the Preamble as well.

25 A. The Preamble actually came before because

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1 it was the first statement we wanted to make.

2 Q. So why don't we divide this up.

3 When you say the Preamble came before --
4 when did the first draft of the Preamble appear?

5 A. To the best of my knowledge, 1992.

6 Q. And from 1992 until the date of
7 execution, was there more than one draft of the
8 Preamble?

9 A. Yes.

10 Q. Okay. And just so I'll know in asking
11 other questions, did FACIM on its side have its own

12 attorneys?

13 A. Yes.

14 Q. And who were FACIM's attorneys?

15 MR. ROSENBERG: If you know.

16 MR. FABIAN: Q. If you know.

17 A. Yes. The firm was Epstein, Becker and
18 Green -- is. And the attorney is Fran Maloney and
19 Phillip Mitchell and I don't know anyone else.

20 Q. Now, in connection with the preparation
21 of this document, was Epstein, Becker and Green the
22 law firm for FIP in any manner?

23 MR. ROSENBERG: Can I ask why this has
24 anything to do with this case, who represented --

25 MR. FABIAN: I just want to know. If I'm

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1 going to ask about drafts, I don't want to jump on
2 anybody's attorney-client privilege.

3 MR. ROSENBERG: That's a good try in an
4 explanation, but it doesn't quite work.

5 THE WITNESS: I'm sorry. What was the
6 question?

7 MR. FABIAN: Q. Whether Epstein, Becker
8 and Green represented in any manner FIP in
9 connection with the preparation of Exhibit 21.

10 A. I want to rephrase it so I really
11 understand it.

12 Were they for the Foundation for Inner

13 Peace's attorneys? Did we pay them for their
14 services to do this? No, we did not.

15 Q. Thank you.

16 Do you have in the files of -- and,
17 again, I hope you don't mind I'm using FIP as a
18 shorthand -- the files of FIP, the drafts of the
19 Preamble in their various forms until they came to
20 their final form?

21 A. I'm sure.

22 MR. FABIAN: So we could ask for
23 production of those drafts.

24 MR. ROSENBERG: I will ask they be put
25 down in one of Monty's very helpful letters.

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1 Again, I'm not agreeing or disagreeing.
2 I will see the requests that are made. If they're
3 appropriate, we'll certainly respond.

4 MR. FABIAN: Sure.

5 Q. Just because I don't have it in front of
6 me, do you specifically recall any changes that took
7 place from Draft 1 until the final?

8 A. Mostly language, meaning.

9 Q. We know what the language is.

10 A. Well, I'm qualifying. I could look it
11 over. I possibly could remember.

12 Grammar, of course. Spelling, of course.

13 Composition, meaning paragraphing. And for
14 instance, I added a name which we said on page 2 --
15 and this is if I remember correctly. We say, "Love,
16 dedication and integrity."

17 Well, maybe it was "Love and Dedication,"
18 and one of us put in "Integrity," but the essence of
19 it was unchanged.

20 Q. Now, in paragraph 3 when it says,
21 "Through the years, collegial collaboration between
22 FIP and FACIM has yielded an unwritten style and
23 informal set of principles by which we have guided
24 the working relationship of our organizations."

25 Could you briefly describe what those

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1 informal set of principles are?

2 A. Yes. To the best of my ability, we feel
3 that we were given a trust by Helen Schucman to
4 produce -- or we'll say publish, disseminate and
5 teach the material called A Course in Miracles.

6 That we should do it with love, honoring
7 each other, support, integrity and dignity and that
8 would inform all our decisions and that would be our
9 goal.

10 Q. And by that -- I might have asked this
11 question before. There is reference to Ken and
12 Gloria, and I understand Gloria is Ken Wapnick's
13 wife.

14 A. That's right.

15 Q. When were they married?

16 Let me ask it another way.

17 Were they married at the time Ken first
18 met Helen Schucman?

19 A. No. Definitely not. I would say they
20 married in '81 -- no. Possibly '82, possibly.

21 No. Excuse me. I'm going to correct
22 myself on that, because if we need an accurate
23 answer I could go back and remember where I was
24 living when I met her first. So it was '81.

25 Q. And do you know whether Gloria, either

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1 before or after she married Ken Wapnick, had met
2 Helen Schucman?

3 A. I really don't know that.

4 Q. Did you ever have any conversations with
5 Gloria about conversations she had with
6 Helen Schucman?

7 A. No.

8 Q. Did Gloria, to the best of your
9 knowledge, ever meet Bill Thetford?

10 A. Oh, yes. Many times.

11 Q. Now, on the second page, if you could
12 take a look, there's the second -- the first full
13 paragraph on that page begins, "Helen Schucman and

14 William Thetford had spoken about the sacred trust
15 with which they believed A Course had been given to
16 them."

17 When you were using the language "sacred
18 trust," what did you mean by that?

19 A. What we meant was to bring in language
20 that Helen and Bill had used, which Helen received
21 from her voice.

22 Q. Now, the next sentence says, "It was
23 perhaps because of their fidelity to this trust that
24 Helen was able, in the first place, to receive the
25 materials from Jesus."

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1 Is that a true statement?

2 A. I believe so.

3 Q. And that "She and Bill could ensure that
4 what Helen heard and wrote down would be preserved
5 without change or distortion."

6 And when it says that "what Helen had
7 heard," is that referring to that information which
8 she eventually put down into the stenographic books?

9 A. That and more.

10 Q. And who did she hear this from?

11 A. What she called her voice.

12 Q. But I notice in the previous part that I
13 read to you, it doesn't talk about the voice; it
14 talks about Jesus.

15 A. That's right.

16 Q. So is The Voice the same as Jesus?

17 A. I believe so.

18 Q. In the next sentence it says, "It was
19 clear to Judith and Kenneth and implicit in Helen's
20 guidance from Jesus."

21 What guidance did Helen get from Jesus
22 that you're referring to there?

23 A. How the Course would be treated by us.

24 Q. Now, in the last sentence in this
25 paragraph it says, "Indeed Helen instructed FIP that

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1 long after she was gone, Kenneth --" last sentence
2 in this paragraph. I'm sorry.

3 "... that Kenneth (the youngest of the
4 group) was to be the one to continue the
5 preservation of integrity in relationship to
6 A Course."

7 A. Right.

8 Q. Were you present when Helen gave that
9 instruction?

10 A. She gave it directly to me. Yes, I was.

11 Q. And was anyone else present when she gave
12 that instruction?

13 A. All I can tell you is what I heard
14 somebody say, and I was not present in the room when

15 she said it.

16 Ken told me what she said to him.

17 Bill Thetford told me what she said to him.

18 This wasn't really talked about all
19 through her life because she didn't see herself
20 dying. But when a person comes closer to the end of
21 their life, they talk about what they would like you
22 to do.

23 Q. So if I could just clarify this a bit:
24 Helen did have a conversation, however, with you
25 concerning this issue?

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1 A. Yes.

2 Q. What did she say to you concerning this
3 issue?

4 A. She told me when she first became ill
5 that she wanted me to work really well and closely
6 with Ken, which we were already doing; but he hadn't
7 achieved, I would say, an independent status from
8 her at that time. They were very, very close.

9 She told me that he was the person that
10 understood and knew the Course best, and he would be
11 her designated teacher.

12 She told me she had seen in a vision a
13 place called "Foundation for Teaching Inner Peace;"
14 that it was near water; that it had big iron gates.

15 I will say that she told us, because when

16 she described that vision we were all in a group.
17 We were sitting together.

18 And over a period of time -- and I don't
19 mean a long period of time -- she told me how I was
20 to behave, to the Course, as its publisher, our
21 foundation. I say "I." Behave through the Course
22 as its publisher.

23 And right before she died, the last time
24 I saw her when she was very inward and not really
25 able to communicate well, and I sat with her for

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1 about a half an hour in quiet, holding her hand
2 while she seemed to be literally someplace else in
3 her mind.

4 She suddenly turned to me and looked
5 straight in my eyes and she said, "Take care of your
6 little brother and you know what I mean."

7 That was not a conversation. That was a
8 directive. And of course, I did not know in
9 entirety what she meant because life hadn't gone on
10 to reveal itself. I knew this was from the bottom
11 of her heart and it was a very strong message to me.

12 Q. You indicated that you heard there were
13 conversations in which Helen gave similar direction
14 to Bill Thetford and to Ken?

15 A. Yes. Bill --

16 Q. Let me just ask the question.

17 Did Bill ever relate to you what Helen
18 had said to him?

19 A. Yes.

20 Q. And approximately when, if you recall?

21 A. When we were living in California, Bill
22 was living for a while almost next door, just very,
23 very close by. And I saw him, if not daily, perhaps
24 most of the week.

25 We talked about these things a lot,

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1 because I considered him a guide for me, a wise man,
2 a gentle man, a scholar and my teacher. So we did
3 have these conversations, yes.

4 Q. And by the way, did you ever find
5 Bill Thetford to be an untruthful man in your
6 dealings and conversations with him?

7 A. I don't believe that Bill Thetford was an
8 untruthful man. No. I do not believe that.

9 Q. And based upon your experiences and
10 meetings and knowledge of Bill Thetford, did
11 Bill Thetford have any belief, as far as you know,
12 as to whether the voice had dictated to Helen was
13 Jesus of the Resurrection or was not Jesus of the
14 Resurrection?

15 MR. ROSENBERG: I can't answer.

16 THE WITNESS: No. I'm not looking to you

17 to answer.

18 MR. ROSENBERG: I'm just teasing.

19 Do you know?

20 THE WITNESS: I know that Bill Thetford
21 was really uncomfortable with the idea of Jesus, per
22 se. Forget the Resurrection or not the
23 Resurrection, because when that terminology is used
24 to me I'm going to be very specific and tell you
25 absolutely not.

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1 But did Bill Thetford believe that this
2 voice was Jesus?

3 Q. Yes.

4 A. Bill Thetford believed that Helen
5 believed it. And Bill Thetford really didn't want
6 to talk about it because he felt the Course spoke
7 for itself, but Bill was very, very connected to the
8 message and to the application of it. Devoted is
9 the word I'm thinking of.

10 MR. ROSENBERG: Just so your answer is
11 clear, on the Jesus of the Resurrection question,
12 could you make sure the answer to that question is
13 clear because the word "Jesus" has been used many
14 ways.

15 MR. FABIAN: Whereas counsel would
16 normally wait until cross-examination to raise that

17 issue, I will permit him to do that.

18 MR. ROSENBERG: I'm trying to be helpful
19 to you, Larry, as always is the case.

20 MR. FABIAN: I don't think that's
21 helpful.

22 I think Judy was clear on that.

23 MR. ROSENBERG: On Jesus of the
24 Resurrection, did Bill Thetford have a view as to
25 that?

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1 MR. FABIAN: She was very clear, but say
2 it again.

3 THE WITNESS: Bill Thetford would never
4 use that terminology. He was uncomfortable enough
5 with the word Jesus.

6 MR. FABIAN: Q. But I believe you
7 testified that Bill believed that Helen believed it
8 was Jesus?

9 A. Helen believed it was Jesus, the voice.

10 Q. I'm only asking for Bill --

11 A. We're not going to talk about Jesus of
12 the Resurrection --

13 Q. I'm only talking about Jesus in general.

14 A. Bill believed that Helen believed it.

15 Q. And did Bill have conversations with you
16 ever concerning this particular issue of Bill's
17 belief in Helen's belief?

18 A. The first time I met them, there wasn't
19 what I would call a conversation. It was a remark.

20 Q. And what was that remark?

21 A. When I asked Helen to define the voice,
22 did it have a name like Charley?

23 And she said, "Yes. I was afraid you
24 were going to ask me that."

25 And didn't go on. And Bill Thetford

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1 urged her, because she was embarrassed about talking
2 about this.

3 And he said, "Go on, Helen. If you were
4 going to let her see the document, she's going to
5 figure this out for herself. You might as well tell
6 her."

7 And she says, "He says" -- or It.

8 "It says it's Jesus," with a great deal
9 discomfort.

10 And then I asked her, "Well, is it?"

11 And she said, "Yes, of course."

12 Q. Are you aware of any writings of Helen --
13 and excuse me if I have asked this before -- in
14 which she indicated that it was not the voice of
15 Jesus, however we wish to define Jesus?

16 A. However we wish to --

17 Q. Did she ever say in any writing of her

18 own words to the effect that "The voice I heard was
19 not the voice of Jesus"?

20 A. I'm not aware that Helen ever wrote
21 anything where she said "The voice I heard was not
22 Jesus."

23 Q. Now, have you ever been a party to any
24 conversations in which Ken Wapnick expressed the
25 view or made the statement that the voice that Helen

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1 heard was the voice of Jesus, whatever Jesus it
2 might be? As he used that phraseology?

3 A. Yes.

4 Q. And when was the first time you heard him
5 say that?

6 A. I can't recall, but it would not be
7 early.

8 Q. So if it wouldn't be early, would that be
9 later than 1980 for the first time?

10 A. No.

11 Q. It would be earlier than '80?

12 A. Yes.

13 Q. Would it be prior to your taking the
14 Course to California, since we've used that as a
15 date in our time line?

16 A. Ken Wapnick did not have conversations
17 with me --

18 Q. Okay.

19 A. -- when I first met him.

20 Q. When did you first begin having what we
21 would call conversations?

22 A. We were always caring and friendly. Our
23 mothers were best friends. We would talk about
24 things like that.

25 Helen and Bill were virtually teaching me

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1 the Course while Ken was in the room. We would have
2 group discussions, and they would not focus on the
3 voice. They would focus on what the Course said.

4 So I guess my answer would be I do not
5 remember when it was the first time that Ken and I
6 ever had a discussion about Jesus, the voice.

7 Q. But did you hear him on at least one
8 occasion say that Jesus was the voice?

9 A. Yes, I did.

10 Q. And was it more than one occasion?

11 A. Yes.

12 Q. Was it many times? More than that dozen?

13 A. Many times. More than dozen.

14 Q. You ever have a conversation with
15 Mr. Wapnick in which he indicated that there was a
16 beginning or he was going through a transformation
17 in his beliefs as to whether Jesus was the voice
18 that Helen heard?

19 A. No.

20 Q. Has Ken ever expressed to you in a
21 conversation words to the effect that in his beliefs
22 in connection with any part of the Course there was
23 a transformation or a change taking place?

24 A. Yes. We both discussed that about
25 ourselves, that we evolved.

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1 Q. We'll use the word evolve.

2 And what did Ken say to you about his
3 evolvment in connection with the Course?

4 A. I really don't remember.

5 Q. Okay.

6 A. Except we were sharing mutual
7 experiences, but I can't tell you that I remember
8 exactly what he said.

9 Q. Okay. Did he ever discuss with you words
10 to the effect that his thought process was evolving
11 in connection the concept of Jesus of the Course and
12 whether that was an allegorical or a metaphorical
13 Jesus as opposed to a real or physical Jesus?

14 A. Ever?

15 Q. Ever.

16 A. We talked about Jesus being the symbol of
17 unconditional love.

18 Do I -- I'm looking at my attorney
19 because I want to keep it as clear as possible in

20 memory, but I do want to add that I was brought up
21 Jewish and was a practicing Jew.

22 It's not likely to have those
23 conversations with Ken Wapnick until years and years
24 had passed, and we were already doing work together.

25 Q. And so when you say "years and years had

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1 passed," before you get into the conversation and
2 what was said, can you approximate the date for us?

3 A. I'm afraid I can't.

4 Q. So what do you recall of the conversation
5 anyway?

6 A. I recall discussing Jesus as a symbol of
7 unconditional love, which I told him made me feel
8 much better than a physical presence of Jesus, as
9 Christianity sees Jesus.

10 Q. That's your part of the conversation.

11 Did Ken say anything about there being a
12 physical Jesus as opposed to an allegorical --

13 A. The discussions that I had with Ken about
14 Jesus was so few and so rare that I believe we both
15 shared a common belief of who Jesus was to us; as to
16 the way Helen described the voice as a feeling of
17 unconditional love and forgiveness within her, which
18 is very consistent with what I feel.

19 Q. You've indicated that you believe. Is

20 that belief based on any conversations that you had
21 with Ken?

22 A. I cannot recall the specific conversation
23 and give you the words.

24 Q. Okay.

25 MR. ROSENBERG: Off the record.

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1 (Discussion off the record.)

2 MR. FABIAN: Q. Are you familiar with
3 the book called Journey Without Distance, The Story
4 Behind A Course in Miracles by Robert Skutch?

5 A. Yes, I am.

6 Q. And is that the same Robert Skutch who at
7 one time was your husband?

8 A. That's right.

9 Q. And have you ever read this book?

10 A. Not in a long time.

11 Q. But have you ever read it?

12 A. I have never read it in book form
13 through, no.

14 Q. Do you know if there's any difference
15 between the form you read it in and the final form
16 of the book itself?

17 A. I would believe so.

18 Q. But do you know?

19 A. Since I don't remember exactly what the
20 manuscript looked like, I only know the

21 circumstances and I would say yes.

22 Q. And do you recall any changes from the
23 form you read into the final book?

24 A. I can't tell you where they were, but I
25 think there were some changes, yes.

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1 Q. So in general, can you tell me what you
2 remember of the changes that took place?

3 A. What I remember is that Ken and Bill
4 looked at the manuscript and found errors on the
5 parts about them, which I was told Bob changed.

6 Q. Anything else that you remember about
7 changes that took place?

8 A. I really don't remember, no.

9 MR. FABIAN: We ask to deem this marked.

10 Did we do that yesterday?

11 MR. ROSENBERG: I can't remember.

12 MR. FABIAN: Since we'll need it for

13 Mr. Skutch, why don't we deem this marked 22.

14 MR. ROSENBERG: Do you want to mark that
15 one, or do you want to bring in another one? There
16 are different editions.

17 MR. FABIAN: I'm looking at a version
18 that's copyright 1984, Robert Skutch, as of January
19 1996, published by the Foundation for Inner Peace.

20 Q. I will ask you since Mr. Skutch is not on

21 the stand, do you know if this is the final
22 edition -- the last edition?

23 MR. ROSENBERG: Most recent edition?

24 MR. FABIAN: Q. Do you know personally?

25 A. No, I don't.

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1 MR. FABIAN: Off the record.

2 (Whereupon, Defendant's
3 Exhibit 22 was marked
4 for identification.)

5 MR. FABIAN: Q. At the time you read
6 whichever version you read of the manuscript other
7 than what you've indicated, do you recall any
8 statements that you personally knew that were
9 incorrect or not true in the book?

10 A. There probably were, but that's not an
11 answer. Sorry.

12 I really don't remember.

13 Q. I'll just come around so we can all look
14 at this.

15 I'm looking at page 107, and there's the
16 fourth full paragraph which begins with quotation
17 marks: "Does this mean you don't want me to show
18 the Course to any of my friends? She asked."

19 And if you want to, please read the
20 paragraph before. I think that refers to you; you
21 asking that question.

22 And the question I'm really asking about
23 is that sentence is in quotation marks. Is that an
24 exact quote of yours?

25 A. I really can't tell you.

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1 Q. Do you know why that particular sentence
2 was put in quotations?

3 Do you mind if I stand here for a minute?

4 MR. ROSENBERG: Not at all.

5 The WITNESS: Do I know why? I would
6 have to say I don't know why. I would have to
7 guess.

8 MR. ROSENBERG: Don't guess.

9 MR. FABIAN: Q. Your counsel won't let
10 you guess.

11 The second -- I'm just going to continue
12 reading.

13 The answer is "No" in quotes.

14 "Bill said, `We're sure the Course is not
15 meant to be kept hidden. It's just that we don't
16 want our names connected with it in any way.'"

17 That also is in quotes. Do you know if
18 that's an exact quote of Bill Thetford's?

19 A. I can't remember if it's an exact quote.

20 Q. Were you ever present when Bill said
21 words to that effect?

22 A. Bill did say words to that effect.
23 Q. The next sentence, again, is in quotes,
24 next sentence and paragraph: "`You see, Dear,'
25 Helen added, `It would be quite awkward trying to

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1 explain to our colleagues how it all happened. Bill
2 and I.'" "

3 So, again, do you know if Helen ever
4 stated something to that effect?

5 A. Helen could have very well said something
6 to that effect.

7 MR. FABIAN: Okay. Excuse me one second.

8 (Counsel confers with client.)

9 MR. FABIAN: Q. Now, on page 110 of this
10 book, and I'm paraphrasing, there is a discussion of
11 the fact that you were out in California, and it
12 seems that in order to make a xerox copy it would
13 take at least 24 hours and it would cost \$48, or
14 words to that effect.

15 Do you recall a situation in which that
16 situation existed way back in the '70s? Do you
17 recall?

18 MR. ROSENBERG: Object to the form.

19 The WITNESS: The form puzzles me, so
20 maybe can you reword it.

21 MR. FABIAN: Q. Did there come a time
22 when you determined in the 1970s that it was taking

23 too long to copy the entire Course?

24 A. No.

25 Q. Did anyone determine that it was taking

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1 too long --

2 A. No.

3 Q. Did you ever determine in the 1970s that
4 you wanted to deliver the Course to more people but
5 you didn't have enough copies, either the Course in
6 whole or part?

7 A. No.

8 Q. There's a statement, and I'll read it to
9 you. I'll read the entire paragraph, so you'll have
10 it in context.

11 "Obviously this was not going to be a
12 very practical solution. Not only was the material
13 in this form much too cumbersome, but Judy couldn't
14 keep lending her copy out for 24 hours to everyone
15 who wanted it. Despite this, expedients did
16 develop. Jim's copy started to be reproduced. And
17 those copies were then copied. And before long
18 there were over a hundred people in the
19 San Francisco area in possession of A Course in
20 Miracles."

21 Do you recall that particular paragraph,
22 ever reading that particular paragraph?

23 A. I certainly don't.
24 MR. ROSENBERG: You mean at the time --
25 MR. FABIAN: Yes --

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1 THE WITNESS: I certainly do not.
2 MR. FABIAN: Q. And is that a true
3 statement if it related to the period prior to the
4 copyright notice being placed on the Course --
5 A. No.
6 Q. Let me finish.
7 That before long there were over a
8 hundred people in the San Francisco area in
9 possession of A Course in Miracles?
10 To the best of your knowledge, is a that
11 a true statement?
12 A. No. It is not.
13 Q. Have you ever discussed with Mr. Skutch
14 the question of how many people actually had copies
15 of the Course in whole or part prior to a copyright
16 notice being placed on it?
17 MR. ROSENBERG: Discussed at what time?
18 MR. FABIAN: Any time.
19 MR. ROSENBERG: I will allow the witness
20 to answer as long as you don't deem it a waiver of
21 any work product.
22 MR. FABIAN: Sure.
23 MR. ROSENBERG: If I was present, the

24 discussion --

25 MR. FABIAN: Q. Prior to the litigation

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1 being commenced, do you recall having any
2 conversations with Mr. Skutch as to the number of
3 copies that were distributed in whole or part in the
4 San Francisco area prior to copyright notice
5 appearing for the first time?

6 A. No. I do not.

7 Q. Do you recall hearing this in whole or
8 part that over a hundred people in San Francisco had
9 copies in whole or part prior to the copyright
10 notice being placed on --

11 A. Hearing?

12 Q. Hearing from anyone that prior to the
13 copyright notice being placed on the Course that
14 over a hundred people in the San Francisco area had
15 received copies in whole or part?

16 A. Definitely not.

17 MR. ROSENBERG: And again, you meant
18 prior to the litigation?

19 MR. FABIAN: Yes.

20 THE WITNESS: Definitely not.

21 MR. ROSENBERG: I guess you don't really
22 want to know what really happened. It's your
23 deposition.

24 MR. FABIAN: Moving right along here at
25 my slow pace.

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1 Q. Do you recall giving an interview called,
2 quote, "A Course in Miracles by Judith Skutch" in
3 One Earth Magazine by Findhorn Foundation, Volume 1,
4 Issue 3 in 1980?

5 This was a document produced by your
6 counsel and obviously --

7 A. Yes.

8 Q. Do you recall that particular document?

9 A. I recall that document.

10 Q. And I'm going to show you --

11 MR. ROSENBERG: Are you going to have it
12 marked?

13 MR. FABIAN: We'll might as well mark it.

14 (Whereupon, Defendant's
15 Exhibit 23 was marked
16 for identification.)

17 MR. FABIAN: Q. I'm going to have you
18 look at the page that's Bates stamped on the left
19 side, FP02788. Did you find that?

20 A. 02788.

21 Q. And beginning on the -- is it all this?

22 Well, if you could read the statement and
23 perhaps the paragraph. We'll take a minute.

24 Starting on the bottom left where it

25 says, "After telling me this story".

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1 And if you could read it to the end of
2 the page. There looks like a middle section.

3 MR. ROSENBERG: Read it to ourselves?

4 MR. FABIAN: Yes, to yourself, to the end
5 of the page.

6 The WITNESS: Okay.

7 MR. ROSENBERG: You read it that fast?

8 THE WITNESS: Yes.

9 MR. FABIAN: Q. You've read that
10 particular section that I referred you to?

11 A. Yes, I have.

12 Q. Is this, in fact -- I may have misspoken.
13 Was this an interview or is this something that you
14 wrote because I see it says "by Judith Skutch"?

15 A. It could have been both.

16 In other words, they gave it to me. I
17 probably looked it over. I don't remember the
18 actual doing of this but, of course, I had it in my
19 book so it exists.

20 Q. And do you recall reading this in whole
21 or part before it was published?

22 A. I can't tell you that. I don't remember.

23 Q. Do you recall ever reading the document
24 or the article as a whole?

25 A. I don't remember ever reading the

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1 document as a whole.

2 Q. Okay. Do you recall ever writing to
3 anyone indicating that statements made in this --

4 A. No.

5 Q. -- are incorrect?

6 A. No.

7 Q. I'm just going to read to you a portion
8 of the section that you've read, because I wanted
9 you to read it in context. So I'm reading one
10 sentence out of the whole.

11 It says, "But I have a big mouth and a
12 lot of friends and began telling them about it. And
13 before long we had run off hundreds of copies of the
14 Course."

15 Do you recall writing that or making that
16 statement?

17 A. Oh, yes.

18 Q. And do you recall what time period you
19 were referring to when you made that statement?

20 A. Absolutely. Because I said this a few
21 times, more than a few times.

22 Q. Yes. I know that.

23 A. The hundreds of copies referred to the
24 running off, xeroxing and reducing of the volume
25 three times that Eleanor Criswell had done for us in

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1 three different colors: White was the first
2 hundred. Blue was the second hundred and yellow was
3 the third hundred.

4 Q. Is there anything in the context of this
5 article which would indicate that it refers to what
6 you had done with Eleanor Criswell?

7 A. No.

8 Q. Do you recall whether any notes were kept
9 of your conversation which led to this particular
10 article?

11 MR. ROSENBERG: Kept by whom?

12 MR. FABIAN: Q. Anyone. You or the
13 editor or one of the writers of this particular
14 periodical called "One Earth."

15 A. No. I don't see even a date on it, so I
16 can't tell you that I -- it's probably
17 1970-something or '80 --

18 Q. Now, it indicates on the top of this
19 before the article has begun it says, "It's
20 estimated that over a hundred thousand people are
21 involved in this spiritual curriculum."

22 Do you know whether you gave that
23 information -- I didn't say you wrote it.

24 Do you know whether you gave that
25 information to this particular periodical?

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1 A. I certainly do not remember whether I
2 gave this information to that periodical.

3 Q. And do you know what the Findhorn
4 Foundation is?

5 A. Yes, I do.

6 Q. And what is it?

7 A. It's an organization in Scotland devoted
8 to spiritual exploration.

9 Q. And do you know how they happened to
10 request of you this that article be written?

11 A. They had a conference and invited me to
12 go, and it was in England. And I probably met
13 whoever was in charge of this magazine there, but I
14 cannot tell you who or when.

15 Q. You indicated in prior testimony that
16 Helen and Bill at some point began teaching you the
17 Course; is that correct? When did they begin
18 teaching you the Course?

19 A. The moment I got it.

20 Q. And what form was this teaching? Was it
21 in sit-down sessions or what do you consider
22 teaching --

23 A. Was there more?

24 Q. Remember, she's able to jump ahead and
25 know what my question is going to be.

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1 A. Were you finished?

2 Q. Yes.

3 MR. ROSENBERG: But the court reporter
4 needs a little break.

5 MR. FABIAN: You can answer the question
6 now.

7 A. The teaching that went on was -- in 1975
8 I had just received the manuscript, and I was
9 studying it myself every day, every night. Not all
10 day, but every day and every night. I would be
11 asking them questions.

12 They worked. They were at Columbia
13 University at the time, and they would come to my
14 house at 2:00 or 3:00 in the afternoon, and we would
15 sit and discuss it. So it was question-answer form
16 and going over parts that I found difficult. I
17 found it very difficult going, and they would help
18 me with it.

19 Q. Are you able to approximate how many
20 hours of this teaching took place?

21 A. Over a long period of time?

22 Q. Yes.

23 A. Still going on.

24 Q. I understand. I meant with Helen and
25 Bill.

1 A. For Helen and Bill, for the rest of their
2 lives except when Helen was ill.

3 I would often call her up and ask her
4 about a passage or mostly the application of a
5 passage in my daily life. And Bill -- we studied
6 together until he moved to La Jolla from Tiburon.

7 MR. ROSENBERG: It's about 1:00.

8 Careful, he's about to do you in now.

9 MR. FABIAN: Q. There's a 1987 video
10 release, and I believe FIP has it, called "The Story
11 of A Course in Miracles" in which Bill Thetford
12 appeared in that video. Do you recall that
13 particular video?

14 A. Yes, I do.

15 Q. And in that video -- and again, we don't
16 have the video in front of us, but I'm going to
17 represent to you that this is a quote from it so at
18 least we can move this along. And I'll even tell
19 you and the record will know it's Counter 3520
20 through 3573, in case anyone wishes to take the
21 time.

22 Bill Thetford said, "Judy has managed to
23 disseminate the Course in xerox form very quickly to
24 a number of her friends. I had a tremendous sense
25 of relief that I could release those 12 copies that

1 I had been hiding in the closet and that Judy had
2 taken the ball and was running with it. That she
3 was doing the things that were needed at that point
4 to disseminate the material, and in a sense to
5 socialize us to what was going on in the larger
6 world outside of academia.

7 "We met a large number of very eminent
8 people in California as well as New York. They were
9 serious students of the Course. All of them wanted
10 additional copies. Everyone was dissatisfied with
11 the fact that this was only available by rapidly
12 xeroxing hundreds and hundreds of pages of material.
13 So it became apparent that they were going to have
14 to entertain the idea of publication."

15 Now, my question is, Do you recall
16 Bill Thetford making that statement in that video?

17 A. I don't recall him making it, but I have
18 seen it.

19 Q. Is there anything in this statement as I
20 read it to you, and if you want to read it, that's
21 all true --

22 A. I know.

23 Q. Is there anything untrue?

24 A. Do you call hyperbole untrue?

25 Q. I don't know. I'm asking you if there is

1 anything untrue.

2 A. Yes.

3 Q. What is untrue?

4 A. What is untrue is not only did we not run
5 off hundreds and hundreds of copies, the Course
6 itself was 1500 pages.

7 We could have run off hundreds and
8 hundreds of pages, but that would be one copy.

9 Bill was telling a story as he remembered
10 it, what, nine years after the fact.

11 Q. And were you present when Bill gave this
12 particular interview?

13 A. I was not present when Bill gave that
14 interview.

15 Q. And when was the first time that you saw,
16 if ever, that particular video with that interview
17 on it?

18 A. In the editing room in London about a
19 year and a half later.

20 Q. And did you ever write in any periodical
21 or anywhere that the statements in here that I just
22 quoted to you were hyperbole or were not correct?

23 A. No. I did not.

24 MR. FABIAN: I have no further questions.

25 Since we're make breaking for lunch, you

1 and I can discuss when we can continue.

2 MR. ROSENBERG: So when you say you have
3 no further questions, you're not done with this
4 witness?

5 MR. FABIAN: I'm not done with this
6 witness. But pursuant to our discussion, we're
7 going to break for lunch and then I'm going to take
8 Robert Skutch and then we'll figure it out.

9

10 (Deposition adjourned at 1:07 p.m.)

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DECLARATION UNDER PENALTY OF PERJURY

I hereby declare under penalty of perjury under the laws of the State of California that the foregoing is my deposition; are the questions asked of me and my answers thereto; that I have read same and have made the necessary corrections, additions, or changes to my answers that I deem necessary.

In witness thereof, I hereby subscribe my name this _____ day of _____, 19_____.

JUDITH SKUTCH WHITSON

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CERTIFICATE
OF
CERTIFIED SHORTHAND REPORTER

The undersigned Certified Shorthand Reporter and/or Notary Public of the State of California does hereby certify:

That the foregoing examination was taken before me at the time and place therein set forth, at which time the witness was previously sworn;

That the testimony of the witness and all objections made at the time of the examination were recorded stenographically by me and was thereafter transcribed, said transcript being a true copy of my shorthand notes thereof.

In witness whereof, I have subscribed my name this date: April 5, 1999.

Josephine V. Anguiano, CSR
Certificate Number 11386

