

## Deposition of Mr. J. Donald Walters: September 6, 1995

### Note:

This is the first of seven (7) parts of the deposition of Mr. J. Donald Walters. This part is dated Wednesday, September 6, 1995. Many subjects are covered in a random manor. Oftentimes, the same subject is brought up again in other sections.

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### Important Note:

All questions, accusations, and allegations, implied or otherwise, have not yet been ruled upon in a court of law. Some of them may never be. In the United States, defendents are innocent until proven guilty. These are public documents available at the San Mateo county courthouse, in California, USA. Mr. Walters is a public figure, and these documents are presented here for informational purposes.

1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SAN MATEO

3 --o0o--

4 (the plaintiff),

5 Plaintiff,

6 vs. No. 390 230

7 ANANDA CHURCH OF GOD REALIZATION, a California

8 not-for-profit corporation,et al.,

Defendants.

10 \_\_\_\_\_/

13 DEPOSITION OF DONALD WALTERS

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Volume I; Pages 1 - \*\*\*  
Wednesday, September 6, 1995

REPORTED BY: HOLLY THUMAN, CSR NO. 6834, RPR TOOKER & ANTZ

24 CERTIFIED SHORTHAND REPORTERS STEUART STREET, SUITE 201

SAN FRANCISCO, CALIFORNIA 94105

## I N D E X

EXAMINATION BY: PAGE MR. FLYNN:

4 --o0o--

5 EXHIBITS

6 PLAINTIFF'S FOR IDENTIFICATION PAGE

1 Letter dated August 31 from

8 Kriyananda to "Dear Ones"

9 2 Declaration of James Donald Walters in

Support of Motion for Summary

10 Adjudication 3 Rules of Conduct for Members, Ananda

World Brotherhood Village

1 --o0o--

2 BE IT REMEMBERED that on Wednesday, September 6,

3 1995 commencing at 10:09 a.m., thereof, at Tooker & Antz,

4 Certified Shorthand Reporters, 131 Steuart Street, Suite

5 201, San Francisco, California, before me, HOLLY THUMAN,

6 duly authorized to administer oaths pursuant to Section

7 2093(b) of the California Code of Civil Procedure,

8 personally appeared

9 DONALD WALTERS,

10 called as a witness, who, having been first duly sworn, was

11 examined and testified as hereinafter set forth.

12 --o0o--

13 APPEARANCES

14 FLYNN, SHERIDAN & TABB, P.O. Box 690, 6125 El

15 Tordo, Rancho Santa Fe, CA 92067, represented by MICHAEL J.

16 FLYNN and PHILIP H. STILLMAN, Attorneys at Law, appeared as

17 counsel on behalf of the Plaintiff.

18 HUB LAW OFFICES, 711 Sir Francis Drake Boulevard,

19 San Anselmo, California 94960, represented by FORD GREENE,

20 Attorney at Law, appeared as counsel on behalf of the

21 Plaintiff.

22 JON R. PARSONS, Attorney at Law, 2501 Park

23 Boulevard, Suite 207, Palo Alto, California 94306-1925,

24 represented by JON R. PARSONS, Attorney at Law, appeared as

25 counsel on behalf of the Defendants.

2 Also present when indicated were YVONNE HANCHETT;

3 PAUL FRIEDMAN; DR. PETER VAN HOUTEN; ASHA PRAVER; JOHN

4 NOVAK; and SHEILA RUSH.

5 Videographer: ROBERT BARBAGELATA, Dan Mottaz

6 Video Productions, One Lansdale Avenue, San Francisco,

7 California 94127, (415) 731-1300.

8 --o0o--

1 September 6, 1995 10:09 a.m.

2 --o0o--

3 EXAMINATION BY MR. FLYNN

4 THE VIDEO OPERATOR: Good morning. This marks

5 the beginning of videotape number 1 in the deposition of

6 Donald Waters --

7 THE WITNESS: Walters.

8 THE VIDEO OPERATOR: Excuse me, Walters, thank you

9 sir -- in the matter of (the plaintiff) versus Ananda

10 Church of God Realization, et al., in the Superior Court of

11 the State of California in and for the County of

12 San Mateo. The case number is 390230.

13 Today's date is September 6, 1995, and the time is

14 10:11 a.m.

15 The location of this deposition is 131 Steuart

16 Street on the second floor in San Francisco, California.

17 The deposition was noticed by attorney for the

18 Plaintiff, and the videotape is being produced on behalf of

19 same.

20 The video operator is Robert Barbagelata, a

21 California Notary Public for the County of San Mateo,

22 employed by Dan Mottaz Video Productions at One Lansdale

23 Avenue in San Francisco, California 94127, Area Code 415,

24 731-1300.

25 Would counsel present today please identify

1 themselves and state whom you represent?

2 MR. FLYNN: Okay. I'll start. Good morning. My

3 name is Michael Flynn, and I represent the Plaintiff,

4 (the plaintiff).

5 MR. STILLMAN: Good morning. Philip Stillman,

6 Flynn, Sheridan & Tabb, for the Plaintiff, (the plaintiff)

8 MR. GREENE: Ford Greene, G-r-e-e-n-e, sole

9 practitioner on behalf of Plaintiff, (the plaintiff).

10 MR. PARSONS: Do you want to include the other

11 legal staff here?

12 MR. FLYNN: No. I don't think we need to.

13 THE WITNESS: I'm Donald Walters for Church of --

14 Ananda Church of Self-Realization now. It was God

15 Realization.

16 MR. PARSONS: And Jon Parsons appearing on behalf

17 of the defendants.

18 MR. FLYNN: Are there any stipulations for the

19 record?

20 MR. PARSONS: I'm not certain we need any at this

21 point.

22 MR. FLYNN: No. We're going to proceed according

23 to the rules.

24 THE VIDEO OPERATOR: Okay. Swear in the witness

25 and proceed.

1 MR. FLYNN: Holly, would you swear in Mr. Walters,

2 please?

3 (The oath was administered.)

4 MR. FLYNN: Q. Would you state your name for the

5 record please, sir?

6 A. Donald Walters.

7 Q. How old are you, Mr. Walters?

8 A. I am 69.

9 Q. And I understand you're known by other names?

10 A. Yes. Kriyananda.

11 Q. Where did you get that name?

12 A. I got that name in 1955.

13 Q. Who gave it to you?

14 A. Daya Mata, the president of Self-Realization

15 Fellowship.

16 Q. What is Self-Realization Fellowship?

17 A. Self-Realization Fellowship is an organization

18 started by Paramhansa Yogananda in nineteen -- I guess it

19 was incorporated in 1935. He came to this country in 1920.

20 Q. And apparently, you were part of this

21 organization, Self-Realization Fellowship?

22 A. Yes. Yes.

23 Q. Can you explain a little bit about how you became

24 affiliated with that organization?

25 A. I became affiliated. I was there for 14 years.

1 Q. When?

2 A. I came to him in 1948.

3 Q. How old were you at that time?

4 A. 22.

5 Q. What was your occupation?

6 A. I had no occupation.

7 Q. Had you gone to college?

8 A. Pardon?

9 Q. Had you gone to college?

10 A. Yes.

11 Q. Where did you go to college?

12 A. I went to Haverford, and then Brown.

13 Q. Haverford College, where was that, sir?

14 A. That's outside Philadelphia. And Brown, of

15 course, you know, being from Boston. That's in Rhode

16 Island.

17 Q. Did you graduate from Haverford?

18 A. No. I left there after 2 years. I left Brown  
19 after a year and a half, and went down to the Dock Street  
20 Theater to study playwrighting. And I was there for a year;  
21 realized what I wanted was God.

22 And so from then on, I've dedicated my life to  
23 seeking God.

24 Q. How have you dedicated your life to seeking God?

25 A. By meditation, by service, by helping to share  
1 what I believe with other people, and by prayer.

2 Q. Have you been seeking God in the form of some  
3 traditional religious organization?

4 A. Yogananda came to show the unity between the  
5 original teachings of Krishna and the original teachings of  
6 Jesus.

7 So the tradition I follow is not a blend of those  
8 two so much as a recognition of the unity in the teachings  
9 of those two great teachers. And what I teach is a  
10 traditional teaching.

11 Q. Traditional teaching of who?

12 A. Both. Through the interpretation and --  
13 explanation, I should say, of Yogananda.

14 Q. Now, Yogananda, can you tell us who he is, or  
15 was? Is he still alive?



16 A. No. He passed away in 1952.

17 Yogananda was sent here to this country by his

18 teacher to disseminate the teachings of yoga -- which is to

19 say of meditation, not the yoga postures -- and to help

20 people to find themselves and their relationship with God

21 through quietening of the mind.

22 You see, the difference between prayer and

23 meditation is that prayer talks to God; meditation listens

24 for his answer.

25 So he taught both.

1 Q. This fellow Yogananda did?

2 A. This saint Yogananda did.

3 Q. Right. And when did he die?

4 A. '52.

5 Q. And you became known as Kriyananda 3 years after

6 his death?

7 A. Yes.

8 Q. And you mentioned someone named Daya Mata?

9 A. Daya Mata is presently still the president. She

10 is the third president of Self-Realization Fellowship.

11 Q. And you said she was the one who gave you this

12 name?

13 A. Yes.

14 Q. And in what context did she give you the name?

15 A. It was as a monastic vow. I joined the monastic

16 order, and this was final vows that I took in 1955.

17 Nor can I say with entire justice that she gave me

18 the name, because the name came to me in medication. I

19 proposed that as the name I wanted, so she granted that to

20 me.

21 Q. By what authority did she grant that to you?

22 A. She granted it to me as a representative of

23 Yogananda.

24 Q. Was she the head of his organization at that time?

25 A. Yes -- yes, at that time she was.

1 Q. And you mentioned final vows. What were those

2 final vows that you took?

3 A. The final vows were of poverty, chastity and

4 obedience and loyalty. Those four.

5 Q. Poverty, chastity, loyalty and obedience?

6 A. Yes.

7 Q. And what does "final" mean?

8 A. Final means that you take that vow for the rest of

9 your life.

10 I did not remain in the order; therefore, those

11 vows did not bind me after leaving the order except to the

12 extent that I chose to let them.

13 Q. Oh, who says that?

14 A. Pardon?

15 Q. Who said that the vows no longer bound you after

16 you left this order?

17 A. Well, as a matter of fact, in 1985, I got her to

18 dispense me from those vows.

19 Q. Can you explain how that happened?

20 A. Yes. I went to see her, and she prayed to God and

21 to our line of gurus and removed that restriction on me,

22 whatever you want to call it.

23 Q. Why did you ask for that restriction to be removed?

24 A. Because I was going to be married.

25 Q. In 1985, did you say?

1 A. Yes.

2 Q. Now, who did you marry then?

3 A. I married Rosanna Golia, from Naples, Italy.

4 Q. Had you ever been married before that?

5 A. Not legally.

6 Q. What do you mean by not legally?

7 A. Not legally means that it was a marriage before

8 God, but not before the law.

9 Q. So you married someone before you dispensed with

10 your vows?

11 A. Yes.

12 Q. Even though the vows were final?

13 A. My dear sir, my vows are between me and God, not

14 between me and the courts. How final they are and how I

15 treat them is my business.

16 Q. Well, why did you take them?

17 A. Why did I take them?

18 Q. Why did you make them final?

19 A. That was the system, and I accepted it. And I

20 have done the best throughout my life to live by them even

21 in marriage.

22 Q. Well, I'm a little confused.

23 Apparently, on your own, you married someone in

24 conflict with your vows. And then several years later --

25 A. No.

1 Q. -- you married someone else?

2 A. No. I made the announcement then that I was not

3 following that way.

4 I gave this announcement, made this announcement

5 public. I was -- I even put an article in the Yoga Journal

6 to help make it clear that I was taking this step

7 deliberately, and I was taking it because I felt that this

8 was the need of our community and of our times.

9 Q. I thought you said the vows were between you and

10 God.

11 A. Well, that's true.

12 Q. Why did you put it in the Yoga Journal?

13 A. The breaking of them was already the business of

14 the public.

15 Q. Who told you that?

16 A. I said that.

17 Q. Now, you mentioned that the vows are part of a

18 monastic order?

19 A. Yes.

20 Q. What monastic order was that?

21 A. This was the Self-Realization order.

22 Q. Is that the formal name of the order?

23 A. I guess so. It's Self-Realization Fellowship, so

24 -- see, when you've got a new organization, you don't have

25 categories as clearly defined. So you could say

1 Self-Realization Fellowship order, order of Self-Realization

2 Fellowship Church.

3 It's all the same thing. It was of that

4 organization founded by Yogananda.

5 In 1962, I ceased to be a part of that

6 organization. From then on, I had to follow my own inner

7 guidance.

8 Q. Well, I'm a little confused. Let me ask you

9 this:

10 Did -- is Yogananda the person who founded that

11 order?

12 A. No. It's a very ancient order. He represented

13 that order, and that order is a Swamy order.

14 Q. Wait. Let's talk about that for a minute. A

15 swamy order?

16 A. Yes.

17 Q. Is that what Yogananda belonged to?

18 A. Yes.

19 Q. And where does the swamy order derive from?

20 A. It's -- it was reorganized -- nobody knows how

21 ancient it is, but it was reorganized by Swamy

22 Chankaracharya probably 2000 years ago, but it's uncertain

23 when he was -- when he lived.

24 Q. And so Yogananda was a part of the Swamy order?

25 A. Yes.

1 Q. And he took vows as part of the Swamy Order?

2 A. Yes.

3 Q. And you took the same vows as part of the Swamy

4 order?

5 A. Yes.

6 Q. When you took the vows, did you become a swamy?

7 A. Yes.

8 Q. And again, that was in 1955?

9 A. Yes.

10 Q. Which I believe you said was 3 years after

11 Yogananda died?

12 A. Right.

13 Q. And the vows were poverty, chastity, loyalty and

14 obedience. Is that correct?

15 MR. PARSONS: Objection.

16 THE WITNESS: Yes.

17 MR. PARSONS: It's been asked and answered.

18 MR. FLYNN: Q. Now, chastity, what did that vow

19 -- you took a final vow of chastity.

20 What did that mean in the Swamy order in 1955?

21 A. Why don't you figure for yourself what it means.

22 Q. Well, sir, fortunately, for better or worse, I get

23 to ask the questions, and you get to answer them. So I'd

24 like an answer.

25 A. What it means is that you're chaste.

1 Q. No sex?

2 A. Uh-huh.

3 Q. Can I have an answer to that?

4 A. Yes.

5 Q. Chaste means no sex?

6 A. Right, right.

7 Q. So you took a final vow of no sex in 1955?

8 A. Yes.

9 Q. As part of this Swamy order which was part of this

10 Yogananda tradition?

11 A. Yes.

12 Q. And in 1985, you went to this person -- what's her

13 name?

14 A. Rosanna Golia.

15 Q. No, no. The person you went to to dispense of the

16 vows?

17 A. Daya Mata.

18 Q. And in 1985, she was the head of Yogananda's

19 organization?

20 A. Yes.

21 MR. PARSONS: These questions have been asked and

22 answered already. You should take notes if you're going to

23 have to keep asking him to repeat it.

24 MR. FLYNN: Q. Now, can you explain a little more



25 about who this fellow Yogananda was?

1 You mentioned that he was a saint. Can you --

2 A. What specific things are you interested in?

3 Q. Well, was he a saint in the sense that -- you know

4 how the Catholic church or various institutionalized

5 churches designate someone a saint, they canonize them and

6 they --

7 A. You may never do that until a person is dead.

8 Q. So --

9 MR. PARSONS: Mr. Walters, let's wait until he's

10 formulated a question so we can have some sort of coherent

11 question.

12 MR. FLYNN: Q. So was Yogananda declared a saint

13 after he died?

14 A. No.

15 Q. Was he declared a saint before he died?

16 A. We considered him a saint.

17 Q. "We" being who?

18 A. Those who have followed him.

19 Q. So when you took those vows of poverty, chastity,

20 obedience and loyalty, you took those vows of, for example,

21 obedience to Yogananda?

22 A. Yes. Except that that was not -- I gave him my

23 obedience when I met him.

24 Q. Well, I -- lets -- in 1955, he was dead, and you

25 were taking the vows.

1 A. Obviously, that would not be -- but the loyal --

2 Q. Who were you giving those vows to?

3 A. Obedience to his teachings, you could say.

4 Obedience to my superior, which would be Daya Mata. That's

5 it.

6 Q. Well, let me ask you this: Was there a formal

7 ritualized statement --

8 A. Yes.

9 Q. -- that you made when you took the vows?

10 A. Yes.

11 Q. And did that statement recite that you were vowing

12 to obey Yogananda, Yogananda's teachings, Yogananda's --

13 A. Through his representative, who was my superior.

14 Q. I see. Okay. And with regard to loyalty, when

15 you took the vow in 1955, 3 years after Yogananda died, who

16 were you vowing to be loyal to?

17 A. The organization. And of course, I was loyal to

18 him. There was no question about it.

19 Q. And the organization is what organization, sir?

20 A. The one I've mentioned.

21 Q. Which is what?

22 A. Why don't you tell me? I've told you five times.

23 MR. PARSONS: You're absolutely right that we're

24 apparently repeating things numerous times now.

25 The organization has already been identified as

1 the Self-Realization Fellowship.

2 MR. FLYNN: Q. Okay. That's different than your

3 organization?

4 A. Yes. Mine didn't exist.

5 Q. So when you went to this person in 1985 to

6 dispense with the vows, did you dispense with the vow of

7 loyalty to that Self-Realization Fellowship organization?

8 A. Oh, that was changed long before that, because I

9 left the organization in '62.

10 However, I have remained loyal in every way that I

11 could, not being a part of it. In other words, I believe in

12 it and I support it.

13 Q. Well, aren't you in litigation with that

14 organization?

15 A. Yes.

16 Q. But you're loyal to it?

17 A. Yes.

18 Q. To the organization?

19 A. Yes.

20 Q. Are you obedient to that organization?

21 A. I can't be. I would be if I could be, but I can't.

22 Q. When you went to see this fellow, this person Daya

23 Mata, in 1985, did you ask to be dispensed -- to be

24 dispensed of the vow of loyalty and obedience at that time?

25 A. It was generally just my vows.

1 However, it was understood from 1962 that in fact

2 I had no obligation to them of any kind. So it was a

3 formality, and you would like perhaps to call it a

4 sentiment, but there was no obligation.

5 Q. Is that the way they felt, or is that the way you

6 felt?

7 A. Both.

8 Q. Did they give you a letter to that effect saying,

9 you're no longer bound by your vows, in 1962?

10 A. They said, you're no longer a part of us.

11 Q. Who said that?

12 A. That's the -- I suspect -- let's see. That would

13 be the vice president at that time.

14 Q. What was his name?

15 A. Her name.

16 Q. Oh, her name. What was her name. Pardon me.

17 A. Tara, T-a-r-a.

18 Q. Tara --

19 A. Mata.

20 Q. Tara Mata?

21 A. Mata means mother in Sanskrit.

22 Q. I see. Same last name as this Daya Mata.

23 A. Yeah, because it's not a name. It's a title.

24 Q. And Kriyananda was a title or a name for you?

25 A. A name, yes.

1 Q. Now, you never graduated from Haverford or Brown?

2 A. No. Haverford or Brown, no, I didn't.

3 Q. It compels me to ask, I know you testified you

4 left, but forgive me for asking, but did you flunk out?

5 A. No. I took a leave of absence and never went back.

6 Q. Were you flunking any courses and were on the

7 verge of flunking out?

8 A. Well, I think I flunked one course. But no, I was

9 not flunking. I was still persona grata there.

10 Q. Having been a college person at one point in time

11 and having had your typical rough spots, some people leave

12 college when they think they're going to flunk out anyway.

13 Were you in that position?

14 A. Not at all. No. I was thinking -- I was seeking

15 something that they weren't giving me.

16 Q. What was that?

17 A. Truth.

18 Q. What courses were you seeking truth in?

19 A. I was trying to find a way of life that would help

20 me to feel more attuned to reality, more inspiration, more

21 love. All these things weren't a part of academia.

22 Q. Well, you were a student. Right? You weren't a

23 professor?

24 A. I was a student.

25 Q. So are there any courses -- did you take any

1 philosophy courses?

2 A. Uh-huh.

3 Q. What philosophy courses did you take?

4 A. Well, I brought a poetry book to class.

5 I didn't like the intellectual approach to truth.

6 I felt that that was not the way I wanted to find truth.

7 Not with the mind, but with the soul.

8 Q. What is truth?

9 A. That's a question that you can only understand,

10 not by definition, but by experience.

11 Q. Intellectually, it can't be grasped. Is that what

12 you're saying?

13 A. You can grasp theories, but you grasp the

14 experience by the intellect.

15 Q. How do facts differ from truth?

16 MR. PARSONS: Wait, excuse me. I object to the

17 relevance of this. And what do you mean by facts and truth,

18 and we're getting far afield on any sort of relevancy here.

19 MR. FLYNN: I'm just picking up on your own

20 client's testimony, Mr. Parsons.

21 MR. PARSONS: Well, I'm going to object to that

22 question. I'm going to instruct the witness not to answer

23 the distinction between facts and truths.

24 MR. FLYNN: Q. Dock Street Theater. I believe

25 you testified that came after you left Brown.

1 Incidentally, what course were you flunking?

2 A. What course did I flunk?

3 Q. Yeah.

4 A. Well, it's ironic, because I've composed so much

5 music, over 300 pieces. But I flunked music composition.

6 The reason I flunked is that I never went to class.

7 Q. Why did you not go to class?

8 A. Because I had lost interest in college.

9 Q. But you were interested in music?

10 A. Not at that time, no. If I'd really known that I

11 would be composing music, I would have studied. But I had

12 no idea.

13 Q. Did you take any psychology courses?

14 A. No.

15 Q. Have you ever studied psychology?

16 A. No. Just the way a dilettante would study.

17 Q. You mentioned 300 pieces of music you've

18 composed. Is this pop music, classical music, jazz, R&B?

19 What kind of music is this?

20 A. Much more classical than any of the others, but

21 you might call it --

22 Q. Orchestral music?

23 A. I beg your pardon?

24 MR. PARSONS: Excuse me. Please let him finish

25 his answer.

1 THE WITNESS: You might call it neo-classical in

2 the sense that it's more new age than baroque, but it's

3 melodic.

4 And so I don't follow the structure of classical

5 music so much. I wrote a quartet, and that follows the

6 structure, except that I didn't even realize that a quartet

7 usually has four movements, and this only has three, so that

8 shows my lack of sophistication.



9 Mostly what I write is from inside. But it's  
10 melodic, and its purpose is to uplift. It's to touch the  
11 soul rather than the intellect and the emotions. And it's,  
12 fortunately for me, had very good reviews.  
13 But that can't really tell you much about it.  
14 It's probably my best answer briefly.  
15 MR. PARSONS: Excuse me one second.  
16 (Discussion between the witness and his counsel.)  
17 MR. FLYNN: The record will note the conversation.  
18 Q. You mentioned the word "soul." What do you mean  
19 by the soul?  
20 A. The soul is that aspect of our nature which is a  
21 part of God.  
22 Q. What do you mean by God?  
23 A. Again, I think probably you need to experience  
24 such things.  
25 Q. Okay. Now, have you experienced God?  
1 A. I beg your pardon?  
2 Q. Have you experienced God?  
3 MR. PARSONS: I'm going to object. That's  
4 inquiring too -- too intimately into one's personal  
5 religious experience.  
6 I'm going to instruct the witness not to answer

7 whether he has experienced God.

8 THE WITNESS: But I feel comfortable saying --

9 answering another question.

10 Am I enlightened? No.

11 MR. FLYNN: Q. Well, I -- what's -- you keep

12 making these statements, Mr. Walters, which impels me to ask

13 these questions.

14 What is enlightenment?

15 A. Knowing your relationship with God by direct

16 experience.

17 MR. FLYNN: Okay. You're not going to let him

18 answer the prior question, Mr. Parsons, with regard to

19 whether or not -- even though he's given this testimony

20 about the definition of the word "soul," which he's used in

21 his testimony --

22 Q. As I understand, it's something to do with knowing

23 your relationship to God. I think that was the definition.

24 A. No.

25 Q. No, I didn't get it right?

1 A. No, you didn't get it right.

2 Q. Okay. Can you make it more right for me?

3 A. The soul is that aspect of God which is in each

4 one of us,

5 In other words, behind your ego, there is the  
6 presence of God. And that's your true self, and that's  
7 self-realization, to realize that. To realize that you are  
8 not Mr. Flynn; you're God acting a role as he acts in every  
9 atom in this universe.

10 It depersonalizes your existence and makes you  
11 realize that you're a part of the infinite.

12 Q. So I'm not really a lawyer; I'm part of some  
13 abstract, conceptual entity or flow in time?

14 A. It seems abstract only as long as you think you're  
15 a lawyer.

16 Q. And if I don't think I am a lawyer, then what  
17 would I think?

18 A. Well, you might be thinking something else. I'm  
19 not talking about that. I'm talking about when you stop  
20 thinking, when you rise above thought.

21 Q. But if I didn't think I was a lawyer, would I  
22 realize God?

23 A. No.

24 MR. PARSONS: Objection. It calls for  
25 speculation.

1 Let's try to get back on to something that has  
2 some relevance.

3 THE WITNESS: It's also wasting time.

4 MR. PARSONS: Yes, very much so.

5 MR. FLYNN: Q. Now, Dock Street Theater, how long  
6 did you last there?

7 A. I stayed there one year.

8 Q. Did you graduate from Dock Street Theater?

9 A. No, I never even joined. I studied sort of as a

10 layperson who was writing a play on his own and taking part  
11 in the dramatic activities there.

12 Q. I know nothing about Dock Street Theater. Was it

13 a training school for theatrics?

14 MR. PARSONS: Just let him --

15 THE WITNESS: Let him ask the question, yes.

16 MR. FLYNN: Q. Was it a training school for

17 theatrics?

18 A. It had a training school. This is different.

19 Dock Street Theater, it's still there, and it's a

20 very old -- I don't know how old, but much, much before my  
21 time.

22 It's a community theater, and they had classes

23 there, a course, for people who enrolled in this course.

24 I didn't want to study there, because I wasn't

25 interested in becoming an actor. I wanted to learn stage

1 craft. So I took part in the plays and the productions  
2 there. I was friends with them, but I didn't study there in  
3 that sense.

4 Q. Oh, okay. See, I kind of misunderstood you,  
5 because I kind of had you going from being a student at  
6 Brown -- being a student the Haverford, being a student and  
7 Brown, and being a student at Dock Street Theater.

8 A. No.

9 Q. But that's not correct. You were never a student  
10 at Dock Street Theater?

11 A. Right.

12 Q. Was that the type of institution that had a -- you  
13 paid tuition to go to classes there?

14 A. Well, since I didn't pay tuition and didn't go to  
15 classes, I have to assume that that's what they did, but I  
16 don't know.

17 Q. You don't know. Okay.

18 But in any event, you had no affiliation to Dock  
19 Street Theater --

20 A. Not --

21 Q. Other than kind of hanging out there?

22 A. Yeah, that's about right.

23 Q. Okay. But as far as Haverford and Brown, you were

24 enrolled as a student at both those institutions and paid

25 tuition. Is that correct?

1 A. That is correct.

2 Q. And you hung out at the Dock Street Theater for

3 about a year?

4 MR. PARSONS: That's been asked and answered.

5 MR. FLYNN: Q. Okay. Now, then at age 22, which

6 was what, 1948, did you say?

7 A. (Witness nods head.)

8 Q. -- you met Yogananda. Where did you meet him?

9 A. Los Angeles.

10 Q. And what were the circumstances under which you

11 met him?

12 MR. PARSONS: Objection. That question is vague.

13 What do you mean by "circumstances"?

14 MR. FLYNN: Q. Well, did you meet him in a pub,

15 did you meet him at a --

16 A. I met him at the Hollywood Church of

17 Self-Realization Fellowship.

18 Q. At the Hollywood Church. Okay.

19 And what was his function at that church?

20 A. He had been giving a service there. It was

21 Sunday, and he had interviews afterward, and I saw him then.

22 Q. Can you recall what you said to him, what he said

23 to you?

24 A. Yes.

25 Q. And what was that, sir?

1 A. I am sorry, that's between me and God. I don't

2 talk about things that are sacred to me just in a deposition.

3 Q. Well, was this like a confessional type --

4 A. No -- yes, it was, in a way.

5 Q. Like --

6 A. He asked me about my life, and I told him.

7 MR. PARSONS: So informally --

8 MR. FLYNN: Q. I'll respect that. I mean, if you

9 tell me it was like a confessional, we can --

10 A. It's a very sacred moment in my life.

11 Q. This -- the meeting --

12 A. The meeting.

13 Q. The fact of the meeting or the conversation, or

14 everything?

15 A. The moment. That means the fact. The meeting of

16 course made possible the facts.

17 Q. Okay. So what happened then? You then joined his

18 organization?

19 A. Yes.

20 Q. And did you start working for his organization?

21 A. Yes. I lived there in the monastery and did the  
22 work that they did.

23 Q. What kind of work did you do?

24 A. Well, it was mostly gardening, plastering, that  
25 kind of thing.

1 Q. All right. And how long did you garden and  
2 plaster?

3 A. Not very long. About 4 months, I think.

4 Then he put me in the job of answering letters and  
5 correcting the exam papers that people sent in.

6 Q. How long did you do that?

7 A. Well, probably off and on for the rest of my time  
8 there.

9 Q. Would it be a correct statement for me to say that  
10 in 1948, at the age of 22, you decided after having met  
11 Yogananda to dedicate your life to Yogananda and God?

12 A. Well, the decision was made before I met him.

13 Q. Can you explain that?

14 A. I had been planning to spend my life in seclusion.

15 And I didn't know how to meditate; I was trying to meditate  
16 without any knowledge of what it meant.

17 But it said in the Indian scriptures that you need



18 to meditate to know God, and to know your higher self, to  
19 quiet the mind so that you can be aware of your higher self.  
20 I came upon Autobiography of a Yogi in  
21 Doubleday-Doran -- it was Doubleday-Doran at that time; now  
22 it's Doubleday -- in New York City. And I was so moved by  
23 that book that I took the next bus to California.  
24 But my decision had been made. It was up to him  
25 whether he accepted me or not. But I can't say that meeting  
1 him was my conversion. The conversion occurred before I met  
2 him.

3 Q. Let me say -- put it this way.

4 Around the time that you read Autobiography of a  
5 Yogi -- which is a book authored, presumably, I take it from  
6 your testimony, by Yogananda?

7 A. It's authored by Yogananda, yes.

8 Q. Okay. Around the time you read this book by  
9 Yogananda, and met him, you decided to commit yourself to  
10 pursuing God and Yogananda's teachings.

11 Is that a fair statement ?

12 A. Well, before that, I decided to commit my life to  
13 God. I'd been seeking God for many years.  
14 So I felt finally I'd met somebody I could follow,  
15 because I felt he had wisdom.

16 Q. Fair enough. So prior to meeting Yogananda, you

17 had been seeking God for a number of years.

18 A. Yes.

19 Q. Around the time you read this book and met

20 Yogananda, you decided to seek God through Yogananda. Is

21 that a fair statement?

22 A. No. The fair statement is that I felt he could

23 teach me; that he knew things that I didn't know; that he

24 would help me to -- I found that I wasn't getting very far

25 in working on myself.

1 I needed somebody who could know my nature and

2 tell me what I needed to do that would help me to grow.

3 But in fact, I didn't know anything about these

4 things at that time.

5 Q. Well, you read the book before you met the person

6 who wrote it?

7 A. A week before.

8 Q. Right?

9 A. A week before.

10 Q. Oh, okay. A week before.

11 Now, I've heard this term "guru" a lot in this

12 litigation. And did Yogananda become your guru?

13 A. Yes.

14 Q. Did -

15 A. I should add something there.

16 Q. Sure.

17 A. He never -- he said, I never say, and I never

18 heard him say, I am the guru. He said, God is the guru. I

19 don't have disciples; they are God's disciples.

20 And he always maintained that attitude. In other

21 words, didn't draw energy to himself, but he helped us to

22 direct that energy, our energy, toward our own higher self

23 and toward God.

24 Q. Fine. Did you consider Yogananda to be your guru?

25 A. In God.

1 Q. Can I get a "yes" or "no"?

2 A. No. And I'll tell you why not, if you want to

3 know.

4 Q. I'd love to know.

5 A. Because a lot of people think that the person is

6 what people who follow gurus are attracted to.

7 It wasn't the person. It was the truths that he

8 represented. It was not a personal or idol thing, i-d-o-l.

9 It was the fact that this man could inspire me in a way that

10 nobody else had to find that truth within myself.

11 So when people nowadays use the word "guru," they

12 abuse the word, and I don't want to support that abuse.

13 Q. All right. Well, let me see if I can simplify

14 this a lot.

15 Since 1948, have you considered Yogananda to be

16 your guru?

17 A. Absolutely.

18 Q. And as your guru -- strike that.

19 Between 1948 and 1955, when you took the vows, did

20 you consider Yogananda to be your guru?

21 A. Yes.

22 Q. And when you took the vows in 1955, those were

23 final vows.

24 Now, during that 1948 to 1955 7-year period, were

25 you like in training to determine whether you were fit to

1 take those final vows, or ready to take those final vows,

2 like in other religious organizations?

3 MR. PARSONS: Well, that's a compound question now

4 that requires --

5 MR. FLYNN: Q. It is compound. But can you

6 answer it? You've got the drift of it.

7 MR. PARSONS: Well, I don't know if he can answer

8 what he thinks might be the question you think you asked.

9 MR. FLYNN: Q. All right. Between 1948 and 1955,

10 were you like in a training period to determine whether you

11 were ready to take the final vows?

12 A. I guess so.

13 Q. So then after 7 years, you decided you were

14 ready.

15 A. Yes. They invited me to take them.

16 Q. When you took those final --

17 A. In other words, it wasn't my gradual trying to

18 convince myself. It's the system that people at that time

19 had to wait 7 years -- now I believe it's 10 -- before they

20 were invited.

21 Q. Oh, I see. So there was a rule?

22 A. Uh-huh.

23 Q. And then the rule was 7 years?

24 A. Yes.

25 Q. Now the rule is 10 years?

1 A. I think, but I don't know. I'm not with them now.

2 Q. Oh, the rule is 10 years in that organization?

3 A. I'm talking about that organization.

4 Q. Which is Self-Realization Fellowship?

5 A. Yes.

6 Q. And there's a shorthand expression for that, isn't

7 there?

8 A. Pardon?

9 Q. Can we use the acronym for that --

10 A. SRF.

11 Q. SRF. We'll use that acronym, and we'll know what

12 we mean?

13 A. Yes.

14 Q. Okay. Now, your organization is separate from

15 them.

16 A. Yes.

17 Q. What is the rule in your organization with regard

18 to how long you wait to take vows

19 A. We are not --

20 MR. PARSONS: Assuming there is such a rule in our

21 vows, et cetera, I'll let the witness answer.

22 THE WITNESS: Our rule is different.

23 MR. FLYNN: Q. What is your rule?

24 A. Our rule is, it's a householder community. So

25 what people promise is that they will live lives of

1 self-control.

2 That is to say, voluntary self-control of

3 simplicity, not poverty; and -- poverty, chastity --

4 obedience is not our rule, either. Even when Yogananda put

5 me in charge of the monks, which he did, I never asked for

6 their obedience; I asked for their voluntary cooperation.

7 So we have that at Ananda also.

8 Q. Can I stop you right there?

9 A. Voluntary cooperation.

10 Q. No, you said something I was very interested in.

11 You said, "even when Yogananda put me in charge of

12 the monks" --

13 A. Yes.

14 Q. -- "I asked for their voluntary cooperation" --

15 A. Correct.

16 Q. -- not their obedience.

17 A. Uh-huh. In other words, I would have had --

18 Q. But please, Mr. Walters. But Yogananda was asking

19 for obedience.

20 MR. PARSONS: That misstates the testimony.

21 Do you have a question you'd like to ask the

22 witness?

23 MR. FLYNN: Q. Yes. Isn't it true that Yogananda

24 was asking for obedience? So why would you be interjecting

25 yourself and saying you were asking for voluntary

1 cooperation?

2 MR. PARSONS: That's a compound question. Let's

3 break it down into parts.

4 MR. FLYNN: Q. All right. Between 1948 and 1955

5 -- maybe I'm confused -- you were -- you considered

6 Yogananda to be your guru. And you would obey him. True?

7 Can you answer "yes" or "no"?

8 A. Yes.

9 Q. And if Yogananda said to do something, because he

10 said it, you did it.

11 A. Yes.

12 Q. And then he put you in charge of the monks, and

13 you kind of changed that rule a little bit.

14 A. No.

15 MR. PARSONS: Well, is that -- he's restating what

16 he seems to remember your testimony to be.

17 Wait till he's asked you a question.

18 MR. FLYNN: Q. Right. You didn't change the

19 rule?

20 A. No.

21 Q. Did you ask the monks to obey Yogananda?

22 A. I didn't have to.

23 Q. They already knew to do that?

24 A. Yes.

25 Q. So you didn't even have to ask them for their

1 voluntary cooperation, because they obeyed Yogananda, not



2 you.

3 A. May I give an example?

4 In an Army, you've got the general, but you've got

5 captains. And in matters of where the policy is already

6 established, the captain has to make it happen, so you obey

7 the captain. But you understand in obeying the captain that

8 you're obeying the general.

9 Q. So -- okay, I get it. So it was like a

10 military --

11 A. Except that it's not military.

12 Q. -- scale of leadership.

13 A. It could be comparable. Don't bring it to the

14 point of saying it's like a military in the sense of being

15 militaristic or that. It wasn't.

16 But when spiritual guidance was concerned, he gave

17 it. When -- my decision or suggestion that we meditate at 7

18 in the morning instead of 6:30, or vice versa, that would be

19 for me to do, under his guidance, and always under his

20 direct.

21 Q. And then after he died, whoever his successor

22 was, you did things under their guidance and direction?

23 A. Yes.

24 Q. And who was it -- was this person Daya Mata his

25 immediate successor?

1 A. No, there was the third. There was another --

2 James Lynn, his name was. He was the president. But he

3 only lived for a year.

4 Q. And did you obey him?

5 A. Was it a year? It was 2 years.

6 Q. Did you obey him?

7 A. Yes.

8 Q. And then when this person Daya Mata took over, you

9 obeyed her?

10 A. Yes.

11 Q. So when you took that vow in 1955 to obey --

12 according to a particular --

13 A. Daya Mata.

14 Q. -- Daya Mata, according to a particular statement,

15 did you vow to obey this organization called SRF --

16 MR. PARSONS: Objection.

17 MR. FLYNN: Q. -- in the statement you took?

18 MR. PARSONS: Okay. Objection. It's been asked

19 and answered. He's already testified on is that.

20 Let's move on to something that has some meaning

21 in the case.

22 MR. FLYNN: Oh, I -- Mr. Parsons, I believe this

23 all has very significant meaning, as I believe you will

24 see.

25 THE WITNESS: I've answered it, though.

1 MR. FLYNN: Q. Can you just give me another --

2 indulge me again, Mr. Walters. Can you answer that

3 question?

4 Did you vow in this specific statement that you

5 took at the time to obey SRF?

6 A. I vowed to obey Yogananda's living representative.

7 Q. Who was this person Daya Mata. Okay.

8 Do you happen to have that language in that vow or

9 those vows that you took in 1955?

10 A. I must have.

11 Q. Okay. We'd ask that that be produced.

12 Now, in 1962, apparently you had some differences

13 with these people, or with this organization. Is that

14 correct?

15 A. Yes -- no, it's not. They had differences with

16 me.

17 Q. All right. What differences did they have with

18 you?

19 A. Do I have to go into this entire long story of my

20 separation? It seems irrelevant to the present case.

21 Q. Well, you put it in your declaration in part,

22 so --

23 A. I did?

24 Q. Which you filed in this lawsuit.

25 A. That's right, okay.

1 Well, if you want it short --

2 MR. PARSONS: Let me state for the record --

3 MR. FLYNN: Please. Your objections should be

4 short, concise, succinct, and not designed to illuminate a

5 potential answer for the witness, Mr. Parsons, as you know

6 under the Rules.

7 MR. PARSONS: It would have been a lot quicker and

8 shorter if you'd just let me state it.

9 MR. STILLMAN: Well is there an objection, a legal

10 objection?

11 MR. PARSONS: Yes.

12 MR. FLYNN: Is there an objection, a legal

13 objection to the question?

14 MR. PARSONS: Are you done?

15 I'm going to object to the extent that the

16 question calls for this witness to disclose personal,

17 confidential matters that he feels are a matter of privacy.

18 I will permit the witness to answer to the extent

19 that it requires him to disclose things which have already  
20 been disclosed in his declaration, but which he feels are  
21 not personal and confidential.

22 MR. FLYNN: I object to that. It's -- that's just  
23 obstruction, there's no such recognized legal privilege.

24 THE WITNESS: I'll answer both of you. I'll  
25 answer both of you. There's nothing private about it. I've  
1 made a public declaration about it. I've always been open  
2 about it.

3 And it's more the length of it, that I could give  
4 the long story, and it would take us all day, wasting time,  
5 money, and getting nowhere.

6 It's in a number of documents, including one  
7 called "My Separation from SRF," which I would like to  
8 recommend you read, and you can introduce as much of it as  
9 you like into the testimony.

10 MR. FLYNN: Q. Well, let's take your short  
11 version then.

12 What happened between you and this organization?

13 A. The short version was, I was the only man on the  
14 board of directors, and I didn't see things the way the  
15 women did.

16 I wanted to spread the work and help others to

17 know it. They were trying to protect the work.

18 They got rid of me because they were afraid of the

19 energy I was putting out, and in their words, said that if

20 we keep him, in 15 years he'll be strong enough to divide

21 the work, which I never intended to do.

22 But they were afraid, and I would say jealous, of

23 my success.

24 Q. What success were you having that they were

25 jealous of?

1 A. I was having success in India lecturing to many

2 thousands of people, and -- that's enough.

3 Q. You were having success in India lecturing to many

4 thousands of people.

5 What other success were you having that they were

6 jealous of?

7 A. I was extremely popular.

8 Q. You were extremely popular. With who?

9 A. With the people I lectured to, with the people who

10 knew me. Even now in India they still talk about me.

11 Q. Can I stop you right there?

12 A. What they wanted, if I may continue --

13 Q. Go ahead.

14 A. -- was somebody who didn't do anything without

15 writing for approval from the board of directors and waiting  
16 6 months. And I felt that I needed to act with the freedom  
17 that a person on the scene has to have.

18 This is something that people have in  
19 organizations, especially when the means of communication  
20 was letters, as they were in those days.

21 As soon as I found out they didn't want what I  
22 did, then I said, okay, I won't do it.

23 I never resisted or rebelled or disobeyed, but I  
24 did presume that this is what the work needed, and this is  
25 how to build it. They didn't want that. They wanted

1 somebody who never did anything without their approval.

2 When they told me that's what they wanted, then  
3 that's what I tried to do. But by then, they were convinced  
4 that I never would anyway.

5 Q. You made a statement, "even now in India they  
6 still talk about me."

7 A. They.

8 Q. Who's they?

9 A. Many people. That's all I can say. When you say  
10 they, you presumably mean more than ten, but it's all I can  
11 really say.

12 Q. But you see Mr. Walters, the problem is, I didn't

13 say "they," you did.

14 A. And I'm saying what I meant by that. Many people.

15 Q. How do you know that?

16 A. Because I've been there, because they've written

17 to me, because they've talked to friends of mine, and so on.

18 Q. Now, you made a statement earlier that you wanted

19 to expand the work, and they, meaning these SRF folks,

20 didn't want to.

21 Do you recall that a moment ago?

22 A. No. I -- if -- I didn't -- I was trying to give

23 the short answer.

24 Yogananda wasn't well-known in India. I wanted

25 people to know about him. There were -- I mean, if you

1 really need this, I can tell you. The people --

2 Q. You see, if you could answer my precise question.

3 Did you state 2 or 3 minutes ago, they, meaning

4 these SRF people, didn't want to expand the work, but I

5 wanted to?

6 A. No --

7 Q. Did you make that statement, sir?

8 MR. PARSONS: I'm going to object to that. The

9 record speaks for itself. You can have the court reporter

10 read it back. I don't see any reason to ask the witness



11 what he said before.

12 Let's have it read back if you want to know what

13 he said.

14 MR. FLYNN: First of all, are you instructing the

15 witness not to answer my question?

16 MR. PARSONS: I will instruct the witness not to

17 answer.

18 MR. FLYNN: That's specifically obstructionist on

19 a very -- with no grounds cited, on a very important issue

20 in this lawsuit -- to wit, credibility -- which I am

21 entitled to probe into, Mr. Parsons. You are obstructing

22 the deposition.

23 Secondly, Mr. Walters made a statement that I

24 believe he is now attempting to retract. His retraction of

25 statements he's made in public, particularly regarding

1 issues relating to this lawsuit, is a subject of this

2 lawsuit.

3 Thirdly, Mr. --

4 THE WITNESS: What was the subject of this

5 lawsuit? Say it again?

6 MR. FLYNN: -- Mr. Walters -- your contradictory

7 statements, made in public and made in private.

8 Thirdly, Mr. Walters may have an excuse for a

9 contradictory statement. You are blocking my effort to find  
10 out what that potential excuse could be.

11 And I'm not going to suggest to you what they are,  
12 but they could involve any psychological impediment he's  
13 under, any medication impediment that he's under, which I  
14 would be entitled to probe into, all of which you have now  
15 blocked off.

16 And the record will so reflect.

17 Q. Now, Mr. Walters --

18 A. Excuse me, I have to go to the bathroom. I'll be  
19 right back.

20 MR. PARSONS: Let's take a break.

21 THE VIDEO OPERATOR: Mr. Flynn? Counselor, should  
22 we go off the record or stay on the record?

23 MR. FLYNN: Let's stay on the record. Leave the  
24 video on.

25 MR. STILLMAN: Just remember the mike's on.

1 MR. FLYNN: We're off the written record.

2 (Discussion off the record.)

3 MR. FLYNN: Okay. We're back on the written  
4 record. We've been on the video record.

5 Now, Mr. Walters, you are also referred to as

6 "Swamy"?

7 A. I was referred to as that. Now it's more like a  
8 nickname. Swamy has many meanings. It can be husband in  
9 India, even. So it's not a formal swamy. But it's a  
10 nickname. People call me that.

11 Q. A nickname?

12 A. Yes. In other words, they'd known me by that name  
13 for many years, so they just kept calling me that.

14 Q. Why had they known you for many years?

15 A. Because I was a swamy.

16 Q. You were a swamy and stopped being a swamy?

17 A. Yes, that's what I told you.

18 Q. When Daya Mata dispensed you of your four vows --  
19 poverty, chastity, loyalty and obedience -- you stopped  
20 being a swamy.

21 MR. PARSONS: Is that a question?

22 MR. FLYNN: Q. Is that correct?

23 A. Yes.

24 Q. Between 1955 and 1985, you were a swamy.

25 A. Yes.

1 Q. I believe you've written, and correct me if I'm  
2 wrong, that being a swamy means being celibate. Is that  
3 true?

4 A. Yes.

5 Q. Now, you considered Yogananda to be your guru.

6 Did you consider the successors to Yogananda -- to wit, this

7 person Daya Mata -- to be your guru?

8 A. No.

9 Q. And the definition of the term "guru" again, in

10 the monastic order that you took your vows in in 1955, means

11 what, Mr. Walters?

12 A. The same as it meant before I took my vows.

13 Q. Which is what?

14 A. That I, through his example and through his

15 inspiration, hope to be introduced to God.

16 Q. Can you give me a definition -- you've written

17 extensively, have you not?

18 A. Yes.

19 Q. How many books have you written?

20 A. I think it's about 63.

21 Q. 63 books.

22 A. I think.

23 Q. And articles. How many articles have you written?

24 A. Oh, I have no idea. Many.

25 Q. Hundreds?

1 A. Possibly. I really don't know.

2 Q. Over a hundred or less than a hundred?

3 A. I cannot say. I don't know. I've been teaching  
4 now for 46 years. That's a long time. Enough time to write  
5 quite a lot. But how many I've written, I really don't know.

6 Q. 46 years teaching. What have you been teaching in  
7 those 46 years?

8 A. The teachings of Yogananda.

9 Q. Have you been teaching the teachings of Kriyananda  
10 or the teachings of Yogananda?

11 A. Yogananda.

12 Q. Now, I believe you still haven't given me the  
13 definition of the word "guru" in the monastic order that you  
14 took the vows in.

15 Can you give me a definition?

16 A. Definition of guru would be apart from the  
17 monastic order. It's a spiritual thing. Householders were  
18 disciples, nonmonastics were disciples.

19 Disciples of a guru -- I mean, a guru is one who  
20 has realized God and helps others to realize him by  
21 teaching, by example, by inspiration.

22 Q. Yogananda was a guru?

23 A. Yes.

24 Q. Yogananda was your guru?

25 A. Yes.

1 Q. And you swore to obey Yogananda and his successors?

2 MR. PARSONS: Objection. It misstates the

3 testimony; it's been asked and answered.

4 I'm instructing the witness not to answer that

5 question. Let's move on.

6 MR. FLYNN: Q. Now, in 1962, you separated from

7 SRF, but you still remained a swamy. Is that correct?

8 A. Yes.

9 Q. Now, in 1962, when you separated from SRF, did you

10 quit or did they, in effect, fire you?

11 A. Fired me.

12 Q. And the reason they fired you -- let's do this

13 very cogently, if we can. I'd like to enumerate them.

14 The reason they fired you is, one, they wanted to

15 protect, and you wanted to expand.

16 A. This is the question that I wanted to refine.

17 Q. Can we say it cogently?

18 Did you say basically you wanted to expand

19 Yogananda's teachings, and they wanted to protect them?

20 A. I wanted to refine that statement, not retract it.

21 Q. What refinement did you want to give to that

22 statement?

23 A. They wanted to expand it by working on the office

24 and sending out lessons.

25 I wanted -- they were -- well, I'll try to keep it

1 brief. You see, my problem is not that I'm trying to hide.

2 I'm trying to -- I'm trying not to take an hour describing

3 something that I consider irrelevant.

4 The people in India were deadbeats. They weren't

5 doing anything for the work. The only way that I could see

6 to build the work was to start else where, get a new group of

7 people, come back with that new group, and revivify that

8 energy at the headquarters.

9 I did this with Daya Mata's permission. But the

10 other directors, when they found out that I was actually

11 doing something in New Delhi as opposed to Calcutta, they

12 began to think I was trying to separate the work. I was

13 not.

14 That was the effort. I was trying to bring life

15 to it, and they were trying to just send out lessons from

16 the headquarters office and do the same kind of asleep

17 activity, you might say, lack of activity, that had been

18 going on for 40 years.

19 Q. Now, when you say "deadbeats," you're talking of

20 people in the SRF organization as deadbeats?

21 A. In India. In India.

22 Q. In India. And these people had been deadbeats  
23 under Yogananda when he was alive for the prior 40 years?

24 A. Yes, I would say so.

25 Q. And even though thee people were acceptable to  
1 Yogananda, they weren't acceptable to you?

2 A. I don't think they were acceptable to him. There  
3 was nothing he could do about it. I was to go with him  
4 there to help revive it.

5 Q. Well, he was dead --

6 A. That was in 1950, 1951. And again in '52, but  
7 then he died.

8 Q. Well, when you were over there and got relieved of  
9 command, so to speak, that was later; right? That was like  
10 '58 to '62?

11 A. '62.

12 Q. So Yogananda had been dead for 10 years at that  
13 point?

14 A. Yes.

15 Q. Now, we'll accept that answer that you just gave  
16 as answer number one.

17 Are there any other reasons that they fired you?

18 A. I answered it by saying they were afraid of my  
19 energy. I think they felt I was too independent.



20 In other words, I had creative ideas. They didn't  
21 want somebody with creative ideas, and said as much.

22 Q. Let's just address that for a moment. Let's take  
23 that through history just for the moment.

24 How many people in your organization at the  
25 current time, roughly?

1 A. At the current time? Well, I don't know. But if  
2 you take into account all our different communities and so  
3 on, I would estimate about 800.

4 Q. Members?

5 A. Yes. Resident members. That probably includes  
6 children. I'm not really up on the figures.

7 Q. And how many members in their organization at the  
8 present time?

9 A. I can --

10 MR. PARSONS: I have an objection as to the  
11 definition of "member." And I haven't found any foundation,  
12 haven't heard any foundation, this witness can even testify  
13 as to how many members they have.

14 I'll certainly, however, let the witness testify  
15 to the extent he knows they're members.

16 THE WITNESS: It would be a presumption on my  
17 part. I really don't know.

18 MR. FLYNN: Q. Do you have a guesstimate?

19 MR. PARSONS: Same objection. I'll let him

20 answer.

21 THE WITNESS: Yes. I would estimate 20,000.

22 Mind you, when I say members of their

23 organization, there's no clear definition of "member." When

24 you speak of members of our organization, there's no clear

25 definition of what a member is.

1 I talked of resident members, but there are many

2 others.

3 MR. FLYNN: Q. I was just trying to put it in the

4 context of these SRF people being afraid of your energy, too

5 independent, and didn't want to create.

6 And then I see that they ended up with, according

7 to your own testimony, with about 20,000 members, and you

8 ended up with about 800, when they were creating and you

9 were creating alongside each other.

10 Is that basically what happened?

11 A. Well, they did have a head start.

12 MR. PARSONS: Wait a minute. I'm going to object

13 to the question.

14 I can't even make any sense out of it. It's

15 obviously argumentative, it's compound, it's speculation.

16 MR. FLYNN: That's fine, Mr. Parsons, but I  
17 believe the witness answered, and the answer is fine with  
18 me.

19 I believe the answer was, they did have a head  
20 start.

21 MR. PARSONS: That was a response, yes. I don't  
22 think that answered your question.

23 MR. FLYNN: Q. Now, when you say they did have a  
24 head start, why did they have a head start?

25 You were a direct disciple of Yogananda, they were  
1 a direct disciple of Yogananda. Is that right, Mr. Walters?

2 MR. PARSONS: I'm going to object --

3 THE WITNESS: I find that a ridiculous question.

4 MR. PARSONS: Wait a minute, Mr. Walters. I'm  
5 going to object that the question is argumentative.

6 MR. FLYNN: Fine.

7 Q. All right. Are there any other reasons you were  
8 fired?

9 A. No.

10 Q. Was (the plaintiff) a member of your church?

11 A. Not yet, as far as I know.

12 MR. PARSONS: Objection. Point of time. At what  
13 point in time was she a member of the church? 1962?

14 MR. FLYNN: At any time. At any time.

15 Q. Was (the plaintiff) a member of your church?

16 A. I have to say, I don't really know.

17 Q. Well, you counseled her, did you not?

18 A. At a certain point, I had to. But I didn't know

19 her.

20 Q. Did you counsel her as one of your members of your

21 church?

22 A. No.

23 Q. Did you counsel her as a person who walked in off

24 the street?

25 A. No.

1 Q. Did you counsel her as an employee of one of your

2 organizations?

3 A. No.

4 Q. Okay. We'll get back to that.

5 What other reasons do you know of that they fired

6 you?

7 A. I said, I don't know of others.

8 MR. PARSONS: This is -- this is 1962?

9 MR. FLYNN: 1962 we're back to.

10 Q. Did they fire you because you had been trekking

11 around Delhi with a Hindu woman --

12 A. No.

13 Q. -- who you were cohabiting with at the time?

14 A. No.

15 Q. Have you written any correspondence --

16 MR. PARSONS: I'm also objecting, it calls -- that

17 assumes facts not in evidence.

18 I'll certainly let the witness answer, and he has.

19 MR. FLYNN: Q. Have you written any

20 correspondence in which you recited the name of a woman you

21 were with in New Delhi --

22 A. No.

23 Q. -- in 1961 and -2?

24 MR. PARSONS: Objection. Vague as to time.

25 THE WITNESS: This is not the time element, anyway.

1 MR. PARSONS: I don't even know what time he's

2 talking about.

3 What time are you talking about?

4 MR. FLYNN: Q. Between 1962 and 1964.

5 A. No.

6 MR. PARSONS: Wait.

7 MR. FLYNN: Q. Did you write any letters?

8 MR. PARSONS: Okay. Go ahead. Ask the next --

9 MR. FLYNN: Please, Mr. Parsons, you're objecting

10 and obstructing.

11 MR. PARSONS: So no I'm not.

12 MR. FLYNN: You're objecting incorrectly and

13 obstructing improperly.

14 Q. Now, Mr. Walters, did you write any letters to any

15 women in India between 1960 and 1964 relating to your

16 relationship with them?

17 A. I'm not --

18 MR. PARSONS: Give me an opportunity to object.

19 THE WITNESS: All right. Sorry.

20 MR. FLYNN: Q. In 1964, did you write a letter in

21 which you contained the name of a woman who you had

22 allegedly been cohabiting with in India?

23 MR. PARSONS: I'm going to object. I'm not going

24 to let the witness testify as to any personal events which

25 happened. It intrudes unreasonably into his sphere of

1 privacy and confidentiality.

2 It also assumes facts not in evidence; it's

3 argumentative.

4 MR. FLYNN: The issue in this case, though,

5 Mr. Parsons is that this witness --

6 MR. PARSONS: Parsons. Your client is (the plaintiff).

7 MR. FLYNN: Mr. Parsons, the issue in this case is

8 that your client rubbed his penis against my client's face

9 in a counseling session.

10 The issue in this case is that your client has

11 abused women for over a period of 30 years because of his

12 sexual misconduct.

13 The issue in this case is his declarations that he

14 filed in this case in which he says he hasn't done such a

15 thing.

16 So the issue is his credibility.

17 That credibility relates also to an article that

18 he wrote called "My Separation From SRF." That credibility

19 relates to whether or not he has accurately testified here

20 today as to the true reasons why he separated from SRF.

21 It may well be, sir, that the real reason he

22 separated from SRF is real simple: The same pattern of

23 conduct that he has been pursuing for some 40 years;

24 namely, his sexual inability to control himself.

25 MR. PARSONS: Well, I --

1 MR. FLYNN: Therefore --

2 MR. PARSON: I know you wish those facts to be

3 true, but there's no basis for that.

4 MR. FLYNN: I'm entitled to -- well, we'll see.

5 We're going to be getting into the basis in this deposition,

6 I assure you.

7 Q. Now, Mr. Walters, did anyone from SRF confront you

8 with the fact that you were maintaining a relationship with

9 an Indian girl in India --

10 A. No.

11 Q. -- as a basis for your separation?

12 A. No.

13 Q. And you're quite certain that you didn't write any

14 letter to anyone in which you denied a relationship in which

15 you put the name of the woman in the letter?

16 A. Well, that's a long time ago, but I would have

17 denied it.

18 Q. Do you remember denying -- strike that.

19 Do you remember putting the name of a woman in the

20 letter?

21 A. This was not a part of their reasons given for

22 separating me from Self-Realization Fellowship.

23 Q. Very clever, Mr. Parsons.

24 Do you remember --

25 MR. PARSONS: No, no, no, this is Mr. Walters.

1 He's a defendant.

2 MR. FLYNN: I must be thinking that maybe the

3 instruction had something to do with it.



4 Q. Do you remember putting the name of a woman in the  
5 letter?

6 MR. PARSONS: In which letter is this?

7 MR. FLYNN: Q. That you wrote between 1962 and  
8 1964?

9 MR. PARSONS: He's already testified that there  
10 was no such letter.

11 MR. FLYNN: Please, Mr. Parsons. You're  
12 obstructing again.

13 MR. PARSONS: I'm not obstructing, when I point  
14 out the truth, that you're asking questions you're making up  
15 which aren't based in any fact.

16 He's already testified there was no letter. I'm  
17 not going to let you ask him questions about something  
18 that's in a letter he's already testified didn't exist.

19 MR. FLYNN: Q. Is it true that there is no  
20 letter, Mr. Walters, in which you stated the name of a  
21 woman?

22 A. There was a personal allegation from somebody, and  
23 I denied that allegation. It was not a part of their reason  
24 for dismissing me.

25 Q. Who was the personal allegation from?

1 A. I think it was Daya Mata's sister, but I'm not

2 certain.

3 Q. What's Daya Mata's sister's name?

4 A. Her name is Virginia Wright.

5 Q. Who did you write the letter to? Virginia Wright?

6 A. I'm sorry, I don't remember. But I got -- I have

7 the knowledge that somebody, after the fact of my

8 separation, made this charge, and I wrote to say there's no

9 truth in it.

10 Q. Did you put the name of the woman in the letter?

11 A. I must have. I think I did.

12 Q. Did you in fact travel around Delhi with that

13 woman?

14 A. I did not.

15 Q. Did you in fact attempt to open an ashram in

16 Delhi?

17 A. Yes.

18 Q. As a convent for women?

19 A. No.

20 Q. Did you say anything in the letter about opening

21 an ashram for women in Delhi?

22 A. No.

23 Q. Are there any other reasons that were given to you

24 in connection with your separation from SRF?

25 A. No.

1 Q. Between 1962 and 1985, while you remained a swamy,

2 did you adhere to the vows of being a swamy?

3 A. As well as I could, which means no.

4 Q. You did not adhere to your vows. Is that your

5 testimony?

6 A. No. Correct.

7 Q. You violated your vows?

8 A. I can't say I violated, because I was doing my

9 best to abide by them.

10 Q. Your intention was to abide by them, but you

11 occasionally -- well, frequently -- didn't abide by them?

12 MR. PARSONS: Wait a minute.

13 THE WITNESS: I beg your pardon?

14 MR. FLYNN: Q. Is that true?

15 MR. PARSONS: That's compound. I don't even --

16 restate it.

17 MR. FLYNN: Q. How frequently did you fail to

18 advise -- adhere to your vow of chastity between 1962 and

19 1985?

20 A. Yes. Peter says I should take a break here.

21 Q. Who's Peter?

22 A. Dr. Van Houten.

23 Q. Dr. Van Houten. He's a member of your church?

24 A. He's my doctor.

25 Q. Is he a member of your church?

1 A. Yes.

2 Q. How long has he been a member of your church?

3 A. 15 years, 20 years.

4 Q. You want to take a break, Mr. Walters?

5 A. The doctor -- not he; the cardiologist said every

6 hour I should take a break.

7 Q. Well, you just took a break probably 15 or 20

8 minutes ago.

9 Do you want another break?

10 A. Yes.

11 MR. PARSONS: Then we're going to take a break.

12 MR. FLYNN: How long would you like to break for,

13 Mr. Parsons?

14 MR. PARSONS: 10 minutes?

15 MR. FLYNN: 10 minutes. Off the record.

16 THE VIDEO OPERATOR: We're going off the record at

17 11:26 a.m.

18 (Recess from 11:26 a.m. to 11:41 a.m.)

19 THE VIDEO OPERATOR: We're back on the record at

20 11:41 a.m.

21 THE WITNESS: I've been reminded of something,  
22 that it was in 1981 that I stopped using the title "Swamy."  
23 MR. FLYNN: We were on the record?  
24 Are you ready to go, Bob?  
25 THE VIDEO OPERATOR: Yes, we were on the record.  
1 MR. FLYNN: Q. After speaking with your counsel  
2 and/or other people who are attending this deposition,  
3 you're changing your testimony, Mr. Walters, from the year  
4 1985 to the year 1981 as being the year that you stopped  
5 being a swamy. Is that right?  
6 MR. PARSONS: That misstates what he just said.  
7 He stated that he stopped using the term "Swamy" in 1981.  
8 MR. FLYNN: Q. Do people still call you Swamy?  
9 A. Yes.  
10 Q. Did (the plaintiff) call you Swamy?  
11 A. I don't remember.  
12 Q. Did you tell people not to call you Swamy?  
13 A. No.  
14 Q. Now, going back to the separation from SRF, did  
15 these individuals from SRF who fired you tell you that they  
16 had heard from the Indian government that you had lied to  
17 the Indian government by telling the Indian government that  
18 you were going to start a park around or near Delhi, when in

19 fact you were intending to start a women's ashram?

20 MR. PARSONS: So that's a compound question. What

21 part of that question would you like him to start responding

22 to?

23 MR. FLYNN: Q. Did the two people -- I think you

24 said Daya Mata and Tara Mata met you in New York when they

25 fired you; is that what you said?

1 A. Uh-huh.

2 Q. Did those two tell -- to wit, Daya Mata and Tara

3 Mata -- tell you that they had heard from the Indian

4 government that you had lied to the Indian government about

5 your intentions?

6 A. No.

7 Q. Was there any discussion between you and Tara Mata

8 and Daya Mata about the issue of you lying to the Indian

9 government?

10 A. No.

11 Q. Did you in any form of correspondence -- memo,

12 letter, notes -- write to anyone between 1962 and 1964 about

13 the issue of lying to the Indian government about your

14 intentions?

15 MR. PARSONS: Okay. I'm going to object to that

16 on the grounds that you're no longer concerned with his

17 separation from SRF, and therefore you're dealing with

18 personal matters.

19 I'm instructing the witness on First Amendment

20 privacy grounds to not answer that question.

21 ++ MR. FLYNN: Would you note that area of the

22 deposition, please?

23 That's just pure obstructionism. As you know,

24 Mr. Parsons, this deposition is being taken so that we may

25 respond to your motion for summary judgment.

1 This is a very significant area of the summary

2 judgment motion in connection with the credibility of

3 Mr. Walters and the issues of fact concerning his

4 declaration and the claims he makes in his declaration as to

5 the origin of his organization.

6 You are obstructing and preventing us from

7 obtaining the necessary discovery so that we may be able to

8 respond to your motion for summary judgment.

9 And we're going to take it up with the Court,

10 because your objection is completely frivolous.

11 Q. Now, Mr. Walters --

12 MR. PARSONS: I disagree with that. And your

13 response to my objections should also be brief and to the

14 point, as you've requested of me, please.

15 MR. FLYNN: Q. Mr. Walters, I'm going to ask you  
16 again, sir -- and this issue relates specifically to your  
17 credibility -- did you write in a letter between 1962 and  
18 1964 that there were issues relating to whether you had lied  
19 to the Indian government about your intentions in connection  
20 with your separation from SRF?

21 MR. PARSONS: I'm going to object to that as well.  
22 That's an incredibly convoluted question. I'm not even  
23 certain what the real response -- what would be called for  
24 as a response to that question, for the reasons stated  
25 before, in addition to the vagueness, compound, ambiguous,  
1 I'm instructing the witness not to answer.

2 MR. FLYNN: Q. In connection with your --

3 MR. PARSONS: In addition, I'm sorry, if you have  
4 a document in this regard, then the document speaks for  
5 itself.

6 MR. FLYNN: Well, see, the issue is, Mr. Parsons,  
7 as you know, we are in the middle of conducting  
8 investigatory pursuits and discovery in connection with this  
9 case to respond to your summary judgment motion.  
10 Our investigation has revealed that perhaps such  
11 documents exist.  
12 You are now obstructing our ability to find out



13 the dates, who the letters were sent to; you're blocking off  
14 that whole area of discovery, and you're making it  
15 impossible for us to pursue what we need to pursue to  
16 respond to your motion.

17 There is a further issue of whether or not  
18 Mr. Walters and his organization are entitled to hide behind  
19 the First Amendment protections relating to religion that he  
20 has been doing and you have been doing in your motion for  
21 summary judgment, as to whether or not his religion is  
22 legitimate or a sham.

23 Q. But more specifically, I would like to know, did  
24 you write a letter, Mr. Walters, between 1962 and 1964,  
25 relating to your separation from SRF and relating to the  
1 issue of whether you had lied to the Indian government?

2 MR. PARSONS: Same objection, same instruction.

3 MR. FLYNN: Q. Okay. Now, did you lie to the  
4 Indian government and tell them that you were going to start  
5 an ashram -- or strike that -- you were going to start and  
6 create a park in Delhi, when you in fact intended to create  
7 an ashram?

8 A. No.

9 Q. Have you ever discussed that issue with anyone?

10 MR. PARSONS: What issue is that?

11 MR. FLYNN: Q. The issue of whether you had lied

12 to the Indian government.

13 A. No -- sorry?

14 Q. The answer was no, sir?

15 A. Uh-huh.

16 Q. Have you ever put in any form of correspondence

17 the issue of whether you had lied to the Indian government?

18 MR. PARSONS: I'm going to object on the same

19 grounds as before. It's vague as to time.

20 If you want to connect it into any separation from

21 SRF, please then limit the time frame. Anything post 1962,

22 it's unreasonably intrusive, it's speculative, irrelevant.

23 I'm instructing the witness not to answer.

24 MR. FLYNN: Q. Around or about 1962, did you

25 write in any form of correspondence --

1 A. Yes.

2 Q. -- any issues relating to whether you had lied to

3 the Indian government?

4 MR. PARSONS: Around 1962?

5 MR. FLYNN: Around 1962.

6 MR. PARSONS: I will permit the witness to testify

7 up to the point where he was separated from SRF.

8 Anything after that, I'm instructing him not to

9 answer on the same grounds stated before.

10 MR. FLYNN: Which are totally frivolous.

11 Q. But go ahead, Mr. Walters.

12 A. Did I -- say it again, then.

13 Q. Did you around 1962 write in any form of

14 correspondence any matter relating to issues of whether you

15 had lied to the Indian government?

16 MR. PARSONS: Well, wait a minute. Let me see if

17 I can make sense out of that question myself.

18 I believe the question is vague and

19 unintelligible. I will permit the witness to answer if he

20 can formulate a response up to the point of the separation

21 from SRF.

22 THE WITNESS: I -- let's see. How can I put that?

23 Their accusations included that. I denied the

24 accusations.

25 MR. FLYNN: Q. "Their" is who?

1 A. Against me.

2 Q. Who does "their" refer to in your response?

3 A. Tara. Tara.

4 Q. Tara Mata's allegations referred to the fact that

5 you had lied to the Indian government. Is that correct?

6 A. That's part of her allegation. The rest I've told

7 you.

8 Q. Well, you earlier hadn't listed that as one of the

9 allegations --

10 A. No. I can't remember them all.

11 MR. PARSONS: Wait until he's asked you a

12 question.

13 MR. FLYNN: Q. Now, what did Tara Mata say to you

14 with respect to your lying to the Indian government?

15 MR. PARSONS: Your question -- I'll object that it

16 assumes facts not in evidence.

17 I will permit the witness to answer the question

18 of what did Tara Mata say concerning the allegation that he

19 lied to the Indian government.

20 THE WITNESS: Okay. She was charging that I had

21 not been given permission to start an ashram.

22 Daya Mata had given me that permission. Daya Mata

23 did not tell Tara that she gave me that permission.

24 Therefore, it looked as if I was doing it on my own, but I

25 was not.

1 MR. FLYNN: Q. What did Tara Mata say with

2 respect to the allegation of whether you had lied to the

3 Indian government?

4 A. Mr. Flynn, it's been 33 years. I don't remember

5 her words, nor do I remember specifically her intent.

6 I do remember that they were lies. Her lies.

7 Q. What were lies?

8 A. Her statements were lies. In other words, she was

9 presuming things she knew nothing about.

10 Q. What was she presuming?

11 A. That, for one.

12 Q. What for one?

13 A. That I took it all on myself, instead of doing it

14 with permission.

15 Q. What other lies did Tara Mata make to you,

16 Mr. Walters?

17 A. Well, I'd say her entire charge. That I was

18 disloyal and disobedient, that I was on my own without any

19 kind of approval from -- from -- well, from Daya Mata.

20 I was acting, in other words, in good faith.

21 Q. You were acting in good faith. Says you.

22 MR. PARSONS: You've just heard him say that,

23 Mr. Flynn. Please, don't be argumentative. Ask the next

24 question, please.

25 MR. FLYNN: Q. Now, did Tara Mata confront you

1 with the fact that you had allegedly lied to the Indian

2 government about your intention to start a park versus your

3 real intention to start an ashram?

4 MR. PARSONS: Objection. Compound, vague,

5 speculative, uncertain as to the use of the term

6 "confront."

7 I will permit the witness to answer to the extent

8 he can.

9 THE WITNESS: There's no allegation that you've

10 said in that compound question that's true.

11 MR. FLYNN: Q. Was the allegation made to you by

12 Tara Mata?

13 MR. PARSONS: And the allegation being

14 specifically what?

15 MR. FLYNN: Q. That you lied to the Indian

16 government.

17 A. Yes, she said that. I denied it.

18 Q. What did she say?

19 A. You said fact, you see. That's why I challenged

20 it. It's not a fact.

21 Q. What did she say?

22 A. That's what I've told you, I can't remember.

23 Q. Okay. So one of the charges of Tara Mata was,

24 lied to Indian government, which you denied.

25 Did you put anything in your pamphlet, "My

1 Separation From SRF," about that allegation?

2 MR. PARSONS: Objection. The document speaks for  
3 itself.

4 I'll permit the witness to answer.

5 THE WITNESS: Pardon?

6 MR. PARSONS: Well, I objected that the document  
7 speaks for itself.

8 MR. FLYNN: Please, Mr. --

9 MR. PARSONS: Excuse me one second.

10 Go ahead.

11 THE WITNESS: I don't remember everything I put in  
12 that document. I don't remember specifically that.

13 MR. FLYNN: Q. Did you put anything in the  
14 document "My Separation From SRF" relating to cohabiting  
15 with an Indian woman?

16 MR. PARSONS: Objection. Again, the document  
17 speaks for itself. You've once again intruded now  
18 unreasonably into the right of privacy, and I'm instructing  
19 the witness not to answer that question.

20 MR. FLYNN: It's an arbitrary, unilateral  
21 frivolous objection. We will take up with the Court your  
22 obstructing discovery in this case.

23 MR. PARSONS: Maybe we should take these up sooner

24 rather than later, so we can get ruling on them.

25 MR. FLYNN: We'll do it in our own time,

1 Mr. Parsons.

2 MR. PARSONS: I would imagine so.

3 MR. FLYNN: Q. Now Mr. Walters, you said, and

4 correct me if I'm wrong, in your earlier testimony, that

5 they, being these SRF people, were afraid of your energy,

6 you were too independent, and they didn't want to be

7 creative.

8 Do you recall that testimony?

9 MR. PARSONS: I'm objecting again. It's

10 absolutely outrageous to sit here and ask a witness to

11 confirm whether or not what you just say is what he said

12 before.

13 You're here not to try to test his ability to

14 recall exactly and confirm or deny your statement of what he

15 said.

16 If you want to know what he said, let's get it off

17 the record. It's right here. It'll take 5 seconds.

18 MR. FLYNN: Mr. Parsons, you're obstructing the

19 deposition.

20 Q. Mr. Walters, is it true that you were too

21 independent and too creative and you had too much energy as



22 being the reason why you separated from SRF?

23 MR. PARSONS: Excuse me. Is it true that he had

24 these things is the reason that he separated from SRF?

25 Now, this is independently of anyone's allegations

1 or complaints or anything like that?

2 MR. FLYNN: Do you recall the -- Mr. Parsons

3 you're obstructing the deposition.

4 MR. PARSONS: I'm going to instruct the witness

5 not to answer that question as formulated.

6 MR. STILLMAN: On what grounds?

7 MR. PARSONS: It doesn't make any sense.

8 MR. STILLMAN: Unintelligible?

9 MR. PARSONS: It's unintelligible, it calls for

10 speculation on the part of third parties who separated --

11 who caused the separation.

12 MR. STILLMAN: And you know that under Civil Code

13 -- Code of Civil Procedure Section 2025 --

14 MR. PARSONS: Excuse me, I like to deal with one

15 lawyer who's representing the party.

16 MR. STILLMAN: I'm also representing, and I have a

17 case that allows me to do this.

18 In the first place, you know that the only

19 instruction not to answer under the Code of Civil Procedure

20 is privilege. This is not a privilege issue.

21 Form of the question, you have it. We're entitled

22 to an answer.

23 MR. PARSONS: Please don't point at me. You don't

24 need to point at me when you're objecting.

25 MR. FLYNN: Mr. Parsons, you're being obstructive.

1 Q. Mr. Walters, let me ask you this, sir.

2 Did you tell Tara Mata and Daya Mata in 1962 when

3 they met you in New York that they were afraid of you?

4 A. No, I did not.

5 Q. Did you tell them that the only reason they were

6 firing you is because you were too independent?

7 A. No, I did not.

8 Q. Did you tell them that the only reason they were

9 firing you was because you were creative and they were not?

10 A. No.

11 Q. What did you tell them?

12 A. I didn't tell them anything.

13 Q. Now, between 1962 and 1968, what did you do?

14 MR. PARSONS: Objection. It calls for a

15 narrative; it's compound. What do you mean, what did he do?

16 MR. FLYNN: Q. Can you answer the question?

17 A. I breathed. What do you want to know?

18 MR. PARSONS: Exactly.

19 MR. FLYNN: Q. What was your occupation?

20 A. I was teaching with Dr. Haridas Chaudhury at the

21 Cultural Integration Fellowship.

22 Q. Where was that?

23 A. San Francisco.

24 Q. What was the nature of that organization?

25 A. It was teaching Indian teachings. He was an

1 author.

2 Q. How long did you do that?

3 A. He had a heart attack, and I offered to help out,

4 and so they asked me if I wouldn't take over teaching until

5 he recovered from his heart attack. So it was maybe 3

6 years. I'm not sure.

7 Q. What did you teach?

8 A. I taught the teachings of India.

9 Q. What teachings of India?

10 A. Do you want me to explain a thousand -- many

11 thousands of years old tradition? I thought what I know.

12 Q. Did you teach Yogananda's teachings?

13 A. Yes.

14 Q. Did you teach teachings other than Yogananda's

15 teachings?

16 A. Mr. Flynn, nobody owns a teaching. I taught the  
17 truth as I knew it. I'd had the truth from Yogananda. I  
18 didn't try to bring people to Yogananda. I taught the truth  
19 as I knew it.

20 Q. Mr. Walters --

21 A. In other words, they were following another path.

22 I didn't want to convert them from that path, so I served as

23 I could. But I taught universal truths.

24 Q. Universal truths as taught by who?

25 A. As taught by thousands of sages for thousands of

1 years. As taught in the Bhagavad-Gita and the Upanishads

2 and the Vedas.

3 You must be very ignorant of this fact if you're

4 asking that question.

5 Q. Did you create a curriculum of these teachings?

6 A. No.

7 Q. Did you teach from notes?

8 A. I beg your pardon?

9 Q. Did you teach from notes?

10 A. I never do.

11 Q. Did you just teach spontaneously?

12 A. Yes.

13 Q. And in these spontaneous teachings over a period

14 of 3 years, you taught the Upanishads?

15 A. I thought the teachings of the Upanishads. I must

16 have referred to them sometimes.

17 Q. You taught the teachings of the Bhagavad-Gita?

18 A. Yes. Same answer.

19 Q. You taught the teachings of Yogananda?

20 A. Uh-huh.

21 Q. You taught the teachings of Christ?

22 A. Yes.

23 Q. With no notes?

24 A. Yes.

25 Q. All as interpreted by Swami Kriyananda. Is that

1 correct?

2 A. As understood. That's different from saying

3 interpreted.

4 Q. Now, after you finished this 3-year teaching

5 period, then what was your occupation?

6 A. Well, I was giving classes around the Bay Area. I

7 earned very little at the Cultural Integration Fellowship,

8 so these classes helped to pay for the apartment I was

9 living in.

10 And then I began, through the teaching, to try to

11 raise the funds in class fees and so on to build a

12 community.

13 Q. And what community were you intending to build?

14 A. Ananda.

15 Q. Founded on the teachings of Yogananda?

16 A. Yes.

17 Q. Founded on the teachings of SRF?

18 A. Yogananda.

19 Q. Separate from the teachings of SRF?

20 A. Excuse me. They teach his teachings; I teach his

21 teachings.

22 I don't refer to them for what I teach. I refer

23 to him, to what I learned from him.

24 Q. Well, when you began to teach the teachings of

25 Yogananda, what year was that?

1 A. 1949.

2 Q. When you began to teach the teachings of Yogananda

3 in connection with starting this community, what year was

4 that?

5 A. I never stopped.

6 Q. Did you purchase property to start this community?

7 A. Yes.

8 Q. Whose name did you purchase it in?

9 A. Well, I put it in the name of Ananda.

10 Q. In 1968?

11 A. '67 was the first land that I bought.

12 Q. That you personally bought?

13 A. Uh-huh.

14 Q. Did you put it in your name?

15 A. No.

16 Q. Did you put it in the name of a corporation?

17 A. I think so. I am not sure now. That's been a

18 long time.

19 I didn't own property, so it had to be in the name

20 of Ananda.

21 Q. Do you own property in Sacramento?

22 A. Do I own property? I own no property.

23 Q. Have you ever owned any property?

24 A. No.

25 Q. When you put this property in the name of

1 Ananda --

2 MR. PARSONS: Excuse me, I do believe that

3 question is kind of confusing.

4 You're talking about real property so far, as

5 opposed to personal property, suits and the like. Is that

6 correct?

7 MR. FLYNN: Q. Mr. Walters, do you own any

8 apartment buildings?

9 A. No.

10 Q. In -- anywhere?

11 A. No. But I've answered that in saying I don't own

12 any real property.

13 Q. When you bought this property in 1967, and you

14 said you put it in the name of Ananda, you believe -- is

15 that correct?

16 A. To the best of my recollection. I might have put

17 it in the name of the Yoga Fellowship, but this I'm not

18 sure.

19 At any rate, it was not in my name.

20 Q. Well, whatever organization's name you put it

21 into, can you tell me who was affiliated with that

22 organization at the time?

23 MR. PARSONS: Wait. I'm going to object to that.

24 What do you mean by "affiliated with that organization"?

25 Are you calling for all the members of it? What are you --

1 MR. FLYNN: Q. I'll withdraw it.

2 Do you know whether it was a corporation that

3 owned the property?

4 A. Okay. Well, I'll try to explain it.

5 Richard Baker was the Roschi of the Zen temple;



6 Gary Snyder was a -- is a poet; Allen Ginsberg is or -- I

7 don't know if he's still living -- a poet.

8 We bought the land together. Dick Baker, Richard

9 Baker, didn't actually give it -- I'm now remembering,

10 because I'm not very up on things like this.

11 But he didn't actually give us the deed to the

12 property until some years later. So it was my understanding

13 that this is what I am doing for an organization which I was

14 creating at that time.

15 Now, whether I had created it or not or was going

16 to, this I don't know. It was not mine, in any case, until

17 it became the property of the Yoga Fellowship, I believe.

18 It may have been Ananda, but I think it was the Yoga

19 Fellowship.

20 Q. Who was the head of the Yoga Fellowship?

21 A. I.

22 Q. Who was the head of Ananda?

23 A. I. That means to say, I am the spiritual

24 director. We have a manager, we have other people who

25 direct the business affairs, that kind of thing.

1 Q. Well, in 1967 and the years thereafter, were you

2 involved in the business affairs?

3 MR. PARSONS: During that entire period of time?

4 MR. FLYNN: Q. At any time after you purchased

5 the property.

6 A. Involved, I don't know the extent to which you

7 mean. Maybe you'd like to tell me, because I helped direct

8 things, I helped get them started.

9 Did I take anything from them? No. Did I benefit

10 from them personally? No.

11 Q. In connection with the royalties of the sales of

12 your books, to whom do they go?

13 A. I don't keep those.

14 Q. You give them to the organization?

15 A. I put them in a special account that can be used,

16 that I use, for projects for the organization that are not

17 personal, but that help the organization.

18 Q. Whose name is the account in?

19 A. It's in the church name.

20 Q. Where is the account?

21 A. In Nevada City, I guess, at the bank there.

22 Q. And who are the signatories on the account?

23 A. Lila Hogendyk I think is the main one. I never

24 see it, so I don't really know if I'm a signatory or not.

25 Q. Now, do you receive directly any of the royalties

1 of your books?

2 A. No.

3 Q. They all go into this account?

4 A. Yes.

5 MR. FLYNN: Would you mark this as Exhibit 1?

6 (Exhibit 1 was marked.)

7 MR. FLYNN: Q. You have Exhibit 1 there in front

8 of you, Mr. Walters.

9 Did you author what has been marked as Exhibit 1?

10 A. I did.

11 Q. Is that your signature on the second page of

12 Exhibit 1?

13 A. Yes. Yes.

14 Q. And you authored this document on or about August

15 31, 1995?

16 A. Correct.

17 Q. And the term "295 Dwapara," who originated that

18 term?

19 A. Yogananda's guru.

20 Q. What has which is name?

21 A. Swamy Sri Yukpeswar.

22 Q. He was a swamy in the swamy monastic order also?

23 A. Yes.

24 Q. One who took final vows also?

25 A. Yes.

1 Q. Now, in this Exhibit 1, you state:

2 "It isn't that I'm worried about their questions.

3 What does concern me a little is the almost insane hatred

4 they've evinced for cults, among which they see Ananda as a

5 leading and vicious example."

6 You wrote that?

7 A. Yes. I wrote the whole letter.

8 Q. Who is the "they" you're referring to?

9 A. You, Ford Greene and Mr. Stillman.

10 Q. And it is Mr. Stillman, Mr. Greene and myself that

11 have a quote, "almost insane hatred"?

12 A. This is what you revealed in your papers.

13 Q. Is this a quality that you know about inside

14 yourself that you see in other people?

15 MR. PARSONS: Wait, wait. I'm going to object to

16 that. I don't even know what the question means.

17 Is this a quality you see in yourself -- I don't

18 even know what that is.

19 Certainly, it's too personal and intrusive, if it

20 makes sense at all. I'm instructing the witness not to

21 answer.

22 MR. FLYNN: Q. Have you written that only to the

23 extent that you can see love in other people, you have love

24 yourself; and only to the extent you see hatred in other

25 people, you have that hatred in yourself?

1 Have you written that, Mr. Walters?

2 MR. PARSONS: This is so far afield. I don't see

3 any possible relevancy for this.

4 I'm going to instruct the witness not to answer.

5 I'm going to even suggest that we take this line of

6 questions to the referee that's been appointed for

7 discovery.

8 Let's get a ruling on this right now.

9 MR. FLYNN: Please, Mr. Parsons. I'll conduct the

10 deposition the way I want.

11 Q. Now, what basis do you have to believe that

12 Mr. Greene, Mr. Stillman and myself have an insane hatred?

13 MR. PARSONS: Okay. I'm going to object to the

14 question as being totally irrelevant. It has nothing to do

15 with this lawsuit. It's a matter of personal opinion and

16 statement on behalf of this witness.

17 I'm going to instruct him not to answer.

18 More than that, I'm going to request at this time

19 -- it's now 10 after 12:00. I would like to take a bunch.

20 MR. FLYNN: I'd like to go to 1 o'clock. We've

21 already had two breaks, Mr. Parsons, and we didn't get

22 started until 10:15.

23 MR. PARSONS: That's too bad, because I want to

24 take a lunch break right now. And -- no, please.

25 There's an issue as to the health of this

1 deponent. The tone of the questioning, the bitterness, the

2 sarcasm of it I think is something which causes me to have

3 concern, and I'm requesting that we break for lunch now.

4 MR. FLYNN: And I'm asking that we continue to

5 1 o'clock.

6 THE WITNESS: What does my doctor say?

7 MR. PARSONS: No, we're breaking for lunch right

8 now.

9 MR. STILLMAN: Why don't we just split the

10 difference. Why don't we go to 12:30?

11 MR. PARSONS: No. Right. We have been

12 exceedingly accommodating.

13 MR. FLYNN: What time are you going to return,

14 Mr. Parsons?

15 MR. PARSONS: We figure we probably need about an

16 hour. So be back at 1:15.

17 THE VIDEO OPERATOR: This is the end of videotape

18 number 1 in the deposition of Donald Walters. We're going

19 off the record at 12:11 p.m.

20 (Lunch recess from 12:11 p.m. to 1:22 p.m.)

21 --o0o--

22 AFTERNOON SESSION

23 (Exhibit 2 was marked.)

24 THE VIDEO OPERATOR: This is the beginning of

25 videotape number 2 in the deposition of Donald Walters.

1 We're back on the record at 1:22 p.m.

2 MR. FLYNN: Q. Would you look at Exhibit 2 which

3 has been placed in front of you, sir, which is the

4 Declaration of James Donald Walters in Support of Motion for

5 Summary Adjudication, which is comprised of 32 numbered

6 pages.

7 And would you look on the 32nd page and confirm

8 that that is in fact your signature?

9 A. Yes.

10 Q. And prior to signing this declaration, did you

11 read it?

12 A. Yes.

13 Q. Did you write this declaration?

14 A. Yes.

15 Q. And is everything contained in this declaration

16 true and correct, as you stated under the pains and

17 penalties of perjury on May 31, 1995?

18 A. To the best of my knowledge, yes.

19 Q. And this was executed at Denver, Colorado?

20 A. I was in Colorado at the time, right.

21 Q. What were you doing in Colorado at the time?

22 A. I was giving some lectures.

23 Q. Over how long of a period?

24 A. I think it was about 3 weeks. I'm not sure. I

25 was in Colorado and Chicago.

1 Q. You were on the lecture circuit giving lectures?

2 A. Yes.

3 Q. Your health permitted that?

4 A. It was a strain, but I managed through it. I had

5 committed myself to it before I knew about all the health

6 problems.

7 MR. PARSONS: Excuse me one second. I wanted to

8 say something to my client.

9 (Discussion between the witness and his counsel.)

10 THE WITNESS: I can't hear you. Write it.

11 MR. FLYNN: Q. So the answer to my question was,

12 yes, your health permitted that. Is that correct?

13 A. No. But I did it because I had to.

14 Q. Did your health prohibit it?



15 A. That would be one that my doctor could answer. He

16 discouraged me from going.

17 Q. But you went anyway?

18 A. Yes.

19 Q. And how many hours a day did you lecture?

20 A. Maximum of 1.

21 Q. And how often did you travel during that time

22 frame?

23 A. You mean, how many places did I lecture?

24 Q. Were you traveling every day?

25 A. No.

1 Q. Every other day?

2 A. No.

3 Q. What was your routine during that time frame?

4 A. All right. I lectured in Aspen, I was there for

5 their weekend conference. I had two lectures there. One

6 workshop, and the other one a lecture, conference. It was a

7 large thing to which others came.

8 The other was a bookstore in Denver. And then I

9 lectured at a church, and at a center that we have. So that

10 was altogether about a week.

11 Then I flew to Chicago, and --

12 MR. PARSONS: I don't think he's asked you yet

13 about Chicago.

14 MR. FLYNN: Q. Well, I asked you about your

15 routine.

16 So you flew to Chicago. How long were you in

17 Chicago?

18 A. I -- let's see. First I was at the American

19 Booksellers Association. That was a couple of days.

20 Then I lectured at our Ananda Center in Chicago,

21 at a bookstore, and at a church, and then at a conference.

22 That's all.

23 Q. Now, this declaration is dated -- is that May 31?

24 The date at the end. Is it May 21, May 31?

25 A. Where?

1 Q. On the 32nd page.

2 A. The date is July 5.

3 Q. No, above your signature on page 32.

4 A. Yes, okay.

5 Q. Well, is that your handwritten number next to the

6 word "May"?

7 A. I don't know. It's not even clear.

8 Q. Were you in Denver, Colorado on May 31?

9 A. Yes.

10 Q. Were you in Hawaii on June 29, 1995?

11 A. June 29? No.

12 Q. Yes.

13 A. I don't think I was.

14 Q. Have you been in Hawaii in the last 6 months?

15 A. Yes.

16 Q. When were you in Hawaii?

17 A. April.

18 Q. And during the period between April and June of

19 1995, did you characterize yourself as feeling great?

20 MR. PARSONS: Characterize in what sense? Are you

21 asking for a statement he made to someone?

22 MR. FLYNN: Q. Yes.

23 MR. PARSONS: Okay. So the question is, did he

24 make a statement to anyone that he felt great?

25 MR. FLYNN: Q. Yes.

1 MR. PARSONS: The question --

2 THE WITNESS: It's very possible.

3 MR. FLYNN: Q. Did you feel great during that

4 time frame?

5 A. Part of the time. But if you're asking for

6 medical testimony, this is not medical.

7 Q. I'm not asking you. I'm asking you for the way

8 you felt, Mr. Walters.

9 MR. PARSONS: Well, actually, you've asked --

10 okay, go ahead.

11 MR. FLYNN: Please, Mr. Parsons.

12 Q. Would you turn back to Exhibit 1, please?

13 When you wrote Exhibit 1, did you consider the

14 contents of Exhibit 1 to be truthful?

15 A. Yes.

16 MR. PARSONS: I'm going to object at this part. I

17 have -- during the lunch break, I have discovered that

18 Exhibit 1 was a letter that Mr. Walters wrote to the church

19 community. I don't know how you got a copy of it, but I

20 understand it was intended to be a confidential

21 communication within the church.

22 Therefore, I don't want any questions concerning

23 the content of this communication between Mr. Walters and

24 his church members.

25 MR. FLYNN: Q. How many members of the church did

1 you send Exhibit 1 to?

2 A. I couldn't tell you.

3 Q. How many members of the church were there on

4 August 31, 1995?

5 A. I couldn't tell you.

6 Q. Approximately?

7 A. I don't know.

8 Q. Approximately 800, as you earlier testified?

9 A. I don't know.

10 Q. More than a hundred?

11 A. Yes.

12 Q. More than 200?

13 A. Yes.

14 Q. More than 300?

15 A. I'm not sure.

16 Q. More than 400?

17 A. I don't know how many it was sent to.

18 Q. How many members were there on August 31, 1995?

19 A. I don't know.

20 Q. More than 400?

21 A. I would assume so.

22 MR. PARSONS: He's just stated -- no, he's just

23 stated he doesn't know.

24 MR. FLYNN: Q. Were there approximately 800

25 members in August of 1995?

1 MR. PARSONS: Objection. He's asked and answered

2 that question. I'm instructing the witness not to answer.

3 MR. FLYNN: Q. How was Exhibit 1 distributed to

4 the membership?

5 A. I gave it to my secretary, who gave it to the

6 ministry office, who sent it out.

7 Q. Was there any cover letter conveying any

8 confidentiality relating to it?

9 A. I don't even know.

10 Q. Did you tell anyone that you intended it to be

11 confidential when you sent it out?

12 A. I said it was for our members. That's all I said.

13 Q. Did you do anything to maintain the

14 confidentiality of Exhibit 1?

15 A. Nothing --

16 MR. PARSONS: Other than telling his secretary

17 that it was for the members?

18 MR. FLYNN: Correct.

19 THE WITNESS: Correct.

20 MR. FLYNN: Q. You did nothing?

21 A. Nothing.

22 MR. FLYNN: The objection is completely specious.

23 Q. Would you tell me what the symbol is the in the

24 upper left-hand corner of Exhibit 1?

25 A. This is our symbol of Ananda.

1 Q. Where did you get that symbol?

2 A. It came to me in medication.

3 Q. What meditation -- or strike that.

4 When did it come to you in meditation?

5 A. I would estimate, but I don't know for sure, about

6 1970, '71.

7 Q. Did it come to you while you were at a massage

8 parlor where that was a symbol on the massage parlor sign?

9 A. No.

10 Q. The answer was no?

11 A. No. The answer is no.

12 Q. Now, when you sent out Exhibit 1 to the members,

13 did the membership list that was used to distribute this

14 constitute something that was on a computer at Ananda?

15 A. I don't --

16 MR. PARSONS: Objection. Lack of foundation.

17 There's no basis that this witness knows that information.

18 Calls for speculation.

19 THE WITNESS: I don't know.

20 MR. PARSONS: And he doesn't know.

21 MR. FLYNN: Q. And was it intended to only go to

22 members who were still loyal to Ananda?

23 A. I have no idea.

24 Q. So it may have gone to members who were not loyal?

25 A. The fact that you got it makes me assume so.

1 Q. Thank you very much, Mr. Walters.

2 Now, in the last 3 or 4 weeks, have you instructed

3 any senior ministers at Ananda to go to individual members

4 and question them about their loyalty to you?

5 A. No.

6 Q. Has that practice been done?

7 A. No.

8 Q. What is the name of your secretary?

9 A. I have two secretaries. One is Alan.

10 Q. Alan what?

11 A. Alan Heubert.

12 Q. And what is the name of the other?

13 A. Hridaya, H-r-i-d-a-y-a. Whether she's gone back

14 to her maiden name because of separation from her husband, I

15 don't know.

16 Q. Now, in the last -- strike that.

17 Since April of 1995, have you felt great, or have

18 you felt that the pressures from this lawsuit were going to

19 kill you?

20 MR. PARSONS: What point in time since April of

21 '95?

22 MR. FLYNN: From April of 1995 to August 31, 1995.

23 MR. PARSONS: Has he felt great every single day?



24 Is that the question?

25 MR. FLYNN: Q. In general. Have you felt great,  
1 or have you felt that the pressures from this lawsuit were  
2 going to kill you?

3 A. I have not felt that they were going to kill me.

4 Q. Now --

5 THE WITNESS: Mr. Greene, would you mind not  
6 staring at me like that?

7 MR. PARSONS: Yes. Mr. Greene, you're leaning  
8 forward and your head --

9 MR. GREENE: Mr. Parsons, I am going to sit here,  
10 and I am going to observe the witness in whatever way I  
11 choose.

12 And Mr. Walters, if it makes you feel  
13 uncomfortable, you'll just have to get used to it,  
14 because --

15 THE WITNESS: I can also get up and leave.

16 MR. PARSONS: That's right. And in fact, if you  
17 don't act with decorum in a way that does not disturb and  
18 upset the witness, we will leave and seek a protective  
19 order.

20 MR. FLYNN: That's just all a game you're playing

21 Mr. Parsons.

22 DR. VAN HOUTEN: I'll suggest it medically --

23 MR. FLYNN: Please, sir, you're not on the witness

24 stand.

25 It's a game you're playing to try to protect your

1 witness, as exemplified by some of the conduct that you

2 pulled this morning.

3 Let's proceed with the question.

4 MR. FLYNN: Q. Now, in your letter dated August

5 31, you thank someone for writing declarations which you

6 accept humbly as the unadorned truth.

7 Did you read those declarations?

8 A. Yes.

9 MR. PARSONS: I'm going to object, and I'm going

10 to instruct the witness not to answer concerning the content

11 of this letter that was sent out to the membership.

12 ++ MR. FLYNN: Okay. This is an important

13 document. That's why it's been marked as Exhibit 1, for

14 reasons that will become clear.

15 Please mark this section, and I'll specifically go

16 right into it right now.

17 Q. In the last 30 to 60 days -- yes --

18 MR. STILLMAN: Just note that it's an admission.

19 MR. FLYNN: It's also an admission.

20 MR. STILLMAN: It's an admission statement of the  
21 party. Whether you think it's confidential or not is  
22 ludicrous. Sorry.

23 MR. FLYNN: Q. Swamy Walters --

24 MR. PARSONS: Excuse me. I'd ask you to address  
25 him as Mr. Walters.

1 MR. FLYNN: Well, I believe that he's testified  
2 this morning that the membership addresses him as Swamy  
3 Walters.

4 MR. PARSONS: No, no, he hasn't. He's testified  
5 that some people, out of what I take respect, who are close  
6 to him use that term as an honorific, not as a title.  
7 And I don't believe you're in that position where  
8 you ought to use the word "Swamy" when you're talking to  
9 him. I think a little more respect is in order.

10 MR. FLYNN: Probably only in a past lifetime,  
11 Mr. Parsons.

12 Q. Now, Mr. Walters, in the last 60 days, have you  
13 stated that, "Even master had his shakti"?

14 A. I have not.

15 Q. In the last 6 months, have you stated, "Even  
16 master had his shakti"?

17 A. I have not.

18 Q. Do you know an woman #8?

19 A. I do.

20 Q. You're having a sexual encounter with her at the

21 present time. Is that correct?

22 A. That's not correct.

23 MR. PARSONS: Objection. Objection --

24 MR. FLYNN: Q. Do you know a --

25 MR. PARSONS: No, wait. Let me get my objection

1 on the record.

2 I'm objecting that you're inquiring now into

3 private matters, and I'm not going to let you ask those

4 questions.

5 I'm going to instruct the witness not to answer

6 questions about his personal lifestyle at this time.

7 MR. FLYNN: Privacy is no privilege.

8 MR. PARSONS: I'm sorry, it is. The courts seem

9 to disagree with you.

10 MR. FLYNN: Q. In Exhibit 1, you state, after

11 talking about the declaration:

12 "This has been an instructive year for me in many

13 ways. It has helped me to understand more deeply the

14 supreme virtue of loyalty. Not as a dogmatic

15 commitment to an abstract concept, but as a simple

16 commitment of the heart in a spirit of divine  
17 friendship. Somebody this year told me a scurrilous  
18 story about Master. I replied, 'I don't believe it for  
19 a moment.' But later I thought, 'Even if, against all  
20 I know to the contrary, it were proven to be true, he's  
21 mine, and I love him.'"

22 Now, did I read that statement correctly,

23 Mr. Walters?

24 MR. PARSONS: Now, again, I'm going to object.

25 I'm going to instruct the witness not to answer the question

1 for the reasons stated before.

2 If this is such an important document, I suggest

3 we take a break. We have a discovery referee who is on

4 telephone standby, I understand.

5 MR. FLYNN: Believe me, we will take this up,

6 Mr. Parsons, on our time.

7 Q. Now, Mr. Walters, what was the scurrilous story

8 that you spread about Yogananda in the last year?

9 MR. PARSONS: Oh, that -- that is argumentative,

10 it lacks foundation, it's intended to badger this witness.

11 Mr. Greene, please.

12 I'm going to instruct the witness not to answer

13 that question. I'm going to ask we get on to relevant

14 matters.

15 MR. FLYNN: You're going to find as I'm going to  
16 get into his declaration, you're obstructing, and this is  
17 very relevant.

18 Q. During the last year, did you hear a scurrilous  
19 story about Yogananda?

20 MR. PARSONS : Objection. What's the relevancy of  
21 this?

22 MR. FLYNN: Q. It will become plain momentarily,  
23 Mr. Parsons.

24 MR. PARSONS: Well, then momentarily maybe I'll  
25 withdrew my objection, but I'm asserting an objection now.

1 MR. FLYNN: This is discovery, and I'm not  
2 entitled to enlighten you or the witness about the  
3 significance of this matter.

4 MR. STILLMAN: I'll note also that the last time I  
5 checked, the Code of Civil Procedure says that relevancy is  
6 reserved for the time of trial and is not a proper objection  
7 in a deposition.

8 MR. FLYNN: Q. Did you, sir, in the last year  
9 hear a scurrilous story about Yogananda?

10 MR. PARSONS: No, I'm instructing the witness not  
11 to answer that question for the reasons stated.

12 And if you ask it again, I'm going to stop the  
13 deposition and I'm going to call the discovery referee, so  
14 we can get some reasonableness going here and move on with  
15 this thing.

16 MR. FLYNN: Q. Mr. Walters, in the last year, as  
17 the sexual allegations against you were proven to be true,  
18 did you resort to trying to bring down Yogananda in defense  
19 of yourself?

20 MR. PARSONS: That's absolutely outrageous. It  
21 assumes facts not in evidence, it's argumentative.  
22 I suggest we take a break right now and get the  
23 discovery referee on the phone.

24 MR. FLYNN: Q. Turn to the declaration --

25 MR. PARSONS: Okay. We're going to take break  
1 anyway, then.

2 MR. FLYNN: -- that you filed, please.

3 No, Mr. Parsons, we're not.

4 MR. PARSONS: Yes, I'm sorry.

5 MR. FLYNN: I'm conducting the examination; not  
6 you, sir.

7 MR. PARSONS: No, you're badgering this witness.

8 MR. FLYNN: I intend to use this record for my own  
9 purposes to prove your obstructionism. I don't intend to

10 delay the deposition and play into your game-playing.

11 MR. PARSONS: What I -- here's what we'll do.

12 MR. FLYNN: If you're going to take a break, you

13 take it at your own risk. We've only resumed for

14 approximately 15 minutes. You were 15 minutes late in

15 returning, and you're again obstructing the deposition.

16 I am now going to ask a question.

17 MR. PARSONS: Well, I'm taking a break right now

18 to have a discussion with my client.

19 MR. FLYNN: We're going to leave the video on.

20 MR. PARSONS: That's fine.

21 MR. FLYNN: We've only been going for 15 minutes.

22 MR. FLYNN: You can leave the video on. We

23 haven't been going for only 15 minutes.

24 I believe if you read the record, you'll see that

25 your statement about starting 15 minutes late is as false as

1 many of the other things you've said here today.

2 MR. FLYNN: We'll leave the video on.

3 THE VIDEO OPERATOR: Mr. Parsons, your microphone

4 is still on.

5 MR. PARSONS: Like driving away from the pump with

6 the --

7 THE VIDEO OPERATOR: Exactly.



8 THE REPORTER: Did you want to go off the written

9 record?

10 MR. FLYNN: Yes.

11 (Discussion off the written record.)

12 MR. FLYNN: For the record, we object to these

13 incessant breaks. Every time the swamy gets cornered,

14 Mr. Parsons jumps in and tries to bail him out and take him

15 out of the room, and we object.

16 MR. PARSONS: I object to that characterization.

17 MR. FLYNN: It won't happen during the trial.

18 MR. PARSONS: No, no --

19 MR. FLYNN: I assure you it won't happen during

20 the trial, Mr. Parsons.

21 MR. PARSONS: That's right, because we won't have

22 these sorts of ridiculous questions which will be permitted

23 by the Court.

24 MR. FLYNN: We will have questions that will be

25 permitted by the Court, Mr. Parsons, that you won't be able

1 to bail your client out on. I assure you of that.

2 MR. PARSONS: I'm not bailing my client out.

3 MR. FLYNN: Q. Now, Mr. Walters, would you turn

4 to Exhibit -- and before doing so, let me ask you once

5 again, sir, in the last year, what scurrilous story have you

6 heard about Yogananda?

7 MR. PARSONS: Objection. For the reasons already  
8 stated, I'm not letting you examine this witness concerning  
9 this document or anything in the document. I'm instructing  
10 the witness not to answer.

11 MR. FLYNN: Q. Forgetting the document.

12 In the last year, what scurrilous story have you  
13 heard about Yogananda?

14 MR. PARSONS: I'm objecting. It assumes facts not  
15 in evidence, it's irrelevant, and it inquires in --  
16 unreasonably into these matters. I'm instructing him not to  
17 answer.

18 MR. FLYNN: Q. In 1962, when you were separated  
19 from SRF, did you state to Tara Mata and Daya Mata that you  
20 could shake SRF to its roots with information that you had?

21 MR. PARSONS: Okay. At this point, I'm going to  
22 object to that line of questioning.  
23 I reviewed the declarations. I had permitted  
24 certain questions under your representation that there had  
25 been statements made in the declarations concerning the  
1 separation.

2 I have subsequently reviewed those declarations  
3 and find no such reference in there whatsoever.

4 The whole area, therefore, is remote in time; it  
5 has nothing to do with this lawsuit; it's irrelevant; and  
6 intrudes therefore unreasonably into the personal matters of  
7 this witness.

8 I'm instructing him not to answer.

9 MR. FLYNN: We'll see, Mr. Parsons.

10 MR. PARSONS: Yes, we will.

11 MR. FLYNN: We will see.

12 Q. In the period 3 years ago to 4 years ago, when the  
13 SRF lawsuit was brought against you, did you go out and  
14 spread a scurrilous story about Yogananda?

15 A. No.

16 Q. 3 to 4 years ago, was a scurrilous story about  
17 Yogananda told to you?

18 MR. PARSONS: Objection for the reasons stated  
19 before.

20 I'm instructing the witness not to answer.

21 MR. FLYNN: This is all serious, serious  
22 obstruction, prohibiting our ability to respond to the  
23 motion for summary judgment, as you will see soon,  
24 Mr. Parsons.

25 MR. PARSONS: Well, I have offered to present this  
1 to the discovery referee right now --

2 MR. FLYNN: Q. Would you turn to Exhibit 1,

3 please?

4 MR. PARSONS: -- so that we can avoid having to

5 come back and wasting time.

6 If you believe that it's that important, let's

7 take it to the referee.

8 MR. FLYNN: The only one wasting time is you,

9 Mr. Parsons, with your constant cluttering of the record.

10 MR. PARSONS: I see.

11 MR. FLYNN: Q. Mr. Walters, would you turn to

12 Exhibit 1, please?

13 MR. PARSONS: He's still at Exhibit 1.

14 MR. FLYNN: Q. Strike that. Would you turn to

15 Exhibit 2?

16 You state in paragraph 2, "Yogananda founded

17 Self-Realization Fellowship in this country in 1925."

18 A. Oh, okay. Yes.

19 Q. Where did you get that information?

20 A. It's common knowledge.

21 Q. Common knowledge to who?

22 A. The world.

23 Q. Are you sure the year is 1925?

24 A. What?

25 Q. Are you sure that the year he founded

1 Self-Realization Fellowship in the United States was 1925?

2 A. Again, it's a matter of how you define "founded."

3 '20, he came here. He didn't actually found it.

4 '25, he founded the headquarters. He didn't actually

5 incorporate until 1935.

6 Q. Is the statement true or false?

7 A. True. I've given three choices. That was one of

8 them, the middle one.

9 Q. Was the term "Self-Realization Fellowship" used in

10 1925 to designate Yogananda's organization in the United

11 States?

12 A. I don't really know.

13 Q. Were you telling the truth when you wrote

14 paragraph 1 -- or strike that -- the first sentence in

15 paragraph 2 on page 2 of your declaration?

16 A. I've answered that.

17 Q. So as I understand your testimony today, you don't

18 know whether he founded Self-Realization Fellowship, that

19 name, in 1925. Is that correct?

20 MR. PARSONS: That misstates his testimony with

21 respect to your prior question.

22 He founded the organization. He didn't know --

23 he's testified he didn't know what name he used, but it's

24 the same organization that was founded in 1925.

25 MR. FLYNN: Mr. Parsons, don't clutter the record,

1 don't instruct the witness how to answer, don't interpret

2 the witness's questions, and don't testify. It's not your

3 job.

4 MR. FLYNN: Q. Now, Mr. Walters, to your

5 knowledge, when did Paramhansa Yogananda first use the term

6 "Self-Realization Fellowship" to designate his organization?

7 A. I don't know. It would be -- Mr. Parsons gave the

8 correct answer. When he used the name, I wasn't alive even

9 at that time, so I have to go by hearsay.

10 All I know is, he incorporated it in 1935.

11 Q. Did you get this information from Mr. Parsons when

12 you signed this declaration?

13 A. No.

14 Q. Who did you get it from?

15 A. From my knowledge of his history, from

16 Self-Realization Fellowship literature, from all kinds of

17 things. What I've said here is common knowledge.

18 Q. On the first sentence of paragraph 1, you state,

19 "I make this declaration based on my own personal

20 knowledge, and I am competent to testify to the matters

21 stated herein."

22 Do you see that?

23 MR. PARSONS: I don't see that. Where is it?

24 MR. FLYNN: Page 1, paragraph 1, first sentence.

25 Q. Now, did you have personal knowledge of whether

1 Yogananda founded Self-Realization Fellowship in the United

2 States in 1925?

3 A. I have to define that in my way. I obviously, not

4 being alive then, didn't see him, wasn't his disciple.

5 It's common knowledge. That's my personal

6 knowledge. Nobody's ever contradicted it. It was our

7 tradition in Self-Realization Fellowship.

8 Q. So you're claiming that to be personal knowledge

9 of yours?

10 A. Yeah. You could correct me on that if you like.

11 I'm telling you what I meant.

12 Q. Could you answer my question? Are you claiming

13 that to be personal knowledge of --

14 A. I have defined --

15 Q. -- of Donald Walters?

16 A. I have defined what I mean by personal knowledge.

17 Q. Something someone told you?

18 MR. PARSONS: Something that's common knowledge,

19 is what he said. So I object that it misstates his

20 testimony.

21 MR. FLYNN: Q. Then you state, Mr. Walters, that

22 "I am a direct disciple of Paramhansa Yogananda." Page 1,

23 paragraph 1, second sentence.

24 A. Yes.

25 Q. What do you mean by that?

1 A. That he initiated me himself. That he accepted me

2 as a disciple.

3 Q. You state in paragraph 2, "From 1958 until 1962, I

4 served as SRF minister in India."

5 Is that a truthful statement?

6 A. Yes.

7 Q. Where in India did you serve?

8 A. Calcutta, Ranchi, a lecture tour through the

9 north. Basically, that.

10 Q. Did you serve in Delhi?

11 A. Yes.

12 Q. How long did you serve in Delhi?

13 A. Off and on for at least 2 years.

14 Q. What was the nature of your service in Delhi for

15 SRF?

16 A. I was giving lectures, giving -- yeah, that's



17 about it. Services.

18 Q. To who?

19 A. To the public.

20 Q. Other than giving services, did you perform any

21 other services for SRF in India in Delhi?

22 A. I was attempting to form an organization, a park

23 and ashram, in the center of the city where the greenbelt

24 area comes in close to the center.

25 Q. By whose authority?

1 A. Daya Mata.

2 Q. And what were you doing to establish an ashram in

3 that area?

4 A. Trying to convince the government it was a good

5 thing.

6 Q. How were you attempting to do that?

7 A. Well, I studied the situation, visited different

8 people in the government, finally wrote a letter to the

9 chief commissioner of Delhi State explaining why it would be

10 in their advantage. Spoke to Nehru. All of that.

11 Q. What did you tell Nehru?

12 A. Exactly that.

13 Q. Exactly what?

14 A. That I was trying to start a park and an ashram.

15 Q. Did the government of India attempt to eject you

16 from India?

17 A. I don't know.

18 Q. Did they accuse you of being a spy?

19 A. I don't know.

20 MR. PARSONS: Objection. Lack of foundation.

21 MR. FLYNN: Q. Did they accuse you of being a

22 liar?

23 MR. PARSONS: Objection. Calls for speculation,

24 lack of foundation.

25 Go ahead.

1 MR. FLYNN: Q. Did the government of India accuse

2 you of being a liar?

3 MR. PARSONS: Same objection.

4 Oh, I'm sorry, but you can go ahead and answer.

5 THE WITNESS: I thought you said you objected.

6 MR. PARSONS: I did object, but you can go ahead

7 and answer that.

8 THE WITNESS: No.

9 MR. FLYNN: Q. Now, when you tried to start the

10 ashram as your service in India, did you lie to the Indian

11 government?

12 A. Did I what?

13 Q. Lie to the Indian government?

14 MR. PARSONS: At the point in time where he's

15 trying to start the ashram, did he lie to the Indian

16 government?

17 THE WITNESS: No.

18 MR. FLYNN: Q. Now, shortly after, you were

19 thrown out of SRF; is that correct?

20 Shortly after this effort to start the ashram in

21 Delhi, you were thrown out of SRF?

22 MR. PARSONS: Objection to the word "thrown out.

23 MR. FLYNN: Q. Fired. Removed.

24 MR. PARSONS: You may answer.

25 THE WITNESS: No.

1 MR. FLYNN: Q. Well, what --

2 A. It depends on what you mean by "shortly."

3 Q. What period of time transpired between the time

4 when you attempted to start the ashram in your service as a

5 minister for SRF and the time that you were fired?

6 A. Year and a half.

7 Q. During that year-and-a-half period, were you

8 making any efforts to start the ashram?

9 A. No.

10 Q. And was this a women's ashram, or a men's ashram,

11 or both?

12 A. I wasn't trying to start it.

13 Q. Well, the one you were trying to start.

14 A. It wouldn't have been an ashram. It would have

15 been more of a retreat. It would have been both men and

16 women, though.

17 Q. Well, did you tell the Indian government that you

18 wanted to try to start an ashram and a park?

19 A. Uh-huh. Yes, sorry.

20 Q. So it would have been an ashram for men or an

21 ashram for women, or both?

22 A. Both.

23 Q. And were you working with other SRF ministers in

24 this endeavor?

25 A. I was working -- depending on what you mean by

1 working with, I was working with the knowledge of our main

2 minister in Calcutta.

3 Q. Were you working --

4 A. I was working with the knowledge of Daya Mata in

5 America.

6 Q. Were you working in the company, the physical

7 presence, of any other nuns or monks --

8 A. No.

9 Q. -- when you were endeavoring to do this?

10 A. No.

11 Q. Were you working in the physical presence of any

12 women or men who were members of SRF when you were

13 endeavoring to do this?

14 A. Well, there were -- there was a whole group of

15 people there. They were members of a sort. I guess you

16 could say that.

17 Q. Now, in 1968, you said you founded Ananda World

18 Brotherhood Village.

19 MR. PARSONS: Are you quoting now from the

20 declaration?

21 MR. FLYNN: Q. Page 2, paragraph numbered 3.

22 Is that correct?

23 A. That's right.

24 Q. And did you have permission of SRF to do that in

25 1968?

1 A. No.

2 Q. Did anyone at SRF counsel you not to do it on or

3 about the time you did it?

4 A. Later, I think 2 years later, Daya Mata said that

5 it was wrong.

6 Q. Why did she tell you it was wrong?

7 A. That's her business.

8 Q. Well, what did she tell you?

9 MR. PARSONS: Then I'm going to instruct the

10 witness not to answer that question, because it intrudes

11 unreasonably in a relationship between the two organizations

12 and the spiritual relationship they had before.

13 And it's obviously irrelevant. It's argumentative.

14 MR. FLYNN: In light of your declaration, that's

15 absurd, Mr. Parsons.

16 MR. PARSONS: Well, it's not my declaration.

17 MR. FLYNN: Well, you're the one apparently who

18 helped Mr. Walters prepare this. He's even adopted your

19 previous testimony.

20 Q. Now, would you go down to paragraph 4 please,

21 Mr. Walters?

22 "All of our churches and communities are base on

23 the teachings of Paramhansa Yogananda."

24 Did I read that correctly?

25 A. Uh-huh.

1 Q. Is that true?

2 A. Yes.

3 Q. Did Paramhansa Yogananda assert, as his primary

4 teaching, loyalty?

5 A. It was a primary teaching. Not the primary.

6 Q. Loyalty. Is that correct?

7 MR. PARSONS: Well, within the context of what he  
8 says, being one of the primary teachings.

9 MR. FLYNN: Q. And in 1968, did you consider

10 yourself being disloyal to -- or strike that.

11 2 years later, when Daya Mata contacted you, did

12 you consider yourself to be disloyal to the teachings of

13 Paramhansa Yogananda?

14 MR. PARSONS: I'm going to object to that as

15 well. You keep trying to inquire into the relationship, the

16 spiritual relationship to a former member.

17 I'm going to instruct him not to answer that

18 question.

19 MR. STILLMAN: On what grounds? What's your legal

20 grounds?

21 MR. PARSONS: Relevancy, privacy.

22 MR. FLYNN: Q. Then you state, "The term

23 'teachings' as I use it, means Yogananda's teachings,

24 whether based on his published works, or my own writings and

25 lectures discussing and interpreting his teachings."

1 Did I read that correctly?

2 A. Uh-huh. I haven't looked it, but I assume it's

3 correct.

4 MR. PARSONS: Yes. And the document of course

5 speaks for itself. I'll object on that grounds.

6 I'll let the witness state the obvious, though.

7 MR. FLYNN: Q. Now, what writings and lectures --

8 or strike that. Were you teaching -- strike that.

9 At Ananda Village, since you've started it, have

10 you been teaching Yogananda's teachings, your own teachings

11 and writings, or your interpretation of Yogananda's

12 teachings?

13 MR. PARSONS: Compound, vague. But I'll permit --

14 I would object on that grounds.

15 I'll permit the witness to answer.

16 MR. FLYNN: Q. Which were you teaching?

17 THE WITNESS: What did he say? I didn't hear

18 him.

19 MR. PARSONS: Okay. Can you repeat the question,

20 please?

21 MR. FLYNN: Will you read back the question?

22 (Record read.)

23 THE WITNESS: What I was teaching? Yogananda's

24 teachings.

25 MR. FLYNN: Q. Were you teaching the



1 interpretation of his teachings by you?

2 A. Mr. Flynn, a disciple has to use his own words.

3 He can't just be quoting like a parrot.

4 I would not call that an interpretation; I would

5 call it an explanation. That's quite different.

6 Q. Well, you say in your declaration under oath that

7 you interpreted his teachings.

8 A. Where is this?

9 Q. Page 2, line 24, first word.

10 A. 29 -- all right. Then I have to accept that

11 that's what it is.

12 But I'm trying to help you to understand what I

13 mean by "interpreting."

14 Q. Well, was it true when you wrote "interpreting"?

15 Were you interpreting Yogananda's teachings?

16 A. I've tried to explain what I mean. My

17 interpretation is an explanation.

18 Q. You didn't say "explain." You said "interpret,"

19 Mr. Walters.

20 A. All right. Let it be.

21 Q. Now, when you were counseling (the plaintiff)

22 , were you counseling her according to Yogananda's

23 teachings or your interpretation of Yogananda's teachings?

24 A. Both.

25 MR. PARSONS: The question is vague as to time.

1 At what time do you mean?

2 MR. FLYNN: Q. Well, when she came to you for

3 counseling.

4 MR. PARSONS: And on what -- every time she came

5 to him for counseling?

6 MR. FLYNN: Q. Do you remember (the plaintiff)

7 ?

8 A. Uh-huh, I do.

9 Q. Do you remember whether she was a member of your

10 organization?

11 A. I don't know if -- whether she had become a member

12 or not yet. I didn't know her that well. I know she was

13 there to become a member.

14 Q. How well did you know her?

15 A. Not well.

16 Q. Did she massage your shoulders?

17 A. What?

18 Q. Did (the plaintiff) massage your shoulders?

19 A. I think she did.

20 Q. And you didn't know her very well?

21 A. No.

22 Q. Did you watch a movie with (the plaintiff)

23 during a counseling session?

24 MR. PARSONS: Objection. The question is

25 compound. I'd like you to break it down.

1 MR. FLYNN: Q. Did you watch a movie with

2 (the plaintiff)?

3 A. I don't remember.

4 Q. Did you watch a movie with (the plaintiff)

5 in which there was a depiction of a woman performing oral

6 sex --

7 A. No.

8 Q. -- on a male?

9 A. No.

10 Q. Did you watch a movie with (the plaintiff)

11 entitled "Outrageous Fortune"?

12 A. I don't remember that that was the movie. I don't

13 remember what the movie was about.

14 Q. You didn't know (the plaintiff) very well.

15 Was that your testimony?

16 A. Uh-huh.

17 MR. PARSONS: Objection. Asked and answered.

18 I'll be happy to have the court reporter read it

19 back, if you want to know what his testimony was.

20 MR. FLYNN: Q. When you watched -- strike that.

21 Assuming you watched a movie with (the plaintiff)

22 , do you have any memory of there being a

23 suggestion in the movie of a woman performing oral sex on a

24 man?

25 A. I have no such recollection.

1 Q. When (the plaintiff) came to you for

2 counseling, did she massage your shoulders?

3 MR. PARSONS: Vague as to time. At what time do

4 you mean?

5 MR. FLYNN: Q. At any time she came to you for

6 counseling?

7 A. I think so.

8 Q. When (the plaintiff) came to you for

9 counseling, did you massage any part of her body?

10 A. Her neck.

11 Q. When (the plaintiff) came to you for

12 counseling, what counseling did you give her?

13 MR. PARSONS: Again, it's vague as to time.

14 I'll permit the witness to answer, though.

15 THE WITNESS: Huh?

16 MR. PARSONS: You can go ahead and answer that,

17 but try to be specific as to time.

18 THE WITNESS: I don't know the time. But -- you  
19 see, I don't remember whether she came to me first or Danny  
20 Levin came to me first. But my attempt was to encourage her  
21 to break off any possible relationship with him.

22 MR. FLYNN: Q. While she was massaging your  
23 shoulders?

24 A. You see, I wanted her to --

25 Q. Can you answer my question?

1 Were you encouraging her to break off a  
2 relationship with Levin while she was massaging your  
3 shoulders?

4 A. No. I'd already given her that counsel.

5 Q. And was that counsel based on Yogananda's  
6 teachings or an interpretation of his teachings?

7 A. Both.

8 Q. What teachings?

9 A. That he was married, and he should not have an  
10 affair with her. That she was going through the training  
11 period there; it was inappropriate.

12 That I felt that it was a mistake, morally and  
13 spiritually.

14 Q. When you gave that counseling to (the plaintiff),  
15 did you put her head in your lap?

16 A. I tried to answer that, and you stopped me. I'm  
17 going to answer it.  
18 I wanted her to know that I was not being  
19 prejudicial against her. So I tried to express friendship  
20 for her.  
21 Putting her head in my lap? She was complaining  
22 of a sore neck. I said, would you like me to try to massage  
23 it? I asked her. I didn't tell her. And that's all it  
24 amounts to.

25 Q. So the answer is yes, you put her head in your lap?

1 A. She put her head in my lap.

2 Q. Thank you, Mr. Walters. You're sure of that

3 testimony?

4 MR. PARSONS: That testimony being what?

5 MR. FLYNN: Q. She put her head in your lap. You

6 remember that?

7 A. Uh-huh. In the sense that I asked her if she

8 wanted me to. I wouldn't drag it down. I didn't force

9 anything.

10 Q. Did you take her head and put it in your lap?

11 A. No.

12 Q. Do you remember the physical movements of the two

13 of you by which her head ended up in your lap?

14 A. I asked her, and she put her head in my lap.

15 Q. What did you ask her?

16 A. Would you like me to massage my -- your neck

17 because it's sore?

18 She's the one who complained. And I'm good at

19 adjusting necks.

20 Q. So you asked her if you would like -- if she would

21 like to have her head in your lap?

22 A. No. I asked her --

23 MR. PARSONS: I was going to object. That

24 misstates his testimony.

25 THE WITNESS: Okay. You objected.

1 MR. FLYNN: Q. Well, what did you ask her?

2 A. Would you like me --

3 MR. PARSONS: Objection. Asked and answered.

4 Go ahead.

5 THE WITNESS: I can answer?

6 MR. PARSONS: Go ahead, yes.

7 THE WITNESS: Or are you saying not to?

8 MR. PARSONS: No, you can go ahead and answer.

9 THE WITNESS: I asked her, would she like to have

10 me adjust her neck.

11 MR. FLYNN: Q. Now, was this before or after the

12 two of you watched a movie together?

13 A. Before. The reason we watched the movie, if I may

14 say more --

15 MR. PARSONS: Why don't we wait for --

16 MR. FLYNN: Please, Mr. Parsons. That is an

17 outrage, sir, and it's on the video.

18 Don't counsel your witness how to answer in the

19 middle of a pending question when he's answering, and you

20 know he's going to say something that you don't want him to

21 say.

22 THE WITNESS: That's the purpose of a lawyer.

23 Excuse me, I'm going to the bathroom.

24 MR. FLYNN: You can't in the pending question.

25 You must finish your answer.

1 MR. PARSONS: I believe he can.

2 MR. STILLMAN: As long as no one leaves, I

3 guess --

4 MR. FLYNN: Bob, get all this, would you?

5 MR. PARSONS: I don't know how much all there is

6 to get, but I'm sure the camera will pick up everything in

7 front of it.

8 (Discussion off the written record.)

9 MR. FLYNN: Mark this as Exhibit 3, please.



10 (Exhibit 3 was marked.)

11 MR. PARSONS: By the way, how sensitive are these  
12 mikes?

13 THE VIDEO OPERATOR: Very sensitive.

14 MR. PARSONS: I should probably keep my whispered  
15 advice to my client to a minimum, then.

16 MR. STILLMAN: That depends. If you don't want to  
17 waive your attorney-client privilege rights.

18 MR. FLYNN: It doesn't make any difference,  
19 Mr. Parsons. I assure you, it's all going to come out in  
20 the wash. The cosmic wash.

21 MR. STILLMAN: Cosmic wash.

22 MR. FLYNN: And (the plaintiff) v. Walters wash.

23 MR. PARSONS: Well, we will see.

24 (The witness reentered the deposition room.)

25 MR. FLYNN: There will be no stone left unturned.

1 Q. Mr. Walters, I've marked as Exhibit 3 the Rules of  
2 Conduct for Members at Ananda.

3 I believe you wrote that document. Is that  
4 correct? Is that correct, sir?

5 A. Pardon?

6 Q. You did write the rules of conduct for members?

7 A. Yes. Yes, I did.

8 Q. And would you turn to page numbered 5? The

9 numbers are down at the bottom.

10 Well, we can start over on 4.

11 You write, "Community life is in a sense like

12 marriage. For whatever one member does affects everyone.

13 Whatever hurts one is hurtful to all. And whatever benefits

14 one accrues to the benefit of all."

15 Did you write that, sir?

16 A. Yes.

17 Q. And this is part of Article 2 of the rules of

18 conduct entitled "Community Life Defined." Is that correct?

19 MR. PARSONS: The document speaks for itself. I

20 object. He can answer.

21 MR. FLYNN: Q. Going over to page 5, you write,

22 "'Loyalty,'" in quotes, "Paramhansa Yogananda often said,"

23 quote, "'is the first law of God,'" end quote.

24 Did I read that correctly?

25 MR. PARSONS: Objection. The document speaks for

1 itself.

2 MR. FLYNN: Q. Now, is it true, sir, that

3 Yogananda said that loyalty is the first law of God?

4 A. I wrote it.

5 Q. Is it true?

6 A. Yes.

7 Q. And one of the vows you took in 1955 was that of  
8 loyalty. Is that correct?

9 A. Yes.

10 Q. The same loyalty that's referred to here by

11 Yogananda in you?

12 A. I suppose so. It depends on the context.

13 Q. "He spoke strongly concerning the opposite quality  
14 to loyalty." Quote, "Treachery," end quote, "he told his

15 disciples," quote, "is the greatest sin before God. For

16 moral sins are committed in weakness, under the influence of

17 past habit. But treachery is deliberate."

18 Did I read that correctly?

19 MR. PARSONS: Objection. The document speaks for

20 itself.

21 THE WITNESS: You don't need to ask me.

22 MR. FLYNN: Q. Did I read that correctly?

23 A. You don't need to ask me.

24 Q. Yeah, I do. I need it on the record that it's

25 been read correctly into the record.

1 A. All right.

2 Q. Now, sir, did you write, in 1955, between 1955 and

3 1962, that you would never start an organization that would

4 be opposed to SRF, because it would be treachery to do so?

5 MR. PARSONS: I'm going to object on the same

6 grounds, that this is religious matter of personal privilege

7 here, privacy.

8 I'm going to instruct the witness not to answer.

9 MR. FLYNN: Q. Now, when (the plaintiff)

10 came to you for counseling, did any part of the counseling

11 you gave to her relate to the issue of loyalty?

12 A. Not that I remember.

13 Q. Did any part of the counseling that you gave to

14 her relate to the issue of treachery?

15 A. Pardon?

16 Q. Treachery.

17 A. Not that I remember.

18 Q. Did any part of the counseling that you gave to

19 her relate to Minister Levin's adulterous relationship with

20 her?

21 A. Not that I remember. It was adulterous. I talked

22 about it not being right, that he had a wife, a backward

23 child. I don't think I used the word "adulterous."

24 Q. Did Minister Levin -- strike that.

25 Was Minister Levin one of the senior ministers at

1 Ananda in 1992?

2 A. He was a minister.

3 Q. Was he one of the lightbearers?

4 A. Yes, I think so.

5 Q. That's one of the senior ministers, is it not --

6 A. Oh, okay.

7 Q. -- Mr. Walters?

8 A. I guess you could say that. These are not terms

9 we use, but okay.

10 Q. Lightbearer is not a term you use?

11 A. Lightbearer is a term we use.

12 Q. Is senior minister a term you use?

13 A. I don't think we use that term. But we could.

14 There's nothing wrong with it.

15 Q. Would you turn to page 29 of your declaration?

16 MR. GREENE: Which is Exhibit 2.

17 MR. FLYNN: Q. Which is Exhibit 2, where you

18 state, line 11, "61 were senior ministers or Lightbearers."

19 A. Well, then that's what it is. Okay. You're

20 refreshing my memory.

21 Q. That is one of the terms you used in your

22 declaration, is it not?

23 A. Yes, it is, then.

24 Q. And Minister Levin was one of the senior ministers

25 at Ananda when he was sexually involved with (the plaintiff)

1 (the plaintiff). Is that correct?

2 A. Yes.

3 Q. Now, as a senior minister at Ananda, did his

4 sexual involvement with (the plaintiff) represent

5 disloyalty to the Ananda organization?

6 A. I certainly wouldn't define it like that.

7 Q. Was it treacherous?

8 A. I would not define it like that.

9 Q. When you counseled (the plaintiff), did you

10 counsel her that Minister Levin as a senior minister had the

11 burden as such, as a senior minister, not to become involved

12 with a new member sexually?

13 A. If I said such a thing, it was to Levin, not to

14 her.

15 Q. Now, did you discuss (the plaintiff)'s

16 sexual involvement with Levin during this counseling

17 session?

18 MR. PARSONS: I'm going to object. "This

19 counseling session" referring to which one?

20 MR. FLYNN: Q. The one the witness has already

21 referred to, when he counseled her.

22 THE WITNESS: Would you repeat the question?

23 MR. FLYNN: Q. Yes. When you counseled  
24 (the plaintiff), did the issue of her sexual  
25 relationship with Levin, Minister Levin, come up in the  
1 counseling session?

2 A. Well, I didn't know that they were having a sexual  
3 relationship. They were attracted to each other. That's as  
4 far as I knew.

5 Q. Who told you that?

6 A. Nobody told me they were. I assumed that.

7 Q. (the plaintiff) did not tell you that Minister  
8 Levin was sexually harassing her?

9 A. Certainly not.

10 Q. Did (the plaintiff) tell you in any words,  
11 any form of words, there was a sexual connection between she  
12 and one of your senior ministers?

13 A. No.

14 Q. When you counseled --

15 A. If I may add, she was speaking of the attraction  
16 she felt for him.

17 Q. At any point in time, did you find out that there  
18 was a sexual connection between the two of them?

19 A. I don't think I knew about it until the very end,  
20 after she came back from India.

21 Q. So when she came to you for this counseling  
22 session, what is your best memory of what she told you?  
23 MR. PARSONS: And again, "this counseling session"  
24 is referring to the one he's already described, not the one  
25 after she came back from India?

1 MR. FLYNN: Q. What is your best memory of when  
2 the counseling sessions that you had with her occurred?

3 A. The time and the year --

4 Q. Yes.

5 A. -- you mean? No, I don't know. I don't know.

6 However -- what was the first thing you asked?

7 Q. When did this first counseling session occur?

8 A. Oh, that I don't remember.

9 Q. Okay. But that was the one where you suggested  
10 she put her head in your lap. Is that correct?

11 A. She put her head in my lap.

12 MR. PARSONS: Right. Again, that misstates his  
13 testimony, but he's corrected it.

14 MR. FLYNN: Q. Did you earlier testify that you  
15 suggested to (the plaintiff) that she put her head in your  
16 lap?

17 MR. PARSONS: I'm going to object. I'm going to  
18 instruct the witness not to answer on any questions as to



19 what he said earlier in the deposition.

20 MR. FLYNN: Q. Did you tell (the plaintiff), when

21 you were with her as part of this counseling session, that

22 she should put her head in your lap, in any form of words?

23 MR. PARSONS: Objection. Asked and answered.

24 You can respond again.

25 THE WITNESS: Hmm?

1 MR. PARSONS: You can go ahead.

2 THE WITNESS: I said, I asked her if she would

3 like to. That's all I went for -- that's as far as it went,

4 I should say.

5 MR. FLYNN: Q. You asked her if she would like to

6 what?

7 A. Put her head there so that I could massage her

8 neck.

9 Q. Put her head where?

10 A. On my leg.

11 Q. Did you get an erection when she put her head on

12 your leg?

13 A. I did not.

14 Q. Now, how long did this counseling session last?

15 A. I don't remember how long. I do know that

16 somebody had brought a movie, and it had to be returned the

17 next day. What the movie was, I don't know. I remember not

18 liking it. It was somebody else's choice.

19 I wanted to see the movie that evening, and I had

20 a choice between asking her to leave or saying, well, do you

21 want to stay while I watch it?

22 I didn't want her to feel that I was throwing her

23 out. Therefore, I said, you may stay if you like.

24 Q. And this was after she put her head in your lap?

25 A. Yes.

1 Q. And you don't recall whether the movie had a scene

2 in which there was a suggestion of oral sex?

3 MR. PARSONS: Objection. Asked and answered.

4 The witness can respond.

5 THE WITNESS: I'm certain there wasn't. If there

6 was, because it's a movie she named, I'd have to say that I

7 didn't watch that part, so I don't know. I cannot remember

8 ever watching that.

9 MR. FLYNN: Q. Now, which leg did she put her

10 head on?

11 A. She was on my left side, so it was my left leg.

12 Q. And how long did she have her head on your leg?

13 A. Well, not more than 10 minutes. Maybe 5.

14 Q. And you were massaging her neck; is that correct?

15 A. I answered that.

16 Q. And while you were massaging her neck, what were

17 you saying to her?

18 MR. PARSONS: Objection. Assumes facts not in

19 evidence.

20 The witness can respond.

21 THE WITNESS: I just don't know.

22 MR. FLYNN: Q. You don't recall?

23 A. No.

24 Q. Which direction was her face facing when she had

25 her head --

1 A. Face up.

2 Q. -- on your leg?

3 A. Face up.

4 Q. Were you on a couch?

5 MR. PARSONS: Okay.

6 THE WITNESS: Yes.

7 MR. FLYNN: Q. And this couch was in your living

8 room?

9 A. Uh-huh.

10 MR. GREENE: "Yes" or "no" answers.

11 MR. FLYNN: Q. Yes, you --

12 A. Yes.

13 Q. The couch was in your living room?

14 A. Yes.

15 Q. And was her body laid out on the couch with her

16 head in your lap?

17 MR. PARSONS: Objection. He's already testified

18 it's on her leg, so I object on that grounds.

19 I'll let him answer.

20 MR. FLYNN: Q. You earlier said lap. Do you make

21 a discontinuing between leg and lap?

22 A. I don't know. But the couch was a small couch,

23 two people only could sit on it, so I think she had her legs

24 up over the end.

25 Q. What was she wearing?

1 A. Clothes.

2 Q. Did you at any time suggest she take off her

3 clothes?

4 A. No.

5 Q. Is that a common practice of yours?

6 MR. PARSONS: Excuse me.

7 MR. FLYNN: Q. To massage young girls' necks and

8 suggest they take off their clothes?

9 MR. PARSONS: I object to that. There's no

10 foundation. It's argumentative.

11 But what I will do is, I will permit the witness  
12 to testify with respect to the time period of 1991 to the  
13 present.

14 MR. FLYNN: You're already in trouble,  
15 Mr. Parsons. You filed a declaration in opposition to the  
16 motion to strike in which your client denied all these  
17 things, and so we're entitled to get testimony on it.

18 MR. PARSONS: Well, examine him on the  
19 declaration, then.

20 MR. FLYNN: He will be.

21 THE WITNESS: And I deny it.

22 MR. FLYNN: Q. You deny it. I'm sure you do,  
23 Swamy.

24 Now, let me ask you this: When (the plaintiff) had  
25 her head on your leg or lap, face up, what part of her body  
1 were you massaging?

2 A. Her neck.

3 Q. What part of her neck were you massaging?

4 A. The back of the neck.

5 Q. And how long did you massage it?

6 A. You asked me that.

7 Q. 5 to 10 minutes?

8 A. Uh-huh.

9 Q. That was yes; right?

10 A. Yes. And mind you, I'm saying that from what I

11 remember.

12 Q. Now, when you were massaging her neck for 5 or 10

13 minutes, what parts of her neck were you massaging?

14 A. How many times do I have to answer?

15 MR. PARSONS: Yes, objection. It's been asked and

16 answered.

17 MR. FLYNN: No, I've never asked what parts of the

18 neck.

19 THE WITNESS: Would you like to lie down and have

20 me demonstrate on you?

21 MR. PARSONS: No, no, no.

22 MR. FLYNN: Believe me, Swamy. I wouldn't want

23 you to get near me.

24 MR. PARSONS: I don't want you to use "Swamy,"

25 please. Okay? He should be Mr. Walters to you. Some

1 reference of respect.

2 I've objected. I'll permit the witness to answer

3 this question.

4 THE WITNESS: Well, the back of the neck.

5 MR. FLYNN: Q. What part of the back of the neck?

6 A. The back of the neck.

7 Q. Up near the medulla oblongata?

8 A. Yeah. Yes.

9 Q. Or down near the --

10 A. Both.

11 Q. From all the way below the medulla oblongata to

12 the C1 --

13 MR. PARSONS: Wait a second. Wait, excuse me one

14 second.

15 Being sure to let him get his question out before

16 you start responding.

17 MR. FLYNN: Q. All parts of the back of the neck?

18 A. I don't understand this question. Of course.

19 Q. How many hands were you using?

20 A. Two hands.

21 Q. Now, how long did you counsel (the plaintiff)

22 before she was lying down on your couch with her neck in

23 your leg or lap?

24 MR. PARSONS: Is the question as to that day, how

25 long?

1 MR. FLYNN: Q. Yes.

2 A. How long did I counsel her?

3 Q. Yes.

4 A. I don't remember.

5 Q. Do you recall any of the teachings of Yogananda

6 that you counseled her about?

7 A. I don't think I talked about them.

8 Q. Did you talk about any of the rules of conduct of

9 members when you were counseling her?

10 A. When I counsel people, I don't talk about rules.

11 I try to think what's good for them and for whoever is

12 involved.

13 Q. Did -- when you counseled (the plaintiff), did the

14 issue of your being a swamy come up at all?

15 A. No.

16 Q. Did the issue of your celibacy come up at all?

17 A. No.

18 Q. Did the issue of your lack of celibacy come up at

19 all?

20 A. No.

21 Q. Did you tell her in any form of words during this

22 counseling session that even though you were a swamy, you

23 weren't celibate?

24 A. No.

25 Q. Did she refer to you as Swamy during the -- strike

1 that.

2 Did she refer to you as Swamy G during the



3 counseling session?

4 A. I have no idea.

5 Q. You don't recall?

6 A. I don't.

7 Q. She may have, but you don't recall?

8 A. I don't recall.

9 Q. Are you commonly, in fact, referred to as Swamy G

10 at Ananda Village?

11 MR. PARSONS: I'll object. Commonly is a vague

12 term.

13 I'll permit the witness to answer.

14 THE WITNESS: It's an honorific.

15 MR. FLYNN: Q. So the answer is yes?

16 A. Uh-huh.

17 MR. GREENE: "Yes" or "no"?

18 MR. FLYNN: He said yes.

19 MR. GREENE: No. You said yes.

20 THE WITNESS: Yes.

21 MR. FLYNN: Q. Now, and I believe you've written

22 that "swamy" means "celibate."

23 MR. PARSONS: Excuse -- do you want to ask him a

24 question?

25 MR. FLYNN: Q. Yes. I believe you've written

1 that swamy means celibate.

2 MR. PARSONS: That's a statement of fact, of your  
3 opinion.

4 MR. FLYNN: Q. No, it's a statement that you've  
5 written that, Mr. Walters.

6 MR. PARSONS: Wait until he asks you a question.

7 MR. FLYNN: Q. Have you written that?

8 A. Probably.

9 Q. In 1992, were you celibate when (the plaintiff)  
10 referred to you as Swamy G?

11 A. I feel that's my private life.

12 I'm not a swamy; I haven't presented myself as a  
13 celibate. I think that's my business.

14 Q. Well, I insist on an answer.

15 MR. PARSONS: Well, I'm going to object that it  
16 calls for an intrusion into his personal relationships.

17 There's been no complaint. I'm going to instruct him not to  
18 answer.

19 MR. FLYNN: No complaint? It's the basis of the  
20 of the whole lawsuit, Mr. Parsons, that this fellow held  
21 himself out for being a swamy for some 30 years, and in fact  
22 he's molesting girls for the whole time.

23 MR. PARSONS: That's untrue.

24 MR. FLYNN: That's the whole basis of this

25 lawsuit.

1 THE WITNESS: Sir, it's scurrilous and a lie.

2 MR. FLYNN: Q. We're going to get into the your

3 use of false and scurrilous in connection with your

4 declaration in terms of what's a lie and what's not.

5 MR. PARSONS: Thank you for that preview.

6 MR. FLYNN: Q. Now, when you were counseling

7 (the plaintiff), do you know whether she understood

8 you to be the spiritual director of Ananda Village?

9 A. I am. She must have.

10 Q. And she came to you for counseling?

11 A. Yes.

12 Q. Because one of her -- your senior lightbearers was

13 involved sexually with one of your new members, who happened

14 to be very attractive. Isn't that correct?

15 A. No.

16 MR. PARSONS: Wait a minute. Wait. That's

17 argumentative; it's compound.

18 I'm going to ask you to ask questions which can be

19 answered directly.

20 MR. FLYNN: Q. Mr. Walters, in Article 5,

21 "Personal Habits," under your rules of conduct, you state --

22 A. What page is that?

23 Q. Page 13. "Members' reading material should

24 exclude anything that is grossly sensual or violent."

25 MR. PARSONS: Excuse me. Let the witness get to

1 that point. Page 13. Right here.

2 THE WITNESS: Okay.

3 MR. FLYNN: Q. Do you see that?

4 A. Uh-huh.

5 Q. Would that include movies?

6 A. Yes. It's a counsel; it's not an order.

7 Q. "It should include as much as possible books that

8 are spiritual or instructive or in some way expansive to

9 their consciousness."

10 Would that include movies?

11 A. I suppose. Yes, of course.

12 Q. "Members should not read even spiritual books

13 indiscriminately, but try to confine themselves more to

14 books that are in tune with the teachings of Paramhansa

15 Yogananda."

16 Would that include movies?

17 A. Yes.

18 Q. Then you say further down, "For the first year,

19 especially, novices should confine their leisure reading as

20 much as possible to the writings of Paramhansa Yogananda,

21 Sri Kriyananda" -- that's you; right?

22 A. Yes.

23 Q. -- "and others in the Self-Realization

24 Fellowship/Ananda line."

25 A. Yes.

1 Q. Would that include movies?

2 A. Yes.

3 Q. And (the plaintiff) was a novice in your

4 community?

5 A. I think so.

6 Q. And she came to you for counseling because of a

7 sexual involvement with one of your senior ministers.

8 A. Excuse me, I testified that I didn't know she had

9 a sexual involvement with him.

10 Q. Well, what exactly did she tell you what the

11 involvement was?

12 A. She told me she was very attracted to him and

13 didn't know what to do about it. That's all I knew.

14 Q. Were you very attracted to her?

15 A. No. Not at all.

16 Q. And when you were giving her this counsel, you

17 played a movie that (the plaintiff) says has a depiction of a

18 woman giving a man oral sex.

19 Now, sir, according to your rules of conduct,

20 would that be prohibited to a novice?

21 MR. PARSONS: Excuse me. Let me --

22 THE WITNESS: By that, is your question, would it

23 be prohibited for a novice to see a movie?

24 MR. FLYNN: Q. In the presence of the spiritual

25 director, in which a woman is giving a blow job to a male.

1 Would that be prohibited, Swamy, under your rules?

2 A. Excuse me. The rule isn't a prohibition; it's a

3 counsel.

4 I didn't know what movie I was going to see. The

5 only movie I remember from that period was "Sound of

6 Music."

7 I don't remember that movie. And I didn't know

8 what it was going to be.

9 MR. PARSONS: I also object the question calls for

10 speculation and lacks foundation. No basis in fact.

11 MR. FLYNN: Q. So your counsel would be, under

12 your rules of conduct, to counsel a novice such as

13 (the plaintiff) from seeing such a movie when she was

14 a novice?

15 A. I would. I wouldn't tell her she may not.

16 MR. PARSONS: And by "such a movie," you're  
17 referring to the movie you described with the blow job, as  
18 you put it?

19 MR. FLYNN: "Outrageous Fortune."

20 MR. PARSONS: Oh, now your question goes to the  
21 movie "Outrageous Fortune."

22 MR. FLYNN: Q. The movie that was shown that  
23 (the plaintiff) has testified about in which there is a  
24 suggestion of a woman performing oral sex on a male.

25 MR. PARSONS: That assumes facts not in evidence,  
1 it's not supported by what this witness has said, it  
2 misstates this witness's testimony, it calls for speculation.

3 THE WITNESS: I didn't see anything like that.

4 MR. FLYNN: Q. What did you see?

5 A. Something I didn't like, but I don't remember what  
6 it was.

7 Q. You don't remember?

8 A. No, I don't.

9 Q. And you don't remember whether you had an election  
10 or not?

11 A. I remember that I did not.

12 Q. Now, when (the plaintiff)'s head was in your lap  
13 for 5 or 10 minutes --

14 DR. VAN HOUTEN: Mr. Walters, would you like to  
15 take a break?

16 THE WITNESS: No, it's okay. We can wait a little  
17 bit longer.

18 MR. FLYNN: Q. Did you tell her that as the  
19 spiritual director of the Ananda community, she should not  
20 have any sexual involvement with any senior ministers at  
21 Ananda?

22 A. I never put it on that level at all.

23 Q. And after (the plaintiff) visited you for  
24 this counseling session, did you contact Minister Levin?

25 A. Yes.

1 Q. When?

2 A. Probably the next day, but I don't know.

3 Q. And what prompted you to contact him the next day?

4 A. Because I wanted to counsel him against this.

5 Q. Against what?

6 A. This association with her.

7 Q. What association?

8 A. I didn't know what association. Romance.

9 Q. You wanted to counsel one of your senior ministers  
10 against something you didn't know what it was?

11 A. Well, it was obviously romantic. That was enough



12 for me to counsel.

13 Q. In 1992, did you have any more romantic  
14 relationships with any of your members, novices or  
15 otherwise?

16 MR. PARSONS: I'm going to object in that it  
17 inquires unreasonably into his right of privacy.

18 MR. FLYNN: That's frivolous. We'll see about  
19 that.

20 MR. PARSONS: Well, we'll see about it. Let's see  
21 about it right now.

22 MR. GREENE: There's no instruction.

23 MR. FLYNN: Yeah, are you instructing?

24 MR. PARSONS: And I instruct him not to answer.

25 MR. FLYNN: Q. Now, on page 16 of your  
1 instructions under "Marriage," you write, "At Ananda" --

2 MR. PARSONS: Excuse me. Are you referring to  
3 what's been marked --

4 MR. GREENE: Exhibit 3.

5 MR. PARSONS: Rules of conduct?

6 MR. FLYNN: The rules prepared by the swamy.

7 Q. "At Ananda, however, if the bride wears white it  
8 is to declare, 'My husband and I always want to live  
9 together in purity. '"

10 MR. PARSONS: Where are you reading from?

11 THE WITNESS: Where are we?

12 MR. FLYNN: Q. The next -to-the-last paragraph,

13 last sentence.

14 THE WITNESS: Here we are.

15 MR. PARSONS: Oh, okay.

16 MR. FLYNN: Q. Do you see that?

17 A. Yes, surely.

18 Q. What do you mean by purity?

19 A. Well, I mean fidelity to each other.

20 Q. Did you know that (the plaintiff) was

21 married when she came to your organization?

22 A. I didn't know if she was still married or not. I

23 hardly knew her.

24 In other words, I was addressing the subject from

25 the standpoint of Danny being married, so I didn't know

1 about her.

2 Q. Did you ask?

3 A. No.

4 Q. You had no time to ask, because --

5 A. I had plenty of time to ask. The question didn't

6 occur.

7 MR. PARSONS: Again, wait until you have a

8 question before you.

9 THE WITNESS: Oh, I thought he asked one. Sorry.

10 MR. FLYNN: Q. The question didn't occur?

11 A. Pardon?

12 Q. I believe your testimony was, the question didn't

13 occur. Is that correct?

14 A. Yes.

15 Q. You were the counselor, she was the counselee. Is

16 that correct?

17 A. Yes.

18 Q. It did occur to you to put her head in your lap?

19 MR. PARSONS: Objection. That's obviously

20 argumentative. I'm instructing the witness not to answer.

21 MR. FLYNN: Q. Now, would you turn to page 30,

22 please, of the rules?

23 "Should any member fall into negativity and" --

24 MR. PARSONS: Excuse me for a minute. Let the

25 witness get there.

1 MR. FLYNN: -- "and darkness" --

2 MR. PARSONS: Excuse me. Before you ask the

3 question, I want to take a brief break with my client.

4 THE WITNESS: Okay.

5 MR. PARSONS: Be sure to take that off.

6 THE WITNESS: Yes.

7 THE VIDEO OPERATOR: Can we go off the record?

8 MR. FLYNN: Off the record.

9 THE VIDEO OPERATOR: This is the end of videotape

10 number 2 in the deposition of Donald Walters. We're going

11 off the record at 2:48 p.m.

12 (Recess from 2:48 p.m. to 2:58 p.m.)

13 THE VIDEO OPERATOR: This is the beginning of

14 videotape number 3 in the deposition of Donald Walters.

15 We're back on the record at 2:59 p.m.

16 MR. FLYNN: Q. Now, referring to this Article 14,

17 "Departure or Dismissal of Members" on page 30, you write:

18 "Should any member fall into negativity and

19 darkness, and show himself, moreover, to be closed to

20 the community's help, he must be asked to leave both

21 for his own sake, and for the sake of those whom his

22 attitudes might otherwise infect."

23 Did I read that correctly?

24 MR. PARSONS: Objection. The document speaks for

25 itself. You can respond.

1 THE WITNESS: As far as I can tell.

2 MR. FLYNN: Q. And is that what happened to you

3 with SRF?

4 MR. PARSONS: Objection. I've already stated my  
5 objections. I'm not going to let you ask about his  
6 relationship with SRF.

7 Irrelevant, privacy grounds. Instruct the witness  
8 not to answer.

9 MR. FLYNN: Q. Was this a rule that you adopted  
10 from SRF that I read as part of the rules at Ananda?

11 A. No.

12 Q. This was your own rule?

13 A. Yes.

14 Q. And did you ask (the plaintiff) to leave the  
15 community?

16 A. No.

17 Q. Did you ask Minister Levin to leave the community?

18 A. No.

19 Q. At any time did you suggest in any form of words  
20 that (the plaintiff) should leave Ananda Village?

21 A. Yes.

22 Q. And when was that?

23 A. See, the village is only one Ananda community. I  
24 asked her to transfer to another.

25 Q. And in your view at that time, when you asked her  
1 to do that, had she fallen into negativity or darkness?

2 A. I was not dismissing her.

3 Q. You were moving her?

4 A. Yes.

5 Q. Can you answer my question as to whether or not in

6 your view at the time she had fallen into negativity or

7 darkness?

8 A. Well, she hadn't as far as I could tell. She was

9 rebelling against what I asked of her. That's not the same

10 thing.

11 Q. So she had not fallen into negativity or darkness?

12 A. I didn't see it that way.

13 MR. PARSONS: Objection. Asked and answered.

14 MR. FLYNN: Q. Had Minister Levin fallen into

15 negativity or darkness?

16 A. No.

17 Q. Okay. Did you consider it at the time as

18 spiritual director to be negativity or darkness when one of

19 your senior ministers was engaging in a sexual relationship

20 with a novice?

21 MR. PARSONS: Objection. It assumes facts not in

22 evidence, calls for speculation. But I'll let the witness

23 answer.

24 THE WITNESS: No.

25 MR. FLYNN: Q. You did not?

1 A. Consider him to have fallen into negativity and

2 darkness?

3 Q. No. Did you consider the fact that a senior

4 minister was engaged in an adulterous relationship to be

5 negativity or darkness at the time you were spiritual

6 director counseling (the plaintiff)?

7 MR. PARSONS: Same objection. You can answer.

8 THE WITNESS: No.

9 MR. FLYNN: Q. Now, did (the plaintiff) ask

10 to see you, or did you ask to see her --

11 MR. PARSONS: When is this --

12 MR. FLYNN: Q. The first counseling session you

13 had with her.

14 A. I think she asked to see me. I'm sure it had to

15 be that, because nobody else knew about it.

16 Q. I beg your pardon?

17 A. Nobody knew that they were attracted to each

18 other, so it had to be she.

19 Q. How do you know that nobody knew?

20 A. She hadn't told anybody. That's all I know. I

21 didn't tell anybody.

22 Q. Had Minister Levin told anybody?

23 A. I very much doubt it.

24 Q. Had Vidura told you?

25 MR. PARSONS: Told this witness what?

1 MR. FLYNN: Q. That there was a relationship

2 going on of some nature between (the plaintiff) and

3 your senior lightbearer, Minister Levin.

4 MR. PARSONS: And again, vague as to time. This

5 is prior to this session you're just talking about?

6 MR. FLYNN: Yes.

7 MR. PARSONS: Okay.

8 THE WITNESS: I don't think so. It was not a

9 question of a relationship, in my mind. It was something

10 that she felt an attraction, and I tried to help her in

11 that, and to help him in that.

12 I don't remember anything like that.

13 MR. FLYNN: Q. Have you ever spoken to Vidura

14 about this issue, about the attraction between (the plaintiff)

15 and Levin?

16 A. Did I speak, or have I spoken?

17 Q. Have you spoken?

18 A. Well, obviously, this case has been going now for

19 a year. I've spoken with him.

20 Q. Prior to the case being filed?



21 MR. PARSONS: Again, can you state the full

22 question?

23 MR. FLYNN: Q. Prior to the case being filed, did

24 you speak to Vidura about the relationship between Levin and

25 (the plaintiff)?

1 A. Well, as I recall, first I tried to get them to

2 stop on their own.

3 When I saw that that wasn't working, I asked

4 Vidura, who is our general manager, to find her a job in

5 another department.

6 And so he took her from Crystal Clarity into a

7 better paying job, in fact, in our computer department.

8 Q. This is what you asked Vidura to do?

9 A. Yes.

10 Q. When did you ask him to do that?

11 A. Well, I don't remember. It was after the first

12 counseling session. Later, though I don't know when, but it

13 was when I realized that my -- that they were not able

14 voluntarily to remain separate, so I tried this as the next

15 step.

16 Q. What is your best memory of how long after the

17 first counseling session this meeting with Vidura took

18 place?

19 MR. PARSONS: Objection. He hasn't testified to

20 any meeting that I heard.

21 I'll permit the witness to answer.

22 THE WITNESS: It was -- I would -- my best

23 recollection, let's put it that way, as you did, would be a

24 month.

25 MR. FLYNN: Q. Let me see if I understand your

1 testimony correctly.

2 You had a counseling session with (the plaintiff)

3 . Do you recall when that occurred?

4 MR. PARSONS: Objection. Asked and answered.

5 Go ahead.

6 THE WITNESS: It was asked and answered.

7 MR. FLYNN: Q. You don't recall. Is that

8 correct?

9 A. (Witness shakes head.)

10 Q. And then a month goes by.

11 A. To the best of my recollection.

12 Q. And then you instruct Vidura to move

13 (the plaintiff) from one job to another job in the computer

14 department. Is that correct?

15 A. Yes.

16 MR. PARSONS: No, that misstates his testimony.

17 It wasn't within the computer department.

18 THE WITNESS: No, right. Right.

19 MR. FLYNN: Q. But it was a month that elapsed

20 between the time you instructed Vidura --

21 A. I can't say better than I've said, which is the

22 best of my recollection.

23 Q. And when did (the plaintiff) get moved from one job

24 to the other?

25 A. I don't know.

1 Q. And what was Vidura's function when you gave him

2 that instruction?

3 A. Vidura --

4 MR. PARSONS: Objection. It's vague. You mean

5 his function with respect to what he was to do in response

6 to this specific request, or his job duties?

7 MR. FLYNN: State an objection, Mr. Parsons. The

8 witness was about to answer, and you interjected.

9 MR. PARSONS: Vague. The witness can answer.

10 THE WITNESS: He's helping me to understand what

11 you're saying, which I appreciate.

12 His function as the general manager was my reason

13 for addressing him.

14 MR. FLYNN: Q. Why did you wait a month?

15 A. Well, I didn't see -- I didn't see how things  
16 were developing.  
17 I was not -- mind you, this was very far from the  
18 center of whatever I was doing then. I talked to the head  
19 of the Crystal Clarity department and said, would it be okay  
20 to move (the plaintiff). She pleaded with me not to. She was  
21 doing crucial work.  
22 I didn't want to tell her why I was asking, so it  
23 made it a little awkward. And then I decided that the  
24 situation is far more important than the work. People are  
25 more important than just things.

1 So at that point -- and it took me that long, I  
2 don't know why it took that long, it took that long -- I was  
3 not with them every day. I was hardly with them at all.  
4 But as I touched on matters here and there, I  
5 began to realize that they were not able to separate their  
6 affections, and that's when I talked to Vidura.

7 Q. How did you find out that they were not able to  
8 separate their affections?

9 A. Her statements, his statements.

10 Q. What statements were made to you by (the plaintiff)  
11 during that month?

12 A. She said, he's very magnetic. I can't help being

13 attracted to him. He said the same thing.

14 And I -- in order not to intrude too far on their

15 free will, I said, what -- how do you feel about your

16 marriage? Are you trying to break up your marriage?

17 He said, no, I don't want to. So then I had to

18 say that, I must separate you.

19 Now, as I recall, at the beginning of June, he was

20 away anyway on tour, so it wasn't an issue for a while.

21 How long, I have no idea. What they specifically

22 said, I have no idea. It's more the energy that I was

23 addressing.

24 Q. Well, where were you getting information relating

25 to the energy during that month?

1 A. From them.

2 Q. How frequently did you see Minister Levin during

3 that month?

4 A. Very little.

5 Q. How frequently did you see (the plaintiff) during

6 that month?

7 A. Even less.

8 Q. But you did see them.

9 A. Yes.

10 Q. And did you talk to them?

11 A. Hmm?

12 Q. You did see them, and did you talk to them during  
13 that month?

14 MR. PARSONS: Is that a question, or is that a  
15 statement?

16 MR. FLYNN: Q. Is that correct?

17 A. Yes.

18 Q. And during that month, did Minister Levin say to  
19 you, I can't resist, I can't say no, to the relationship  
20 with (the plaintiff)?

21 MR. PARSONS: Is your question one of a quote, or  
22 words to that effect?

23 MR. FLYNN: Q. Yes.

24 MR. PARSONS: Okay. So the question before you is  
25 a quote.

1 THE WITNESS: Did he say that, you're asking?

2 MR. FLYNN: Q. Words to that effect.

3 A. Both of them were talking in terms of how  
4 difficult it was. That's all I can really say.

5 Q. Difficult what was?

6 A. To resist the attraction they felt.

7 Q. And it's your testimony, Mr. Walters, during this  
8 month you did not know that there was a sexual relationship

9 involved. Is that correct?

10 A. That is correct.

11 Q. And during this month, you did remain as spiritual  
12 director of the community. Is that correct? Throughout the  
13 period?

14 A. Of course.

15 Q. And during this month, you did take the  
16 responsibility of counseling both of them. Is that correct?

17 A. I think it's misleading to say I took the  
18 responsibility. I did my best to serve them and serve their  
19 interests. I don't take responsibility for anybody's life.

20 Q. As the senior spiritual director of Ananda, you  
21 were counseling both of these people during that month. Is  
22 that correct?

23 A. Yes.

24 Q. And during that month, were you engaged in the  
25 same type of conduct with woman #8 that Levin was  
1 engaged in with (the plaintiff)?

2 MR. PARSONS: Okay. I'm going to object. I'm  
3 going to instruct the witness not to answer with respect to  
4 his private, personal matters.

5 MR. FLYNN: Q. Now, when you were counseling  
6 (the plaintiff), did you ask her any questions to find out

7 what the nature or extent of the involvement with Levin was?

8 MR. PARSONS: Objection. Vague as to time.

9 The witness can respond.

10 THE WITNESS: No, I didn't.

11 MR. FLYNN: Q. When you were counseling Levin,

12 did you ask Levin what the nature or extent of his

13 involvement with (the plaintiff) was?

14 A. I did not --

15 MR. PARSONS: Objection. Vague as to time.

16 You can go ahead and respond.

17 THE WITNESS: I did not.

18 MR. FLYNN: Q. Let's return to Exhibit --

19 MR. PARSONS: Excuse me one second. I want to

20 just say something to my client here.

21 (Discussion between the witness and his counsel.)

22 MR. FLYNN: Q. I'd like to return to Exhibit 2,

23 Mr. Walters, your declaration.

24 Paragraph 5, page 3 --

25 A. Page 3.

1 Q. You say that you are the author of over 60 books.

2 Is that correct?

3 A. Yes.

4 Q. Which are roughly divided into two groups: "Those



5 which discuss Yogananda's teachings directly, and those  
6 which discuss or demonstrate the application of these  
7 spiritual doctrines and beliefs to everyday needs,  
8 situations and challenges."

9 Did I read that correctly?

10 MR. PARSONS: Objection. The document speaks for  
11 itself.

12 You can respond.

13 THE WITNESS: I am not reading along with you.

14 Perhaps I should, so I can say yes. But you've read it. I  
15 have to assume you're reading it correctly.

16 MR. PARSONS: Well, that's a dangerous assumption,  
17 Mr. Walters.

18 THE WITNESS: Is it? I'll read it again. Say it  
19 again?

20 MR. FLYNN: Q. Well, why don't you read to  
21 yourself --

22 A. Pardon?

23 Q. -- starting on line 7 of paragraph 3, beginning  
24 with "Those which discuss" --

25 A. Yes.

1 Q. Or strike that. Line 6, "which can roughly be  
2 divided into two groups."

3 A. Uh-huh.

4 Q. Okay. Which I just read aloud.

5 Read that from line 6 to line 10?

6 A. Well, you're asking me. It sounded right.

7 Is it better if I read along with him every time?

8 MR. PARSONS: Well --

9 THE WITNESS: All right. I can.

10 MR. PARSONS: If he's going to ask you --

11 THE WITNESS: I know my own words, so I doubt -- I

12 might miss an "of" or a "that," but I know --

13 MR. FLYNN: Q. Why did you divide these groups of

14 books -- or these books into two groups?

15 A. Some of the teachings are strictly about the

16 spiritual path. Others are how to manifest spiritual

17 principles.

18 And he set that example in a book of his own

19 called The Law of Success. How to apply spiritual

20 principles in daily life, in all the various aspects of

21 daily life.

22 Q. So you're saying that he divided his books into

23 two groups?

24 A. He set the example by writing also on practical

25 subjects, by saying that any spiritual teaching is valid in

1 the highest way only if it addresses our needs on all  
2 levels, and not just spiritual.  
3 In other words, our -- how to apply spiritual  
4 principles to worldly activities like business or education  
5 or all the different things, the arts and so on.  
6 Q. Now, when you got fired from SRF, did you get any  
7 permission to write about Yogananda's teachings from anyone  
8 at SRF?  
9 A. I didn't ask for permission.  
10 Q. And --  
11 A. I'm a disciple. I have a right to write about my  
12 guru's teachings.  
13 You would have a right to write about them, and  
14 you're not a disciple. Anybody has a right to write about  
15 such things.  
16 Q. Yes. But the difference, Mr. Walters -- and this  
17 is going to be a question -- is, you took a vow of loyalty  
18 and obedience, and I didn't.  
19 So the question is, when you took the vow of  
20 loyalty and obedience, did that vow include the requirement  
21 that you obey Yogananda's successors that you admit to be  
22 his successors, Daya Mata?  
23 MR. PARSONS: I'm going to object to that. His

24 successes or successors?

25 MR. FLYNN: Successor.

1 MR. PARSONS: I'm going to object, because once

2 again we've gotten into the nature of the relationship

3 between this witness and the SRF organization.

4 For the reasons stated before, included primarily

5 the privacy issue, I'm going to instruct this witness not to

6 answer that question.

7 MR. FLYNN: Okay.

8 MR. GREENE: It's been waived.

9 MR. FLYNN: Yeah, it's been waived.

10 Q. Let's go further down. You wrote a book

11 apparently called The Path: A Spiritual Autobiography.

12 Who is that an autobiography about?

13 A. It's really -- it's my autobiography, but it's

14 really about my life with Yogananda, primarily.

15 Q. Your life with Yogananda. From 1948 to 1952?

16 A. Basically, plus stories that I accumulated about

17 his early years.

18 Q. Well, how many times did you see him between 1948

19 and 1952?

20 A. Innumerable.

21 Q. Can you give me an estimate?

22 A. No.

23 Q. How often were you in his company?

24 A. A great deal.

25 Q. Daily?

1 A. Not daily. But when I was with him, I was often

2 with him for many hours.

3 Q. Weekly?

4 A. Hmm?

5 Q. Weekly?

6 A. No, because he was away sometimes. But he gave me

7 a great deal of time. I don't have any way of being able to

8 tell you how much time.

9 I can say it was quality time with me personally

10 and nobody else present.

11 Q. Can you give me any estimate of the hours, days,

12 weeks --

13 A. I'm sorry, you're asking questions I won't answer,

14 because I don't know the answer.

15 Q. In your book *The Path: A Spiritual Autobiography*,

16 did you express in any form of words how much time you spent

17 with Yogananda?

18 A. No.

19 Q. So this book, *The Path*, is about your spiritual

20 journey. Is that correct?

21 MR. PARSONS: Objection. It's been asked and

22 answered.

23 I'll let the witness answer.

24 THE WITNESS: It's basically about living with him

25 and what it was like to live with him. I depersonalized it.

1 MR. FLYNN: Q. What do you mean by that?

2 A. I told stories of other people, I told stories

3 that were only stories that had a point to them.

4 Even when I wrote about my years prior to that, it

5 was always stories that had a point leading to my meeting

6 with him.

7 The whole book was -- it was an autobiography in

8 the sense that I lived through it. It was a really a book

9 about him, because it was like a sequel to his autobiography.

10 He talked about all the saints he had known. I

11 talked about what he was like. Things he couldn't say about

12 himself.

13 Q. You considered this book to be a sequel to his

14 autobiography? Is that what you just said?

15 MR. PARSONS: Objection. It misstates the

16 witness's testimony.

17 I'll let the witness answer.

18 THE WITNESS: In the sense that I have said.

19 MR. FLYNN: Q. Well, he wrote his autobiography,  
20 and he didn't write a sequel, did he, Mr. Walters?

21 A. Mr. Flynn, you're being insulting. I wrote that  
22 book the way I felt to write it. And I have called it a  
23 sequel not in the sense that he wrote it or that I was  
24 writing as his amanuensis.

25 I wrote it in the sense that this was a book about  
1 him, whereas his book was about his life with other people.

2 He didn't, out of humility, write that much about himself.

3 In that sense, it was a sequel. In no other sense.

4 Q. He didn't write that much about himself.

5 A. Uh-huh.

6 Q. Did he write Autobiography of a Yogi about his  
7 meetings with other saints, such as Ghandi, a political  
8 saint?

9 A. He did.

10 Q. Did he write about his visions with someone like  
11 Christ?

12 A. You've obviously read the book. Yes.

13 Q. Did he write about his childhood?

14 A. Sir, where are you going with this? This is a  
15 waste of time.

16 Q. I'm dealing with your declaration that you filed

17 in court.

18 A. Yes. Well, then tell me what you're talking

19 about. I don't understand you're talking about.

20 Q. Well, you've made the statement that he didn't

21 deal with his own life in his own autobiography.

22 MR. PARSONS: No, that misstates his testimony.

23 You're trying to find, make up irrelevant issues that have

24 no significance, grasping at straws trying to find

25 distinctions where there are none.

1 MR. FLYNN: Q. Let me ask you this, Mr. Walters.

2 Why did you put this paragraph 5 in your

3 declaration?

4 MR. PARSONS: I'm going to instruct the witness

5 not to answer to the extent that it discloses any

6 communication between attorney and client.

7 MR. FLYNN: Q. Why did you put paragraph 5 in?

8 A. I suppose to show that I have been actively

9 involved in this work for many years.

10 Q. Why did you put paragraph 4 in?

11 MR. PARSONS: I'm going to object.

12 THE WITNESS: I think this is a waste of time.

13 MR. PARSONS: I'm also going to object in that



14 asking a declarant why he puts paragraphs into a declaration  
15 necessarily implicates the attorney-client communications  
16 and work product matters which go into the decision of how  
17 one structures.

18 So I'm going to instruct the witness not to answer

19 any question concerning why he put paragraphs in.

20 MR. FLYNN: Q. When you put paragraph 4 into your

21 declaration, sir, did you intend to refute anything in the

22 complaint of (the plaintiff)?

23 MR. PARSONS: I'm going to object to that on the

24 same grounds. There's no way he can answer a question like

25 that without disclosing the communications behind attorney

1 and client.

2 It's either truthful, not truthful, you can ask

3 him about those. But as to the motivation why, that

4 intrudes unreasonably know the attorney-client work product,

5 I'm instructing him not to answer.

6 MR. FLYNN: Q. You're aware that one of

7 (the plaintiff)'s claims in this case is that she was

8 brainwashed as part of your organization?

9 A. I am aware she said it.

10 Q. Now --

11 A. I'm also aware nobody else has ever said it.

12 MR. PARSONS: I'll also object, in that I'm not  
13 at all certain that's an issue as defined by the pleadings.

14 MR. FLYNN: Q. Now, you're aware that  
15 (the plaintiff) claimed that whatever sexual involvement she  
16 had with your senior minister, Levin, was not consensual.

17 Are you aware of that issue in this lawsuit?

18 A. Say that again?

19 Q. That (the plaintiff) claims that there was no  
20 consensual sexual relationship between her and Minister  
21 Levin. Are you aware of that?

22 MR. PARSONS: And in this regard, I'm going to  
23 instruct the witness not to answer to the extent it  
24 discloses any attorney-client communication. But he can  
25 testify as to any knowledge independently obtained.

1 THE WITNESS: I've read her papers.

2 MR. FLYNN: Q. So you're aware that there is an  
3 issue of whether she could have given consent or not consent  
4 while a member of your organization. Is that correct?

5 A. I am aware she said such a thing.

6 Q. Now, did you intend when you wrote paragraphs 4  
7 and 5 to hold yourself out as an expert on the teachings of  
8 Yogananda?

9 A. That subject didn't arise.

10 MR. PARSONS: Again, I'm going to instruct the  
11 witness not to answer as to the motivation as to including  
12 statements into the declaration, because he can't answer  
13 without disclosing the communications which have passed  
14 between attorney and client and the work product.

15 MR. FLYNN: Q. Are you knowledgeable about the  
16 religion of Ananda?

17 A. I'm considered so.

18 Q. Do you know of any person who you would consider  
19 to be more knowledgeable about the religion of Ananda?

20 A. No.

21 Q. Do you attempt to set forth in your declaration  
22 information relating to the religion of Ananda?

23 MR. PARSONS: Again, for the reasons I've stated  
24 before, I'm not going to let the witness testify as to the  
25 intent as to why any statement is or is not in here.

1 So -- and I'm instructing him not to answer that  
2 question as phrased.

3 MR. FLYNN: Q. Okay. Now, in paragraph 6 of your  
4 declaration, you write, "In the second category are books I  
5 write" -- "I wrote to show the relevance of Paramhansa  
6 Yogananda's teaches to numerous aspects" --

7 A. What line is that, please?

8 Q. Line 1.

9 MR. PARSONS: It's on page --

10 THE WITNESS: Oh, I'm on 4.

11 MR. FLYNN: Q. Paragraph 6.

12 MR. PARSONS: Paragraph 6.

13 THE WITNESS: Okay.

14 MR. FLYNN: Q. "In the second category are books

15 I wrote to show the relevance of Paramhansa Yogananda's

16 teachings to numerous aspects of modern life: Marriage,

17 child raising, education, business, leadership, the arts,

18 architecture, philosophy, communities -- indeed, in a sense,

19 to the whole spectrum of life."

20 Did I read that correctly?

21 A. Yes.

22 MR. PARSONS: Objection. The document speaks for

23 itself. The witness can respond, as he did.

24 MR. FLYNN: Q. Do you consider yourself to be

25 knowledgeable with about the teachings of Yogananda as they

1 apply to those numerous aspects of modern life?

2 A. Yes.

3 Q. You consider yourself to be knowledgeable about

4 the teachings as they apply to marriage. Is that correct?

5 MR. PARSONS: Objection. Asked and answered,

6 because it's included in the list you've just referenced.

7 MR. FLYNN: Q. Is that correct?

8 A. He's objected.

9 MR. PARSONS: You can go ahead and answer it.

10 THE WITNESS: I've said yes.

11 MR. FLYNN: Q. And you consider yourself to be

12 knowledgeable about the teachings as they apply to

13 education. Is that correct?

14 MR. PARSONS: Again, objection. It's been

15 included, it's been asked and answered.

16 I will permit the witness to answer this last

17 repetition of the list of questions here.

18 Go ahead.

19 MR. FLYNN: Q. Is that correct?

20 A. I think so.

21 Q. And you do consider yourself to be knowledgeable

22 about the teachings as they applied, quote, "to the whole

23 spectrum of life." Is that quote correct?

24 MR. PARSONS: That misstates the testimony of the

25 declaration, and I object on that grounds. But I will

1 permit the witness to answer.

2 THE WITNESS: Well, I have said that his teachings

3 -- I understand his teachings in these contexts -- I have

4 seen that they're relevant to the whole spectrum of life.

5 I have certainly not analyzed the whole spectrum,

6 so you could not make that a factual statement.

7 MR. FLYNN: Q. Well --

8 A. In other words, they're relevant in many, many

9 different ways. I've explored a few of them. The rest

10 would be belief.

11 Q. Do you consider yourself to be knowledgeable as a

12 counselor of Yogananda's teachings?

13 MR. PARSONS: Objection on the term "counselor."

14 That's vague and ambiguous.

15 I'd ask you to define what you mean by that.

16 MR. FLYNN: Q. Someone who counsels someone else

17 about Yogananda's teaching.

18 MR. PARSONS: Counsels someone about Yogananda's

19 teachings.

20 I'll object. Vagueness, uncertainty. I'll permit

21 the witness to testify.

22 THE WITNESS: I hope so. That's all I can say.

23 MR. FLYNN: Q. You hope you consider yourself to

24 be an expert?

25 A. No. I hope that I am knowledgeable.

1 Q. Now, have you ever taken any courses in counseling?

2 A. Never.

3 Q. Has Yogananda ever written anything about how to  
4 counsel people?

5 MR. PARSONS: Is that your question?

6 MR. FLYNN: Yes.

7 MR. PARSONS: Okay. I'll object -- again, I  
8 object to it being vague and ambiguous on "counsel," but  
9 I'll permit the witness to answer.

10 THE WITNESS: I don't really know whether he has  
11 or not. He probably has.

12 MR. FLYNN: Q. Have you ever read any literature  
13 on pastoral counseling?

14 A. No.

15 Q. Have you ever read any of the rules that other  
16 religions write with regard to counseling between a minister  
17 and a parishioner?

18 MR. PARSONS: Again, it's vague. I object on the  
19 grounds of vagueness and ambiguous -- ambiguity, I guess is  
20 the word.

21 On other religions' counseling, I'll permit the  
22 witness to answer.

23 THE WITNESS: I counsel by my intuitive feeling.

24 It's not by knowledge. That's why I say, I hope. I hope

25 I'm correct. I can't say that I know anything.

1 MR. FLYNN: Q. Well, the question was, have you  
2 ever read.

3 A. I said no.

4 Q. Do you know as you sit here today whether other  
5 organized religious bodies have enacted rules relating to  
6 counseling sessions between a counselor and a person in a  
7 religious organization?

8 A. I don't know.

9 Q. As you sit here today, do you know whether any  
10 other organized religious organizations have prohibited any  
11 physical contact during counseling sessions between a  
12 counselor and we'll call them a counselee?

13 A. I know nothing.

14 Q. You know nothing about this subject?

15 A. No.

16 Q. Now, in Yogananda's teachings as they apply to  
17 marriage, does he ever discuss anything about intimacy  
18 between two people?

19 A. Yes.

20 Q. In what -- in what teachings does he discuss  
21 intimacy?

22 MR. PARSONS: Object as vagueness of "teachings."



23 Are you referring to specific lectures, books or --

24 MR. FLYNN: Whatever. I'm just picking up on

25 Mr. Walters' knowledge as set forth in paragraph 6.

1 MR. PARSONS: Okay. Well, I object to the term,

2 then, "teaching," because it's vague and ambiguous, but I'll

3 certainly permit the witness to answer.

4 THE WITNESS: I'm sorry, I can't answer your

5 question. It's not clear enough, it's not specific enough.

6 I don't really know what you're talking about.

7 MR. FLYNN: Q. Well, I asked whether or not

8 Yogananda has given any teachings about intimacy between two

9 people, and you said he has. Right?

10 A. You didn't ask that question. You asked about a

11 relationship. I don't think you asked about -- you could

12 read that again and see.

13 Did he ask that? Or does it matter? You can ask

14 it again.

15 Q. Mr. Walters, did you just testify a moment ago

16 that, yes, Yogananda wrote about the subject of intimacy

17 between two people in his teachings?

18 MR. PARSONS: No, again I'm not letting you ask

19 what the witness just said. If we want to know what the

20 witness just said, we can get the record.

21 I don't want to go on to layers on layers of what

22 it was that he remembers he said.

23 MR. FLYNN: Mr. Parsons, you're being

24 obstructionist.

25 MR. PARSONS: I am not.

1 MR. FLYNN: I'll ask you again. Forget the prior

2 record, just to get through this.

3 Q. Does Yogananda's teachings include any teachings

4 relating to the subject of intimacy between two people?

5 A. Well, the question of intimacy permits of many

6 different layers of understanding. I think that's probably

7 my difficulty.

8 MR. PARSONS: Then I'm going to object, because

9 the witness obviously has a problem with the vagueness and

10 ambiguity.

11 I will, however, permit the witness to respond to

12 the extent he can.

13 THE WITNESS: When he talked of a married couple,

14 he said vague terms like, be together less, concentrate more

15 on spiritual communion. He didn't go into detail, as far as

16 I know.

17 MR. FLYNN: Q. Do you consider yourself to be an

18 expert on the subject of intimacy in marriage?

19 MR. PARSONS: I'm going to object to the term  
20 "expert." I think that's vague and ambiguous, especially in  
21 the legal context.

22 I'll permit the witness to answer.

23 THE WITNESS: I don't consider myself an expert on  
24 anything. I know certain things that seem to be -- people  
25 seem to find helpful. I don't think I'm an expert.

1 MR. FLYNN: Q. Do you consider yourself to be  
2 knowledgeable on the subject of intimacy in marriage?

3 MR. PARSONS: Generally, or with respect to  
4 Yogananda's teachings?

5 MR. FLYNN: Q. With respect to Yogananda's  
6 teachings.

7 A. Knowledgeable to say what I know. There's an  
8 awful lot I don't know.

9 Q. What do you know?

10 A. What do I know?

11 MR. PARSONS: Objection. Calls for a narrative.

12 MR. FLYNN: Q. What do you know about the subject  
13 of intimacy as taught by Yogananda in marriage?

14 MR. PARSONS: Again, I object. It calls for a  
15 narrative.

16 I will permit the witness to respond if he's able

17 to digest out specific items.

18 DR. VAN HOUTEN: Mr. Walters, would you like a  
19 break?

20 THE WITNESS: Well, yeah. Let's take a little  
21 break. I honestly do not know the line you're trying to  
22 develop.

23 Anyway, give me a break, and then we'll talk.

24 THE VIDEO OPERATOR: We're going off the record  
25 at 3:35 p.m.

1 (Recess from 3:35 p.m. to 3:47 p.m.)

2 (Mr. Friedman and Mr. Hanchett left the deposition  
3 room.)

4 THE VIDEO OPERATOR: We're back on the record at  
5 3:47 p.m.

6 MR. FLYNN: Q. Would you turn to page 7,  
7 paragraph 14 of your declaration please, Mr. Walters?

8 Now, you say, "In accordance with this ancient  
9 tradition, my guru Paramhansa Yogananda, empowered me to  
10 teach, to give initiation into Kriya Yoga, to edit his  
11 writings, and to establish world brotherhood colonies."

12 Did I read that correctly?

13 A. Yes.

14 Q. When you took your vows in 1955, did you vow to

15 only administer Kriya Yoga as part of the SRF teachings?

16 A. No, I didn't.

17 Q. When did you take your vow of Kriya Yoga?

18 A. That was in December of '48.

19 Q. With Yogananda?

20 A. Yes.

21 Q. And did you vow when you took the Kriya Yoga vow

22 not to divulge Kriya Yoga except in conformity with the SRF

23 teachings?

24 MR. PARSONS: I'm going to object that that calls

25 for the private and personal statements that this person,

1 this witness, has made with respect to his religion at the

2 time, the organization with which he was affiliated at the

3 time.

4 MR. FLYNN: You waived it, Mr. Parsons, when you

5 put this in his declaration, that he was empowered by

6 Yogananda to initiate others into Kriya Yoga, and I'm

7 entitled to explore what he meant by that.

8 And part of that exploration is what vow he took

9 when he took Kriya Yoga from Yogananda.

10 And I would further add, because if I understand

11 that vow correctly, every time he's administered it ever

12 since 1962, he's broken the vow he made in 1948. And every

13 person who's ever received Kriya Yoga would know that he's

14 breaking it, repeatedly.

15 MR. PARSONS: I don't believe this declaration

16 opens up the door into the witness's vows.

17 I believe you are entitled to ask him concerning,

18 for example, what Yogananda did to empower him to teach and

19 to give initiation.

20 MR. FLYNN: You're just playing games.

21 MR. PARSONS: No, I'm not.

22 MR. FLYNN: You're just playing games, and you're

23 obstructing.

24 MR. PARSONS: No, I'm not.

25 MR. FLYNN: Q. How did Yogananda empower you to

1 teach Kriya Yoga?

2 A. He told me to do it.

3 Q. Did he ask you to take a vow when he told you to 4 do it?

5 A. No.

6 Q. When he initiated you into Kriya Yoga, did he

7 empower you to give it to others?

8 A. Mr. Flynn, this is a matter of my conscience. It

9 does not come under the purview of the law.

10 Q. Mr. Walters, you wrote this declaration, and you

11 said Yogananda empowered you to teach Kriya Yoga and to give

12 initiation into Kriya Yoga. Did you not?

13 A. He did.

14 Q. How did he do it?

15 A. I told you.

16 Q. How?

17 A. He told me to do it.

18 Q. Did he have you take a vow that you would only

19 initiate other people into Kriya Yoga in accordance with the

20 SRF teachings?

21 A. No.

22 Q. Does the Kriya Yoga vow that you took in 1948

23 require that?

24 MR. PARSONS: Excuse me. Require what?

25 Objection.

1 MR. FLYNN: Q. That it only be given to others in

2 accordance with the SRF teachings.

3 A. Sir, I go by my conscience, by my understanding.

4 Q. I'd like an answer to my question.

5 Please, would you have it read back?

6 A. Okay. It is not according to what I have

7 understood. I am a disciple, and it is my right and

8 privilege to follow the teachings as I understand them.

9 Now, vow, non-vow, if he told me to give it and if

10 I know that his blessings are there, that's what I follow.

11 Q. Look, Mr. Walters -- well, my question is, when

12 you stated the words of your vow when Yogananda empowered

13 you to initiate into Kriya Yoga, did you state that you

14 wouldn't divulge information relating to Kriya Yoga except

15 in accordance with SRF teachings?

16 A. No.

17 MR. PARSONS: Now again, I'm going to object to

18 that.

19 MR. FLYNN: The witness answered.

20 MR. PARSONS: I still object.

21 MR. FLYNN: Q. Now, have you ever seen the Kriya

22 Yoga SRF vow written down?

23 A. It was written long after that.

24 Q. And Mr. Walters, you were a minister of Kriya Yoga

25 for SRF from at least 1955 to 1962. Is that correct?

1 A. No.

2 Q. Well, you say here, 14 years. But we know you

3 took your final vows in 1955.

4 A. Say '49 to '62.

5 Q. '49 to '62, you were initiating people into Kriya

6 Yoga.

7 And every single time you initiated someone into



8 Kriya Yoga, you gave them a vow that they took. Is that  
9 correct?

10 A. You are taking something people in SRF have told  
11 you, which is a modern policy, not the policy at that time.

12 The vow that I gave then was that they would be

13 loyal to these gurus, to this line of gurus, and to their

14 practice of Kriya Yoga, period.

15 Q. And there was nothing, according to your testimony

16 now under oath, about vowing to not divulge the Kriya Yoga

17 teachings and the Kriya Yoga method, except in accordance

18 with the SRF teachings. Is that correct?

19 MR. PARSONS: Vague -- object that it's vague as

20 to time. I'll let the witness answer.

21 MR. FLYNN: Q. When you were a minister for 14

22 years.

23 A. Yes.

24 Q. Yes what?

25 A. Yes, I told them that they could not divulge it

1 without permission from Self-Realization Fellowship.

2 However, that I consider -- and this is a question

3 of my conscience -- I consider myself guided by him rather

4 than by them, and I have to follow my conscience on that.

5 Q. But when you were empowered by Yogananda to

6 initiate into Kriya Yoga, that was the vow you took from  
7 Yogananda, not to divulge. Is it not correct, Mr. Walters?

8 MR. PARSONS: Objection. That misstates this  
9 witness's testimony.

10 THE WITNESS: Hmm? What did you say?

11 MR. PARSONS: His question --

12 THE WITNESS: You've misstated my testimony. But  
13 I also say you don't have a right to ask questions that  
14 concern my conscience and my understanding of what I am to  
15 do. You are not --

16 MR. FLYNN: Q. Sir, you --

17 A. This is not a meeting with the board of directors,  
18 in which case I would answer them strongly. It's a meeting  
19 with somebody who doesn't know anything about these  
20 teachings.

21 Q. Who is that?

22 A. You.

23 Q. Sir, in accordance with your declaration, you  
24 stated, under oath, Yogananda empowered you to teach and to  
25 give initiation into Kriya Yoga.

1 Is it not true, sir, when he gave you that power  
2 to do that, you took the vow you wouldn't divulge it to  
3 anyone, except in accordance with the teachings of SRF?

4 A. The tradition of India, which he honored --

5 Q. Can you answer my question?

6 A. No, I can't.

7 Q. Okay, fine.

8 MR. PARSONS: He is answering the question in his

9 own way.

10 MR. FLYNN: Q. You can't give me a "yes" or "no"

11 answer. Is that correct?

12 A. I can answer in my way. I'm not going to answer

13 in your way.

14 Q. When you received Kriya initiation, did you take a

15 vow that Yogananda read to you?

16 A. No.

17 Q. Did you take a vow that he stated to you --

18 A. Yes.

19 Q. -- and then you agreed to? Is that correct?

20 A. (Witness nods head.)

21 MR. GREENE: There's no answer.

22 MR. FLYNN: Q. You have to say yes.

23 A. Yes.

24 Q. And when you took that vow, did you agree that you

25 would not divulge the teachings of Kriya Yoga, except in

1 accordance with Self-Realization teachings?

2 A. No, he didn't speak of Self-Realization.

3 Q. Secondly, when you took the vow, did Yogananda

4 have you agree that you wouldn't divulge to any other person

5 the Kriya Yoga technique except in accordance with the SRF

6 teachings?

7 A. It wasn't stated like that.

8 Q. And that's your testimony here today under oath?

9 A. Yes.

10 Q. Now, how many times have you administered Kriya

11 Yoga since 1962?

12 A. Hundreds, I imagine.

13 Q. So you've divulged the Kriya Yoga technique to

14 hundreds of people after you were removed from SRF. Is that

15 correct?

16 A. Yes.

17 Q. Now, and your justification for doing that is that

18 you believe that Yogananda empowered you to do that?

19 A. Yes.

20 Q. And you believe that Yogananda empowered you to do

21 that outside of SRF, even though you had been defrocked as a

22 minister. Is that correct?

23 A. I believe --

24 MR. PARSONS: I'm going to object to the

25 "defrocked as a minister." There's no testimony or evidence

1 to support that.

2 I will, however, let the witness testify that he

3 did it outside.

4 THE WITNESS: I believe he took me out of the work

5 to serve him in another way.

6 MR. FLYNN: Q. And which way was that?

7 A. What I have done since then.

8 Q. Now, you're aware that you have brought a

9 counterclaim against (the plaintiff) in this case claiming

10 that her allegations against you are false and scandalous.

11 Is that correct?

12 MR. PARSONS: Objection. It misstates what the

13 allegations are.

14 I'll certainly let the witness answer to the

15 extent he can.

16 THE WITNESS: Well, it does obscure them. I don't

17 know -- I know that such a case exists.

18 MR. FLYNN: We're going to get into that.

19 MR. PARSONS: Oh, good. Thank you.

20 MR. FLYNN: Q. Would you turn to page 9,

21 paragraph 21? Line 13.

22 "These include the Hong-Sau and AUM techniques of

23 medication, the Energization Exercises, and the central

24 technique of Kriya Yoga."

25 See that? That's what you're teaching, is that

1 correct, at Ananda Village?

2 A. Yes. Yes.

3 Q. And you claim that it's Yogananda who empowered

4 you to teach those things. Is that correct?

5 A. Yes.

6 Q. Now, and then you empowered other ministers to

7 teach these things to people such as (the plaintiff)?

8 A. I didn't empower her to teach it.

9 Q. You empowered other ministers to teach it to her?

10 A. I empowered other ministers.

11 Q. And who gave you the right to empower other

12 ministers?

13 A. I felt that right from inside.

14 Q. Did Yogananda give you that right?

15 A. I feel he did.

16 Q. Did he ever tell you that you could ordain other

17 ministers to teach it?

18 A. In so many words, he did.

19 Q. What did he say?

20 A. He told me I had a mission to do for him, and he

21 said I will have the power to do it.

22 Q. What did he tell you your mission was?

23 A. Well, it's becoming clear. He didn't talk about

24 it much, but it's becoming more and more clear as I work. I

25 could not have done what I do without his blessings.

1 Q. Do you consider in your religious philosophy that

2 you have expounded in your declaration here to -- for there

3 to be a difference between right and wrong?

4 MR. PARSONS: Objection as to -- there is no

5 foundation, there's no basis, there's nothing in the

6 declaration that I've seen that would support this

7 right/wrong business.

8 And I don't -- and right and wrong is ambiguous.

9 You've got to define what you mean is right or wrong before

10 I'll let this witness respond to the question.

11 MR. FLYNN: Q. Would you consider it right for a

12 minister of Ananda to make sexual contact with a novice

13 during a counseling session?

14 A. I would not.

15 Q. Would you consider it wrong for a minister at

16 Ananda to do that?

17 A. I would.

18 Q. Would you consider it right for the spiritual

19 director of Ananda to have one of the novices at Ananda

20 masturbate the spiritual director to ejaculation?

21 MR. PARSONS: I'm going to object to that. It's

22 outside the scope of what's going on here.

23 MR. FLYNN: No it's not. You filed a counterclaim

24 saying the allegations are false and scandalous. That's

25 replete throughout the allegations.

1 MR. PARSONS: Then why don't you go to specific

2 allegations in the counterclaim, cross-complaint.

3 MR. FLYNN: I'm entitled to conduct -- you're

4 obstructing once again, Mr. Parsons.

5 I'd like an answer. Are you going to let him

6 answer, or are you instructing?

7 MR. PARSONS: I'm going to instruct him not to

8 answer.

9 MR. FLYNN: Q. Now, would you turn to page 14?

10 You state that members --

11 MR. PARSONS: Where is this?

12 MR. STILLMAN: Q. Page 14, paragraph 35, line 6.

13 "Members of the Ananda monastic order renounce

14 worldly interests that are centered in ego gratification in

15 the quest for personal gain."

16 Did I read that correctly, Mr. Walters?

17 A. Yes.



18 MR. PARSONS: Again, object. The document speaks

19 for itself.

20 MR. FLYNN: Q. The books that you wrote, the

21 60-odd books that you wrote back as you enumerated in

22 paragraph 5, did you do that for ego gratification and

23 personal gain, or for some other reason?

24 A. Some other reason.

25 Q. What is the other reason?

1 A. Service.

2 Q. Service to who?

3 A. To those who read it. I've already stated, I get

4 no personal gain. Ego gratification, no.

5 But I hope it'll help people. That's why I wrote

6 them.

7 Q. But you didn't do it for ego gratification?

8 A. Correct.

9 Q. Now, when you had various members of your

10 organization masturbate you to ejaculation --

11 MR. PARSONS: Objection.

12 MR. FLYNN: Q. -- did you do that for ego

13 gratification, or out of service?

14 MR. PARSONS: That's outrageous, that's badgering

15 the witness, that's harassing this witness. I'm going to --

16 it's just absolutely outrageous, and I'm instructing the

17 witness not to answer.

18 MR. FLYNN: Q. Going further down, "Members

19 promised to live their lives and surrender to God's will and

20 pledge their cooperative obedience to the spiritual

21 directors and to those who assist him in guiding the

22 spiritual community."

23 Who says what God's will is?

24 MR. PARSONS: Excuse me, where was that?

25 MR. FLYNN: Line 17 to line 20, page 14.

1 MR. PARSONS: Do you see that?

2 THE WITNESS: Uh-huh.

3 MR. FLYNN: Q. Who says what God's will is? You?

4 A. Nobody can say, this is God's will.

5 Q. And who says that cooperative obedience to the

6 spiritual director should be given? You?

7 A. Uh-huh.

8 MR. GREENE: Give an explicit answer.

9 MR. FLYNN: Q. Yes? The answer was yes?

10 A. Yes. Yes.

11 Q. So if you instructed someone to masturbate you to

12 ejaculation, would that be considered by you to be God's

13 will?

14 MR. PARSONS: Objection.

15 MR. FLYNN: We're going to into it, Mr. Parsons,  
16 because he filed a declaration saying that he denied all of  
17 the allegations that we have made regarding all these women  
18 that he's abused over all these years.

19 MR. PARSONS: Okay. Well, let's go item by item,  
20 then.

21 MR. FLYNN: This is part of the declaration.

22 MR. PARSONS: I'm not going to let you go into  
23 this sort of outrageous sort of effrontery. This is  
24 badgering the witness. There's no foundation for this.

25 Assumes facts not in evidence.  
1 I'm instructing the witness not to answer.

2 MR. FLYNN: Q. Okay. Now, would you go over to  
3 paragraphs 38 through 44, where you discuss the doctrines of  
4 karma and reincarnation?

5 Are these Ananda teachings?

6 MR. PARSONS: "These" being karma --

7 MR. FLYNN: Q. Karma and reincarnation, which  
8 you've got under "Other Ananda Teachings."

9 MR. PARSONS: I want the witness to read the  
10 portion of the declaration you're referring to. That's  
11 paragraphs what, 38, 39 --

12 MR. FLYNN: Q. 38 to --

13 THE WITNESS: I've stated them as clearly as I

14 can, yes.

15 MR. PARSONS: Wait.

16 MR. FLYNN: Q. Now, do you consider in light of

17 the teachings --

18 MR. PARSONS: Excuse me. Have you read the

19 sections?

20 THE WITNESS: Well, I wrote it.

21 MR. PARSONS: He hasn't told us what sections yet,

22 though.

23 THE WITNESS: Okay.

24 MR. PARSONS: 38 to something.

25 THE WITNESS: You want me to read the whole

1 thing? Okay.

2 MR. PARSONS: If he's going to ask you questions

3 about the declaration, I want you to read the declaration so

4 it's fresh in your mind.

5 And it's paragraph 38 to --

6 MR. FLYNN: He doesn't have to read them,

7 Mr. Parsons, I just want to draw attention to them.

8 And I want to ask whether karma and reincarnation

9 are part of the Ananda teachings.

10 A. They are.

11 Q. And in general in paragraphs 38 to 44, you sought  
12 to incorporate a brief recitation of what karma and  
13 reincarnation are in connection with Ananda teachings. Is  
14 that correct?

15 MR. PARSONS: Again, I'm going to instruct the  
16 witness not to answer with respect to his intent in  
17 including any specific thing in here.

18 If you're going to ask him about paragraphs 38 to  
19 44, I'm going to request that he read it so he's familiar  
20 with the material, fresh in his mind --

21 MR. FLYNN: Q. Do you consider this lawsuit to be  
22 part of your karma?

23 MR. PARSONS: Objection. That is a personal,  
24 religious question, totally outside the bounds, and I'm  
25 going to object on the grounds of privacy and instruct the  
1 witness not to answer.

2 MR. FLYNN: Q. Now, Mr. Walters, you realize that  
3 you have written in paragraph 41, "The karmic law is quite  
4 impersonal."

5 What do you mean by that?

6 MR. PARSONS: Have you read that?

7 THE WITNESS: It's attracted whether you're a king  
8 or a beggar. Whatever you do, there are no favorites.

9 MR. FLYNN: Q. So the karmic law would work in  
10 connection with all aspects of your life as spiritual  
11 director of the community, if I understand what you've  
12 recited properly in this declaration. Is that correct?

13 A. I don't know exactly how you mean it. But the way  
14 I'd mean it, I'd say yes.

15 Q. Whatever happens to you is part of this impersonal  
16 karmic law?

17 A. Yes.

18 Q. While you're in this body?

19 A. Right.

20 MR. PARSONS: Is there a question?

21 MR. FLYNN: Q. Is that correct?

22 A. Yes.

23 Q. Which would include this lawsuit?

24 A. Yes.

25 Q. Now, what karma do you know about in your own life

1 which would cause you to have a disciple masturbate you as  
2 spiritual director?

3 MR. PARSONS: Okay. I'm going to object for yet

4 another time on the intrusive, badgering, harassing nature.

5 If there is one more question like this, I'm

6 going to --

7 MR. FLYNN: There's going to be loads.

8 MR. PARSONS: Well, then what I want to do is, I'd

9 like to call the referee, we'll read this last question

10 back, and we'll get a ruling on whether he should read it.

11 MR. FLYNN: We'll get into it Mr. --

12 MR. PARSONS: Parsons.

13 MR. FLYNN: -- Mr. Parsons.

14 Q. Would you turn to page 20 please, sir?

15 You put in a section on your declaration called

16 "Women and Sexual Attraction" in paragraphs 50, 51, 52, 53

17 and 54. Is that correct?

18 A. Yes.

19 Q. And you said in paragraph 54, "In the 14 Steps

20 lessons" -- parentheses, I'm saying now, written by you --

21 "I elaborate on Yogananda's interpretation. The lessons

22 include a discussion of how the feminine principle, or

23 feeling part of our nature, can pull us away from our true

24 Self in God, or inspire us to rise toward God."

25 Did I read that correctly?

1 A. Yes.

2 Q. What were you referring to when you wrote that?

3 MR. PARSONS: Excuse me. Wrote what part of

4 that? What's the "that" that you're referring to?

5 MR. FLYNN: Q. What were you referring to about

6 Yogananda's interpretation about the feminine principle  
7 dragging you toward your feeling nature and away from God?  
8 A. Would you like a discourse?  
9 Q. I'd like to know what you were referring to in  
10 Yogananda's interpretation.  
11 A. I was referred to Autobiography of a Yogi.  
12 Q. Okay. Were you referring to that part of the  
13 chapter --  
14 MR. PARSONS: Excuse me one second.  
15 (Discussion between the witness and his counsel.)  
16 MR. PARSONS: Go ahead.  
17 MR. FLYNN: Q. Would you turn now to paragraph 61  
18 on page 25, where you talk about, "Environment is Stronger  
19 Than Will Power/Satsang."  
20 You say:  
21 "Basic to our teachings in the belief that  
22 Sat-Sanga, or good company, is essential on the  
23 spiritual path and nearly as important as meditation.  
24 Yogananda taught that the company one keeps determines  
25 to a great extent whether one's energy will move inward  
1 toward God or outward toward the world."  
2 What did you mean by that when you wrote it in  
3 this declaration that you filed in opposition in support of



4 your summary judgment motion?

5 A. Well, I was talking about the importance of being

6 with people who are of spiritual nature if you want to

7 develop spiritual consciousness.

8 Q. No in other words, if one of the ministers of

9 Ananda was spiritually abusing (the plaintiff), that

10 would be dragging down her into the feeling nature away from

11 God consciousness and hurting her. Is that correct?

12 MR. PARSONS: Objection. Calls for speculation,

13 assumes facts not in evidence.

14 MR. FLYNN: Q. According to your teaching that

15 you've outlined here. Is that correct?

16 MR. PARSONS: Same objection. I'll permit the

17 witness to answer.

18 Excuse me one second.

19 MR. PARSONS: I'd like that question read back,

20 please.

21 MR. FLYNN: Q. I'll withdraw it. Let me ask you

22 this, Mr. Walters.

23 You say in this paragraph, he emphasized --

24 referring to Yogananda --

25 MR. PARSONS: Where is this now?

1 THE WITNESS: 14.

2 MR. FLYNN: Q. Page 25, line 14. "He emphasized  
3 that beginners especially should be very careful in the  
4 company they keep."

5 Did I read that, Counsel, correctly?

6 MR. PARSONS: Objection. The document speaks for  
7 itself.

8 MR. FLYNN: Q. So if a beginner, like (the plaintiff)  
9 , was keeping company with your senior minister  
10 who was sexually harassing her, according to your religious  
11 views set forth in your declaration here, she'd be keeping  
12 bad company.

13 MR. PARSONS: Objection. It assumes facts not in  
14 evidence, it misstates the testimony.

15 MR. FLYNN: Is that true?

16 MR. PARSONS: Calls for speculation.

17 I'm instructing him not to answer that question as  
18 phrased.

19 MR. FLYNN: Q. Then you say in this same  
20 paragraph, "An aspect of this teaching" --

21 MR. GREENE: You didn't get an answer.

22 MR. FLYNN: I know, but he's playing games.

23 Q. "An aspect of this teaching is the belief that  
24 senior disciples and ministers, because of their longer time

25 on the spiritual path, can usually provide important

1 spiritual assistance to newcomers."

2 Well, how long had Minister Levin been a senior

3 minister at Ananda when this situation with (the plaintiff) took

4 place?

5 A. You notice the word "usually."

6 Q. Can you answer my question?

7 How long had Levin been a senior lightbearer for

8 you, the spiritual director.

9 MR. PARSONS: Excuse me. Now, that's a different

10 question. That misstates the testimony. He had not been a

11 lightbearer for the spiritual director.

12 I'm instructing him not to answer as phrased. The

13 first question, I had no objection to.

14 MR. FLYNN: Q. How long had Minister Levin been a

15 senior minister at Ananda as of 1992?

16 A. Well, I don't know the time.

17 Q. Roughly?

18 A. Some years.

19 Q. 5?

20 A. That I can't say.

21 Q. 10?

22 A. No, I can't say. But some years.

23 Q. 15?

24 A. I've answered.

25 Q. Now, you certainly were a senior minister and

1 disciple at Ananda, because you were the spiritual

2 director. Is that correct?

3 MR. PARSONS: Objection. Asked and answered --

4 MR. FLYNN: Q. So according to your own sworn

5 statement, you were in a position to provide important

6 spiritual assistance to someone such as (the plaintiff),

7 a newcomer. Is that correct?

8 MR. PARSONS: I would like that question read

9 back, please.

10 MR. FLYNN: I'll withdraw it.

11 Q. You, as the spiritual director of some 40 years,

12 or whatever it was, were in a position, according to your

13 sworn statement, of providing important spiritual assistance

14 to (the plaintiff) as a newcomer. Is that true?

15 MR. PARSONS: Objection. That misstates

16 completely what this declaration says. It doesn't say

17 anything like that.

18 I'm going to instruct the witness not to answer.

19 You can ask him a direct question whether he was or was

20 not.

21 But if you base it upon what's purportedly in the  
22 declaration, then I'm going to instruct him not to answer.

23 MR. FLYNN: Q. Well, would you agree with me that  
24 this statement in your declaration, "An aspect of this  
25 teaching is the belief that senior disciples and ministers,  
1 because of their longer time on the spiritual path, can  
2 usually provide important spiritual assistance to  
3 newcomers," would include you as the spiritual director?

4 MR. PARSONS: Include him in what regard?

5 MR. FLYNN: Q. As someone who could provide  
6 important spiritual assistance to newcomers such as  
7 (the plaintiff)?

8 A. I would have to say yes.

9 Q. And have you read (the plaintiff)'s  
10 testimony in this case that you rubbed her face on your  
11 erect penis during a counseling session? Have you read  
12 that, sir?

13 MR. PARSONS: Now, that's the question. Have you  
14 read that -- what, her testimony in a deposition?

15 MR. FLYNN: Q. Yes. Have you read that?

16 A. Yes.

17 Q. Now, would you consider that to be important  
18 spiritual assistance to a newcomer such as

19 (the plaintiff)?

20 MR. PARSONS: I'm going to object. That assumes

21 facts not in evidence, it's argumentative, it's badgering

22 this witness.

23 I'm going to instruct him not to answer.

24 MR. FLYNN: It is in evidence. She said it, and

25 you've admitted it.

1 MR. PARSONS: I have not admitted it.

2 MR. FLYNN: That she said it. You've admitted

3 that she said it.

4 MR. PARSONS: Admitted that she said it, that's

5 correct.

6 THE WITNESS: That's altogether different.

7 MR. PARSONS: That's right.

8 MR. FLYNN: Q. Mr. Walters --

9 MR. PARSONS: I've instructed him not to answer

10 that question.

11 MR. FLYNN: Q. Mr. Mr. Walters, do you consider

12 yourself to be a worldly person or not a worldly person in

13 the context that you write about worldly person in paragraph

14 61?

15 MR. PARSONS: I'm objecting as to any testimony by

16 this witness as to whether he considers himself a worldly or

17 an unworldly person.

18 MR. FLYNN: Q. When you wrote "worldly people" on  
19 line 16, page 25 of your sworn declaration under oath filed  
20 in support of your motion for summary judgment, what did you  
21 mean?

22 MR. PARSONS: Let me see where that is.

23 MR. PARSONS: So you're asking for his definition  
24 of "worldly people" as used in this declaration. Is that  
25 it?

1 THE WITNESS: Is that it?

2 MR. FLYNN: The question speaks for itself.

3 The game playing -- Mr. Parsons, at some point  
4 we're going to approach, after we've set a complete record,  
5 the game playing at some point is going to come to an end.

6 MR. PARSONS: I hope so.

7 MR. FLYNN: Q. I want an answer to the question,

8 Mr. Walters.

9 A. Please state the question.

10 Q. What did you mean by worldly people when you wrote  
11 it under oath in your declaration?

12 A. Worldly people are people that are not interested  
13 in seeking God but in seeking worldly enjoyment and  
14 involvement.

15 Q. Okay. So according to everything you've put in  
16 your declaration, you've said that you were a person who  
17 spent 40 years seeking God.

18 So I take it then from this that you're not a  
19 worldly person.

20 MR. PARSONS: Objection. I'm not going to let  
21 this witness testify as to whether he considers himself a  
22 worldly person or not.

23 That's a private matter. It's totally beyond any  
24 sort of realm in this lawsuit.

25 MR. FLYNN: This relates to impeachment, because  
1 if he's contradicted himself, then his testimony could tend  
2 to be not accepted by the jury.

3 So if he says that he's been seeking God for 40  
4 years while he's been playing with all the little devotees  
5 in the back room, then he's sworn falsely under oath.

6 MR. PARSONS: Well, no --

7 MR. FLYNN: And this whole --

8 MR. PARSONS: It's not supported by --

9 MR. FLYNN: This whole organization that he's been  
10 propagating for 40 years is a sham. He says one thing and  
11 he does another. Something that seems to be pervading this.

12 MR. PARSONS: You know, I've really reached the



13 point of this sort of badgering -- you know --

14 MR. FLYNN: No, we've reached the point of the end

15 of your obstructionism, Mr. Parsons. I will now ask another

16 question.

17 Q. Mr. Walters --

18 DR. VAN HOUTEN: Mr. Walters, would you like a

19 break?

20 THE WITNESS: No, it's fine.

21 MR. FLYNN: Q. Mr. Walters?

22 A. But I warn you, I'll be going 10 more minutes.

23 Q. Have you been seeking God for 40 years or more?

24 A. Yes.

25 Q. Did you just define a person who seeks God as not

1 a worldly person?

2 MR. PARSONS: Did he just define a person who

3 seeks God as not a worldly person?

4 MR. FLYNN: Yes.

5 MR. PARSONS: Objection. The question has been

6 asked and answered.

7 MR. FLYNN: I think we got the bite.

8 Q. Do you consider yourself a channel for God, as you

9 write about in your declaration?

10 MR. PARSONS: Excuse me. Where in the

11 declaration? Let's see this statement, and have the witness

12 have an opportunity to read it.

13 MR. FLYNN: Page 26.

14 MR. PARSONS: What paragraph is that?

15 MR. PARSONS: What's the paragraph?

16 MR. FLYNN: 63 and 64

17 THE WITNESS: Sixty what?

18 MR. PARSONS: 63 and 64.

19 THE WITNESS: So that's 26.

20 MR. PARSONS: So take a moment and read paragraph

21 63 and 64.

22 THE WITNESS: To the extent that everybody tries

23 to be a channel of God, or should, I try to be a channel of

24 God.

25 MR. FLYNN: Q. Do you consider yourself to be a

1 more pure channel for God than other people?

2 A. I don't make comparisons.

3 Q. Do you consider yourself to be a -- do you

4 consider Yogananda to be a purer channel than you?

5 A. Yes.

6 Q. Is that a comparison?

7 A. That's a comparison.

8 Q. Now, and no one gave you the right to set up

9 Ananda Village and be the swamy except you.

10 MR. PARSONS: Objection.

11 MR. FLYNN: Q. Is that correct, Mr. Walters?

12 MR. PARSONS: Objection as to the tone, the

13 character, it's badgering this witness, the use of "swamy,"

14 it misstates the testimony so far, it assumes facts not in

15 evidence.

16 MR. FLYNN: We're about to get into the swamy.

17 Q. Would you turn to page 30, use of the title

18 "swamy"?

19 Now, I believe you testified earlier, and I'll

20 just ask you again to put it in context, in 1955, you took

21 final vows that you said were vows for life of poverty,

22 chastity, loyalty and obedience.

23 MR. PARSONS: Objection.

24 MR. FLYNN: In the swamy monastic order. Is that

25 correct?

1 MR. PARSONS: Objection. Asked and answered.

2 He can answer that.

3 THE WITNESS: Hmm?

4 MR. PARSONS: You can again tell him that you took

5 those vows in 1955.

6 THE WITNESS: I did.

7 MR. FLYNN: Q. Now, then in 1981, you wanted to  
8 marry woman #7, so you dropped the vows. Is that  
9 true?

10 A. I don't know what right you have to ask me about  
11 my life.

12 Q. Well, you put it in your declaration, sir. Let me  
13 read it to you.

14 "In my 1981 letter to the Ananda Villa ge Community  
15 informing them of my marriage to woman #7, I explained  
16 that I was no longer a monastic and discussed the future use  
17 of the title 'Swamy.' What then of my monastic vows? I  
18 feel that in a very real sense, I have completed them."  
19 Did you write that?

20 A. Yes.

21 Q. What vows did you complete?

22 A. I felt I had done what I needed to in that line,  
23 and I needed to take a new direction.

24 Q. In 1955, when you took the vow, you felt that you  
25 wanted to make that vow for life. Is that correct?

1 A. That's correct.

2 MR. FLYNN: I've got an answer, thank you,

3 Mr. Parsons.

4 MR. PARSONS: Yes, but I'm still going to object

5 that this is argumentative, you're badgering the witness --

6 MR. FLYNN: Q. Now --

7 MR. PARSONS: Hold on one second.

8 And after we break, in just a few minutes, I'm

9 going to call the referee and see if we can't have the

10 referee attend the deposition tomorrow so that we can have

11 quicker responses to this sort of belligerent badgering sort

12 of questioning, which isn't intended to --

13 MR. FLYNN: Mr. Parsons --

14 MR. PARSONS: I'm making my statement.

15 MR. FLYNN: You're obstructing, you're

16 interrupting my time on the record. I object to your

17 continued and repetitive interruptions of my record, sir.

18 MR. PARSONS: Very good.

19 MR. FLYNN: You can call whoever you want to call

20 when you want to call them.

21 MR. PARSONS: Then I'm doing it right now.

22 MR. FLYNN: I'm going to ask your client another

23 question.

24 MR. PARSONS: You're not.

25 THE WITNESS: We can leave now.

1 MR. PARSONS: More than that, we're going to make

2 a call to the referee now and see if we can't get the

3 referee to be present tomorrow to stop some of this

4 nonsense.

5 THE WITNESS: I don't want to be longer than

6 4:30. This will take longer than 4:30. So until tomorrow.

7 THE VIDEO OPERATOR: Microphones, please?

8 Should we go off the record and end the tape?

9 MR. FLYNN: We have no choice. They are leaving

10 the deposition without the consent of the plaintiff.

11 On the record, tomorrow the deposition is being

12 held at the Sheraton Palace Hotel.

13 MR. PARSONS: No, it's not. It's being held

14 here. That's where it was noticed for.

15 MR. STILLMAN: We told you 2 days ago that we were

16 going to hold it here, and you said no, you already told

17 people --

18 MR. PARSONS: That's right, it was going to be here.

19 MR. STILLMAN: Now everybody knows that's going to

20 be held tomorrow at the Sheraton. That's where it was

21 supposed to be originally, and they didn't have a room. Now

22 they have a room.

23 Why do you object to having it at the Sheraton?

24 Is there some reason you have on the record for something at

25 the Sheraton.

1 MR. PARSONS: The reason is it was noticed for

2 here, we're all here, this is where it's going to be.

3 MR. STILLMAN: But why --

4 MR. PARSONS: The reason is, you can't move the --

5 MR. PARSONS: Will you let me talk?

6 You can't move a deposition around from place to

7 place, day-to-day.

8 Let's -- we're going to make a phone call to the

9 referee. Let's bring that up at the same time.

10 MR. STILLMAN: What do you care? Why do you care,

11 Jon? Why do you care whether it's here or somewhere else?

12 MR. PARSONS: I care.

13 MR. STILLMAN: Why?

14 MR. PARSONS: I've stated it. Now, let's make a

15 phone call to the referee.

16 (Time noted, 4:28 p.m.)

17 --o0o--

18

19 \_\_\_\_\_

20 Signature of the Witness