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IN THE UNITED STATES DISTRICT COURT

2

FOR THE SOUTHERN DISTRICT OF NEW YORK

3

PENGUIN BOOKS U.S.A., INC.,)
FOUNDATION FOR INNER PEACE, INC.,)

4

Plaintiffs,)

5

vs.)

6

No. 95 Civ. 4126
(RWS)

7

NEW CHRISTIAN CHURCH OF FULL)
ENDEAVOR, LTD., and ENDEAVOR)
ACADEMY,)

8

Defendants.)

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VOLUME I

15

DEPOSITION OF ROBERT SKUTCH

16

Wednesday, March 24, 1999

17

San Francisco, California

18

(Partial transcript of proceedings,

19

Pages 1 to 11, 13 to 95, 108 to 122, 124 to 134)

20

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REPORTER: JOSEPHINE V. ANGUIANO, CSR

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Certificate No. 11386

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A P P E A R A N C E S

FOR THE PLAINTIFFS:

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FOR THE DEFENDANTS:

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ALSO PRESENT: Carol Forbes, Monty Barber.

--oOo--

1 I N D E X

2	EXAMINATION BY:	PAGE
3	MR. FABIAN	6
4	MR. ROSENBERG	127
5	MR. FABIAN	6
6	MR. ROSENBERG	127
7	MR. FABIAN	5
8	MR. ROSENBERG	127

9

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12 E X H I B I T S

13

14	DEFENDANT'S DESCRIPTION	PAGE
15	24 Two-page document Certificate	
16	Registration of a Claim to Copyright	
17	A693944	47
18	25 Two-page document Certificat	
19	Registration of a Claim to Copyright	
20	A805255A	50
21	26 Letter to Robert Dreesen from Bob	
22	Skutch 5/28/96	124
23	24 Two-page document Certificate	
24	Registration of a Claim to Copyright	
25	A693944	47

3

1 BE IT REMEMBERED that, pursuant to Notice
2 of Taking Deposition and on March 24, 1999,
3 commencing at the hour of 1:23 p.m. thereof, at
4 Epstein, Becker and Green, Two Embarcadero Center,
5 Suite 165, 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 ROBERT SKUTCH,

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

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EXAMINATION BY MR. FABIAN

MR. FABIAN: Q. Where do you presently reside, Mr. Skutch?

A. Mill Valley, California.

Q. And what's the address?

A. PO Box 598.

Q. And how long have you resided in Mill Valley?

A. Five years.

Q. Do you presently have any position with the Foundation for Inner Peace, which I'll refer to as FIP?

A. Yes.

Q. What position do you have with them?

A. Vice-president and treasurer.

Q. And have you held any other position with FIP?

A. Member of the board.

Q. Ever been in any other officer capacity other than vice-president and treasurer?

A. I may have been a secretary a long time ago, but I don't remember.

Q. Did you have any involvement in the incorporation of FIP under its former name?

A. Yes.

1 Q. And what involvement did you have?

2 A. I brought in the lawyer.

3 Q. Okay. And do you recall if you signed
4 any of the incorporation documents?

5 A. I think so.

6 MR. ROSENBERG: If you're not sure, you
7 can say you're not sure. But if you're sure, you
8 can say you're sure.

9 THE WITNESS: I'm not sure.

10 MR. FABIAN: Q. And did there come a
11 time when the name was changed?

12 A. Yes.

13 Q. And what was the first name of the --

14 A. Foundation for Parasensory Investigation.

15 Q. Do you recall when the name was changed?

16 A. 1976, I think.

17 Q. And do you know why the name was changed?

18 A. Helen Schucman indicated that she felt
19 that the name change was more appropriate.

20 Q. And did she indicate what, if any,
21 problems you had with the prior name?

22 A. That we had?

23 Q. Yes.

24 A. No. We had no problems.

25 Q. No. What problem did Helen Schucman have

1 with the prior name?

2 A. She didn't think the Foundation for
3 Parasensory Investigation was an appropriate name
4 under which to publish A Course in Miracles.

5 Q. And what purpose was the Foundation for
6 Parasensory -- what was the last word?

7 A. Investigation.

8 Q. Investigation formed?

9 A. To help fund small paranormal
10 investigations.

11 Q. And were you yourself involved in any
12 paranormal activities as an individual?

13 MR. ROSENBERG: Did he experience them?

14 MR. FABIAN: I'll ask it that way.

15 Q. Did you personally experience any
16 paranormal activities?

17 A. I would have to answer that as asking you
18 to define "paranormal."

19 Q. Why don't we turn it around.

20 Would you please define for me what your
21 understanding of paranormal is?

22 A. Beyond the normal.

23 Q. Using that definition, sir, have you ever
24 experienced any paranormal activities?

25 A. I would say yes.

1 Q. And when was the first time that you
2 experienced such?

3 A. First time I believe would have been in
4 about 1972 or thereabouts.

5 Q. Could you tell me what such experience
6 that was? Describe it for me.

7 A. I was walking our dog in the country, and
8 a cloud appeared over my head, and the cloud
9 followed me down the road. And I turned around and
10 came back and the cloud followed me back.

11 I asked Judy to come out of the house,
12 because I wasn't sure what I was looking at, and she
13 observed what I told her.

14 And she said, "Go down the hill."

15 So I went down the hill, and I came back,
16 and the cloud followed me down the hill and back. I
17 thought that was rather paranormal.

18 Q. And did you discuss with Judy whether
19 that was a paranormal experience?

20 A. No. We just said it was rather unusual,
21 and we didn't know what to make of it.

22 Q. Any other paranormal experiences that you
23 ever had?

24 A. I did what some people call automatic
25 writing for a number of years.

1 Q. Would you explain that, please?

2 A. The way I experienced it, it was going
3 into a meditative state and listening and writing
4 down what I heard.

5 Q. What types of things did you write as a
6 result? Literary? Screenplays? Or just odd
7 things?

8 A. They were messages basically.

9 Q. Were those messages published anywhere?

10 A. Yes.

11 Q. And where were they published?

12 A. In a book.

13 Q. What book was that?

14 A. Messages from My Higher Self.

15 Q. Is that book still in publication?

16 A. No. It's out of print.

17 Q. Who published it?

18 A. Who published it? I don't remember the
19 name on the book. It could have been -- well, I
20 don't remember.

21 MR. ROSENBERG: If you don't remember,
22 that's fine.

23 MR. FABIAN: We would ask for a
24 production of that, and we'll just add that to our
25 list.

1 MR. ROSENBERG: I can tell you to go out
2 and buy it, but apparently you can't.

3 MS. WHITSON: I'll sell it to you.

4 MR. FABIAN: There's a businesswoman.
5 And because it's a limited edition, it will be
6 really expensive.

7 MS. WHITSON: It's my only copy.

8 MR. FABIAN: And you wouldn't copy it
9 because it's copyrighted.

10 MR. ROSENBERG: Absolutely.

11 (Discussion off the record.)

12 MR. FABIAN: Q. Other than these two
13 paranormal experiences that you've described, any
14 others that you can indicate to us that you've had?

15 A. No.

16 MR. ROSENBERG: I do note there are
17 clouds out the window today.

18 MS. WHITSON: That's because he's here.

19 MR. FABIAN: Q. Did you ever have any
20 experiences in the result in taking hallucinogenic
21 drugs?

22 A. Yes.

23 Q. What hallucinogenic drugs did you take?

24 MR. ROSENBERG: Can we deem this
25 confidential?

1 MR. FABIAN: If you would like us.

2 MR. ROSENBERG: Confidential, not
3 attorneys' eyes only.

4 MR. FABIAN: Absolutely. Whatever you
5 want.

6

7

8 (Confidential proceedings under separate
9 cover, page 12, inclusive.)

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1 MR. FABIAN: Q. Now, did there come a
2 time when you met Helen Schucman for the first time?

3 A. There had to be.

4 Q. Do you recall when that was?

5 A. It was 1975.

6 Q. Do you recall the month or day?

7 A. Probably June.

8 Q. And do you recall the circumstances under
9 which you met her? Who else was present? Why you
10 happened to be there?

11 A. I happened to there because it was my
12 house, my apartment.

13 Q. And was that in New York City?

14 A. Yes.

15 Q. And how did it happen that Helen Schucman
16 was in your house?

17 A. Because Judy had invited her, I assume.

18 Q. If you know, was this before or after
19 Judy had received a copy of the Course?

20 A. After.

21 Q. When was the first time you received, if
22 ever, a copy of the Course?

23 A. Received?

24 Q. Did you receive a copy other than the one
25 that Judy had received?

1 A. Oh, no.

2 Q. When did Judy first bring the copy of the
3 Course back to your apartment, if she did at all?

4 A. It was May 29.

5 Q. And did you read any part of the Course
6 after May 29th?

7 A. Yes.

8 Q. When did you start reading it?

9 A. Start reading --

10 Q. Start.

11 A. When did I first look at it and read a
12 couple lines?

13 Q. Exactly.

14 A. When I read a couple lines was within two
15 weeks of when she brought it home.

16 Q. Did you ever read the entire Course?

17 A. Ever? Yes.

18 Q. When would you, if you can, approximate
19 for us when you began to read the Course toward the
20 end of finishing it?

21 A. Toward the purpose --

22 Q. For the purpose of finishing it.

23 As a writer you said --

24 A. 1979.

25 Q. Okay. And you may have been here or not

1 when Judy testified that sometime in 1975 she went
2 to California. Are you aware of the fact that she
3 went to California --

4 A. Yes.

5 Q. -- at least once in 1975?

6 A. Yes.

7 Q. And did you go with her to California?

8 A. No.

9 Q. Did you go with her to California the
10 second time she went in 1975?

11 A. No.

12 Q. And do you recall when she went to
13 California in 1975?

14 A. June.

15 Q. Before she left in June, how much of the
16 Course had you read at that time?

17 A. Maybe half a page.

18 Q. Okay. Did there come a time when she
19 returned from California? Was it in June or July of
20 1975?

21 A. It was either June or July.

22 Q. Did you begin reading the Course after
23 she returned?

24 A. Immediately after?

25 Q. Well, tell me when you began reading the

1 Course again after she returned.

2 A. Reading it seriously?

3 Q. Okay. Let's start with seriously.

4 A. Probably '78.

5 Q. How about unseriously, meaning sections
6 or parts or pages?

7 A. I wouldn't know. I wouldn't have any
8 idea.

9 Q. When Judy went to California in 1975 for
10 the first time, do you recall whether she left a
11 copy at home or took one or more -- all of the
12 copies with her?

13 A. The only copy that I know she had she
14 took with her.

15 Q. Did you ever have any discussions with
16 her at any time with respect to her making copies of
17 part or all of the Course?

18 A. No.

19 Q. So you don't know if she made part or
20 entire copies of the Course?

21 A. No.

22 Q. And I'm asking prior to and we'll get to
23 the date when copyright discussions began.

24 Have you ever written in any book about
25 your knowledge of Judy's having made or not having

1 made copies of the Course?

2 A. Judy having made copies?

3 Q. Or not having made. Either way.

4 A. Judy's having made copies? No.

5 Q. Now, have you ever had -- and people have
6 used the word "an experience" -- an experience
after
7 having read the Course?

8 MR. ROSENBERG: If you understand. I
9 think you may.

10 MR. FABIAN: Q. You may not understand,
11 and if you don't tell me.

12 A. Could you repeat that?

13 Q. Have you ever had "an experience" --
and
14 I put that word in quotes -- after having read part
15 or all of the Course?

16 A. Mystical experience or what?

17 Q. We'll start with that.

18 A. No.

19 Q. Have you had any type of experience at
20 all after reading part or all of the Course?

21 MR. ROSENBERG: Objection to the form.

22 The question is if you read the Course
23 and then walked into the kitchen and cooked eggs, I
24 suppose you had -- and I'm not being facetious. I
25 think you mean some sort of metaphysical or

1 transformative or something.

2 MR. FABIAN: Q. Upon reading any part of
3 the Course believe that you had a greater
4 understanding of life, man, mankind or anything to
5 that effect?

6 A. I'm not sure I can answer that
7 question --

8 Q. That's an answer.

9 A. -- the way you asked it.

10 Q. In terms of the Course itself, did you
11 ever have any discussions with Helen Schucman in
12 which Helen Schucman indicated while you were
13 present words to the effect that Jesus had dictated
14 the Course to her?

15 A. No.

16 Q. How many times did you have conversations
17 with Helen Schucman? Many times? A few?

18 A. Conversations, I would say hardly any.

19 I was going to say none, but that's
20 probably not true.

21 Q. After having met Helen Schucman in your
22 home for the first time, do you recall what, if
23 anything, she said to you even if other people were
24 present during that first meeting?

25 A. No.

1 Q. Do you recall any conversations at all
2 that you had with Helen Schucman?

3 A. No. One.

4 Q. And what do you recall of that
5 conversation?

6 A. I put my arm around her once to say I
7 loved her or something, and she got away and asked
8 Judy not to let me do that again.

9 That's the only conversation I can
10 remember.

11 Q. Did you ever have any conversations with
12 Bill Thetford concerning the source of the words
13 that are in the Course?

14 A. No.

15 Q. Did you ever have a conversation with
16 Judy as to the source of the words which are
17 contained within the Course?

18 A. Ever?

19 MR. ROSENBERG: Outside of preparing or
20 with your lawyer for litigation.

21 Is that fair, Larry?

22 MR. FABIAN: Yes. Absolutely.

23 THE WITNESS: If it's before, no.

24 MR. FABIAN: Q. If it's before you might
25 have had conversations --

1 A. No. I had no conversations about the
2 source of the material that I can remember before
3 this all started.

4 Q. Okay. "This" being this litigation?

5 A. Yes. This.

6 Q. And by the way, prior to today, and I
7 don't want you to tell me what was said, did you
8 meet with any lawyer in connection with your
9 appearance here today?

10 A. Prior to today?

11 Q. Yes. Did you meet with any lawyer,
12 whether he's your lawyer or FIP's lawyer or
13 anybody's lawyer in connection with your appearance
14 today?

15 A. Would that be you?

16 MR. ROSENBERG: I hope. I am a member of
17 the Bar, yes.

18 THE WITNESS: Yes.

19 MR. FABIAN: Q. And when did you meet
20 with Mr. Rosenberg for the first time?

21 A. And talked about this?

22 Q. Relating to this matter. And I don't
23 want to hear what you said.

24 A. No. This matter, the litigation?

25 Q. The litigation.

1 A. As opposed to the deposition?

2 MR. ROSENBERG: That's a fair
3 distinction.

4 MR. FABIAN: Okay.

5 Q. When was the first time you met with
6 Mr. Rosenberg relating to this deposition, if ever?

7 A. Today is -- Sunday, last.

8 Q. And for how long did you meet?

9 MR. ROSENBERG: Is this relevant?

10 It's okay, but go ahead.

11 MR. FABIAN: Thank you.

12 THE WITNESS: I did not meet with him
13 alone.

14 MR. FABIAN: Q. That's even better.

15 Who else was present?

16 A. Judy.

17 Q. Anyone else?

18 A. Yes.

19 Q. Who else was there?

20 A. Jim Bolen.

21 MR. ROSENBERG: Whit.

22 MR. FABIAN: I would appreciate if you
23 wouldn't give him that help. It's an insignificant
24 matter --

25 MR. ROSENBERG: I just don't want the

1 record to ever be distorted.

2 MR. FABIAN: If I'm testing someone's
3 recollection and he doesn't remember, that's not a
4 distortion. That's just his recollection.

5 MR. ROSENBERG: But if a witness
6 testifies in a way I know not to be completely
7 forthright, than I'm uncomfortable ever leaving that
8 impression.

9 MR. FABIAN: So that you would permit me
10 if I thought my client had forgotten something in
11 future depositions to complete that for him?

12 MR. ROSENBERG: It depends on what it is.
13 When you say who else was there with your
14 lawyer, I was there. And if you --

15 MR. FABIAN: Okay. I'll accept that.

16 MR. ROSENBERG: If you thought -- as I
17 have tried to in this deposition to make sure things
18 are candid.

19 I wasn't doing it in an improper way. It
20 makes me uncomfortable to know that I was in a
21 meeting -- and this should be on the record -- where
22 Bob was present and Judy and Jim Bolen and Whit was
23 there for part of the time. And if the record were
24 created by a witness under oath that didn't mention
25 that, I don't know about you, but I'm not

1 comfortable as a lawyer because I know it's not
2 correct, so I felt an obligation.

3 MR. FABIAN: I disagree, but I accept
4 your explanation.

5 MR. ROSENBERG: Off the record for one
6 second.

7 (Discussion off the record.)

8 MR. FABIAN: Q. And for how long were
9 you present when this meeting took place?

10 A. The whole time.

11 Q. And how many hours? Minutes? Seconds?

12 A. Three hours maybe.

13 MR. ROSENBERG: Now, you've limited how
14 much I can bill.

15 MR. FABIAN: Off the record for a second.

16 (Discussion off the record.)

17 MR. FABIAN: I would just put on the
18 record that I did ask counsel off the record if I
19 were to begin a series of questions concerning what
20 was said during the meeting that's just been
21 testified to, counsel indicated it might be part of
22 attorney's work product among other reasons, and
23 therefore wouldn't want such testimony to be given.
24 And subject to my choice, if I decide to get a
25 ruling on that, I'll continue in other areas.

1 MR. ROSENBERG: I think it's protected by
2 the attorney-client privilege as well as work
3 product.

4 Mr. Skutch is a vice-president of FIP,
5 who's my client in this litigation.

6 MR. FABIAN: I would indicate that the
7 testimony was that Mr. Bolen was present. I don't
8 believe that he was or is an officer or director of
9 trustee of the corporation; and therefore, I believe
10 that would be a waiver of the attorney-client
11 privilege, but we'll deal with that later.

12 MR. ROSENBERG: And you will find out
13 that he's a consultant to the foundation for --
14 you'll find out he's a consultant and also the work
15 product doctrine would embrace that.

16 We can argue later, if we need to.

17 MR. FABIAN: Exactly.

18 Q. Now, as an employee of the Foundation,
19 how long have you been an employee on a paid basis?

20 A. I believe since 1980.

21 Q. And what is your present salary?

22 A. My present salary, \$7,000 a month.

23 Q. And for that \$7,000 per month,
24 approximately how many hours per month do you work?

25 Let's do it on a weekly basis.

1 Approximately how many hours per week do
2 you work for the Foundation?

3 A. Over 40.

4 Q. And where do you do that work from?

5 A. I have an office in -- below my home.

6 Q. And when you say "below," is it in
your
7 home or a separate --

8 A. Well, it's got a separate entrance.

9 Q. And do you receive anything above the
10 \$7,000 for rent or toward any portion of the
11 expenses for your home?

12 A. They pay part of the electric, for the
13 office. That's it.

14 Q. Do they pay any expenses for an
15 automobile? "They" being the FIP. I'm sorry.

16 MR. ROSENBERG: For you, an automobile
17 for you.

18 THE WITNESS: The Foundation owns an
19 automobile that I use.

20 MR. FABIAN: Q. Thank you. That was
21 going to be my next question.

22 And do you personally pay any portion of
23 those expenses for that automobile?

24 A. No.

25 Q. And do you have another automobile that

1 you use just if you're driving to a restaurant at
2 night?

3 A. Yes.

4 Q. And do you receive any other benefits
5 from the Foundation such as medical --

6 A. Medical.

7 Q. Anything else?

8 A. We have a retirement plan.

9 Q. Okay. And what is the age of retirement
10 in this retirement plan?

11 A. There is none.

12 MR. ROSENBERG: Great plan.

13 MR. FABIAN: Off the record.

14 (Discussion off the record.)

15 MR. FABIAN: On the record.

16 THE WITNESS: There is no set retirement
17 plan. The retirement plan starts paying us at a
18 certain age.

19 MR. FABIAN: Q. And do you recall what
20 age that is?

21 A. For me it was, I think, 72.

22 Q. Now, I'm going to show you -- assuming I
23 have it. I thought I had it.

24 Do you recall during the 1970s that there
25 were conversations concerning the obtaining of a

1 copyright for A Course in Miracles?

2 A. Do I recall personally being involved
3 with them?

4 Q. Okay. I'll ask it that way.

5 A. No.

6 Q. Was there ever a time in which you
7 personally were requested to submit documents or
8 talk with the copyright office about the obtaining
9 of a copyright?

10 A. Yes.

11 Q. When did that happen for the first time?

12 A. 1975, and I can't put a month on it
13 except it had to be sometime between June and
14 September.

15 Q. And do you recall who you had this
16 conversation with?

17 A. Judy.

18 Q. And what did Judy say to you?

19 A. Judy said that Helen said we should get a
20 copyright.

21 Q. Did you say anything to Judy?

22 A. I said, "I'll get the copyright."

23 Q. And to your recollection, that was the
24 extent of your conversation concerning the subject?

25 A. I can't say those were the exact words,

1 but that was the gist of it, yes.

2 Q. And did you ask Judy in whose name the
3 copyright should be obtained?

4 A. Not then.

5 Q. If not then, when?

6 MR. ROSENBERG: Then when?

7 THE WITNESS: I don't think I asked her.

8 MR. FABIAN: Q. So did you ever file on
9 behalf of anyone an application for a copyright?

10 A. I did.

11 Q. And in whose name did you know to file
12 the application then?

13 A. I was told. I wasn't asked. I was told
14 that --

15 MR. ROSENBERG: There's a technical
16 answer.

17 MR. FABIAN: I see we're going to do this
18 the hard way.

19 MR. ROSENBERG: I overprepared the
20 witness.

21 THE WITNESS: No. I went to law school.

22 That she did not want her name on the
23 book and that she wanted it to be anonymous.

24 MR. FABIAN: Q. Now who told you that?

25 A. Judy told me that.

1 Q. And how long after this first
2 conversation in which Judy asked or told you that
3 there be a copyright registration did Judy then have
4 a conversation with you and she said file it in the
5 name of anonymous?

6 A. She didn't say file it in the name of
7 anonymous.

8 Q. What did she say then?

9 A. She said it should be in the name of
10 anonymous.

11 Q. What else did Judy say to you in that
12 conversation?

13 A. I don't recall anything else.

14 Q. And my question previously was, What was
15 the time from the first conversation to the second
16 concerning the copyright?

17 A. From discussing it to getting it?

18 Q. No. From the first conversation you had
19 with Judy that you testified to earlier to the
20 second one relating to anonymous.

21 And if you would like, we could read back
22 the entire testimony to you and we go through this
23 for the next two weeks.

24 A. Well, we don't want to do that.

25 I'm trying to remember now.

1 I'd have to guess.

2 MR. ROSENBERG: Don't guess, but do you
3 have an approximation?

4 THE WITNESS: I would have to say an
5 approximation of anywhere from a few days to a week
6 or ten days. I don't know.

7 MR. FABIAN: Q. Did you have a
8 conversation with anyone else prior to filing any
9 documents with the copyright office concerning the
10 copyright? Anyone else in the whole world?

11 A. No.

12 Q. Did you ever call the copyright office
13 concerning the copyright?

14 A. Yes.

15 Q. And did you talk to a human being there?

16 A. Yes.

17 Q. So that was someone else then concerning
18 the copyright. You just misunderstood my question.

19 MR. ROSENBERG: As would I have.

20 I thought you meant something like Ken or
21 Helen or Judy.

22 MR. FABIAN: I'm sorry I wasn't clear.

23 Q. So you spoke to someone at the copyright
24 office?

25 A. Asking them, "How do I get a copyright

1 and would you send me whatever it is you have to
2 send me."

3 Q. Do you recall who you spoke to there?

4 A. No.

5 Q. And do you recall if you said anything
6 else to that person at the copyright office?

7 A. I just asked them to send me the material
8 that I needed and the instructions.

9 Q. And did you ever receive that material
10 and instructions?

11 A. I did.

12 Q. And what did you then do when you
13 received the material and instructions?

14 A. I made out the form, and I noticed that
15 the form said pseudonym, and it also said you have
16 to give domicile or the nationality of a person if
17 you're using a pseudonym.

18 This is difficult for me to remember
19 precisely, but there was something that I saw or
20 heard from somebody that if you are using an
21 anonymous that you've got to put the name of a
22 person. You just can't say anonymous, because you
23 have to fill in the rest of the -- saying whose
24 nationality and where they live or whatever it was
25 or the birth -- their date of birth.

1 Q. What did you then do?

2 A. I filled it out that way.

3 Q. And did you just submit it to the
4 copyright office?

5 A. Yes.

6 Q. Did you receive the copyright back as
7 registered at some point in the future?

8 A. Yes, I did.

9 Q. Is that the only copyright application
10 filed in connection with the Course, the first one
11 that you just described?

12 A. Up to that point?

13 Q. Yes.

14 A. Up to that point, yes.

15 Q. Did you ever file any further copyright
16 applications?

17 A. I filed one, and I don't know whether it
18 was approved or whatever when we got the -- it must
19 have been approved. It was a part of the teacher's
20 manual.

21 I'm confused. I have to go back and
22 look.

23 There was a part of the teacher's manual
24 that was done after the completion of the Course,
25 and I may have filed that part after the first

1 copyright.

2 Q. When you say "a part of the teacher's
3 manual," that was completed after the first filing,
4 or did I misunderstand you?

5 A. I'm not sure of the time.

6 Q. Well, let's go back a step.

7 When you submitted the copyright
8 application the first time, did have to submit a
9 copy of the Course with that application?

10 A. I don't remember.

11 Q. Did you at some point after filing the
12 copyright application the first time hear from
13 someone that there was another filing that was
14 necessary with respect to some part or all of the
15 workbook?

16 A. No.

17 Q. And how did you determine that there had
18 to be another filing for some part or all of the
19 workbook?

20 A. It was not the workbook. It was -- it
21 was the teacher's manual.

22 Q. I misspoke. I'm sorry.

23 So let me ask the question again since
24 you are being exacting.

25 After you made the first filing on the

1 copyright, did you hear from some source that it
2 would be necessary to file again in connection with
3 part or all of the manual?

4 A. No. I just assumed that would be
5 necessary to do.

6 Q. And why did you assume it would be
7 necessary?

8 A. Because I figured it was common sense.

9 Q. Well, what made you determine using your
10 common sense that a further filing was necessary for
11 the manual?

12 A. Because there was another piece.

13 Q. When you say "another piece," there
was
14 something that came to your attention that you
15 weren't aware of prior to your filing the first
16 time?

17 A. It was done afterwards.

18 Q. It was. And when you say it was done, it
19 was done after the first filing?

20 MR. ROSENBERG: Filing for the
21 application?

22 MR. FABIAN: For the first -- yes.

23 THE WITNESS: I don't know when it was
24 done. It came to me sometime thereafter the first
25 part was.

1 MR. FABIAN: Q. Okay. And did someone
2 give to you a copy of this additional section --

3 A. I don't remember.

4 Q. But you determined that there had to be
5 another filing. Did you discuss this with anyone
6 else as to whether you really had to do another
7 filing?

8 A. No. I didn't discuss it with someone
9 else whether it had to be done. I may have
10 discussed it, but I didn't discuss whether it had to
11 be done because nobody knew anymore than I did.

12 Q. And when you filed for the second time
13 with respect to this portion of the manual -- is
14 that it?

15 A. Yes.

16 Q. And did you file that portion of the
17 manual with the copyright office?

18 A. I don't remember.

19 Q. I'm going to show you what's been
20 previously marked as, I believe, 19 in this
21 deposition.

22 Excuse me. Not in this deposition, but
23 in the course of these depositions.

24 MR. ROSENBERG: Right.

25 MR. FABIAN: Q. Have you ever seen that

1 document before?

2 A. Yes.

3 Q. And I noticed it bears, in part, your
4 name, Robert Skutch; is that correct?

5 A. Yes.

6 Q. What is "The Lighthouse"? What is
that
7 document?

8 A. That's the "Newsletter of the Foundation
9 for A Course in Miracles."

10 Q. Have you ever written anything personally
11 for "The Lighthouse"?

12 A. No.

13 Q. Have you ever been asked --

14 A. No.

15 Q. -- for "The Lighthouse"?

16 A. No.

17 Q. Do you know when the first newsletter was
18 issued for the Foundation for A Course in Miracles?

19 A. No.

20 Q. Do you know when for the first time, when
21 speaking of the Foundation for A Course in Miracles,
22 the words "A Course in Miracles" was put in
23 quotations?

24 A. No, I don't.

25 Q. Do you recall reading this article prior

1 to its publication?

2 A. Vaguely.

3 Q. And do you recall prior to its
4 publication discussing it with anyone?

5 A. Yes.

6 Q. And who did you discuss it with?

7 A. Judy.

8 Q. And what were the circumstances of your
9 discussing this with Judy?

10 MR. ROSENBERG: I'm going to say that
11 I'll allow this because I think it's germane. If I
12 wanted, there could be an assertion of the marital
13 privilege if they were still married at that time,
14 which prevents the dissemination, much as the
15 attorney-client privilege of communications between
16 spouses.

17 If you'll agree that it is not a waiver
18 of that privilege --

19 MR. FABIAN: I have agreed to that in
20 past and certainly I would, but are you taking the
21 position that you may hereafter assert that and as a
22 result of any -- and therefore move to strike any
23 testimony that --

24 MR. ROSENBERG: Not to move to strike,
25 but if you ask a question -- you always worry about

1 waiver, either broad or narrow.

2 No. I'm not going to say later I have
3 changed my mind and moving to strike his earlier
4 testimony, but there may other circumstances where I
5 believe the assertion of the marital, depending on
6 your questions, would be appropriate.

7 I want to make sure you won't say, "Wait
8 a minute. You waived that privilege because you let
9 him answer that question."

10 If you agree it's not a waiver --

11 MR. FABIAN: That's a fair comment. I
12 agree.

13 MR. ROSENBERG: Thank you. The question
14 is very germane. I didn't want to look at
15 obstruction at least at this point.

16 MR. FABIAN: Q. You've indicated that
17 you discussed prior to the publication of this
18 article, this article with Judy -- what did you say
19 to her and what did she say to you?

20 A. I said I did not want Jesus in there.

21 Q. Okay. Anything else?

22 A. No.

23 Q. Now, when say -- looking at the
24 article -- when you say that you did not want Jesus
25 in there, where, in fact, were you referring to when

1 you said you didn't want Jesus in there?

2 A. Wherever it is.

3 Q. There's a statement in here -- for
4 example, I'm looking on the first page which says --
5 and I'm looking in the second full paragraph.

6 The fifth line down it begins "None of
7 us."

8 It says, "None of us was prepared,
9 however, for one particular instruction from Jesus
10 to Helen Schucman, scribe of the Course."

11 Did you ask that the word "Jesus" be
12 deleted from that?

13 A. I discussed it with Judy.

14 Q. And why did you ask that --

15 A. Because I'm not comfortable with that
16 terminology without it being described as what Jesus
17 means.

18 Q. Okay. And did you have an understanding
19 what was meant when the word Jesus was used in that
20 particular sentence?

21 A. For me.

22 Q. What did it mean to you?

23 A. It meant a symbol of eternal and complete
24 love.

25 Q. And were you aware at the time this

1 article was written in 1992 that statements had been
2 made in the past that Jesus had -- words to the
3 effect that Jesus had dictated the words in A Course
4 in Miracles to Helen Schucman?

5 A. Yes.

6 Q. And prior to this particular article, had
7 you ever discussed with Judy what her understanding
8 was of the term "Jesus" when Jesus was referred

to

9 in that context as having dictated the words in the
10 Course to Helen Schucman?

11 A. What they meant to her?

12 Q. Yes.

13 A. No.

14 Q. Same question with respect to
15 Ken Wapnick --

16 A. No.

17 Q. -- prior to this article coming out?

18 A. No.

19 Q. How about with respect to Bill Thetford?

20 A. No.

21 Q. How about with respect to Helen Schucman?

22 A. No.

23 Q. How about with respect to Louis Schucman?

24 A. No.

25 Q. Had you ever discussed with anyone what

1 their understanding was of the word Jesus when it
2 was used in the context that we have been
3 discussing, that Jesus had dictated the words in the
4 Course to Helen Schucman prior to this Lighthouse
5 coming out?

6 A. No.

7 Q. When was the first time you ever
8 discussed with Judy the difficulty that you had
9 personally with the use of the word Jesus in the
10 context of words having been dictated to
11 Helen Schucman?

12 A. I couldn't answer that.

13 Q. Was it prior to this conversation you
14 just testified to?

15 A. I assume so.

16 Q. Have you ever written any books
17 concerning A Course in Miracles or the people who
18 were involved originally with A Course in Miracles?

19 A. Yes.

20 Q. And which book or books would that be?

21 A. Journey Without Distance.

22 Q. And in Journey Without Distance, sir, did
23 you ever write anything in that book with respect to
24 your understanding of what Jesus meant or who Jesus
25 was when referred to when -- we refer to Jesus

1 having dictated the Course to Helen Schucman?

2 A. No.

3 Q. Did you ever make a determination that
4 you should or should not have that discussion in the
5 book you've just referred to?

6 A. That I should have that determination?

7 Q. Did you ever personally make a
8 determination while writing the book or prior to
9 writing the book, that you should include a
10 discussion of who or what was referred to when Jesus
11 is referred to from time to time as having been that
12 entity or person who dictated the Course to
13 Helen Schucman?

14 A. No.

15 Q. Now, if I'm correct then, sir, every
16 other reference to Jesus in this particular article,
17 you would have asked in that conversation that it be
18 deleted because of your personal feelings?

19 A. Without going through each one, if they
20 want that one out, I just said in general.

21 Q. And I don't want to spend the time to do
22 that.

23 A. Okay.

24 Q. Is there anything else in this particular
25 article that you asked Judy in that conversation or

1 any other conversation be deleted?

2 A. I would have to read it over again to
3 find out. I don't want to take all that time.

4 MR. ROSENBERG: Read the whole thing?

5 MR. FABIAN: Q. When was the last time
6 prior to today that you read this article?

7 A. A long time ago.

8 Q. Okay. Why don't you read through it?

9 A. The whole thing?

10 Q. Why don't you read through the first
11 page.

12 MR. ROSENBERG: And the question is at
13 the time did he ask Judy --

14 MR. FABIAN: I'll ask the question after
15 he's read it. I'll think of a new one.

16 MR. ROSENBERG: I like the old question.
17 It would never do anything to help me though.

18 THE WITNESS: Okay.

19 MR. FABIAN: Q. So you've read the front
20 page?

21 A. Right.

22 Q. And my question is, At the time you saw a
23 draft or this article before it was published as
24 you've testified to earlier, did you have a
25 conversation with Judy or anyone else as to anything

1 else other than the word "Jesus" that you wanted
2 deleted or changed?

3 A. I don't remember anything else.

4 Q. Okay. Do you know who actually wrote
5 this particular article?

6 A. Do I know?

7 Q. Yes.

8 A. No. I don't know.

9 Q. Did anyone ever indicate to you who
10 physically wrote this article?

11 A. I never asked anyone.

12 Q. As of this date in time, sir, do you know
13 who wrote this article?

14 A. I assume Ken and Gloria.

15 Q. But you didn't write this article?

16 A. No.

17 Q. Do you know if Judith Skutch Whitson
18 wrote this article?

19 A. I am practically positive she didn't.

20 Q. When it says in the beginning of the last
21 full paragraph on this page, on the left-hand side:
22 "We were informed that a copyright could not be
23 granted to a non-physical author such as Jesus ..."

24 Did you have any conversations with
25 Ken Wapnick concerning that fact as it's stated?

1 A. No.

2 Q. And do you know how Ken Wapnick might
3 have gathered that information that "we," whoever
4 "we" might be, is informed that a copyright could
5 not be granted to a nonphysical author such as
6 Jesus?

7 A. No.

8 Q. And the sentence completes "... nor to
9 'Anonymous'."

10 A. No.

11 Q. Do you know how Ken Wapnick got that
12 information?

13 A. It's not right.

14 Q. My question first is, Do you know how
15 Ken Wapnick or whoever wrote this got this
16 information?

17 A. No.

18 Q. When you say "it's not right," what's
not
19 right about it?

20 A. It's not accurate.

21 Q. And how is it not accurate?

22 A. You can put down anonymous, just as you
23 can put pseudonym.

24 Q. When did you learn for the first time
25 that you can put down anonymous?

1 A. When I was filing the original.

2 Q. The original copyright?

3 A. Application.

4 Q. On that original copyright application,
5 did you put you anonymous alone or did you put
6 anonymous with the name Helen Schucman?

7 A. Anonymous parenthesis Helen Schucman,
8 because that's what they told me to do.

9 Q. Did you ever learn that you can merely
10 put down the word anonymous without including
11 Helen Schucman?

12 A. No.

13 Q. Did you ever file a copyright application
14 which you used merely the word "anonymous";
without
15 the name Helen Schucman?

16 A. No.

17 MR. FABIAN: We don't have the original
18 copyright application for this, do we?

19 Let's make a copy of this.

20 (Recess taken.)

21 MR. FABIAN: Could we mark this as 24, a
22 copy of the registration of the claim to copyright.

23 MR. ROSENBERG: Is that the same thing I
24 just copied?

25 MR. FABIAN: This is different. What I

1 want marked is a registration of a claim to
2 copyright A693944.

3 (Whereupon, Defendant's
4 Exhibit 24 was marked
5 for identification.)

6 MR. FABIAN: Q. I would ask you, sir, if
7 you would look at that document, that two-page
8 document.

9 I'd like you to turn to page 2 and ask if
10 that is your signature at the middle of the
11 document?

12 A. Yes, sir.

13 Q. And there's a signature further down the
14 bottom. Is that also your signature?

15 A. Yes, it is.

16 Q. I notice on the left-hand side there's,
17 at the bottom of the second page, is a reference to
18 "Free Person Press." What is Free Person Press?

19 A. Free Person Press was the publisher or
20 the printer. I guess you call it the printer, that
21 printed the first set of 100 copies of the Course
22 that were bound.

23 Q. Did Free Person Press have any
24 relationship to Eleanor Criswell, if you know?

25 A. Yes.

1 Q. And what was that relationship?

2 A. I understand that she was a principal.

3 Q. Okay. And when you say the first 100
4 copies, how do you know that there were a hundred
5 copies published or printed the first time?

6 A. I was told that.

7 Q. And who told you that?

8 A. I assume Judy.

9 Q. Now, on the top of this document on page
10 1, there's a reference to Foundation for Parasensory
11 Investigation. Was that the name of FIP at that
12 time when you filed this document?

13 A. Yes, it was.

14 Q. And do you recall whether it was the
15 intention of -- and I'll still use the name of
16 FIP -- FIP to file for a copyright in connection
17 with the entire Course -- courses we have defined as
18 texts, teacher's manual and workbook?

19 A. Yes.

20 Q. And then in the middle there's a
21 reference to a name. It says "Anonymous
22 (Helen Schucman)."?

23 A. Right.

24 Q. And this is your printing on this entire
25 document except for where it's signed by you?

1 A. Yes.

2 Q. And prior to your delivering this
3 document to the copyright office, did you have it
4 reviewed by anyone?

5 A. I don't believe so.

6 Q. Did you discuss it with Eleanor Criswell
7 at all?

8 A. No.

9 Q. Did you discuss the copyrighting of the
10 Course with Eleanor Criswell prior to filing this
11 document?

12 A. No.

13 Q. Did you ever discuss it with Eleanor?

14 A. No.

15 Q. Did you ever meet her?

16 A. No.

17 Q. Ever speak with her on the phone?

18 A. No.

19 Q. Now, you've indicated you do recall
20 filing a second document with the copyright office.
21 Am I correct?

22 A. I believe so.

23 Q. And do you recall if you filed anything
24 more than that second document?

25 A. For the Course?

1 Q. For the Course.
2 A. The English language version?
3 Q. English language version. Good thought.
4 A. Yes, I did.
5 Q. And what else did you file beyond this
6 second filing that you recall?
7 A. I filed in 1992 when we put the numbers
8 to the Course, and they said we couldn't -- we
9 didn't have to file. They sent it back.
10 Q. And do you recall if in 1992 you sent
11 with your application a copy of the Course with the
12 numbers on it as you've just described it?
13 A. No. I just described. I believe I just
14 described what we were doing.
15 Q. Now, I'm going to show you --
16 MR. ROSENBERG: Give me one second.
17 (Counsel confers with client.)
18 MR. FABIAN: Maybe we could mark this as
19 25.
20 (Whereupon, Defendant's
21 Exhibit 25 was marked
22 for identification.)
23 MR. FABIAN: Q. I'm showing you now a
24 document marked as 25, which is a registration of a
25 claim to copyright A805255.

1 I'd ask to you review that two-page
2 document, and do you recall ever having seen this
3 document before?

4 A. Yes, I have.

5 Q. And on the back side or second page on
6 page 8, it says "Send correspondence to
7 Robert Skutch."

8 Did you fill out the information on this
9 form?

10 A. Yes, I did.

11 Q. And in No. 5 it says, "New matter in this
12 version."

13 It says, "Clarification of terms (pages
14 73 to 88").

15 Does that refresh your recollection as to
16 what the second filing related to?

17 A. Yes.

18 Q. What was the clarification of terms?

19 A. It was additional material that Helen had
20 taken down.

21 Q. And when you say Helen had taken it down,
22 how do you know that Helen had taken it down?

23 A. I don't know. I wasn't there, but that's
24 what I was told.

25 Q. Then who told you that?

1 A. I suppose Judy.

2 Q. Okay. But do you know?

3 A. I would assume Judy because nobody else
4 talked to me.

5 MR. FABIAN: A tear came to my eye.

6 MR. ROSENBERG: Poor Bob, or maybe not as
7 the case may be.

8 Off record.

9 (Discussion off the record.)

10 MR. FABIAN: Q. Now, I note on this
11 form, which is 25, that there's a reference under
12 "Author" to the name "Anonymous."

13 How is it that you wrote Anonymous on
14 this form rather than Anonymous (Helen Schucman) as
15 you had on the prior form?

16 A. I can't answer that because I don't know.

17 MR. ROSENBERG: Could you hold on one
18 second?

19 (Counsel confers with client.)

20 MR. FABIAN: Q. Counsel has pointed out
21 to you -- and that was going to be my next question.

22 Next to the word Anonymous, if you look
23 closely, something that may have been whited out.
24 It may just have been on the form that you had
25 there, but do you know why there's a space between

1 all of the dots that makes up the line?

2 A. No.

3 Q. Do you recall whether the name
4 Helen Schucman was actually there at some point and
5 it was whited out or removed?

6 A. It was almost a quarter of a century ago.
7 I couldn't do that.

8 MR. ROSENBERG: Off the record a second.
9 (Discussion off the record.)

10 MR. FABIAN: The document we're looking
11 at does contain the Bates stamp of Plaintiff's
12 counsel, and so it was produced to us.

13 MR. ROSENBERG: Off the record.
14 (Discussion off the record.)

15 MR. FABIAN: Q. Now, Mr. Skutch, in any
16 of your discussions with the copyright office ever,
17 did you ever request of anyone whether a copyright
18 application on behalf of A Course in Miracles or any
19 part of it could be filed in the name of Jesus?

20 A. No.

21 Q. And prior to 1992, did you ever have any
22 communication with anyone with respect to the issue
23 of whether a copyright application could be filed in
24 the name of Jesus?

25 A. No.

1 Q. Have you ever written any article or put
2 anything in writing prior to today to the effect
3 that -- strike that.

4 Now, Mr. Skutch, we have --

5 MR. ROSENBERG: I have placed before the
6 witness Exhibit 22 to assist my colleague
7 Mr. Fabian.

8 MR. FABIAN: If I might see it for a
9 moment. Since it's a different version, I have to
10 find the page here.

11 Q. In connection with this book, Journey
12 Without Distance, has there been more than one
13 printing of this book?

14 A. Yes.

15 Q. And do you recall when the first printing
16 was?

17 A. 1984. I think it's in the front.

18 MR. FABIAN: Off the record.

19 (Recess taken.)

20 MR. FABIAN: Q. Now, you've indicated
21 that, and the book indicates, a first printing in
22 May 1984 just as you indicated.

23 Have there been any changes in the text
24 of this particular book, Journey Without Distance,
25 since the first time it was published?

1 A. Yes.

2 Q. Are you able to tell me, as we sit here,
3 what those changes are?

4 A. I can tell you where they are. I can't
5 tell you word for word. I could tell you the
6 essence.

7 Q. Please tell me the essence.

8 A. Page 110.

9 Q. And this would be the most recent volume,
10 am I correct, when you're saying --

11 A. The pages haven't changed.

12 Q. Okay. Yes. And what, in essence, is the
13 change there?

14 A. The change is --

15 MR. FABIAN: I'm showing the witness 110.

16 MR. ROSENBERG: Of Exhibit 22.

17 THE WITNESS: Third paragraph.

18 MR. FABIAN: Q. What it was and what was
19 it changed to?

20 A. The third sentence starts: "Jim's copy
21 started to be reproduced. And those copies were
22 then copied. And before long there were over a
23 hundred people in the San Francisco area in
24 possession of A Course in Miracles."

25 Q. That's the way it now reads?

1 A. No. That's the way it did read.

2 MR. ROSENBERG: Let me clarify. That's
3 the way it reads in Exhibit 22, what he read.

4 MR. FABIAN: So maybe we should go back
5 one step.

6 Q. Is Exhibit 22 the presently published
7 version of the book that we're referring to?

8 A. No.

9 Q. What you're reading now, sir, is that the
10 way it was written up until the presently published
11 version from the first time it was published in
12 1984?

13 A. Yes.

14 Q. And could you read to us then, so it's
15 now clear, the way it was formally written?

16 A. Read it again?

17 Q. So now we'll know on the record.

18 A. "Jim's copy started to be reproduced.
19 And those copies were then copied. And before long
20 there were over a hundred people in the
21 San Francisco area in possession of A Course in
22 Miracles."

23 Q. And has there been a change in the most
24 recent edition of that particular language?

25 A. Yes.

1 Q. And would that also appear on page 110 of
2 the new --

3 A. Yes.

4 Q. -- edition?

5 And do we have that here at all, the new
6 edition?

7 A. I don't know.

8 MR. FABIAN: I would ask at some point we
9 get the new edition.

10 Well, he's an officer of the Foundation.

11 THE WITNESS: I have a copy.

12 MR. FABIAN: Q. Is that particular book
13 published by the Foundation today?

14 A. Yes.

15 Q. As best you can recall, since you don't
16 have it in front of you -- or do you have it
17 memorized as to --

18 A. No, I don't.

19 Q. As best you can recall, what does it say
20 now?

21 A. It says now -- this is not -- this was
22 not a practical -- let me see what it says.

23 Despite this -- I'm talking to myself.

24 Q. Would you just say out loud when you get
25 to it, what you think. And we're not holding you to

1 the exact words.

2 MR. ROSENBERG: What it says.

3 THE WITNESS: In essence it says that a
4 creative solution was found to overcome these
5 obstacles.

6 MR. FABIAN: Q. Period. That's it?

7 A. Basically.

8 Q. So if I could just look at this for a
9 moment. I'm looking at page 110, third paragraph.

10 Am I correct then that the entire
11 sentence, "and before long there were over a hundred
12 people in the San Francisco area in possession of
13 A Course in Miracles" was deleted?

14 A. Yes.

15 Q. And was some sentence or sentences put in
16 to replace that?

17 A. The essence of which I just gave you.

18 Q. Give it to me once more.

19 A. A creative solution was reached that
20 would overcome this problem.

21 Q. And I guess my first question is, What do
22 you know was that creative solution?

23 A. It follows.

24 Q. So then it follows just from there. I
25 see.

1 Now, what were the circumstances under
2 which a determination was made to replace that
3 sentence that you just read?

4 A. We discovered -- I discovered that there
5 were people who misunderstood it.

6 Q. And how did you discover this fact?

7 A. We had litigation.

8 Q. And who did you have this litigation
9 with?

10 A. Your clients.

11 Q. So it was after this litigation began
12 that you made the determination, for whatever
13 reason, that that sentence should be deleted and
14 replaced?

15 A. I don't know when litigation itself is
16 considered to be started, but it was around the time
17 of that.

18 Q. Well, I'm trying to ask for your best
19 recollection. Do you know when the litigation was
20 started?

21 A. No.

22 Q. Were you present at any time when there
23 were discussions on behalf of the Foundation that
24 litigation should be considered against --

25 A. I was there for all this. I just can't

1 tell you off the top of my head what the date was.

2 That's all.

3 Q. And in what way did you think that that
4 sentence, as it exists in this version, was
5 misunderstood?

6 A. It was misunderstood by, No. 1, I
7 believe, an attorney that we had for the Foundation
8 requesting me --

9 MR. ROSENBERG: I don't want you to say
10 what your attorney said, your prior attorney. That
11 would be attorney-client privilege. But you can say
12 in your mind or your understanding what needed to be
13 changed or what was misunderstood.

14 MR. FABIAN: Q. Well, other than an
15 attorney, did anyone speak to you to indicate that
16 there might have been some misunderstanding about
17 the particular sentence that you indicated that was
18 deleted?

19 A. I believe the attorney.

20 Q. Other than an attorney.

21 A. Did anybody after that?

22 Q. Before or after. Did anyone other than
23 an attorney, before or after you may have had a
24 conversation with an attorney, indicate to you that
25 there had been some misunderstanding created by that

1 sentence that now has been deleted?

2 A. After the attorney brought it up, Judy
3 mentioned it or we discussed it. Sure.

4 Q. And when you say you discussed it with
5 Judy, was it at any type of formal meeting of the
6 board or the executive committee?

7 A. No.

8 Q. And what did Judy say to you?

9 A. She said, "That's not the way it
10 happened."

11 Q. Is that the first time that Judy ever
12 indicated to you that that's, quote, "not the way it
13 happened"?

14 A. The first that I remember.

15 Q. Now, do you recall how it is that you
16 wrote that sentence in the book --

17 MR. ROSENBERG: The one that appears in
18 22?

19 MR. FABIAN: Q. The one that appears in
20 22 that was published in the beginning of 1984.

21 A. I was trying to give a feeling of what
22 had happened in San Francisco. I was not there. I
23 was trying to give a feeling of a lot of excitement
24 and enthusiasm from a group of people who had been
25 exposed to the ideas of the Course.

1 Q. In writing this book, who did you talk to
2 in gathering information to write this book?

3 A. I spoke to Bill Thetford, I spoke to
4 Ken Wapnick, I spoke to Judy, and I spoke to
5 Jerry Jampolsky.

6 Q. And do you know whether any one of those
7 individuals read the sum draft of this book prior to
8 its being published?

9 A. I know -- I know pretty surely that --
10 that -- I know absolutely that Bill Thetford read
11 his part. Ken Wapnick read his part.

12 When I say "part" you'll see the book
is
13 divided into chapters.

14 Bill's part is one part, and Ken's
15 background and part is another and so on.

16 Q. Anybody else's part in here?

17 A. Judy's.

18 Q. Do you know whether Judy read her part?

19 A. Judy did read her part.

20 Q. And anybody else?

21 A. Jerry Jampolsky.

22 Q. Is there a Jampolsky part in here?

23 A. At the end.

24 Q. Could you look at this, and I realize
25 we're not looking at the final version. And by the

1 way, so we don't forget, are there any other changes
2 from this version to the presently published
3 version?

4 A. Yes.

5 Q. So why don't we deal with that first.
6 What are the other changes?

7 A. That's one other change on page 111.
8 It's a little darker.

9 Q. So you're looking on page 111 to a
10 sentence that says, "To accommodate them all
...."

11 Let me read it in.

12 "To accommodate them all Judy arranged to
13 rent a public meeting room in the residential hotel
14 where Helen was going to stay."

15 And has that sentence been deleted or
16 changed in some way?

17 A. Excuse me. I made a mistake. That's not
18 the one that was changed.

19 Q. Okay. No problem.

20 A. The one. That was changed.

21 Q. Why don't you read it to us then.

22 A. "From the very beginning of that first
23 meeting, it was clear that the people who had xerox
24 copies of the Course were extremely serious about
25 working with and discussing the material."

1 Q. And am I correct, sir, that in the most
2 recent publication or version of this book that
3 sentence has been deleted in its entirety?

4 A. It's been replaced.

5 Q. And what, since we don't have it in front
6 of us again, to the best of your recollection has it
7 been replaced it?

8 A. Basically it was -- it was clear that the
9 people who had shown an interest in the Course
10 rather than who had xerox copies.

11 Q. Now, these pages that you've read to us
12 on page 110 and 111, whose section was this?

13 A. I don't know. I have to look if it's
14 anybody's section. I don't know.

15 (Discussion off the record.)

16 THE WITNESS: This chapter.

17 It goes from 93 to 112. And I say from
18 93 -- on and off what I call sections are Judy's
19 from 93 to 106 and a half is Judy's. And after
20 that, it's really nobody's.

21 MR. FABIAN: Q. Now, when you say
22 "nobody's" --

23 A. I mean it's mine.

24 Q. Now, let's take the section you referred
25 to as Judy's. Why do you refer to it as Judy's?

1 A. That's the part that she gave me
2 verbatim.

3 Q. And let me look at that for a moment, if
4 you would, because I have raised that with Judy when
5 we were discussing this.

6 I'm looking, for example, on page 104.
7 And I notice that's in italics.

8 A. That's verbatim stuff. It's just like
9 Bill's back here. All that stuff is verbatim. The
10 stuff in italics is verbatim.

11 Q. When you say "verbatim," was there a
tape

12 or something that was taken so that you're able to
13 obtain this verbatim?

14 A. I had a tape of Bill Thetford's. I
15 believe I had a tape of Ken Wapnick's. I don't know
16 whether I had a tape of Judy's or not. I could
17 have, or she might have just been there when I did
18 it, and I may have typed it. I can't remember. It
19 was a long time ago.

20 Q. Now, do you still have those tapes?

21 A. No.

22 Q. Were copies of those tapes ever made?

23 A. No.

24 Q. Had you ever prior to this written a -- I
25 would assume this is a nonfiction book, sir?

1 A. This is a nonfiction book, yes.

2 Although part of it seems to be
3 fictional.

4 Q. That's what we all think.

5 Had you prior to this publication of this
6 book ever written a nonfiction book?

7 A. I wrote Messages to My Higher Self.

8 Q. And during what period did you write
9 that?

10 A. The period that I wrote it was '72 to
11 '75.

12 Q. Did you do any research in connection
13 with writing that book?

14 A. No.

15 Q. And did you take any notes when you wrote
16 that book?

17 A. Notes?

18 Q. Yes. Did you write anything down?

19 A. I wrote everything down.

20 Q. And did you keep those notes?

21 A. No. The notes were the book.

22 Q. So did you write the book by typing --
23 the first book -- by typing? Handwriting?

24 A. I wrote the book by handwriting.

25 Q. And when you wrote Journey Without

1 Distance, did you write that by handwriting or
2 typing?

3 A. Typing.

4 Q. How long did it take you to write Journey
5 Without Distance?

6 A. Well, I wrote it in 1980, so it could
7 have taken a year.

8 Q. Do you remember approximately when you
9 started writing it?

10 A. No.

11 Q. Did you do any research prior to writing
12 this book, Journey Without Distance?

13 A. No.

14 Q. When you took and obtained an audiotape
15 from Bill Thetford, did you consider that research
16 into writing the book?

17 A. That's what I used.

18 Q. And then you at some point in time -- did
19 you lose it or did you purposefully get rid of that
20 particular tape? And I don't mean for any bad
21 reason.

22 A. I've moved three times since then, and
23 lots of things have gone. So it could have gone
24 anywhere, plus the fact that I don't save things.

25 Q. Approximately what year did Bill Thetford

1 agree to talk to you in some version that you could
2 get information for this book?

3 A. 1980.

4 Q. And would you tell me which section is
5 the Bill Thetford section or sections?

6 A. Chapter 1.

7 Q. And so if I read the italicized sections
8 here, am I correct then that this would be
9 information at some point that was on a tape that
10 you took down word for word?

11 A. Yes.

12 Q. Did you ask Mr. Thetford questions and he
13 gave answers, or did Mr. Thetford just make a
14 statement or statements?

15 A. I can't remember that.

16 Q. Is any other section other than the one
17 you just referred to Mr. Thetford's?

18 A. I'd have to look.

19 I don't think so.

20 Q. You've indicated that a portion of one
21 chapter was, for the sake of expedience, the Judy
22 section. Was there any other section that was the
23 Judy section?

24 A. Whatever is italicized.

25 Q. I understand, but I would like to know

1 what section you consider the Judy section.

2 MR. ROSENBERG: He might have to look
3 through every single page. I hope that you don't
4 want him to do that exercise now.

5 MR. FABIAN: I don't think it will take
6 that long.

7 THE WITNESS: I believe that starting on
8 page 94 and with some intermissions it goes to 106
9 and a quarter. That would be what I call the Judy
10 section.

11 MR. FABIAN: Q. And when Judy either
12 dictated to you while you were typing or talked into
13 this tape, was she aware that this information might
14 be used in a book?

15 A. Oh, yeah.

16 Q. And I would ask the same question with
17 respect to Mr. Thetford.

18 A. Yes.

19 Q. Finally I ask that question with
20 Mr. Wapnick.

21 A. Yes.

22 Q. Was FIP always the publisher of this
23 particular book?

24 A. Not on the cover.

25 Q. I'm not quite sure what that means.

on

1 A. Look at the other one you've got there,
2 the spine -- the spine. It says "Celestial Arts";
3 it.

4 Q. So someone other --

5 A. The named publisher.

6 Q. And did Celestial Arts obtain the
7 publishing rights pursuant to any written agreement
8 that you had with them?

9 A. We had -- I think we had an agreement
10 that was written, but I can't swear to it.

11 Q. Did they pay you royalties pursuant to
12 that agreement?

13 A. Me?

14 Q. Yes.

15 A. No.

16 Q. Did Celestial Arts pay royalties to
17 anyone in connection with that book?

18 A. They paid something. It was called
19 something else.

20 They were distributing it, so it was a
21 distribution.

22 Q. Did they pay money to anybody?

23 A. They paid money to the Foundation.

24 Q. So did you personally receive any income,
25 whether through Celestial Arts or anyone else, for

1 the publication for Journey Without Distance?

2 A. No.

3 Q. And at the present time, do you have a
4 written agreement with FIP concerning their
5 publishing this book?

6 A. No.

7 Q. And do you receive any income yourself
8 from the publication, distribution or otherwise of
9 this book?

10 A. No.

11 Q. Has anyone ever requested to obtain the
12 rights of this book for purposes of producing a
13 motion picture or a television program?

14 A. There may have been somebody in the past.
15 I couldn't tell you who.

16 Q. Did you in the past ever write a motion
17 picture or television script?

18 A. Of this?

19 Q. No. Of anything?

20 A. Yes.

21 Q. You are aware then that people purchase
22 rights to produce motion pictures or television?

23 A. Yes.

24 Q. Are you aware of anyone who's requested
25 of the Foundation or any of the officers or

1 directors of the Foundation to obtain the rights to
2 produce a motion picture or teleplay from A Course
3 in Miracles?

4 A. I don't know if they requested rights or
5 not. Somebody is working on something, but they're
6 not getting any cooperation particularly.

7 Q. I see. Is there any correspondence
8 between the Foundation and that group or person with
9 respect to the production of the motion picture or
10 teleplay?

11 A. Not with me.

12 Q. Anyone else at the Foundation?

13 A. I don't know.

14 Q. Has it ever come up at any board meeting
15 or executive committee meeting?

16 A. I don't think so.

17 Q. Any other changes that you're aware of
18 other than the two you've indicated from the version
19 we have marked as 22 to the present version that we
20 don't have in front of us?

21 A. Only the taking off of the Celestial
22 Arts' name.

23 Q. And there came a point in time then when
24 Celestial Arts no longer had any publishing rights.
25 Am I correct?

1 A. No more distribution.

2 Q. Distribution. I'm sorry.

3 And do you recall when that was?

4 A. '96.

5 Q. I note that there's a nice introduction
6 of this book from an individual. Do you recall what
7 his name is?

8 A. Willis Harman.

9 Q. Can you give me a brief background on who
10 Willis Harman is?

11 A. Was.

12 Q. Was. You're quite correct.

13 A. Willis Harman was a professor at
14 Stanford. He was the president of the Institute of
15 Noetic Sciences and was a futurist.

16 Q. And when was the first time that you met
17 him?

18 A. 1978.

19 Q. And what were the circumstances of that
20 meeting?

21 A. He came to our house with Judy -- came to
22 our house with Judy.

23 Q. I heard that.

24 And did you have any discussions with him
25 at that time between yourself and him or that you

1 recall about any subject?

2 A. Just casual.

3 Q. Am I correct then that Mr. Harman was an
4 acquaintance of Judy's as opposed to yours
5 initially?

6 A. That's correct.

7 Q. And did Judy work with him in any
8 capacity that you know of?

9 A. Judy was a member of the board of
10 Institute of Noetic Sciences.

11 Q. What was the purpose of that particular
12 institute, as best you recall?

13 A. To study noetics.

14 Q. And what is noetics?

15 A. It's the study of consciousness.

16 Q. And in connection with that, what role
17 did Judy have, if any?

18 A. She was on the board.

19 Q. Is she still on the board, as best you
20 know?

21 A. I don't believe so.

22 Q. Do you know why she left the board?

23 A. She got tired.

24 Q. How did it happen that you actually wrote
25 this particular book, Journey Without Distance?

1 Is it just something you conceived of at
2 some point in time?

3 A. Willis suggested that I do it.

4 Q. That same Mr. Harman. And do you recall
5 under what circumstances that happened?

6 A. Yeah. He was talking to Judy about the
7 need for the story to be told by somebody who was
8 close to it rather than waiting for somebody who
9 wasn't close to it to write it because he said
10 eventually somebody will write it.

11 And he said, "Bob should write it because
12 he's a writer."

13 Q. And did Mr. Harman contribute any money
14 toward the publication for the writing of the book?

15 A. No.

16 Q. How did it happen that he wrote the
17 forward?

18 A. I asked him.

19 Q. And do you recall when you asked him?

20 A. Probably in the end of the writing of the
21 book, so I could give him the book to read.

22 Q. Do you know if prior to writing the
23 forward Mr. Harman had read the Course?

24 A. I don't know if he read the whole Course.

25 Q. Did you ever have any discussions with

1 him about the Course and the reading of the Course?

2 A. Not the reading of the Course. Some of
3 the ideas perhaps.

4 Q. And do you recall the first time you had
5 such discussions with him?

6 A. Had to be in 1978.

7 Q. Do you know whether he had read the
8 Course prior to 1978?

9 A. I don't know.

10 Q. Prior to the forward being included in
11 the book, did you review the forward? You
12 personally?

13 A. Did I read it?

14 Q. Yes. Prior to its being included.

15 A. Yes.

16 Q. Did you suggest any changes?

17 A. No.

18 Q. Is the forward in here in the form that
19 Mr. Harman first delivered it to you for review?

20 A. The written words, yes.

21 Q. And had there been any changes in the
22 various publication versions of this?

23 A. No.

24 Q. Now, looking at Exhibit 24, which I
25 believe is the first copyright document we have in

1 front of us. I note that the copyright is in the
2 name of Anonymous (Helen Schucman) or the other way
3 around.

4 Did there come a time when Helen Schucman
5 transferred in some form that copyright?

6 A. Yes.

7 Q. Were you present when she transferred
8 that?

9 MR. ROSENBERG: Can I make an objection,
10 by the way?

11 When you said the name of the copyright,
12 it's the name of the author, which is quite
13 different.

14 MR. FABIAN: Yes. You are quite correct.

15 MR. ROSENBERG: The copyright claimant is
16 the Foundation for Parasensory Investigation.

17 Just proving that I listen, absorb and
18 occasionally react.

19 MR. FABIAN: And constantly surprise me.

20 MR. ROSENBERG: In all respects.

21 MR. FABIAN: I do stand corrected.

22 Counsel is right.

23 Q. Did there come a time when the Foundation
24 for Parasensory Investigation obtained the copyright
25 in A Course in Miracles prior to its being

1 registered?

2 A. Yes.

3 Q. And were you present when the Foundation
4 received the copyright in any form prior to
5 registration?

6 A. I do not believe I was present.

7 Q. Did you ever have a conversation prior to
8 1990 with anyone in which the circumstances by which
9 the copyright was transferred from Helen Schucman to
10 the Foundation?

11 A. Not that I remember.

12 Q. At the time you were requested to file
13 for the copyright, were you told in whose name the
14 copyright should be registered as opposed to who the
15 author was?

16 A. Yes.

17 Q. And who told you that?

18 A. Judy.

19 Q. And at that time did you ask her -- did
20 you question her as to why it would be in the
21 Foundation's name as opposed to Helen's name?

22 A. No.

23 Q. At the time this application was filed,
24 the first, what was the stage of your matrimonial
25 situation between yourself and Judy?

1 Let me ask this way: Were you still
2 married?

3 A. Yes.

4 Q. And had there been any divorce
5 proceedings or discussions between you?

6 A. No.

7 Q. Do you recall when the divorce
8 discussions began for the first time?

9 A. 1980.

10 Q. Do you recall when the Foundation for
11 Parasensory Investigation name was changed to
12 Foundation for Inner Peace?

13 A. 1976.

14 Q. And did you sign any documents in
15 connection with that name change, as far as you
16 know?

17 A. I don't remember.

18 MR. FABIAN: Let's break for five
19 minutes.

20 (Recess taken.)

21 MR. ROSENBERG: Mr. Fabian and I have
22 been discussing scheduling matters, and Mr. Fabian
23 will endeavor, pun slightly intended, to finish
24 Robert Skutch today.

25 Tomorrow morning at 10:00 o'clock

1 Mr. Jim Bolen will be deposed, which I think in
2 hopes, will be finished by 1:00 o'clock, but we'll
3 see how that goes.

4 At the end of Mr. Bolen's deposition,
5 assuming time remains, Judy's deposition will
6 resume. We predict that will be on the afternoon
7 session.

8 The Endeavor folks, Mr. Fabian and
9 Mr. Barber and I will have committed, as said
10 earlier, to produce Mr. Anderson for deposition in
11 Boston or New York, as I prefer, and Mr. Poppe in
12 Boston or New York, as I prefer.

13 I said that New York probably will be
14 acceptable if that's most convenient. I'm not going
15 to stand on that kind of ceremony. I don't want to
16 inconvenience anyone in that regard. And we'll try
17 do those depositions in a period of days that are
18 consecutive assuming Mr. Poppe and Mr. Anderson --
19 so that Ms. Forbes and Mr. Barber don't have to come
20 out on two separate occasions.

21 Perhaps at too great of length, but at
22 least accurately stated, Larry.

23 MR. FABIAN: I think that does. I would
24 only add that as normal there are a number of
25 documents which either have not been produced for

1 one reason or another, and if, unfortunately, they
2 result in our need to ask further questions of
3 Mr. Skutch or Judy, as we have called her for the
4 deposition, we will try to do it in any way possible
5 so that we might not have to spend a lot of time in
6 San Francisco, whether it be by phone or they have
7 ability to come to New York when they're in New
8 York, we'll work on it.

9 MR. ROSENBERG: Well, it's been a pretty
10 cooperative approach toward discovery, and I'm sure
11 we'll continue that.

12 MS. WHITSON: Aren't you allowed to call
13 him "Bob"?

14 MR. FABIAN: You know, we never got into
15 it, so I just started to call him Mr. Skutch. We'll
16 finish the deposition as Mr. Skutch.

17 THE WITNESS: Showing respect for age.

18 MR. ROSENBERG: That's the first time
19 he's been rendered speechless in three days. No
20 response.

21 MR. FABIAN: Q. Now, did you play any
22 role personally in the transfer of the copyright, be
23 it common law or registered copyright, from
24 Helen Schucman to FIP?

25 MR. ROSENBERG: Other than what's he's

1 testified about registering the copyright?

2 MR. FABIAN: Q. Other than registering
3 the copyright.

4 A. No.

5 Q. Did there come a time when there were
6 discussions about whether Helen Schucman or anyone
7 else should receive royalties or any type of
8 remuneration with respect to A Course in Miracles?

9 A. That I was involved with?

10 Q. That you were personally involved with.

11 A. I don't believe so. I don't believe that
12 I was involved with those discussions.

13 Q. Do you know who was involved, if anyone,
14 with those discussions?

15 A. Judy.

16 Q. And how do you know Judy was involved?

17 A. Somebody had to be involved. She's the
18 only one.

19 Q. I'm asking do you personally know that
20 Judy was involved in those discussions?

21 A. I wasn't there, but she told me.

22 Q. So that's what I'm asking.

23 What did Judy say to you concerning those
24 discussions?

25 A. She said, in general, that royalties to

1 Helen, and if Helen died to Louie -- was something
2 she wanted to be sure, to take care of Helen, that
3 Helen and Louie would be taken care of.

4 Q. And was anyone else present when Judy had
5 this conversation or conversations with you relating
6 to this subject?

7 A. I don't think so.

8 Q. And do you know whether Judy had written
9 anything to Helen Schucman or Louie Schucman
10 concerning royalties or remuneration to them for
11 A Course in Miracles?

12 A. Prior to that?

13 Q. Prior to that discussion.

14 A. I wouldn't know.

15 Q. Did she ever indicate to you that she had
16 written -- that Judy had written to the Schucmans
17 concerning any type of monetary arrangement?

18 A. I wouldn't remember that.

19 Q. Did you ever discuss with Louis Schucman
20 anything to do with any monetary arrangements with
21 respect to the Course?

22 A. Arrangement, no.

23 Q. Did you ever have any conversation with
24 Louie Schucman?

25 A. Yes. Once or twice.

1 Q. And when did you have those
2 conversations?

3 A. I assume when he came out to California,
4 and I must have said a few words to him.

5 Q. Did you ever meet Louis Schucman in
6 New York?

7 A. I don't -- I really don't know.

8 Q. Did you live in New York prior to living
9 in California?

10 A. Yes.

11 Q. And for what period of time did you live
12 in New York?

13 A. From 1925 until 1949 with time out for
14 the Army.

15 From 19 -- New York City?

16 Q. New York City.

17 A. And from 1963 to 1978.

18 Q. And in 1978 did you move to California?

19 A. Yes.

20 Q. Have you been in California as a resident
21 since that time?

22 A. Yes.

23 Q. Until you moved to California, were you
24 ever out on a social occasion with yourself and Judy
25 and just the Schucmans?

1 A. No.

2 Q. Were you ever out on a social occasion in
3 a group in which the Schucmans and the Skutches were
4 there while you were in New York?

5 A. No.

6 Q. Now, do you recall whether -- strike
7 that.

8 Did Judy indicate to you at any time what
9 the monetary arrangement, if any, was going to be
10 with Helen and Louis Schucman?

11 A. Yes.

12 Q. And what did she say to you?

13 A. I don't know. I don't know exactly what
14 she said to me, but it was -- in the beginning, it
15 was one thing, and I'd have to go back and look at
16 whatever it was that we had agreed to because I
17 don't remember.

18 And after she died, Helen died, it was
19 something else, because at that point the sales of
20 the book were increasing so there was more resources
21 for distribution to Louie to help him.

22 Q. Do you recall whether -- and I won't call
23 it the agreement -- the understanding with Helen
24 and/or Louis to pay them any monies was confirmed by
25 any writing?

1 A. There was some writing.

2 Q. And do you know whether you were a
3 signatory or whether it was Judy?

4 A. I wrote a letter once confirming the
5 whole thing just to thank her, actually to thank
6 her -- to thank her for -- maybe to thank her for
7 the copyright. Maybe that's what it was.

8 As far as the royalties are concerned,
9 I'd have to pass. I can't remember that.

10 Q. Prior to coming here for this deposition
11 today, had you ever been deposed before in any other
12 legal proceeding?

13 A. Yes.

14 Q. And what proceeding was that?

15 A. It was a proceeding in Ohio where I was
16 the general partner of an oil and gas limited
17 partnership, and we had a complaint against the
18 operator.

19 Q. And how long ago was that?

20 A. At least 15 years.

21 Q. Any other matters in which you've been a
22 deponent?

23 A. No.

24 Q. Ever been a plaintiff other than as an
25 officer?

1 MR. ROSENBERG: Did you like it, by the
2 way? Was it good?

3 THE WITNESS: Oh, it was great.

4 MR. FABIAN: Q. Ever been personally a
5 plaintiff in a litigation against anyone?

6 A. No.

7 Q. Ever personally been a defendant in a
8 litigation?

9 A. No.

10 MR. ROSENBERG: We exclude whatever
11 divorce proceedings.

12 It was nothing like that?

13 MR. FABIAN: Off the record.

14 (Discussion off the record.)

15 MR. FABIAN: Back on the record.

16 Q. Now, you've been the treasurer of FIP
17 since when?

18 A. Since the beginning of its creation.

19 Q. And as the treasurer, are you a signatory
20 to the checking account?

21 A. Yes.

22 Q. Is anyone else the signatory?

23 A. Yes.

24 Q. And let's go back to the beginning.

25 Was anyone else a signatory besides

1 yourself from the beginning?

2 A. Yes.

3 Q. And who else?

4 A. Judy.

5 Q. Now, during the course of your signatory
6 period, be it joint or otherwise -- and by the way,
7 during this period, you had the right to sign checks
8 singularly or did there have to be a --

9 A. Singly.

10 Q. And does Judy have the right --

11 A. Singly.

12 MR. ROSENBERG: Wait for the court
13 reporter.

14 MR. FABIAN: Q. Anyone else have
15 signature parallel checks for FIP during its
16 history?

17 A. No.

18 Q. Mr. Wapnick?

19 A. No.

20 Q. Let's say since 1975, have you written
21 any checks to Helen Schucman, which you signed them,
22 in which where royalties or other remuneration with
23 respect to A Course in Miracles?

24 A. Probably.

25 Q. Do you specifically recall writing any

1 checks?

2 MR. ROSENBERG: To Helen?

3 MR. FABIAN: Q. To Helen.

4 A. Specifically recall, no, but I'm sure
5 that I did because we send her money.

6 Q. And do you recall whether any money was
7 sent to Louis Schucman after Helen Schucman's death?

8 A. Yes.

9 Q. Are you able to approximate for us today
10 how much money was paid to Helen and how much to
11 Louis?

12 A. I can give you Louis pretty well.

13 Q. Okay. Give me Louis.

14 A. Louis has received since 1985 -- that's
15 the best can I do -- approximately \$45,000 a year.

16 Q. A year?

17 A. A year.

18 Q. I'm sorry. I didn't hear.

19 MR. ROSENBERG: Your voice dropped off.

20 MR. FABIAN: Q. And do you know on what
21 basis he's paid? Is it a certain percentage of the
22 retail sales or the wholesale?

23 A. It was originally an agreement that we
24 would pay ten percent of the net sales.

25 At a certain time, in the late '80s or

1 early '90s, maybe the middle of '80s. I am not
2 sure. The sales of the book increased
3 significantly, and ten percent of the net sales was
4 quite a larger amount than Louie said he needed. So
5 we restructured what we were going to pay him, and
6 that's where we got the \$45,000 figure.

7 Q. So is it a flat \$45,000 today as opposed
8 to any percentage?

9 A. There's something about if something
10 drops to something, there would be a floor --

11 Q. Now, when you say "there's something,"
is
12 that something in writing?

13 A. I believe so.

14 Q. And when did that writing take place, as
15 best you can recall, as to this \$45,000 number?

16 A. I don't remember. It was certainly after
17 1985.

18 Q. Have you seen that writing?

19 A. Not recently.

20 Q. But ever?

21 A. Yes.

22 Q. Were you a signatory to that writing?

23 A. I probably was.

24 Q. Other than Louis Schucman and
25 Helen Schucman, does anyone else receive any

1 remuneration in connection with the sale of A Course
2 in Miracles? And I'm not referring to the
3 distributor. I mean any individuals.

4 A. No.

5 MR. FABIAN: Q. We would ask for a
6 production of that agreement.

7 That's a note to my assistant over there.

8 Q. Mr. Skutch, have you ever been requested
9 since 1975 to speak at a public gathering in
10 connection with or about A Course in Miracles?

11 A. I have never been requested.

12 Q. Have you without request done so?

13 A. Talk about A Course in Miracles, no.

14 Q. Have you ever given a public speech or
15 talk in which you made reference to the Course?

16 A. Yes.

17 Q. And how often have you done that?

18 A. Twice.

19 Q. And where was it?

20 A. Maybe three times.

21 Q. Just tell us where that was.

22 A. One was at Bodhi Tree Book Store in Los
23 Angeles, and it was related to my book, Journey
24 Without Distance.

25 And another place was called the Barn

1 Yard in Carmel, which also had to do with my book.

2 Q. Where there questions and answers during
3 those couple of occasions?

4 A. Yes.

5 Q. And during the question-and-answer
6 period, were there any questions concerning the
7 authorship of the Course?

8 A. I don't recall. I don't remember.

9 Q. Have you ever been asked publicly or
10 privately of questions concerning the authorship of
11 the Course? And I don't mean with respect to the
12 copyright office.

13 A. Publicly?

14 Q. Publicly or private.

15 A. Publicly, no. Privately, I don't know.

16 Q. I'm sorry. You weren't finished?

17 A. Privately --

18 MR. ROSENBERG: Outside of the
19 litigation.

20 THE WITNESS: No.

21 MR. FABIAN: Q. During any of the board
22 or executive committee meetings that you've attended
23 over the course of the years, have there been
24 discussions of whether Jesus is the author of the
25 Course and what the position of FIP is with respect

1 to that issue?

2 A. No.

3 Q. Is there anything in the minutes that you
4 recall of any meeting that relate to that issue?

5 A. No.

6 Q. Have you ever indicated to any third
7 party, whether orally or in writing, that anything
8 in A Course in Miracles is untrue?

9 A. Untrue?

10 Q. Yes.

11 A. No.

12 Q. Do you personally believe anything in A
13 Course in Miracles is untrue?

14 A. Not that I can think of.

15 Q. As I understand it, the royalties or
16 whatever the monies are that are received from your
17 book are paid to the Foundation for Inner Peace; is
18 that correct?

19 A. That's correct.

20 Q. Are you able to estimate for us how much
21 that would be since 1980 or since it was published
22 in '84?

23 A. Well, there have been 60,000 copies sold.
24 And if I were to guess, I would guess maybe \$2 a
25 copy.

1 Q. And as the treasurer, are you familiar
2 today with the various sources of income of the
3 Foundation for Inner Peace --

4 A. Yes.

5 Q. -- from 19 -- let's use the year 1988.

6 Would you be familiar with that
7 information?

8 A. Yes.

9 Q. And other than your book, which is a
10 source of income, what other sources of income are
11 there for the Foundation for Inner Peace?

12 A. There are donations.

13 Q. Other than donations. I mean income as
14 opposed to contributions.

15 A. There are investments.

16 Q. What investments does the Foundation
17 have?

18 A. There are investments in mutual fund, in
19 a limited partnership.

20 MR. ROSENBERG: I'm going to designate
21 this attorneys' eyes only for the time being, and
22 then we could sort it out.

23 MR. FABIAN: Let me ask one question
24 first.

25 Q. Do you know whether the information with

1 respect of the sources of income is filed with the
2 Attorney General's office or anyone else's office
3 that's a public official each year?

4 A. Would a -- Dean Witter mutual fund be --

5 Q. No. Well, since we don't know, we'll ask
6 Kate -- just for the moment.

7 MR. ROSENBERG: This will be attorneys'
8 eyes only material as that is used -- is the draft
9 protective order.

10 MR. FABIAN: I believe it's filed with
11 the Attorney General's office.

12 MR. ROSENBERG: And if it is, we can
13 immediately undesignate it.

14 What we have been doing is separately
15 binding parts that are deemed confidential.

16 MR. FABIAN: Off the record.

17 (Discussion off the record.)

18

19 (Confidential proceedings under separate
20 cover for attorneys' eyes only, pages 96 to 107,
21 inclusive.)

22

23

24

25

1 MR. ROSENBERG: How late are you going to
2 go?

3 MR. FABIAN: I think my role would be if
4 I had any more time, it would be a half hour or so,
5 and then I don't have any problem by finishing by
6 phone some day if we have to do that, so I'll stop
7 at 5:00.

8 MR. ROSENBERG: I have a few questions
9 that I would like to ask and I would like to do that
10 today, just so it's on this transcript in case we
11 don't resume. Do you have any problem with that?

12 But I certainly will agree that if we
13 need Mr. Skutch, by some agreement either here or by
14 phone or something, we'll do something.

15 MR. FABIAN: We'll continue.

16 Q. Before we look at that particular
17 document, do you recall whether anyone at the
18 Foundation requested that you send that letter?

19 A. I forget what the document was. What
20 were we talking about?

21 Q. A letter which in effect you said to the
22 Church, "Hey, stop doing that."

23 A. Yes.

24 MR. ROSENBERG: Stop doing something.

25 MR. FABIAN: Stop doing something.

1 Q. And so my question then is, Do you recall
2 whether anybody requested that you send that letter
3 at the Foundation?

4 A. No.

5 Q. Did you make that determination by
6 yourself?

7 A. Yes.

8 Q. And prior to sending the letter out, did
9 you have it reviewed by anyone?

10 A. I think so. I think I showed it to Judy.

11 Q. Okay. And did you have any conversation
12 with Judy about that letter?

13 A. Yes. "This is the letter I'm going to
14 send, and what do you think?"

15 Q. And prior to your sending that letter,
16 had you had any communication for any reason
17 personally with anybody at the Church?

18 A. Only the lady who ordered the books.

19 Q. Do you remember her name?

20 A. Marty.

21 Q. What conversation did you have with
22 Marty?

23 A. About the books.

24 Q. Do you remember when that conversation
25 was?

1 A. Whenever she called, I would have a
2 conversation with her.

3 Q. So it would be, "I need 20 books"?

4 A. "When can I get them?" "How much
are
5 they going to cost?"

6 Q. And what is your policy -- what was your
7 policy with the Church in connection with payment?
8 Do they have to pay before you ship the books?

9 A. That is our policy with everyone.

10 Q. So you don't have a lot of accounts
11 receivables with respect to sale of books?

12 A. No.

13 MR. ROSENBERG: I wish you and I could do
14 business that way, Larry.

15 MR. FABIAN: Q. Now, did you ever have
16 any conversation prior to your sending that letter
17 and the conversation you just talked about with Judy
18 relating to that letter with anyone at the
19 Foundation with respect to the Church?

20 A. I don't think so.

21 Q. So now if we could just take a look at
22 the letter for a moment.

23 MR. ROSENBERG: I don't know if it's been
24 marked.

25 MR. FABIAN: I thought you marked it

1 yesterday.

2 MR. ROSENBERG: Did I?

3 It couldn't be yesterday.

4 MR. FABIAN: I think this is it.

5 Q. I'm going to show you now Exhibit 16
6 dated February 18, 1995, and I'm going to ask you is
7 that the letter that we have been talking about
8 which you sent to the Church?

9 A. I believe that's the first letter that I
10 sent to them, yeah.

11 Q. And how did it happen that you sent it to
12 Marty?

13 A. Because Marty sent me the booklets.

14 Q. Now, when you say Marty sent you the
15 booklets, do you know which booklet she sent to you?

16 A. "Jesus is Speaking."

17 Q. And how did it happen that Marty sent you
18 that booklet?

19 A. I don't know. She sent us five of them.

20 Q. And five copies of "Jesus is Speaking"
21 or --

22 A. Five copies of Jesus.

23 Q. Just out of the blue, she sent you --

24 A. Five copies out of the blue, came in an
25 envelope, and said, "Here's a wonderful, little

1 pamphlet."

2 Q. And was that addressed to you?

3 A. Addressed to the Foundation, I believe.

4 Q. And it just wound up in your lap?

5 A. I run the mail room.

6 MR. ROSENBERG: Another one of your
7 responsibilities.

8 MR. FABIAN: Now we know why he's making
9 the big bucks.

10 Q. Now, the second paragraph it says, "Per
11 our phone conversation today, I am sending a recap
12 of our conversation of a couple weeks ago."

13 What was the conversation of a couple of
14 weeks ago, which would have been a couple of weeks
15 before February 18, 1995, as best you can recall it?

16 A. When I got the pamphlets, the booklets, I
17 called her, because we had never given permission
18 for them to quote the material. And it said on -- I
19 believe it said on there booklet permission was
20 given.

21 MR. ROSENBERG: Exhibit 3. Right here.

22 MR. FABIAN: Q. I'm sorry. You said --

23 A. So I spoke to her and said, "You know,
24 you have not gotten permission to do this, and we
25 would like you to stop."

1 Q. Okay.

2 A. "We would appreciate it if you would send
3 us a letter or have someone send us a letter saying
4 you won't do it anymore and you'll get rid of the
5 rest of the books and not print anymore."

6 Q. Okay. Anything else that you recall from
7 that conversation?

8 A. I said, "I would like a letter saying
9 you're going to do this and not print anymore."

10 Q. Do you recall what Marty said to you, if
11 anything?

12 A. I just assumed that -- I assumed she was
13 going to do that.

14 Q. But did she say anything to you that you
15 remember?

16 A. I don't recall, no.

17 Q. Did you know at that time what Marty's
18 position was, if anything, with Endeavor --

19 A. No.

20 Q. -- or with the Church?

21 Okay. You say in the second sentence,
22 "As I indicated at that time, although the booklet
23 indicates that Endeavor Academy has been granted
24 permission to use quotations from our copyrighted
25 work, no such permission has been requested in

1 writing, and none had been given."

2 Now, what was it that led you to
3 believe -- and I'm going to show you the book, which
4 is marked as 3.

5 What was it that led you to believe that
6 the book or the booklet indicated that Endeavor had
7 been granted permission to use the quotations?

8 It doesn't help to show me.

9 MR. ROSENBERG: You need to articulate
10 it.

11 THE WITNESS: Oh. On the back page it
12 says, "These words of Jesus Christ are from A Course
13 in Miracles copyrighted by the Foundation for Inner
14 Peace."

15 MR. FABIAN: Q. That's the total of the
16 verbiage which led you to make the statement that I
17 just read to you; is that correct?

18 A. Right.

19 Q. Further in this paragraph it says, "As
20 you now know, after having received our guidelines
21 for quoting material that I sent you after we spoke
22 on the phone two weeks ago"

23 Do you recall specifically that you sent
24 such guidelines to Marty?

25 A. If I said I did it, I did it.

1 Q. And when you sent such material, do you
2 normally send it regular mail?

3 A. Regular mail.

4 Q. And how long are those guidelines? One
5 page? Ten pages?

6 A. One or two pages.

7 Q. You fax it to her by any chance?

8 A. I don't think so.

9 Q. By the way, when were those guidelines
10 promulgated, meaning at some point in time did the
11 board say, "Here's our guidelines"?

12 A. At some point in time, we put them out
13 for distribution because we felt that was the thing
14 to do and that probably was -- I'd have to guess
15 '93, maybe.

16 Q. We'll come back to that in a moment.

17 After the sending of this letter, did you
18 receive a telephone conversation from
19 Theodore Poppe?

20 You didn't receive a conversation. Did
21 you receive a call?

22 MR. ROSENBERG: I was going to let it go.

23 It's late. We're tired.

24 THE WITNESS: I did receive a call.

25 Whether it came before I got a letter from him or

1 after, I don't know.

2 MR. FABIAN: Q. Well, whenever it came,
3 do you recall speaking to Theordore Poppe concerning
4 this situation which had arisen?

5 A. I remember the call quite well because it
6 was very little I said.

7 Q. And do you know who that call was with?

8 A. Ted Poppe.

9 Q. Had you ever met Ted Poppe?

10 A. No.

11 Q. How do you know it was him?

12 A. He told me.

13 Q. Do you recall what Mr. Poppe said and
14 what you said during the course of that
15 conversation?

16 A. I can't recall what he said because it
17 didn't make a lot of sense to me, so I can't tell
18 you. But in the end he ended up with saying that
19 "I'm sorry. We're going to do what we're going to
20 do."

21 Q. And that's what you recall was the
22 essence of that conversation?

23 A. He could have done it in two minutes.

24 Q. But he didn't do it in two minutes?

25 A. No.

1 Q. Do you recall anything that you said to
2 him?

3 A. "Uh-huh. Uh-huh."

4 MR. ROSENBERG: The record would reflect
5 there were "uh-huhs" in response to Mr. Poppe.

6 MR. FABIAN: Q. So you were, in effect,
7 agreeing with Mr. Poppe? Just kidding.

8 A. You get a dart on that one.

9 Q. Did you ever receive any further
10 telephone calls from anyone else at the Church with
11 respect to this issue?

12 A. No.

13 Q. What did you then do after the telephone
14 conversation with Mr. Poppe? Did you talk to anyone
15 else at the Foundation about this?

16 A. Yeah. I talked to Judy about it and said
17 I got this weird call.

18 Q. Now, at that point in time, other than
19 your conversations with Marty, did you know anything
20 about the Church?

21 A. I had heard some things about it. And I
22 can't, again, put this into a time frame. I can't
23 tell if it was before or after.

24 Q. I'm not asking -- you don't know whether
25 it was before or after the conversation.

1 So let me ask: Do you recall anything
2 you heard about the Church prior to this
3 conversation with Ted Poppe other than they bought
4 books from you?

5 A. Probably. Probably.

6 Q. Do you recall what you had heard?

7 A. I heard that there was a group in
8 Wisconsin, which they called God's Country Place,
9 and there was someone there called the Master
10 Teacher and that people went there and some
11 people -- I had heard -- were asked to or they did
12 give all of their life's possession to them and were
13 allowed to stay there for that purpose. That's what
14 I had heard.

15 Q. And do you know who you heard this from?

16 A. No. I can't tell you who.

17 Q. Do you know if this type of information
18 which you've just discussed was ever discussed at an
19 executive committee meeting or a board meeting --

20 A. No. It was never discussed.

21 Q. Let me finish. -- prior to the Poppe
22 conversation, and the answer is no?

23 A. No.

24 Q. And would it be no if I asked you after
25 this Poppe conversation?

1 A. That's true.

2 Q. Were there ever any discussions prior to
3 this litigation taking place that contact should be
4 made with the Church or some representative of the
5 Church to try to iron out these problems?

6 A. We wrote a letter, which was there, and
7 there's another letter I believe I wrote to him
8 somewhere. And the answer was "We're not going to
9 pay attention to you."

10 Q. So your understanding from the response
11 that you got was "We're not going to pay any
12 attention to you"?

13 A. Yes.

14 Q. What did you do with the responses that
15 were given by the Church?

16 You've indicated there were written
17 responses. Did you show them to someone else?

18 A. I showed them to Judy.

19 Q. Did you have discussions with Judy as to
20 what should be done?

21 A. Yes.

22 Q. And tell me what she said and what you
23 said.

24 A. We said that this is something that
25 Penguin should handle now because they have the

1 copyrights to -- they've got the rights to publish
2 the books and they should handle it.

3 Q. Anything else? Did you have any other
4 discussion?

5 A. No. That was basically the discussion.

6 Q. And who contacted, if anyone, Penguin to
7 say, "Hey, Penguin, take care of this"?

8 A. I think Judy did.

9 Q. Did you have any further all with Penguin
10 with respect to how they should handle the
11 situation?

12 A. No.

13 Q. Do you know if anyone other than Judy had
14 contact with Penguin?

15 MR. ROSENBERG: From FIP?

16 MR. FABIAN: Q. From FIP with respect to
17 handling this situation of the Church.

18 A. No. Nobody else.

19 Q. Did the fact of this -- and I'm just
20 calling it the situation with the Church -- make its
21 way into the minutes of executive committee meeting
22 or board meeting of FIP?

23 A. I would doubt it.

24 Q. How often are there board meetings at
25 FIP?

1 A. Once a year.

2 Q. How about executive committee meetings?

3 A. Executive committee meetings are
4 informal.

5 MR. ROSENBERG: But the question is how
6 many times.

7 THE WITNESS: I don't know.

8 MR. FABIAN: Q. So when you say
9 informal --

10 A. When they're needed.

11 Q. Is it a meeting in the sense that
12 everyone comes to the same place, or does it
13 sometimes happen by telephone?

14 A. There are only three on the executive
15 meeting: Judy, me and Ken. Ken lives in the East.
16 So when we want to discuss something, it's got to be
17 by telephone.

18 Q. If the, quote, "executive committee"
has

19 a telephone meeting, does it make its way into any
20 minutes as far as you know or it's just a
21 conversation?

22 A. Probably not a conversation. Something
23 big -- a big decision will probably make its way
24 into the meeting -- the board meeting.

25 MR. ROSENBERG: I do have a few

1 questions.

2 MR. FABIAN: I want to see if I can
3 finish up an area or two here.

4 Off the record.

5 (Discussion off the record.)

6 (Confidential proceedings under separate
7 cover, pages 123, inclusive.)

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1 MR. FABIAN: I guess we'll mark this as
2 26. It's just a letter dated May 28, 1996.

3 (Whereupon, Defendant's
4 Exhibit 26 was marked
5 for identification.)

6 MR. FABIAN: Q. I'm showing you a letter
7 dated May 28, 1996, which says from Bob Skutch.

8 Is that your handwriting?

9 A. Yes.

10 Q. And did you send that letter on or about
11 May 28, '96?

12 A. Yes.

13 Q. So prior to last month, there were other
14 discussions with Penguin --

15 A. Well, this isn't a discussion. It's a
16 letter.

17 Q. Other --

18 MR. ROSENBERG: Communications.

19 MR. FABIAN: Q. Communication?

20 A. Yes. Yes.

21 Q. And other than the two that you've now
22 mentioned, this letter and the oral communication,
23 have there been any other oral or written
24 communication with Penguin with respect to their
25 sales efforts or sales from you?

1 A. I can't recall any.

2 Q. So we can clarify this, are you familiar
3 with someone by the name of Marianne Williamson?

4 A. Yes.

5 Q. And did FIP ever commence any litigation
6 against Marianne Williamson?

7 A. No.

8 Q. Did you ever have any written
9 communication with her concerning certain things
10 that she was doing or her publisher was doing that
11 the Foundation wanted stopped?

12 A. Directly with her?

13 Q. No. With her or her agents?

14 MR. ROSENBERG: Or publisher.

15 THE WITNESS: With her publisher, yes.

16 MR. FABIAN: Q. Do you know who it was?

17 A. Sure. Harper Collins.

18 Q. What was the nature of that
19 communication?

20 A. The nature of that communication was that
21 we had given her permission to use, I believe, 500
22 words, may have been a thousand, of our documents in
23 her book, and she had used something like 3500
24 without permission.

25 And also she had quoted things from the

1 Course without attributing them and it sounded like
2 it came out of her mouth rather than the Course.
3 That was the nature of --

4 Q. And was that situation eventually
5 resolved?

6 A. Yes.

7 Q. And is her book being published today in
8 some form?

9 A. I assume it's still in print. It came
10 out in '92, so assume it's still in print.

11 (Counsel confers with client.)

12 MR. FABIAN: Although I don't want to
13 bring out the smoking gun yet, I will save it for a
14 later time.

15 But at this time, we'll discontinue
16 subject to our prior discussion and you can ask the
17 few questions you have to ask now.

18 MR. ROSENBERG: Right, which I understand
19 is out of order, meaning that you'll have the right
20 to resume by phone or out here or whatever we agree
21 upon, and I will try to make this fairly brief,
22 recognizing the hour.

23

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25 //

1 EXAMINATION BY MR. ROSENBERG

2 MR. ROSENBERG: Q. Sir, do you recall
3 being questioned earlier about Exhibit 22?

4 A. Yes.

5 Q. And particularly among others, page 110?

6 A. Yes.

7 Q. And Mr. Fabian asked you if there had
8 been certain changes from this text to the most
9 recent one. Do you recall that?

10 A. Yes.

11 Q. I would like to ask you some questions
12 about this text, meaning Exhibit 22. Okay?

13 A. Yes.

14 Q. And you'll follow along with me.

15 I am looking about the middle of --
16 actually the second full paragraph on page 110. And
17 it says, "The problem then arose concerning how he
18 could work with the Course if Judy had only one copy
19 with her..."

20 Who does the "he" refer to?

21 A. Jim.

22 Q. Jim Bolen?

23 A. Yes.

24 Q. And it says "Jim." That's Jim Bolen?

25 A. Yes.

1 Q. ."... decided the only thing to do was to
2 make a xerox copy.";

3 Have I read that correctly?

4 A. Yes.

5 Q. "Because of its publishing connection, he
6 was able to have the job done in 24 hours and only
7 for \$48.";

8 Do you see that?

9 A. Yes.

10 Q. Did you ever talk to Jim Bolen about this
11 ever?

12 A. No.

13 Q. At least outside of the litigation?

14 A. No.

15 Q. And you quote, quote, "only \$48.";

16 Is that a direct quote that Mr. Bolen
17 told you?

18 A. No.

19 Q. Do you know if it was precisely \$48 that
20 it was made for?

21 A. No.

22 Q. What was your purpose in including that
23 phrase?

24 A. To indicate that it cost a lot of money
25 at that time.

1 Q. To make one copy?

2 A. Yes.

3 Q. And it says he could have the job done in
4 24 hours. Do you know if literally Mr. Bolen had
5 the job done in 24 hours?

6 A. No.

7 Q. Could it have been 48?

8 A. Could have been 48.

9 Q. Reading on to the next paragraph, it
10 says -- and this is the part Mr. Fabian read --
11 "... Expedients did develop." That's mid-
sentence.

12 "Jim's copy started to be reproduced.
13 And those copies were then copied. And before long
14 there were over a hundred people in the
15 San Francisco area in possession of A Course in
16 Miracles."

17 Have I read that correctly?

18 A. Yes.

19 Q. Do you know that to be true, what you
20 wrote there?

21 A. No.

22 Q. Did you ever talk outside of the
23 litigation to Jim Bolen about what you wrote here?

24 A. No.

25 Q. Do you know if Jim's copy that he

1 received from Judy was reproduced?

2 A. No.

3 Q. Do you know if any copies that he made
4 were then copied?

5 A. No.

6 Q. Do you know if before long there were
7 over a hundred people in the San Francisco area in
8 possession of A Course in Miracles?

9 A. No.

10 Q. Do you know if there were five people in
11 the San Francisco area in possession of it --

12 A. No.

13 Q. -- at this time that the book's referring
14 to?

15 A. No.

16 Q. Do you know if there were 12?

17 A. No.

18 Q. Do you know any individuals other than
19 Judy and Jim Bolen who had copies in San Francisco?

20 A. No.

21 Q. What was the source of the information
22 for what you wrote in this book?

23 A. That was written as a way of trying to
24 express that a lot of people whom they had exposed
25 to A Course in Miracles' ideas for the first time,

1 and it was a way of saying a number of people had
2 been exposed to the ideas.

3 Q. You tried to suggest that people were
4 becoming interested in it?

5 A. Yes.

6 Q. But you have no knowledge of whether any
7 copies were made by Mr. Bolen, do you?

8 A. No.

9 Q. Were you trying to mislead by being a
10 fake or a fraud when you wrote this?

11 A. No.

12 Q. How would you describe what you did here?

13 A. I would describe that as literary
14 license, using a metaphor.

15 Q. And you, in fact, had written screenplays
16 for TV in the past. Correct?

17 A. Yes.

18 Q. And perhaps even more creative or
19 licensed than that, you were in the advertising
20 business before. Correct?

21 A. I admit that.

22 Q. And I think Mr. Fabian asked you this.
23 This was your first attempt to write a nonfiction
24 book. Correct?

25 A. Yes. Basically aside from Messages From

1 My Higher Self.

2 MR. ROSENBERG: I have nothing further
3 for today.

4 Again, I may have other questions on the
5 other areas that we have discussed, but I wanted to
6 have the record complete for today.

7 MR. FABIAN: Thank you.

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9 (Deposition adjourned at 5:17 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_____.

ROBERT SKUTCH

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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 duly sworn by me;

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 6, 1999.

Josephine V. Anguiano, CSR
Certificate Number 11386