

Deposition of Mr. J. Donald Walters: September 13, 1995

note: This is the fourth of seven (7) parts of the deposition of Mr. J. Donald Walters. This part is dated Wednesday, September 13, 1995. Many subjects are covered in a random manor. Oftentimes, the same subject is brought up again in other sections. One method for finding a particular topic is to use the "find/change" feature in the "edit" menu of most wordprocessing programs:

Type in your topic or key word in "find", and also in "change". (to avoid erasing or changing the word)

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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 Defendants.

10 _____/

13 DEPOSITION OF

14 DONALD WALTERS

Volume IV; Pages 560 - 703

Wednesday, September 13, 1995

REPORTED BY:

HOLLY THUMAN, CSR NO. 6834, RPR

TOOKER & ANTZ

CERTIFIED SHORTHAND REPORTERS

STEUART STREET, SUITE 201

SAN FRANCISCO, CALIFORNIA 94105

1 I N D E X

2 EXAMINATION BY: PAGE

3 MR. FLYNN (Resumed): 564

4 --o0o--

5 EXHIBITS

6 PLAINTIFF'S FOR IDENTIFICATION PAGE

8 Flier announcing Ananda World Brotherhood Village Seventh Annual Open House

9 Photocopy of cover and page 182 of 574

10 The Path

11 19 17-page letter dated November 25, 292 Dwapara, from Kriyananda to Dear Friends

12 Photocopy of cover of Yoga Journal, table of contents, and article entitled "A New Direction"

13 Photocopy of article entitled "Practical

15 Spirituality from a Western Swami"

16 Declaration of C.D.L.S. in Support of Cross-Defendants' Special Motion to

17 Strike Cross-Complaint

18 Pledge of Membership for Kriya Students, 1-31-55

19 Declaration of (woman #6) in Support of

20 Cross-Defendants' Special Motion to Strike Cross-Complaint

1 --o0o--

2 BE IT REMEMBERED that on Wednesday, September 13,

3 1995 commencing at 10:11 a.m., thereof, at Tooker & Antz,

4 131 Steuart Street, Suite 201, San Francisco, California,

5 before me, HOLLY THUMAN, duly authorized to administer oaths

6 pursuant to Section 2093(b) of the California Code of Civil
7 Procedure, personally appeared
8 DONALD WALTERS,
9 called as a witness, who, having been previously duly sworn,
10 was examined and testified as hereinafter set forth.

11 --o0o--

12 APPEARANCES

13 FLYNN, SHERIDAN & TABB, P.O. Box 690, 6125 El
14 Tordo, Rancho Santa Fe, California 92067, represented by
15 MICHAEL J. FLYNN and PHILIP H. STILLMAN, Attorneys at Law,
16 appeared as counsel on behalf of the Plaintiff.

17 HUB LAW OFFICES, 711 Sir Francis Drake Boulevard,
18 San Anselmo, California 94960, represented by FORD GREENE,
19 Attorney at Law, appeared as counsel on behalf of the
20 Plaintiff.

21 JON R. PARSONS, Attorney at Law, 2501 Park
22 Boulevard, Suite 207, Palo Alto, California 94306-1925,
23 represented by JON R. PARSONS, Attorney at Law, appeared as
24 counsel on behalf of the Defendants.

25 (Cont'd)

1 (Appearances, cont'd)

2 EDWARD W. PLISKA, Judge (Retired), Attorney at
3 Law, Corey, Luzaich, Gemello, Manos & Pliska, 700 El Camino
4 Real, Millbrae, California 94030, appeared as the Referee.

5 Also present when indicated were DR. PETER VAN
6 HOUTEN; ASHA PRAVER; JOHN SMALLEN; and SHEILA RUSH.

7 --o0o--

1 September 13, 1995 10:11 a.m.

2 --o0o--

3 EXAMINATION BY MR. FLYNN (Resumed)

4 THE VIDEO OPERATOR: This is the beginning of

5 videotape number 9 in the deposition of Donald Walters.

6 We're back on the record September 13, 1995 at 10:11 a.m.

7 MR. FLYNN: Q. Mr. Walters, you understand, sir,

8 you're still under oath?

9 A. I do.

10 Q. What is Yoga Journal?

11 A. This is a magazine dedicated to spreading the

12 teachings, philosophy, practices of yoga and related

13 subjects.

14 Q. What is yoga?

15 A. Yoga is misunderstood normally as physical

16 postures. The meaning of it really is union with the higher

17 self and with God.

18 Q. Union with the higher self, or union with God?

19 A. Both.

20 Q. Depending on which school of yoga, or depending on

21 personal philosophy?

22 A. No. The understanding is that our higher self is

23 God. God created us. So union with him as our higher self.

24 Q. Is the word "yoga" from Sanskrit?

25 A. Yes.

1 Q. Do you know what the derivatives are?

2 A. Yoga is to unite. The derivative is a yuj, y-u-g

3 -- -j, I mean, which means "to unite."

4 Q. Do you know what the number of people on the

5 subscription or mailing list of Yoga Journal is?

6 A. I do not.

7 Q. In other words, what its -- okay. Strike that.

8 MR. PARSONS: He said --

9 MR. FLYNN: Q. You've appeared in Yoga Journal on
10 many occasions as a --

11 A. Off and on.

12 MR. PARSONS: Wait for a question.

13 MR. FLYNN: Q. How many times would you estimate
14 that you have appeared in Yoga Journal?

15 A. You mean in advertisements, or in articles, or
16 both?

17 Q. Fair enough. Let's break it up.

18 In your advertisements, how often have you
19 appeared?

20 A. I don't know.

21 Q. Is it a monthly publication?

22 A. I'm not quite sure. Monthly, bimonthly, one of
23 the two.

24 Q. Now, you indicated that there is a common
25 misperception of the meaning of the word "yoga."

1 I take it that you mean that most people think of
2 yoga as Hatha yoga?

3 A. Yes.

4 Q. And with regard to subscribers to Yoga Journal, do
5 you believe that most subscribers to Yoga Journal, if you
6 know, think of yoga as Hatha yoga?

7 MR. PARSONS: Objection. Lack of foundation.

8 You may answer.

9 THE WITNESS: You've asked if I believe. I cannot
10 state it as a fact. I believe, yes.

11 MR. FLYNN: Q. That actual subscribers who read
12 it on a monthly basis still misperceive yoga to be Hatha
13 yoga. Is that your testimony?

14 MR. PARSONS: I am going to object, because we've
15 been talking about the timing and the length of time of this
16 deposition. These questions are totally irrelevant.

17 MR. FLYNN: No, they're all geared to whether he
18 holds himself out as a swami to the public.

19 THE WITNESS: As to what?

20 MR. FLYNN: Q. To the public, sir.

21 Let me ask you -- I'll withdraw the last question
22 and ask you this:

23 In your advertisements, do you hold yourself out
24 as Swami Kriyananda?

25 MR. PARSONS: Objection. The witness has
1 testified he doesn't know the frequency. There's no
2 foundation that he knows as to the content of his
3 advertisements.

4 Also, holding oneself out is I think a legal
5 phrase, calls for speculation.

6 With those objections, I'll permit the witness to
7 respond.

8 THE WITNESS: I've never placed an ad there.

9 MR. FLYNN: Q. Your organization places an ad.

10 Is that correct?

11 A. Correct.

12 Q. Do they hold yourself out as Swami Kriyananda?

13 MR. PARSONS: Again, objection. There's no
14 foundation for this witness's testimony. Calls for
15 speculation.

16 You may respond.

17 THE WITNESS: I don't know.

18 MR. FLYNN: Q. In your book The Path, do you

19 define what a swami is?

20 MR. PARSONS: Objection. You're asking this

21 witness to testify concerning a document. The document

22 speaks for itself.

23 If you're going to ask the witness concerning

24 what's in a publication or a document, I'd ask you to show

25 the witness that document before he testifies concerning the

1 document.

2 MR. FLYNN: That's not necessary.

3 Q. Do you -- you wrote the book The Path, sir?

4 A. I did.

5 Q. Do you define the term "swami" in The Path?

6 MR. PARSONS: Same objection. You may answer to

7 the extent that you can.

8 THE WITNESS: I believe I do. It's been 20 years

9 nearly since it was published. I'd have to look at it.

10 MR. FLYNN: Q. In the book The Path, do you hold

11 yourself out as Swami Kriyananda?

12 MR. PARSONS: Now, I object. He has just said he

13 would have to look at the document. To ask him questions

14 when a witness is asked to look at the document is

15 misleading and unfair. I'd instruct him not to answer that

16 question.

17 MR. STILLMAN: He's entitled to probe the

18 witness's recollection.

19 JUDGE PLISKA: Yes, I think so. Do you want to

20 answer the question, please?

21 MR. PARSONS: You can go ahead.

22 THE WITNESS: Yes, I do.

23 MR. FLYNN: Q. How many reprints has The Path

24 gone through?

25 MR. PARSONS: Objection. Lack of foundation.

1 You may respond.

2 THE WITNESS: One, I think.

3 MR. FLYNN: Q. When was it first published?

4 A. 1978 -- '77. '77.

5 Q. And since 1977, is it your testimony that it has

6 never been reprinted?

7 A. It was reprinted in paperback form in probably '79

8 or '80.

9 Q. And since then, it has not been reprinted. Is

10 that your testimony?

11 A. Right.

12 Q. And does it --

13 A. There is a version called The Shortened Path,

14 which came out I don't know when.

15 Q. And is it your testimony -- strike that.

16 Since publication of The Path, have you made any

17 effort to correct any statements in there with regard to

18 your position as a swami?

19 MR. PARSONS: Objection. Assumes facts not in

20 evidence: That they need correction.

21 You're asking -- again, I object that you're

22 asking this witness concerning a document without presenting

23 the document to him.

24 I'll permit him to answer, though.

25 THE WITNESS: I've made my public statements.

1 We're going to be coming out with a reprint, in which case I

2 will have to correct it.

3 MR. FLYNN: Q. What public statements have you

4 made, and when?

5 A. In the Yoga Journal was one. I don't know of
6 others, but there probably were others.

7 Q. As of June 4 -- as of June 4, 1994, were you
8 holding yourself out to the public as Swami Kriyananda?

9 MR. PARSONS: Objection. Vague, ambiguous as to
10 "holding yourself out."

11 THE WITNESS: I've answered that question so many
12 times in this deposition.

13 MR. PARSONS: This question has a specific date on
14 it. And you should answer that question.

15 THE WITNESS: Before June 4th, 1994?

16 MR. PARSONS: I'd ask the question be read back.

17 MR. FLYNN: I'll ask it again, sir.

18 Q. As of June 4, 1994, were you holding yourself out
19 to the public -- i.e., representing yourself to the public
20 -- as Swami Kriyananda?

21 A. I was not.

22 MR. FLYNN: Would you mark this, please?

23 (Exhibit 17 was marked.)

24 MR. FLYNN: Apparently we don't have copies.

25 Q. Would you look at what has been marked as Exhibit
1 17, sir?

2 A. Well, that was an error. I didn't make it.

3 MR. PARSONS: Hold on. He hasn't asked you a
4 question yet.

5 THE WITNESS: What is the question?

6 MR. PARSONS: That's right. There is none yet.

7 THE WITNESS: What?

8 MR. PARSONS: There's no question yet.

9 THE WITNESS: Oh.

10 MR. FLYNN: Q. I need that back in order to ask

11 you questions, sir. We'll have to share, because we don't

12 have copies.

13 This document marked Exhibit 17 appears to be a

14 flier that says, "Ananda World Brotherhood Village invites

15 you to our Seventh Annual Open House, Saturday, June 4th

16 from 4 to 7 p.m.

17 "Join us for guided tours of our homes, businesses

18 and gardens. The day will end with a short greeting by

19 Swami Kriyananda and songs by the Ananda World Brotherhood

20 Choir.

21 "For further information call 292-4100," and then

22 there's an address and a little map on the flier.

23 Now sir, do you know who printed this flier?

24 A. No, I don't. But it's somebody at our community.

25 MR. PARSONS: Well, if you -- I don't want you to

1 guess or speculate.

2 THE WITNESS: I don't know.

3 MR. FLYNN: Q. And is it your testimony, sir,

4 that whoever did it, did it as a -- mistakenly?

5 MR. PARSONS: Well, no, that's not his testimony

6 at all. He hasn't testified at all as to that. I object it

7 mischaracterizes his lack of testimony.

8 You may respond to that question.

9 THE WITNESS: And the question was?

10 MR. FLYNN: Q. Is that a mistake?

11 A. Yes.

12 Q. Do you know who made the mistake?

13 A. No.

14 Q. Do you remember giving a greeting to the public on
15 or about the date set forth in the flier?

16 MR. PARSONS: Which is June 4th of some
17 unspecified year.

18 THE WITNESS: No -- it doesn't specify the year?

19 MR. PARSONS: There's no year on this at all that
20 I see.

21 THE WITNESS: Well, some years I did, some years I
22 didn't. I don't know.

23 MR. FLYNN: Q. We have a calendar that June 4 is
24 -- we understand that to be 1994.

25 Let me ask you this. Perhaps we can identify it
1 through the internal language on the document itself.

2 How many annual open houses has Ananda had?

3 A. Well, that's a point. Again, I don't know.

4 MR. PARSONS: That's his answer. You've got his
5 answer.

6 MR. FLYNN: Q. You don't know how many open
7 houses you've had?

8 A. It's not been something I've arranged. I don't
9 really know. It says seventh, so ...

10 MR. PARSONS: Well, it says "seventh annual." I
11 don't want you speculating on things.

12 MR. FLYNN: Q. What is your best memory, sir?

13 THE WITNESS: But on the other hand, I have some
14 general knowledge.

15 MR. PARSONS: Okay.

16 THE WITNESS: My general knowledge is that this
17 year was the eighth.

18 That's not speculation, nor is it necessarily

19 fact. It's belief.

20 MR. FLYNN: Q. Now, in any of the open houses --

21 strike that.

22 On how many occasions have fliers been distributed

23 in connection with the open houses held by Ananda Village?

24 A. This I don't know.

25 Q. Now, let me show you an excerpt from your book The

1 Path.

2 (Exhibit 18 was marked.)

3 MR. FLYNN: Q. Now, on the second page of your

4 book, you give a definition of "swami." Do you see that on

5 what we've Xeroxed, Mr. Walters?

6 A. Yes.

7 Q. And I'll read that:

8 "Swami. Literally, lord. That is to say, one who

9 has achieved mastery of himself. Swami is a title

10 commonly given to sannyasis (renunciates), in

11 affirmation of the truth that he alone is a true ruler

12 in this world who is the ruler of himself. Renunciates

13 for the same reason are often called Maharaj (Great

14 King)."

15 Did I read that correctly?

16 A. You did.

17 Q. And in the book, on the title page of the book,

18 you refer to yourself as Swami Kriyananda. Is that correct?

19 A. That is correct.

20 Q. And in the book, you have a little section "About

21 the Author," which says, and I'll show this to you: "Swami

22 Kriyananda is a spiritual leader of international renown,"

23 then it goes on.

24 It says, "Swami Kriyananda is an American," then
25 it goes on.

1 It says, "Swami Kriyananda is the author of
2 numerous books on yoga and related subjects," and then it
3 goes on and says, "at the present time Swami Kriyananda
4 resides at Ananda Cooperative Village."

5 Now, do you want to confirm that what I've read is
6 accurate?

7 A. Inasmuch as --

8 MR. PARSONS: Well, hold on. He'd read a whole
9 bunch of stuff without us having it in front of us. I'll
10 also object the document speaks for itself.

11 MR. FLYNN: Q. Now, at the present time, do you
12 continue to sell the book The Path holding yourself out as
13 Swami Kriyananda?

14 MR. PARSONS: Objection. It's a compound
15 question. One, whether he continues to sell the book; and
16 then the second question you've asked is whether he holds
17 himself out.

18 So I object from the compound nature. I also
19 object as to lack of foundation.

20 But you may respond to that question.

21 THE WITNESS: Well, the essence of the answer, to
22 cut it short, is that no, we have not reprinted the book;
23 therefore, it has not changed. Although my status has
24 changed, the book continues to be sold.

25 MR. FLYNN: Q. And the book continues to be hold
1 in which you are held out to the present day as Swami
2 Kriyananda. Is that correct?

3 MR. PARSONS: I'm going to object. That

4 mischaracterizes it, that's argumentative.

5 With those objections, you may answer.

6 THE WITNESS: The book continues to be sold. That
7 speaks for itself.

8 MR. FLYNN: Q. Yes, but I'd like an answer to my
9 question.

10 The book continues to be sold to the present day
11 in which you are holding yourself out as Swami Kriyananda.
12 Is that correct?

13 MR. PARSONS: I object. That's a characterization
14 of it. That's argumentative.

15 The document speaks for itself. You've got
16 testimony on that.

17 I'm going to instruct the witness not to answer
18 because of the argumentative nature of holding himself out.

19 JUDGE PLISKA: Do you want to --

20 MR. FLYNN: Yes. I think I'm entitled to an
21 answer, Judge, as to whether or not in a definitive form
22 he's selling his book while the book is holding himself out
23 as Swami Kriyananda.

24 JUDGE PLISKA: Well, that's a little different
25 now. It's the book holding itself out, rather than him.

1 MR. FLYNN: I'll withdraw it, and I'll ask that.

2 Q. Who currently owns the copyright to the book The
3 Path?

4 A. I do.

5 Q. And you are still the current owner of the book,
6 therefore?

7 A. Yes.

8 Q. And as the current owner of the book --

9 MR. PARSONS: Wait, excuse me one second.

10 THE WITNESS: Okay, got it.

11 MR. FLYNN: Q. As the current owner of the book,

12 Mr. Walters, you continue to receive royalties for sales of

13 the book?

14 A. Inasmuch as the royalties don't come to me, the

15 answer is no.

16 Q. Well, the royalties go to an account of which you

17 are a signatory. Is that correct?

18 A. I --

19 MR. PARSONS: Objection. That misstates his

20 testimony.

21 THE WITNESS: I don't know that I'm a signator.

22 I've never signed any checks. But yes, it goes into an

23 account that I control.

24 MR. FLYNN: Q. And how do you control the

25 account?

1 A. By telling whoever signs it, I think in this case

2 it's my housekeeper, where I want that money to be used. I

3 never use it for myself.

4 Q. In whose name is the account?

5 A. It's in the name of our church.

6 Q. What is the name of the specific name of the

7 account?

8 A. I don't know.

9 Q. What church is it in the name of?

10 A. Ananda Church of Self-Realization.

11 Q. Is that a corporation?

12 A. Yes.

13 Q. Is it a shareholder corporation?

14 A. No.

15 Q. What type of a corporation is it?

16 MR. PARSONS: Objection. Calls for a legal

17 conclusion.

18 You may answer, to the extent that you do know.

19 If you don't know, then that's your response.

20 THE WITNESS: It's a nonprofit religious

21 organization.

22 MR. FLYNN: Q. Who are the signatories to the

23 account that you referred to that the royalties go into?

24 MR. PARSONS: Objection. Asked and answered, I

25 think four times now.

1 I'll let the witness answer one more time.

2 THE WITNESS: I have no other answer.

3 MR. FLYNN: Q. You don't know?

4 A. Right.

5 Q. Now --

6 A. In other words, I've never seen a check from the

7 account, the checkbook for the account, the -- I get reports

8 on how much is in the account. But I don't know beyond

9 that.

10 Q. All right. As the legal owner of the book The

11 Path, is it true that to this day, the book is still sold,

12 and in the book you are held out as Swami Kriyananda?

13 MR. PARSONS: And I object to the characterization

14 of "held out."

15 I will permit the witness to answer that

16 question. Oh, it's also compound.

17 THE WITNESS: Yes.

18 MR. FLYNN: Q. Okay. Now --

19 MR. PARSONS: Excuse me one second. I want to
20 have just a word with him.

21 (Discussion between the witness and his counsel.)

22 MR. PARSONS: Okay, thank you.

23 (Exhibit 19 was marked.)

24 MR. FLYNN: Mr. Parsons, we've only got -- did you
25 give one to the judge?

1 MR. GREENE: Yeah, I gave one to the judge.

2 MR. FLYNN: Okay. I've got one for you.

3 Q. Would you look over what has been marked as
4 Exhibit 19?

5 A. The whole letter?

6 Q. Well, just -- what I want you to do is identify it
7 as something that you authored.

8 But whatever you feel is necessary to answer a
9 question with regard to whether you authored this document,
10 feel free to look over whatever you'd like.

11 THE WITNESS: I will go to the restroom. I'll be
12 right back.

13 THE VIDEO OPERATOR: Shall we stay on the record
14 or off the record?

15 MR. FLYNN: Let's stay on. We'll stay on the
16 videotape record, and off the transcript.

17 MR. PARSONS: If we do stay on the record, then
18 I'd like comments of counsel not to show up on the record.
19 So in other words, you can stay on the record, but
20 I don't want these gratuitous comments.

21 MR. FLYNN: I'll hide my mike underneath these
22 papers here, Mr. Parsons.

23 MR. PARSONS: All right. Thank you.

24 (Discussion off the written record.)

25 MR. FLYNN: Q. Now, in connection with Exhibit

1 19, is this a document that you have authored, Mr. Walters?

2 A. I am still reading it.

3 Q. Oh, fine.

4 A. (Examining document.)

5 It's a long letter, Mr. Flynn.

6 Q. Yes, I understand, Mr. Walters. But as the

7 author, I would expect you to be able to identify it with a

8 little more swiftness.

9 MR. STILLMAN: Alacrity?

10 MR. PARSONS: I've instructed him to read

11 documents before he answers questions concerning them.

12 MR. FLYNN: This approach, Mr. Parsons, will

13 prolong the deposition.

14 MR. PARSONS: Well --

15 MR. FLYNN: Because the question pending is

16 whether he can identify it.

17 Now, I understand everyone's entitled to read --

18 JUDGE PLISKA: I agree. All he asked him now is

19 whether he can identify it. I mean, if he asks him specific

20 questions, he can refer him to --

21 THE WITNESS: Okay. Well, I have the general

22 picture here. I haven't read it all yet.

23 MR. PARSONS: Can you answer that question, then,

24 and then --

25 THE WITNESS: What was the question?

1 MR. PARSONS: Whether you're the author -- or

2 words to the effect --

3 THE WITNESS: I am the author, yes.

4 MR. FLYNN: Q. Now, is this, what has been marked
5 as Exhibit 19, a transcript of a speech that you gave which
6 then became a publication?

7 A. I wrote it.

8 Q. And to whom with it disseminated?

9 MR. PARSONS: Objection. Lack of foundation for
10 this witness to testify as to that, but go ahead.

11 THE WITNESS: To the residents of our communities.

12 MR. FLYNN: Q. Communities. You mean the
13 communities that you have in different parts of the US and
14 several places in the world; is that correct?

15 A. Correct.

16 Q. And I believe your earlier testimony was that the
17 number of individuals in those communities would number in
18 the 5- to 600 range?

19 MR. PARSONS: Objection. Misstates his testimony.
20 Go ahead and respond.

21 THE WITNESS: I actually said 800, but that
22 includes children.

23 MR. FLYNN: Q. Okay. So adults would be how
24 many, roughly?

25 A. Oh, 600, something. I don't really know exactly.

1 Q. And at any time did you address the community at
2 Ananda by way of a speech in which you basically expressed
3 the sentiments set forth in Exhibit 19?

4 MR. PARSONS: Objection. Vague and ambiguous.
5 Go ahead and respond.

6 THE WITNESS: I didn't have the opportunity.

7 MR. FLYNN: Q. Have you ever given a speech to
8 members of the Ananda community regarding the (the plaintiff)

9 lawsuit?

10 A. It seems to me what I addressed was in June of
11 this year, after I finished writing that book for Warner.

12 That was the one you showed yesterday.

13 Q. Okay. So when you say June of this year, you're
14 talking about the June 29, 1995 All Community Satsang which
15 has been marked as Exhibit 10. Is that correct?

16 A. Correct.

17 Q. On or about December 5, 1995 -- strike that --
18 1994, did you give a speech to the Ananda community about
19 the (the plaintiff) lawsuit?

20 A. I don't remember doing so. That's when I was
21 about to go into the hospital for surgery.

22 Q. You have no present recollection, but you may
23 have; is that your testimony?

24 MR. PARSONS: Well, that misstates his testimony.
25 Go ahead and respond.

1 THE WITNESS: I think that's the case.

2 MR. FLYNN: Q. You think you may have, but you
3 don't have a specific recollection?

4 A. No. I think I didn't, but it's possible that I
5 did.

6 Q. Okay. Now, on or about December 5, 1994, did you
7 give a speech to the Ananda community and also distribute
8 during the speech what has been marked as Exhibit 19?

9 MR. PARSONS: Objection. Compound. Part of
10 that's already been asked and answered.

11 You may respond.

12 THE WITNESS: I think I did not. I believe this
13 was distributed just in the normal channels.

14 MR. FLYNN: Q. What are the normal channels of
15 distribution?

16 A. Well, normally when I write a letter like this, I
17 check it with a few people who are ministers, and then
18 either the ministry office or Alan, my secretary, prints it
19 up, and it gets distributed through channels -- I don't
20 know, just whatever is established.

21 MR. FLYNN: Q. And it's your testimony today as
22 you sit here, you don't know what is established to do the
23 distribution?

24 MR. PARSONS: I'm --

25 MR. FLYNN: I'll withdraw it.

1 Q. As you sit here today, you don't know how that's
2 done?

3 A. I don't know the --

4 MR. PARSONS: Objection. He's already answered
5 that. Go ahead and respond.

6 THE WITNESS: Yes. I don't know the actual
7 mechanics.

8 MR. FLYNN: Q. What is the purpose of
9 distribution?

10 A. The purpose of distribution is to reach whomever
11 we decide that we have to send something to.

12 Q. With your statements?

13 A. Yes.

14 Q. Now, first paragraph, quote: "To tell the truth,
15 while we must treat this matter seriously, it is rather a
16 souffle: mostly air," period, end quote.

17 What did you mean by that?

18 A. That it was full of lies and misstatements.

19 Q. Okay. And then in the second paragraph, you talk
20 about the twin forces of light and darkness, the divine and
21 the satanic. And rather than quote, I'm just
22 characterizing. And you talk about evil existing.
23 Is it your point in that paragraph to claim that
24 you represent the forces of light, and the (the plaintiff)
25 lawsuit represents the forces of the satanic?

1 MR. PARSONS: I object. It's argumentative, but I
2 will let the witness respond to that question.
3 And do you have the question in mind?

4 THE WITNESS: I do.

5 When a person is doing his best to serve God, when
6 a group is doing its best to serve God, it naturally assumes
7 it's serving the forces of light, because God represents the
8 forces of light, or vice versa.

9 Anything that attacks that with lies and with
10 hatred and with a desire to undermine, by that definition,
11 would represent forces of darkness.

12 MR. FLYNN: Q. Okay. Now, in connection with
13 your last response, you said, "anyone who attacks that."
14 What is "that" in that response?

15 A. That means a work dedicated to serving God.

16 Q. Do you view an attack on you as an attack on the
17 work of people around you dedicated to serving God?

18 MR. PARSONS: Object as vague. By "you," are you
19 referring to --

20 MR. FLYNN: Him personally.

21 THE WITNESS: No.

22 MR. FLYNN: Q. Now, so --

23 A. I should explain further, if it's an attack on the

24 principles that I consider true principles, but not on me
25 personally.

1 Q. Now, I'm not sure you really answered the question
2 I asked. I'll ask it again. I understand you gave an
3 explanation.

4 But the question again is, do you view -- you view
5 -- the (the plaintiff) lawsuit as representing the forces of
6 satan, and your organization and you representing the forces
7 of light?

8 MR. PARSONS: I object. It's compound; it's
9 clearly argumentative.
10 I'll permit the witness to respond.

11 THE WITNESS: No.

12 MR. FLYNN: Q. In this paragraph, is there any
13 effort made by you as the author to compare the (the plaintiff)
14 lawsuit to be on the side of satan, and your organization to
15 be on the side of light?

16 MR. PARSONS: I object that the document speaks
17 for itself. I will permit, however, the witness to read
18 through this paragraph and attempt to respond to your
19 question.

20 I'd actually also like it read back so he has it
21 clearly in mind.

22 (Record read.)

23 THE WITNESS: There is.

24 MR. FLYNN: Q. That was your intent, Mr. Walters?

25 A. It was.

1 Q. Now, what is maya?

2 A. Maya means the illusion that makes us think that
3 we are separate from God.

4 Q. Does your definition of maya include a situation
5 where someone thinks they may be serving God, but in fact be
6 doing things detrimental to God because they're deluded?

7 MR. PARSONS: Objection. Compound -- obviously,
8 no relevance.

9 I will permit the witness to respond to the
10 question.

11 THE WITNESS: I don't understand the question.

12 MR. FLYNN: Q. Let's go down to the third
13 paragraph.

14 "We have strong evidence of SRF involvement in the
15 present attack on Ananda. We of course view it, therefore,
16 as an extension of their lawsuit against us. Let me place
17 this little 'vignette,'" quote unquote, "in a larger frame,"
18 period, end quote.

19 The "strong evidence" is what I'm specifically
20 interested in, Mr. Walters, particularly in light of your
21 deposition testimony these last three days.

22 What strong evidence of SRF involvement do you
23 have?

24 MR. PARSONS: Okay. Now, let me object.

25 You've asked that question at least twice, and
1 you've got full and complete responses to it. You know, I
2 understand that asked and answered isn't a -- I can't
3 instruct the witness not to respond, but I do want to
4 strongly state my objection to these repetitive questions.

5 JUDGE PLISKA: Yes, it appears to me, Mr. Flynn, I
6 sat here when this question has been asked and answered many
7 times, and it will go faster if you don't --

8 MR. FLYNN: I did ask it in connection with

9 something else he wrote. But there he said all he had was
10 some inferences. And that was his response.
11 Here he says he has strong evidence. And so just
12 to make sure I haven't missed any -- maybe we can expedite
13 it.

14 Q. Do you have any other evidence of SRF involvement
15 in the -- what you consider to be the (the plaintiff) attack on
16 Ananda other than what you've already testified to?

17 A. That was my evidence.

18 Q. So when you said "strong evidence" in this Exhibit
19 19, you were referring to the evidence that you've already
20 testified about; is that correct?

21 A. Yes.

22 Q. And just to tie this area up, and the evidence
23 you've already testified about is the inferences that you
24 say you can draw. Is that correct?

25 MR. PARSONS: Well, again, I think we've got a
1 clear record on what in fact he said in direct response.

2 JUDGE PLISKA: I think so too, Mr. Flynn.

3 MR. FLYNN: All right. I'll withdraw it.

4 Q. Now, let's go over to page 3, third paragraph.

5 "The attack mentioned at the outset of this letter
6 is a typical example of such persecution: not a direct
7 attack, but one wouldn't expect that at first. We have, as
8 I said, abundant evidence of SRF complicity," period, end
9 quote.

10 Now, when you say the attack is a "typical example
11 of such persecution," what does that mean?

12 A. We're talking of SRF's persecution and attempt to
13 -- well, to persecute, in another case that has nothing to

14 do with what we're talking about here.

15 Q. Oh, so perhaps I misunderstood what you wrote.

16 When you wrote this sentence, you didn't mean that

17 the attack that is the subject of the sentence is the

18 (the plaintiff) attack; but rather, the SRF attack?

19 A. That's correct.

20 Q. Is that correct?

21 A. You know, I hate to have to do this, but I do have

22 to go to the bathroom again. I'll be right back.

23 THE VIDEO OPERATOR: Should we stay on or off the

24 record?

25 MR. FLYNN: Off the transcript, transcribed

1 record; on the video record.

2 (Discussion off the written record.)

3 MR. FLYNN: Back on the record.

4 Q. Now, and the persecution you referred to in this

5 paragraph is persecution by whom, Mr. Walters?

6 A. This is talking about SRF.

7 Q. Okay. So you're not referring to a persecution by

8 (the plaintiff). Is that correct?

9 A. No, I'm not.

10 Q. Now, again, just to make sure, you said here, "we

11 have abundant evidence of SRF complicity."

12 And once again, other than what you've already

13 testified to, is there any other evidence that you have

14 within the --

15 MR. PARSONS: Objection.

16 MR. FLYNN: -- term "abundant," separate and

17 distinct from what you've already testified to?

18 JUDGE PLISKA: Mr. Flynn, he's already said that's

19 all he has. Asking each of these statements is just going
20 to prolong this on and on.

21 MR. FLYNN: I don't want to be surprised at a
22 later time.

23 JUDGE PLISKA: I don't see how you will be. Do
24 you want to move on to another area?

25 MR. FLYNN: Yes, Your Honor.

1 Q. Now, I understand that in the cross-complaint,
2 you allege that SRF has control over (the plaintiff).
3 Do you understand that to be one of your claims?

4 MR. PARSONS: Wait. Okay. The document speaks
5 for itself. This witness can testify as to his
6 understanding whether that is specifically one of the claims
7 in the cross-complaint.

8 THE WITNESS: I would have to read it. I don't
9 think I made that statement.

10 MR. FLYNN: Q. Okay. We'll get to the
11 cross-complaint later, then.

12 Now, would you turn to page 4, please, of Exhibit
13 19?

14 On the second paragraph, you say, "Her reputation
15 at Ananda unfortunately was that she was, as one person put
16 it to me, 'on the prowl,'" quote unquote.

17 Now, who is the person who told you that?

18 MR. PARSONS: I will instruct -- no, in fact, no
19 objection. Go ahead.

20 THE WITNESS: Agni.

21 MR. FLYNN: Q. What's the name?

22 A. Agni, A-g-n-i.

23 Q. And what did she tell you?

24 A. What did he tell me.

25 Q. What did he tell you?

1 A. His words were just what I said.

2 Q. The term Agni, does that mean fire in Sanskrit?

3 A. Good for you.

4 Q. And I believe that's in the fifth mandala of the

5 Vedas. Is that correct, Mr. Walters?

6 A. Good for you.

7 Q. Then you say, "but that this quality in her vies

8 with a hardness that borders on ruthlessness."

9 Is that what someone told you, or your

10 observation?

11 A. My observation.

12 Q. Then going down to the fourth paragraph, you say

13 in the last sentence, "I therefore requested that she be

14 transferred to another department at Ananda Village. And

15 this way, at least the two of them would not be working in

16 the same building."

17 I take it, sir, that you had the administrative

18 capacity to make that transfer?

19 A. When I ask something, it's done.

20 Q. So the answer to my question is, you had the

21 administrative power to make that transfer?

22 A. I still have.

23 Q. And is it not true, sir, that you are the person

24 who appointed a convicted pedophile who is now in prison to

25 be the head of the children's programs at Ananda?

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

2 object to that. It assumes facts not in evidence; it's

3 argumentative, clearly. It involves some third party,

4 apparently, and private matters concerning this party, if
5 there is anything to it.

6 I'm going to instruct the witness not to answer
7 that question as phrased.

8 MR. FLYNN: This goes to supervision and
9 negligence in the appointment of ministers who are
10 administering, for example, to people like (the plaintiff).

11

12 MR. PARSONS: Well, there's no allegation of that
13 in anything in the pleadings now.

14 JUDGE PLISKA: Yes. I'm going to sustain the
15 objection.

16 MR. FLYNN: Q. Would you turn to page 6 please,
17 sir?

18 "Ananda has a widespread reputation for
19 extraordinary honesty and openness about its mistakes. As I
20 read once in a magazine, however, it is good to be
21 open-minded, but not so open-minded that your brains fall
22 out," period, end quote.

23 What is your basis for stating that Ananda has a
24 widespread reputation for extraordinary honesty?

25 MR. PARSONS: Objection. Calls for speculation,
1 no foundation, but you may respond.

2 THE WITNESS: I've heard this from many, many
3 sources.

4 MR. FLYNN: Q. What sources?

5 A. Letters, people commenting to me personally,
6 people giving third-person reports. I think that's enough
7 to say.

8 Q. Are these people who refer to you as Swami

9 Kriyananda who have given you these reports?

10 MR. PARSONS: Okay.

11 MR. FLYNN: Q. In whole or in part.

12 MR. PARSONS: In whole or in part. Well, I

13 object. It's therefore compound, it's vague and ambiguous,

14 lack of foundation for this witness.

15 You may respond.

16 THE WITNESS: That wasn't the context, so I don't

17 really know.

18 MR. FLYNN: Q. Would you turn to page 7, please?

19 Third paragraph, quote: "On what were her

20 accusations based? I have never in my life harassed anyone,

21 nor am I limiting this statement to sexual harassment,"

22 period, end quote.

23 Now, since publication of Exhibit 19, have you

24 disclosed to the Ananda community your sexual involvements

25 with (woman #1), (woman #2) or other women that you

1 have been involved in?

2 MR. PARSONS: Okay. Objection. It assumes facts

3 not in evidence. It's also compound and argumentative, but

4 you may answer that question.

5 THE WITNESS: No.

6 MR. FLYNN: Q. Page 8: "Durga (Sally Smallen),

7 who has" --

8 MR. PARSONS: Excuse me one second. Go ahead.

9 MR. FLYNN: Q. -- "who has counseled women at

10 Ananda for nearly 20 years, stated recently, 'In all my

11 years of counseling women here, I haven't heard a single

12 complaint against Swami," period, end quote.

13 Where did you get that information, Mr. Walters?

14 MR. PARSONS: The question is compound. You're
15 referring to the quotation here?

16 MR. FLYNN: Yes.

17 THE WITNESS: From her.

18 MR. FLYNN: Q. What did she tell you?

19 A. I'm quoting her words.

20 Q. Is it your testimony that for the past 20 years,
21 you and Durga have never had a conversation about women who
22 have complained about your sexual misconduct with them?

23 MR. PARSONS: Okay. Let me object.

24 I'm sorry. I object to the extent that misstates
25 his prior testimony. I will, however, let the witness
1 answer that question.

2 THE WITNESS: How does it misstate it?

3 MR. PARSONS: Well, listen to the question.

4 THE WITNESS: Well, the thing is, she's never said
5 anything like that to me.

6 MR. FLYNN: Q. Has she ever -- strike that.

7 Have you ever had a discussion with Durga in which
8 she said in any form of words that there was a woman who was
9 upset?

10 A. Who was --

11 Q. Upset, because of your conduct with that woman?

12 MR. PARSONS: And this is any sort of conduct
13 whatsoever? That is your question; correct?

14 MR. FLYNN: Q. Any sort of conduct.

15 A. I can remember none.

16 Q. Okay. Page 10, third paragraph.

17 "(the plaintiff) claims to have seen me exchanging
18 loving glances with another woman," period, end quote.

19 Where did you get that information?

20 A. That was in her declaration.

21 Q. And who was the woman that you were exchanging
22 loving glances with?

23 MR. PARSONS: Objection. It assumes facts not in
24 evidence. It's the claim that he was exchanging loving
25 glances.

1 As you can see, the letter denies it, so I object
2 to the form of the question.

3 MR. FLYNN: I'll withdraw it.

4 Q. Do you know who (the plaintiff) was
5 referring to in connection with this allegation?

6 A. Yes.

7 Q. Who?

8 A. (woman #8).

9 Q. Now, (woman #8) filed a declaration in this
10 action on your behalf denying sexual involvement with you.
11 Is that correct?

12 MR. PARSONS: Objection. That document speaks for
13 itself. There is no foundation this witness is familiar
14 enough with that declaration to testify --

15 MR. FLYNN: Okay. We'll wait till we get the
16 declaration.

17 Q. Going down to the forth paragraph, quote: "All I
18 can say is, (the plaintiff) would draw from anything she saw the
19 most intimate conclusions possible," period, end quote.

20 On what basis do you make that statement, sir?

21 A. On the basis of her so rapid involvement with
22 three men at Ananda, on the basis of the tone of her
23 accusation in her complaint, on the basis of things that

24 I've heard.

25 Q. What have you heard?

1 A. People's comments about her. This is all

2 third-person and fourth-person, as far as you're concerned;

3 second- and third-person as far as I'm concerned. But I

4 think that I've said enough on that.

5 Q. Okay. Would you go over to page 11, please, the

6 fourth paragraph?

7 "Speaking of our present self-styled enemies of

8 Ananda, I can only say that such people are usually to be

9 found in the shadows of religious works," period, end quote.

10 Who are you referring to as your self-styled

11 enemies?

12 A. There was one person who was fired from his job as

13 the maintenance person at our seclusion retreat, about as

14 low on the totem pole of capacity that one could go, and

15 left Ananda and has subsequently turned against us, because

16 of his failure, presumably.

17 Q. What is his name?

18 A. His name is Steve Scott.

19 Q. And who else are your self-styled enemies?

20 A. There was another person who got a young woman who

21 was -- a young woman who was a charity case; she was not

22 somebody who was really able to function mentally. She had

23 been in our high school, and we kept her there because we

24 didn't imagine that she would be able to get a job

25 elsewhere.

1 This young man got her pregnant, after which he

2 told me that he wanted to become a monk.

3 I told him -- this is one of the very rare

4 occasions that I've told people what to do -- that he had to
5 marry her.

6 He did; and then in disillusionment, he and his
7 wife left Ananda.

8 There was another case -- do you want the names,
9 or --

10 Q. Yes?

11 A. -- or is that necessary?

12 Q. Yes.

13 MR. PARSONS: Wait a minute. Let me -- I'm going
14 to object that unless this third party has in some way --

15 MR. FLYNN: All right. We'll cut through it,

16 Mr. Parsons, fine. Forget the name.

17 Q. Do you have anything else to add to your prior
18 response?

19 MR. STILLMAN: Get the name.

20 THE WITNESS: There is --

21 MR. PARSONS: Wait. Wait --

22 MR. FLYNN: Q. Do you have anything else to add
23 to your prior response?

24 You interrupted your client, Mr. Parsons. He went
25 off on a long-winded --

1 MR. PARSONS: I agree. Please, please.

2 MR. FLYNN: Q. Do you have anything else to add
3 to your last response?

4 A. There was one person who lived there for I think
5 it was 12 years, and never paid the maintenance fee that all
6 members pay to keep -- for the upkeep of the Ananda, paying
7 of taxes, whatever.

8 And finally we said to him that it seems to us

9 that you ought to make up your mind either to pay or to go
10 somewhere else, and he elected to leave Ananda.

11 There was another person who came to our services
12 at one of our centers. I don't know what turned him against
13 us, but he got in with those people and became against us.
14 There was another who, as far as I could read it,
15 was disgruntled --

16 Q. Yes, go ahead, Mr. Walters.

17 A. -- was disgruntled because I wouldn't give him,
18 couldn't give him, the encouragement for the positions he
19 wanted.

20 These are typical examples. These people have
21 banded against us and made, on the strength of this present
22 lawsuit, statements to The Union, which is the local
23 newspaper, and, in every way that they can, tried to turn
24 people against us.

25 We have been told by somebody who attended the
1 local SRF center meetings that the main topic of
2 conversation at those meetings -- now, mind you, for you
3 this is fourth-hand, therefore not -- nothing I can speak of
4 from personal experience -- that the main topic of
5 conversation at those meetings is how to get Ananda and
6 what's wrong with Ananda.

7 Q. Now, do you consider (woman #7) to be a
8 self-styled enemy?

9 A. That's another one. That's right.

10 Q. Do you consider (woman #2) to be a self-styled
11 enemy?

12 A. I think they've stated that themselves.

13 Q. Do you consider (woman #5) to be a

14 self-styled enemy?

15 A. I don't know anything about her. I haven't seen
16 her for ages.

17 Q. Do you consider (woman #6) to be a self-styled
18 enemy?

19 A. I don't know who (woman #6) is.

20 Q. Do you consider -- (woman #6) is (woman #6).

21 A. Who?

22 Q. (woman #6)?

23 A. I still don't know her.

24 Q. Do you consider (woman #3) to be a
25 self-styled enemy?

1 A. I'd have to distinguish between an actual enemy,
2 somebody who wants to hurt us, and somebody who speaks
3 against us.

4 I don't think she's an enemy, but I haven't seen
5 her in many, many years.

6 Q. Do you consider (woman #4) to be a
7 self-styled enemy?

8 A. I don't know her.

9 Q. Do you consider Elizabeth -- strike that.

10 Do you consider David Kimmel to be a self-styled
11 enemy?

12 A. He's acting like it, but I don't think he is.

13 Q. Do you consider David Kimmel's wife to be a
14 self-styled enemy?

15 A. She's no longer living.

16 Q. Was she a self-styled enemy?

17 A. I really don't know.

18 Q. Now, going down to -- I'm trying to move this

19 along.

20 Going down to the bottom of page 11, starting --

21 starting with that paragraph -- you can read that to

22 yourself, and I want you to get to the part where she says,

23 "she offers in support of her claim that I harassed her

24 sexually. I must therefore repeat with absolute conviction

25 I have never," which is italicized, "harassed anyone, not

1 sexually, not in any other way."

2 Do you recall distributing that statement as it

3 appears in Exhibit 19 to the entire Ananda community on or

4 about November 25, 1994?

5 A. That statement --

6 MR. PARSONS: Wait a minute, excuse me. I'm

7 confused by that question.

8 THE WITNESS: I don't know why I have to go to the

9 bathroom so often, but I do. I'll be right back.

10 MR. FLYNN: On the video, off the written.

11 (Discussion off the written record.)

12 THE WITNESS: Well, I apologize for the

13 interruptions. There's really nothing I can do about it.

14 MR. FLYNN: Back on the record.

15 Q. Rather than reread it, I'll ask another question.

16 What I wanted you to do is direct your attention

17 to the bottom of page 11, the top of page 12.

18 A. Yes.

19 Q. And I want to put in my question the date that the

20 complaint was filed.

21 MR. GREENE: November 21, 1994.

22 MR. FLYNN: Q. Having in mind that the complaint

23 by (the plaintiff) was filed in this matter on or

24 about November 21, 1994, and the complaint is dated 4 days
25 later, November 25, 1994, and directing your attention to
1 the bottom of page 11 and the top of page 12, that document
2 states in part --

3 MR. PARSONS: Excuse me, which document?

4 MR. FLYNN: Q. Exhibit 19. Quote, "she offers in
5 support of her claim that I harassed her sexually. I must
6 therefore repeat with absolute conviction, I have never
7 harassed anyone, not sexually, not in any other way,"
8 period, end quote.

9 Now, did you make that statement and distribute it
10 to the Ananda community on or about November 25, 1994 in
11 response to the (the plaintiff) complaint?

12 MR. PARSONS: Are you talking about separate from
13 the letter, that it's obviously in, that he's already
14 testified to?

15 MR. FLYNN: No. Enclosed in the letter, did he
16 distribute this statement in response to the complaint?

17 MR. PARSONS: Okay. So the question is, this --
18 was this distributed in response to the complaint, as I
19 understand it.

20 MR. FLYNN: Yes.

21 MR. PARSONS: That's a new element.

22 MR. FLYNN: Q. But this particular statement of
23 denial of sexual harassment.

24 A. To the best of my recollection, I didn't read the
25 complaint until days afterward, but I had heard about it and
1 was responding to what I had heard.

2 Q. Now, at that point in time, sir, had you seen any
3 of the declarations of any women regarding their sexual

4 involvement with you?

5 A. Regarding --

6 MR. PARSONS: Well, objection. Their alleged

7 sexual involvement, but go ahead.

8 THE WITNESS: And whose involvement? Her. You

9 said her. You mean (the plaintiff)?

10 MR. FLYNN: Q. Had you seen declarations of any

11 women concerning their alleged sexual involvement with you?

12 A. No.

13 Q. Now, excluding your lawyer, is there any other

14 person who told you what was in the complaint?

15 A. At that time, I don't know that I had heard

16 anything except the general statement. This is only 4 days

17 after she filed it. I don't think I had the opportunity.

18 I think what I may have been responding to was an

19 article that came out in the newspaper immediately after it

20 was filed in the San Jose Mercury News accusing me of these

21 things.

22 Q. Now, you say in the next paragraph, quote:

23 "These anti-Ananda friends have raised the general

24 subject of my status as a swami, claiming that I have

25 misrepresented myself publicly to deceive people. I

1 welcome this charge as an important opportunity to

2 clear the air, not only for myself but for many other

3 spiritual teachers in America who have faced similar

4 charges in recent years," period, end quote.

5 Now, have you made any public pronouncements about

6 your status as swami since November 25, 1994 in an

7 opportunity -- as an opportunity to clear the air about your

8 status?

9 A. What I said, I don't remember. But I addressed
10 the subject in an article that came out in Yoga
11 International in June or July of this year.

12 Q. And in that article, did you address the issue of
13 these women's allegations against you as found in their
14 declarations?

15 A. No. I made it impersonal as I could, because I
16 wanted to address an issue rather than personalities.

17 Q. All right. Since we don't have a copy of that,
18 we'll have to get it.

19 It's an article that you wrote in this
20 publication, Yoga International?

21 A. Correct.

22 Q. And since you've testified that you made it
23 impersonal, did you discuss in any way your sexual
24 involvement with women in this article?

25 A. I did not.

1 Q. Did you attempt to explain the term "swami" in
2 this article?

3 MR. PARSONS: I'm going to object that a
4 document -- this article speaks for itself. This witness
5 can testify as to his memory --

6 THE WITNESS: I think that's a safer answer. Let
7 it speak for itself, because I'd have to refer to it.

8 MR. FLYNN: All right. We'll get the article.

9 Q. Would you go down to the next paragraph, please,
10 and just kind of read this one to yourself?

11 A. (Examining document.) Just that paragraph?

12 Q. That paragraph, right.

13 A. Okay. I've read it.

14 Q. Now, why did you put this statement in this
15 document?

16 MR. PARSONS: Okay. I'm going to object to the
17 extent it calls for any communication between attorney and
18 client. I will let the witness testify as to his intentions
19 in this regard, if any.

20 THE WITNESS: Yes, indeed. The belief -- well, I
21 said the other day, yesterday or the day before, that you
22 don't take vows for something you don't need to take vows
23 for. I don't have to take a vow that I will not behave like
24 a tiger.

25 Sex is a very big temptation for people. When you
1 take vows, even final vows, it's still a statement of
2 intention. It's a statement that, here is the net; my
3 dedication is on this side. No matter if I succeed or fail
4 a hundred times, I still -- this is what I live for, this is
5 the direction I'm going toward.

6 So what I said in that article is that we have to
7 -- and this I believe -- that we have to view people's
8 actions in terms of the direction they are working hard to
9 achieve, rather than just what they do today.

10 In other words, in my counseling of people also,
11 if they are, as (the plaintiff) was -- as long as I saw that she
12 was, as I thought, as I believed, that she was trying to
13 overcome this relationship, I did not view it as something
14 to be condemned, but rather a person to be helped.

15 When she finally made the statement that she was
16 determined to marry Danny, to take him away from his wife,
17 and if the question of the child came up, that she would
18 make a good mother to that child, then I had to step up,

19 because -- step in, because then it was a question of
20 intention.

21 But otherwise, it's by no means unheard of that
22 swamis slip. The issue is, are they still trying. If they
23 stop trying, then they've fallen. If they try, then in a
24 culture -- which I have mentioned in this particular
25 paragraph, particularly in a culture which emphasizes sex so
1 strongly in which there is no support, virtually zero
2 support, for their dedication to a life of renunciation, the
3 fact that they are trying I think is the most that any
4 reasonable human being can ask of them.

5 Particularly since their reason for coming to
6 these people is not their celibate status, as far as I
7 know. There may be some. But I certainly wouldn't think
8 that that was the right reason.

9 The right reason would be, does this person seem
10 to me to be sincere in his efforts? Not claiming anything,
11 but sincere in his efforts to grow, to control himself, to
12 gradually withdraw himself from that delusion.

13 It's a much harder -- delusion I speak of as
14 sexual involvement in this case is a delusion because it, to
15 the person involved, seeks a lower kind of gratification
16 than spiritual.

17 And anything that is not spiritual is illusion,
18 because it covers over or takes away a person's
19 concentration on the spirit.

20 Is this person doing his best to get out of that
21 illusion -- it's much harder to do it in a culture where
22 that illusion is as strong as it is in this country. It's
23 hard in any culture. No one has ever said that it's easy.

24 But I believe that the general teaching in India
25 is not a rigid condemnation of somebody because he fails on
1 different occasions; but if he decides to -- that that is
2 the direction he wants to go -- that is to say, toward
3 worldly pleasure, to give up meditation, then he has fallen.
4 Until then, he is doing his best. I think that's
5 all any reasonable person would ask, and that's all that any
6 saint that I have met in India has asked of people.

7 Q. Now, when you had sex with (woman #7) in
8 Hawaii when you first met her, did you go to her husband and
9 tell her husband that you were having sexual intercourse
10 with his wife?

11 MR. PARSONS: Vague as to time. Before, after or
12 during?

13 You may respond.

14 THE WITNESS: No, I did not.

15 MR. FLYNN: Q. And as the spiritual director of
16 the Ananda community, have you pursued the ideal of celibacy
17 since the beginning of your spiritual directorship?

18 MR. PARSONS: Okay. Object. It's vague as to
19 time, misstates his testimony, if that's -- as to "ideal of
20 celibacy."

21 I'm also going to -- no, and then with those
22 objections, I'll permit the witness to answer that specific
23 question.

24 THE WITNESS: Ask it again.

25 MR. FLYNN: Q. Yes. While you've been spiritual
1 director, have you yourself been pursuing the ideal of
2 celibacy?

3 A. Even in marriage, yes.

4 MR. PARSONS: Same objection.

5 MR. FLYNN: Q. And did you tell that to (woman #7)

6 ?

7 MR. PARSONS: Objection as to "that." Go ahead.

8 MR. FLYNN: Q. That you were pursuing the ideal

9 of celibacy?

10 A. I don't remember.

11 Q. Did you tell that to (woman #1)?

12 A. I don't remember.

13 Q. Did you tell that to (woman #2)?

14 MR. PARSONS: Again, same -- vague as to "that."

15 THE WITNESS: Same answer.

16 MR. FLYNN: Q. Did you tell that to (the plaintiff)

17 when you were rubbing her neck?

18 MR. PARSONS: Same objection as to "that."

19 You may respond.

20 THE WITNESS: That question didn't arise, so I

21 didn't need to say it.

22 MR. FLYNN: Q. Would you turn to page 13 please,

23 sir?

24 A. 13?

25 Q. Yes. Quote, about halfway down the page:

1 "Women here, even if they respect the ideal of

2 renunciation, do not know how to relate to swamis in

3 the impersonal way women are accustomed to do in

4 India. They have no models as guidelines of behavior.

5 It also is not surprising that the swamis find

6 themselves tempted," period, end quote.

7 What did you mean by that statement, sir?

8 MR. PARSONS: Well, objection. It's compound.

9 The witness may, however, respond.

10 THE WITNESS: That's the problem. It is

11 compound. Would you like to break it up?

12 MR. FLYNN: Q. Will you expound on the statement

13 and explain to me what you meant by this statement, as you

14 just recently expounded on the prior paragraph?

15 MR. PARSONS: Okay. That calls for a narrative.

16 You may respond, going, for example, sentence by

17 sentence, if that's what you want, and explain what you

18 meant.

19 Was that the question, what he meant by it?

20 MR. FLYNN: Yes. What he intended to convey to

21 the people reading this document with this statement.

22 THE WITNESS: In India, women don't try to engage

23 a swami, or a man, any man, in a personal way.

24 Now, that personal way is something that I think

25 everyone in this room would understand, because we see the

1 kind of interrelationship that occurs between men and women

2 who are interested in one another in any kind of sexual way,

3 including romance, particular friendship, whatever it might

4 be.

5 In India, I observed as teaching there, that

6 generally speaking there were very -- they were brought up

7 to behave in an impersonal way. And by that -- let's see.

8 We're talking of something somewhat subtle.

9 But essentially, what I have observed there is

10 that women withdraw their energy rather than projecting it.

11 I think that's probably the clearest way of putting it.

12 In this country, they don't have the upbringing to

13 know that that's the best way to behave, to be impersonal,

14 to withdraw. If they want to show interest of any kind,
15 they project it.
16 And somebody coming from another culture,
17 particularly, would find it difficult to understand that
18 that was not intended in a personal way, sometimes, or that
19 if it was intended in a personal way, that it was on a level
20 of personality, and not a desire to become intimately,
21 romantically or even personally involved.

22 MR. FLYNN: Q. Fine. Now, as I understand your
23 testimony in this deposition in this case, it's your
24 position prior to your spiritual marriage to (woman #7)
25 that you were a swami. Is that correct?

1 MR. PARSONS: Okay.

2 MR. FLYNN: Q. Not the nickname Swami, but an
3 actual swami?

4 MR. PARSONS: I'll object. It misstates his
5 testimony.

6 You may respond to the question.

7 THE WITNESS: It's been responded to many times.

8 MR. PARSONS: Well, yeah, and I object it's been
9 asked and answered about at least four or five, six, times.

10 JUDGE PLISKA: It does appear that that's the
11 case, Mr. Flynn.

12 MR. FLYNN: I'd like an answer for this context.

13 JUDGE PLISKA: The answer for any context, you get
14 an answer, you've gotten it for several contexts. You know,
15 I don't want to see you prolong this for a month.

16 MR. FLYNN: Q. The exposition that you've just
17 given about the distinction between the two cultures and the
18 way women treat swamis -- one impersonal, and one projecting

19 their energies, as you put it -- did you explain that to
20 (woman #7) when you were a swami who was practicing
21 celibacy before you had sex with her?

22 MR. PARSONS: Wait. I can't even understand that
23 question.

24 Did he explain his testimony to (woman #7)?

25 I'm sorry, I don't even make sense out of that question.

1 MR. FLYNN: I'll withdraw it, and I'll make it a
2 little easier for you, Mr. Parsons.

3 MR. PARSONS: Please.

4 MR. FLYNN: Q. This statement and the exposition
5 that you've just given, particularly the statement that you
6 gave to 600 of your followers in Exhibit 19 --

7 MR. PARSONS: Let me clarify. Are you talking
8 about his testimony now, or the document that's been marked
9 as 19?

10 MR. FLYNN: I'm talking about his philosophy as
11 embodied in this statement about a swami and the way women
12 react to a swami.

13 MR. PARSONS: All right. His philosophy. All
14 right.

15 MR. FLYNN: His philosophy, as embodied in the
16 statement that we read on page 13 of Exhibit 19.

17 Q. Did you explain that to (woman #7) before you
18 had sex with her in Hawaii?

19 MR. PARSONS: Well, I do want to object. These
20 sorts of questions as to whether or not he explained a
21 philosophy to someone, it seems -- we're going be here for
22 weeks.

23 MR. FLYNN: I'll make it even simpler,

24 Mr. Parsons.

25 Q. Having in mind your prior testimony and this
1 statement, did you explain to (woman #7) in Hawaii,
2 before you had sex with her, that you were a swami
3 practicing celibacy?

4 MR. PARSONS: Okay. I will let the witness
5 respond to that question.

6 THE WITNESS: I don't remember that I did so.

7 MR. FLYNN: Q. Did you explain to (woman #1)
8 before you had sex with her that you were a celibate swami,
9 or that that was your nickname?

10 MR. PARSONS: Objection. It's compound; it's also
11 argumentative.

12 I will let the witness answer both of those
13 questions.

14 THE WITNESS: That question didn't need to be
15 raised, because I was not.

16 MR. FLYNN: Q. Did you tell her that?

17 MR. PARSONS: If he --

18 THE WITNESS: That I was not. I had made a
19 particular statement. I didn't need to make a particular
20 statement.

21 MR. FLYNN: Q. Do you know whether she knew
22 whether you were a celibate swami or whether that was your
23 nickname?

24 MR. PARSONS: Again, it's --

25 MR. FLYNN: Q. Before you had sex with her?

1 MR. PARSONS: It's compound as well as
2 argumentative.

3 You may respond if you can formulate a response to

4 that.

5 THE WITNESS: I can't formulate a response. She
6 had to know.

7 MR. FLYNN: Q. How did she have to know?

8 A. My statement was public.

9 Q. When was the statement made public?

10 A. In 1981.

11 Q. Do you know whether or not (woman #1) read
12 the statement?

13 A. I did not interrogate her as to, whether you have
14 read this statement. It seems like a very unreal question.
15 But I did not interrogate her as to what she had done in
16 this.

17 Q. So you don't know whether she read your statement
18 or not. Is that correct?

19 A. I'm sure everybody had to know about it.

20 Q. Why are you sure everybody had to know about it?

21 A. Any public statement would be public enough at
22 Ananda for everyone to be aware of it.

23 Q. Including the statement in Exhibit 17 referring to
24 yourself as Swami Kriyananda?

25 MR. PARSONS: Wait. Objection.

1 MR. FLYNN: I'll withdraw it.

2 Q. Let me ask you this, Mr. Walters --

3 A. Yes, but why did you include it?

4 Q. Let me ask you this, Mr. Walters: Did you explain
5 to (woman #2), before you had sex with her, that you were
6 a celibate swami, or that that was your nickname?

7 MR. PARSONS: Okay. Again, these questions as
8 framed are argumentative. They're also compound.

9 But you may answer it.

10 THE WITNESS: The same answer as for (woman #1).

11 MR. PARSONS: And by the way, it misstates his

12 testimony. Go ahead.

13 MR. FLYNN: Q. And that answer is, you don't

14 recall explaining the distinction. Is that correct?

15 MR. PARSONS: No. That misstates his testimony.

16 You may answer.

17 THE WITNESS: My answer was that she had to know.

18 There was no need to raise that question to anybody in the

19 community.

20 MR. FLYNN: Q. Do you have a copy of the public

21 statement that you made in 1981 about your status as a

22 swami?

23 MR. PARSONS: With him here today, you mean?

24 MR. FLYNN: Q. In your possession, custody or

25 control.

1 A. I thought it was here, among the exhibits.

2 Q. Which statement is that?

3 A. The article that came out in the Yoga Journal.

4 I wrote a letter to the community. What it said

5 in there may be here, too. But in that letter, I said

6 essentially the same thing. Maybe more elaborated. This I

7 don't remember.

8 But it was a letter to the community explaining

9 the fact that we were married, what does it matter to my

10 vows, et cetera. So I did explain it.

11 MR. PARSONS: Now, and I believe we've made that

12 already available in the papers.

13 THE WITNESS: Oh, yes.

14 MR. FLYNN: We're checking for it.

15 MR. GREENE: We got it right here coming up.

16 MR. FLYNN: Why don't you have a copy made of it.

17 Make four copies.

18 MR. GREENE: Why don't I ID it first and make sure

19 it's the right one.

20 MR. FLYNN: Q. Is this the letter dated October

21 15, 1981 --

22 MR. GREENE: That's to the community, and this

23 is --

24 MR. FLYNN: Q. Let me just show you this letter

25 and the article in the Yoga Journal, Mr. Walters. And then

1 we'll have those Xeroxed.

2 A. Yes, this is the letter.

3 MR. PARSONS: And the witness is referring to a

4 single-page letter dated October 15, 19 -- whoops, I'm

5 sorry, more than one page.

6 THE WITNESS: 1981.

7 MR. PARSONS: A 7-page letter dated October 15,

8 1981.

9 THE WITNESS: Yes.

10 MR. FLYNN: Those are the two documents. We'll

11 have those Xeroxed, sir.

12 MR. PARSONS: Well, I've just identified one

13 document.

14 And then the second document --

15 THE WITNESS: Correct.

16 MR. PARSONS: Is the Yoga Journal, I can't read

17 the dates -- February 1992, Issue No. 42.

18 THE WITNESS: So that's -- right.

19 MR. FLYNN: Q. And as I understand your
20 testimony, you published this article in Yoga Journal and
21 you wrote this letter because of your marriage to (woman #7)
22 . Is that correct?

23 MR. PARSONS: Objection. That misstates his
24 testimony.

25 You may respond.

1 THE WITNESS: No, I did. That's right.

2 I have to go to the bathroom, darn it.

3 (The witness left the deposition room.)

4 MR. FLYNN: Do you need a little time to get where
5 you've got to go, judge?

6 JUDGE PLISKA: I have to walk over to Montgomery.

7 MR. FLYNN: If you want to go, and we can keep
8 going, whatever questions can be reserved.

9 MR. PARSONS: Since he's gone to the bathroom now,
10 do you want to --

11 MR. FLYNN: Well, that will be an hour-and-a-half
12 break.

13 MR. PARSONS: We're not saying an hour and a
14 half --

15 MR. FLYNN: Your intent, Mr. Parsons, would be --
16 it's only quarter to 12:00. Your intent is to break till
17 the judge comes back, which is longer than --

18 MR. PARSONS: No, oh, no. No.

19 MR. FLYNN: So when do you want to resume?
20 Quarter of?

21 MR. PARSONS: Maybe we should go off the record
22 with the details of this.

23 (Discussion off the record.)

24 THE VIDEO OPERATOR: This is the end of videotape
25 number 9 in the deposition of Donald Walters. We're going
1 off the record at 11:47 a.m.

2 (Lunch recess from 11:47 a.m. to 1:12 p.m.)

3 --o0o--

4 AFTERNOON SESSION

5 THE VIDEO OPERATOR: This is the beginning of
6 videotape number 10 in the deposition of Donald Walters.
7 We're back on the record at 1:12 p.m.

8 MR. GREENE: Mike, before you start, I'd just like
9 the record to reflect that I've hand-served Mr. Parsons with
10 a copy of Ms. (the plaintiff)'s answer to the cross-complaint.

11 MR. PARSONS: I acknowledge receipt of an answer.

12 MR. FLYNN: Now, your client indicated yesterday
13 that you may drop the cross-complaint, Mr. Parsons.
14 Now, we're spending a great deal of money in this
15 deposition dealing with the allegations in the
16 cross-complaint. What are your current intentions?

17 MR. PARSONS: Well, I have not had an occasion to
18 discuss the matter with this party. There are of course
19 more than -- there are three defendants, three
20 cross-complainants.

21 What I will do, however, is, I will discuss that
22 prior to the resumption of this witness's deposition, and
23 we'll have -- I think by that time I'll be able to talk with
24 the different cross-complainants and have a definite
25 position for you.

1 If the cross-complaint were to be offered to be
2 withdrawn, what would be your position on that?

3 MR. FLYNN: Well, we would oppose the withdrawal

4 of the cross-complaint. We would seek sanctions and costs
5 and legal fees.

6 As you know, we've expended a great deal of money
7 on the cross-complaint in connection with the original
8 motion to strike. The appeals that took place, and then as
9 we engaged in discovery, we found that the cross-complaint
10 is just completely frivolous.

11 In fact, that the -- by making the allegations in
12 the cross-complaint that you've made, and then by
13 Mr. Walters' getting on a soap box and saying that
14 Ms. (the plaintiff) is a liar outside of the judicial privilege,
15 he in fact has defamed Ms. (the plaintiff) by calling her a liar
16 about these matters.

17 So we now intend to amend the complaint to include
18 a defamation action for various comments made by Asha
19 Praver, Mr. Walters, Sheila Rush, Vidura Smallen and others
20 about Ms. (the plaintiff).

21 We are in the process of doing that, sir.

22 We would oppose vigorously the withdrawal of the
23 cross-complaint, and we have attorneys' fees in the range at
24 the present time of 600- to \$800,000 that we've expended to
25 deal with the cross-complaint to date, and that we will seek
1 as part of our costs, particularly given our initial effort
2 in the motion to strike and the amount of investigation that
3 we've had to do to investigate the allegations in the
4 cross-complaint, which -- some of which has been used in
5 this deposition these last four days of deposition.

6 And all in all, we view the cross-complaint as
7 originally brought purely to intimidate Ms. (the plaintiff),
8 which is now obvious.

9 And not only is it totally lacking in merit, we
10 are convinced that were a jury to know that the
11 cross-complaint was brought for purposes of intimidation,
12 when they find out about who this Mr. Walters is, a jury
13 will be frankly outraged at such conduct, and we intend to
14 seek punitive damages in our case in chief for defamation.
15 And so that is our current position.

16 We would protest vigorously the withdrawal of the
17 cross-complaint.

18 MR. PARSONS: Well, as I understood Mr. Walters'
19 offer yesterday, he I think offered to withdraw it.
20 I take your statement today is a rejection of that
21 offer should it be made, so I don't think we need to examine
22 it further. Let's proceed.

23 MR. FLYNN: Well, let me say this, Mr. Parsons.
24 When you say he offered to withdraw it, for the first
25 time --

1 MR. PARSONS: I'm not certain what --

2 MR. FLYNN: -- a unilateral statement was made by
3 your client saying he was considering the withdrawal of the
4 cross-complaint.

5 MR. PARSONS: There we go. There we go. That's
6 what he said.

7 MR. FLYNN: So in light of these enormous fees and
8 expenses that we're piling up to deal with the
9 cross-complaint -- and we're investigating more and more
10 women, particularly during the period before he was the
11 nicknamed Swami -- we're expending very large amounts of
12 money to do that.

13 And since that goes to the heart of the

14 cross-complaint, I would -- I would encourage you to make a
15 decision, sir, with all due haste with regard to what your
16 client unilaterally announced the other day.

17 Now, are we ready to proceed?

18 MR. PARSONS: Again, I stand behind what I said
19 before. I think he was just talking off the cuff. I don't
20 think the cross-complaint will be offered to be withdrawn.
21 So let's proceed.

22 MR. FLYNN: That may be the best news I've had
23 today.

24 MR. GREENE: Is off the cuff the nicknamed version
25 of under oath?

1 MS. RUSH: We may want to suspend the deposition.

2 MR. FLYNN: Let's proceed.

3 MR. PARSONS: Again, I --

4 MR. FLYNN: Would you turn to --

5 MR. PARSONS: No, please. I want to object to
6 these gratuitous comment being read into the record, because
7 it is part of the videotape. So again, I've objected to
8 that practice that you seem to like so much.

9 Nonetheless, please proceed.

10 MR. FLYNN: Yes, let's proceed.

11 Q. Would you turn to the bottom of page 14, please,
12 sir?

13 MR. PARSONS: Of what document?

14 MR. FLYNN: Q. Of Exhibit 19, the one we were
15 dealing with.

16 And would you turn, sir, to the last paragraph on
17 page 14 which reads, quote:

18 "Swamis need to reaffirm their renunciate status

19 much more for their own sakes than for the sakes of
20 others' opinion of them. Some of them, presumably, do
21 like to impress others and enjoy the outward trappings
22 of respect and even reverence," period, end quote.

23 Now, sir, what did you mean when you wrote that?

24 A. I tried my best to make it clear. I think I have
25 made it clear. I don't know how to make it more clear.

1 Perhaps you would like to ask a question.

2 Q. Okay. Did you mean to convey to the people you
3 sent this to that swamis should -- that swamis generally
4 enjoy respect and reverence from other people because
5 they're swamis -- did you intend to convey that?

6 MR. PARSONS: Okay. I'm going to object to the
7 extent --

8 THE WITNESS: It misstates it.

9 MR. PARSONS: Well, it misstates it.

10 MR. FLYNN: Q. That's what I'm asking. In what
11 way does it misstate it, sir? Let's cut right to the heart
12 of it.

13 MR. PARSONS: I don't want him to answer in what
14 ways it misstates it. Why don't you answer what --

15 THE WITNESS: I did not say generally. I said
16 that it happens. I would say generally it does not happen.

17 MR. FLYNN: Q. Did you enjoy your status when you
18 were a celibate swami of the respect and reverence of your
19 followers?

20 MR. PARSONS: Objection. Compound. You may
21 answer.

22 THE WITNESS: No.

23 MR. FLYNN: Q. Did your followers, to your

24 knowledge, revere and respect you because you were a swami?

25 MR. PARSONS: Objection. Compound, calls for
1 speculation, no foundation by this witness to state an
2 opinion.

3 Go ahead.

4 THE WITNESS: I cannot state an opinion.

5 MR. FLYNN: Q. Okay. Now --

6 A. That means knowing the state of mind of a lot of
7 people. I just don't know.

8 Q. We need to pin down a date, a relatively important
9 date.

10 When did your marriage to (woman #7), aka
11 Parmeshwari, end?

12 MR. PARSONS: Objection. Asked and answered.

13 THE WITNESS: It ended when she left me.

14 MR. FLYNN: Q. And when is that, sir?

15 A. Approximately November 25th or so, 1981.

16 Q. And just for the record, I believe you testified
17 it began September --

18 A. 19th.

19 Q. September 19, 1981. Correct?

20 A. Yes.

21 Q. So the marriage lasted roughly 64 days.

22 MR. PARSONS: Well, objection. It's
23 argumentative.

24 MR. FLYNN: Q. Is that correct, sir?

25 MR. PARSONS: Well, hold on. Objection. It's
1 argumentative. The facts speak for themselves.
2 Are you asking him to calculate the difference
3 between September 19th and November 25th?

4 MR. FLYNN: I'm just --

5 Q. Roughly, September 19th to November 25th is
6 roughly, what, 66 days, 65 days? A couple of months.

7 A. Roughly 2 months.

8 Q. Now, during that 2-month period of your marriage,
9 was (woman #1) masturbating you to ejaculation?

10 MR. PARSONS: Objection. Vague as to time during
11 that time frame.

12 MR. FLYNN: Q. At any time during that time
13 frame?

14 A. No.

15 Q. Your answer was what, sir?

16 A. No.

17 Q. And during that 2-month time frame, was (woman #2)
18 masturbating you to ejaculation?

19 A. No.

20 Q. When did, to the best of your recollection, (woman #1)
21 begin masturbating you to ejaculation?

22 MR. PARSONS: You're referring now to the first
23 time that an incident occurred?

24 MR. FLYNN: Q. Yes.

25 A. Sometime February or March of 1982.

1 Q. All right. Now, according to paragraphs 11, 13 --

2 MR. PARSONS: Excuse me. What are you -- what
3 paragraphs of what?

4 MR. FLYNN: Q. -- and 14 of Exhibit 16, which is
5 the declaration of (woman #1) --

6 MR. PARSONS: Okay. Wait a moment. Let's get
7 that declaration before the witness.

8 THE WITNESS: 13 or 14?

9 MR. FLYNN: Q. It's Exhibit 16.

10 MR. PARSONS: Do you want me to find it for you?

11 THE WITNESS: Let's see here. 14 I have.

12 MR. FLYNN: Q. It's 16, sir.

13 A. 15 I have. Ah, here we go. Okay.

14 MR. PARSONS: And what paragraphs?

15 MR. FLYNN: Q. If you read from -- to yourself,

16 starting with paragraph 11, and I'll just orient you toward

17 the issue --

18 A. What page is this?

19 Q. Page 3.

20 A. Page 3.

21 Q. To paragraph 15, you'll see that --

22 A. Excuse me. 13?

23 Q. Page 3, Exhibit 16, paragraph 11, you'll see that

24 according to Ms. (woman #1) --

25 A. Okay.

1 Q. According to Ms. (woman #1), she meets Swami

2 Kriyananda in May or June of '81. Within a week or two,

3 she's giving him massages at his request. About a month

4 after that, she begins the massages with the masturbation

5 with (woman #2) present.

6 Now, which would put it in the range roughly of

7 July, August of 1981.

8 And then she says, it continued thereafter.

9 A. I have to contest that.

10 MR. PARSONS: Wait, wait. No. He hasn't asked

11 you a question yet.

12 THE WITNESS: Okay.

13 MR. FLYNN: Q. Yeah, that's what I want to know.

14 I want to know whether you disagree with Ms. (woman #1).

15 She basically says, according to her declaration,
16 that she began the -- she began masturbating you sometime in
17 the summer of 1981, and it continued all the way, that
18 routine, to roughly May-June of 1982.

19 MR. PARSONS: Well, that is not what this
20 declaration says.

21 MR. FLYNN: Q. Well, we have a disagreement.

22 Let me ask you this: Roughly between July of 1981
23 and May-June of 1982, was (woman #1) routinely and
24 repeatedly massaging you and masturbating you to
25 ejaculation?

1 MR. PARSONS: Okay. I object that that -- with
2 this long setup in reference to the declaration, it
3 misstates what the declaration says.

4 It's also been asked and answered. And therefore,
5 I object on that grounds.

6 You may, however, answer as to your memory. And
7 I'd ask the question be read back so that you can focus on
8 what question is currently before you.

9 MR. FLYNN: I'll state it again.

10 Q. Roughly between July of 1981 and May-June of 1982,
11 was (woman #1) routinely and repeatedly masturbating
12 you to ejaculation?

13 MR. PARSONS: Objection as to "routinely," number
14 of times, "repeatedly," vague.

15 THE WITNESS: Time frame.

16 MR. PARSONS: And a time frame within that period.

17 You may respond, though.

18 THE WITNESS: I have said that I believe that it

19 was not until February or March.

20 MR. FLYNN: Q. And on what basis is that memory
21 based, sir?

22 A. My memory.

23 Q. Do you have any notes?

24 A. I do not.

25 Q. Do you keep a personal diary or journal?

1 A. No.

2 MR. PARSONS: Okay. Mr. Flynn, again, I don't
3 want these sorts of statements being read on to the record.

4 MR. FLYNN: There is no statement on the record,
5 Mr. Parsons.

6 MR. PARSONS: I don't -- you're making statements
7 into your microphone which if we play this back will be
8 clear and audible.

9 MR. FLYNN: I'll be more careful with regard to
10 the microphone.

11 MR. PARSONS: No, you're being very careful in
12 what you're saying, I know that. You're saying it
13 intentionally, and I want it to stop.

14 MR. FLYNN: Q. Mr. Walters, have you ever kept or
15 maintained a diary?

16 MR. PARSONS: Ever?

17 MR. FLYNN: Ever.

18 MR. PARSONS: Now, your question is, ever.

19 THE WITNESS: Yes.

20 MR. FLYNN: Q. During what time frames?

21 A. I think it was September-October of 1959.

22 Q. Okay. Is that the only period you've done that,
23 sir?

24 A. Yes.

25 Q. Have you kept any type of a journal of your
1 personal activities, regardless of whether you would call it
2 a diary, at any time?

3 A. No.

4 Q. Now, other than a diary or a journal and notes,
5 have you any written documentation of any nature or
6 description that would support your memory that the (woman #1)
7 sexual activity began in February 1982?

8 MR. PARSONS: Objection. He said February or
9 March 1982.

10 THE WITNESS: No.

11 MR. FLYNN: Q. Is there any person that you know
12 of who has knowledge of when your sexual activity with
13 (woman #1) began during that time frame?

14 MR. PARSONS: Well, objection. Other than this
15 witness.

16 You may testify as to anyone that you know of who
17 you know has information in that regard.

18 THE WITNESS: I know of no one.

19 MR. FLYNN: Q. Okay. Now, did you make a
20 statement to someone yesterday that what is being -- what
21 you are undergoing in this deposition is the same thing that
22 Jesus underwent?

23 MR. PARSONS: Objection. No statement that you
24 made to any attorney or while an attorney was present and
25 wasn't intended to be communicated to an attorney. You can
1 otherwise respond.

2 THE WITNESS: No.

3 MR. FLYNN: Q. In a bakery yesterday, did you

4 make that -- or strike that.

5 In a bakery in the last 7 days, have you made that
6 statement?

7 MR. PARSONS: Again, same objection as to
8 communication intended to be made to an attorney.
9 Otherwise, you may respond.

10 THE WITNESS: I can remember no such statement.

11 MR. FLYNN: Q. Do you in any way consider what
12 you are going through in this case to be what Jesus went
13 through?

14 MR. PARSONS: Objection. It's argumentative, no
15 foundation, vague, ambiguous.
16 You may respond.

17 THE WITNESS: Any kind of harassment and
18 persecution, attempt to crucify, whether by reputation or of
19 body, could be compared to Jesus.
20 I do not compare myself to Jesus. I think that's
21 probably the important point.

22 MR. FLYNN: Q. Okay. Now, can you give me the
23 time frame as best you can recall that (woman #2) was
24 masturbating you to ejaculation?

25 MR. PARSONS: Objection. Asked and answered.
1 Go ahead.

2 THE WITNESS: I think it was that same time frame
3 of February and March.

4 MR. FLYNN: Q. Of --
5 A. '82.

6 Q. Okay. At any time before February or March of
7 1982, did (woman #2) masturbate you to ejaculation?

8 A. I don't --

9 MR. PARSONS: Objection. Asked and answered. Go
10 ahead.

11 THE WITNESS: I don't remember.

12 MR. FLYNN: Q. Okay. At any time during your
13 roughly 65 or -6 day marriage between September 19th and
14 November 25th of 1981, did (woman #2) masturbate you to
15 ejaculation?

16 A. Say that again, please?

17 Q. At any time during your marriage to (woman #7)
18 between September 19th of 1981 and November 25th of 1981,
19 did (woman #2) masturbate you to ejaculation?

20 A. I answered that a few minutes ago. The answer is
21 no.

22 MR. PARSONS: Sorry, I'll formally -- I slipped on
23 that one then. I also object that it was asked and
24 answered.

25 THE WITNESS: I'm sorry, yes.

1 MR. FLYNN: Q. Now, after your marriage ended to
2 (woman #7), did you resume your status as an celibate
3 Swami in any way?

4 MR. PARSONS: You may answer.

5 THE WITNESS: No.

6 MR. FLYNN: Q. Did you write to anybody at any
7 time after your marriage to (woman #7) ended and tell
8 them, in any form of correspondence, that you were resuming
9 your status as a swami?

10 MR. PARSONS: I'm going to object to the extent,
11 if any, that it would inquire into a clergyman-penitent
12 relationship you might have had with someone.
13 Otherwise, you may answer.

14 THE WITNESS: What would that status be? I mean --

15 MR. PARSONS: Well, I'm just stating the
16 objection. If it doesn't apply, then it doesn't apply.

17 THE WITNESS: I am unaware of having done so, and
18 I don't believe that I did so.

19 MR. FLYNN: Q. Let me ask it a little different
20 way.

21 In any form of words, did you write, after your
22 marriage to (woman #7) ended, that you were resuming
23 your vows as a celibate monk?

24 MR. PARSONS: Objection. Asked and answered.

25 You may answer.

1 THE WITNESS: I have no such recollection.

2 MR. FLYNN: Q. Okay. Now, let's go to making
3 that statement to anyone.

4 After your marriage to (woman #7) ended, did
5 you make a statement to anyone that you were resuming your
6 vows as a celibate monk, or becoming a swami again, or words
7 to that effect?

8 A. I --

9 MR. PARSONS: Objection. Objection, it's
10 compound.

11 THE WITNESS: I have no such recollection.

12 MR. FLYNN: Q. Now, between November 25th, 1981
13 and your marriage to Rosanna, were you a celibate swami or a
14 nicknamed swami?

15 MR. PARSONS: Objection. Mischaracterizes his
16 testimony. Also, vague as to time within that time frame.

17 You may go ahead.

18 THE WITNESS: Do you mean did I consider myself,

19 did I hold myself out as to others?

20 MR. FLYNN: Q. Did you hold yourself out -- how
21 did you hold yourself out to others?

22 MR. PARSONS: Again, assuming facts not in
23 evidence, I object on that ground. Also, vague and
24 ambiguous as to the term "holding yourself out."
25 But you may respond to the question.

1 THE WITNESS: No. I didn't present myself to
2 others as a swami.

3 MR. FLYNN: Q. And how did you consider
4 yourself? To be a celibate swami or a nicknamed swami?

5 MR. PARSONS: Again, assumes facts not in
6 evidence, if at all. Go ahead.

7 THE WITNESS: I didn't consider myself celibate or
8 a nickname. I simply tried my best to live according to
9 those vows.

10 MR. FLYNN: Q. Which vows?

11 A. The vows of celibacy. I did my best. But I did
12 not hold myself out as that.

13 Q. So in your mind, after the marriage ended, you
14 resumed the vows of celibacy?

15 MR. PARSONS: Wait. Objection. Misstates his
16 testimony, vague and ambiguous as to even what that sentence
17 means. But you may respond.

18 THE WITNESS: No, I did not.

19 MR. FLYNN: Q. Okay. Now, would you turn to page
20 15, please, in Exhibit 19?

21 A. 15?

22 Q. Exhibit 19.

23 MR. PARSONS: We're jumping back and forth between

24 exhibits here.

25 THE WITNESS: Where are we looking?

1 MR. FLYNN: Q. Last paragraph. Quote:

2 "How often I have seen audiences trying to force

3 us 'teachers' into an artificial mold: 'gurus,'

4 'perfected masters,' 'better than anybody else.'

5 Sometimes, I regret to say, I have seen some of the

6 'teachers' themselves accepting this role into which

7 people cast them," period, end quote.

8 Have you ever accepted the role into which people

9 cast you of being a swami?

10 MR. PARSONS: Objection. Vague as to time. It's

11 compound, assumes facts not in evidence. It's also vague

12 and ambiguous as to "accepting," uncertainty as to "people."

13 Go ahead. You may respond, however, to the extent

14 you can to that question.

15 THE WITNESS: It's a very unclear statement. I

16 think you ought to restate it.

17 MR. FLYNN: Q. Have you ever accepted the role at

18 Ananda Village since 1981 of being a swami?

19 MR. PARSONS: Okay. Again, I object as to the

20 "accepted." It's a vague, ambiguous word.

21 You may go ahead.

22 Also, under the testimony "swami" is vague and

23 ambiguous in your question. Go ahead.

24 THE WITNESS: That doesn't relate to what I wrote

25 here, and I think we ought to protest on that, too.

1 MR. PARSONS: No, he's asking you a new question

2 now.

3 THE WITNESS: A new question. Then why read this,

4 is what I'm wondering.

5 MR. PARSONS: Well, that's a good wonder, but --

6 MR. FLYNN: Q. Here's the wonder, sir.

7 You say, as I read, that, "I have seen some of the

8 'teachers' themselves accepting this role into which people

9 cast them."

10 And I want to know whether you, since 1981, have

11 accepted a role of being a swami at Ananda Village.

12 MR. PARSONS: And again, I object, as I stated

13 before, to that question, but you may respond to the

14 question.

15 THE WITNESS: What makes the question

16 objectionable is that that's not what I was talking about.

17 I was saying, perfected masters, better than anyone else.

18 I have seen some do that. I have not accepted

19 that.

20 MR. FLYNN: Q. To your knowledge -- one of my

21 less enlightened comrades is --

22 MR. PARSONS: Very much so. He's creating

23 distractions and disturbances which is at least interfering

24 with my concentration.

25 MR. FLYNN: But he operates at a much lower

1 vibrational level than I do, Mr. Parsons. I apologize for

2 his lower vibrational conduct.

3 MR. PARSONS: Nonetheless, I do find that

4 distracting.

5 MR. STILLMAN: Let me put it this way,

6 Mr. Parsons.

7 My communications with co-counsel is no different

8 than Ms. Rush passing notes and whispering with you while

9 we're examining the deponent.

10 So I respectfully request that you keep these kind

11 of objections off the record.

12 MR. FLYNN: Let's proceed.

13 Q. Mr. Walters, have people at Ananda cast you in the

14 role of being a swami?

15 MR. PARSONS: Objection. It asks for -- this

16 witness doesn't have knowledge. There's no foundation laid.

17 You may, however, respond.

18 Also, it's ambiguous as to "casting in the role

19 of."

20 THE WITNESS: What individuals say -- and if it

21 was two people, it becomes people -- I have no idea.

22 MR. FLYNN: Q. You don't know about that. Okay.

23 Then you say, "most of the others, I imagine, 'go

24 along with the gag'" --

25 MR. PARSONS: Now you're reading back from Exhibit

1 19?

2 MR. FLYNN: Back on Exhibit 19.

3 Q. -- "because they think people would be

4 disappointed if they behaved too naturally. I was told

5 of one such teacher who, caught reading a newspaper by

6 someone entering the room, hastily sat up straight and

7 closed his eyes as if in meditation. This was of

8 course hypocrisy. I have no use for it."

9 Now, sir, while you have been addressed as Swami

10 at Ananda Village since 1981, have you ever told anyone not

11 to address you as Swami?

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

13 your question has nothing to do with the portion of Exhibit

14 19 which you have read into the record. I believe this
15 question has already been asked and answered several times.

16 You may, however, answer it again.

17 I would like the question read back.

18 MR. FLYNN: Q. I simply want to know,

19 Mr. Walters, since 1981, when you stopped being the celibate

20 swami and became the nicknamed swami, have you ever told

21 anyone, "don't call me Swami"?

22 A. I have not.

23 Q. Okay. Would you go to page 16, please?

24 Quote, second paragraph, "Celibacy is an important

25 aspect of renunciation." Do you see that, sir?

1 A. I do.

2 Q. And then the next paragraph, you say, "A swami is

3 a man or woman vowed to renunciation, including the practice

4 of celibacy," end quote. Do you see that?

5 A. I do.

6 Q. Now, you wrote this, for the record, on or about

7 November 25, 1994.

8 Would you show me if there is any place in Exhibit

9 19, which I've just read from, dated November 25, 1994, in

10 which you say, "I am not a swami vowed to renunciation

11 practicing celibacy"?

12 MR. PARSONS: Okay. I'm going to object. The

13 document speaks for itself. You've just asked this witness

14 to show you if there is any place in a 17-page document

15 where a statement occurs.

16 The only way I can let this witness respond to

17 that is to have him read through the 17-page document. Is

18 that what you want him to do?

19 MR. FLYNN: Yes. If he needs to take the time to
20 do it. I would suggest to you it's not in here, because the
21 clear intimation with the way this fellow talks and says
22 things, particularly in this writing, is that what he
23 intended to convey with the way he wrote this that he was a
24 swami.

25 And so I want to see if there is a disclaimer in
1 this document.

2 MR. PARSONS: Well, I will request him to read
3 through the document, as you've requested, and see if there
4 is anything in those 17 pages that is responsive to your
5 request, if that's what you want.

6 MR. FLYNN: That's what I want. I want to know if
7 there is anywhere where there is a disclaimer.

8 MR. PARSONS: All right. Now, look through the
9 document, starting on page 1, if he wants a response to the
10 whole document, to see if there is any place in there where
11 you say you are not a swami.

12 Is that what you're looking for?

13 MR. FLYNN: Q. Not a swami, or not a celibate
14 swami. Where you clarify your own role in the context of
15 what you said on paragraph 16, on page 16.

16 (Discussion between the witness and his counsel.)

17 THE WITNESS: (Examining document.)

18 Well, as I see this letter, it's the same letter
19 we saw earlier. It's a letter to the community where it was
20 universally, to the best of my knowledge, understood that I
21 was not a swami, that I married in 1985.

22 This letter is dated 1994. And I signed it not
23 "Swami," but "Kriyananda."

24 It seems to me within the context of the letter
25 there was no need to say -- to make such a statement.

1 MR. FLYNN: Q. Well, wonderful. Let me ask you
2 this, though, sir:

3 Can you find anywhere in the letter where you made
4 a disclaimer that you were not a swami?

5 A. If you want a simple answer --

6 MR. PARSONS: I'm sorry, object, the document
7 speaks for itself. You may answer.

8 THE WITNESS: The simple answer is no. And the
9 further answer is, I didn't need to in that context.

10 MR. FLYNN: Q. By the way, do you have any idea
11 how many new members arrived at Ananda in 1991?

12 A. My marriage was widely known, and it didn't matter
13 how many came. But no, I do not.

14 MR. PARSONS: Also, object -- well, he said it.
15 He doesn't know.

16 MR. FLYNN: Q. Do you know how many new members
17 arrived in 1992?

18 MR. PARSONS: Objection. No foundation.
19 Go ahead.

20 THE WITNESS: I do not.

21 MR. FLYNN: Q. And was Rosanna on the premises in
22 1992 when (the plaintiff) arrived?

23 MR. PARSONS: "On the premises" meaning --

24 MR. FLYNN: Q. Was she at Ananda Village?

25 A. Didn't (the plaintiff) come in '93?

1 Q. I believe she came at the end of 1992.

2 Well, let me ask you this: When did Rosanna, your
3 -- was she your legally married wife?

4 A. She was.

5 Q. When did she come on -- when did she leave Ananda
6 Village?

7 MR. PARSONS: Objection. That's been asked and
8 answered already.

9 You may respond.

10 THE WITNESS: I think it was December of '92.

11 MR. FLYNN: Q. December of '92 she left?

12 A. I'm not sure, but I think so.

13 Q. Did you testify yesterday that she left in 1990?

14 MR. PARSONS: Objection. This witness isn't going
15 to testify as to what he testified to yesterday. The record
16 -- that record speaks for itself.

17 I'm instructing him not to answer.

18 Now, I --

19 THE WITNESS: I can clarify it.

20 MR. FLYNN: Q. Fine.

21 MR. PARSONS: No, that's okay.

22 MR. FLYNN: Q. Let's move on to --

23 MR. PARSONS: Excuse me. I need to take a break
24 and step out and make a phone call.

25 It looks like you're moving on to and new area --

1 MR. FLYNN: No, this is going to wrap up this
2 area.

3 MR. PARSONS: How many questions do you have?

4 MR. FLYNN: Roughly 15, 10 minutes. And then
5 we'll take a break, and you can make your phone call.

6 I have the book How To Spiritualize Your Marriage,
7 written by you, Mr. Walters, and I -- its copyright is 1982.
8 And in this book, there is an introduction which I'm going

9 to ask you to look at and ask you who wrote it.

10 And then I'm going to ask you to reference or

11 orient yourself to the last phrase in the book under the

12 introduction, which is very short, where it says, "Though a

13 monk, his vast experience in counseling and guiding people

14 in all walks of life has prepared him perhaps uniquely for

15 the writing of this book on marriage and family life,"

16 period, end quote.

17 And once again, the copyright date is 1982, which

18 would be after your marriage to (woman #7).

19 Would you look at that please, sir?

20 MR. PARSONS: The introduction, you said?

21 MR. FLYNN: Q. Yes. Did you write --

22 MR. PARSONS: Excuse me. I want the witness to

23 read it, and I want to read it too.

24 MR. FLYNN: Okay.

25 THE WITNESS: Yes. What happened here --

1 MR. PARSONS: Wait. You don't have a question

2 yet.

3 MR. FLYNN: Q. Did you write the introduction to

4 your book, sir, How To Spiritualize Your Marriage?

5 A. I did not.

6 Q. Who wrote the introduction?

7 A. I do not know.

8 Q. You're quite positive you didn't write it?

9 A. I would have to look at it again to make more sure.

10 MR. PARSONS: We're talking the introduction

11 there. So the question before you is, did you write this

12 introduction?

13 THE WITNESS: I don't think so, but let me explain

14 that, if I may.

15 That these were lectures given prior to 1980 that
16 were sent to me in the spring of 1981, when I was in Hawaii,
17 asking could they put this into book form. And I had to buy
18 a typewriter to edit it, because it was not ready for book
19 publication.

20 And so it was finished and out of my hands by,
21 let's say, the middle of March of 1981.

22 This was, if I recall correctly, perhaps -- I'm
23 not certain -- before I met (woman #7). That's all I know.

24 MR. FLYNN: Q. Well, can you --

25 A. No, I don't know that --

1 Q. Can you tell me who wrote the introduction?

2 A. I can't say.

3 Q. Is there any credit being given to any person
4 there for the introduction?

5 MR. PARSONS: Well, objection. The document
6 speaks for itself in that regard.

7 You may --

8 A. I don't think that I wrote it. I don't recall
9 writing it, and it probably -- in fact, I would say
10 certainly, was written by someone else, because I was in
11 Hawaii.

12 They wanted to start the printing and publication
13 process, which takes months, and I think somebody in the
14 office wrote it. Who, I have no idea.

15 Q. Now, in 1982, when this book was copyrighted, were
16 you a monk?

17 A. I was not.

18 MR. PARSONS: Well, objection. Vague as to time.

19 THE WITNESS: Well, he did say '82.

20 MR. PARSONS: At any time in 1982.

21 MR. FLYNN: Q. At any time in 1982 were you a
22 monk?

23 A. No.

24 Q. So the book is false?

25 A. I wouldn't --

1 MR. PARSONS: Objection. Objection. That
2 misstates what the book says. It is in the past tense. The
3 sentence is, "Though a monk," dah, dah, dah, dah, "has
4 prepared him."

5 So it doesn't say he's a monk at the time. So it
6 misstates what the book says. And therefore, it's wrong.

7 MR. FLYNN: It's your position that "Though a
8 monk" on a copyrighted book in 1982 doesn't mean present
9 tense, for 1982? Is that correct, Mr. Parsons?

10 MR. PARSONS: My position is, this book does not
11 say that in 1982 Kriyananda was a monk.

12 MR. FLYNN: Q. I think we can do a little better,
13 even.

14 Now, let me show you an another section in this
15 book, copyright 1982, "About the Author."

16 Let me count up the references about the author,
17 J. Donald Walters, where he's referred to as Swami
18 Kriyananda. One, two, three, four, five, six.

19 Six references to you as Swami Kriyananda in a
20 page and a half in the section "About the Author," published
21 in a book called How To Spiritualize Your Marriage,
22 copyright 1982.

23 Now, sir, I'd like you to look at that, and you

24 can count them for yourself.

25 And let me ask you, did you write the section

1 "About the Author" for the book?

2 A. Some of it I wrote, all of this prior to 1982,

3 prior to my meeting (woman #7).

4 MR. PARSONS: When you say all of it, you're

5 referring to parts you wrote, or all of the --

6 THE WITNESS: This bio was written partly by --

7 taken, I should say, because all of this was prepared when I

8 was in Hawaii -- all of it was taken from there and put into

9 the publishing process when my mind was not at all on this

10 book or other books.

11 MR. FLYNN: Q. This was when you were in Hawaii

12 with (woman #7)?

13 A. Therefore, you're saying, did I endorse this

14 statement? I didn't even know about this statement.

15 Did I write it? Probably some of the part was

16 written and the rest was added by the company, whoever wrote

17 it there.

18 Q. So --

19 A. Somebody in Crystal Clarity.

20 Q. Oh, Crystal Clarity, is that your company?

21 MR. PARSONS: Objection.

22 MR. FLYNN: Q. Is Crystal Clarity the publishing

23 company that publishes your work?

24 A. It was not called that then. It was called Ananda

25 Publications.

1 Q. But that's a publishing company that belongs to

2 the Ananda community, of which you were then the spiritual

3 director?

4 A. Yes.

5 Q. Now, this was done when you were in Hawaii with
6 (woman #7)?

7 A. Before.

8 MR. PARSONS: Objection as to "this." It
9 misstates his testimony.

10 MR. FLYNN: Q. And your head was not into the
11 publication process when you were in Hawaii? You didn't --
12 you weren't aware of what was going on?

13 MR. PARSONS: I'm going to take a break right
14 now. This laughing and chortling --

15 MR. FLYNN: That's what he just said, Mr. Parsons.

16 MR. PARSONS: The laughing and the chortling as
17 you ask the question --

18 MR. FLYNN: There's a question pending. Your
19 client just testified that his head was not into the
20 publishing process, because he was in Hawaii, and I'd like
21 to know whether that's a true statement.

22 MR. PARSONS: What I'm objecting to, I want you to
23 understand, is the way the question was asked with the
24 chortling and the laughter, okay, that's totally
25 inappropriate questioning. That's what I've objected to.

1 Now, what I will do is permit --

2 MR. FLYNN: Strike the chortling and the laughing.

3 Q. Was your head into --

4 MR. PARSONS: Excuse me one second. Let's ask --

5 I'm going to let you respond to this question --

6 THE WITNESS: He's asked me.

7 MR. PARSONS: -- as he states it, and then we'll
8 take a break.

9 Wait, have him ask you the question, and then

10 we'll take the break.

11 MR. FLYNN: Q. Was your head into the publishing

12 process of How To Spiritualize Your Marriage when the book

13 was printed?

14 MR. PARSONS: That's a different question.

15 THE WITNESS: That's a different question.

16 MR. PARSONS: That's correct.

17 THE WITNESS: And it's a different thing from what

18 I said. It misstates what I said.

19 MR. FLYNN: Q. What did you say, sir?

20 A. I said that when I was in Hawaii in March of 1981,

21 and before I met (woman #7), I was sent the manuscript for

22 publication of a book taken, excerpted, from two classes

23 that I had given years earlier, with the statement "We want

24 to publish this book as soon as possible."

25 And reading it, I felt that it was not well

1 written; I wanted to rework it. It was not well edited, I

2 should say, from my talk.

3 So I was not into doing it. I was into being

4 quiet and resting. This was when my blood pressure had been

5 200 over 120. I needed a rest.

6 For that reason, I was -- didn't really want to do

7 it at all. However, because they had sort of put this sort

8 of Damocles over my head with the statement that they were

9 getting it out and were just sending me this, not would you

10 work on it or anything like that, I felt the pressure to

11 work on it immediately.

12 No, my head was not into it. I was into resting.

13 I didn't want to have that pressure. But I bought a

14 typewriter and worked on it, and did the editing, sent it
15 back and put it out of my mind.

16 I was not really interested in the book. I was
17 interested in getting the pressure of getting the thing done
18 out of my head.

19 From then on, I didn't really think about it. To
20 me, it was a minor book.

21 MR. FLYNN: Q. Did you ever see the book --

22 MR. PARSONS: Excuse me.

23 MR. FLYNN: I want to know whether he ever saw the
24 book before it was actually printed in 1982, Mr. Parsons.

25 MR. PARSONS: Okay. Last question before the
1 break?

2 MR. FLYNN: Well, you're the one who wants to take
3 a break. I'm willing to accommodate your break, but I'd
4 like to have this question answered.

5 MR. PARSONS: This last question?

6 MR. FLYNN: We'll make it the last question.

7 Q. Did you see *How To Spiritualize Your Marriage*?

8 A. Did I which?

9 Q. See the book *How To Spiritualize Your Marriage* --

10 A. I don't believe I did.

11 Q. -- in which you were called in a section "About
12 the Author," "Swami Kriyananda" on at least six occasions
13 before it was printed?

14 MR. PARSONS: Objection. The document speaks for
15 itself, misstates.

16 Go ahead. This is a "yes" or "no."

17 THE WITNESS: I would say no, but it's yes and

18 no. I saw it probably -- no, I have to say I don't even

19 know.

20 MR. PARSONS: Okay. Thank you.

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

22 2:03 p.m.

23 (Recess from 2:03 p.m. to 2:24 p.m.)

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

25 2:24 p.m.

1 THE WITNESS: I would like to make a statement to

2 the effect that my fatigue has reached a point where I'm not

3 sure that I can be clear in answering. I'm going to keep

4 trying, but I want it on the record that I have reached that

5 point where this fatigue is growing to such an extent.

6 MR. FLYNN: Would you mark that, please, next in

7 order?

8 (Exhibit 20 was marked.)

9 MR. FLYNN: Q. Now, I've placed in front of you

10 marked as Exhibit 20 what appears to be an article appearing

11 in Yoga Journal on February -- in the February 1982 issue.

12 And let me ask you -- by Swami Kriyananda.

13 And let me ask you, sir, is this the article that

14 you referred to in your testimony this morning about

15 announcing that you were no longer a swami?

16 A. This is that article.

17 Q. All right. Now, you testified earlier that your

18 marriage to (woman #7) lasted from September 19, 19 --

19 strike that -- 1981, to November 25th, 1981, roughly 2

20 months. Is that correct?

21 A. Yes.

22 Q. So when this article was published in February

23 1982, your marriage had been over for roughly 3 months?

24 A. Yes.

25 Q. And did you inform anyone at Yoga Journal that the
1 marriage had ended --

2 A. I think I --

3 Q. -- before this was published?

4 A. I think I did.

5 Q. Did you give them permission to publish this
6 notwithstanding the fact that facts in it weren't any longer
7 accurate; namely, you weren't married to Parmeshwari?

8 MR. PARSONS: Objection. Argumentative. You may
9 respond.

10 THE WITNESS: My hope at the time was that she
11 would come back, so it was premature to make such a
12 statement.

13 MR. FLYNN: Q. Now, according to your own
14 testimony, (woman #1) in February-March 1981 was then
15 involved in a sexual relationship with you. Is that correct?

16 MR. PARSONS: No, no. That misstates his
17 testimony by a year.

18 MR. FLYNN: Q. Oh, strike that. In February or
19 March 1982.

20 A. Yes.

21 Q. Now, as I know from what we did earlier, (woman #1)
22 says that began, the sexual relationship began in
23 the summer of 1981 and went on continually for the ensuing 6
24 months.

25 My question to you, sir, is, did you inform Yoga
1 Journal before publication -- strike that. Let me withdraw
2 that.

3 Did you write any letters to Yoga Journal in

4 connection with this article?

5 MR. PARSONS: You mean --

6 MR. FLYNN: Q. This article that's been marked as
7 Exhibit 20.

8 MR. PARSONS: So other than --

9 MR. FLYNN: Q. Did you write any other letters?

10 MR. PARSONS: Go ahead.

11 THE WITNESS: I don't remember.

12 MR. FLYNN: Q. Do you know whether you have
13 copies of any such correspondence in your files?

14 MR. PARSONS: Well, go ahead. You can answer.

15 THE WITNESS: No, I don't know.

16 MR. FLYNN: Q. All right. And do you have any
17 memory of calling Yoga Journal on the telephone and telling
18 Yoga Journal that the article in part may no longer be
19 accurate because you were no longer married?

20 MR. PARSONS: Objection. Compound; assumes facts
21 not in evidence.

22 You may respond, though.

23 THE WITNESS: I believed it was not over yet.

24 MR. PARSONS: The question, do you remember
25 calling the Yoga Journal?

1 THE WITNESS: Well, I could not have called,
2 because I didn't believe it was over yet.

3 MR. FLYNN: Q. Well, I believe you testified
4 earlier --

5 MR. PARSONS: Excuse me. You've got to listen to
6 his question and try to respond to his question, or the
7 record is going to be unclear.

8 MR. FLYNN: Q. I believe you testified earlier

9 that the marriage ended on November 25, 1981, when (woman #7)

10 left. Is that correct?

11 MR. PARSONS: Well, boy. You know, he's testified

12 to that at least twice, and he's confirmed that he's

13 testified to that.

14 MR. FLYNN: Well, I'm confused in light of this

15 testimony, then.

16 Q. Is it your belief that the marriage ended on

17 November 25, 1981?

18 MR. PARSONS: Objection. Asked and answered. You

19 may answer one more time.

20 THE WITNESS: It is my belief today, but it was

21 not my belief at that time.

22 If you had asked me -- right.

23 MR. FLYNN: Q. When did you formulate the belief

24 that your marriage ended on November 25, 1981?

25 A. It probably took me 2, maybe -- yeah, 2 months to

1 face the facts.

2 Q. Okay. So November 25th, October 25th, Christmas

3 day, December 25th.

4 By December 25, 1981, per your testimony, you

5 believed the marriage was over. Is that correct?

6 MR. PARSONS: No, that misstates it. If it's 2

7 months, we're talking January 25th, 1982.

8 MR. FLYNN: Oh, you're right.

9 Q. Forgive my misstatements. January 25, 1981. Is

10 that correct?

11 MR. PARSONS: '82.

12 MR. FLYNN: 1982. You're quite correct,

13 Mr. Parsons.

14 THE WITNESS: I think that's true.

15 MR. FLYNN: Q. Okay. Now, at that time did you
16 contact Yoga Journal, or had the issue already been
17 published?

18 MR. PARSONS: Objection. Vague as to time,
19 subject matter.

20 You may respond.

21 THE WITNESS: Their issues usually would come out
22 a month early, which means usually, let's say, by
23 December --

24 MR. FLYNN: Q. Okay. Now --

25 A. At which time I don't believe I'd even returned to
1 Ananda.

2 Q. When did you write this article?

3 A. In either late September or early October of '81.

4 Q. All right. Now, would you turn to -- I don't want
5 to spend a lot of time on this, but I'd like to ask you, on
6 the second page of the article, which starts, "While
7 meditating lately on this question of new directions, I felt
8 his answer," and then there is a quote.

9 And what I'd like to know is, who is "his"?

10 A. This would be my guru.

11 Q. So that's Paramhansa Yogananda?

12 A. Correct.

13 Q. And then it's in quotes. And can you explain to
14 me why you put it in quotes?

15 A. I said, I felt his answer. That means I did not
16 hear his answer. It was my, let's say, understanding of
17 what I was feeling.

18 Q. So you put it in quotes not to indicate that

19 that's what he said, but to indicate what you were feeling.

20 Is that correct?

21 MR. PARSONS: Well, I object it mischaracterizes
22 his testimony.

23 You may respond as to why you put that in quotes.

24 THE WITNESS: Because I felt that that's what he
25 was giving me as a message. But you're correct, it was
1 feeling, not hearing.

2 MR. FLYNN: Q. And the quote reads, quote, "It
3 has been good until now, for the work that you've done, for
4 you to be a monk."

5 So the quote, does it not, suggests that this was
6 Paramhansa Yogananda talking to you?

7 MR. PARSONS: Well, objection. Speculation, no
8 foundation.

9 He may -- but the witness may testify whether or
10 not he meant this to be Yogananda talking to him.

11 THE WITNESS: Well, I said, "I felt"; I did not
12 say, "I heard."

13 MR. FLYNN: Q. But can you answer my question?
14 This article that you've written clearly suggests
15 that Paramhansa Yogananda is talking to you.

16 A. Again, I say, "I felt."

17 MR. PARSONS: Well, again, I don't know what
18 someone might think it means. This witness has testified
19 what he meant when he wrote it.

20 MR. FLYNN: Q. Did you intend to suggest this was
21 a conversation you were having with Yogananda?

22 A. Not with words, but there are other ways of
23 understanding the guidance you feel, and I said "I felt"; I

24 didn't hear.

25 Q. Yes, but the part I'm concerned about is the part
1 in quotes, which clearly suggests to me a conversation
2 between you and Yogananda.

3 For example, you say, "But Master, I'm a monk. I
4 vowed my life to God."

5 Quote, "And what are your vows ultimately if not
6 to serve him as he wants?"

7 That suggests to me that you were having a
8 conversation with Yogananda.

9 Was it your intention to convey in this article
10 that you were having a conversation with Yogananda?

11 MR. PARSONS: Objection. Vague as to "intend to
12 convey."

13 But you certainly may respond. And I'd ask you to
14 listen to the question and try to answer the question. And
15 if you don't remember it, the court reporter can read it
16 back.

17 THE WITNESS: I do.

18 I intended to suggest that this was my feeling.

19 My conversations with him are the result of my praying to
20 him and to God, and what I feel, I feel I have received. If
21 I feel, I have received it as direction.

22 I have never said it was a conversation.

23 MR. FLYNN: Q. All right. Well, let me ask it to
24 you this way, in light of that testimony:

25 When you were having these feelings, did you hear
1 voices that were the voices that you thought of Yogananda?

2 A. It seems to me that my inner communication with
3 God is something private, but that I did not intend to

4 convey that.

5 Beyond that, it seems to me that I have a right to

6 that privacy.

7 MR. PARSONS: Now -- no, I'm going to counsel my

8 client that -- I'm going to ask the question be read again.

9 And I do think it's an appropriate question. But

10 it's a limited question, and I want you to listen to what

11 Mr. Flynn has asked and answer that question, because it's

12 really limited in scope.

13 MR. FLYNN: Q. It's limited to these quoted

14 materials in Exhibit 20, particularly the parts where it

15 appears from the back and forth between you talking and

16 Yogananda talking, or something going on.

17 What I need to know is, in this conversation, in

18 these quotes and Exhibit 20, did you hear the voice of

19 Yogananda saying these things to you?

20 A. No.

21 Q. All right. Then why did you put them in quotes?

22 MR. PARSONS: Objection. Argumentative. He's

23 already -- this witness has already also explained what he

24 intended to do, but you may respond to the question.

25 THE WITNESS: Oh, I think I have.

1 MR. PARSONS: If you have some further response to

2 it, you may give it.

3 THE WITNESS: I have no further response.

4 MR. FLYNN: Q. All right. You say in this

5 article, "We were married recently in a private ceremony."

6 MR. PARSONS: Excuse me. Where is this?

7 MR. FLYNN: Q. This is in the second page of the

8 article, in the second column.

9 Now, "We were married recently in a private
10 ceremony."

11 Now sir, when you wrote that, did you intend to
12 convey that you had legally been married?

13 MR. PARSONS: Objection. Argumentative, but you
14 may respond, what you intended to convey. Or --

15 THE WITNESS: No, I --

16 MR. PARSONS: Or rather, whether you intended to
17 convey that, I'm sorry.

18 THE WITNESS: I did not intend that.

19 MR. FLYNN: Q. Did you intend to convey that it
20 was a spiritual marriage?

21 MR. PARSONS: Same. Argumentative. You may
22 respond.

23 THE WITNESS: I intended to convey that it was a
24 spiritual marriage.

25 MR. FLYNN: Q. Did you ever say in here, if you
1 can demonstrate to me, that it was a spiritual marriage but
2 not a legal marriage?

3 MR. PARSONS: Okay. Once again, when you ask this
4 witness to find a reference in a document like this, I have
5 no alternative other than to request the witness to read
6 through the document.

7 I object that it speaks for itself, and that this
8 sort of form of questioning is a waste of time.

9 But I don't believe I'm authorized to instruct him
10 not to answer, so I'll ask the witness to read through and
11 see if he can find anything in here where it references that
12 it is a spiritual marriage, from the beginning of the
13 article through. Refer now to the entire article.

14 THE WITNESS: I simply didn't make that statement.

15 MR. FLYNN: Q. Fine. Now, did you ever get a

16 spiritual divorce from (woman #7)?

17 MR. PARSONS: Objection. Argumentative. Unclear

18 as to what is meant by a "spiritual divorce," but the

19 witness may respond.

20 THE WITNESS: She left me. I had no opportunity

21 to relate to her after that.

22 MR. FLYNN: Q. Now, you say in this article that

23 you've completed your vows, your monastic vows.

24 MR. PARSONS: Where is that?

25 MR. FLYNN: It's in the next paragraph down.

1 Q. "What then about my monastic vows? I feel that in

2 a very real sense I have completed the m."

3 Do you see that, sir?

4 MR. PARSONS: It's right here.

5 THE WITNESS: By that, I meant --

6 MR. PARSONS: Wait, no. He hasn't -- he's only

7 asked if you'd seen that.

8 MR. FLYNN: Q. What did you mean by that?

9 A. By that I meant that I felt that it was time to

10 take a new direction that would be more in keeping with the

11 realities of the work I founded, which demanded a

12 householder community, not a monastic community.

13 I felt, therefore, it was time to change

14 directions. I had completed doing what I could in that

15 direction with the community, but it was no longer an

16 appropriate direction for the community.

17 Q. All right. Now, what monastic vows are you

18 referring to here that you had completed?

19 A. As a swami.

20 Q. And which vows are they?

21 A. I beg your pardon?

22 Q. What vows are they that you were referring to here

23 that you had completed?

24 MR. PARSONS: He's just answered that. I object

25 that it's asked and answered.

1 You can tell him again.

2 MR. FLYNN: Q. All right. Let's cut through it.

3 Is it celibacy, obedience, poverty? Are those the

4 vows?

5 MR. PARSONS: Well, that misstates his testimony

6 from the other day, but go ahead and answer.

7 MR. FLYNN: Q. What vows, sir, are you referring

8 to here?

9 MR. PARSONS: Same objection. Go ahead.

10 THE WITNESS: The vow -- obviously, since I was no

11 longer with that organization, it had to be between me and

12 God and reinterpreted in that way. The vow of serving God

13 as a renunciate.

14 MR. FLYNN: Q. Okay. But aren't those vows

15 specific vows of poverty, chastity, obedience and -- weren't

16 those the vows you took, final life vows, in 1955?

17 Are those the vows that you considered to be

18 completed as of your marriage to (woman #7)?

19 MR. PARSONS: Okay. We have several questions on

20 the table at the moment. One relates to the vows he took in

21 1955, and another question relates to the vows he's

22 referring to here.

23 MR. FLYNN: Fine. I'd like him to explain.

24 That's what I want to know. We're just wasting time.

25 Q. What vows, sir, are you referring to here? The
1 ones you took in '55 that you said you took for life of
2 poverty, chastity and obedience; or some other vows?

3 A. That was, when I was separated from SRF, I was no
4 longer bound by their rule, so it was not that.

5 It was the fact that it was also a representation
6 of the swami order. And so it was a vow not to
7 Self-Realization Fellowship, but between me and God to serve
8 God to the best of my ability in chastity -- obedience to
9 whom? God's will, as I tried to understand it. Certainly
10 not to the organization.

11 Poverty, to the extent that I could. I was not
12 living in a monastery; I couldn't continue getting a salary
13 of \$20 a month.

14 But to own nothing personally, that was I would
15 say the extent of it.

16 Q. All right. So the vows were poverty, chastity and
17 obedience, but not in the sense of your '55, 1955 vows. Is
18 that basically true?

19 MR. PARSONS: Objection. Misstates his testimony,
20 but you may answer the question.

21 THE WITNESS: It does misstate it. I meant that I
22 was no longer in an organization; therefore, I could not
23 under any circumstances claim to be obedient to that
24 organization and its rules.

25 I had to discover the true way of continuing my
1 service on my own without guidance from anyone.

2 MR. FLYNN: Q. All right, sir. Can you just tell
3 me what monastic vows you considered you had completed in

4 this article, in the way you wrote it? Which monastic vows
5 had you completed?

6 A. As I said, my vow of obedience was to God and my
7 guru, and I had done my best to live by those.

8 I felt that I was being called, and again my
9 obedience -- I had no one to look to for guidance. I was
10 being called to create a new order, which I did, a
11 householder community, and that was where I felt I had
12 completed that direction and had to take a new direction.

13 Q. Can you just simply tell me a vow, one vow, that
14 you intended to convey in this article you had completed, a
15 monastic vow that you had completed?

16 MR. PARSONS: Not necessarily the only vow, but at
17 least one vow?

18 MR. FLYNN: Q. Just one.

19 MR. PARSONS: Do you understand his question?

20 THE WITNESS: I think so. I must admit that my
21 brain is getting very tired, and so I might make a mistake.

22 MR. FLYNN: Q. All right. Let me ask you this,
23 sir: Did you mean to convey that you had completed the
24 monastic vow of celibacy when you wrote this article?

25 A. Yes, I know that's what you're asking.

1 Q. Is that what you intended to convey?

2 A. My intention in saying I'd completed it was that I
3 had completed that direction in my life and had to take a
4 new direction.

5 Q. But you see, sir, I'm not -- I'm using the word
6 you used in the article, if you'd look at it, where you say,
7 "What then about my monastic vows? I feel that in a very
8 real sense, I have completed them." So --

9 A. Well, I tried --

10 MR. PARSONS: Wait. Wait for a question.

11 MR. FLYNN: Q. I'm asking you, did you intend to

12 convey when you wrote that that you had completed your

13 monastic vow of celibacy?

14 A. My feeling was -- and again, we're talking of my

15 feeling -- that I had completed it in the sense that I have

16 said; not in the sense that I had become pure in it.

17 MR. FLYNN: Q. So celibacy was one of the

18 monastic vows you had completed, according to your

19 testimony?

20 A. In the sense that I have just said.

21 Q. Okay. But that's one of the vows?

22 A. Yes.

23 Q. And another one of the vows -- are there any other

24 vows?

25 A. Obedience.

1 Q. Okay. Any other vow?

2 A. Poverty. That's it, basically.

3 Q. Okay. Now, in 1985, you went to this person Daya

4 Mata to be dispensed of your monastic vows.

5 What monastic vows did you seek to be dispensed of

6 in 1985, roughly 3 years after this article?

7 MR. PARSONS: He has testified as to this at least

8 four to five times that I recall. I'll --

9 MR. FLYNN: Q. I just want to know whether

10 they're different vows or the same vows.

11 MR. PARSONS: Well, it's already on the record,

12 but you may respond again as to what vows.

13 THE WITNESS: I wanted to make a formal statement

14 before my formal marriage. Before that, since it was not
15 formal, I didn't yet feel the guidance to do it.

16 But when it became a formal matter, I did feel the
17 guidance.

18 MR. FLYNN: Q. Can you just answer my question,
19 sir?

20 What vows did you go to get dispensed from in 1985
21 from Daya Mata?

22 MR. PARSONS: I'm objecting that it's been asked
23 and answered.

24 The question goes to the vows; not the motivation
25 for it, but what vows.

1 THE WITNESS: The vows of poverty, chastity,
2 obedience, basically -- I said loyalty before. And all of
3 those.

4 I was specifically asking for dispensation in the
5 matter of chastity.

6 MR. FLYNN: Q. Okay. And that's the same vow
7 that in this article you say you had completed as of
8 sometime in 1981.

9 MR. PARSONS: I am --

10 MR. FLYNN: Q. Is that correct?

11 MR. PARSONS: Objection. It's argumentative,
12 misstates his testimony.

13 You can go ahead and respond.

14 THE WITNESS: We're talking of two realities. One
15 is subjective, the other is objective.

16 The marriage to (woman #7), although I made a public
17 statement about it, was an intensely subjective thing. I
18 did not yet -- it takes time for a person to clarify these

19 things on all levels.

20 I did not yet feel ready to make that public

21 statement with (woman #7). I might have in time, and I did

22 before marrying Rosanna.

23 MR. PARSONS: Well, okay. If you're satisfied

24 with the answer to that, I guess I am, too.

25 MR. FLYNN: Okay. Where is the little book How To

1 Spiritualize Your Marriage?

2 MR. GREENE: Here it is.

3 MR. FLYNN: Q. All right. In the book How To

4 Spiritualize Your Marriage, which you wrote, and which was

5 copyrighted in 1982 --

6 MR. PARSONS: You know, excuse me just a moment.

7 (Discussion between the witness and his counsel.)

8 THE WITNESS: Just a moment. I need to go to the

9 bathroom anyway. Can you ask me that question there? I

10 mean, outside? I want to go there.

11 MR. PARSONS: Okay. I was actually telling you

12 something, but --

13 THE WITNESS: I'll just take a 2-minute break.

14 (The witness left the deposition room.)

15 MR. FLYNN: Off the written, on the video.

16 (Discussion off the written record.)

17 (Exhibit 21 was marked.)

18 MR. FLYNN: All right, back on the record, now,

19 we've marked, sir, as Exhibit 21 this article which

20 appears -- I've got a better copy here -- it appears in the

21 -- something called Body Mind Spirit, February-March 1995.

22 Mr. Parsons, I've got a copy here where you can

23 see the date at the bottom. I know in your photocopy, you

24 can't. But if you'd like to confirm that date --

25 MR. PARSONS: Well, that is what it is.

1 MR. FLYNN: I'm simply saying, on the photocopy

2 it's hard to read "Body Mind Spirit, February-March 1995."

3 MR. PARSONS: Oh, I see. On the photocopy you've

4 handed me, which appears to be the same document, looking at

5 it quickly, that there is a "February-March 1995, page 43,"

6 bottom of the first page.

7 THE WITNESS: By the way, I don't think I'm

8 answering directly to your questions. I don't think I'm

9 being completely clear mentally. So I'm trying my best, but

10 that is something I have to work with.

11 MR. FLYNN: Q. Okay. This is a simple one.

12 Apparently you gave an interview to Katherine

13 Diehl, at least portions of which appeared in Body Mind

14 Spirit in their February-March 1995 issue.

15 Do you recall meeting with this Katherine Diehl?

16 A. I do.

17 Q. And take a look at this article, and I'd ask you

18 to confirm that you in fact made the statements in the

19 article, or conducted the interview with her, as it appears.

20 MR. PARSONS: Wait, wait. Are you asking him to

21 confirm that he in fact made every statement that appears in

22 this article?

23 MR. FLYNN: Q. All right. Well, let's -- perhaps

24 that's -- well, let's just try it a different way.

25 You see the title of the article is, "Practical

1 Spirituality from a Western Swami"?

2 A. Yes.

3 Q. Now, you're referred to there as a swami. And as

4 we both know, in Hinduism, and in yoga, the term "swami" is
5 a very specific term.

6 And did you explain to her in the article that you
7 were not a swami?

8 MR. PARSONS: Okay. Again, if you're asking him
9 whether he has explained in the article that you have just
10 handed him whether he's quoted in there as explaining to her
11 that he was not a swami, then I object. The document speaks
12 for itself.

13 MR. FLYNN: Well, maybe there's an interpretation
14 he can give that I don't see.

15 I can't find anywhere in here, Mr. Walters, where
16 you say, "I'm not a swami."

17 I do see the section that says your followers call
18 you Swami, which I'm going to get into. But I can't find
19 anywhere where you say, "I'm not a swami."

20 And I'm wondering, is there somewhere in here
21 where you did try to convey that that I've missed?

22 MR. PARSONS: Well, again, I think this type of
23 questioning is really wasting time, because it requires the
24 witness to look through the document before he can testify
25 under oath as to what it says.

1 MR. FLYNN: As you know, Mr. Parsons, a
2 fundamental part of the plaintiff's fraud claim --

3 JUDGE PLISKA: He is correct, Mr. Flynn. If
4 you're going to ask him that, he's got to take the time to
5 read it.

6 MR. FLYNN: Okay. This is important, so then
7 we're going to have to take the time.

8 JUDGE PLISKA: That's fine. But you've got to

9 give him the time

10 MR. FLYNN: Q. Take the time, sir. Point out to

11 me --

12 A. I would like to relate to something you stated as

13 a statement, before you ask the question. You said, "as you

14 know."

15 MR. PARSONS: Wait. Why don't you first tell me

16 what it is that you want to -- is this something you feel

17 that needs to be stated on the record?

18 THE WITNESS: Uh-huh.

19 MR. PARSONS: All right. I'll --

20 THE WITNESS: You said, as you know, the title --

21 the term "swami" has a very specific and limited, I believe

22 those were your words, meaning in India.

23 No, I do not know that. I do know that many

24 teachers are called "Swami" who are known not to be swamis.

25 I myself, by -- people who knew me to be married called me

1 "Swami." It also means husband. A woman will call her

2 husband "Swami."

3 No, it is not a limited and specific meaning. If

4 you go to greater length to explain that it means this

5 limited term that you are describing, then of course you

6 have limited it. But as a title by itself, it is not

7 restricted.

8 MR. FLYNN: For the record, that's not what I

9 said. I said, the term "swami" in Hinduism and yoga has a

10 very specific meaning. I never mentioned India, and I never

11 said the word "limited."

12 Q. Now, sir, would you please look at the article

13 and see if you can show me anywhere in the article where you

14 said you were not a swami?

15 A. I must retreat my statement and clarify it.

16 Hindus is what I meant when I said Indians. Yogis

17 is also what I meant when I said Indians.

18 Now, ask your question.

19 MR. FLYNN: Q. I didn't say yogi, I said yoga.

20 A. Well, yoga isn't consciousness to have a

21 particular meaning or statement. It's people who are yogis.

22 Q. Can you find for me anywhere in the article where

23 you said, "I am not a swami"?

24 A. I didn't say it. I didn't -- I think I said it to

25 her personally. But this is a recorded interview --

1 MR. PARSONS: You should look through and see if

2 it appears in here.

3 THE WITNESS: Okay. But edited by her.

4 MR. FLYNN: This is going to be 22.

5 (Exhibit 22 was marked.)

6 THE WITNESS: (Examining document.)

7 In answer to her questions, "Your followers call

8 you swami. Why don't you wear a robe Indian style?" I

9 answered that question. To the best of my recollection,

10 she didn't include it in the article, which I never saw

11 until it was printed.

12 MR. FLYNN: Q. She didn't include what, sir?

13 A. The statement that I made that I am not a swami.

14 Q. Okay. So it's your testimony under oath you told

15 Katherine Diehl -- when you had this interview with her,

16 that you told her you were not a swami. Is that correct?

17 A. That's correct.

18 Q. And can you give me your best recollection as to

19 the date you had the interview?

20 A. It was at about late September, early October of
21 last year.

22 Q. Late September, early October 1994. Correct?

23 A. Correct.

24 Q. And was the interview tape-recorded?

25 A. I believe it was.

1 Q. And was it on the phone or in person?

2 A. In person.

3 Q. Did you go to see her somewhere, or did she come
4 to Ananda?

5 A. Neither.

6 Q. Where did you meet her?

7 A. She came to the hotel I was staying in in Boston,
8 if I am not mistaken. I was on tour for Warner Books.

9 Q. Can you give me the name of the hotel?

10 A. I beg your pardon?

11 Q. The name of the hotel?

12 A. The Four Seasons.

13 Q. Okay. Now, if you know, is she a free-lance
14 writer for Mind -- Body Mind Spirit, or is she a member of
15 their editorial staff?

16 MR. PARSONS: Objection. Compound, no foundation.

17 Go ahead and respond.

18 THE WITNESS: I believe she is a free-lance
19 reporter.

20 MR. FLYNN: Q. Did you know her prior to your
21 interview with her?

22 A. I did not.

23 Q. Had you ever spoken to her prior to your interview

24 with her?

25 A. No.

1 Q. Do you know where she is from?

2 A. No.

3 Q. Do you have her telephone number?

4 A. I do not.

5 Q. Do you know how we can get in contact with her?

6 A. Probably through the magazine.

7 Q. And prior to your interview with her, had you ever

8 conducted any other interviews with her?

9 A. I don't believe I had.

10 Q. Are you friendly with anyone on the editorial

11 board of Body Mind -- of this publication?

12 MR. PARSONS: Objection. Vague as to "friendly."

13 MR. FLYNN: Q. Body Mind Spirit.

14 A. I didn't hear the question.

15 Q. Do you have any kind of a relationship with anyone

16 on the editorial board of this publication?

17 MR. PARSONS: Again, vague as to "relationship."

18 Go ahead.

19 THE WITNESS: Vague as to "relationship," in fact.

20 MR. FLYNN: Q. Do you know anyone on the

21 editorial board?

22 A. Yes. We have had dinner together once, and I

23 think coffee together once.

24 Q. And who is that?

25 A. I'm afraid I don't remember the name well, but

1 Jim -- the owner, and Jane. Again the name eludes me. Jane

2 Kuhn, I think, K-u-h-n, and Jim -- you'd have to look it up

3 on the masthead.

4 Q. Okay. All right.

5 Now, would you turn now to Exhibit 22, please, sir?

6 A. What is this?

7 Q. This is someone named Chandra Diana Lee Slavonic.

8 MR. PARSONS: Would you like him to read the

9 document?

10 MR. FLYNN: Q. All right. Now --

11 MR. PARSONS: You asked him to turn to it.

12 MR. FLYNN: Q. Do you recall an individual name

13 Chandra Diana Lee Slavonic?

14 A. I do.

15 Q. And what is your memory of her? Mr. Walters?

16 MR. PARSONS: Mr. Walters?

17 THE WITNESS: I was reading this.

18 MR. FLYNN: Q. Let me know when you're done

19 reading, sir.

20 A. Yes, I have read it.

21 Q. Okay. What is your memory of Chandra Lee

22 Slavonic?

23 MR. PARSONS: Object that it's vague as to "what

24 is your memory." Calls for a narrative.

25 You may respond.

1 THE WITNESS: She was one of the early people at

2 Ananda. This was in 1969. She speaks of staying there --

3 MR. PARSONS: Well can you be --

4 MR. FLYNN: Q. What do you remember about her?

5 MR. PARSONS: He's asked for your memory. So what

6 do you remember about her?

7 THE WITNESS: I remember being attracted to her

8 physically, and on two occasions that I recall having had

9 sexual intercourse with her.

10 MR. FLYNN: Q. Now, was she a disciple of Ananda
11 at that time?

12 A. I think so.

13 Q. And do you recall what she looked like?

14 A. She was somewhat -- you might say well built. I'm
15 not -- I wouldn't -- I don't want to use the word stocky,
16 but approaching that. Robust.

17 I would estimate 29 years old, but I don't know.

18 I think she had brown hair, but I don't remember.

19 MR. PARSONS: Again, if you don't remember, then
20 that's your testimony. If you do remember, then you should
21 say it.

22 THE WITNESS: That's good enough, then.

23 MR. FLYNN: Q. You don't remember what color hair
24 she had, or do you remember? You're unclear now.

25 A. I think it was brown.

1 Q. Okay. That's your best estimate? That's your
2 best memory?

3 A. I've given my best memory.

4 Q. And do you recall what color eyes she had?

5 A. I do not.

6 Q. Do you recall approximately how tall she was?

7 A. I do not. I can estimate, if my lawyer approves.

8 MR. PARSONS: Well --

9 MR. FLYNN: Q. What is your best memory?

10 MR. PARSONS: If you've got some reasonable basis
11 or a memory, then you can give it. If it's speculation,
12 no.

13 THE WITNESS: Probably about 5-4.

14 MR. FLYNN: Q. 5 foot 4. Okay.

15 Now, in 1969, did you refer to yourself as Swami

16 Kriyananda?

17 MR. PARSONS: Vague as to time during that year.

18 Go ahead.

19 THE WITNESS: Yes.

20 MR. FLYNN: Q. And in 1969, were you still a

21 swami of the monastic order?

22 A. I was.

23 Q. And in 1969, were you the spiritual director of

24 Ananda Village?

25 A. In 1969, I was the founder of Ananda. There were

1 no titles yet.

2 Q. You were the head guy?

3 A. Yes.

4 Q. And in 1969, had she come to Ananda for spiritual

5 training, "she" being Chandra Diana Lee Slavonic.

6 MR. PARSONS: Objection. It calls for this

7 witness to testify as to third parties' motivations, no

8 foundation, speculation.

9 THE WITNESS: That's fair.

10 MR. PARSONS: But I'll permit you to answer to the

11 extent you can as to her motivation.

12 THE WITNESS: Yes, I do not know her motivation.

13 MR. FLYNN: Q. Did you give her spiritual

14 training?

15 MR. PARSONS: Objection. Vague as to "spiritual

16 training."

17 You may respond.

18 THE WITNESS: At that time, I gave her no personal

19 training, and my energies were so involved in raising money
20 to build Ananda, earning it, that I doubt that I gave her
21 any spiritual training personally.

22 MR. FLYNN: Q. Did you teach her the AUM
23 technique?

24 A. If she learned it in a class, yes. If not, no.

25 Q. Were you giving classes on the AUM technique in
1 1969 when Chandra Lee Slavonic was at Ananda?

2 A. Probably, is the best answer I could give.

3 Q. Were you giving classes on the Hung Saw technique
4 at that time?

5 A. The same answer.

6 Q. Were you initiating people into Kriya Yoga at that
7 time?

8 A. I don't remember whether I had a Kriya initiation.

9 Q. What is your best memory as to when you first
10 began initiating people into Kriya Yoga?

11 A. 1964.

12 Q. Were you teaching the energization exercises the
13 an Ananda Village in 1969?

14 A. Yes.

15 Q. And to your knowledge, did Chandra Diana Lee
16 Slavonic attend classes in energization exercises?

17 A. I am not able to say. I don't know.

18 Q. You don't recall?

19 A. Right.

20 Q. Okay. Now, in 1969, were you initiating people
21 into Kriya after they had fulfilled their training in the
22 Hung Saw and/or AUM techniques?

23 MR. PARSONS: Again, objection. It misstates his

24 testimony where he's already testified he didn't know

25 whether he was initiating people in 1969.

1 With that objection, you may, however, respond.

2 THE WITNESS: I've answered it.

3 MR. FLYNN: Q. Well, what I want to know, sir --

4 A. I said I don't know.

5 Q. Let me ask it a different way.

6 After a series of classes in which a person took

7 AUM and received training in the Hung Saw technique and

8 received training in the energization exercises, did you

9 then as a matter of routine initiate them into Kriya Yoga?

10 MR. PARSONS: Okay. Vague as to time now, because

11 he's already testified --

12 MR. FLYNN: Q. In 1969.

13 MR. PARSONS: Okay. Then, vague as to "routine."

14 But you may answer that question. Do you have it

15 in mind?

16 THE WITNESS: I don't remember giving Kriya

17 initiation in '69.

18 MR. FLYNN: Q. Okay. Fair enough.

19 But here is my question: Having read some of your

20 materials here, and in the order of the spiritual training

21 that I've read about as I understand it, a person is taught

22 the energization exercises, Hung Saw, the AUM technique; and

23 after they've completed that training, they then, if they

24 wish, get initiated into Kriya.

25 Is that basically correct?

1 MR. PARSONS: Vague as to what time you're talking

2 about.

3 MR. FLYNN: Q. In the 1969 time frame.

4 MR. PARSONS: Well, again, I object. It misstates
5 his testimony.

6 But you may respond to that question before you.

7 And I'd ask you to have that question in mind when you
8 answer.

9 THE WITNESS: I have been answering your question
10 limited to 1969, because you did.

11 Now you've used the word "time frame." That
12 expands it beyond '69?

13 MR. FLYNN: Q. All right. Perhaps -- yeah,
14 perhaps it was a bad question. Let me try and give it
15 another try.

16 As I understand your publications, the order of
17 training which did take place in 1969 was energization
18 exercises, Hung Saw, AUM, and then initiation into Kriya.
19 Now, you've testified you believe you gave
20 lectures in AUM and Hung Saw in 1969. Is that correct?

21 MR. PARSONS: Okay. Again, I object to him
22 testifying as to what his testimony was.

23 Why don't you go ahead and answer the question
24 from a standpoint of, did you do that in 1969?

25 THE WITNESS: I do not remember giving Kriya
1 initiation in 1969.

2 MR. FLYNN: Q. All right. Do you recall giving
3 Hung Saw and AUM?

4 MR. PARSONS: Objection. Compound. Go ahead.

5 THE WITNESS: What I did in 1969 is more difficult
6 to remember. It's therefore easier to answer such a
7 question as, would you have given it. I probably did.

8 MR. PARSONS: I don't want you to speculate and

9 guess as to what you would have or --

10 THE WITNESS: All right, I can't. I can't

11 speculate.

12 MR. FLYNN: Q. Lets just limit it to energization

13 exercises.

14 Did you give lectures in energization exercises in

15 1969, if you recall?

16 A. In the context of this present questioning, I have

17 to say I don't know.

18 Q. Okay. You don't recall?

19 A. Right.

20 Q. All right. In 1969, did you give lectures in the

21 Hung Saw technique?

22 A. In the context of this questioning, I have to say

23 I don't know.

24 Q. Okay. And in the -- in 1969, did you give

25 lectures in the AUM technique?

1 A. In the context of this questioning, I would have

2 to say I don't know.

3 Q. Fair enough. What is your best memory as to when

4 you first began giving lectures in the energization

5 exercises?

6 A. My best memory would have to include the

7 possibility, but again that's speculation -- I don't

8 remember.

9 I say that after I -- because I had to go down and

10 live in Sacramento and give classes to earn the money to pay

11 for the mortgage. And when I moved back in 1970, on June --

12 on May 31, sometime after that, I would have. And I cannot

13 remember specific instances, but I could not say that I

14 didn't know it.

15 MR. FLYNN: Q. Okay. Sometime after June of
16 1970, you have a general memory of giving classes in
17 energization exercises?

18 A. That is correct.

19 Q. All right. And with regard to Hung Saw and AUM,
20 would your testimony be the same?

21 A. The same.

22 Q. And with regard to initiating people into Kriya
23 Yoga, would your testimony be the same?

24 MR. PARSONS: He's already testified he began in
25 1964 on Kriya Yoga initiation, so it misstates his
1 testimony.

2 THE WITNESS: No, but at Ananda, yes.

3 MR. FLYNN: Q. All right. Between 1964 and June
4 of 1970, did you initiate people into Kriya Yoga?

5 A. I did.

6 Q. And between 1964 and June of 1970, did you teach
7 people the AUM, the energization exercises and the Hung Saw
8 techniques?

9 MR. PARSONS: Okay. Vague as to time and
10 frequency, but go ahead.

11 THE WITNESS: Yes. I cannot be specific; but yes,
12 the answer is, during that time, I did.

13 MR. FLYNN: Q. Okay. Where did you learn the
14 energization exercises?

15 A. I learned them at Mt. Washington in 1948.

16 Q. As a monk at SRF?

17 A. Yes.

18 Q. Where did you learn the AUM technique?

19 A. From Mt. Washington -- at Mt. Washington, I should
20 say.

21 Q. As a monk in SRF?

22 A. Correct.

23 Q. Where did you learn the Hung Saw technique?

24 A. Same thing.

25 Q. As a monk at SRF --

1 A. Correct.

2 Q. What year?

3 A. All of the above, including Kriya, in 1948.

4 Q. Okay. So you were initiated into Kriya while you
5 were a monk in SRF?

6 A. Correct.

7 Q. Fair to say?

8 Now, in -- why don't -- go ahead and change the
9 tape and change the court reporter paper.

10 THE VIDEO OPERATOR: This is the end of videotape
11 number 10 in the deposition of Donald Walters. We're going
12 off the record at 3:20 p.m.

13 (Discussion off the record.)

14 THE VIDEO OPERATOR: This is the beginning of
15 videotape number 11 in the deposition of Donald Walters.
16 We're back on the record at 3:22 p.m.

17 MR. FLYNN: Q. Now sir, as I understand it, in
18 1955, you took your final vows and became a swami -- a monk
19 in the swami monastic order. Is that correct?

20 MR. PARSONS: This has got to be the 12th time
21 you've asked that question.

22 MR. FLYNN: Just to orient.

23 MR. PARSONS: And he has never contradicted his

24 testimony on it.

25 MR. FLYNN: I'll make it an orientation.

1 Q. In 1955, when you became a monk in the swami
2 monastic order and took your final vows, did you vow not to
3 give Kriya to anyone without written permission -- except
4 with the permission of the Self-Realization Fellowship
5 Church?

6 MR. PARSONS: You've also asked that repeatedly
7 already. He's said -- I object. You are really wasting
8 time on these repetitive questions.

9 I'll permit the witness to answer yet one more
10 time, however.

11 Do you have the question in mind?

12 THE WITNESS: I did not.

13 MR. FLYNN: Would you read it back, please?

14 (Record read.)

15 THE WITNESS: You have my answer.

16 MR. FLYNN: Q. What is your answer?

17 A. You didn't hear it?

18 Q. No.

19 A. I said, I did not.

20 Q. Between 1955 and 1962, when you were a monk
21 administering Kriya in the Self-Realization Fellowship
22 Church, did you require that the people who you gave Kriya
23 to not divulge the Kriya technique without permission from
24 the Self-Realization Fellowship Church?

25 MR. PARSONS: Mr. Flynn, I've got to object
1 again. You have gone through this entire line of
2 questioning. It's clear on the record.

3 This is a total waste of time, for a witness who's

4 tired. I've got to believe you're trying to get him to
5 contradict things.

6 MR. FLYNN: I never got answers. You instructed
7 him not to answer, Mr. Parsons.

8 MR. PARSONS: No, I didn't. You've got it on the
9 record. And I can't instruct him to answer not again.

10 MR. FLYNN: This one question. I'd like to an
11 answer to this one question.

12 JUDGE PLISKA: Not if you have already have it,
13 Mr. Flynn.

14 MR. FLYNN: I don't believe I do, Your Honor.

15 JUDGE PLISKA: Well, I don't know, because I never
16 heard it, so it must have happened when I wasn't here.

17 MR. PARSONS: I have stated my objection. You may
18 answer the question.

19 I would ask it be read back to him just so he's
20 got it clear in his mind.

21 MR. FLYNN: Read it back.

22 (Record read.)

23 MR. PARSONS: Objection. Asked and answered.

24 You may respond.

25 THE WITNESS: Yes.

1 MR. FLYNN: Q. Now, when Chandra Lee Slavonic
2 came to Ananda, do you have any memory of administering a
3 Kriya pledge to her?

4 MR. PARSONS: Okay. Objection. He's already
5 testified on Kriya, 1969, he's testified concerning that
6 several times this afternoon.

7 Object it's been asked and answered. You may
8 respond one more time.

9 MR. FLYNN: Q. A Kriya pledge.

10 MR. PARSONS: Kriya pledge. Okay. Then

11 objection, vague as to "Kriya pledge." Go ahead.

12 THE WITNESS: I no longer considered myself under

13 obedience to Self-Realization Fellowship. Therefore --

14 MR. PARSONS: Have you got the question --

15 THE WITNESS: -- I had the pledge, but it was not

16 the same as the pledge I had asked of people before.

17 MR. FLYNN: Q. The question, sir, was, did

18 administer a Kriya pledge to Chandra Lee Slavonic in 1964?

19 A. The Kriya pledge that I had rewritten.

20 Q. You did?

21 A. Yes.

22 Q. Now, what was the Kriya pledge that you had

23 rewritten?

24 A. That they would not reveal Kriya to anyone without

25 permission from Self-Realization Fellowship or from me, or

1 from a qualified Kriya Yoga teacher.

2 MR. FLYNN: Okay. Let me just have this marked as

3 Exhibit 23.

4 (Exhibit 23 was marked.)

5 MR. FLYNN: Q. And I'm just going to ask you,

6 will you look at Exhibit 23, and will you confirm that

7 that's the pledge that you gave to Self-Realization

8 Fellowship Kriya applicants between 1955 and 1962 while you

9 were a monk in the swami monastic order of Self-Realization

10 Fellowship?

11 A. Yes.

12 Q. Now, going back to Exhibit 22, in paragraph 3,

13 Chandra Lee Slavonic avers, quote, "At one point, Swami and

14 I were alone together and he used me for sex," period, end
15 quote.

16 Do you see that?

17 A. I see it.

18 Q. Is that a true statement?

19 MR. PARSONS: Objection. The statement is
20 argumentative in the phrase "used me for sex." It's also
21 vague and ambiguous in that regard.

22 Otherwise, you may respond.

23 THE WITNESS: Yes. It's wrong to say "he used me
24 for sex."

25 Did we make love, that's a different question.

1 Used me, no, I did not.

2 MR. FLYNN: Q. Okay. In what way did you make
3 love?

4 MR. PARSONS: Are you asking for the physical
5 position, or -- I mean, what --

6 MR. FLYNN: Q. I'm asking what he meant when he
7 just said, we made love.

8 A. I suppose the usual meaning. Sexual intercourse.

9 Q. Did you demonstrate affection for her?

10 MR. PARSONS: Okay. Argumentative, vague.

11 You may respond.

12 THE WITNESS: I did.

13 MR. FLYNN: Q. And did she demonstrate affection
14 for you?

15 MR. PARSONS: Again, calls for this witness's
16 perception. I'll permit him to testify to that.

17 THE WITNESS: My perception is that she did.

18 MR. FLYNN: Q. Do you recall whether that was

19 before or after you had given her the Kriya pledge?

20 A. It was before.

21 Q. Did you have sex with her after you had given her
22 the Kriya pledge?

23 A. I don't believe so.

24 Q. Okay. Now, going down to paragraph 7, quote:

25 "Later, when I began to tell people what had
1 happened, word got back to Swami. He cornered me by the
2 washroom and said that he did not like me talking about the
3 sex between us to anybody. He said that it was just between
4 him and me and that we," quote, "'Were just having fun
5 anyway,'" end quote.

6 Now, first of all, did you corner Chandra Lee
7 Slavonic in the washroom and tell her not to divulge the
8 fact that you were having sex with her to anyone?

9 MR. PARSONS: Objection. It's compound as
10 phrased; the term "cornered" is argumentative.
11 Otherwise, with those objections, you may
12 respond.

13 THE WITNESS: I have no such recollection.

14 MR. FLYNN: Q. Do you remember when Chandra Lee
15 Slavonic left Ananda Village?

16 A. I have no such recollection.

17 Q. Okay. Did she ever become a so-called nun at
18 Ananda Village?

19 MR. PARSONS: Objection. Vague as to the term
20 "nun," but go ahead.

21 THE WITNESS: I don't believe so.

22 MR. FLYNN: Q. Do you use the term "nun" at
23 Ananda Village at the present time?

24 A. We do not.

25 Q. Have you ever used the term "nun" at Ananda
1 Village?

2 A. Yes.

3 Q. During what period of time did you use the term
4 "nun"?

5 A. That would have been in the '70s.

6 Q. Did you have sex with Chandra Lee Slavonic when
7 she was a nun at Ananda Village?

8 A. I have said that I don't remember that she was. I
9 should say further that I'm sure she was not, and therefore
10 no.

11 Q. Why are you sure that she was not?

12 A. I have no such recollection, and no reason to
13 believe so. I believe she married then.

14 MR. FLYNN: Would you mark this next exhibit?

15 (Exhibit 24 was marked.)

16 MR. PARSONS: Excuse me. I've gotten a message, I
17 think Dr. Van Houten would like to take his blood pressure
18 at the moment.

19 Can we take just about a --

20 JUDGE PLISKA: We haven't taken a break in a
21 while, so it's probably appropriate.

22 THE VIDEO OPERATOR: We're going off the record at
23 3:33 p.m.

24 (Recess from 3:33 p.m. to 3:54 p.m.)

25 THE VIDEO OPERATOR: We're back on the record at
1 3:55 p.m. for the purpose of ending this videotape. This is
2 the end of videotape number 11 in the deposition of Donald
3 Walters. We're going back off the record at 3:55.

4 MR. FLYNN: Right. Let me just put one thing on
5 so the videotape will hear it.

6 This deposition is suspending at this time at the
7 request of Mr. Walters.

8 THE VIDEO OPERATOR: Going back off the record at
9 3:55.

10 MR. PARSONS: Still on the audio record, we will
11 -- we have agreed --

12 MR. GREENE: The written record.

13 MR. PARSONS: We will resume with Mr. Walters
14 Thursday, September 21 at 10 o'clock. Mr. Greene has
15 indicated he'll take that deposition.

16 And if he is unable to complete his portion of
17 Mr. Walters' deposition on Thursday, we have then agreed
18 that we will resume on Friday, September 22nd at 11 o'clock.
19 And then Mr. Flynn will have another day with
20 Mr. Walters on Thursday, October 12, beginning on October
21 12th at 10 a.m.

22 MR. FLYNN: Right, except that we're not -- this
23 is not a commitment that the deposition is ending on October
24 12th, but a best-effort intention. But it is not a
25 stipulation that the deposition is ending on that date.

1 JUDGE PLISKA: That's understood. I know. Okay.

2 MR. PARSONS: Okay. Off the record?

3 MR. FLYNN: Off the record.

4 (Time noted, 3:56 p.m.)

5 --o0o--

6

7 _____

8 Signature of the Witness