

CASE TYPE: OTHER CIVIL

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SHERBURNE

TENTH JUDICIAL DISTRICT

EDWARD G. PALMER,

Plaintiff

**PLAINTIFFS' FIRST SET
OF INTERROGATORIES**

Vs.

SOLID ROCK CHURCH, INC. of
ELK RIVER, MINNESOTA, a
Minnesota Non-Profit Corporation,

Court File No. 71-C5-04-000821

WILLIAM NEAL MATTHEWS,
MARY BETH MATTHEWS,
LORIN STEPHENSON,
KYLE SMITH, JOHN DOE and
OTHER UNNAMED INDIVIDUALS.

Defendants.

TO: James A. Bumgardner, Attorney for Defendants, Terpstra, Black & Moore, Ltd.,
First National Financial Center, 812 Main Street, Suite 102, Elk River, Minnesota
55330.

PLEASE TAKE NOTICE that, pursuant to Rule 33.01(b) of the Minnesota Rules of Civil Procedure, you are requested and required to furnish answers to the following Interrogatories to Edward G. Palmer ("Plaintiff") within thirty (30) days from the date of service. These Interrogatories are continuing and require supplemental answers if additional responsive information is obtained. See Minn. R. Civ. P. 26.05.

DEFINITIONS AND INSTRUCTIONS

1. **You and your.** The terms “you” and “your” means and refer to all of the defendants, their agents, employees, representatives, or attorneys, and all other persons or entities acting on their behalf.

2. **Defendants.** The term “Defendants” means and refers to Defendants William Neal Matthews, Mary Beth Matthews, Lorin Stephenson, Kyle Smith and Solid Rock Church, Inc., and includes any of its current or former agents, employees, representatives, attorneys, officers, directors, divisions, and departments.

3. **Plaintiff.** The term Plaintiff means Edward G. Palmer and includes any of his current or former agents, representatives and attorneys.

4. **Communication.** The term “communication” means the transmittal of information (in the form of facts, ideas, inquiries or otherwise).

5. **Document.** The term “document” means all items referred to in Rule 34.01 of the Minnesota Rules of Civil Procedure, and any and all other written, printed, typed, or other graphic or photographic material of any nature, any audio or video recordings, computer data, as well as disks or other devices storing such data, and other data compilations from which information can be obtained, and translated, if necessary, by you through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of this term.

6. Identify (With Respect to Persons). When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally the present or last known place of employment. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

7. Identify (With Respect to Documents). When referring to a document, “to identify” means to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s).

8. Identify (With Respect to Communications). When referring to communications, “to identify” means to give, to the extent known, the (i) names, addresses and last known places of employment of the participants to the communication; (ii) the subject matter and precise content of the communication; (iii) the location(s) of the communication; (iv) the mode of communication (e.g. written, by telephone, meeting, etc.); and (v) the date of the communication.

9. Identify (With Respect to a Fact, Circumstance, or Event). When referring to a fact, circumstance or event, “to identify” means to give, to the extent known, the (i) time period or date of such fact, circumstance, or event; (ii) the place at which the fact, circumstance, or event occurred (if any); (iii) the identity of all persons with personal knowledge of the fact, circumstance, or event; (iv) a complete description of the fact, circumstance, or event; (v) the identity of all documents relating to the fact, circumstance or event.

10. Reflect, relate to, or refer to. The terms “reflect,” “relate to,” or “refer to” mean constituting, evidencing, containing, discussing, showing, reflecting, concerning, relating or

referring to in any way, directly or indirectly, and, when used in reference to the documents, also include documents underlying, supporting, necessary for the understanding of, now or previously attached or appended to, or used in the preparation of any document referred to or requested by any interrogatory.

11. **Parties.** The terms “plaintiff” and “defendants,” as well as a party’s full or abbreviated name or a pronoun referring to a party, means the party and, where applicable, its officers, partners, employees, agents, representatives and attorneys. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.

12. **Person.** The term “person” is defined as any natural person or business, legal or governmental entity or association.

13. **Concerning.** The term “concerning” means relating to, referring to, describing, evidencing or constituting.

14. **All/Each.** The terms “all” and “each” shall be construed as all and each.

15. **And/Or.** The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

16. **Singular/Plural and Past/Present Tense.** Words in the singular include the plural, and words in the plural include the singular. “Each” and “any” are both singular and plural. Words in the past tense include the present, and words in the present tense include the past. The word “including” should be construed without limitation.

17. **Objections.** If you deem any of the following interrogatories legally objectionable, in whole or in part, you shall set forth all grounds for the objection in sufficient detail to enable plaintiffs and the Court to determine the legal sufficiency of such objection. If you object in part, you shall fully respond to such part or parts of the interrogatory to which no objection is made.

18. **Gender.** Use of any terms denominating gender shall be construed to include both the masculine and the feminine.

19. **Claims of Privilege.** If a claim of privilege is asserted concerning any information sought or any document for which identification is requested, provide the following:

- (a) Identify all communications by stating the participants in the communication, the date of the communication, and the general subject matter of the communication.
- (b) Identify all documents by identifying the (i) type of document (letter, memo, and so forth); (ii) general subject matter of the document; (iii) date of the document; (iv) author(s), addressee(s), and recipient(s);
- (c) State the nature of the privilege asserted; and
- (d) State in detail the factual and legal basis for the claim of privilege.

20. **Organization.** The term “organization” or “corporation” herein shall be construed to mean Solid Rock Church, Inc. (“SRC”) and its predecessor the Elk River Assembly of God Church (“ERAG”) as organized under Minnesota Chapter 317, the Non-Profit Corporation Act.

21. **Governing Documents.** The term “governing documents” herein shall be construed to mean both the Articles of Incorporation and the Articles of Bylaws of SRC or its predecessor ERAG.

22. **Article.** The term “Article” or “Articles” herein shall be construed to refer to the Articles of Incorporation of SRC and its predecessor ERAG.

23. **Bylaw.** The term “Bylaw” or “Bylaws” herein shall be construed to refer to the Articles of Bylaws of SRC and its predecessor ERAG.

24. **Member.** The term “member” or “members” used herein shall be construed to mean any and all voting members and is not to be limited to a single member of the corporation or a member of the board or directors or an officer. These terms refer specifically to the entire or collective voting membership of SRC or ERAG.

25. **Officer.** The term “officer” used herein shall be construed to mean any and all officers as defined in the corporation’s governing documents. It shall also be defined as to include all such definitions in the Minn. Non-Profit Corporation Act at Chapter 317 and those members or individuals who served the corporation in those functions.

26. **Director.** The term “director” used herein shall be construed to mean any and all directors as defined in the corporation’s governing documents. It shall also be defined as to include all such definitions in the Minn. Non-Profit Corporation Act at Chapter 317 and those members or individuals who served the corporation in those functions.

INTERROGATORIES

INTERROGATORY NO. 1: Identify every person who has, or who you believe may have, any knowledge or information relating to the corporation's business meeting that elected William Neal Matthews president in 1992 including the date of the business meeting, all who attended said meeting and state the knowledge or information known or believed to be possessed by each such person.

INTERROGATORY NO. 2: Identify every individual or organization involved in the hiring of William Neal Matthews as president in 1992.

INTERROGATORY NO. 3: Identify every individual related in any way to William Neal Matthews that was a member of ERAG in 1992 and may have participated in promoting William Neal Matthews as candidate for president and senior pastor. State the knowledge or information known or believed to be possessed by each such person.

INTERROGATORY NO. 4: Identify every person who has, or who you believe may have, any knowledge or information relating to the corporation's business meeting held on July 1, 1993 including all who attended said meeting whether as an observer or member and state the knowledge or information known or believed to be possessed by each such person.

INTERROGATORY NO. 5: Identify every person who has, or who you believe may have, any knowledge or information relating to the corporation's business meeting held on July 11, 1995 including all who attended said meeting whether as an observer or member and state the knowledge or information known or believed to be possessed by each such person.

INTERROGATORY NO. 6: Identify every person who has, or who you believe may have, any knowledge or information relating to the resolution shown as Plaintiffs' Exhibit No. 7, 8, and 9, which is also shown in Court file 71-C4-99-1250 as Matthews' Affidavit Exhibit 6 pages 28-29. State the knowledge or information known or believed to be possessed by each such person. This includes the identity of those who drafted the resolution or were involved in its creation.

INTERROGATORY NO. 7: Identify every person who has, or who you believe may have, any knowledge or information relating to the meeting notice letter shown as Plaintiffs' Exhibit No. 6 and state the knowledge or information known or believed to be possessed by each such person. This includes who drafted the letter and all people who were involved in mailing the letter. It also includes every person that was sent the letter.

INTERROGATORY NO. 8: Identify every person who has, or who you believe may have, any knowledge or information relating to the corporation's resolution shown as Plaintiffs' Exhibit No. 15 and state the knowledge or information known or believed to be possessed by each such person. This includes those individuals who created and drafted the resolution and all of the people who attended the meeting cited as occurring on November 7, 1996.

INTERROGATORY NO. 9: Identify all individuals involved in the creation, drafting, implementation and filing with the Minnesota Secretary of State's Office the Amended Articles of Incorporation filing dated July 22, 1993, which are stated as member approved Articles from the July 1, 1993 corporate business meeting (shown in pleadings as Palmer Exhibit 6).

INTERROGATORY NO. 10: Identify all individuals involved in the creation, drafting, implementation and filing with the Minnesota Secretary of State's Office the Amended Articles of Incorporation filing dated October 11, 1995, which are stated as member approved Articles from the July 11, 1995 corporate business meeting (shown in pleadings as Palmer Exhibit 7).

INTERROGATORY NO. 11: Explain what role the Minneapolis law firm of Lindquist and Vennum played in the creation, drafting, implementing or filing of the Amended Articles filings of July 11, 1993 and October 11, 1995.

INTERROGATORY NO. 12: Identify all individuals who served in or you believe served in the capacity of an Officer of the corporation, the dates that they served, the reason they left and the office that they served in during the period of time from January 1, 1992 through December 31, 1996.

INTERROGATORY NO. 13: Identify all individuals who served in or you believe served in the capacity of a Director or deacon of the corporation along with the dates that they served and the reasons they left the office of director or deacon during the period of time from January 1, 1992 through December 31, 1996.

INTERROGATORY NO. 14: Identify all individuals who served in or you believe served in the capacity of a staff official or corporate employee of the corporation along with the position they held and the reason they left during the period of time from January 1, 1992 through December 31, 1996.

INTERROGATORY NO. 15: Identify all individuals who served in or you believe now serve in the current capacity of an Officer or Director of the corporation as of June 4, 2004.

This includes all internal and external directors or deacons who serve in the capacity and role of a member of the board of directors or the governing board of the corporation.

INTERROGATORY NO. 16: Explain in all possible detail why Lorin Stephenson's name, identification as the vice president, identification as the assistant secretary and personal signature appears on the October 11, 1995 Amended Articles filing with the Minnesota Secretary of State.

INTERROGATORY NO. 17: Explain in all possible detail why Lorin Stephenson personally told Plaintiff that Mary Beth Matthews was the secretary of the corporation.

INTERROGATORY NO. 18: Explain in all possible detail the role Mary Beth Matthews has played in corporate management and whether she has signed any corporate documents including checks and whether she has attended any board of directors or deacon meetings. Identify any and all corporate director meetings Mary Beth Matthews has attended and in what capacity she attended those meetings.

INTERROGATORY NO. 19: Identify all individuals that had the authority to sign corporate checks during the period of time between January 1, 1992 and December 31, 1996 and the periods in which they held that authority. Identify all individuals who have authority to currently sign corporate checks.

INTERROGATORY NO. 20: Identify in all possible detail the tangible and real property owned by the corporation itemizing its location, description and its estimated market value.

INTERROGATORY NO. 21: Explain in all possible details the circumstances and reasons surrounding the decision of William Neal Matthews to leave his corporate position in Chelsea, Michigan and accept the corporate position with ERAG in Elk River during 1992. Identify all individuals who may have knowledge related to this decision.

INTERROGATORY NO. 22: Identify all members during the period of January 1, 1992 and December 31, 1996 who was sent a written notice by the corporation that they were no longer considered a member of the corporation [for whatever reason].

INTERROGATORY NO. 23: Identify all documents that refer to or relate to your responses to these interrogatories.

Dated: June 4, 2004

PLAINTIFF

Edward G. Palmer, Plaintiff
Attorney Pro Se

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ACKNOWLEDGMENT

The party, upon whose behalf this pleading is submitted, by and through the undersigned, hereby acknowledges that sanctions may be imposed for a violation of Minn. Stat. § 549.211.

Dated: June 4, 2004

Edward G. Palmer, Plaintiff
Attorney Pro Se