

Deposition of Mr. J. Donald Walters: September 12, 1995

note: This is the third of seven (7) parts of the deposition of Mr. J. Donald Walters. This part is dated Tuesday, September 12, 1995. Many subjects are covered in a random manor. Oftentimes, the same subject is brought up again in other sections.

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1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SAN MATEO

3 --o0o--

4 (the plaintiff),

5 Plaintiff,

6 vs. No. 390 230

7 ANANDA CHURCH OF GOD

REALIZATION, a California

8 not-for-profit corporation,

et al.,

9

Defendants.

10 _____/

13 DEPOSITION OF

14 DONALD WALTERS

Volume III; Pages 351 to 559

Tuesday, September 12, 1995

19 REPORTED BY:
20 HOLLY THUMAN, CSR NO. 6834, RPR TOOKER & ANTZ
24 CERTIFIED SHORTHAND REPORTERS STEUART STREET, SUITE 201
25 SAN FRANCISCO, CALIFORNIA 94105

1 I N D E X

2 EXAMINATION BY: PAGE

3 MR. FLYNN (Resumed): 355

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9 15 Declaration of (woman #2) 464

10 16 Declaration of (woman #1) 494

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MARKED PORTIONS OF TRANSCRIPT

13 Page 416; Line 12

1 --o0o--

2 BE IT REMEMBERED that on Tuesday, September 12,

3 1995 commencing at 10:12 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. (Present afternoon session only.)
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 EDWARD W. PLISKA, Judge (Retired), Attorney at
1 Law, COREY, LUZAICH, GEMELLO, MANOS & PLISKA, 700 El Camino
2 Real, Millbrae, California 94030, was present as the
3 Referee.
4 Also present were (the plaintiff) (when
5 indicated); DR. PETER VAN HOUTEN; ASHA PRAVER; JOHN SMALLEN;
6 and SHEILA RUSH.
7 VIDEOGRAPHER: ROBERT BARBAGELATA, Dan Mottaz
8 Video Productions, One Lansdale Avenue, San Francisco,
9 California 94127. Phone: (415) 731-1300.

10 --o0o--

1 September 12, 1995 10:12 a.m.

2 --o0o--

3 EXAMINATION BY MR. FLYNN (Resumed)

4 THE VIDEO OPERATOR: This is the beginning of

5 videotape number 6 in the deposition of Donald Walters.

6 Today's date is September 12, 1995, and the time is 10:12

7 a.m. The video operator is Robert Barbagelata. We're back

8 on the record.

9 MR. FLYNN: Thank you.

10 Q. You understand you're still under oath,

11 Mr. Walters?

12 A. I do.

13 MR. PARSONS: I believe the witness wanted to

14 expand on something he said yesterday.

15 THE WITNESS: What was it?

16 MR. PARSONS: Well, what it was, was about the --

17 MR. FLYNN: Well, please. We don't need testimony

18 from you, Mr. Parsons.

19 MR. PARSONS: I'm going to remind him --

20 THE WITNESS: We talked about that, and I don't

21 remember.

22 MR. FLYNN: Q. Mr. Walters, is there something

23 you'd like to say, sir?

24 MR. PARSONS: If you don't remember now, then if

25 -- I'm sure it'll come up, and you can say it at the time.

1 THE WITNESS: I don't remember.

2 MR. FLYNN: Q. Okay. Do you know a fellow named

3 Thomas Oesterle?

4 A. Yes.

5 Q. Where is Mr. Oesterle living now?

6 A. He lives at Ananda Village.

7 Q. Is he still a member of the community?

8 A. Yes.

9 Q. And what is his position?

10 A. He doesn't have one right now.

11 Q. For how long has he not had a position?

12 A. I don't know. He felt like resting for a while,

13 and right now he's in England with his wife.

14 Q. And how long has he been in England with his wife?

15 A. Oh, probably 3 weeks. I don't know. I just got a

16 card from them yesterday.

17 Q. What was his position before he left for England?

18 A. He was -- no, he didn't have a position for some

19 time. But before that, he was in the accounting department.

20 Q. And what was his function in the accounting

21 department?

22 A. I don't know.

23 Q. Did he have a title?

24 A. He is a CPA, so it had to do with that ability.

25 Q. Has he ever had a title at Ananda?

1 A. Not that I know of.

2 Q. Was he ever the treasurer of the Ananda Church of

3 Self Realization?

4 A. He may have been. He may be still. I don't

5 really know.

6 Q. We'll get into the issue of foreign bank accounts

7 a little bit later. We're going to shift gears now.

8 Would you put in front of you Exhibit 13, please,

9 which is the cross-complaint of Ananda Church of Self

10 Realization?

11 MR. PARSONS: It's probably at the bottom of that

12 pile.

13 THE WITNESS: Yes.

14 MR. FLYNN: Q. Now, you understand that you're a

15 cross-complainant against Ms. (the plaintiff)?

16 A. Yes.

17 Q. And did you read this complaint before it was

18 filed?

19 A. I did.

20 Q. And as far as you know, or knew at the time that

21 you read it, was it accurate in all respects?

22 A. As far as I know, yes.

23 Q. Would you turn to page 2, paragraph 6, please?

24 A. Yes.

25 Q. Did you read that --

1 A. I did.

2 Q. -- paragraph before it was filed?

3 And in that paragraph, it is stated, "(the plaintiff)

4 filed the (the plaintiff) Litigation, a sham lawsuit against

5 cross-complainants --

6 A. I'm sorry, I was on the wrong paragraph.

7 MR. PARSONS: 6, and onto the next page.

8 THE WITNESS: Yes.

9 MR. FLYNN: Q. -- "falsely alleging sexual

10 harassment concerning (the plaintiff)'s brief consensual

11 adulterous relationship with Levin, whom she unsuccessfully

12 attempted to lure away from his wife and child."

13 A. That's correct.

14 Q. Now, what information or evidence do you have

15 relating to the allegations in that paragraph?

16 A. The fact that --

17 MR. PARSONS: I want to object to the extent --

18 THE WITNESS: I'm sorry, I forgot.

19 MR. PARSONS: To the extent that it calls for a

20 communication between attorney and client, or the disclosure

21 to you of work product.

22 But you are permitted to testify concerning

23 anything you didn't learn from an attorney or facts which

24 you know of.

25 THE WITNESS: (the plaintiff) told me that she would

1 make a good mother to Danny's child and was determined to

2 marry him.

3 MR. FLYNN: Q. Is there anything else she said to

4 you?

5 A. Well, I think that's enough. She may have said
6 more, but that was to me the last straw. I would --

7 MR. PARSONS: If --

8 MR. FLYNN: Please, Mr. Parsons, he's in the
9 middle of an answer.

10 MR. PARSONS: I'm going to actually tell him to
11 respond more fully, if you'll let me.

12 MR. FLYNN: But you interrupted him.

13 MR. PARSONS: I'm sorry, go ahead.

14 MR. FLYNN: Q. Is there any other statement
15 Ms. (the plaintiff) made to you?

16 A. Mr. Flynn, I have a lawyer here to counsel me. I
17 don't appreciate your interrupting him.

18 MR. FLYNN: Your Honor, could I have an answer,
19 please?

20 JUDGE PLISKA: Yes, could you please answer?

21 You're here to answer --

22 THE WITNESS: I'm planning to answer. But I
23 merely stated, I don't appreciate your trying to obstruct
24 his advice.

25 JUDGE PLISKA: Mr. Walters, when you're in the
1 middle of an answer, your attorney is not to interrupt you,
2 and I will so instruct Mr. Parsons. Okay?
3 So you need to answer the question. And it was
4 proper for Mr. Flynn to interrupt him, because it was not
5 the time for him to consult with you in the middle of a

6 question. He can make objections but -- okay?

7 THE WITNESS: Thank you. I've not accustomed to
8 this process.

9 MR. PARSONS: I agree. I apologize. I thought he
10 was done with the answer, and I was going to instruct him to
11 answer any additional facts. So I apologize for that.

12 JUDGE PLISKA: Okay.

13 THE WITNESS: I'm a outsider to this system. So I
14 don't know --

15 JUDGE PLISKA: Sure. That's why I'm telling you.

16 THE WITNESS: What was the question again?

17 MR. FLYNN: Q. Sure. What other statements did

18 Ms. (the plaintiff) make to you that you believe support the
19 allegations in this paragraph 6?

20 A. She was -- she was adamant in her determination to
21 marry Danny Levin.

22 The words she used, the only actual words I

23 remember, were, I would make a good mother to (child's name), Danny's
24 child.

25 Q. Have you exhausted your memory with regard to any
1 statements Ms. (the plaintiff) made to you that support the
2 allegations in paragraph 6?

3 A. That she was trying to take him away from his
4 wife. Is that what you mean? Or do you mean some other
5 part of the thing here?

6 Q. With regard to paragraph 6, Mr. Walters, I'd like
7 you to testify fully as to all statements made by
8 Ms. (the plaintiff) to you which you believe support this
9 allegation.

10 A. Well, the only thing that I see to relate to is
11 that last clause, "whom she unsuccessfully attempted to lure
12 away from his wife and child."

13 And she told me she wanted to. She had just come
14 back from India, where I had encouraged her to go hoping it
15 would break that attachment.

16 She came back stronger than ever in that
17 attachment, and was very determined. This is all I can say,
18 because I -- before that, the question of her attraction to
19 Levin and his to her, I was trying to discourage it, but I
20 knew it existed.

21 Obviously, luring away -- I don't know that that
22 would be the right word, then, because both of them felt
23 that way.

24 At the end, he had told me that he did not want to
25 marry her, and she told me she was determined to. So it's
1 only in that particular last conversation that we had
2 together at Ananda Village where the intention became, to my
3 perception, a one-sided thing.

4 Q. When did that conversation take place?

5 A. I think it was in September or November. November
6 it would have to be, I guess, after the return from India.

7 Q. November of what year?

8 A. I don't even know the year. Was it '93? I think

9 it was '93.

10 Q. And is it your testimony that at that time

11 Ms. (the plaintiff) told you that even though Mr. -- Minister

12 Levin did not want to participate in the relationship,

13 Ms. (the plaintiff) was insisting that she marry Minister Levin?

14 Is that your testimony?

15 A. No. That is not my testimony.

16 My testimony is that she was insisting. I'm not

17 talking about his feelings in the matter. I had -- I think

18 I had yet to discover those.

19 But I was determined -- whether he was interested

20 or not, I was determined not to be a party to her breaking

21 up that marriage.

22 Q. When did you first discuss this matter of

23 Ms. (the plaintiff)'s involvement with Mr. -- Minister Levin with

24 him?

25 A. The first discussion I had with Ms. (the plaintiff)?

1 Q. No, with Minister Levin.

2 A. I think it was after I talked to her, whenever

3 that was, in June I think of -- it must have been '93.

4 Q. And what did he tell you?

5 A. He told me it was a tough one for him. His

6 marriage was not happy, and that he wanted my counseling.

7 I didn't want to impose my will on him, so I said,

8 well, how do you feel?

9 He said, well, I want to do the right thing.

10 And I said, well, the right thing obviously is not

11 just you and your wife. You also have a backward daughter.

12 You can't, it's just not in the cards. It's wrong for you

13 to get into a relationship with someone that could harm your

14 marriage.

15 So I said, do your best to stay away from him --

16 from her.

17 Q. Did Minister Levin describe to you at that point

18 in time, June '93, what the nature of the relationship was

19 between he and Ms. (the plaintiff)?

20 A. No.

21 Q. Now, you knew at that time that Minister Levin was

22 Ms. (the plaintiff)'s superior at Crystal Clarity, did you not?

23 A. I did not, and he was not.

24 Q. And how do you know that he was not her superior?

25 MR. PARSONS: Always be sure to give me an

1 opportunity to object.

2 You may answer that question.

3 THE WITNESS: Because there was one superior, and

4 that was Padma McGilloway.

5 MR. FLYNN: Q. What was your understanding as to

6 what Minister Levin's position was at Crystal Clarity?

7 A. He was a salesman, and that was it.

8 Q. Now, he was a senior minister at Ananda at that

9 time. Is that correct?

10 A. Yes.

11 Q. What you call lightbearer?

12 A. Yes.

13 Q. And how long had he been at Ananda Village as of

14 June 1993?

15 A. I don't know. Probably 15 years, maybe more.

16 Q. Can you describe to me the full extent of the

17 conversation that you had with Minister Levin about

18 Ms. (the plaintiff) in June '93?

19 A. I have done so already.

20 Q. Okay. You have exhausted your memory on that

21 conversation. Is that correct?

22 A. Yes.

23 Q. When was the next time you spoke to Minister Levin

24 about the (the plaintiff) matter?

25 A. Well, I don't remember whether it was the next

1 time. But the next time I remember was when he felt -- he

2 expressed a need to go into seclusion, and asked if I could

3 use my -- if he could use my house at the seclusion

4 retreat. I said no, because she's living there.

5 Q. Ms. (the plaintiff) was living in your house?

6 A. No, at the seclusion retreat.

7 Then I said to him, it's out of the question that

8 you be there.

9 He said, there's no other place to go. I've

10 looked for other places.

11 I said, I'm sorry, but you can't go there, unless

12 she were willing to be somewhere else during that time.

13 And he -- we worked it out that she could be away

14 during that time.

15 Now, at this time I was to go into the hospital

16 for major surgery. I really could not put my mind to

17 anything else, so I didn't know what was going on. Later, I

18 discovered that she had come back, against my wishes. He

19 had not left, against my wishes.

20 I just was not -- I was recuperating from, as I

21 say, major surgery and just didn't know more about that.

22 Q. Now, you said, we worked it out. What did you

23 work out?

24 A. We worked it out that she would be somewhere else,

25 I think it was in Nevada City somewhere, because we had an

1 ashram there, I believe -- I'm not sure.

2 Anyway, in Nevada City, and he would stay in my

3 dome.

4 Q. Who's the "we"?

5 A. "We" is me, Danny, Vidura. I didn't talk directly

6 with (the plaintiff). I was in -- as I say, getting ready for

7 the hospital.

8 Q. Did you talk directly with Levin?

9 A. Yes.

10 Q. And what did Levin say to you?

11 A. Levin was agreeable to that proposal.

12 Q. What did you say to Levin?

13 A. I said, on the condition that she is not there,

14 you can be there.

15 Q. Now, was this before or after you put her head in

16 your lap while watching a R-rated movie?

17 MR. PARSONS: Objection. That assumes facts not

18 in evidence as to the rating of the movie. It also

19 misstates the testimony concerning putting the head in the

20 lap while watching the movie.

21 With those objections, I'll let the witness answer.

22 MR. FLYNN: Q. When did you put Ms. (the plaintiff)'s

23 head in your lap, minister -- Mr. Kriyananda?

24 A. The alleged incident took place in I think early

25 June.

1 Q. So was it before or after you sent Minister Levin

2 to another place to live?

3 A. You've misstated that, Mr. Flynn. I didn't send

4 him --

5 MR. PARSONS: Then I object for misstating

6 testimony.

7 He can answer.

8 MR. FLYNN: Q. Well, maybe I'm confused.

9 At some point, you worked it out so that

10 Ms. (the plaintiff) went into Nevada City? Is that what you said?

11 A. She or somebody -- this I don't know how it was

12 worked out -- was -- it was understood that she would be in

13 Nevada City while he was at the seclusion retreat.

14 Q. Okay. And you worked that out?

15 A. I asked others to work it out.

16 MR. PARSONS: Objection.

17 THE WITNESS: I asked others to work it out.

18 MR. FLYNN: Q. When you worked it out, did the

19 incident where you put Ms. (the plaintiff)'s head in your lap

20 occur before or after that?

21 MR. PARSONS: Objection. Misstates testimony.

22 You can respond.

23 THE WITNESS: I've already answered that.

24 MR. PARSONS: Well, he's entitled --

25 MR. FLYNN: Q. Well, I don't know what your

1 answer is, sir.

2 A. My answer is, that alleged incident took place

3 before Danny going to my house.

4 Q. Now, you say the alleged incident.

5 Did you put Ms. (the plaintiff)'s head in your lap?

6 A. I asked her if she would like to have her head --

7 she had a headache. I asked her if she would like me to

8 massage her neck and adjust her neck.

9 Q. And she was laying down prone on a couch, and you

10 took her head and put it in your lap. Is that correct?

11 A. She put her head in my lap.

12 Q. Did you have your hands on her head?

13 A. On her neck.

14 Q. And while you had your hands on her neck, you laid

15 her down with her head in your lap. Is that correct?

16 A. I really don't remember the mechanics.

17 Q. Which way was her face facing --

18 MR. PARSONS: Objection.

19 MR. FLYNN: Q. -- when her head was in your lap?

20 MR. PARSONS: Objection. Asked and answered.

21 Go ahead.

22 THE WITNESS: I did answer it. I said, up.

23 MR. FLYNN: Q. So your hands were underneath her

24 neck, with her head facing up while you were massaging her

25 neck. Is that your testimony?

1 A. Yes.

2 Q. And at some point, did you turn her head in your

3 lap so that her face was facing your crotch?

4 A. No.

5 Q. Now, you're aware that Ms. (the plaintiff) has given

6 sworn testimony in this case that you did that while you had

7 an erection.

8 Is that correct? You're aware of that testimony?

9 MR. PARSONS: I'll object it misstates her

10 testimony.

11 The witness can respond.

12 THE WITNESS: It misstates the truth.

13 MR. FLYNN: Q. Did you turn her face toward your

14 crotch while having an erection?

15 A. Neither.

16 Q. Did you watch a movie with Ms. (the plaintiff) at

17 approximately the same time that you had her head in your

18 lap?

19 A. Only in the sense that it was the same evening.

20 Q. Did you watch the movie before or after you had

21 her head in your lap?

22 A. It was --

23 MR. PARSONS: Objection. Objection to the

24 characterization of "had her head," but the witness may

25 respond.

1 THE WITNESS: The movie came after.

2 MR. FLYNN: Q. Now, is it true, Mr. Walters, that

3 in the movie there is a scene in which a woman is performing

4 oral sex on a man?

5 MR. PARSONS: Objection. Asked and answered.

6 You may respond.

7 THE WITNESS: No, it's not true.

8 MR. FLYNN: Q. Do you recall the movie?

9 A. I do not.

10 Q. Is there -- strike that.

11 Was there anything in the movie that suggested

12 that a female was giving oral sex to a male in that movie?

13 MR. PARSONS: Objection. That calls for

14 speculation.

15 You can respond.

16 THE WITNESS: No.

17 MR. FLYNN: Q. Have you ever seen a movie with

18 Ms. (the plaintiff) in which there was a scene of that nature in

19 the movie?

20 MR. PARSONS: And I'm sorry, "that nature"

21 being --

22 MR. FLYNN: Q. A suggestion of oral sex being

23 performed by a female on a male.

24 A. The answer is no.

25 Q. Have you seen a movie called "Outrageous Fortune"?

1 A. I know the name. I don't remember the movie, if I

2 saw it.

3 Q. So you don't remember whether in the movie

4 "Outrageous Fortune" -- or strike that.

5 Do you remember whether you saw the movie

6 "Outrageous Fortune" with Ms. (the plaintiff)?

7 A. No.

8 Q. And do you remember whether in the movie

9 "Outrageous Fortune" there is a scene in which there is a

10 clear suggestion of a female performing oral sex on a male?

11 A. I've never seen such a scene anywhere.

12 Q. Now, was there any medical reason in June of 1993

13 to provide a basis for you not being able to have an

14 erection?

15 MR. PARSONS: Objection. Calls for medical

16 opinion. Excuse me one second.

17 The witness may answer, though.

18 THE WITNESS: No.

19 MR. FLYNN: Q. Now, in June of 1993, were you

20 having a sexual relationship with (woman #8)?

21 MR. PARSONS: I'm going to object. In fact, let

22 me take this opportunity to lay a foundation for my

23 objection as to what I anticipate will be a line of

24 questions concerning the --

25 MR. FLYNN: I'll withdraw it at this point until I

1 get into the more foundational material, Mr. Parsons, even

2 though we already have a ruling of Judge Pliska.

3 Q. Let me ask you to turn to paragraph 7, please,

4 Mr. Walters.

5 The complaint alleges, "Cross-complainants are

6 informed and believe and thereon allege that (the plaintiff)

7 conspired together with members of Self-Realization

8 Fellowship, a rival religious organization hostile to

9 Walters and Ananda."

10 What information or facts do you have, sir, that

11 Ms. (the plaintiff) conspired with that organization?

12 MR. PARSONS: Again, I'll instruct the witness not
13 to answer with respect to any communications between
14 attorney and client.

15 You may testify concerning any communications
16 other than with an attorney and as to any facts.

17 THE WITNESS: This was actually with the attorney,
18 so I won't speak.

19 MR. PARSONS: Okay.

20 MR. FLYNN: Q. Is it your testimony that the only
21 facts you know of you learned from your attorney, in
22 connection with the allegation that I just read?

23 MR. PARSONS: I object that that misstates his
24 testimony, but you may answer.

25 THE WITNESS: To the best of my knowledge, this is
1 correct.

2 MR. FLYNN: I'm going to ask for a ruling. I
3 don't think the knowledge of facts to support an allegation
4 is privileged, even though the communication is privileged,
5 if he has current knowledge of facts that support this
6 allegation, regardless of his -- of where he learned them.
7 I'm not asking for any communication from
8 counsel. I'm asking for what he knows of to support this
9 allegation.

10 MR. PARSONS: And indeed, Your Honor, the
11 instruction not to answer was limited to communications

12 other than facts.

13 I agree that if this witness has obtained facts,

14 third-party facts, if you will, but simply through the

15 conduit of counsel, those facts are still discoverable.

16 JUDGE PLISKA: Well, let me ask you, Mr. Walters,

17 is that your understanding? Do you understand --

18 THE WITNESS: Yes, it's facts.

19 MR. PARSONS: Wait a minute.

20 JUDGE PLISKA: If it's facts, you're to testify

21 about those facts.

22 THE WITNESS: Yes, okay. Facts.

23 MR. PARSONS: In other words, if I may clarify,

24 what I tell you, the words I use to tell you, let's say,

25 those are a private communication.

1 But if I've told you facts, Bob Smith said that on

2 Tuesday he saw whatever, then the fact that Bob Smith saw

3 something on Tuesday is something that you can communicate.

4 THE WITNESS: I understand. Yes.

5 MR. FLYNN: Q. What facts are you aware of?

6 A. The facts were, as quoted to me, that two friends

7 of (the plaintiff), Peggy Bat and Kelly Cooper, that

8 (the plaintiff) told her these things --

9 Q. Is that Kelly Coogan?

10 A. Coogan, sorry. I don't know the two women.

11 Q. Yes, please continue.

12 A. That's how I got it from the attorneys. That she

13 told them these things.

14 Q. What did Ms. (the plaintiff) allegedly tell Ms. Bat and

15 Ms. Coogan?

16 A. Between the two of them --

17 MR. PARSONS: Again, same objection. Same

18 instruction.

19 You may answer.

20 THE WITNESS: Between the two of them, the story

21 was that she was welcomed at Mt. Washington, had lunch with

22 a number of them, was allowed to meditate in Yogananda's

23 room, spent the entire day at Mt. Washington, met with Daya

24 Mata. If I'm not mistaken, had lunch with Daya Mata had

25 interviews with Sister Savitri and several others.

1 MR. FLYNN: Q. Is that the extent of your

2 testimony?

3 A. That's -- yeah.

4 Q. Now --

5 MR. PARSONS: Excuse me. Be sure to wait until

6 his entire question is out.

7 MR. FLYNN: Q. Did you acquire any facts or

8 information as to anything that these people at

9 Mt. Washington may have said to Ms. (the plaintiff)?

10 MR. PARSONS: Same objection as to

11 attorney-client. Same instruction.

12 THE WITNESS: I don't remember those statements.

13 MR. FLYNN: Q. Did you acquire any facts or
14 information as to anything that Ms. (the plaintiff) allegedly
15 said to these people?

16 MR. PARSONS: Same objection, same instruction.

17 THE WITNESS: And same response.

18 MR. FLYNN: Q. You don't know of anything?

19 A. Right.

20 Q. Now, then the complaint reads as follows: "in
21 filing the (the plaintiff) litigation against Ananda, Walters and
22 Ananda member Levin with the object of defaming and injuring
23 Ananda, Walters and Levin in the spiritual work carried on
24 by Ananda and to gain a collateral advantage in other
25 litigation initiated by SRF against Ananda."

1 Do you see that -- those allegations?

2 A. I do.

3 Q. What information or facts do you have that
4 Ms. (the plaintiff) has conspired to obtain a collateral
5 advantage, or SRF to obtain a collateral advantage in other
6 litigation?

7 MR. PARSONS: Same objection. Don't disclose
8 attorney-client communications except for facts which have
9 been relayed to you through counsel.

10 THE WITNESS: These are points that would have to
11 be brought out in trial.

12 MR. FLYNN: Q. Do you know of any facts or
13 evidence?

14 A. I will not specify those.

15 Q. Do you know of any?

16 A. I talked about the inferential appearance of the
17 entire lawsuit of SRF against us. I think we can make a
18 fairly good case, but it would be inferential at this point
19 on this point.

20 Q. Do you have any information of any nature or
21 description to support the allegation that I just read?

22 MR. PARSONS: Same --

23 MR. FLYNN: Q. Other than what you've just
24 testified about?

25 MR. PARSONS: And same objection, same
1 instruction.

2 THE WITNESS: The ongoing hostility of that
3 organization to us, their determination to win in their
4 lawsuit against every loss that they've sustained so far.
5 I feel it's a fairly clear inference that they
6 would seize on the opportunity of finding, through this
7 lawsuit, an opportunity to win in other ways.

8 MR. FLYNN: Q. You're speculating, or do you have
9 any facts or information?

10 A. Speculating.

11 Q. You're speculating. Thank you.

12 Now, when you filed this complaint, did you read
13 this paragraph number 7?

14 A. Yes.

15 Q. Would you turn to Exhibit 4, please, sir?

16 Who is Asha Praver?

17 A. She's sitting at the end of the table there.

18 Q. What is her title in the Ananda community?

19 A. She is a minister and is in charge with her

20 husband, the senior minister, you might say, at our

21 community and church in Palo Alto and Mountain View.

22 Q. Were you aware that the court in this case entered

23 a sealing order in connection with all of the depositions in

24 this matter, at your counsel's request?

25 A. She was present at all of those.

1 Q. Can you answer my question?

2 A. I don't regard that --

3 Q. Will you answer my question, Mr. Walters? Were

4 you aware --

5 A. Yes, I am.

6 Q. -- that you through your counsel have requested a

7 sealing order in connection with all the depositions in this

8 matter?

9 A. Yes.

10 Q. You are. Now, were you aware on or about July

11 3rd, 1995 that Asha Praver sent this letter, Exhibit 4, to

12 this person named Daya Mata, revealing the contents of the

13 10 days of deposition of (the plaintiff) in this case?

14 MR. PARSONS: Objection. It's vague as to time,

15 when he knew or became aware of it.

16 I also object to the characterization of what the
17 letter says or discloses or contains, also on the grounds
18 that the document speaks for itself.

19 The question is also compund.

20 MR. FLYNN: I'll withdraw it.

21 Q. Were you aware that this letter was sent to Daya
22 Mata by Asha Praver on or about the time it was sent?

23 A. Yes.

24 Q. Now, and on or about July 3, 1995, were you aware
25 that there was a sealing order in this case?

1 A. Yes.

2 Q. And this letter reads:

3 "Dear Daya Mata. I wonder if you are aware of
4 what has been going on recently in
5 (the plaintiff)'s lawsuit against Ananda. I have been
6 present for seven of her ten days of deposition.
7 Repeatedly throughout her deposition, (the plaintiff) has
8 insulted and mocked Master's teachings, with the
9 apparent encouragement and support of her lawyer."

10 Were you aware that during Ms. (the plaintiff)'s
11 deposition --

12 MR. PARSONS: End of quote.

13 MR. FLYNN: Q. -- that (the plaintiff) was insulting
14 and mocking Yogananda's teachings?

15 A. I was informed so. I wasn't present.

16 Q. Who informed you of that?

17 A. Asha Praver.

18 Q. Now, this individual, Daya Mata, as I understand

19 it, is dedicated to teaching the works of Yogananda. Is

20 that correct?

21 MR. PARSONS: Objection. Assumes facts not in

22 evidence, calls for speculation on this witness's part.

23 Your question as stated asks for his understanding of your

24 understanding.

25 I will, however, permit the witness to answer the

1 question before him.

2 THE WITNESS: Teaching, I'm not sure. As the

3 president, she oversees the teaching. How much she teaches,

4 that's another matter.

5 MR. FLYNN: Q. She's a disciple of Yogananda. Is

6 that correct?

7 A. Yes.

8 Q. As a matter of fact, she is the successor to

9 Yogananda in the Self-Realization Fellowship hierarchy. Is

10 that correct?

11 A. Yes.

12 Q. And she has devoted her life since the age of 17,

13 as I understand it -- and she's now in her 80s -- to

14 spreading the works of Yogananda. Is that basically true?

15 MR. PARSONS: I'll object to the extent that it's

16 asked for his opinion of your opinion, calls for

17 speculation, facts not in evidence.

18 You may respond.

19 THE WITNESS: I would have to say she's dedicated

20 to serving his memory.

21 MR. FLYNN: Q. Now, to your knowledge, Paramhansa

22 Yogananda is Daya Mata's guru. Is that correct?

23 A. Yes.

24 Q. And I believe you've testified that Paramhansa

25 Yogananda is your guru.

1 A. This is correct.

2 Q. And on or about 1962, when you were removed from

3 the SRF organization, she continued to be the head of the

4 SRF organization.

5 MR. PARSONS: Objection --

6 MR. FLYNN: Q. Is that correct?

7 MR. PARSONS: Object. That misstates his

8 testimony.

9 Go ahead.

10 THE WITNESS: Yes.

11 MR. FLYNN: Q. And you were removed from the

12 organization after being informed by Daya Mata and someone

13 named Tara Mata. Is that correct?

14 MR. PARSONS: You can go ahead.

15 THE WITNESS: Yeah.

16 MR. FLYNN: Q. And at that time, did you have a
17 discussion in 1962 with Daya Mata and Tara Mata about
18 Ms. Vidya Lall and your relationship with Ms. Vidya Lall?

19 MR. PARSONS: Objection. That's been asked and
20 answered.

21 You may respond.

22 THE WITNESS: Did she -- did we have a -- no. The
23 name never came up.

24 MR. FLYNN: Q. Did it come up in correspondence
25 between the two of you?

1 MR. PARSONS: Objection. Asked and answered.

2 Go ahead.

3 THE WITNESS: No.

4 MR. FLYNN: Q. Did you write a letter in 1964
5 containing the name of Ms. Vidya Lall and explaining your
6 relationship with her?

7 MR. PARSONS: Objection. Letter to whom, before I
8 can determine whether this raises privacy issues?

9 MR. FLYNN: To Daya Mata or Tara Mata.

10 THE WITNESS: If you knew Ms. Vidya Lall, you'd
11 know how absurd that question is. However --

12 MR. PARSONS: Excuse me, do you have the question
13 in mind?

14 THE WITNESS: I don't have a question in mind.

15 MR. PARSONS: Could I ask it be --

16 MR. FLYNN: Q. Did you write a letter to Daya

17 Mata or Tara Mata concerning your relationship with Vidya

18 Lall on or about 1964?

19 A. I don't remember clearly. I remember that

20 somewhere, and somehow, the name came up, and I protested

21 that this was not and could not be true.

22 Q. Now, at that point, you had taken final vows of

23 celibacy as an SRF member of the Swami monastic order. Is

24 that correct?

25 A. At that point, I was no longer in SRF, so the

1 final vows no longer really applied.

2 Q. When did they stop being applicable, the final

3 vows?

4 A. When I was separated from SRF. That was in '62.

5 Q. Then why did you go to Daya Mata in 1985 to be

6 dispensed from those vows?

7 MR. PARSONS: Objection. Argumentative.

8 Go ahead. It's also asked and answered, I

9 believe. Go ahead, though.

10 THE WITNESS: Yes. Yes, to make it absolutely

11 sure that it was right.

12 MR. FLYNN: Q. Now, in this letter of Asha Praver

13 to Daya Mata, when you saw it, did you believe that

14 (the plaintiff) was still in a conspiracy with SRF as

15 you have alleged in paragraph 7?

16 MR. PARSONS: Excuse me, when he saw this letter,

17 did he still believe?

18 MR. FLYNN: Yes.

19 THE WITNESS: Yes.

20 MR. FLYNN: Q. And as you sit here today, is it

21 still your belief, notwithstanding Exhibit 4, that

22 Ms. (the plaintiff) is in a conspiracy with SRF?

23 A. Yes.

24 Q. And the letter goes on and says, "Have you ever

25 been witness to blasphemy? Before this deposition I never

1 had, so I didn't understand what the Bible meant by the sin

2 of blasphemy. Now I know, blasphemy is a terrifying evil."

3 Did I read that correctly?

4 MR. PARSONS: Objection. The document speaks for

5 itself.

6 MR. FLYNN: Well, I want the witness to see it.

7 He's on the camera.

8 THE WITNESS: Yes.

9 MR. FLYNN: Q. And did you read Ms. (the plaintiff)'s

10 deposition at all, any part of?

11 A. Yes.

12 Q. And is it your --

13 A. Well, the -- excuse me. I take that back.

14 Deposition, no.

15 Q. Is it your belief that Ms. (the plaintiff) committed

16 blasphemy in that deposition?

17 MR. PARSONS: Objection. Lacks foundation. The

18 witness has testified he didn't read the transcript.

19 But you may answer to the extent you can.

20 THE WITNESS: When I am assured by people whom I
21 trust that she did, and they talk about it in a way that I
22 would not talk outside the close group that was a part of
23 that deposition, I accept it.

24 MR. FLYNN: Q. Did you consent to have the
25 contents of Ms. (the plaintiff)'s deposition transcript disclosed
1 to a third party, notwithstanding the sealing order?

2 MR. PARSONS: Objection. If you're referring to
3 this letter, it mischaracterizes the content of the letter.

4 I also object to the word "consent," but you
5 may --

6 THE WITNESS: To the deposition, no.

7 MR. FLYNN: Q. You did not consent to the sending
8 of the letter?

9 MR. PARSONS: This particular letter here?

10 MR. FLYNN: Q. This particular letter.

11 A. This letter we checked with our lawyers. That
12 means Jon and Sheila --

13 MR. PARSONS: Don't disclose any communication
14 between attorney and client.

15 THE WITNESS: Oh, okay. I consented under
16 advisement.

17 MR. FLYNN: Q. Is it your desire to have this

18 deposition continued to be sealed, Mr. Walters, along with
19 the videotape?

20 A. Continued to?

21 Q. Be sealed.

22 A. Sealed.

23 Q. So that third parties will not know the contents
24 of the deposition or see the deposition transcript?

25 MR. PARSONS: I'll object to the extent that it
1 would call for a position on this case.

2 THE WITNESS: Inasmuch as the question was
3 regarding my position on this case, I can't answer.

4 MR. FLYNN: Q. Do you have any objection to this
5 deposition transcript being unsealed?

6 MR. PARSONS: Okay. I'll object to that. The
7 sealing of this transcript is a matter of more than just
8 this party.

9 MR. FLYNN: I want to know if he has any personal
10 objection.

11 MR. PARSONS: Hold on.

12 MR. FLYNN: Aside from all your other legal --

13 JUDGE PLISKA: Let him finish, please, Mr. Flynn.
14 He's making an argument.

15 MR. PARSONS: So regardless of what this party
16 would state, it is still the position of the defendants and
17 the cross-complainants for the sealing.

18 I will, however, permit this witness to respond to

19 your question.

20 THE WITNESS: In other words, do I approve of the

21 ruling that it be sealed? I do.

22 MR. PARSONS: No.

23 MR. FLYNN: Q. No. Do you have any personal

24 objection to having your deposition transcript unsealed?

25 A. I do.

1 Q. What is your objection?

2 A. That the motive behind your wishing to unseal it

3 is defamation.

4 MR. PARSONS: I'll also object it calls for a

5 legal position, legal contention, legal opinion.

6 MR. FLYNN: Q. Now, you've sued Ms. (the plaintiff)

7 for defamation. You understand that, sir, do you not?

8 A. Of course.

9 Q. Is it your intention in your suit for defamation

10 to have the truth decided in this case as to whether or not

11 the facts she has alleged against you are true or false?

12 MR. PARSONS: Objection. Vague, ambiguous as to

13 truth.

14 I'll permit the witness to respond.

15 THE WITNESS: Yes, of course. What I don't want

16 to see it doing is being argued in the newspapers and by

17 gossips. That's not a court matter -- a court decision.

18 MR. FLYNN: Q. So you want the matter to be

19 decided in court, and have the truth decided by a court. Is
20 that correct?

21 A. Yes.

22 Q. Okay. Now, would you go to the last sentence of
23 paragraph 7 --

24 A. Of?

25 MR. PARSONS: Of the cross-complaint?

1 MR. FLYNN: Q. Yes. "Cross-complainants are
2 informed" --

3 MR. PARSONS: Excuse me one second. It is not out
4 there yet.

5 MR. FLYNN: Q. -- "and believe that (the plaintiff)
6 expanded the scope of her sexual harassment complaint
7 to include false and baseless allegations against
8 Walters to lay a foundation for filling the complaint
9 with additional false, malicious and scandalous
10 allegations about Walters and Ananda."

11 Now, first, what false and scandalous allegations
12 has Ms. (the plaintiff) made in her complaint against you?

13 MR. PARSONS: Objection that the use of
14 "scandalous" and "malicious" require legal opinions, but the
15 witness may respond.

16 THE WITNESS: Her mis -- mis -- what's the word --
17 -representation of her relationship with me; her suggestion
18 that I watched an erotic movie, which I did not; her
19 suggestion of improper conduct, which I do not feel was

20 true, was not true; her attempt to show Ananda to be
21 discriminatory against women; to be giving her slave labor
22 -- slave wages; to have deprived her of employment in a
23 religious organization where it was a matter of discipline,
24 and similar things which I could not without studying it go
25 into in detail. But there were others.

1 MR. FLYNN: Q. Okay. Now, you mentioned improper
2 conduct.

3 Are you aware that Ms. (the plaintiff)'s complaint
4 alleges that there is a long pattern in history of improper
5 conduct by you against other women?

6 A. She said that.

7 Q. Do you deny it?

8 A. Well, I deny it, and I don't deny it. It depends
9 on which angle we're looking at.

10 Q. In what way do you deny it, and in what way do you
11 not deny it?

12 MR. PARSONS: It's a compound question. I'd
13 request you to break down into which one.

14 MR. FLYNN: I'm just following up on the witness's
15 answer.

16 MR. PARSONS: Well, it's a compound question.

17 You can go ahead and respond to it, but try to
18 make sure that your answer is clear as to which parts of
19 those questions you're responding to.

20 THE WITNESS: The long pattern was prior to my
21 marriage, and "pattern" I refuse to accept as the right
22 word.

23 MR. FLYNN: Q. What marriage are you talking
24 about?

25 A. Rosanna.

1 Q. When were you married to Rosanna?

2 A. 1985.

3 Q. Did you have any other marriage before Rosanna?

4 A. It was not a legal marriage. It was a spiritual
5 marriage.

6 Q. And the spiritual marriage, was that (woman #7)

7 ?

8 A. Yes.

9 Q. And did you have a spiritual marriage with
10 (woman #7) while she was married to her other husband?

11 MR. PARSONS: Objection. Assumes facts not in
12 evidence, calls for speculation.

13 You may respond.

14 THE WITNESS: She had left her husband.

15 MR. FLYNN: Q. Was she married to him, to your
16 knowledge, Mr. Walters?

17 A. Legally, she was married to him.

18 Q. And then you spiritually married her at the Ananda
19 community. Is that correct?

20 A. No.

21 Q. Did you have a spiritual marriage to (woman #7)

22 while she was legally married to someone else?

23 A. Yes.

24 Q. Now, I believe you mentioned that the long pattern

25 was prior to marriage, but you disagreed with the word

1 "pattern."

2 MR. PARSONS: Wait. Objection. It's compound,

3 misstates his testimony. But you may respond to the extent

4 you can.

5 In fact, I'd ask the question be read back.

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

7 Q. You gave some testimony about the -- denying and

8 not denying Ms. (the plaintiff)'s allegation of your long pattern

9 of sexual abuse of women.

10 And in your testimony, you said, in part, you

11 didn't deny it.

12 Do you recall that testimony?

13 A. I said I did and I didn't.

14 Q. Right.

15 MR. PARSONS: Right.

16 MR. FLYNN: Q. Now, with regard to the part where

17 you said you didn't deny Ms. (the plaintiff)'s allegations of a

18 long pattern of sexual abuse of women, in what way do you

19 not deny her allegation?

20 MR. PARSONS: I object to the extent that it calls

21 for the disclosure of private communications and
22 relationships between parties, particularly this party,
23 third parties.

24 I believe there is a privacy concern here. The
25 privacy issue has been raised before.

1 What I would like to do is at this point lay a
2 foundation for the objection. I'll ask for a clarification,
3 and I will permit the witness to testify to a certain extent.

4 What I would like to do is, I've brought a case
5 with me today which I believe will be determinative on some
6 of the issues which will be raised in the testimony today.

7 It's a case of Boler, B-o-l-e-r, versus Superior
8 Court. The cite is 201 Cal.App.3d, 467.

9 What I have is a copy of the complaint that I'd
10 like to give -- the case, rather, that I'd like to give to
11 the judge, and here's a copy for Mr. Flynn. I'll discuss
12 this further when it's appropriate.

13 In addition, I'd like to point out that --

14 MR. STILLMAN: I know the case.

15 MR. PARSONS: -- that there are -- matters which
16 were testified to on Wednesday's deposition session have
17 already been circulated, and we have declarations to that
18 effect, which I think this is probably a good time to give
19 those declarations, too, just so they've been out there.

20 THE WITNESS: May I go to the bathroom?

21 MS. RUSH: We could take a break now.

22 MR. FLYNN: We're in the middle of a question,

23 Your Honor, and I'd like an answer. He says he has no

24 objection to his answering this question.

25 MR. PARSONS: I didn't say that. I said I will be

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393

1 instructing the witness to respond.

2 JUDGE PLISKA: Well, let him respond to this, and

3 then we'll take a break.

4 MR. PARSONS: We'll handle those in a moment.

5 I've laid the foundation. We have these declarations. I'll

6 give them to you in a moment, Your Honor.

7 I've stated the objection. Privacy grounds,

8 remoteness, relevancy, the similarity to any acts alleged in

9 the complaint.

10 What I will do is, instruct you to respond to the

11 extent that it refers to any person who is named in the

12 cross-complaint who is a party to the lawsuit, other than

13 yourself and women who -- any women or men who are not

14 parties to the lawsuit, and to any facts stated in your

15 declaration.

16 MR. FLYNN: I object to all that, Your Honor.

17 They filed a complaint for defamation. This -- and a

18 declaration, which we've gone into.

19 MR. PARSONS: And I'm instructing the witness to
20 respond with respect to all matters in the cross-complaint
21 and to all matters in any declaration.

22 JUDGE PLISKA: That is appropriate.

23 THE WITNESS: I don't know if it's appropriate at
24 this moment, because I know that it doesn't change the need
25 to answer these questions. But I do want to say, at some --
1 when that's legally appropriate, I will withdraw the
2 cross-complaint, because I have no wish to injure the
3 defendant.

4 MR. FLYNN: Q. You're still under oath in your
5 declaration, Mr. --

6 A. I agree. I'm not using that as a way out of your
7 question.

8 Q. We'd like to know in what way you don't deny
9 Ms. (the plaintiff)'s allegations that you have a long history of
10 abusing women sexually.

11 A. It's the word "pattern" I'm objecting to. But
12 that there have been complaints that you have submitted with
13 your lawsuit, and some of the statements there are true.

14 Q. Which ones are true?

15 A. That's one we'd have to go into at length.

16 Q. Well, I am going to go into all those
17 declarations. I've got them right here. And as a matter of

18 fact, we have evidence that the history of abuse goes from
19 1968 right up to the present time. And we have evidence
20 right up to the present time.

21 MR. PARSONS: Well, if you're going to make

22 factual representations, I'd like to see the basis of those.

23 And you can certainly examine him on any declarations that
24 you have.

25 MR. FLYNN: We're going to.

1 Q. Have you exhausted your memory of --

2 MR. PARSONS: Excuse me. Is this a wrap-up
3 question?

4 MR. FLYNN: Yes.

5 MR. PARSONS: Because he's asked for a break, and
6 I don't want to set him here --

7 JUDGE PLISKA: This seems to be a follow-up
8 question.

9 MR. PARSONS: That's fine, then.

10 MR. FLYNN: Q. Do you know of any other reason
11 why you do not deny Ms. (the plaintiff)'s allegations relating to
12 your long history of abuse of women?

13 MR. PARSONS: Any other reasons -- I object, it
14 calls for speculation. It might call for medical
15 testimony. He's certainly not competent to testify as to
16 that, I don't believe.

17 But I'll permit you to respond.

18 THE WITNESS: No.

19 MR. PARSONS: Is a break now appropriate?

20 JUDGE PLISKA: Sure.

21 MR. PARSONS: By the way, before --

22 THE VIDEO OPERATOR: Off the record?

23 MR. PARSONS: No, still on the record.

24 What I have is a declaration of Helen Strang

25 consisting of 4 pages dated September --

1 THE WITNESS: May I leave?

2 MR. PARSONS: You may, yes -- dated September 9,

3 1995. I'm going to hand the original of the declaration of

4 Helen Strang to the judge, and a copy to Mr. Flynn.

5 And in addition, a declaration of Douglas Rice, 2

6 pages, dated September 10, 1995.

7 Again, I'm handing the original to the judge and a

8 copy to Mr. Flynn. Thank you.

9 Now off the record, as far as I'm concerned.

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

11 11:03 a.m.

12 (Recess from 11:03 a.m. to 11:14 a.m.)

13 (Ms. (the plaintiff) left the deposition room.)

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

15 11:14 a.m.

16 MR. FLYNN: Q. Now, you gave some testimony that

17 you deny Ms. (the plaintiff)'s allegations relating to your long

18 history of sexual abuse of women.

19 In what way do you deny those allegations?

20 MR. PARSONS: Okay. I object in that it calls for

21 a narrative.

22 I will ask the witness to -- oh, excuse me one

23 second.

24 THE WITNESS: I deny that I sexually abused

25 anybody.

1 MR. FLYNN: Q. Now, this is a little repetitive,

2 but in light of your testimony you've just given, you

3 testified yesterday that you had not read any of the

4 declarations of any of these women that have filed

5 declarations in this case. Is that correct?

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

7 That was his testimony yesterday.

8 MR. FLYNN: Well, I'm going to -- we'll set the

9 record straight right now. Maybe he read some last night.

10 Is that --

11 THE WITNESS: I read --

12 MR. FLYNN: Q. Is that still true?

13 A. I've read them now.

14 Q. Okay. You've read them. Whose declarations have

15 you read?

16 A. All of the ones submitted.

17 Q. Okay. Can you give me the names please, sir?

18 A. (woman #7), (woman #2), (woman #1),

19 (woman #5), (woman #4) something or other and (woman #6)

20 something or other and (woman #3).

21 Q. All right. Let me just run through these.

22 (woman #7), (woman #2), (woman #5) -- is that (woman #5) ?

23

24 A. Yes, I think so.

25 MR. PARSONS: I'll ask the witness not to guess.

1 If you know, you can certainly respond.

2 THE WITNESS: I feel safe in saying, I think it

3 is.

4 MR. FLYNN: Q. And (woman #6) who?

5 A. I don't know.

6 Q. And that -- was that (woman #3)?

7 A. Yes.

8 Q. Okay. Have I missed someone? (woman #4)?

9 A. I don't know.

10 Q. (woman #4)?

11 A. Is that it?

12 Q. Did you read hers?

13 A. Yes.

14 Q. Have you read (woman #8)'s?

15 MR. PARSONS: Objection. It assumes facts not in

16 evidence.

17 MR. FLYNN: I've got it right here.

18 MR. PARSONS: Let's see it.

19 MR. FLYNN: It was filed by you.

20 MR. PARSONS: Oh, okay.

21 THE WITNESS: Okay, that I have read, yes.

22 MR. FLYNN: Q. You've read (woman #8)'s?

23 A. Yes.

24 Q. Let me just go through some names.

25 Did you read (woman #6)'? That was the (woman #6)

1 you read? Do you believe that is correct?

2 A. I believe that's -- I mean, you tell me, and I

3 accept that it is.

4 Q. Did you read David Kimmel's relating to his wife's

5 association with you?

6 A. Yes.

7 Q. You did read that?

8 A. Yes.

9 Q. Did you read --

10 A. Oh, yes. Eric Estep and Naomi Estep.

11 Q. And they relate to the relationships of Kalyani,

12 Seva Wiberg, Asha Praver -- did you read their -- you read

13 their declarations?

14 MR. PARSONS: Wait. I think we have a confusing

15 question here now. Are you asking --

16 MR. FLYNN: I'll withdraw it.

17 Q. (Woman # 14) . Did you have a sexual

18 relationship with her?

19 MR. PARSONS: Wait. Objection. There is no --

20 here is one of the privacy objections.

21 There is no allegation in the complaint, the
22 cross-complaint and any declaration concerning this woman.
23 I have seen no declaration which discloses anything --
24 MR. FLYNN: I'll withdraw it.
25 Q. Have you read any statement of Petrea Van Der
1 Voort regarding your relationship with her?
2 A. No.
3 Q. Have you received any correspondence from her
4 relating to her relationship with you?
5 A. No.
6 Q. Have you received correspondence from Victoria
7 Kelly relating to her relationship with you?
8 A. Who?
9 Q. Victoria Kelly?
10 A. No.
11 Q. What was that, Mr. Walters?
12 A. I said no.
13 Q. Have you received correspondence from (woman #11)
14 regarding her relationship with you?
15 A. No.
16 Q. Now, having read their -- the declarations that
17 you've enumerated, which are (woman #7), (woman #2),
18 (woman #5), (woman #6), (woman #3),
19 (woman #4), David Kimmel, (woman #8), Eric
20 Estep, Naomi Estep, is it your testimony that you have not

21 abused any of the women who are disclosed in these
22 declarations and who claim that you've abused them?

23 MR. PARSONS: I'm going to object to the form of
24 the question. It's obviously compound. It refers to their
25 declarations in a way which makes unclear what the question
1 goes to.

2 MR. FLYNN: We'll go one by one. I withdraw it.

3 We'll start with (woman #7).

4 Would you mark this as the next exhibit in order,
5 please?

6 (Exhibit 14 was marked.)

7 MR. FLYNN: I have a copy for you. If you've got
8 your own copy, Mr. Parsons, that would be easier, because I
9 have to give one to Ms. (the plaintiff).

10 MR. PARSONS: I don't have extra copies of these
11 we've just run through.

12 MR. FLYNN: Q. Now, would you take a look at this
13 declaration please, sir, which is dated February 6, 1995?

14 A. What page?

15 MR. PARSONS: No, he hasn't said a page yet.

16 MR. FLYNN: Q. I'm just asking you confirm for me
17 that this is the declaration that you read last night.

18 A. This morning.

19 Q. Oh, this morning, okay.

20 MR. PARSONS: One second.

21 When he asks a question concerning the document, I

22 would ask you to make sure you've looked at the document

23 carefully, so that -- make sure this is, for example, the

24 document that you read this morning.

25 THE WITNESS: I think I can identify it, yes.

1 MR. FLYNN: Q. Okay. Now, and just so we have a

2 clear record, this is the -- your having read it this

3 morning is the first time you've ever read this

4 declaration. Is that correct?

5 A. Yes.

6 Q. Now, let's go through this declaration.

7 Paragraph 2, Ms. -- Mrs. (woman #7) says she was living

8 with her husband on Kauai, then 25 years old in 1981, when

9 she met you. Is that true?

10 A. I beg your pardon?

11 MR. PARSONS: Wait. Wait. I'm going to object to

12 a compound question like that. It involves many elements.

13 I'll object to the compound nature, it assumes

14 facts not in evidence, calls for speculation, no

15 foundation. If --

16 MR. FLYNN: Q. Let's try it this way.

17 Read paragraphs 2 and 3 to yourself, and tell me

18 if there's anything you dispute in paragraphs 2 and 3.

19 Q. That's a fair question. No, I don't dispute it.

20 MR. PARSONS: Have you read paragraphs 2 and 3

21 right now?

22 THE WITNESS: Oh, and 3.

23 MR. PARSONS: And 3. You've got to listen

24 carefully to his questions.

25 THE WITNESS: I didn't hear that.

1 I dispute, because it isn't true, "he had other

2 women with him." I was alone.

3 I also believe she's wrong -- by my memory, she

4 had read Autobiography of a Yogi and was reading my book in

5 the process.

6 MR. FLYNN: Q. Let me see if I understand that

7 testimony.

8 When you first met (woman #7), is it your

9 testimony that she was in the process of reading your book?

10 A. That is my recollection, yes.

11 Q. Okay. Did she tell you when you first met her

12 that she was having difficulty in her marriage?

13 A. No.

14 Q. Okay. Did you present a slide show as set forth

15 in paragraph 4?

16 MR. PARSONS: Well, hold on. Let me see what's

17 set forth in paragraph 4. Excuse me one second.

18 Okay. I'd ask you to read paragraph 4.

19 THE WITNESS: Oh, 4.

20 MR. PARSONS: 4 now. Listen.

21 THE WITNESS: I certainly object to "adoringly

22 reverent" toward me. They didn't know me; I didn't know

23 them.

24 I also pointed out in paragraph 3, I had nobody

25 else with me.

1 MR. FLYNN: Q. Okay.

2 A. I did not talk to her husband about any projects

3 he could work on for me, or anything else. Her husband -- I

4 don't know whether he was affronted at anything that I

5 said. He didn't show it. He seemed very cordial. He did

6 not ask me to leave their home.

7 So there are several statements there that I have

8 to object to.

9 Q. Read paragraph 5, please.

10 A. I never said I was going to spend the night at

11 their home. Her husband never told me to leave them alone.

12 There's no question of sitting on the beach 50 feet from

13 them. I know nothing about that.

14 There was no truth to the statement that her

15 husband said that he wanted to get away -- he wanted to get

16 away from me. I -- no, that's not true.

17 Q. Did you arrive on their doorstep with a toothbrush?

18 A. No.

19 Q. Did you ever say you were going to spend the night

20 at their house?

21 A. Well, I've already answered that question, and the

22 answer is no.

23 Did her husband tell me to leave them alone? No.

24 Q. Did you have lunch --

25 A. Did I see them on the beach? No. And therefore,

1 nothing else there that happened -- didn't happen, that she

2 said.

3 Q. And let's keep going on to paragraph 6.

4 A. Okay.

5 MR. PARSONS: Now, I'd ask you to read paragraph 6

6 before responding. I mean, read it completely before

7 responding, instead of line by line.

8 And I'm sorry, what was the question?

9 MR. FLYNN: Q. Is there anything that you dispute

10 in paragraph 6?

11 A. Most of it.

12 Q. Did Ms. (woman #7) see you again at the Yoga Teachers

13 Training Course?

14 MR. PARSONS: Objection. Calls for information

15 which may not be in his knowledge; it misstates what the

16 document says.

17 But you may respond.

18 THE WITNESS: "Despite my husband's protests." I

19 know nothing about that. She went to see me again about the

20 Yoga Teachers Training Course. No, that was not true.

21 MR. FLYNN: Q. "We had lunch and subsequently

22 S.K. heard all my lamentations about how my husband didn't

23 like my yoga/meditation and how much I longed to to school,"

24 et cetera.

25 Did you have lunch?

1 A. We -- I don't know about the lunch. But her

2 lamentations about her husband not liking it and her wanting

3 to go to school and the Yoga Teachers Training Course, none

4 of that came up.

5 Q. And what about this --

6 A. Recognizing her as --

7 Q. Yes. What about this recognizing her as someone

8 you'd known in a prior lifetime?

9 MR. PARSONS: Okay. Be sure to let him ask a

10 question before you respond.

11 MR. FLYNN: Q. Did you say that to her?

12 A. I did not.

13 Q. Did you tell her that there was a kinetic energy

14 between you?

15 A. No, I did not.

16 Q. Did you tell her that you suspected you were soul

17 mates?

18 A. I did not.

19 Q. Did you give her a lot of praise and make her feel

20 special?

21 MR. PARSONS: Well, objection to the extent of her

22 feelings, which would clearly be beyond his knowledge. But

23 you may respond.

24 THE WITNESS: Yes, I don't -- you see --

25 MR. FLYNN: Q. Can you just answer my question?

1 MR. PARSONS: Well, he is answering it.

2 MR. FLYNN: Q. Did you give her a lot of praise

3 and make her feel special?

4 A. No.

5 Q. Okay. Did you have an entourage with you in

6 Kauai?

7 MR. PARSONS: Objection to the phrase

8 "entourage."

9 THE WITNESS: I've answered it. I had no one, not

10 to speak of entourage.

11 MR. FLYNN: Q. There was no one with you;

12 correct?

13 A. I was alone.

14 Q. Did you meet other people affiliated with the

15 Ananda community over in Kauai?

16 A. I beg your pardon?

17 Q. When you got to Kauai, did you meet other people

18 affiliated with the Ananda community?

19 A. No.

20 Q. When you went to -- left for Ananda, did Ms. (woman #7)

21 go with you?

22 MR. PARSONS: You mean, left Hawaii now for

23 Ananda?

24 MR. FLYNN: Q. Yes.

25 A. There was no entourage. I have made that point
1 clear. She did not come with me. That point also is clear.

2 MR. PARSONS: But --

3 THE WITNESS: I've denied that, in other words.

4 She did not come with me.

5 MR. PARSONS: Excuse me. For the record, you have
6 moved on to paragraph 7 in your questioning.

7 MR. FLYNN: Yes.

8 MR. PARSONS: And I see the witness --

9 MR. FLYNN: The witness is following along,

10 Mr. Parsons.

11 MR. PARSONS: I'm not, though. I need to follow
12 this, too, so I can object.

13 MR. FLYNN: Listen to your client.

14 MR. PARSONS: It's too late, then.

15 MR. FLYNN: Q. "We arrived in San Francisco and
16 stayed at Ananda House." Is that true?

17 A. I arrived. She did not come with me.

18 Q. Did she stay at Ananda House with you?

19 MR. PARSONS: Objection. Assumes facts not in
20 evidence, speculation of this witness.

21 You may respond.

22 A. When she came, you mean, in other words, because
23 I've said she didn't come with me. She came later.

24 MR. FLYNN: Q. How much later?

25 A. Oh, I don't know. A couple of weeks, maybe, maybe

1 a week. Not long, anyway.

2 Q. Did she stay at the Ananda House with you?

3 MR. PARSONS: Compound. You may answer whether

4 she stayed at the Ananda House with you.

5 THE WITNESS: I don't remember.

6 MR. FLYNN: Q. Okay. "The couple who kept it

7 organized and who performed the church services were named

8 Jyotish and Devi." Is that true?

9 A. This is correct.

10 MR. PARSONS: Objection. Compound, but you may

11 respond, as you have.

12 MR. FLYNN: Q. Now, going down to paragraph 8 --

13 I will bypass 8. Going to 9 --

14 MR. PARSONS: And again, I'd ask that you read

15 paragraph 9 before answering any questions concerning it.

16 MR. FLYNN: Q. In connection with paragraph 9,

17 did you offer to have Ms. (woman #7) stay in a room at your

18 house?

19 A. The first question that I will answer is the

20 second part of that. She did not come for any Yoga Teachers

21 Training Course.

22 Q. What I would like to know -- that's fine.

23 Did you offer to have her stay in a room at your

24 house?

25 A. She --

1 MR. PARSONS: Vague as to time.

2 You may respond.

3 THE WITNESS: I should explain more fully here, I

4 think, Jon, if you'll allow me to.

5 MR. PARSONS: Well, you certainly may respond to

6 the question, yes.

7 MR. FLYNN: Q. Why don't you give me an answer,

8 and then you can say whatever you want. How is that?

9 MR. PARSONS: But you give the answer that you

10 feel is truthful and responsive to his question.

11 MR. FLYNN: Q. Did you offer to have her stay at

12 your house?

13 A. Excuse me. The question was first, the first

14 sentence here, "I was told there was no room at the retreat

15 for me." That wasn't the issue.

16 Q. What was the issue?

17 A. She had come to be with me.

18 Q. Oh, when did you find out that she had come to be

19 with you?

20 A. You see, I was in love with her. I still am in

21 love with her. This is extremely painful to me, because I

22 don't have the feeling of hatred for her that she's

23 evidently harbored against me that I didn't dream of.

24 Q. Mr. Walters, can you answer my question?

25 A. I am answering it.

1 Q. When? When, sir, did you decide that she was

2 going to come and stay with you?

3 MR. PARSONS: Okay. That misstates his testimony

4 that he decided she was going to come and stay. He

5 testified she came.

6 You may respond, if you can, to that question.

7 THE WITNESS: She came to Ananda with the

8 understanding that we were going to travel to Europe.

9 MR. FLYNN: Q. When was that understanding

10 reached?

11 A. Back in Hawaii.

12 Q. Was her husband going to travel with you?

13 MR. PARSONS: Objection. Calls for speculation.

14 You may respond.

15 THE WITNESS: No.

16 MR. FLYNN: Q. Did you talk to her about the fact

17 that she was married?

18 A. She was the one who urged and volunteered

19 enthusiastically to come with me to Europe.

20 Q. And how did she find out you were going to Europe?

21 A. I believe my trip to Europe was entirely to go

22 with her.

23 Q. Did you tell her, let's go to Europe together?

24 A. I think it came enthusiastically from both of us.

25 Q. What was the status of your relationship with her

1 when the two of you talked about going to Europe together?

2 MR. PARSONS: Vague as to use of the term

3 "status," but you may respond.

4 THE WITNESS: Very close friendship. To me, very

5 romantic. But not in an emotional way.

6 It was something I cannot explain even to myself.

7 I think that it's something too sacred for me to get into in

8 the course of a deposition.

9 But let us just accept that whether to you it's

10 sacred or not or has any meaning or not, it did exist.

11 MR. FLYNN: Q. Who proposed that -- who proposed

12 first that you go to Europe together; you or her?

13 A. This I don't remember.

14 Q. And did you tell her you were a monk?

15 MR. PARSONS: Vague as to time. When did he tell

16 her?

17 MR. FLYNN: Q. At the beginning of the

18 relationship.

19 A. Or at any time, you might ask.

20 Q. Sure.

21 A. Yeah. No.

22 Q. You did not?

23 A. No.

24 Q. Did she ask you why people called you "Swami"?

25 MR. PARSONS: Objection. Assumes facts not in

1 evidence.

2 You may respond.

3 THE WITNESS: No.

4 MR. FLYNN: Q. Did you explain to her you were a

5 swami?

6 A. I don't remember.

7 Q. Did you explain to her you had taken vows of

8 celibacy?

9 A. No.

10 Q. Now, the statement of Ms. (woman #7) says:

11 "Since S.K. was considered a monk, this made

12 ripples throughout the community -- especially with the

13 other male monastics which S.K. attempted to assuage by

14 explaining to the community at a public meeting, called

15 satsang, that he was feeling that he and I were friends

16 in many past lives."

17 Is that true?

18 MR. PARSONS: Objection. Compound. Let me also

19 read this over again, here.

20 Calls for speculation, no foundation concerning

21 ripples throughout the community, other male monastics.

22 And with those objections, I'll permit the witness

23 to answer the question, but being specific as to what is

24 true or untrue per your testimony.

25 THE WITNESS: You see, again, this is something so

1 sacred for me personally, that to get into it in this

2 process is to me like blasphemy.

3 MR. FLYNN: Q. Mr. Walters, please. Let me
4 interrupt. I'd like an answer to my question.

5 MR. PARSONS: He's making a statement. He's not
6 saying he's not going to answer. You'll get it.

7 MR. FLYNN: Q. Did the fact that you were a monk
8 and she was coming to live in your home make ripples in the
9 community?

10 MR. PARSONS: Now, keep in mind, this is a
11 separate question. He's just asked a new question.
12 Do you have that question in mind, or should the
13 court reporter read it back?

14 THE WITNESS: Most certainly it must have made
15 ripples in the community. I had no expectation that it
16 would not.

17 MR. FLYNN: Q. Now, sir, when was this?

18 MR. PARSONS: "This" referring to the ripples in
19 the community?

20 MR. FLYNN: Q. When did she come to live in your
21 home, which made ripples in the community?

22 A. This was in May, I suppose, of 1981.

23 Q. All right. And did you attempt to assuage --

24 A. To a which?

25 Q. -- assuage the community by saying you were
1 connected to her in some way in a past life?

2 A. No, I did not.

3 Q. Well, all right. Let's be clear about this.

4 Do you remember appearing before a public meeting
5 with the community present in which you -- it's called a
6 satsang -- in which you explained the relationship you had
7 with Ms. (woman #7)?

8 Did you ever do that?

9 MR. PARSONS: Objection. Compound. Go ahead.

10 THE WITNESS: I couldn't really explain it,
11 because I didn't understand it. I explained it to the
12 extent that I was able to understand it, which is that I
13 felt that this superseded everything as regards my vows;
14 that this was something that God had directed me into; that
15 every time I prayed for an answer, I felt -- and it still
16 looks to me in the past, and I'm still confused on this
17 issue.

18 But no, I didn't talk about past lives. I don't

19 know my past lives. I can't talk about that.

20 I can say that I do feel there is a deep bond, and

21 some woman who is believed to be psychic gave her and me a
22 reading and said we were soul mates, after which (woman #7)
23 said, I believe every word she said.

24 Now, I didn't know. So it was not my certainty in
25 that; it was a feeling that there was certainly a very deep
1 soul bond.

2 I used to say to her, nothing that you do or don't

3 do, say or don't say, can affect or change what I have

4 received from you, and it is not you as an individual. It
5 is something that I feel in myself, so that even if you were
6 to do -- I didn't contemplate this -- but to betray me and
7 my love for her and turn against me, it would not in any way
8 change the depth of my feeling for her which I feel has
9 given me something permanent in my life, my interior life,
10 that is true even today.

11 Q. Thank you for that adjunct to your answer. We're
12 going to be getting into the depth of your feeling for some
13 of these women.

14 Now, what I'd like to ask you, sir, is whether or
15 not people in the community expressed to you that they were
16 confused by the fact that you had Ms. (woman #7) move in with you.

17 MR. PARSONS: Excuse me. That's vague as to time.

18 You're referring about at or about this time?

19 MR. FLYNN: Q. Yes. At or about this time.

20 A. No one did, but I'm sure they were.

21 Q. And at that time did you explain to the community
22 that you were no longer going to be a swami?

23 A. I hadn't really wrestled that point through yet.

24 But I did by the fall, when I wrote that letter to the Yoga
25 Journal.

1 It took -- after all, it took some time to process
2 this thing for myself.

3 Q. Can you answer my question?

4 A. I did.

5 Q. Did you explain to the community that you were no
6 longer a swami?

7 MR. PARSONS: And he has answered that question.

8 Object. Asked and answered.

9 You may respond again.

10 THE WITNESS: No.

11 MR. FLYNN: Q. Okay. Would you read paragraph

12 10? And specifically, the sentence that says:

13 "S.K. proceeded to tell me that my family didn't

14 really know me and my spirituality therefore they

15 couldn't really love me. He said my husband was stuck

16 in delusion of maya, and that he could never really

17 love me either."

18 A. I recall no --

19 MR. PARSONS: Wait. He's simply asked you to --

20 THE WITNESS: Read it.

21 MR. PARSONS: -- read it, and then he'll ask you a

22 question.

23 MR. FLYNN: Q. Is there anything that I've read

24 that is accurate or not accurate?

25 MR. PARSONS: Compound, accurate or not accurate.

1 Which should he answer first?

2 MR. FLYNN: Q. Is there anything that I read that

3 is inaccurate?

4 A. I don't remember anything about that.

5 Q. Were you aware that when Ms. (the plaintiff) came to
6 your community, she also was married and having trouble in
7 her marriage?

8 MR. PARSONS: Objection. Vague as to time, and
9 "community."

10 You may respond.

11 THE WITNESS: I don't remember. I was having a
12 lot of physical trouble, and I don't think that she was -- I
13 was really very knowledgeable about anything regarding her.

14 MR. FLYNN: Q. Well, you've written an article on
15 spiritual counseling for marriage.

16 MR. PARSONS: Is that a question?

17 MR. FLYNN: Q. Yes. Is that true?

18 A. I don't remember doing so.

19 Q. Have you written an article on spiritual
20 counseling?

21 A. I don't remember doing so.

22 Q. Have you written a book on spiritual counseling?

23 A. No.

24 Q. Have you written any books on marriage?

25 A. Yes.

1 Q. Now, did you ever have any conversation with
2 Ms. (woman #7) about her husband being stuck in delusion?

3 MR. PARSONS: Vague as to time.

4 MR. FLYNN: Q. Ever.

5 A. I don't remember.

6 Q. Did you ever have any conversation with Ms. (woman #7)

7 with regard to the issue of her husband not being able to

8 love her?

9 A. I don't remember.

10 Q. Let's go to paragraph 11.

11 MR. PARSONS: Please, take a moment and read

12 paragraph 11.

13 MR. FLYNN: Q. Is there anything inaccurate in

14 paragraph 11?

15 MR. PARSONS: Again, I object. It calls for a

16 narrative.

17 I guess to speed things up, I have no problem with

18 the witness going through sentence by sentence. Is that

19 what you'd like?

20 MR. FLYNN: Q. I just want to know whether there

21 -- read paragraph 11, sir, and tell me whether there's

22 anything accurate or inaccurate -- or strike that, just

23 inaccurate.

24 A. First sentence --

25 Q. Is inaccurate?

1 A. Said he could help me -- I don't remember.

2 Q. Okay.

3 A. I don't remember her asking why I wasn't at

4 Self-Realization Fellowship anymore.

5 My statement that there was a personality clash

6 and he had to leave is possible, but I don't remember.

7 MR. PARSONS: If you don't remember, then that
8 should be your testimony.

9 THE WITNESS: Okay. I don't remember. Yes, I
10 don't remember.

11 MR. FLYNN: Q. All right. Let's go to paragraph
12 12.

13 "I was told S.K. needed to visit the Ananda
14 centers in Europe. S.K. asked me if I wanted to go."
15 Is that true?

16 A. No.

17 Q. In what way is it not true?

18 A. There was no question of my visiting the Ananda
19 centers in Europe. A, because we didn't have any; B,
20 because it was a trip for her and me.

21 Q. So do you know whether or not she felt that you
22 lied to her about whether you had Ananda centers in Europe?

23 MR. PARSONS: Does he know whether or not she felt
24 -- well, I'd object, obviously. I mean, you're asking for
25 speculation.

1 MR. FLYNN: Q. Did she ever express to you that
2 you had lied to her?

3 A. No.

4 Q. Okay. Let's go to 13.

5 Is there anything that's not true in paragraph 13?

6 MR. PARSONS: Again, objection. It calls for a

7 narrative.

8 THE WITNESS: There were no members traveling
9 within the group. There was one, Annie McFarlane, a person
10 called Uma, who wanted to go to England to visit her family
11 and came on that basis, and we traveled through England
12 together, the three of us.

13 MR. FLYNN: Q. Okay. Paragraph 14. Were you
14 aware that her husband came to see her and the two of them
15 stayed at the Portofino Inn one night?

16 MR. PARSONS: Okay. Excuse me, I would like you
17 to read paragraph 14 before responding.

18 THE WITNESS: That's not quite accurate. She came
19 back to San Francisco, as I recall, and from there flew down
20 to see her mother.

21 Whether her husband came to see her, I have no
22 idea. Where they stayed, I have no idea.

23 So those are the facts as I know them.

24 MR. FLYNN: Q. Okay. And let's go down to
25 paragraph 17.

1 Do you remember her coming back to Ananda?

2 MR. PARSONS: Again, I'd ask you to read paragraph
3 17 before responding. And I'll object that it's vague as to
4 time, when she came back to Ananda.

5 THE WITNESS: The --

6 MR. PARSONS: And you actually have a question

7 before you, and I'd ask that question be read back.

8 THE WITNESS: I'd like to hear the question.

9 MR. FLYNN: Q. Do you remember when she came back

10 to Ananda, as expressed in paragraph 17?

11 A. I believe it was the beginning or early part of

12 September.

13 Q. Of 1981?

14 A. 1981, yes.

15 Q. Do you remember going to Egypt with Ms. (woman #7)?

16 A. I do.

17 MR. PARSONS: Are you going to ask him about an

18 allegation in the declaration?

19 THE WITNESS: Well --

20 MR. FLYNN: Q. Now, let's go down to paragraph

21 22, line 20.

22 "Later he claimed that we recited holy vows of

23 marriage."

24 MR. PARSONS: Okay. I'd ask you to read paragraph

25 22 now.

1 Okay. You don't have a question yet.

2 MR. FLYNN: Q. Now, is it true that you claim

3 that you and Ms. (woman #7) had recited holy vows of marriage?

4 MR. PARSONS: Objection. That's a vague and

5 confusing. I'll let the witness answer, though.

6 THE WITNESS: Say it again?

7 MR. FLYNN: Q. Did you claim that you and

8 Ms. (woman #7) had recited holy vows of marriage?

9 A. I do claim.

10 Q. Did she claim that there -- that that was not

11 true? That you hadn't recited holy vows of marriage?

12 A. May I begin at the beginning of this one?

13 MR. PARSONS: He is entitled to have a response to

14 a specific question.

15 THE WITNESS: But there are misstatements in the

16 first part of the paragraph.

17 MR. PARSONS: Well, he hasn't --

18 MR. FLYNN: Q. Okay. What are the misstatements?

19 A. There was not a group of members. She and I were

20 alone there.

21 It was understood that we were going to perform a

22 spiritual, not a legal or civil marriage.

23 She and I had two -- I don't think they were

24 rings. I think they were locketts of aquamarine that she

25 particularly liked and I liked, that they would be a symbol

1 of a spiritual marriage. It had nothing to do with civil.

2 We recited this thing on the beach in a very holy

3 ceremony with God alone as our witness, which was not -- it

4 had nothing to do with her physical marriage to her husband.

5 So she's right in saying no legal papers, no blood

6 test, et cetera. There was nothing of that sort of marriage

7 involved.

8 Afterwards, her statement to me in the car with
9 great enthusiasm was, "I've waited so long for this."

10 Q. Who paid for the trip to Egypt?

11 A. That was paid for because I was being taken there
12 as a -- one of the -- whatever, the guides, or whatever the
13 word would be.

14 Q. Who paid for it?

15 A. Well, William Staninger was the editor of the Yoga
16 Journal, and I think it was a tour got up by them.

17 Q. Who paid for it, Mr. Walters?

18 A. Well, I don't know. The money came from them.

19 Q. From Yoga Journal? Is that your testimony?

20 A. No. I don't know whether it was. It was this
21 group.

22 Q. What group? Was it Ananda?

23 A. Excuse me?

24 Q. Did Ananda pay for the trip?

25 A. No.

1 Q. Did you pay for the trip?

2 A. No.

3 Q. Who paid for the trip to Europe with Ms. (woman #7)?

4 MR. PARSONS: Objection. Asked and answered.

5 You can answer again.

6 THE WITNESS: I paid for that.

7 MR. FLYNN: Q. And where did you get the money?

8 A. Well, I don't remember. But it was probably

9 through gifts from people. My own income wouldn't have
10 equaled it.

11 Q. Okay. We're going to get into that. Now --

12 A. Excuse me, I do need to go to the bathroom.

13 Please hold it.

14 THE VIDEO OPERATOR: Should we go off the record
15 at this time?

16 MR. FLYNN: Yes.

17 THE VIDEO OPERATOR: We're going off the record at
18 11:52 a.m.

19 (Recess from 11:52 a.m. to 11:55 a.m.)

20 THE VIDEO OPERATOR: We're back on the record at
21 11:56 a.m.

22 MR. FLYNN: Q. In paragraph 22, Mr. Walters,

23 Ms. (woman #7) recites --

24 A. Which one are we on?

25 Q. Paragraph 22. Starting at line 20, Ms. (woman #7) says
1 the following:

2 "Later he claimed that we recited holy vows of
3 marriage. He said this to the community at a community

4 meeting. I was shocked. I never agreed to marry him.

5 I wasn't legally divorced from my husband, there was no

6 wedding, no witnesses, no legal papers signed, no blood

7 test, no invitation, no reception, nothing. This was

8 said without my consent. This man was 30 years

9 older than me. He was old enough to be my grandfather,

10 and I did not want him to be a stepfather to my child.

11 He thought children were a nuisance anyway," end quote.

12 My question to you, sir, is it true that you

13 announced your marriage to (woman #7) to the community

14 without Ms. (woman #7)'s consent?

15 A. No. Not at all. Her involvement was already

16 explicit to me beforehand.

17 Q. Did you tell her that you had married her?

18 MR. PARSONS: Vague as to time.

19 You may respond.

20 THE WITNESS: No. It was understood that we had

21 married. That's what the marriage was all about.

22 MR. FLYNN: Q. Whose understanding was it that

23 you had married?

24 A. Both. Explicit.

25 Q. Where is Half Moon Bay?

1 A. Oh, you're from Boston. You go down Highway 101

2 to Highway 92, and you go west to the ocean from there, and

3 it's I think about a half an hour drive.

4 Q. Did you take her and a group of members to Half

5 Moon Bay as she recites in paragraph 22?

6 A. I did answer that, and the answer is no.

7 MR. PARSONS: Well --

8 THE WITNESS: We were alone.

9 MR. PARSONS: Okay.

10 MR. FLYNN: Q. Now, would you read paragraph 24,

11 please?

12 A. I've read it.

13 Q. Is that true?

14 MR. PARSONS: Excuse me.

15 MR. FLYNN: Q. That she was upset and told you to

16 retract the marriage statement?

17 MR. PARSONS: Okay. You -- I don't have an

18 objection to that question. The witness may answer it.

19 THE WITNESS: I have an objection to the

20 statement. She not only did not retract this -- ask me to

21 retract this statement, she wrote, of her own accord, a very

22 supportive letter to the community. And when I asked her to

23 retract it because it seemed uncertain to me whether this

24 could really -- she didn't seem to have her heart in it as

25 much as I thought.

1 I asked her to retract it, but she did not retract

2 -- ask me to retract the statement. She said, no, I think

3 we should do it.

4 And I knew it would be a great humiliation for me

5 if I made a public statement after she had endorsed this and

6 written this letter, and then if she decided it wasn't for

7 her.

8 And so I was the one who pleaded for the

9 retraction; she was the one who insisted on it -- not the

10 retraction; the public statement.

11 Q. Was this satsang to the community recorded in any
12 way?

13 MR. PARSONS: Excuse me. What satsang are you
14 talking about now? There's no --

15 MR. FLYNN: Q. Strike that. Call it the
16 community meeting. Strike "satsang."

17 This community meeting at which your marriage was
18 announced, was it recorded by stenographic record, by tape,
19 in any way, if you know?

20 A. Just a minute. Are we talking of paragraph
21 something or other?

22 Q. 23.

23 A. Twenty which?

24 Q. Paragraph 23.

25 A. 22?

1 Q. 23.

2 A. 23.

3 MR. PARSONS: Why don't you read 23 that he's now
4 referring to.

5 THE WITNESS: Yes. Well, there are factual
6 statements that can be challenged. Her subjective view of
7 it --

8 MR. FLYNN: Q. No, what I'd like to know, sir, is
9 whether --

10 A. -- I can't comment on --

11 Q. -- is whether it was recorded. Was it recorded by

12 a stenographer or by a tape machine?

13 A. I have no idea.

14 Q. Now, let's go down to paragraph 26. Would you

15 read that, please?

16 A. The whole statement is a fallacy.

17 MR. PARSONS: No, wait for a question before you

18 say anything.

19 Have you read 26?

20 THE WITNESS: I have --

21 MR. PARSONS: It goes on to the next page.

22 THE WITNESS: Okay. I've read it.

23 MR. FLYNN: Q. The statement reads:

24 "One night after I had meditated and gone to bed,

25 S.K. came up to my room, switched on the light and sat on

1 the side of my bed."

2 Do you remember doing that?

3 A. I do not.

4 Q. "He said he was lonesome and hadn't felt the arms

5 of a woman around him in so long."

6 A. I could not have said that.

7 MR. PARSONS: Be sure to wait for the question.

8 MR. FLYNN: Q. Why could you not have said that?

9 A. I know I didn't.

10 Q. Why do you know you didn't?

11 A. The whole thing, "the arms of a woman" -- what is
12 this?

13 To me, she was a soul, there wasn't a woman
14 involved. It was a person. Nor was I pleading for
15 anything, nor did I say I was -- I can't imagine saying I
16 was lonesome.

17 It's just doesn't -- her imagination has taken
18 over.

19 Q. "I imagined 30 years of celibacy as a monk" -- I
20 won't ask you to commend on that.

21 "Now that he was considering giving up his title
22 of Swami as a householder as he had a desire to be married
23 and all. I felt sorry for him, so I held him. (Little did
24 I know that he had been with many women before me while
25 calling himself a Swami monk)" exclamation point. "Then he
1 wanted to kiss me."

2 Do you recall that?

3 MR. PARSONS: Excuse me. Recall what?

4 MR. FLYNN: Q. "Then he wanted to kiss me"?

5 A. No.

6 Q. "I resisted and kept turning my face away from
7 him."

8 A. No.

9 Q. Do you recall that?

10 A. No.

11 Q. Do you recall your testimony yesterday where you

12 said that (the plaintiff) was lying when she told

13 Peggy Bat and Kelly Coogan that you had raped (woman #7) ?

14 Do you recall that testimony?

15 A. I recall the testimony.

16 Q. "I resisted and kept turning my face away from

17 him. Soon my blankets were thrown aside and my undies

18 pulled off, and he's holding me down while having

19 intercourse with me."

20 Is that true?

21 A. Absolutely false.

22 Q. What did happen?

23 A. I don't remember the incident, but I know that I

24 never did such a thing.

25 Q. Did you ever have intercourse with Ms. (woman #7)?

1 A. Yes.

2 Q. On how many occasions?

3 A. Three or four.

4 Q. When?

5 A. Do you want all the specifics?

6 Q. Yes.

7 A. Let's see. One was --

8 MR. PARSONS: Well, he's asked for dates.

9 THE WITNESS: Dates.

10 MR. PARSONS: So give him the specifics of the

11 dates.

12 THE WITNESS: Probably in April in Hawaii --

13 MR. FLYNN: Q. April of 1981?

14 A. Yes.

15 Q. In Hawaii?

16 A. Yes.

17 Q. Is that when you first met her?

18 MR. PARSONS: Well, objection.

19 MR. FLYNN: Q. Right around the time you first

20 met her?

21 A. During that period.

22 Q. When she have was still living with her husband?

23 A. Yes. But she had made it clear to me that they

24 had an arrangement where they were not going to be

25 necessarily faithful to each other that way.

1 Once in Rome.

2 Q. When was that?

3 MR. PARSONS: Just a minute. I have an objection

4 here, because we are creating a record. And I understand

5 that when you make whispers like, "I'd like to say something

6 like that, but I won't," that that is being recorded on the

7 transcript.

8 MR. FLYNN: I apologize. I'll have it stricken or

9 whatever. I forgot that I had the microphone on.

10 Q. Once in Rome when Mr. Walters --

11 A. During our trip to Europe. So when it was, I

12 don't know. I'd assume early June.

13 Q. Of 1981?

14 A. Yeah. Once at Ananda House in San Francisco.

15 Q. Is that when she first came over from Hawaii?

16 A. Pardon?

17 Q. Is that when she first came over from Hawaii?

18 A. No.

19 Q. When was that?

20 A. At least, I don't think so. I think it must have

21 been in September. And once in Egypt.

22 Q. Okay. "I was totally disgusted and in shock. I

23 felt totally violated and sickened. Here was a man who

24 had full trust and admiration as the leader of the

25 community, a minister and a monk, revered by all and

1 looked up to, having sex with me. He was physically a

2 turnoff, he was overweight, balding, gray and 30 years

3 older. Yuck," end quote.

4 Did she express to you her shock and disgust, as I

5 just read from her declaration?

6 MR. PARSONS: Objection. Assumes facts not in

7 evidence, vague as to time, but you may respond.

8 THE WITNESS: In no way.

9 MR. FLYNN: Q. Paragraph 27: "The next day, I

10 sought out my best friend, but she wasn't at the community."

11 MR. PARSONS: Excuse me, I would like the witness

12 to have an opportunity to read the paragraph before

13 responding to any questions.

14 MR. FLYNN: Fine. I'll read it in the record, and

15 he can read along.

16 "I went to speak to Asha Praver instead. After I

17 told her what happened and I didn't feel good about it,

18 she told me that I was supposed to take care of his

19 needs. In other words, what Swami wants, he gets. I

20 felt totally invalidated by her response. I felt used,

21 betrayed and set up."

22 My question, sir, is, did Asha Praver come to you

23 and discuss with you that (woman #7) was upset over your

24 sexual advances toward her?

25 A. At no time. Had she done so, I would have

1 certainly tried to correct the matter by saying, no, we're

2 not together.

3 Q. Would you read paragraph 28, please?

4 "I decided to plan how to leave gracefully. I

5 refused to sleep near him or have sex with him after

6 that. He attempted to lure me again, though. He asked

7 me to rub his back (I often rubbed his shoulders and

8 feet) then he rolled over with a hard-on and he put my

9 hand on his penis. He tried to put his finger in my

10 vagina. I said no, I can't do this. I got up and left

11 the room."

12 Is there anything that is not true in paragraph 28?

13 MR. PARSONS: Okay. I object to that form of

14 question, because the witness might inadvertently omit

15 something. It really calls for a narrative.

16 Given the large number of statements in there, I

17 would request that you handle it either sentence by

18 sentence, fact by fact, whatever.

19 MR. FLYNN: Q. Well, is there anything -- read it

20 to yourself, sir.

21 A. I've read it.

22 Q. We'll be here for a month of Sundays if --

23 MR. PARSONS: Well, but your question is

24 fundamentally unfair.

25 MR. FLYNN: Well, you're free to comment on

1 anything you think is inaccurate in paragraph 28.

2 THE WITNESS: My comment is that the entire

3 paragraph is inaccurate and untrue.

4 MR. FLYNN: Q. Okay. That saves a little time.

5 Paragraph 29: "(woman #2) came to me and said S.K.

6 was seeking her out for sexual favors and that she was

7 confused and upset about it. I told her that I was leaving

8 Ananda, and that she should, too."

9 Who is (woman #2) in that paragraph, if you know?

10 A. (woman #2), who has got a declaration there.

11 Q. Were you seeking out (woman #2) for sexual

12 favors at this time?

13 MR. PARSONS: Wait. Objection. It's compound, it

14 assumes facts not in evidence. Seeking out for sexual

15 favors is vague and ambiguous.

16 I'm going to instruct the witness not to answer

17 that question as posed.

18 MR. FLYNN: Q. Did you approach (woman #2)

19 during this period of time and try to have sex with her?

20 A. No.

21 Q. At any time did you have sex with (woman #2)?

22 MR. PARSONS: I object to the use of the phrase

23 "have sex with." I think that's vague and confusing.

24 I'll let the witness testify based on his

25 understanding of what the phrase "have sex with" means.

1 THE WITNESS: Not during this period.

2 MR. FLYNN: Q. When did you have sex with (woman #2)

3 ?

4 MR. PARSONS: And it also asks for a definition of

5 what "have sex with" means.

6 THE WITNESS: Yes. Would you define that?

7 MR. FLYNN: Q. Well, when did you first have any

8 sexual contact with (woman #2)?

9 MR. PARSONS: Objection as to "sexual contact."

10 The witness may respond.

11 I would like, however, the witness to state what

12 he means by "sexual contact" in that context.

13 THE WITNESS: To me, that would mean sexual

14 intercourse.

15 After (woman #7) left, (woman #2) and her friend (woman #1)
16 forced themselves upon me when I pleaded to be left
17 alone. I was in extreme anguish over (woman #7)'s leaving,
18 and they laughed at me and continued to come.
19 It was really her forcing, not my seeking her
20 out. And if she felt confused and upset, I felt extremely
21 upset by it.

22 That's all I can say at the moment.

23 Q. How long did your sexual relationship with (woman #2)
24 take place?

25 MR. PARSONS: Again, vague as to "sexual
1 relationship." And -- excuse me one second.

2 Vague as to the phrase "sexual relationship." You
3 may respond, however.

4 THE WITNESS: Probably a month or two, not more.

5 MR. FLYNN: Q. What was the nature of the sexual
6 relationship you had with (woman #2)?

7 A. Well, there was one night when she and (woman #1),
8 laughing uproariously, insisted on getting into bed with
9 me. I was trying to protest, and they only laughed.
10 I didn't want to be rude, and I didn't know how to
11 handle that situation. What specifically happened, I don't
12 remember.

13 She imposed herself on me in a number of ways,
14 more or less pretending to be a part of the household, which

15 I resisted.

16 Beyond that, I don't recall very well. But did it

17 have to do with massages? Yes. Did it have to do with the

18 other things stated? Yes.

19 MR. PARSONS: Wait, excuse me. Other things

20 stated where? What?

21 THE WITNESS: In her -- in (woman #2)'s declaration.

22 MR. PARSONS: Okay. Well, I'll ask you not to

23 refer to her declaration unless --

24 THE WITNESS: Until we get to it.

25 MR. PARSONS: -- unless it's in front of you.

1 THE WITNESS: But he asked me -- I see.

2 MR. FLYNN: Q. Did you try to notify Yoga

3 Journal --

4 A. Pardon me?

5 Q. -- that you had married (woman #7)?

6 A. What's that?

7 Q. Did you attempt to notify Yoga Journal that you

8 had married (woman #7)?

9 A. Why do you say "attempt"?

10 Q. Strike "attempt."

11 Did you notify Yoga Journal that you had married

12 (woman #7)?

13 A. She and I both did.

14 Q. So the answer is yes, you both did?

15 A. Yes.

16 Q. Do you remember Ms. (woman #7) calling her brother to
17 come get her out of Ananda Village?

18 A. I do not.

19 Q. How did you notify Yoga Journal about your
20 marriage to (woman #7)?

21 A. By letter.

22 Q. Was she still married to her husband at the time
23 you notified Yoga Journal?

24 MR. PARSONS: Objection. Assumes -- perhaps
25 speculation.

1 You can answer, though.

2 THE WITNESS: I've answered it.

3 MR. FLYNN: Q. Well, I'd like to know -- all
4 right. When did you notify Yoga Journal?

5 A. Well, it would have to be after September 19,
6 which was the date of our spiritual wedding ceremony. She
7 left me at the end of November.

8 It would have to be, presumably, in October, at
9 which time I had begun to feel that she was not that
10 satisfied with -- I had the feeling that she wouldn't stay,
11 and I had doubts.

12 Therefore, I pleaded with her, let's not
13 do it. She insisted that we do it.

14 Q. She insisted that you notify the Yoga Journal?

15 A. Yes.

16 Q. Paragraph 31, "S.K. accused me of carrying his
17 child."

18 Did you do that?

19 MR. PARSONS: Excuse me. Hold on one second.

20 Okay, you can answer.

21 THE WITNESS: No.

22 MR. FLYNN: Q. Paragraph 32:

23 "I was a blithering idiot when I left Ananda. I

24 didn't know who I was anymore. I convalesced at my

25 mother's and had Thanksgiving at my brother's house. I

1 slowly rebuilt by identity, my ego. I felt so

2 betrayed. I was pregnant and frightened and depressed.

3 After Christmas I went to Arizona to be with my

4 husband. I was agoraphobic and had panic attacks. He

5 promised to help me recover. My daughter was born in

6 March 1982."

7 To your knowledge, was Ms. (woman #7) a blithering

8 idiot when she left Ananda?

9 MR. PARSONS: Well, I guess you can ask us to --

10 MR. FLYNN: His observations.

11 MR. PARSONS: His observations. Sure, go ahead.

12 THE WITNESS: Huh?

13 MR. PARSONS: You may respond.

14 THE WITNESS: I hadn't the slightest idea that she

15 was upset even.

16 MR. FLYNN: Q. Paragraph 33, "I had to provide

17 S.K. with a blood test to prove to him that my child was not
18 his."

19 Is that true?

20 MR. PARSONS: Wait a minute.

21 MR. FLYNN: Q. Paragraph 33. I may have

22 misstated that on the record. Paragraph 33, sir, lines 13

23 and 14 of page 9.

24 MR. PARSONS: Have you read that? Did you follow

25 along with him?

1 THE WITNESS: There's no question of compulsion

2 there. I certainly would have wanted to know, did want to

3 know. But there was no question of compulsion or anything

4 of that nature.

5 MR. FLYNN: Q. Now, would you go to paragraph 36,

6 please? Or no, paragraph 34, I'm sorry.

7 "S.K. systematically stripped me of my ego, gave

8 me an alter-ego and controlled me by guilt and my desire to

9 do the right thing."

10 Did she ever express those ideas to you that are

11 expressed in paragraph 23?

12 MR. PARSONS: Objection. It's compound. Did she

13 express all of those?

14 MR. FLYNN: Any or all.

15 THE WITNESS: I never tried to control her. I

16 never tried to strip her of her ego.

17 MR. PARSONS: No, the question, though, is whether
18 she expressed those to you.

19 THE WITNESS: Well, she was helping to lead the
20 group in Egypt, and wasn't coming to the meditations. And I
21 urged her to come. I did not command her to come.
22 She said, you're laying a guilt trip on me, so I
23 stopped asking her.

24 MR. FLYNN: Q. Have you ever read anything about
25 the narcissistic personality, Mr. Walters?

1 A. I beg your pardon?

2 Q. Have you ever read any treatises on the
3 narcissistic personality?

4 A. I suppose so. I don't -- I mean, nothing legal,
5 but of course the term is familiar to me.

6 Q. Paragraph 36, "I believe that Ananda is a cult.
7 Its core members and ministers do much to keep the
8 fraudulent image of S.K. alive."

9 Paragraph 37: "S.K. is a con-man who preys on
10 innocent people urging them to seek God at Ananda.
11 S.K. and Ananda uses true teachings of Yogananda to
12 claim their integrity. There is no integrity -- none
13 at Ananda. Their blissful community is only a paper
14 thin image. I am a lot wiser now after therapy and
15 life experiences, and I am 14 years older on the
16 spiritual path. I have a much deeper understanding of
17 what went on," end quote.

18 My question to you, sir, were you contacted in the
19 last month by an individual named Jane Tayloff, who claims
20 that you are a con man and took \$2,000 from her for yo ga
21 teacher training?

22 MR. PARSONS: Okay. Object, it's compound. Was
23 he contacted, and then the substance of any contact.
24 I'll permit the witness to answer, keeping in mind
25 that there are different parts to the question.

1 THE WITNESS: The name is unfamiliar to me.

2 MR. FLYNN: Q. Then Ms. (woman #7) says:

3 "I have not at any time conspired with
4 (the plaintiff) to file false allegations in any lawsuit
5 against Donald Walters, Danny Levin or the Ananda
6 Church and have never participated in any meeting with
7 anyone toward any such end," end quote.

8 My question to you, sir, is, do you have any facts
9 or information of any nature or description that Ms. (woman #7)
10 is conspiring with Ms. (the plaintiff) against you?

11 MR. PARSONS: I object to the extent that it calls
12 for any communication between attorney and client.

13 But you may answer concerning facts that you're
14 aware of or communications from anyone not an attorney.

15 THE WITNESS: The fact that (woman #7) came to
16 the deposition, the first deposition, with (the plaintiff)
17 indicates to me fairly clearly that there is collusion

18 between them.

19 MR. PARSONS: Are you done with your response?

20 THE WITNESS: Yes.

21 MR. PARSONS: Okay. It's 12 -- I make 17 --

22 12:20.

23 MS. RUSH: We have a reservation for 12:30.

24 MR. PARSONS: Do we?

25 MR. FLYNN: Q. Other than the fact --

1 MR. PARSONS: Excuse me. I'm just not done.

2 I'd like to break. Have you got maybe another

3 question or two?

4 MR. FLYNN: Q. Another question or two.

5 Other than the fact that Ms. (woman #7) came to the

6 first day of deposition with Ms. (the plaintiff), do you have any

7 other facts or information that would lead you to believe

8 that Ms. (woman #7) has conspired with Ms. (the plaintiff) against

9 you, sir?

10 MR. PARSONS: Same objection, same instruction.

11 THE WITNESS: Yes.

12 MR. FLYNN: Q. Do you have any other information

13 or facts?

14 A. Well, the fact that she would submit a declaration

15 in conjunction with something she otherwise would not have

16 heard anything about indicates to me fairly clearly that

17 there was a contact.

18 The nature of the contact, I have no idea. But it

19 has produced these fruits. Therefore, I think it's a safe
20 inference.

21 Q. And you're aware that (woman #2), (woman #4)
22 , (woman #1), have all produced, among others,
23 declarations.

24 Is it your allegation that they are also in a
25 conspiracy with Ms. (the plaintiff)?

1 MR. PARSONS: Okay. That's a compound question,
2 and it's argumentative. Is the question --

3 MR. FLYNN: Q. All right. Let's just take (woman #2)
4 .

5 A. (woman #2).

6 Q. (woman #2). Is it your contention, sir -- or
7 strike that.

8 Do you have any facts or information that (woman #2)
9 is in a conspiracy with Ms. (the plaintiff) against you?

10 MR. PARSONS: Same objection. Attorney-client
11 communications. Same instruction.

12 THE WITNESS: Yes. Same thing, that -- the
13 contact obviously to submit declarations in a case that
14 otherwise they would know nothing about.

15 MR. FLYNN: Q. And the same would be true of
16 (woman #1)?

17 MR. PARSONS: Same objection, same instructions.

18 THE WITNESS: Same response.

19 MR. FLYNN: Q. And you've read (woman #1)'s

20 and (woman #2)'s declarations?

21 A. I have.

22 THE VIDEO OPERATOR: This is the end of videotape

23 number 6 in the deposition of Donald Walters. We're going

24 off the record at 12:22 p.m.

25 (Lunch recess from 12:22 p.m. to 1:36 p.m.)

1 --o0o--

2 AFTERNOON SESSION

3 THE VIDEO OPERATOR: This is the beginning of

4 videotape number 7 in the deposition of Donald Walters.

5 We're back on the record at 1:36 p.m.

6 MR. FLYNN: Q. Mr. Walters, you understand you're

7 still under oath to tell the truth, sir?

8 A. I do.

9 MR. PARSONS: Excuse me one moment. Are you

10 having a problem with your hearing aid there?

11 THE WITNESS: No. I find I can do better without

12 them. I can concentrate better. As long as I can hear

13 Mr. Flynn -- I find it a little bit more difficult to hear

14 the judge, but I think I can manage.

15 MR. FLYNN: Q. Would you look at Exhibit 13

16 please, sir, which is your cross-complaint against

17 Ms. (the plaintiff)?

18 Now, in your cross-complaint on paragraph 6,

19 particularly paragraph 6 at the top of page 3 --

20 MR. PARSONS: Have you found that?

21 MR. FLYNN: Q. -- you accuse Ms. (the plaintiff) of
22 having an adulterous relationship with Levin.

23 Do you see that?

24 A. Yes.

25 Q. What do you mean by "adulterous"?

1 A. Well, he was married; and as far as I know, she
2 was married.

3 Q. Was your relationship -- strike that.

4 Do the rules of conduct at Ananda Village which
5 you wrote prohibit adulterous relationships?

6 A. They don't specifically, but they certainly would
7 not endorse such a thing.

8 Q. Have you ever counseled -- strike that.

9 Have you been involved in an adulterous
10 relationship with Ms. (woman #7)?

11 A. I have answered that.

12 Q. What is your answer?

13 A. Well, I'll answer it more completely.

14 I did not think of it as adulterous because, first
15 of all, she volunteered that she and her husband had an
16 agreement that they could have other contacts outside of it
17 -- outside of it.

18 I didn't because I considered my relationship with
19 her essentially not sexual, but spiritual.

20 Beyond that, you'd have to say before the law, it
21 was.

22 Q. Now, would you look to Exhibit 1, Mr. Walters?

23 Let me see if I've got a copy for the judge. I

24 don't have a copy. I gave you my extra copy to Mr. -- could

25 you share with Mr. Walters the exhibits so that the judge

1 could use --

2 JUDGE PLISKA: That's okay. You can go ahead. If

3 I need to refer to it, I'll get them.

4 MR. FLYNN: Q. In Exhibit 1, which is a letter

5 authored by you on August 31, 1995 --

6 A. Yes.

7 Q. -- you say in your letter -- which, by the way,

8 was sent to the community of Ananda, some 200 to 500 people?

9 MR. PARSONS: Objection. Asked and answered,

10 compound.

11 You may respond.

12 THE WITNESS: It was sent to the monastic -- the

13 monastic members, which would be a smaller group. How many,

14 maybe 200 at the most. I don't know for sure, though.

15 MR. FLYNN: Q. All right. You say in your

16 letter, "It isn't that I'm worried about their questions,"

17 talking about this --

18 A. Where are we? Okay.

19 Q. -- this deposition.

20 "What does concern me a little is the almost

21 insane hatred they've evinced for cults, among which
22 they see Ananda as a leading and vicious example. To
23 date, they've been almost unbelievably rude and
24 insulting in their legal papers, have submitted an
25 exhibit supporting their comparison of Ananda to
1 Jonestown and to the Branch Davidians of Waco, Texas,
2 have ridiculed Master's teachings, and have submitted
3 declarations against the teachings by so-called cult
4 experts (quacks, in fact). All this they have done
5 with (the plaintiff)'s full knowledge and approval," end
6 quote.

7 Now, the Master's teachings referred to in that
8 sentence relate to whose teachings?

9 A. Paramhansa Yogananda.

10 Q. Now, those are the same teachings that are
11 followed by this organization Self-Realization Fellowship.

12 Is that correct?

13 MR. PARSONS: Objection. Asked and answered.

14 You may respond.

15 THE WITNESS: Correct.

16 MR. FLYNN: Q. And your organization follows
17 these same teachings. Is that correct?

18 MR. PARSONS: Objection. Asked and answered

19 several times.

20 You may respond.

21 THE WITNESS: Yes.

22 MR. FLYNN: Q. What declarations are you
23 referring to when you say "declarations against the
24 teachings by so-called cult experts"?

25 A. This is information I have not read but was told
1 by my lawyers, explained by my lawyers, and that was the
2 interpretation they placed upon it.

3 MR. FLYNN: That's a waiver.

4 MR. PARSONS: No, that's definitely not a waiver.

5 MR. FLYNN: Q. What did your lawyers say with
6 regard to your interpretation of these waivers which you've
7 included in this letter?

8 MR. PARSONS: Okay. Objection. That clearly
9 calls for an attorney-client communication. I'm instructing
10 him not to answer that question.

11 MR. FLYNN: He says in the letter that someone has
12 evinced an insane hatred, has ridiculed Master's teaching
13 and has submitted declarations against the teachings by
14 so-called experts.

15 So he's divulging what his lawyer has told him is
16 in the declarations; namely, that they've ridiculed Master's
17 teachings and have submitted declarations against the
18 teachings by so-called cult experts.

19 JUDGE PLISKA: Do you want to respond to that?

20 MR. PARSONS: Yes. This statement is simply a
21 statement of this witness's beliefs and opinions.

22 Just because you make a statement with derives
23 from what your attorney told you doesn't open up the
24 attorney-client privacy -- I mean, that's got the highest
25 level of protection.

1 He was asked a question about what declarations,
2 was the actual question he was asked. If he will demur to
3 answering that saying it came from his attorney, this
4 information came from his attorney, he can still answer the
5 question concerning what declarations.

6 If he doesn't know, he doesn't know. But that
7 doesn't open up everything that he's talked about to his
8 attorney on this subject matter.

9 JUDGE PLISKA: Yes, I think that's correct. The
10 witness does not have to answer what his lawyer told him.

11 MR. FLYNN: Q. Okay. What -- which of the
12 Master's teachings referred to in this letter have been
13 ridiculed?

14 A. I have not read the declaration, so I have to give
15 you my report of what I was told. Is this all right to do?

16 MR. PARSONS: Well, you can give him what
17 teachings -- he's asked for the teachings, and it is proper
18 for you to respond and identify or enumerate those teachings
19 you were referring to -- for whatever reason, those
20 teachings you were referring to here.

21 THE WITNESS: The only thing clear in my mind at

22 this point, and that I can therefore share with you, is the
23 teaching that we would hypnotize -- it's against his
24 teachings. He said that hypnosis is a spiritual crime; and
25 therefore, he taught against hypnosis, except possibly --
1 and this is just uncertain -- possibly in cases of medical
2 necessity, where, for example, maybe a patient couldn't
3 tolerate an anesthesia.

4 However, it was -- it's very much against our
5 teachings, and something that we would not practice.

6 However, these declarations, as they were quoted
7 to me, made the statement that we hypnotize people. Never.

8 That we try to brainwash people. Never.

9 That we are trying to proselytize and draw people
10 into our work, when in fact I always tell people in my
11 lectures -- that doesn't mean when you hear the word
12 "always" that every second sentence is this -- it's a
13 consistent policy of mine which I usually in any public
14 lecture will bring in at one point or another, say, I don't
15 want to convert you to anything except your own higher
16 self. If you feel that what we are doing can help to you do
17 that, fine.

18 But I do not and Yogananda did not teach that we
19 try to subject people's will, subject their freedom of will,
20 their freedom of choice, to anything that we do or say.

21 This is so basic a policy of our organization that
22 I cannot believe that anyone in good faith could say that

23 either about Yogananda or about the way I teach, or about
24 the way our ministers react with the public.

25 Q. But I take it from your letter that it's your
1 position that Ms. (the plaintiff), in bad faith, has done what
2 you've said in your letter; namely, ridiculed Master's
3 teachings and submitted declarations against the teachings.

4 Is that correct?

5 MR. PARSONS: Excuse me. You're asking for --

6 MR. FLYNN: Please, if the witness doesn't
7 understand the question, he can so state.

8 MR. PARSONS: Here's the problem. I don't
9 understand the question.

10 MR. FLYNN: Then object.

11 MR. PARSONS: That's what I'm trying to do.

12 MR. FLYNN: We don't need speeches, Mr. Parsons.

13 MR. PARSONS: I object. It's unclear --

14 MR. FLYNN: Concisely, succinctly, with a legal
15 basis, and then you don't say any more. That's the rule.

16 MR. PARSONS: I'm sorry.

17 JUDGE PLISKA: Well, he is correct, Mr. Parsons.

18 MR. PARSONS: That is correct. I'm trying to do
19 that.

20 I don't understand what the question is. It's
21 vague and ambiguous.

22 I'll permit the witness to answer if he can

23 formulate a response.

24 THE WITNESS: I confess to a more or less equal

25 confusion, perhaps less because I'm not a lawyer.

1 MR. FLYNN: Q. Mr. Walters, is it your belief

2 according to your letters that Ms. (the plaintiff) has ridiculed

3 Yogananda's teachings?

4 A. Oh, yes.

5 Q. Is it your belief that she is in a conspiracy with

6 SRF, who supports Yogananda's teachings?

7 MR. PARSONS: Objection. Compound.

8 You may answer.

9 THE WITNESS: If it's compound, I should have it

10 simplified.

11 MR. PARSONS: Well, you can answer it to the

12 extent you can. You can break it into two parts.

13 THE WITNESS: Well, it is compound. Yeah, break

14 it up into two parts. Maybe I can --

15 MR. FLYNN: Q. Is it your belief that

16 Ms. (the plaintiff) is in a conspiracy with SRF?

17 A. I answered that before lunch.

18 MR. PARSONS: You --

19 THE WITNESS: In the affirmative, I should add.

20 MR. FLYNN: Q. And you've charged in a complaint

21 you've brought against her that this organization, SRF, is a

22 coconspirator, but you don't sue SRF. Is that correct?

23 A. That's --

24 MR. PARSONS: Objection. Compound; it misstates

25 the documents. But you may respond, sir.

1 THE WITNESS: Well, both statements, yes, that's

2 correct.

3 MR. FLYNN: Q. Now, as you're aware, SRF supports

4 what you call "Master's teachings." Is that correct?

5 MR. PARSONS: Objection. Asked and answered. Go

6 ahead.

7 THE WITNESS: Yes.

8 MR. FLYNN: Q. And it's your belief that

9 Ms. (the plaintiff) does not support Master's teachings; in fact,

10 ridicules them. Is that correct?

11 MR. PARSONS: Objection. Compound. Go ahead.

12 THE WITNESS: That is still correct.

13 MR. FLYNN: Q. Now, on the second page of this

14 letter, you write:

15 "This has been an instructive year for me in many

16 ways. It has helped me to understand more deeply the

17 supreme virtue of loyalty. Not as a dogmatic commitment to

18 an abstract concept, but as a simple commitment of the heart

19 in a spirit of divine friendship. Somebody this year told

20 me a scurrilous story about Master. I replied, 'I don't

21 believe it for a moment.'"

22 All right. Who is the one who told you a

23 scurrilous story about master?

24 A. My secretary mentioned that somebody during a
25 phone call had mentioned it. He only mentioned it to me; he
1 didn't ask me if it was true.

2 My comment was, I don't believe it for a moment.

3 Q. What was the scurrilous story?

4 A. I don't think I should tell it.

5 MR. PARSONS: Excuse me. Can you tell me why?

6 No, no, just whisper to me.

7 THE WITNESS: Because it's defaming a name that I
8 revere.

9 MR. PARSONS: That was a pretty loud whisper.

10 THE WITNESS: It's an untrue story. I'm supposed
11 to talk facts here. Granted, it was a fact he told me, but
12 it was a scurrilous story about a man I revere. I don't
13 want to talk about it.

14 MR. PARSONS: I will assert then -- based on what
15 the witness says, I will assert a privacy, religious belief
16 objection.

17 JUDGE PLISKA: You're instructed to answer the
18 question.

19 THE WITNESS: Well, the story was that somebody
20 claimed to have been his son.

21 MR. FLYNN: Q. And when were you first told this?

22 A. I was only told it once.

23 Q. When?

24 A. Earlier this year. I don't remember.

25 Q. And what is the name of the person who told you

1 this story?

2 A. My secretary.

3 MR. PARSONS: Objection. Asked and answered.

4 THE WITNESS: Alan.

5 MR. FLYNN: Q. Alan what?

6 A. Heubert.

7 Q. Had you ever heard this scurrilous story before

8 Alan Heubert told it to you?

9 A. Never.

10 Q. Now --

11 MR. PARSONS: Excuse me. I have an objection.

12 There is whispering -- I don't know if you can

13 hear it, Your Honor, but there's whisperings going back and

14 forth.

15 MR. FLYNN: I was talking to my co-counsel.

16 JUDGE PLISKA: The problem, Mr. Flynn, is that

17 we're being recorded, and this will be part of this

18 deposition record.

19 Make sure you cover your microphone or do

20 something so that these asides are not -- or slip a note to

21 him.

22 MR. FLYNN: Fine, Your Honor. I will.

23 Q. Mr. Walters, in the last 6 months, have you said

24 to anyone in an effort to defend your own sexual misconduct,

25 quote, "Even master had his shakti," end quote?

1 MR. PARSONS: Objection. Compound. Instruct the

2 witness not to answer, if that was a communication he made

3 to an attorney, his attorney.

4 Otherwise, you may respond.

5 THE WITNESS: Absolutely not.

6 MR. FLYNN: Q. In the last 6 months, have you

7 participated in any organized effort to discredit Yogananda

8 in order to defend your own sexual misconduct?

9 A. Impossible, and no.

10 Q. Do you know the name of the individual who is

11 allegedly Yogananda's son?

12 A. I do not.

13 Q. Have you ever spoken to that individual?

14 A. I have not.

15 Q. Have you ever spoken to his wife?

16 A. I don't even know if he has a wife --

17 MR. PARSONS: Objection -- okay.

18 MR. FLYNN: Q. Have you ever gone to his home

19 with another individual?

20 MR. PARSONS: Obviously, if he doesn't know who it

21 is -- so the question is confusing and misleading. But he

22 may answer.

23 THE WITNESS: No.

24 MR. FLYNN: Q. Do you know a fellow who wrote a

25 book called How To Get Sick Well?

1 A. You'll have to tell me the name, because I don't
2 otherwise.

3 Q. Do you know a fellow whose name I don't know, but
4 he's a doctor, and his first name is Jeff, who wrote a book
5 called How To Get Sick Well?

6 A. I don't know the book, I don't know the name, I
7 don't know the person.

8 Q. Now, approximately 4 years ago, did you meet with
9 the alleged son of Yogananda?

10 MR. PARSONS: That obviously misstates his
11 testimony, since he's already said he didn't know who it
12 was.

13 You may answer.

14 THE WITNESS: No.

15 MR. FLYNN: Q. In the early 1970s, did you
16 frequent The Green Door?

17 A. No.

18 MR. PARSONS: Objection. First of all, you're
19 referring to The Green Door which is a -- it's vague as to
20 what The Green Door is.

21 THE WITNESS: But no.

22 MR. FLYNN: Q. Now, you say in your letter,
23 "Obviously, the enmity that I've had leveled against me has
24 not" -- "has been not only inherent in the situation from
25 the beginning -- to live by one's belief is to invite
1 persecution."

2 What do you mean by that statement?

3 A. I mean that --

4 MR. PARSONS: Objection -- excuse me. Objection.

5 It's compound.

6 You may respond. Keep in mind there's more than

7 one phrase there.

8 THE WITNESS: Anyone who tries to believe by a --

9 to live by a sincere belief, it's in the nature of things

10 for him to be persecuted.

11 MR. FLYNN: Q. Then you say, "but is also a

12 reflection of my own karma."

13 What does that mean?

14 A. That means --

15 MR. PARSONS: Objection. This goes to the

16 privacy, the religious belief.

17 I believe we've already got a ruling on this from

18 yesterday, but I'm still preserving the objection, although

19 in the face of the earlier ruling I'll let the witness

20 respond.

21 JUDGE PLISKA: Yes.

22 THE WITNESS: You'll have to reword it again,

23 please.

24 MR. FLYNN: Q. Your letter says, "but is also a

25 reflection of my own karma."

1 A. That's right.

2 Q. What does that mean?

3 A. It means that persecution is bound to come in
4 general to anybody who seriously commits himself to beliefs
5 and actions. But the particular line of persecution will be
6 something he, by his particular karma, would attract.

7 Q. Then you go down and you say, "What we judge
8 in" -- strike that.

9 Quote, "For we project ourselves onto others.
10 What we judge in them, whether kindly or unkindly, is always
11 a self-judgment," end quote.

12 Now, is it your belief, in line with the second
13 paragraph, that Ms. (the plaintiff) has an insane hatred for your
14 organization?

15 A. Yes. May I answer that more completely?

16 Q. Your lawyer will have an opportunity to examine
17 you.

18 A. Pardon?

19 JUDGE PLISKA: You're entitled to explain your
20 answer. Go ahead.

21 THE WITNESS: I am. To me, judgment means to
22 hate, not to discriminate or to observe.

23 I have no hatred for you, nor for Mr. -- excuse
24 me, Stillman, nor for Ford Greene, nor for (the plaintiff).

25 I do observe, and this is my opinion. But I don't
1 have any ill will toward you.

2 MR. FLYNN: Q. What is it --

3 A. Ill will is judgment -- or I should say, judgment

4 is ill will.

5 Q. And what is it that you observe sir?

6 A. What I have stated here.

7 Q. What?

8 A. Because your declaration -- I mean, your brief,

9 your paper, was so outrageous in its allegations that it

10 could not be motivated by normal motives. It would have to

11 be something extreme.

12 If I have misstated it, if I am wrong, then I very

13 sincerely apologize. But so far, I have no reason to think

14 other than I observe.

15 Q. Now, if our papers related to extremely perverse

16 and abusive and harassive conduct on your part, assuming

17 that conduct was true, and our papers were then true, then

18 our papers would not evidence extreme hatred. Is that

19 correct?

20 MR. PARSONS: Wait a minute. It's compound, it

21 assumes facts not in evidence, it's argumentative.

22 Your Honor, I'd instruct him not even to answer

23 that question.

24 And obviously, it has no relevancy to anything.

25 MR. FLYNN: He's the one who wanted to give the

1 explanation, judge.

2 MR. PARSONS: Yes, but the question is still so

3 far afield from anything here.

4 JUDGE PLISKA: It seems to -- what's the point of
5 it?

6 MR. FLYNN: All right. I'll ask it again.

7 Q. If the facts were true in our papers about you,
8 would you still believe that our papers evince insane
9 hatred?

10 A. May I restate your question? You've used a
11 subjunctive, "were"; that means that they weren't.
12 Two, if they were true, it would have to be
13 proved. As far as I'm concerned, they are not true.

14 (Exhibit 15 was marked.)

15 MR. FLYNN: Q. This is the declaration of (woman #2)
16 ?

17 A. (woman #2).

18 Q. Do you recall (woman #2)?

19 MR. STILLMAN: Which is 15.

20 MR. FLYNN: Q. Which has been marked as Exhibit
21 15.

22 Now, do you remember meeting (woman #2) in 1979?

23 A. Probably that was the year.

24 Q. Do you remember where you met (woman #2)?

25 A. I do not.

1 Q. Did you meet her at the Unitarian Church in San
2 Francisco?

3 A. I couldn't say.

4 Q. In 1979, did you refer to yourself as Swami

5 Kriyananda?

6 A. How would I know? It's possible. I don't know.

7 Q. Do you remember meeting (woman #2) in the

8 summer of 1979 at the Ananda meditation retreat?

9 MR. PARSONS: Are you asking the question with

10 respect to the declaration, which I notice you are reading,

11 or are these just --

12 MR. FLYNN: I'm just asking him. I'm using it as

13 a reference. The witness if he wants can use it as a

14 reference also.

15 THE WITNESS: I don't know when I met her.

16 MR. FLYNN: Q. Do you remember (woman #2)

17 coming to study at the Ananda Center?

18 MR. PARSONS: Objection. Assumes facts not in

19 evidence.

20 You may answer.

21 THE WITNESS: I just don't know. But I think it's

22 safer to say, do you remember seeing her around. Yes, I

23 did.

24 MR. FLYNN: Q. What is your memory as to when

25 you first saw her?

1 A. I have no idea.

2 Q. When is your memory as to the first time you

3 became friendly with her?

4 MR. PARSONS: Objection. Vague as to "friendly."

5 You may answer.

6 THE WITNESS: I think it was in the fall of 1981.

7 MR. FLYNN: Q. And can you describe the

8 circumstances by which you came to know her?

9 MR. PARSONS: Objection. Vague as to

10 "circumstances." Go ahead.

11 A. Hmm?

12 MR. PARSONS: You may answer.

13 THE WITNESS: She wanted to be -- we were talking

14 then of the baby that was due for (woman #7). She wanted to

15 be a nurse to the baby.

16 MR. FLYNN: Q. Is that what she said to you?

17 A. Yes.

18 Q. How did she know that (woman #7) was having a baby?

19 MR. PARSONS: Objection. Calls for speculation.

20 No foundation.

21 Go ahead.

22 THE WITNESS: It was something that was known.

23 MR. FLYNN: Q. Did you talk to her about the fact

24 that (woman #7) was having a baby?

25 A. I think to several people.

1 Q. So the answer is yes, Mr. Walters?

2 A. The answer is yes, within the context of a larger

3 thing rather than a private confidence.

4 Q. There were a number of people present when you

5 told her that. Is that your testimony?

6 A. I do not know when and where, but I know that we
7 discussed it, and I want to make it clear that it was not a
8 private or confidential statement. It was a statement that
9 -- a fact, rather, that a number of people knew.

10 Q. Do you recall the jobs that she had at Ananda?

11 A. No.

12 MR. PARSONS: Objection. Vague as to time as
13 well.

14 Go ahead.

15 MR. FLYNN: Q. Do you recall any of the jobs?

16 MR. PARSONS: He's not asking you concerning the
17 declaration yet. But if you want to use that to refresh
18 your memory, you can.

19 THE WITNESS: No. Well, she said that she was my
20 housekeeper. She was not. My secretary tells me that she
21 did clean while I was away, but I didn't hire anybody. And
22 the plain fact is, I couldn't have hired anybody.

23 And so did she do any other work? I don't know.

24 Did she clean for me? Possibly so. I don't know.

25 MR. FLYNN: Q. Do you recall where she lives?

1 A. No.

2 Q. Do you recall whether she lived in a 5 foot 6 by
3 12 foot long wooden trailer which was blessed with running
4 water, a small sink and a propane heater?

5 A. Well, a number of people lived in primitive

6 conditions until we could improve them.

7 Q. Do you know whether she lived in such a trailer?

8 A. I do not.

9 Q. Did you see her frequently?

10 MR. PARSONS: Objection. Vague as to

11 "frequently." Also vague as to time.

12 MR. FLYNN: Q. At any time in 1980, did you see

13 (woman #2) frequently?

14 A. Eighty what?

15 Q. Any time in 1980 or '81, did you see her

16 frequently?

17 MR. PARSONS: Still vague as to "frequently." Go

18 ahead.

19 THE WITNESS: '82.

20 MR. FLYNN: Q. You saw her frequently in '82. Is

21 that your testimony?

22 A. Much to my displeasure. She was like an

23 uncontrollable force of nature, and she imposed herself upon

24 me.

25 Q. Did you invite her to cook dinners and breakfasts

1 for you?

2 A. Not that I remember.

3 Q. Did she ever confide in you that she saw you as

4 her father?

5 A. No.

6 Q. One day in 1981, did you offer her a ride from the
7 farm to Ayodhya?

8 MR. PARSONS: Do you want to take a moment and
9 read the declaration that Mr. Flynn is apparently reading
10 from?

11 THE WITNESS: What paragraph is that?

12 MR. FLYNN: Q. 12?

13 A. Pardon?

14 Q. 12, on page 4.

15 A. 12. Well, I believe she lived at Ayodhya, yes. I
16 believe it's quite possible. I would naturally give people
17 rides if they were wanting to go there.

18 Q. During --

19 MR. PARSONS: Excuse me. Mr. Walters, I don't
20 want you to speculate as to what might have happened, or
21 quite possible, because he's asking you whether you did it
22 or not.

23 THE WITNESS: I don't know that. But I have --

24 oh, okay, I won't say anymore.

25 MR. PARSONS: And have you read paragraph 11 and
1 12? Because I think 11 provides introduction to 12.

2 MR. FLYNN: Q. During a ride, did you ask (woman #2)
3 to come to your house?

4 A. I cannot remember.

5 Q. Do you recall (woman #2) feeling shy and uneasy

6 about being physically close to you in your house?

7 MR. PARSONS: Objection. It clearly calls for

8 only a third party's mental state. There's no foundation

9 for this witness --

10 MR. FLYNN: I'll withdraw it.

11 Q. Let me refer to you paragraph 12, line 5.

12 She states, quote, "I went, he asked me to give

13 him a back rub, in his upper room in the dome part of his

14 house," period, end quote.

15 Did you do that? Did you ask her for her to give

16 you a back rub in your house?

17 MR. PARSONS: Vague as to time. What time are you

18 referring to in the question?

19 MR. FLYNN: Q. At any time.

20 A. No.

21 Q. Did she volunteer to give you a back rub?

22 MR. PARSONS: Again, any time?

23 MR. FLYNN: Q. At any time.

24 A. I don't remember.

25 Q. She states, quote, "I did gladly although I felt

1 very shy and uneasy, never having been so physically close

2 to him before."

3 MR. PARSONS: Okay. Now you're quoting from --

4 MR. FLYNN: Q. "He asked me to straddle his back

5 in order to access his shoulders properly," period, end

6 quote, which is paragraph 12.

7 Do you read that, Mr. Walters?

8 MR. PARSONS: Paragraph 12, what lines?

9 THE WITNESS: 7 is it? 7, right?

10 MS. RUSH: 8, 9.

11 MR. FLYNN: Q. Do you see what I just read into

12 the record, Mr. Walters, lines 6 to 9?

13 A. 6 to 9.

14 Q. Of paragraph 12.

15 A. I don't remember the sequence, but I do remember

16 that she did give me a back rub. So let's say yes.

17 Q. Did you ask her to straddle your back in order to

18 access your shoulders?

19 A. This I don't remember.

20 Q. Quoting further --

21 A. Pardon?

22 Q. Quoting further on line 9 --

23 THE VIDEO OPERATOR: Counsel, I don't want to

24 interrupt, and I don't want to instruct the witness, but

25 it's blocking the camera.

1 MR. FLYNN: Thank you.

2 Q. "In a few moments, he asked me to take off my

3 clothes, as they were irritating his skin while I gave him

4 the back rub," period, end quote.

5 THE WITNESS: Well, I don't --

6 MR. PARSONS: You don't have a question yet.

7 MR. FLYNN: Q. Did you ask (woman #2) to take
8 off her clothes to give you a back rub?

9 A. I believe I did not.

10 (Mr. Greene entered the deposition room.)

11 MR. FLYNN: Q. When you say "I believe I did
12 not" --

13 A. Because I don't remember.

14 Q. So you may have, but you have no present memory.

15 Is that your testimony?

16 A. That's correct.

17 Q. "I was extremely surprised, but he said some
18 things which assured me, making me feel that he was a pure
19 channel of God, and that I had no cause for uneasiness."

20 Do you recall telling her, (woman #2), that you
21 were a pure channel of God?

22 A. The answer to that is, certainly no. But I also
23 don't remember ever seeing her unclothed.

24 Q. "I took off my clothes and he then had me resume
25 the back rub."

1 A. This I --

2 MR. PARSONS: You've got to wait for a question.

3 MR. FLYNN: Q. Do you recall her taking off your
4 clothes -- her clothes?

5 A. Her clothes. I don't recall seeing her without
6 clothes, so I have to say no.

7 Q. It's because you don't remember?

8 A. No, because I -- well, yes, you could say that. I

9 don't think that she ever took her clothes off.

10 Q. Do you deny that she has stated truthfully that

11 she took her clothes off?

12 MR. PARSONS: Wait, wait.

13 THE WITNESS: I am not --

14 MR. PARSONS: Wait. I'll state that it

15 mischaracterizes the witness's testimony, but you may

16 respond.

17 THE WITNESS: I'm not in a position to deny that.

18 MR. FLYNN: Q. She states in paragraph 13, quote,

19 "I was feeling very confused by the actions of my beloved

20 father figure, when he turned over on his back exposing

21 himself and rubbed himself against me until he ejaculated

22 all over himself," period, end quote.

23 Did that occur, Mr. Walters?

24 MR. PARSONS: Excuse me. To the extent that it

25 goes to her mental state and why she felt any mental state

1 she felt, I object. Obviously, it calls for speculation,

2 lack of foundation.

3 Otherwise, I'll let the witness testify.

4 THE WITNESS: The only thing I can relate to there

5 is rubbing myself against her. I would say no.

6 MR. FLYNN: Q. Did you expose yourself?

7 A. Then -- yes.

8 Q. Did you rub yourself against her until you
9 ejaculated?

10 A. That's what I said, no.

11 Q. Do you deny -- is it that you don't have any
12 present memory of that occurring, or do you deny that it
13 ever occurred?

14 A. I deny that that occurred.

15 Q. Quote, "I was numb with sickening deadness that I
16 cannot explain. He told me to get a napkin to clean off the
17 ejaculate. I said no, put my clothes on and went and stood
18 by the large window overlooking the mountains."

19 A. I deny it.

20 MR. PARSONS: Wait. He hasn't asked you a
21 question yet.

22 MR. FLYNN: Q. You deny what I just said?

23 MR. PARSONS: Excuse me. It's compound. To a
24 certain extent, it calls for the -- speculation, no
25 foundation, third party's mental state.

1 MR. FLYNN: Q. Now --

2 MR. PARSONS: But I'll permit him to respond to
3 the remainder of those several sentences.

4 THE WITNESS: Which I did.

5 MR. FLYNN: Q. Now, as I understand your
6 testimony, you admit that you rubbed yourself against her.

7 MR. PARSONS: No. No, that misstates his
8 testimony.

9 MR. FLYNN: Q. Do you admit that you rubbed

10 yourself against her?

11 A. No.

12 Q. Did you ever at any time rub yourself against

13 (woman #2)?

14 MR. PARSONS: Any part of his body, including his

15 hands, against any part of her body?

16 MR. FLYNN: Yes.

17 MR. PARSONS: Including her shoulders?

18 THE WITNESS: No.

19 MR. FLYNN: Q. The answer was what?

20 A. No.

21 Q. "A summer" -- well, let me -- I'll read that into

22 the record.

23 "A summer thunderstorm was in progress, there was

24 lightning and lashing rains. I stood and stared at the

25 outside feeling numb, and terribly confused inside. He

1 got up, fixed himself something to eat, I declined

2 food, then we drove to the new temple at the farm where

3 he gave an hour long talk on truth, following the path,

4 devotion to the guru, and the importance of loyalty."

5 Do you recall after being with (woman #2) for

6 whatever reason going and giving an hour long talk on those

7 subjects?

8 MR. PARSONS: Okay. Objection. It's vague as to

9 time being with her, then doing that. I'll permit him to
10 answer if that ever happened. And "those subjects," vague.

11 You may respond.

12 THE WITNESS: Well, you've said, if that ever
13 happened. We're talking of an event I do not recall.

14 MR. FLYNN: Q. Paragraph 15, quote:

15 "I remember sitting and trying so hard to
16 understand what he was saying in light of my experience
17 with him. My head felt like it was bursting. I felt I
18 could not understand the English language. He drove me
19 back to Ayodhya and dropped me off. For many days I
20 felt dazed. I didn't know where I was or if I had
21 eaten."

22 Paragraph 16:

23 "Finally with his increasingly public and private
24 attentiveness to me and the verbal encouragement from
25 Kalyani and others to accept his advances, in that I
I was extremely blessed to be able to provide energy to
2 him, I began to feel that he was a divine lover,"
3 period, end quote.

4 Who is Kalyani?

5 MR. PARSONS: I also want to object at this point
6 of reading large sections like paragraph 15 into the record
7 when there's not even a question about them. I believe
8 you're doing that for purposes of creating an artificial
9 record, wasting time, and harassing this witness.

10 I will, however, permit him to answer the question

11 before him of, does he know who Kalyani is.

12 THE WITNESS: Kalyani is a member -- excuse me, a

13 member of Ananda, and that's enough.

14 MR. FLYNN: Q. Did you ever have a conversation

15 with Kalyani in which you encouraged Kalyani to encourage

16 (woman #2) to accept your sexual advances?

17 A. Absolutely not.

18 Q. Paragraph 17:

19 "After this there were many more encounters. I

20 once asked him how his behavior fitted into the

21 universal plan of things, and he said, 'It's just

22 energy going from one part of the universe to

23 another.' With his instructions, I gradually came to

24 accept his as being a way of playing with physical

25 energy. At first, as far as I knew, it was just with

1 me."

2 Paragraph 18: "Later" --

3 MR. PARSONS: Excuse me. Did you even have a

4 question on paragraph 17?

5 MR. FLYNN: Yes. I'm going to merge it with

6 paragraph 18.

7 "Later, from statements made from older nuns and

8 community members, I found out that many others had had

9 relationships with him as well. His close older

10 disciples, Seva, Kalyani, Asha Praver, Parvati, Ann

11 McFarlane, Shivani, seemed to understand what was

12 happening and treated me with great leniency and

13 indulgence," period, end quote.

14 Now, did you tell her that encounters, sexual

15 encounters, between the two of you was just energy going

16 from one part of the universe to another?

17 A. I can only say I would not have. I can't remember

18 doing it, but I can't imagine doing it.

19 Q. Do you deny having done it?

20 A. I have to.

21 Q. Now, did you have sexual relationships with the

22 other women mentioned, any one of the other women mentioned

23 in paragraph 18?

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

25 on privacy grounds. There -- Seva, Kalyani, Asha Praver,

1 Parvati, Ann McFarlane and Shivani, these people named in

2 paragraph 18 have not submitted any declarations, there's no

3 allegation in the cross-complaint concerning them.

4 These people are third parties, uninvolved with

5 this litigation.

6 I'm instructing the witness not to answer

7 concerning any personal relationship with these uninvolved

8 third parties on the privacy grounds, and I instruct him not

9 to answer.

10 MR. FLYNN: They have submitted declarations, as I

11 understand it, on your behalf, Mr. Parsons, denying any
12 sexual relationships.

13 MR. PARSONS: That's not the case.

14 You may examine him on any declarations you have,
15 however.

16 JUDGE PLISKA: At this point, I'll instruct that
17 the witness does not have to answer that until you produce
18 these declarations and question him about them. Okay?

19 MR. FLYNN: Okay. We'll get those.

20 Q. Okay. Now, she states, line 24: "In none of
21 these encounters did I participate as a full sexual
22 partner. The sexual the contacts were" --

23 A. Just a moment. What is that?

24 MR. PARSONS: Section 14.

25 MR. FLYNN: Q. "In none of these encounters did I
1 participate as a full sexual partner. The sexual
2 contacts were for his pleasure only and as soon as he
3 had ejaculated, I left. He taught me to use my mouth
4 and hands to stimulate him," end quote.

5 Now, did you teach (woman #2) to use her mouth
6 to stimulate you?

7 MR. PARSONS: Objection. Vague.

8 You may answer, however.

9 THE WITNESS: No.

10 MR. FLYNN: Q. Did she ever stimulate you with

11 her mouth?

12 MR. PARSONS: Objection. That's a very broad

13 question. To the extent the witness can answer, he may,

14 however.

15 THE WITNESS: No.

16 MR. FLYNN: Q. Did she ever stimulate you with

17 her hands?

18 MR. PARSONS: Same objection as to broadness of

19 the term "stimulate." You may respond.

20 THE WITNESS: Yes.

21 MR. FLYNN: Q. On how many occasions?

22 MR. PARSONS: Same objection.

23 You may respond.

24 THE WITNESS: Possibly eight.

25 MR. FLYNN: Q. And would you describe in what way

1 she stimulated you with her hands?

2 A. How would one simulate with one's hands?

3 MR. PARSONS: No, it's --

4 MR. FLYNN: Q. I'm asking you how she did it.

5 A. You better offer me alternatives. I don't know

6 much about it.

7 MR. PARSONS: Well, you've --

8 MR. FLYNN: Q. In what way did she stimulate you

9 with her hands, Mr. Walters?

10 A. You mean, holding my penis?

11 Q. Yes.

12 A. Yes.

13 Q. In what way did she do that? Were you clothed or
14 not clothed?

15 A. I was not clothed.

16 Q. Were you lying down or sitting up?

17 MR. PARSONS: This is vague as to what happened on
18 what apparently are eight occasions the witness has
19 testified to.

20 MR. FLYNN: I'll withdraw it.

21 Q. Can you remember any one of the occasions the
22 circumstances under which she stimulated you?

23 A. Yes. None of them were sitting. All of them were
24 lying. I was lying.

25 Q. And what was she doing?

1 A. Massaging me.

2 Q. And did you talk to her?

3 A. Yes.

4 Q. What did you --

5 MR. PARSONS: Again, on each occasion?

6 MR. FLYNN: Q. On any of the occasions, did you
7 talk to her?

8 A. Yes.

9 Q. What did you tell her?

10 MR. PARSONS: Again, vague as to which of these
11 occasions.

12 You may respond, though.

13 THE WITNESS: I don't have any recollection.

14 MR. FLYNN: Q. Did you tell her to stimulate you?

15 A. No.

16 MR. PARSONS: Again, vagueness as to which

17 occasion.

18 MR. FLYNN: Q. Did you ask her to stimulate you?

19 MR. PARSONS: Again, vague as to which occasions.

20 You may respond.

21 THE WITNESS: No.

22 MR. FLYNN: Q. Did she stimulate you to

23 ejaculation on eight occasions?

24 A. Yes.

25 Q. Were there any words spoken between the two of you?

1 MR. PARSONS: Same objection on vagueness. Go

2 ahead.

3 THE WITNESS: Mostly, it was very light. But I

4 don't remember the words.

5 MR. FLYNN: Q. Was there any affection expressed

6 by you to her?

7 MR. PARSONS: Again, vague as to occasions. You

8 may respond.

9 THE WITNESS: In the sense of kindness,

10 friendship. Nothing more.

11 MR. FLYNN: Q. Can you tell me in any form of

12 words what affection you expressed?

13 A. No.

14 Q. Can -- did you ever have intercourse with her?

15 MR. PARSONS: Vague as to time.

16 THE WITNESS: No.

17 MR. FLYNN: Q. Did you ever stimulate her in any

18 way?

19 MR. PARSONS: Vague as to time. Go ahead.

20 THE WITNESS: No.

21 MR. FLYNN: Q. Did you ask her to give you

22 massages when she stimulated you?

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

24 You may respond.

25 THE WITNESS: Yes.

1 MR. FLYNN: Q. During what period of time --

2 strike that.

3 What was the -- what is your best recollection as

4 to when these eight occurrences took place?

5 A. January, February of '82.

6 Q. Did you ever talk to her during the process of

7 these incidents about energies flowing between the two of

8 you?

9 A. Well, because I can't remember the conversations,

10 I have to say again, it would not be something I would say.

11 Q. Is it a fair characterization to say that you just

12 lay down prone and allowed her to masturbate you to

13 ejaculation?

14 MR. PARSONS: Vague as to time. I object.

15 You may respond.

16 THE WITNESS: Okay. Yes.

17 MR. FLYNN: Q. And is it a fair characterization

18 that while she was doing that, you never demonstrated any

19 affection for her?

20 MR. PARSONS: Objection.

21 MR. FLYNN: Q. Physical affection?

22 MR. PARSONS: Never demonstrated any physical

23 affection? That's vague, ambiguous, misstates his earlier

24 testimony.

25 You may respond.

1 THE WITNESS: No.

2 MR. FLYNN: Q. All right. What physical

3 affection while she was masturbating you did you express to

4 her?

5 MR. PARSONS: Vague as to time.

6 THE WITNESS: None that I remember.

7 MR. FLYNN: Q. Now, could you turn to paragraph

8 19? She states:

9 "Psychologically, at the time I thought I was

10 going crazy, and confided in one of the older nuns, Ann

11 McFarlane, who simply put it down to," quote, "I don't

12 understand the ways of gurus," period, end quote. "I

13 was being used sexually but never acknowledged as a

14 feeling person in the encounters," period, end quote.

15 Did you ever talk to Ann McFarlane about your

16 sexual use --

17 A. I did not.

18 Q. -- of (woman #2)?

19 A. I did not, and I doubt that Ann McFarlane did.

20 Q. Did you ever talk to any other person about your

21 sexual use of (woman #2)?

22 MR. PARSONS: Okay. Objection. I'm instructing

23 you not to answer anything that you said to any attorney of

24 yours concerning this.

25 Otherwise, you may testify.

1 THE WITNESS: Let me repeat that it was not a

2 romantic or passionate feeling, but it was a friendly

3 feeling. I was not using her. I did not feel that I was

4 using her.

5 Her statements many years after the fact are not

6 corroborated by my memory of her action then, which was in

7 fact to thrust herself upon me, against my pleas to the

8 contrary.

9 MR. FLYNN: Q. In what way did she thrust herself

10 upon you?

11 A. I was trying to be in seclusion. She and (woman #1)

12 came down repeatedly to my house. And I said,

13 please, leave me be. I want to be quiet, and I want to

14 meditate and understand this confusion that I'm going
15 through with (woman #7)'s departure.

16 I was in a state of emotional shock, confusion and
17 trauma, but I did not in any way notice at the time that she
18 was being upset, hostile, resistant. Rather, quite the
19 contrary, she was thrusting herself on me.

20 Q. Now, did you ever invite her to come give you
21 massages?

22 A. No.

23 Q. One moment.

24 Is it your testimony that the only reason you
25 received massages from (woman #2) is that she offered
1 them to you?

2 MR. PARSONS: Objection. Misstates his testimony,
3 but you may answer that question.

4 THE WITNESS: Not the only, but a basic.

5 MR. FLYNN: Q. Now, did she offer to masturbate
6 you to ejaculation?

7 MR. PARSONS: Go ahead. You can answer that.

8 It is vague as to time, but go ahead.

9 THE WITNESS: The statement "offer" suggests a
10 verbal encounter, a verbal proposal.

11 Rather, she demonstrated it not by words, but by
12 insisting on being there.

13 MR. FLYNN: Q. Were there any massages that she
14 gave to you where she did not masturbate you to ejaculation?

15 A. I would say absolutely, yes.

16 Q. On how many occasions?

17 A. I do not know.

18 Q. More than ten?

19 A. I wouldn't guess.

20 Q. More than 20?

21 A. I wouldn't guess.

22 Q. More than 50?

23 A. I wouldn't guess.

24 Q. More than a hundred?

25 A. I wouldn't guess.

1 Q. Is there any way you can give me a best estimate
2 of the number of times (woman #2) massaged you?

3 A. There is not.

4 Q. Now, would you turn to paragraph 22, please?

5 "Later, upon (woman #7)'s abrupt departure
6 from Ananda, he began to invite a fellow nun of the same age
7 as myself to be present in the encounters, and often the two
8 of us would sexually service him."

9 Did you -- who was the fellow nun that is referred
10 to here, if you know?

11 MR. PARSONS: Okay. Again, objection. No
12 foundation, assumes facts not in evidence.

13 But I will let the witness testify if he knows who
14 this fellow nun is.

15 THE WITNESS: Yes. She -- I have said it
16 already. (woman #1) and she came down. It was not by
17 my invitation. It was an imposition.

18 And there was only one time -- they did not
19 sexually service me, but they piled into the bed with me,
20 and I said, please leave me alone. And they were having
21 great fun, laughing.

22 That's all I can say. It was not a sexual thing.

23 They were sort of playing.

24 MR. FLYNN: Q. Now, so there was no sexual
25 contact between you and (woman #1) and (woman #2) at
1 the same time together at any time. Is that your testimony?

2 MR. PARSONS: Okay. I object, it misstates his
3 testimony. There was no sexual contact, but you may
4 respond.

5 THE WITNESS: No sexually servicing.

6 MR. FLYNN: Q. Was there any sexual contact
7 between the three of you?

8 A. No.

9 Q. Paragraph 23, quote:

10 "While I was there, there was no penile-vaginal
11 intercourse. He began to become increasingly enamored
12 and my friend, and I slowly dropped out of the sexual
13 picture, still taking care of his housekeeping, cooking
14 and laundry," period, end quote.

15 Did (woman #2) slowly drop out of the sexual

16 picture with you?

17 MR. PARSONS: Objection. It's vague as to "slowly
18 drop out of sexual picture." It also assumes there was a
19 sexual picture. Go ahead.

20 THE WITNESS: The only thing I remember is (woman #2)
21 asking me what I thought of her going to study and
22 Chantinetwan (phonetic). It's a place in India.
23 I nearly cheered, but I had to try to think
24 sincerely what was good for her, and fortunately I could
25 say, sincerely for her welfare, that I thought it was a good
1 idea, so she went to India.

2 Q. Did she take care of your housekeeping, cooking
3 and laundry for a period of time after she dropped out of
4 the sexual picture?

5 A. I do not remember that she did.

6 Q. You don't deny it?

7 A. No, I don't -- I just don't know. But this thing
8 of slowly dropping out of the sexual picture, I protest that
9 as being a statement I can't relate to.

10 Q. Paragraph 27:

11 "By 1982, I increasingly felt like Donald was
12 deceiving people mightily with innocent people,
13 ignorant of what a lecherous leader they had, following
14 him blindly. I began to get more and more vocal about
15 what I saw happening. The power dynamics around him

16 which close, in-tune devotees (Seva, Asha Praver, David
17 Praver, Kalyani, Shivani, Ann M., Parvati, Anandi,
18 Haridas, Bharat, Jyotish, Devi, Prahlad, Lakshmi,
19 Padma, Durga and others) shielded and protected him, as
20 well as their power positions in the community,
21 exploiting the emotional and psychological
22 vulnerabilities of community members," period, end
23 quote.

24 Now, were those people that are listed there in
25 the parenthetical statement close to you?

1 MR. PARSONS: Objection as to -- are all of them
2 close, I guess is your question; and also, the term
3 "close."

4 You may answer.

5 THE WITNESS: I think this entire thing is an
6 invention.

7 MR. FLYNN: Q. In 1982, was Seva close to you?

8 A. All of them were close to me. That was your
9 question.

10 I was addressing the further fact that this
11 statement that they gave her any advice, I cannot imagine
12 any of them saying such a thing.

13 Q. In paragraph 28, line 28:

14 "I felt I could no longer be a quiet part of the
15 huge deceit, especially now that I understood this man
16 was in no way my father figure, and that he was using

17 me in the worst ways possible for his own sexual
18 gratification as his sexual and physical slave without
19 the slightest regard for me as a human being," period,
20 end quote.

21 As the spiritual director of the Ananda community,
22 did you ever state to (woman #2) that her masturbating
23 you to ejaculation was bad for her emotional health?

24 MR. PARSONS: Okay. I'm going to object on the
25 grounds I've stated before, which is a consistent pattern.

1 The portion that you've now read into the record has nothing
2 to do with your question.

3 But I will then permit the witness to answer that
4 question.

5 THE WITNESS: No, I made no such statement.

6 MR. FLYNN: Q. Did you ever give spiritual
7 counseling to (woman #2)?

8 A. I tried to. It was not much of a possibility.

9 Q. Now, you were the spiritual director of the Ananda
10 community in 1982 when (woman #2) was masturbating you to
11 ejaculation. Is that correct?

12 MR. PARSONS: It's compound, it's argumentative.

13 I will, however, permit the witness to answer.

14 THE WITNESS: Yes.

15 MR. FLYNN: Q. And as such, in 1982, you had the
16 power to transfer one person from one job to another, did

17 you not?

18 MR. PARSONS: Assumes facts not in evidence.

19 The witness may respond.

20 THE WITNESS: Yes.

21 MR. FLYNN: Q. Do you have any memory of (woman #2)

22 serving as your housekeeper in 1981 or 1982?

23 MR. PARSONS: Objection. Asked and answered.

24 You may respond.

25 THE WITNESS: I do not.

1 MR. FLYNN: Q. On the last -- well, strike that.

2 On page 10, line 5, paragraph 31, (woman #2) --

3 A. Page 10 --

4 MR. PARSONS: I'm sorry.

5 MR. FLYNN: Q. Excuse me, Page 9, paragraph 31,

6 like 5, last sentence:

7 "At one point, Swami told me that he was greater

8 than Gandhi and Sai Baba, that no one had the spiritual

9 power he had."

10 MR. PARSONS: Okay, wait.

11 MR. FLYNN: Q. Period, end quote.

12 Did you make that statement to (woman #2)?

13 MR. PARSONS: Objection. It's vague as to time.

14 I'll permit the witness to respond.

15 THE WITNESS: No, and it's an example of the kind

16 of lying she's doing to make her case look better.

17 MR. FLYNN: Q. Oh, is it your understanding that

18 (woman #2) has a case against you?

19 A. The fact that she wrote this declaration makes it
20 seem fairly self-evident.

21 Q. Let's go to (woman #1).

22 MS. RUSH: Let's have a break. It's been over an
23 hour since we started.

24 MR. PARSONS: While we're passing this out, I'd
25 like to take a brief break. I've got a message that the
1 doctor would like to take his blood pressure. I think it'll
2 only take a couple moments.

3 MR. FLYNN: Can we have this -- a couple of
4 minutes is fine. Can we have this marked as Exhibit 16?
5 (Exhibit 16 was marked.)

6 MR. PARSONS: You want to take a regular break?

7 MS. RUSH: 5, 10 Minutes?

8 MR. PARSONS: 5, 10 minutes?

9 MS. RUSH: It's been an hour.

10 JUDGE PLISKA: Fine.

11 THE VIDEO OPERATOR: We're going off the record at
12 2:36 p.m.

13 (Recess from 2:36 p.m. to 2:51 p.m.)

14 THE VIDEO OPERATOR: We're back on the record at
15 2:51 p.m.

16 MR. FLYNN: Q. You understand you're still under
17 oath, Mr. Walters?

18 A. I do.

19 MR. PARSONS: I will state, during the break we've
20 just had, Mr. Walters has told me that he is getting
21 fatigued and tired. He does want to proceed now, but I did
22 want you to note that he is experiencing fatigue and
23 tiredness in response to this line of questioning and this
24 whole deposition process.

25 MR. FLYNN: Q. Mr. Walters, do you recall how old
1 (woman #1) was when she came to the Ananda community?

2 MR. PARSONS: Objection. No foundation. You may
3 respond. Also, vague as to "Ananda community."
4 Go ahead.

5 THE WITNESS: I would imagine 26, but I don't know.

6 MR. FLYNN: Q. Would you look at paragraph 2 of
7 Exhibit 16, where she states, "I first came into contact
8 with members of the Ananda spiritual community in May,
9 1980. I was 22 years old."

10 A. Then you know more than I.

11 MR. PARSONS: Excuse me. You don't have a
12 question yet.

13 MR. FLYNN: Q. Do you recall whether she was 22
14 years old when you first met her?

15 MR. PARSONS: Same objection. Lack of foundation.
16 You may respond.

17 THE WITNESS: I don't know her age. If she states
18 it was that, I accept that it was that.

19 MR. FLYNN: Q. Now, do you recall when you first

20 met (woman #1)?

21 A. I think it was when (woman #2) brought her down, I

22 think.

23 Q. And when was that?

24 A. 1982, January, is my guess. I don't know for

25 sure.

1 MR. PARSONS: I'm going to ask you not to guess.

2 They are entitled to any memory you have, or an estimate if

3 it's based upon some reasonable basis. But please don't

4 guess.

5 THE WITNESS: I stand corrected. I don't know.

6 MR. FLYNN: Q. At the time that you met her, did

7 you refer to yourself as Swami Kriyananda?

8 A. I don't remember meeting her, but I don't --

9 MR. PARSONS: Well --

10 THE WITNESS: -- remember referring to myself that

11 way.

12 MR. PARSONS: In that case, I object. It lacks

13 foundation.

14 MR. FLYNN: Q. In 1981 -- strike that.

15 Between 1980 and 1982, did you ever refer to

16 yourself as Swami Kriyananda in the presence of (woman #1)

17 ?

18 A. I don't remember.

19 Q. Between 1980 and 1982, did the male members of
20 the Ananda community take vows of chastity, poverty and
21 cooperation?

22 MR. PARSONS: Objection. You're asking I guess
23 whether all the members took vows. I'll permit --
24 therefore, ambiguous, confusing, compound.
25 You may respond.

1 THE WITNESS: I remember no such incident.

2 MR. FLYNN: Q. Now, would you return -- would you
3 refer to paragraph 4 of Exhibit 16?

4 She states, quote:

5 "The term 'swami' is a term which describes a
6 member priest of an Indian monastic order, attained
7 after a series of steps within the religious order over
8 a period of years. One who has become the member of
9 the 'swami' order has renounced worldly desires,
10 including sexual," period, end quote.

11 Does that understanding conform to your definition
12 of "Swami" as you wrote it in Exhibit 5, "Gurus, Spiritual
13 Authority and Celibacy"?

14 MR. PARSONS: I object that now you're asking for
15 comparison between the two. The document which has been
16 marked as Exhibit -- what is that? Exhibit 5, that document
17 speaks for itself.

18 THE WITNESS: In other words, I was not a swami,
19 actually, after I met (woman #7). That was before this.

20 MR. FLYNN: Q. My question to you, Mr. Walters,
21 is whether this definition that Ms. (woman #1) has used is
22 pretty much the same as your own definition that you used in
23 Exhibit 5.

24 A. Yes.

25 MR. PARSONS: Same objection. Also, it's pretty
1 much the same -- vague. But you may respond.

2 THE WITNESS: Yes. I have said that this was not
3 my -- so it's an impersonal thing.

4 MR. FLYNN: Q. But the definitions are pretty
5 much the same?

6 MR. PARSONS: Same objection. You may respond.

7 THE WITNESS: Well, I'll look at it again.

8 MR. PARSONS: And you may also review Exhibit 5 to
9 clarify and refresh your memory as to what is stated in that
10 exhibit.

11 MR. FLYNN: Q. I'll read it to you.

12 MR. PARSONS: Well, I want the witness to be able
13 to read it himself as well. You may read it, but I want him
14 to be able to read it so he can put it in context.

15 MR. FLYNN: Page 12, "A swami is a man or woman
16 vowed to renunciation, including the practice of celibacy."

17 MR. PARSONS: I'm sorry, is that page 12?

18 MR. FLYNN: Yes.

19 MR. PARSONS: And where on page 12 that?

20 MR. FLYNN: Q. I'll read it again. In the middle
21 of the page: "A swami is a man or a woman vowed to
22 renunciation, including the practice of celibacy."

23 A. Yes, those are pretty parallel definitions.

24 Q. That's what you wrote, Mr. Walters. Is that
25 correct?

1 A. Yes.

2 Q. Paragraph 5 of the (woman #1) declaration:

3 "Swami Kriyananda held himself out in the Ananda
4 spiritual community as having successfully obtained a higher
5 state of being through living by these vows merely by using
6 the title 'Swami' within the community," period, end quote.

7 Did you hold yourself out as having attained a
8 higher state of being by living according to the vows you
9 took?

10 MR. PARSONS: Okay. Now, your question is
11 different from the thing you just read, so I don't know why
12 you read that into the record.

13 This witness may respond to the question of
14 whether he held himself out, although that is ambiguous, and
15 I object on that grounds.

16 And I would ask the question be read back, and
17 then I will permit the witness to respond.

18 MR. FLYNN: I'll restate it.

19 Q. Mr. Walters, did you hold yourself out as being a
20 swami who had attained a higher state of being by living

21 according to your vows?

22 MR. PARSONS: Objection. Compound. Go ahead.

23 THE WITNESS: I held myself out as being a very
24 normal human being, no better than the first novice who
25 came. And I held no claims for myself spiritually in any
1 way, nor do I now.

2 MR. FLYNN: Q. Do you make any claim now that as
3 spiritual director of the Ananda community, you are entitled
4 to vows -- you are entitled to obedience from members of the
5 community?

6 MR. PARSONS: You may respond.

7 THE WITNESS: I've never asked obedience from
8 anyone.

9 MR. FLYNN: Q. Have you asked for cooperation and
10 loyalty from the members of the community?

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

12 THE WITNESS: I believe the head of any
13 organization should expect that.

14 MR. FLYNN: Q. And what entitles you to be head
15 of the organization?

16 A. The fact that I founded it.

17 Q. And when you founded it, you were a swami. Is
18 that correct?

19 MR. PARSONS: Objection. Misstates his testimony,
20 argumentative.

21 Go ahead.

22 THE WITNESS: The question you're really asking

23 is, did I found it as a swami. That is to say, in my

24 capacity as swami. No.

25 I founded it as a human being who thought he was

1 doing a good thing.

2 MR. FLYNN: Q. When you founded the community,

3 were you a swami?

4 MR. PARSONS: Same objection.

5 THE WITNESS: Yes.

6 MR. FLYNN: Q. Going to paragraph 6:

7 "I personally discovered later on, however, that

8 Swami repeatedly abused his position of power within

9 the church to convince young women within the church to

10 satisfy his sexual desires while simultaneously

11 convincing them it was to their spiritual benefit,"

12 period, end -- well, I'll keep going.

13 "I was not aware of his sexual interaction with

14 young female church members until it happened to me,"

15 period, end quote.

16 Did you convince young women in your church to

17 satisfy your sexual desires while trying to convince them it

18 was for their spiritual benefit?

19 MR. PARSONS: Objection. It's vague as to time.

20 Also, it's ambiguous and confusing. It's also a compound

21 question.

22 You may answer that question, Mr. Walters. I'd
23 ask you, however, to answer it section or part by part.

24 THE WITNESS: Well, the answer, generally,
25 globally, whatever you want to say, is, certainly not.

1 The more particular and specific answer is, I
2 never tried to convince anybody of anything as to what they
3 would gain from me. It was unthinkable. She was not aware
4 -- well, I don't know about that.

5 But that is I think a complete answer.

6 MR. FLYNN: Q. Would you go down to paragraph 9,
7 please? Quote:

8 "Members of the community were also taught to be
9 in tune with Swami Kriyananda, to move in his direction and
10 to look to his life as an example of a devotee leading life
11 in the right way," period, end quote.

12 Is that true? Is that what took place at Ananda
13 between 1980 and 1982?

14 MR. PARSONS: Objection. There's no basis --
15 lacks foundation.

16 Vague as to "taught," "in tune with," "move in
17 his direction." It calls for speculation on the perceptions
18 of third parties.

19 You may answer.

20 THE WITNESS: I always said, I am no one. The
21 only thing I have going for me is that I met a great master

22 at and a great saint, Paramhansa Yogananda, and so I could
23 not have had -- I could not have encouraged if anyone said
24 it, nor did I know about their saying it.

25 MR. FLYNN: Q. Is it true then, sir, that you've
1 never encouraged anyone to be in tune with you?

2 MR. PARSONS: Objection. That misstates his
3 testimony. I don't know what being -- objection. Ambiguous
4 as to "in tune with."

5 You may respond.

6 THE WITNESS: Nor do I.

7 MR. FLYNN: Q. You've written in your books in
8 numerous places what it means to be in tune with the guru,
9 have you not?

10 MR. PARSONS: Objection. Assumes facts not in
11 evidence.

12 Go ahead.

13 THE WITNESS: To be in tune with the guru means to
14 try to feel his presence and guidance within your own mind,
15 rather than by outward behavior.

16 I have never stated nor tried to give the
17 impression that I have that kind of spiritual power. I do
18 not.

19 MR. FLYNN: Q. Have you ever encouraged members
20 of the community to be in tune with you?

21 MR. PARSONS: Same objection.

22 THE WITNESS: I've asked you to define "in tune,"

23 and since you ask me to define it, if I recall correctly, I
24 defined it in a way that I understand it. And according to
25 that understanding, no.

1 MR. FLYNN: Q. Have you ever encouraged members
2 of the community to be in tune with you in any way?

3 MR. PARSONS: Same objection.

4 Go ahead.

5 THE WITNESS: In the way that any leader of an
6 enterprise would expect people to work with him who endorse
7 and support that enterprise, I may have said it, but I did
8 not mean it in the spiritual sense.

9 MR. FLYNN: Q. In what way did you mean it?

10 A. That sense.

11 Q. Which sense?

12 A. I just said it.

13 MR. PARSONS: Object -- and also, he said --

14 excuse me, I'm objecting.

15 He said, if he said it. Therefore, it assumes

16 facts not in evidence.

17 Go ahead.

18 THE WITNESS: Correct.

19 MR. FLYNN: Q. Have you ever encouraged any
20 members of the community to be in tune with you in any way?

21 MR. PARSONS: Same objection as to the meaning of

22 "in tune."

23 Go ahead.

24 THE WITNESS: I gave you the way that I said it,

25 if I said it, and I'm not even sure that I did.

1 It's understood that you will gather people

2 together to do something, and those who don't feel like

3 doing it, you won't ask them.

4 I've never, in other words, tried to force people

5 to do anything.

6 MR. FLYNN: Q. Have you ever encouraged any

7 members of the community to be in tune with you in any

8 spiritual sense?

9 MR. PARSONS: Same objection as to "in tune."

10 Vague. Go ahead.

11 THE WITNESS: But no.

12 MR. FLYNN: Q. Now, have you ever stated to

13 anyone while you were spiritual director of the Ananda

14 community that to be in tune with you, the swami, was to be

15 in tune with the guru?

16 A. Never. In other words --

17 Q. Would you turn now, sir, to --

18 MR. PARSONS: Excuse me. Did you want to clarify

19 your response, or complete it?

20 THE WITNESS: I wanted to complete it.

21 MR. PARSONS: Okay. Then I'd ask him to complete

22 that response.

23 THE WITNESS: If you will allow me.

24 MR. FLYNN: Q. Sure.

25 A. I hold myself out as an aspirant, I hope a

1 sincere one. And I would not want people to follow me in

2 any mistake, conscious or unconscious on my part.

3 Therefore, I would not ask them to be in tune with me as a

4 person.

5 To be in tune with guidance that they feel is

6 right, why not? But to me, personally.

7 Q. Now, did you testify earlier that you have founded

8 the most successful spiritual community in the world?

9 MR. PARSONS: I'm going to object to you asking

10 this witness to testify now as to what he testified to

11 later -- earlier.

12 MR. FLYNN: I will withdraw it.

13 Q. In your opinion, have you founded the most

14 successful spiritual community in the world?

15 A. New community.

16 Q. And on what basis do you believe that it is the

17 most successful new spiritual community in the world?

18 A. People who have gone to many other communities,

19 which I have not, have made that statement to me. I'm sort

20 of compiling it, making a composite of it, and making a

21 statement that I cannot state as a fact, but it's my

22 observation from hearsay, and my belief.

23 I could be wrong.

24 Q. Would you turn to paragraph 11 in the (woman #1)
25 declaration, please?

1 Do you recall meeting Ms. (woman #1) in May or June
2 1981, at lunch?

3 MR. PARSONS: Excuse me. Is this question
4 responsive to the paragraph 11 you've just directed him to,
5 or is this just an out-of-the-blue question?

6 MR. FLYNN: Q. Do you recall meeting Ms. (woman #1)
7 in May or June 1981 at a lunch?

8 MR. PARSONS: Go ahead and read paragraph 11, and
9 then answer his question.

10 THE WITNESS: I've read it. I've read that first
11 sentence. No, I do not.

12 MR. FLYNN: Q. Okay. Do you deny that you met
13 her in May or June 1981 at lunch?

14 A. I do not. I say I don't remember.

15 Q. Paragraph 12, quote, "After a month or so, the
16 swami requested that he not use a towel to cover himself
17 during the massage," end quote.

18 Is that true, Mr. Walters?

19 MR. PARSONS: Excuse me. I'm going to object that
20 it assumes facts not in evidence, as -- in other words, the
21 existence of the massage.

22 You may go ahead, though. And it's also vague as
23 to time. Go ahead.

24 THE WITNESS: I don't remember the time at all.

25 My memory is that it didn't happen until January or
1 February, and she was using oil, which I didn't want to get
2 on clothing. That may have been just an excuse.

3 So I don't remember, but that would be the answer.

4 MR. FLYNN: Q. Did you ever request Ms. (woman #1)
5 not to use a towel while giving you a massage?

6 A. I don't remember.

7 Q. Do you deny the accuracy of her statement, quote,
8 "After a month or so the swami requested that he not use a
9 towel to cover himself during the massage," period, end
10 quote?

11 A. I simply don't remember. That's not a denial,
12 it's not an affirmation.

13 Q. Quote: "Although his request was a little unusual,
14 I didn't suspect any ulterior motive for his request
15 and agreed. Notably, when I mentioned this to Seva,
16 the head nun at the monastery, during a conversation,
17 she told me you should keep him covered with a towel.
18 In hindsight, I believe she was warning me about the
19 swami's repeated sexual exploitation of young female
20 community members. At the time, I believed I was safe
21 as the swami purportedly lived under a vow of
22 chastity," period, end quote.

23 When Ms. (woman #1) was massaging you, did you ever
24 have any conversation with her about your position as a

25 swami?

1 MR. PARSONS: You know, I am -- again, I'm going
2 to object to reading large segments of the declaration into
3 the record which are totally unrelated to your question.
4 You may go ahead and respond, though.

5 THE WITNESS: Would you please repeat it? My
6 brain is a little foggy by now.

7 MR. FLYNN: Q. When Ms. (woman #1) was massaging
8 you, did you ever have a conversation with her about your
9 status as a swami?

10 MR. PARSONS: Vague as to time.

11 Go ahead.

12 THE WITNESS: I don't believe so.

13 (Ms. (the plaintiff) entered the deposition room.)

14 MR. FLYNN: Q. When Ms. (woman #1) was massaging
15 you, did you ever tell her that you were not a Swami who was
16 practicing celibacy?

17 MR. PARSONS: Vague as to time. Go ahead.

18 THE WITNESS: I was not. Whether I told her that,
19 I don't know.

20 MR. FLYNN: Q. When you were -- when Ms. (woman #1)
21 was massaging you, did she refer to you as "Swami"?

22 MR. PARSONS: Vague as to time. Go ahead.

23 THE WITNESS: In the same way that everybody used
24 that as a name, not as a title.

25 MR. FLYNN: Q. A nickname. Is that correct,

1 Mr. Walters?

2 A. Yes.

3 Q. How many other people at the spiritual community

4 of Ananda Village used the title "Swami" besides yourself?

5 MR. PARSONS: Objection. Lack of foundation.

6 Go ahead.

7 THE WITNESS: I don't use it myself, except

8 quoting them. It's almost universal, perhaps it is

9 universal.

10 MR. FLYNN: Q. How many other people used the

11 term "Swami" to refer to themselves at the Ananda community?

12 MR. PARSONS: Okay. Well, he's just testified he

13 did not use it to refer to himself, so it misstates his

14 testimony.

15 You may respond.

16 MR. FLYNN: Q. When you --

17 A. No, would you ask the question --

18 Q. I'll withdraw it.

19 When you wrote to Ms. (the plaintiff) on November 29,

20 1993, you did refer to yourself as "Swami" in the letter.

21 Is that correct?

22 A. I signed myself "Swami." That's not referring to

23 myself as a swami. It's the name that everybody used, and I

24 use it because of that.

25 Q. Now, did you ever discuss your vow of chastity

1 with Ms. (woman #1)?

2 A. Not that I recall. Besides which, I had already
3 married (woman #7), in my way. And she had left.

4 Q. In your way? Is that what you said?

5 A. That's what I said. A spiritual, rather than a
6 civil or legal.

7 Q. And "in your way" included having sex with her
8 when she was legally married to someone else. Is that
9 correct?

10 MR. PARSONS: Objection. That's argumentative.

11 It also misstates his testimony.

12 THE WITNESS: It's also, we've gone through it
13 several times. I think that's quite enough.

14 MR. FLYNN: Q. But what I want to make clear,
15 Mr. Walters, is that "in your way" means the same thing.

16 A. I meant what I said before.

17 MR. PARSONS: Same thing as what?

18 MR. FLYNN: Q. That "your way" meant having sex
19 with a married person.

20 A. No. That was not what I meant.

21 My way was that I had a spiritual marriage with
22 her that was not contractual in a legal sense.

23 Q. And for that reason, you did not consider it to be
24 adultery. Is that correct?

25 MR. PARSONS: Objection. Argumentative. Go
1 ahead.

2 Also misstates his earlier testimony.

3 THE WITNESS: Well, it does.

4 MR. FLYNN: Q. Did you consider your relationship

5 with (woman #7) to be adulterous?

6 MR. PARSONS: Objection. Asked and answered.

7 You may respond again.

8 THE WITNESS: I felt she had -- in fact, she had

9 left her husband.

10 Now, she was legally married; and therefore, from

11 that point of view, you can argue it. I was aware that she

12 was still legally married, and I also was aware that she was

13 not with her husband.

14 MR. FLYNN: Q. Paragraph 13: "After several

15 months of giving Swami massages, including full body

16 massages, he requested that both I and (woman #2) give him a

17 massage at the same time," period, end quote.

18 Did you do that; namely, request both (woman #2) and

19 (woman #1) to massage you at the same time?

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

21 Go ahead.

22 THE WITNESS: My recollection of it was one

23 occasion, and I already talk about it, when they both

24 imposed themselves on me.

25 MR. FLYNN: Q. So then you deny what Ms. (woman #1)

1 has written here. Is that correct?

2 A. I don't deny that they gave me a massage, because

3 I don't remember. But I deny requesting that, because my
4 request was quite the opposite. And whether they gave a
5 massage or not, I don't remember.

6 Was it sexual? No.

7 Q. Quote, "Until this point, I had given him ordinary
8 massages with no sexual nuances whatsoever. This time,
9 however, it changed. The swami was downstairs in the
10 bedroom on the floor. As I massaged the swami's neck,
11 to my great surprise, (woman #2) began to sexually
12 stimulate his penis from erection to ejaculation,"
13 period, end quote.

14 Is it true that you were downstairs on the floor
15 when (woman #2), in the presence of (woman #1), stimulated your
16 penis from ejection to ejaculation?

17 MR. PARSONS: Okay. It's compound, vague as to
18 time. I'll let the witness --

19 MR. FLYNN: Q. From erection to ejaculation.

20 A. No, it's not true.

21 Q. It's not true, okay. You weren't in the floor of
22 your bedroom when this scene took place?

23 MR. PARSONS: Well, again, that assumes facts that
24 he's denied happening. So it didn't happen, so he's not on
25 the floor when it happened per his testimony.

1 MR. FLYNN: Q. Did (woman #2) stimulate you from
2 erection to ejaculation with (woman #1) present?

3 A. No. But she was very forceful with her sexual
4 aggression. She was calling me absurd names, words like
5 "hunk" and other things that teenagers might address to
6 their boyfriends or talk about them.

7 At my age, to call me a hunk seems pretty absurd,
8 but that was the word she used, and with great enthusiasm.

9 And I was trying to say, come on, cut it out.

10 Q. Now, let's be clear about this, Mr. Walters.

11 A. Let me finish that.

12 Q. Please do. Please do.

13 A. That would be the first time, probably --

14 MR. PARSONS: Again, please, no stage whispers
15 among yourselves that show up on the record.

16 MR. FLYNN: Q. Please, Mr. Walters, continue.

17 A. That would probably be the first time that (woman #1)
18 saw me in a position with (woman #2) of (woman #2) trying
19 to be personal in her attentions.

20 Q. Meaning stimulate you from erection to
21 ejaculation?

22 A. No, I don't mean that.

23 Q. Was (woman #1) ever present when (woman #2)
24 stimulated you from erection to ejaculation?

25 A. No.

1 Q. Now, was it (woman #2) or (woman #1) who
2 called you a hunk?

3 A. (woman #2)

4 Q. Did (woman #1) at that time -- strike that.

5 Did (woman #2) at that time inform (woman #1)

6 that you had a deformity in your penis?

7 MR. PARSONS: Objection. Calls for speculation,

8 no foundation as to what a third party said to another third

9 party.

10 If the witness can formulate a response, he may.

11 THE WITNESS: No, she did not.

12 MR. FLYNN: Q. Have you ever had a conversation

13 with (woman #1) about a deformity in your penis?

14 A. Not that I recall.

15 Q. Have you ever mentioned to (woman #1) that

16 you have a deformity in your penis?

17 A. Not that I recall.

18 Q. You do in fact have a deformity in your penis. Is

19 that correct, Mr. --

20 A. I do.

21 Q. Is it your testimony that you never discussed this

22 deformity with either (woman #1) or (woman #2)?

23 MR. PARSONS: Now, that misstates his testimony,

24 but you may answer that.

25 THE WITNESS: Would you read my testimony back?

1 MR. FLYNN: I'll withdraw it. I'll ask another

2 question.

3 Q. Is it your testimony, sir, that you have never

4 discussed the deformity in your penis with (woman #2)?

5 A. Not that I remember.

6 Q. Is it your testimony, sir, that you never

7 discussed the deformity in your penis with (woman #1)?

8 A. Not that I remember.

9 Q. Is it still your testimony, sir, that

10 notwithstanding this deformity in your penis, that (woman #1)

11 and (woman #2) imposed themselves on you?

12 ++ A. (woman #1) did not; (woman #2) did.

13 (woman #1) was there sort of doing whatever (woman #2) did.

14 MR. FLYNN: (Directed to the reporter.) Would you

15 make a note of that part of the testimony, please?

16 Q. Now, did (woman #1) ever refer to you as a

17 hunk?

18 A. No. The word was (woman #2)'s. (woman #1) was laughing.

19 Q. How was (woman #1) laughing?

20 A. Oh, they were just having a good time.

21 Q. In what way were they having a good time?

22 A. In other words, they were not laughing at me.

23 They were being exuberant. I think that's probably the best

24 word.

25 Q. In what way were they being exuberant?

1 A. I have given my best word. I can't come up with

2 another.

3 Q. Did you ever discuss the deformity in your penis

4 with (woman #7)?

5 A. I don't think so.

6 Q. Now, according to your testimony, (woman #1)

7 and (woman #2) forced themselves upon you at the same

8 time. Is that correct?

9 MR. PARSONS: That does misstate his testimony. I

10 have a problem with these questions as to what his testimony

11 is, but I guess I'll let him answer this one, too.

12 THE WITNESS: I'll have to correct it and say they

13 forced their company on me. That's quite different from the

14 usual understanding of forced themselves on me.

15 MR. FLYNN: Q. So is it now your testimony, sir,

16 that (woman #2) and (woman #1) did not force

17 themselves on you in the sense of having sexual contact with

18 you at the same time?

19 A. That's right.

20 Q. Now, just so this area is clear, is it your

21 testimony, sir, that at no time did (woman #1) and

22 (woman #2) and you all at the same time have sexual

23 contact together?

24 A. I don't remember. There was only that one

25 occasion, so I have to remember that one. And whereas the

1 overtones were sexual, I don't remember there being anything

2 explicit about it, the overtones being sexual being just the

3 exuberance and playfulness, whatever they were trying to

4 express.

5 But I don't remember at that only occasion that

6 there was anything like that.

7 Q. So you don't remember any occasion where (woman #2)

8 and (woman #1) sexually stimulated you to

9 ejaculation together?

10 A. No. That was the only occasion I remember that we

11 were together as three.

12 Q. On one occasion?

13 A. Yes.

14 Q. Paragraph 14:

15 "Although I was shocked, I accepted the sexual

16 stimulation during the massage as part of my," quote,

17 "'service,'" end quote, "as a disciple for the church"

18 quote "'Swami,'" end quotes, "I had been taught by

19 Ananda. Service to the," quote, "'guru,'" end quote,

20 "without thought for oneself was highly emphasized in

21 the Ananda spiritual community. Many community members

22 talked about Swami being their 'guru' and 'salvation.'

23 Swami often told a story about Krishna's chief

24 disciple, Radha, which taught the ideal of selfless

25 service even where such selflessness appeared to be

1 detrimental to the disciple's personal salvation,"

2 period, end quote.

3 Now sir, did you ever hear other community members

4 talk about you as being their guru and their salvation?

5 MR. PARSONS: Objection. Compound, vague as to

6 time.

7 You may respond. Keep in mind, there's two things

8 here: Guru and salvation.

9 THE WITNESS: I always have said, and tried to

10 make it a very strong point, I am not their guru.

11 And as for their salvation, that's just not my

12 job. I am there to help them in any way that I can, but I

13 don't have that gift to offer.

14 MR. FLYNN: Q. I'd like an answer to my

15 question: Did you ever hear community members in your

16 presence talk about you as their guru and salvation?

17 A. No.

18 Q. Paragraph 15: Quote:

19 "Soon thereafter, the swami again wanted a

20 massage. (woman #2) removed her clothing to massage the

21 swami. I also removed my clothes at the swami's

22 request; I had become very passive to the swami's

23 instructions. (woman #2) again sexually stimulated him to

24 ejaculation. When the swami began to take my hand and

25 place it on his genitals, I understood that he wanted

1 me to provide," quote, "'service,'" end quote, "to him

2 in that manner as well," period, end quote.

3 Do you remember a second occasion when (woman #1)

4 and (woman #2) removed their clothing and (woman #2)

5 stimulated you to ejaculation?

6 MR. PARSONS: Objection. The form of the question
7 is, does he remember a second occasion. That assumes facts
8 not in evidence and is contradictory to his earlier
9 testimony where there was no second one, so he couldn't
10 remember it.

11 He may answer the question.

12 THE WITNESS: I have to say I have no such
13 recollection.

14 MR. FLYNN: Q. Do you deny that that took place?

15 MR. PARSONS: "That" being --

16 MR. FLYNN: Q. A second occasion where (woman #2)
17 sexually stimulated you to ejaculation where she was
18 disrobed and (woman #1) was disrobed?

19 A. I have no such recollection.

20 Q. Do you deny that it took place?

21 A. I really can't say. I don't remember.

22 Q. And did you place (woman #1)'s hand on your
23 genitals when (woman #2) was present?

24 MR. PARSONS: Objection. Compound; vague as to
25 time.

1 Go ahead.

2 THE WITNESS: I have no such recollection.

3 MR. FLYNN: Q. Do you deny doing that?

4 A. Of something I don't remember, I can't deny.

5 Q. How many young women at Ananda Village have you
6 sexual abused?

7 MR. PARSONS: Objection. Objection.

8 MR. FLYNN: I'll withdraw it.

9 Q. Is your memory affected in this area of your

10 testimony by the number of women that you have been sexually

11 with at Ananda Village?

12 MR. PARSONS: Objection -- has your memory been

13 affected by the number of women -- I'm objecting to it.

14 It's an improper question, it's argumentative; it also is a

15 title, I believe, to try to open up into additional areas of

16 inquiry which are prohibited.

17 I'm instructing the witness not to answer that

18 question as posed.

19 JUDGE PLISKA: Do you want to argue that?

20 MR. FLYNN: Yes. I think I'm entitled to know the

21 basis for his lack of memory. I'm not probing into at this

22 point who these other individuals may be or what occurred.

23 I simply want to know if the number of circumstances may

24 have -- may be affecting his memory.

25 MR. STILLMAN: As to why he can't distinguish

1 between --

2 MR. FLYNN: One and the other.

3 MR. STILLMAN: -- one instance and another

4 instance.

5 JUDGE PLISKA: All right. Do you want to respond

6 to that? He's indicated he's not going into the identities

7 of people.

8 MR. PARSONS: Well, it's a question which has no
9 significance other than to lead into the existence and
10 number of other people.

11 JUDGE PLISKA: No, he's just given a reason why it
12 does have some other significance.

13 MR. PARSONS: So the question is, have there been
14 so many that he can't remember the details of this one
15 occasion, or this --

16 JUDGE PLISKA: That appears to be the question.

17 MR. FLYNN: That's basically it.

18 THE WITNESS: The answer is no.

19 MR. FLYNN: Q. Okay. Now, let's go on to
20 paragraph 16.

21 "My massage routine with the Swami thus became a
22 regular massage followed by sexual stimulation. At
23 some point during the massage, the swami would take my
24 hand and put it on his genitals and fondle him until he
25 ejaculated. I came to accept that as part of my
1 service to him. The swami repeatedly had me massage
2 him, sometimes instructing me to remove my clothing,"
3 period, end quote.

4 Is it true that (woman #1) routinely
5 massaging you to ejaculation became part of her service to
6 you?

7 MR. PARSONS: Objection. Vague as to time. Also

8 vague as to "routinely."

9 I will permit the witness to answer to the extent

10 he can.

11 THE WITNESS: I would say yes.

12 MR. FLYNN: Q. "After about 6 months of massaging

13 the swami whenever he wanted in or about spring 1982, I ran

14 out of money to pay my rent," period, end quote.

15 Was (woman #1) paying you rent to live at

16 Ananda Village?

17 A. Nothing to me.

18 Q. Who did she pay it to?

19 A. I have no idea.

20 MR. PARSONS: That's assuming she paid rent. It

21 assumes facts not in evidence.

22 Go ahead.

23 THE WITNESS: This I don't know.

24 MR. FLYNN: Q. So during the 6 months that she

25 was massaging you to ejaculation, you don't know who she was

1 paying rent to. Is that correct?

2 A. That's right. I mean, whoever collected the rents

3 of members, which is what everybody paid.

4 Q. Did you pay her for her services as a masseuse?

5 A. No.

6 Q. Did you consider that, her services as a masseuse,

7 to be service to you?

8 A. I considered it an act of friendship.

9 Q. Did you consider it to be service to you?

10 A. No.

11 Q. Who collects the -- who collected the rent at

12 Ananda Village during that period of time?

13 MR. PARSONS: Objection. Asked and answered.

14 Go ahead.

15 THE WITNESS: I've answered it. I don't know.

16 MR. FLYNN: Q. Is it a routine practice for

17 residents of Ananda to pay rent?

18 MR. PARSONS: Objection, "routine."

19 Go ahead.

20 THE WITNESS: Yes.

21 MR. FLYNN: Q. Quote, "After about 6 months" --

22 A. In other words, those are maintenance fees. We

23 all pitch together and help to maintain the place.

24 Q. But you keep your royalties from all your books in

25 a separate account.

1 A. That money is kept in a separate account. I don't

2 keep it.

3 Q. Quote: "I returned to Los Angeles for a couple of

4 months to earn and save money as a masseuse. While I

5 was working in Los Angeles, Swami Kriyananda came down

6 at times to give seminars. Whenever he was in Los

7 Angeles, he would ask me to meet him and," quote,

8 "massage," end quote, him. A" quote "massage," end

9 quote, "almost always included sexual stimulation until

10 the," quote, "Swami," end quote, "ejaculated,"

11 period, end quote.

12 Is that true?

13 MR. PARSONS: Okay. Object. It's compound.

14 There's no evidence of foundation as to what she did in Los

15 Angeles, the length of time she was --

16 MR. FLYNN: I withdraw that question.

17 Q. Is it true that when you came to LA, you contacted

18 (woman #1) to have her sexually stimulate you to

19 ejaculation?

20 MR. PARSONS: Objection. Compound. You may

21 answer.

22 THE WITNESS: That happened twice, and I believe

23 she contacted me.

24 I say twice. I only remember once, but I believe

25 there was a second.

1 MR. FLYNN: Q. Now, when she contacted you in LA,

2 who requested her to give you a massage?

3 A. I did.

4 Q. And when she contacted you in LA, who requested

5 her to massage you to ejaculation?

6 A. There was no request in that.

7 Q. Oh, it was understood at that point?

8 MR. PARSONS: Objection. That's argumentative,

9 assumes facts not in evidence. Also calls for speculation

10 on this witness's part.

11 But you may answer.

12 THE WITNESS: I don't know the answer to that.

13 MR. FLYNN: Q. Was it understood when you came to

14 LA that when she contacted you, that a message included

15 masturbating you to ejaculation?

16 MR. PARSONS: Again, I object. When you say was

17 it understood, you're asking for this witness's opinion on a

18 third party's mental state. There's no foundation for this

19 witness to opine on that.

20 You may go ahead --

21 THE WITNESS: You mean, I understand it, is

22 probably what you mean. No, I didn't understand that.

23 MR. FLYNN: Q. Now --

24 A. In other words, I had great pain in my hips to the

25 point where when I finally had my hip operated on, the

1 doctor, the surgeon, said that he couldn't understand how I

2 was able to walk.

3 In fact, it took all my willpower to put one foot

4 in front of the other.

5 So what I was asking for was not a sexual

6 encounter. What I was asking for was some means of reducing

7 that intense pain.

8 Q. Did you ever have sexual intercourse with (woman #1)

9 ?

10 A. I think once.

11 Q. Where?

12 A. No, I don't remember.

13 MR. PARSONS: I want to take a break, but I don't

14 want to interfere with a line of questions.

15 So if you want to finish up some line, I'd like to

16 take a break.

17 MR. FLYNN: Just one more question.

18 Q. Tell me what you do recall about the incident

19 where you had sexual intercourse with (woman #1).

20 MR. PARSONS: Objection. Calls for a narrative.

21 Go ahead.

22 THE WITNESS: Yes. What do you mean by, what do I

23 recall? Do you want a narrative?

24 MR. FLYNN: Q. Yes.

25 MR. PARSONS: I object that it calls for a

1 narrative. This witness is entitled to have specific

2 questions to respond to.

3 If you feel like there are things you can

4 remember, go ahead.

5 THE WITNESS: My recollection of the -- I should

6 -- not my recollection. I recollect the incident.

7 My understanding of that incident was that it was

8 an act of friendship. I made it very clear that I did not

9 feel romantically involved. I -- my involvement with

10 (woman #7) was something I was trying to cure. But that it
11 was an act of friendship, not just using somebody. That was
12 clear.

13 I tried to get her to express her feelings,
14 because I didn't want to hurt her. I wanted to know whether
15 this was something that was all right with her. But I --
16 she would look at me and not answer, and I began to feel
17 that, I'm helpless here. I don't know what her attitude is.
18 I wanted it to be mutual in a sense at least of
19 friendship. And I think I had the right to feel that it was
20 friendship, given our relationship. But I couldn't go
21 beyond that.

22 And because repeatedly I'd ask her and she
23 wouldn't answer, I began to feel, well, then this is wrong.
24 So I backed away from it at that point.

25 I was extremely dismayed when, soon after that,
1 she left Ananda to go east, and I thought then, I've
2 misunderstood.

3 MS. RUSH: Let's take a break now.

4 MR. FLYNN: Just one more question.

5 MR. PARSONS: One more question?

6 MR. FLYNN: Q. Did you ever tell her when you
7 were having these sexual encounters with her while she was
8 masturbating you that as the spiritual director of Ananda,
9 you felt compelled to advise her that it might be damaging
10 for her to have this relationship with you?

11 MR. PARSONS: Did he ever make that statement?

12 MR. FLYNN: Yes.

13 THE WITNESS: I think when I saw her

14 unwillingness, or inability, whichever it was, to respond

15 verbally to what I was trying to ask her, was this okay,

16 then I said, well, I wouldn't want to hurt you. And if

17 that's the case, I want to know.

18 And so to that extent, I may have said that. But

19 as the spiritual director, no, I didn't put it in those

20 terms, because I never push my position at anyone.

21 But ask her as a friend, which is the way I saw

22 it -- I have to talk of my view of it -- to ask her as a

23 friend, I felt that I had to ask her that.

24 MR. FLYNN: One more question.

25 MR. PARSONS: Wait, wait.

1 MR. FLYNN: One more question.

2 Q. During this period, you were the spiritual

3 director.

4 JUDGE PLISKA: You said one more question, okay?

5 You can pick this up after a break.

6 THE WITNESS: And you asked two.

7 THE VIDEO OPERATOR: It's the end of videotape

8 number 7 in the deposition of Donald Walters. We're going

9 off the record at 3:36 p.m.

10 (Recess from 3:36 p.m. to 3:48 p.m.)

11 THE VIDEO OPERATOR: This is the beginning of
12 videotape number 8 in the deposition of Donald Walters.

13 We're back on the record at 3:49 p.m.

14 THE WITNESS: Now, Mr. Flynn, I have to make a
15 statement about my health.

16 I know I don't show my fatigue. I am fatigued, to
17 the point of feeling I could drop over. And I want you to
18 know that. I am extremely stressed mentally, and I find
19 that my brain is just not willing to function clearly.

20 Now, I think I can go on a little bit longer, but
21 I want you who know that circumstance, which is a fact.

22 And I would like to invite Dr. Houten to make a
23 statement about my health that would be more from a medical
24 point of view.

25 MR. FLYNN: I'm conducting the deposition. I
1 don't need Dr. Houten's statement at this point in time, and
2 I disagree with it, and I'm now going to ask you a question,
3 sir.

4 MR. PARSONS: We've made an offer of proof in that
5 regard, and we'll wait on it, then.

6 MR. FLYNN: Q. Now, Mr. Walters, in the last 60
7 days, have you written a letter to the senior ministers at
8 Ananda in which you have claimed that while being the
9 spiritual director of the community, you have only been with
10 two women who were disciples in the community?

11 A. No.

12 MR. PARSONS: Objection. Compound. Go ahead.

13 MR. FLYNN: Q. The answer is what, sir?

14 A. Is no.

15 Q. Now, because that wouldn't be a true statement,

16 would it?

17 MR. PARSONS: Objection.

18 MR. FLYNN: Q. That you had only been with two

19 disciples?

20 MR. PARSONS: Objection. Argumentative, it's

21 vague, it's ambiguous. I'm going to instruct the witness

22 not to answer.

23 MR. FLYNN: Q. Well, so far we have (woman #7)

24 , (woman #1), (woman #2), and we've got about

25 six or seven or eight more declarations to go.

1 And in addition to that, you married someone named

2 Rosanna in 1985. Is that correct?

3 A. Yes.

4 Q. And was she a disciple?

5 A. She was not a resident disciple until she married

6 me, but she was a disciple of Yogananda. She'd taken Kriya.

7 Q. Was she a disciple of Ananda?

8 A. No.

9 MR. PARSONS: No -- okay.

10 MR. FLYNN: Q. And how old was she when you

11 married her?

12 A. 32. 32 or -3. 33 maybe.

13 Q. How long did that marriage last?

14 A. In 1990, which is 5 years later, she returned to

15 Italy. We hadn't yet resolved whether we were going to

16 remain together or not.

17 The divorce, when it took place, was probably in

18 '94. In fact, yes, it was in '94, because it was concluded

19 -- in other words, whatever they do to make it a final,

20 official thing, was in -- on December 13th of '94.

21 Q. Now, when you were with (woman #1), at any

22 time did she ever tell you that she had been sexually abused

23 by her father?

24 A. No.

25 MR. PARSONS: And again, it assumes facts not in

1 evidence.

2 MR. FLYNN: Q. Would you turn to paragraph 18,

3 please?

4 MR. PARSONS: Of the declaration of (woman #1)

5 ?

6 MR. FLYNN: Q. Yes.

7 Now, would you read paragraph 18? And I'd

8 specifically point you to that section where she says, lines

9 23 and 24, "While I was in San Francisco, Swami Kriyananda

10 visited me fairly frequently and asked to," quote,

11 "'massage'" end quote, "him."

12 Is that true?

13 MR. PARSONS: Objection. Compound. Vague as to

14 time, but go ahead.

15 THE WITNESS: It's certainly possible.

16 MR. FLYNN: Q. Do you deny it?

17 A. No.

18 Q. Did she masturbate you to ejaculation in San

19 Francisco?

20 MR. PARSONS: Objection. Vague as to time. Go

21 ahead.

22 THE WITNESS: I think more I'm referring to the

23 "fairly frequently." I don't think that's true.

24 But did she massage me, as you say, to

25 ejaculation, I won't deny it.

1 MR. FLYNN: Q. In San Francisco?

2 A. That's what I can't say. But I won't deny it.

3 Q. So notwithstanding your testimony that (woman #1)

4 originally forced herself on you, on at least

5 several occasions, per your testimony, you traveled to Los

6 Angeles where she was, and she masturbated you. Is that

7 correct?

8 A. Excuse me, you've misstated my first testimony.

9 It was (woman #2) who forced her -- (woman #1) was with (woman #2).

10 Q. Did (woman #1) ever force herself on you?

11 A. Never.

12 Q. And when you had (woman #1) masturbate you to

13 ejaculation, on several occasions you went to San Francisco,
14 on some occasions you went to Los Angeles, and on many
15 occasions it took place at Ananda Village, when she was your
16 disciple. Is that correct?

17 MR. PARSONS: Okay. Object. It's compound, it
18 misstates his testimony as to the frequency or number of
19 these events.

20 Also, use of "disciple" I believe was not in his
21 testimony. So I object on all those grounds.

22 But you may answer that question to the extent you
23 can, correcting any errors in it.

24 THE WITNESS: Well, you have made it perfectly
25 clear, and you are quite right in what you say. I have
1 never called her or anyone else my disciple.

2 The implication in your question is that I went to
3 these places to meet her; I did not.

4 The other implication is that it was frequent. I
5 would not classify it as frequent. It was occasional.

6 Whether she was in San Francisco at that time, I
7 don't recall. Whether she was in Los Angeles, I do recall.

8 And so that would be certainly something I would endorse.

9 MR. FLYNN: Q. When she was masturbating you to
10 ejaculation at the Ananda Village, was she in spiritual
11 training at the Ananda Village while you were the spiritual
12 director?

13 A. I would say we, plural, are all in spiritual

14 training. We're still trying to learn our lessons. I have

15 a lot to learn.

16 Q. Yes, that's fine, Mr. Walters. But can you answer

17 my question?

18 A. I answered it.

19 Q. Was (woman #1) in spiritual training at the

20 Ananda Village under you as spiritual director when she was

21 masturbating you to ejaculation?

22 A. She was not under me as spiritual director being

23 trained by me, no.

24 I've answered the other one, that she was in

25 training, as I am in training, as all of us are in training.

1 Q. So she was in spiritual training when you were the

2 spiritual director of the community. Is that correct?

3 A. Oh, yes. I've always been the spiritual director,

4 so that has to be global.

5 Q. And she was in spiritual training while you were

6 spiritual director. Is that correct?

7 A. In the same sense that we are all.

8 Q. Well, how many people were at the Ananda community

9 in -- between 1980 and 1982?

10 A. I don't know.

11 Q. Was your best estimate?

12 A. 2- or 300, including children.

13 Q. Now, of those 2- or 300 people, were they in

14 spiritual training under the rules of conduct of the Ananda
15 community?

16 MR. PARSONS: Objection. It's a compound
17 question.

18 The witness can testify to the extent he can as to
19 how many of those were in spiritual training.

20 I also object to the phrase -- the term "spiritual
21 training" as ambiguous.

22 THE WITNESS: Nor do I understand your question,
23 because the way I've answered it, we all are.

24 Other than that, I don't really know whether she
25 was or not.

1 MR. FLYNN: Q. Do you use the term "postulants"
2 at the Ananda -- strike that.

3 Between 1980 and 1982, did you use the term
4 "postulant"?

5 A. I don't know. I don't think we did yet.

6 Q. And how did you describe new members of the
7 community between 1980 and 1982?

8 MR. PARSONS: Objection. Assumes they did. Go
9 ahead.

10 Also, a lack of foundation for this witness. You
11 may testify.

12 THE WITNESS: I'm not thinking, I'm trying to
13 reduce the stress in my brain.

14 I believe we had an apprentice program at that

15 time. But again, the mechanics of these things were not my
16 domain.

17 MR. FLYNN: Q. The mechanics of what things were
18 not your domain?

19 A. The way the community operated, the mechanics of
20 the way it operated.

21 Q. Was the classification of membership within your
22 domain between 1980 and 1982?

23 A. No. I had made suggestions. They worked them out.

24 I worked more on a level of attitude, spirit. I

25 didn't -- these things I wasn't -- to put it in perspective,

1 technically I was always the chairman of the Village

2 Council. But the last meeting I attended was about 1972.

3 I didn't administrate from normal administrative

4 level. I tried to see whether the attitude was right,

5 whether people -- if I saw somebody's understanding from a

6 philosophical and spiritual point of view was right, I

7 didn't pay too much attention to how it was being done.

8 Q. When (woman #1) was masturbating you to

9 ejaculation at the Ananda Village, what was your

10 understanding as to her status there?

11 MR. PARSONS: Objection. Assumes facts not in

12 evidence.

13 You may answer.

14 THE WITNESS: She was a friend. That's how I

15 thought of her.

16 MR. FLYNN: Q. Now, was she a friend who was

17 performing services as a masseuse for which she was being

18 compensated?

19 A. No.

20 Q. Was she a friend who you requested to have her

21 give you a massage?

22 A. I believed, at least, that it was mutual.

23 Q. Was she a friend who was on the same spiritual

24 path as you?

25 A. Yes.

1 Q. Was she a friend who took a vow of cooperation to

2 cooperate with you as spiritual director?

3 MR. PARSONS: Objection. Assumes facts not in

4 evidence, misstates his earlier testimony, but you may

5 respond.

6 THE WITNESS: I don't think we had vows then.

7 MR. FLYNN: Q. Was she a friend who was working

8 at Ananda in any capacity?

9 A. I don't remember what her job was.

10 Q. Do you know whether she was getting paid while

11 being there at Ananda?

12 A. I do not.

13 Q. Let me read to you from the rules of conduct.

14 MR. PARSONS: Okay, excuse me. What exhibit is

15 this? I want the witness to follow along.

16 MR. STILLMAN: Exhibit 3. Exhibit 3.

17 MR. PARSONS: Okay. Give me a moment --

18 THE WITNESS: No, it's on top here.

19 MR. PARSONS: Exhibit 3. That's 13 -- or 15.

20 There we go. Okay. And what page?

21 MR. FLYNN: Page 24, "Acceptance of New Members,"

22 Article 12. Beginning with the paragraph, "All

23 applicants."

24 "All applicants, including if they are old enough

25 the children of applicants, must be given training in

1 Ananda's ideals and way of life, in the teachings of

2 Paramhansa Yogananda, in the writings of Sri

3 Kriyananda, and in the proper attitudes for persons

4 embracing Ananda community life," period, end quote.

5 Did you write that, Mr. Walters?

6 A. Copyright 1987, long after (woman #1) left.

7 Q. Did you write that?

8 A. Yes.

9 Q. Was that one of the precepts in practice between

10 1980 and 1982?

11 A. No, I don't believe we were organized yet enough

12 for that.

13 Q. So is it your testimony then that there was no

14 practice in place to give new applicants training in Ananda

15 ideals and way of life between 1980 and 1982?

16 MR. PARSONS: Well, that misstates his testimony,
17 but you can answer that.

18 THE WITNESS: It was makeshift, as far as I know.

19 MR. FLYNN: Q. What training was given between
20 1980 and 1982 with regard to Ananda's ideals and way of
21 life?

22 A. I think it was our apprentice program. I think it
23 was more -- I don't know what classes they had. I'm not the
24 one to tell you. But they I think participated in community
25 life, and learned that way.

1 No, I can't say. I can say by guesswork, but I
2 can't say specifically.

3 MR. PARSONS: Well, again, I don't want you to
4 guess --

5 THE WITNESS: Therefore, I can't say.

6 MR. FLYNN: Q. Reading further down, it states:
7 "No one should be accepted into the community
8 until he has lived at Ananda or one of its branch
9 communities as a postulant for several months. A
10 normal postulance has been fixed more by tradition than
11 design as a year. New members may be accepted into the
12 novitiate of the Ananda monastic order."

13 Now, how long had the tradition been in place for
14 a normal postulance to be fixed as a year?

15 MR. PARSONS: As of the time of the writing of
16 this document, then?

17 MR. FLYNN: Q. Yes.

18 A. It would have -- we didn't to my certain knowledge
19 use "postulant" as a term. But I think the tradition of
20 being there a year predated 1980, I think.

21 Q. And being there for a year in what context?

22 A. Living there, getting us -- helping us to get to
23 know them, helping them to get to know us to see if this is
24 the place they would like to live, if we felt that it was a
25 good thing for them to be there. Those sorts of things.

1 Q. And after the one year, then what classification
2 did people have in the 1980 to 1982 period as fixed by
3 tradition?

4 MR. PARSONS: Assuming it was fixed by tradition
5 at that time. I'll -- I object on that ground.

6 You may answer.

7 THE WITNESS: No, I think it was fixed by
8 tradition.

9 I don't recall whether we had the rule of life
10 membership fixed at 5 years yet. I think we did.

11 The other way I could fix it is that I wrote in
12 our bylaws that people could not vote for the officers of
13 the community until they had been there 1 year. And I think
14 that 1-year period is pretty well right.

15 The other, I must say, is not a fixed rule. It's

16 not as -- once people have been there 6 months, a year,

17 whatever, they have a right.

18 Rather, we want to be sure that this is what they

19 want, that they're -- that it's going to be good for them,

20 that they are going to be good for the community.

21 That certainty can take several years, even. That

22 depends on the individual.

23 MR. FLYNN: Q. Did you initiate (woman #1)

24 into Kriya Yoga?

25 A. I think I must have, because I don't think I'd

1 given Jyotish permission.

2 MR. PARSONS: Again, I don't want you to speculate

3 or guess. If you remember or you don't or you have some

4 reasonable ground.

5 THE WITNESS: I have reasonable ground to think

6 that it was I.

7 MR. FLYNN: Q. And is Kriya Yoga the highest

8 spiritual technique of your community?

9 A. Yes, it is.

10 Q. And was (woman #1) under training for some

11 period of time before she was allowed to receive Kriya Yoga?

12 A. The way we worked it out was that they first had

13 to learn other techniques -- Hung Saw, AUM, meditate -- for

14 a period of time. We didn't have a strict rule as to that

15 period, but normally it would be a year.

16 Some people for other reasons -- for example, if

17 they came from a foreign country and could not return for

18 financial reasons or whatever for a long period of time, we
19 might relax it, depending on whether we felt that they were
20 doing their meditation.

21 But it was not so much a training period as
22 whether they meditated an adequate time every year to show
23 that they were able to fit another technique of meditation
24 into their schedule.

25 We also wanted to see whether they really felt
1 that this was their path, because this was initiation rather
2 than just teaching a technique. So on all of that, we're
3 not eager to draw people in, and therefore waited to see
4 whether we felt they were sincere and adequate in their
5 practice.

6 Q. Would you characterize the teaching of those
7 techniques to be spiritual training?

8 A. Yes, but it's -- those are techniques that we
9 don't teach people only who live at Ananda.

10 Q. So Ms. (woman #1) went through those -- that
11 training in order to obtain those spiritual techniques and
12 ultimately reached Kriya. Is that correct?

13 A. She must have.

14 Q. And this is while you were the spiritual
15 director. Is that correct?

16 A. I've always been the spiritual director.

17 Q. Would you turn to paragraph 20 on page 5 of her

18 declaration, please? Quote:

19 "He never looked at me or touched me in a sexual
20 way except for one incident. Although the swami didn't
21 react at the time to my comment that my service was for
22 his pleasure, very soon thereafter he massaged my
23 breasts to arousal. When I responded to the
24 stimulation, he then said, 'I thought you didn't get
25 any pleasure.' This was the only time he ever touched
1 beyond manipulating me for his own pleasure. During
2 the entire time that we had sexual intercourse, I never
3 once had an orgasm. For me it was not a sexual
4 experience but one of surrender of my preferences
5 and 'service' to the 'swami.' At one point the 'Swami'
6 even asked me if I thought he was using me," period,
7 end quote.

8 Is it true, Mr. Walters, that you asked

9 Ms. (woman #1) whether she thought you were using her?

10 A. I am now for the first time getting her point of
11 view in all of this. I tried to elicit it and would never
12 -- she would never give it to me.

13 I wanted to be sure that she didn't think I was
14 using her, and I asked her for that reason.

15 I was trying to get from her a statement of
16 mutuality, because if it wasn't that, then I just didn't
17 want that. I didn't want to hurt her in any way.

18 Q. You didn't want to hurt her in any way.

19 A. Exactly.

20 Q. Is that what you just said?

21 A. So you see, when she wouldn't answer, then I said,

22 well, is this possible, or do you think that I'm using you?

23 And she didn't answer that.

24 I just didn't know where to take it from there.

25 But I -- that's why I would ask that question.

1 Q. Now, do you remember this fellow named Haridas?

2 A. Who?

3 MR. PARSONS: Excuse me.

4 THE WITNESS: Oh, Haridas.

5 MR. PARSONS: When you say "this fellow," are you

6 referring to a statement now?

7 MR. FLYNN: Q. Do you remember a fellow named

8 H?

9 A. Yes.

10 Q. Did you encourage (woman #1) to develop a

11 relationship with H?

12 A. When she expressed interest in him, I didn't want

13 to impose any kind of personal obstruction to that. And so

14 because of her interest, I encouraged it.

15 Q. Would you turn to paragraph 23, please?

16 Quote, "While I was at the Ananda community

17 shortly before I became involved with H-, R-, a

18 friend of mine, said that he had talked to (woman #2), who had

19 told him about" --

20 THE WITNESS: Where are we at? I don't see this

21 on 22.

22 MR. PARSONS: 23.

23 THE WITNESS: Oh, okay.

24 MR. FLYNN: Q. -- "who had told him about 'many

25 things.' I understood the language 'many things' to

1 refer to (woman #2)'s and my sexual stimulation of the

2 Swami as part of our service to him. R- asked me if

3 it was true and said to me that if it was true the

4 Ananda community would be," quote, "'blown apart,'" end

5 quote. "I didn't respond to him, but later wrote R-

6 a letter admitting that probably what (woman #2) had told

7 him was true; e- g, that Swami Kriyananda had used us

8 for sexual gratification," period, end quote.

9 My question is, Mr. Walters, did you notify the

10 Ananda community that you were having sexual relationships

11 with two of the devotees when they were occurring?

12 MR. PARSONS: Again, I've got to object to the

13 repeated reading into the record of things which are not

14 related to the question you ask.

15 I'll get -- Your Honor, in fact, I'm going to ask

16 for some guidance on this. And I object, and I request an

17 instruction -- I guess what I'm doing is requesting an

18 instruction that the portions of the declaration which are

19 read into the record be relevant and directly related to the

20 questions which are then asked.

21 JUDGE PLISKA: Well, I think this one does, in the
22 terms of the Ananda community would be blown apart if they
23 knew this.

24 But I do think you are going pretty far,
25 Mr. Flynn. You read a whole paragraph, and then your
1 question really only attaches to one sentence in that
2 paragraph.

3 So could you confine your --

4 MR. FLYNN: Judge, you are quite right. It's the
5 "blown apart."

6 JUDGE PLISKA: Why not just read that one before
7 you ask this question?

8 MR. FLYNN: Well, I wanted to put it in some
9 context for --

10 JUDGE PLISKA: Well, he can read that to himself,
11 but you don't need to read it into the record.

12 MR. FLYNN: Q. Did you conceal your relationships
13 with these women from the Ananda community when they were
14 taking place?

15 MR. PARSONS: Okay. Objection.

16 I'm going to withdraw the objection. You can go
17 ahead and answer.

18 THE WITNESS: I did not reveal. That's different
19 from -- I did not conceal.

20 MR. FLYNN: Q. When you didn't reveal, did you
21 have any kind of a belief that if the Ananda community knew
22 what their spiritual director was doing, it would be, quote,
23 "blown apart," end quote?

24 MR. PARSONS: Objection as to "blown apart." You
25 may answer that question.

1 THE WITNESS: No, didn't. Moreover, I must remind
2 you that I was not a swami at that time.

3 MR. FLYNN: Q. You were not a Swami according to
4 the way you saw things. Is that right, Mr. Walters?

5 A. Well, I expressed publicly the way I saw things.

6 Q. Well, see, Ms. (woman #1) thought you were a swami.
7 Isn't that true? That's what she says in here.

8 MR. PARSONS: Wait. I don't read that in here.
9 That misstates it. It's argumentative, as well.

10 MR. FLYNN: I'll withdraw it. It does say it, but
11 I'll withdraw it.

12 MR. PARSONS: I don't think so.

13 MR. FLYNN: Q. Did any of the members of the
14 community express to you between 1980 and '82 that they
15 thought you were a Swami?

16 A. They could not have, because I had made a very
17 public statement about my marriage to (woman #7).

18 Q. Now, how often did new people come and go in the
19 community between 1980 and 1982?

20 A. I don't --

21 MR. PARSONS: Objection. Foundation. You may
22 answer.

23 THE WITNESS: I don't know the figures, but I can
24 say that our rate of attrition has been very low.

25 MR. FLYNN: Q. Did you ever inform (woman #1)
1 (woman #1) that she shouldn't reveal to anyone her sexual
2 contact with you?

3 A. No.

4 Q. Did you ever inform (woman #2) that she
5 shouldn't divulge her sexual contact with you?

6 A. Never.

7 Q. Okay. Would you read paragraph 24 to yourself,
8 and then I'll try to restrict it?

9 I'm going to have to read the parts that are
10 relevant here.

11 Quote: "Before I gave the letter to Rick,
12 however, I naively (in hindsight) showed the letter to
13 Swami Kriyananda. To my surprise, the swami
14 immediately became agitated with a shaking hand,
15 spilled coffee on my letter and began talking to me in
16 a very intense, loud voice. I was very shook up by his
17 behavior. Because there were other people in the room,
18 I had a hard time concentrating on our conversation.
19 He suggested that we go to another room where there was
20 some privacy and continue our talk. Once in private,

21 his voice calmed and as we continued to talk, he very
22 calculatingly said, 'You seduced me.'
23 Now, did you make that statement to Ms. (woman #1),
24 blaming her for your sexual conduct on the grounds that she
25 seduced you, Mr. Walters?

1 MR. PARSONS: Okay. Again, I'm going to let the
2 witness answer, but I do want to object.
3 You could have just read the statement where she
4 alleged the statement and asked about it. You didn't need
5 all the prefatory stuff.

6 JUDGE PLISKA: Right, Mr. Flynn. It's prolonging
7 the deposition. You don't -- you could have just read that
8 statement. He's quite correct.

9 MR. FLYNN: But Your Honor, if we follow the next
10 few questions you'll see why I read it, because if you read
11 the next few lines to the statement --

12 JUDGE PLISKA: Do this. Take this statement, ask
13 the question, and then read the next statement that you want
14 to ask a question about.

15 But to read a lot of this stuff, you've been doing
16 all day, and now that he's objecting to it, I'm ruling that
17 you shouldn't do that. Okay? So please --

18 MR. FLYNN: Fine.

19 Q. Did you make that statement to Ms. (woman #1), "you
20 seduced me"?

21 A. First of all, the question is, "calculatingly

22 said." Certainly not. I wasn't being calculating in what I

23 said.

24 I was reminding her, however, of that evening when

25 (woman #2) and she came down and forced themselves upon me.

1 But I would not and did not blame her for our

2 relationship. I take that blame on myself.

3 Q. You then say, "I now understood that he didn't

4 want the truth about his sexual interaction with me and the

5 other young women in the community to be made public,"

6 period, end quote.

7 Did you say to her in any form of words that you

8 didn't want her sexual contact with you to be made public?

9 MR. PARSONS: Objection. Asked and answered.

10 You may respond.

11 THE WITNESS: The way I would answer a question

12 like that is, if you feel hurt by me, and if you're willing

13 to hurt me, say it. I won't stop you.

14 If you feel that there is something between us

15 that is ours that is not public, then I would certainly

16 prefer that you not, but I didn't command her to do it.

17 I would certainly, and I don't think any human

18 being would want such things talked about. A person is

19 trying to keep his vows as well as he can, he's trying to

20 improve himself. Nobody's perfect. The very effort to

21 become perfect indicates a recognition that he is not.

22 But in all sincerity, I did not and have not said
23 to anyone, don't talk about it. I have even, under those
24 circumstances, said, you have to decide. It will hurt me.
25 But I'm willing to take that hurt if you feel like talking
1 about it.

2 And so it's up to you.

3 Q. Did you say that to her?

4 MR. PARSONS: Excuse me. What? Everything he's
5 just said?

6 MR. FLYNN: Q. If you want to disclose to the
7 community our sexual involvement, it will hurt me, but it's
8 up to you.

9 Did you say this to Ms. (woman #1)?

10 A. I believe I did, but I cannot categorically say
11 that I did.

12 Q. When did you say that to her, sir?

13 MR. PARSONS: Please allow him to complete his
14 response, too.

15 THE WITNESS: I have no idea. She's trying to say
16 -- she hasn't given a time to it, I can't.

17 MR. FLYNN: Q. Then she says, quote, "I also
18 understood that if I told the truth, he would lie and accuse
19 me of being the aggressor," period, end quote.

20 MR. PARSONS: Wait. He hasn't asked a question.

21 MR. FLYNN: Q. Now, Mr. Walters, in this
22 deposition, isn't it true that you've accused Ms. (woman #1)

23 of being the aggressor?

24 MR. PARSONS: I object. That's your

25 characterization of his testimony. He's not -- I don't

1 believe he's ever used words to that effect. Misstates his

2 testimony.

3 You may, however, answer that question.

4 THE WITNESS: Yes, I did answer it, as well as I

5 possibly could. And mind you, it's not easy. But I did not

6 -- I've never -- you know, my brain is getting foggy now.

7 Please state that question again.

8 MR. FLYNN: Q. In this deposition, have you ever

9 accused Ms. (woman #1) of being the aggressor?

10 A. At that time, when she and (woman #2) came down -- and

11 that was not a sexual aggression, so much as just a -- well,

12 an amused and exuberant teenage kind of attitude. But it

13 was not sexual. And so no, I didn't and don't.

14 MR. PARSONS: You know, it is 4:20. The witness

15 has stated he's getting groggy. He's stated that to me,

16 too, as well.

17 I would ask that we wrap it up for today. I've

18 already indicated I would prefer that this witness have a

19 break of some period before continuing, but that has been I

20 think rejected at this point, so we will be back tomorrow.

21 MR. FLYNN: Just a couple more questions, judge.

22 MR. PARSONS: Well --

23 JUDGE PLISKA: Well, when you say a couple more,
24 we're going to end at 4:30, okay? 4:30 is it. I've got
25 4:22 now, I think.

1 THE WITNESS: 4:23, by the radio.

2 JUDGE PLISKA: Okay.

3 MR. FLYNN: Q. Now, Mr. Walters, when you wrote

4 Exhibit 11 --

5 A. Let me find that. This is Exhibit 1. Can you

6 find it? What is it?

7 Q. It's your letter to the community, April 18, 1995.

8 A. Okay, got it.

9 Q. Did you reveal anywhere in the letter that the

10 allegations of (woman #2) and (woman #1) were true?

11 MR. PARSONS: Now, here it's at the end of the

12 day. Obviously, the letter speaks for itself. The question

13 is argumentative.

14 You've got the letter, it's already admitted or

15 attached to the deposition. This is a waste of time to now

16 ask the witness whether this letter says anything.

17 I'd instruct the witness not to answer that

18 question, Your Honor.

19 JUDGE PLISKA: No, go ahead, would you please

20 answer that?

21 MR. PARSONS: So the question-- could you read it

22 back, please?

23 MR. FLYNN: I'll restate it.

24 THE WITNESS: You've instructed me not to answer.

25 MR. PARSONS: No, but he's indicated --

1 JUDGE PLISKA: I've instructed you to answer it.

2 THE WITNESS: I see.

3 MR. FLYNN: Q. Where in the letter, Mr. Walters,

4 did you divulge to the community that the allegations of

5 (woman #1) and (woman #2) were true?

6 A. I didn't. I neither said they are true, nor did I

7 say they are false.

8 Q. Now, one last point, and then we'll adjourn to the

9 day.

10 Would you turn to Exhibit 13, please?

11 MR. PARSONS: Which is --

12 MR. FLYNN: The cross-complaint

13 THE WITNESS: And that is which one?

14 MR. PARSONS: 13. Okay.

15 MR. FLYNN: Q. Paragraph 28.

16 A. Which page?

17 Q. Page 11.

18 The part that I'm interested in is the part where

19 it says:

20 "Cross-complainant Walters is informed and

21 believes and thereon alleges that beginning in or about

22 October 1994, and continuing to the present, cross-defendant

23 (the plaintiff) has published oral statements to third parties

24 stating that, (a), Walters sexually harassed (the plaintiff);
25 (b), Walters retaliated against (the plaintiff) because of her
1 complaint of sexual harassment by Levin; (c), Walters has
2 engaged in an ongoing systematic pattern of sexual
3 exploitation, harassment and coercion of women."

4 Now sir, would you testify as to whether you admit
5 or deny whether you have engaged in an ongoing systematic
6 pattern of sexual exploitation, harassment and coercion of
7 women?

8 A. I deny it vigorously.

9 Q. Did you earlier in your testimony today say that
10 you admitted in part the allegations of Ms. (the plaintiff)
11 against you --

12 MR. PARSONS: Again, the records --

13 MR. FLYNN: Q. -- with regard to your pattern of
14 abuse of women?

15 A. Sir, you're playing -- this is game-playing.

16 MR. PARSONS: Well, let me state a formal
17 objection, though, for the record.

18 You consistently ask this witness to testify
19 concerning his prior testimony. That's fundamentally
20 unfair, uncalled for, it's not relevant, in fact. It is
21 game-playing.

22 MR. FLYNN: Mr. Parsons, it's getting late, I
23 withdraw it. I'll ask you this question, Mr. Walters.

24 MR. PARSONS: This the last question?

25 THE WITNESS: We've had three so far.

1 MR. FLYNN: The judge says 4:30, Mr. Parsons.

2 JUDGE PLISKA: You've got 3 more minutes.

3 MR. FLYNN: Q. Sir, do you deny that the

4 statements of Ms. (the plaintiff) that you have engaged in an

5 ongoing, systematic pattern of sexual exploitation,

6 harassment and coercion of women are true statements by her?

7 A. I deny that -- my brain isn't quite clear enough

8 with these double negatives. However, let me state that I

9 deny that that is the truth.

10 Q. Now, you've read the declaration of (woman #2)

11 where she said you sexually abused her.

12 A. Oh, yes, I've read it.

13 Q. And you deny that?

14 A. Yes.

15 MR. PARSONS: Wait. Deny that he's read it, or

16 deny each and every allegation in that declaration?

17 MR. FLYNN: Q. You deny the allegation of (woman #2)

18 that you sexually abused her. Is that correct?

19 A. I think we'd better go into that at length.

20 Q. Do you deny the allegation of (woman #1) that

21 you sexually abused her?

22 A. I deny both allegations.

23 Q. Do you deny the allegation of (woman #7) that

24 you forced yourself upon (woman #7) and raped her?

25 A. Absolutely, I deny it.

1 Q. So all these women are lying, and you're telling

2 the truth. Is that right, Mr. Walters?

3 MR. PARSONS: Object.

4 THE WITNESS: I think that sarcastic comment is

5 not necessary to be answered.

6 JUDGE PLISKA: It's argumentative. I think we'll

7 end now.

8 THE VIDEO OPERATOR: This is the end of videotape

9 in the deposition of Donald Walters. We're going off the

10 record at 4:29 p.m.

11 (Time noted, 4:29 p.m.)

12 --o0o--

14 _____

15 Signature of the Witness