

FILED

01 DEC 14 PM 4:41
CIRCUIT COURT OF THE STATE OF OREGON
LANE COUNTY

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

HARVEST HOUSE PUBLISHERS, a California corporation,

Plaintiff,

v.

THE CHURCH IN FULLERTON CORPORATION, a California corporation, a.k.a. The Living Stream Ministry, The Local Churches, and The Co-Workers of Witness Lee,

Defendant.

Case No. 12-01-24034
COMPLAINT - DECLARATORY JUDGMENT

Pursuant to the Uniform Declaratory Judgment Act at Or. Rev. Stat. 28.010 et seq., Plaintiff Harvest House Publishers alleges:

1.

Plaintiff, Harvest House Publishers (hereinafter Harvest House), is a publisher of Christian books and literature and is a corporation organized under the laws of the state of California. Harvest House has its principal place of business in Eugene, Oregon.

2.

Defendant The Church in Fullerton Corporation a.k.a. The Living Stream Ministry, The Local Churches, and The Co-Workers of Witness Lee, (collectively referred to hereinafter as "The Church"), is a corporation organized under the laws of the state of California and having its principal place of business in the state of California.

///

3.

**FIRST CLAIM FOR RELIEF
DECLARATORY JUDGMENT**

1
2
3
4 On or about December of 1999, Plaintiff Harvest House published a work entitled "The
5 Encyclopedia of Cults and New Religions," (hereinafter the "Work") which gives synopses of
6 non-mainstream religious and cult organizations. The Work contains a chapter on The Local
7 Church.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4.

On January 11, 2001, Harvest House received a letter from Defendant which expressed Defendant's concern with being characterized as a "dangerous cult" and "a significant threat to society" in Plaintiff's Work. Although Defendant expressed concern with its being included in "a book of cults" it made no specific objections to the characterizations of Defendant as they appeared in the Work.

5.

Defendant stated in its January 11 letter that in a manner of "direct fellowship," a face-to-face meeting at Plaintiff's place of business would be a preferred method of explaining "certain facts" that would allegedly be "crucial to" Plaintiff's evaluation of its position with regard to Defendant's practices.

6.

On January 31, 2001, Defendant sent a second letter to one of the authors of the Work, expressing a similar distaste for the alleged mischaracterization of Defendant appearing in the Work.

///

Page 2 - COMPLAINT - DECLARATORY JUDGMENT

The DuBoff Law Group, LLC
666 SW Hampton Street, Suite 200
Portland, Oregon 97233-8357
Telephone (503) 564-7024

COMPLAINT - DECLARATORY JUDGMENT

12/21/01 FRI 15:38 /TX/RX NO 77841

7.

1 Before agreeing to the proffered "face-to-face" meeting, Plaintiff's counsel offered
2 Defendant via written correspondence a chance to explain its objections to Plaintiff's Work and
3 to provide supporting documentation for Defendant's objections.
4

8.

5 Defendant responded to Plaintiff and the authors that it was disappointed that Plaintiff
6 retained counsel in the matter and further demanded a personal meeting in the form of a
7 "Christian fellowship" without the presence of lawyers. Defendant stated that it was giving
8 Plaintiff one last chance to meet "in a Christian way."
9

9.

10 On or about June 1, 2001, Plaintiff and the authors wrote a letter to Defendant expressing
11 its regret that Defendant interpreted Plaintiff's counsel's letter as antagonistic. Plaintiff further
12 requested written explanations of Defendant's objections to the material about Defendant
13 appearing in its Work. Plaintiff explained that the synopses relating to Defendant's organization
14 were based on accurate material and thorough research.
15

10.

16 On November 20, 2001, Defendant wrote a letter to Plaintiff stating that Plaintiff's
17 refusal to meet in person with Defendant only demonstrated that Plaintiff did not care what harm
18 it inflicted and that Plaintiff had acted with malice. In addition, Defendant listed the following
19 reasons for believing Plaintiff's Work to be defamatory:
20

21 a. the title of Plaintiff's Work would lead a reasonable reader to the conclusion that
22 all of the organizations profiled are cults;
23

24
25
26 ///

Page 3 - COMPLAINT - DECLARATORY JUDGMENT

The Duboff Law Group, LLC
600 SW Main Street, Suite 200
Portland, Oregon 97204-4147
Telephone (503) 942-8111

DECLARATORY JUDGMENT - COMPLAINT

12/21/01 FRI 15:38 [TX/RX NO 7784]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

b. each and every "disreputable practice" that the Work attributes to the Defendant is absolutely false with respect to the Local Churches; the Work misrepresents the beliefs, practices, purpose, and founders of the Local Churches, thereby "forcing" Defendant into a mold of what a cult is;

c. the Work imputes to Defendant moral and religious beliefs that it does not hold; and

d. passages from the Work falsely suggest that leaders of the Local Churches practice "shamanism," speak through demons, and encourage believers to communicate with devils.

11.

In short, it is Defendant's position that it is not a cult and possesses none of the attributes given it in Plaintiff's Work.

12.

It is Plaintiff's position that careful and thorough research was conducted on its part and information presented on Defendant in the Work was based on fact and truthful investigation.

13.

An actual controversy has arisen and now exists between the Plaintiff and Defendant relating to whether Plaintiff has defamed Defendant. Plaintiff desires a declaration of rights based on the information presented herein.

WHEREFORE, Plaintiff prays for a declaratory judgment against Defendant as follows:

A. That this Court declare that Plaintiff has not defamed Defendant with regard to material it published on the Defendant in its Work; and

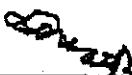
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

B. For such other and further relief as the Court deems just and proper.

DATED: December 13, 2001

The DuBoff Law Group, LLC



Leonard D. DuBoff, OSB 77437
Abby R. Michels, OSB 01352
Of Attorneys for Plaintiff