IN THE MONTGOMERY COUNTY CIRCUIT COURT, MARYLAND
CIVIL DIVISION

JANE DOE, et al. Plaintiffs, v. SOVEREIGN GRACE MINISTRIES, et al. Defendants.	)	Case No. 369721V Hon. Sharon V. Burrell

RECEIVED
MAR 27 2013
Clerk of the Circuit Court
Montgomery County, Md.

PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS BASED ON LACK OF JURISDICTION

This lawsuit is about a church network systemically protecting predators from accountability and instead conspiring to hide ongoing sexual and physical abuse of children by their employees and members. As Leonardo Da Vinci so aptly noted many years ago, "He who does not punish evil commands it be done." Defendants David Hinders, Louis Gallo, Frank Ecelbarger, Vince Hinders, Mark Mullery and Sovereign Grace Church of Fairfax (hereinafter "the Virginia Defendants") have filed three motions to dismiss, arguing this Court lacks jurisdiction (Va. Defendants' Motion, at 5-12; Fairfax Motion, at 4-8).[1] Defendants also argue – without appending any evidentiary support – that all the conduct at issue occurred in Virginia and therefore this Court should rule as a choice-of-law matter that Plaintiffs must plead consistent with Virginia, not Maryland, law. (Va. Defendants' Motion, at 12-19; Fairfax Motion, at 8-9).

This Court should deny the Virginia Defendants' motion to dismiss because it lacks any merit. ***First***, this Court clearly has jurisdiction over the Virginia Defendants, who voluntarily

[1] Defendants Mullery and Vince Hinders filed a separate motion simply incorporating the earlier motion by Gallo, Ecelbarger, and David Hinders.

joined a Maryland-based church network, and thereafter engaged in routine and repeated contacts with the church headquarters located in Maryland. Indeed, the FAC alleges, and the appended Affidavit from Brent Detwiler (hereinafter "Detwiler Affidavit") establishes, that the Virginia Defendants met in person with, called and emailed Church management in Maryland about the physical and sexual abuse of children.

Second, this Court lacks the factual record upon which to make a choice-of-law finding, and should decline Defendants' invitation to commit reversible error. As this Opposition explains, the FAC alleges misconduct by the Virginia Defendants in both Maryland and Virginia. Further, even were Virginia law to apply (which it does not), Defendants err when they claim that Virginia law applies and protects them from liability for causing the sexual and physical abuse of children, and for conspiring with the perpetrators to avoid detection and punishment.

INTRODUCTORY COMMENT ON ORGANIZATION OF PLAINTIFFS' OPPOSITIONS

Defendants filed seven motions seeking dismissal, and memorandum in support.[2] Each defendant incorporated by reference the arguments made by the other Defendants, and also repeated many of the same arguments. For clarity and convenience, Plaintiffs are opposing all the motions by filing three (rather than seven) Oppositions. Specifically, this Opposition

[2] Defendant Lawrence Tomczak's Motion to Dismiss and Memorandum of Law (Docket No. 47) ("Tomczak Motion"); Defendants Covenant Life Church, Inc., Charles Mahaney, Gary Ricucci, John Loftness and Grant Layman's Motion to Dismiss and Memorandum of Law (Docket No. 48) ("CLC Motion"); Defendant Covenant Life School, Inc.'s Motion to Dismiss and Memorandum of Law (Docket No. 49) ("CLC School Motion"); Defendant Sovereign Grace Ministries, Inc.'s Motion to Dismiss and Memorandum of Law (Docket No. 50) ("SGM Motion"); Defendants David Hinders, Louis Gallo, and Frank Ecelbarger's Motion to Dismiss and Memorandum of Law (Docket No. 51) ("Va. Defendants' Motion"); Defendants Vince Hinders and Mark Mullery's Motion to Dismiss and Memorandum of Law (to be docketed) (incorporates "Va. Defendants' Motion" and included therein); Defendants Sovereign Grace Church of Fairfax's Motion to Dismiss and Memorandum of Law (to be docketed) ("Fairfax Motion" and collectively referred to as "Va. Defendants' Motion").

responds to all of Defendants' Jurisdictional arguments, and will hereinafter be referred to as "Plaintiffs' Jurisdiction Opposition."[3]

STATEMENT OF FACTS

Sovereign Grace Ministries, Inc. (hereinafter referred to as "SGM") is and always has been a Maryland corporation. *See* First Amended Complaint ("FAC") at ¶10; Detwiler Affidavit at ¶3. SGM built a large network of churches, both by creating new churches (called "church planting") and taking over existing churches after reaching agreement with existing local church leadership. *See* FAC at ¶10; Detwiler Affidavit at ¶6.

SGM established the qualifications that had to be met to preach in an SGM-affiliated church. Detwiler Affidavit at ¶8. SGM headquarters controlled the training and licensing of the pastors who served in the network of local churches. Detwiler Affidavit at ¶8. SGM headquarters operated the Pastors College in order to train those interested in being pastors in local churches. The Pastors College is and always has been located in Maryland. Detwiler Affidavit at ¶9. SGM also offered numerous pastoral conferences, primarily held in Maryland. SGM established the duties of the local church pastors, and retained the right to them if they failed to perform in a manner acceptable to SGM. *See* FAC at ¶¶23; Detwiler Affidavit at ¶10.

At all times relevant to this suit, Sovereign Grace Church of Fairfax was affiliated with SGM. The Fairfax Church was run by, among others, Defendants David Hinders, Vince Hinders, Gallo and Ecelbarger. *See* Detwiler Affidavit at ¶13. These pastors had routine

[3] Plaintiffs simultaneously are also filing two other Oppositions: (1) one that responds to the First Amendment arguments made by all Defendants, which will be referred to as "Plaintiffs' First Amendment Opposition"; and (2) a second that responds to the various pleading deficiencies alleged by Defendants, which will be referred to as "Plaintiffs' Pleading Opposition." Plaintiffs also reserve the right to respond further within the time proscribed by the Rules to the Motion filed by two individual Defendants (Hinders, Mullery) Sovereign Grace Church of Fairfax two days before this Opposition was filed. (Those defendants were added by amendment, and thus had longer time to respond.)

telephonic and emails contacts with SGM headquarters in Maryland and with SGM executive management. *See* FAC at ¶ 23; Detwiler Affidavit at ¶¶16, 17. In addition to telephonic and email contacts, the Virginia Defendants physically went to Maryland on church business on multiple occasions. *See* FAC at ¶ 23; Detwiler Affidavit at ¶18. Mark Mullery taught many training sessions at the Pastors College. *See* Detwiler Affidavit at ¶18. Vince Hinders, David Hinders and Frank Ecelbarger attended training at Pastors College. *See* Detwiler Affidavit at ¶¶ 18, 19. In addition, Frank Ecelbarger also attended the Pastors College, albeit at an earlier time in the SGM history when it was known by a different name. *See* Detwiler Affidavit at ¶19.

The Virginia Defendants' extensive contacts with Maryland and SGM Executive Management located in Maryland included contacts specific to the Plaintiffs. The Virginia Defendants called and emailed about the molestation of Coe children. *See* Detwiler Affidavit at ¶17.

ARGUMENT

At the outset, in considering Defendants' motion to dismiss, this Court is required by law to "assume the truth of all well-pleaded facts and allegations in the complaint, as well as all inferences that can reasonably be drawn from them," *Morris v. Osmose Wood Preserving*, 340 Md. 519, 531, 667 A.2d 624, 630 (1995); *A.J. Decoster Co. v. Westinghouse*, 333 Md. 245, 249, 634 A.2d 1330, 1332 (1994); *see also Sharrow v. State Farm Mutual Ins. Co.*, 306 Md. 754, 768, 511 A.2d 492, 499-500 (1986) ("[I]n considering the legal sufficiency of [a] complaint to allege a cause of action for tortious interference, we must assume the truth of all relevant and material facts that are well pleaded and all inferences which can be reasonably drawn from those pleadings"). Indeed, not only must the Court assume the truth of all the allegations, but it is required by law to draw all inferences from those facts in a light most favorable to the plaintiffs. *Board of Education v. Browning*, 333 Md. 281, 286, 635 A.2d 373, 376 (1994).

Defendants err as a matter of law by persistently arguing that this Court should dismiss Plaintiffs' lawsuit merely because not all the details about the wrongdoing are alleged. As the Court of Appeals has stated, "[t]here is ... a big difference between that which is necessary to prove the [commission of a tort] and that which is necessary merely to allege [its commission]," *Sharrow* supra, 306 Md. at 770, 511 A.2d at 500. The Court's denial of Defendants' motion to dismiss is not a ruling on the merits of the claims; it merely determines the plaintiff's right to bring the action. *Figueiredo-Torres v. Nickel,* 321 Md. 642, 647, 584 A.2d 69, 72 (1991).

I. This Court May Exercise General and Specific Jurisdiction over Defendants.

The Virginia Defendants spill much ink arguing that this Court lacks jurisdiction over them because Plaintiffs' FAC did not allege specific contacts. As Virginia Defendants well know, they all had extensive and routine contacts with Maryland, both general and specific to the allegations of this case. Although each individual Defendant filed an affidavit, none stated that the affiant had no contacts with Maryland, and none stated the affiant had no contacts with Maryland about the Coe and Doe matters. As is clear from the Statement of Facts, Defendants cannot deny such extensive contacts with Maryland specific to the subject matter of this lawsuit.

A. General Jurisdiction

In fact, as established by the FAC and appended Affidavits, each Virginia Defendant engaged in repeated and routine contacts with SGM Executive Management in Maryland. Each individual Virginia Defendant worked under the supervision of SGM Executive Management. Each Virginia Defendant routinely called and emailed persons in Maryland as part of the regular conduct of the SGM church network. Each Virginia Defendant had their job responsibilities set, and was subject to being terminated by, SGM Executive Management based in Maryland.[4]

[4] Defendant David Hinders also noted in his affidavit that he was a licensed Maryland real estate broker.

Such contacts suffice to support the exercise of general jurisdiction over the Virginia Defendants. *See Helicopteros Nacionales de Columbia v. Hall,* 466 U.S. 408 (1984); *Camelback Ski Corp. v. Behning (Camelback I),* 307 Md. 270, 279-80, 513 A. 2d 874, 878-79 (1986); *Camelback Ski Corp. v. Behning (Camelback II),* 312 Md. 330, 338 (1988). Clearly, each individual Virginia Defendant could have foreseen that he would be required to defend a lawsuit in Maryland, given that each voluntarily joined an organization whose headquarters was in Maryland. *CSR Ltd. V. Taylor,* 411 Md. 457, 480 (2009). Exercising jurisdiction over these Defendants, and all other pastors within the SGM network of churches, fully comports with traditional notions of fair play and substantial justice. *Burger King Corp. v. Rudzewicz,* 471 U.S. 462, 105 S.Ct. 2174, 85 L.Ed.2d 528 (1985). Stated differently, Defendants could reasonably anticipate being haled into Maryland courts because the Fairfax church is part of a network of churches that are operated by a Maryland corporation and are controlled and supervised by a group of men located in Maryland. *World-Wide Volkwagen Corp. V. Woodson,* 444 U.S. 286, 100 S.Ct. 559, 62 L.Ed.2d 490 (1980). All the pastors in the SGM network had "fair warning" that joining the SGM network for its various benefits (training, education, supervision of pastors, etc.) brought with it the risk that they may be sued in Maryland. *See Burger King Corp.* at 471-72, 105 S.Ct. at 2181-82, 53 L.Ed.2d 683 (1977)("fair warning requirement lets potential defendants predict with reasonable certainty the fora in which they may be forced to defend suits if they engage in certain types of conduct.")

B. Specific Jurisdiction

Plaintiffs allege they were harmed when the individual Defendants (pastors in the SGM church network) worked together to cover up the past and ongoing physical and sexual abuse of children in their care. *See* FAC at ¶¶ 24-36. Yet Defendants argue that the FAC fails to allege any facts showing that the cause of action arises in Maryland. This argument ignores the plain

language of the FAC, which alleges a conspiracy formed and conducted in Maryland. *See* FAC at ¶¶ 31-32.

It is black-letter law in Maryland the courts have jurisdiction over those who conspire with Maryland parties, even if some of the acts of the conspirators take place outside the state. *See Mackey v. Compass Marketing, Inc.*, 391 Md. 117, 892 S.2d 479 (2006). There, the Court made clear that Maryland recognizes a conspiracy theory of jurisdiction. Physical presence within the state is not a necessity. The Court explained, "[t]he basic premise of the conspiracy theory of personal jurisdiction is that certain acts of one co-conspirator that are done in furtherance of a conspiracy may be considered to be acts of another co-conspirator for purposes of determining whether a forum state may exercise personal jurisdiction over the other co-conspirator." *Id.* at 484. The Court reasoned that a co-conspirator becomes an agent within the meaning of the Maryland long-arm statute, Section 6-103(b). *Id.* at 493. The Court further noted that a co-conspirator was an agent for these purposes even there was not showing that one exercises control over the other. *Id.* at 495.

As is made clear by the FAC, Defendants conspired to cover up any information about sexual and physical abuse of children. Defendants were motivated by the desire to keep the significant funds flowing into the SGM coffers in Maryland. *See* FAC at ¶31 ("Defendants concealed the ongoing sexual predation in order to avoid any financial or reputational harms to the Church.")

The Virginia Defendants had repeated contacts with Maryland about the sexual molestation of the Coe and Doe Plaintiffs, as well as the molestations and abuse of other children under their care. The Virginia Defendants called and emailed SGM Executive Management, and traveled to Maryland for an in-person meeting.

II. This Court Lacks the Facts Needed To Rule on Choice-of-Law.

After seeking to dismiss this lawsuit based on lack of jurisdiction, Defendants make a series of arguments premised on Virginia law, claiming that Virginia law applies because "all of the alleged conduct occurred in Virginia." *See* Defendants' Memorandum at 12-19, citing *Lewis v. Waletzky*, 422 Md. 647, 657 (2011).

Defendants have not – and cannot – supply any evidence for their assertion that the Virginia defendants' misconduct all occurred in Virginia, not Maryland. This is simply wrong. Plaintiffs' FAC alleges Defendants (including the Virginia Defendants) engaged in misconduct in Maryland. Further, the evidence on record to date makes it clear that the Virginia Defendants acted not only in Virginia but also in Maryland.[5] *See* Detwiler Affidavit. It is premature for this Court to make case-controlling rulings on where Defendants engaged in misconduct. Defendants are free, of course, to renew such arguments at the appropriate procedural juncture, namely via a motion for summary judgment filed after discovery has closed.

III. Even if Virginia Law Applied, It Does Not Compel Dismissal.

In any event, even if Virginia law supplied the substantive law for certain causes of action, and even if Maryland law conflicted with Virginia law, Defendants err in arguing that Virginia law compels dismissal.

A. Negligence

First, as to the negligence claims, Defendants argue that they are entitled to invoke Virginia Code §§ 63.2-1509, 8.01-400, 19.2-271.3 as an absolute defense to immunity before discovery has concluded. Yet as Defendants must admit, if the FAC allegations are credited,

[5] As set forth in Plaintiffs' Motion To Clarify the Pro Hace Order, Defendants refused to permit the jurisdictional depositions to proceed as planned. Plaintiffs have been trying to schedule those depositions to occur May 17, and will supplement the record upon oral argument with any additional jurisdictional evidence obtained from those depositions or from Plaintiffs' pending document requests.

Defendants fail to fall within the exception detailed by these code sections. *See* Defendants' Memorandum at 14, arguing the Court should ignore the language of the FAC, and apply the clearly inapplicable statutory exception because "the alleged reports or admissions were all made to the pastors in their professional capacities by persons seeking spiritual counsel and advice."

Defendants are simply wrong. There is no evidence on record to support this false assertion, which is directed contracted by the FAC allegations. Defendants do not control the facts, and a mere assertion in briefing by defense counsel cannot outweigh the FAC complaint allegations. Rather, this Court is required to credit the contrary FAC allegations in considering a motion to dismiss. *Morris v. Osmose Wood Preserving*, 340 Md. 519, 531, 667 A.2d 624, 630 (1995)(court must assume the truth of the complaint allegations, and draw all inferences in plaintiffs' favor); *Board of Education v. Browning*, 333 Md. 281, 286, 635 A.2d 373, 376 (1994); *A.J. Decoster Co. v. Westinghouse*, 333 Md. 245, 249, 634 A.2d 1330, 1332 (1994); *Sharrow v. State Farm Mutual Ins. Co.*, 306 Md. 754, 768, 511 A.2d 492, 499-500 (1986).

B. Intentional Infliction of Emotional Distress and Misrepresentation

Second, Defendants try to raise the pleading bar in this Maryland lawsuit by arguing that Virginia law requires more facts to be plead on two claims, intentional infliction (Defendants' Memorandum at 14-16) and misrepresentation (Defendants'Memorandum at 18-19). Maryland law, not Virginia law, controls the amount of detail that must be plead in a lawsuit filed in Maryland. See *Lewis v. Waletzky*, 422 Md. 647, 31 A.3d 123 (Md. 2011) (even if non-Maryland law applies to certain causes of action, procedural rules supplied by Maryland law). In any event, even if Defendants were correct about the Virginia pleading requirements, the proper motion is not a motion to dismiss but a motion for a more definite statement.

Plaintiffs are preparing an amended complaint to join the additional persons who have been harmed. If the Court believes plaintiffs need to plead additional facts, plaintiffs will add further detail in the Second Amended Complaint.

C. Conspiracy

Defendants acknowledge that under Virginia law, a tort of civil conspiracy has been recognized. *Almy v. Grishan*, 273 Va. 68, 80 639 S.E.2d 182, 188 (2007). As a general matter, the law of Virginia on civil conspiracy claims is consistent with the law of Maryland. In Virginia, a common law claim of civil conspiracy generally requires proof that the underlying tort was committed. See *Commercial Bus. Sys. v. Halifax Corp.*, 253 Va. 292, 300, 484 S.E.2d 892, 896 (1997) (noting similarities of Maryland law).

Here the Plaintiffs have alleged an agreement or understanding among the defendants to breach their duty to report child abuse and neglect, overt acts in furtherance of that agreement or understanding, such as interference with prosecutions, warnings to accused abusers, lying to victims about court proceedings, coercion and attempted coercion of victims to drop charges and many other acts detailed in the amended complaint. Further, each of the Plaintiffs allege damage as a result of this conspiracy, as a result of the abusers continued access to children after the Defendants' had knowledge of their unlawful acts. Such claims are sufficient under Virginia law to state a cause of action for civil conspiracy where the underlying tort has been established.

D. Negligent supervision and hiring

Defendants overstate the law when they allege Virginia does not recognize a cause of action for negligent supervision on the facts alleged here. The Virginia Supreme Court has certified in very similar circumstances that a party may be responsible for negligent hiring and retention. See *Philip Morris, Inc. v. Emerson*, 235 Va. 380, 368 S .E.2d 268 (1988) (recognizing the tort of negligent retention); *J... v. Victory Tabernacle Baptist Church*, 236 Va. 206, 372

S.E.2d 391 (1988) (recognizing the tort of negligent hiring). The cause of action for negligent retention "is based on the principle that an employer ... is subject to liability for harm resulting from the employer's negligence in retaining a dangerous employee who the employer knew or should have known was dangerous and likely to harm" others. *Southeast Apartments Management, Inc. v. Jackman*, 257 Va. 256, 260-261, 513 S.E.2d 395 (1999).

In the case cited by Defendants, *Chesapeake & Potomac Telephone Co. of Virginia v. Dowdy*, 235 Va 455, 61, 365 S.E.2d 751, 754 (1988), the Supreme Court confronted a very different set of allegations. There, an employee sought to recover because he was having trouble coping with workplace stress. The Court reached the very limited conclusion that the trial court erred by submitting the case to the jury on a theory of negligent supervision when the facts heard by the jury were a far cry from cases involving intentional misconduct.

The Court limited its holding by comparing the facts to those in other cases properly permitted to go to the jury: "[n]o valid analogy can be drawn between this case, in which an employee had difficulty coping or contending with the circumstances of his employment, and cases like *Hughes, Womack,* and *Naccash,* which involved either fright or shock, intentional misconduct, or wrongful acts egregious enough to warrant creating an exception to the tactile tort rule. *See Sea-Land Service, Inc. v. O'Neal,* 224 Va. 343, 297 S.E.2d 647 (1982). *Cf. Atchison, T. & S.F.R. Co. v. Buell,* 480 U.S. 557, 107 S.Ct. 1410, 1417-18 n. 16-21, 94 L.Ed.2d 563 575-76 n. 16-21 (1987) (harassment and intimidation of railroad employee, in which common-law developments in cases of mental suffering reviewed). And, there is no persuasive similarity between this case and the safe-place-to-work cases cited by the plaintiff which deal with risks peculiar to the employment causing physical injury to the employee. Consequently, we hold that the trial court erred in submitting the case to the jury on a theory of negligent supervision."

In contrast to *Dowdy*, the facts here may be validly analogized to those cases involving intentional misconduct. The Virginia Supreme Court made clear in Dowdy that the facts control, and that the circumstances at bar control the legal analysis. Had this lawsuit been filed in Virginia, the Virginia courts would not run afoul of the Supreme Court reasoning in *Dowdy* if they permitted a theory of negligent supervision to be heard by a jury in the facts here. Defendants vastly overstate the law when they argue that Virginia flatly prohibits a tort of negligent supervision from being heard by a jury. Tort law by its very nature is fluid, and takes into account the particular facts.

IV. It Is Premature for this Court To Consider Whether A Class Should Be Certified.

Undersigned counsel have been contacted by a substantial number of victims similarly-situated to Plaintiffs, as well as a substantial number of witnesses who are knowledgeable about other victims who have not come forward. Plaintiffs' counsel will be filing a motion to certify the class and name certain Plaintiffs as class representatives. Until the Plaintiffs' motion has been filed, it is premature for the Court to hear argument on class certification.

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CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2013, I served the foregoing Plaintiffs' Plaintiffs' Opposition to Defendants Motion to Dismiss Based on Jurisdiction on the following counsel of record via email and regular mail delivery.

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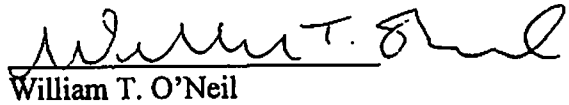
By: 

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JANE DOE, et al.	)	
	)	
Plaintiffs,	)	
v.	)	Case No. 369721V
	)	Hon. Sharon V. Burrell
	)	
SOVEREIGN GRACE MINISTRIES, et al.	)	
	)	
Defendants.	)	
	)	

AFFIDAVIT OF BRENT DETWILER

I solemnly affirm under penalties of perjury that the following is true to the best of my knowledge, information and belief:

1. Beginning in 1982, I personally worked directly and closely with Defendant Charles Mahaney, Defendant Lawrence Tomczak and others to develop and operate the entity now known as Sovereign Grace Ministries, Inc. (hereinafter referred to as "SGM"). I served on the Board of Directors, and devoted my full energies and talents to furthering the goals of SGM until my resignation in February 2008. (I resigned from the Board in November 2007.)
2. At the outset, SGM was called People of Destiny International which was then shortened to PDI. In 2002, the Board of Directors of PDI (of which I was a member) changed the name of PDI to Sovereign Grace Ministries, Inc.. *See* Exhibit 1 (Corporate change of name from PDI to SGM).
3. SGM always was and remains a Maryland corporation located in Maryland. *See* Exhibit 2 (Kentucky Certificate).

4. SGM acted from its headquarters in Maryland to operate an integrated network of churches. As set out in Exhibit 1, the "Corporation is organized as a convention or association of churches and as an integrated auxiliary of Covenant Life Church, Inc., a local church and nonstock corporation in the State of Maryland."
5. SGM's resident agent at the time of the name change was and remains Thomas J. Hill, Jr. *See* Exhibit 1 at Article 8.
6. SGM's network of churches grew quite large, as is demonstrated by the last page of the SGM magazine, attached as Exhibit 3. To build this network of churches SGM either created new churches (called "church planting") or took over existing churches after reaching agreement with existing local church leadership. Exhibit 5 is a copy of SGM's manual for church planting; Exhibit 6 is a copy of SGM's membership agreement used for existing local churches.
7. Each local church operated as a separate financial unit, raising funds and paying the local pastors. However, each local church was expected to send ten percent of its funds back to the SGM headquarters. Exhibit 7 is a copy of the financial reports, which show this flow of funding from the local churches to SGM headquarters in Maryland.
8. SGM headquarters controlled the training, and licensing of the pastors who served in the network of local churches. Exhibit 8 is a copy of the SGM Bylaws. As shown by the bylaws, SGM established the qualifications that had to be met to preach in an SGM-affiliated church. *See* Exhibit 8 at Section 7.2. SGM ordained and licensed the pastors. *See* Exhibit 8 at Section 7.1. SGM retained the right to terminate pastors. *See* Exhibit 8 at Section 7.3. SGM also established the job responsibilities for pastors. *See* Exhibit 8 at Section 7.4.

9. SGM headquarters operated the Pastors College in order to train those interested in being pastors in local churches. The Pastors College is and always has been located in Maryland.

10. SGM offered numerous conferences to further the education of the pastors and the local church members. The majority of these conferences were held in Maryland.

11. SGM itself was led by Defendant Mahaney and a group of men referred to as the "apostolic team" (hereinafter "SGM executive management"). From 1982 until my resignation in February 2008, I was a member of the SGM executive management and therefore personally familiar with the regular manner in which SGM interacted with the local churches, including the Sovereign Grace Church of Fairfax.

12. SGM executive management worked with local churches in hiring and firing of their pastors, and the setting of their salaries.

13. SGM executive management exercised oversight over Defendant Sovereign Grace Church of Fairfax and its pastors (Defendants V. Hinders, D. Hinders, Mullery and Ecelbarger) as well as all other local church pastors.

14. Each member of SGM executive management assumed responsibility of a certain number of local churches. By the time of my resignation from the Board in 2007, I had responsibility for 23 local churches.

15. Exhibit 9 is an article authored by Defendant Mahaney that describes this organizational structure. Exhibit 10 is a copy of 2006 organizational charts that show which member of SGM executive management was assigned to supervise a church.

16. Each pastor working at the Sovereign Grace Church of Fairfax – including Defendants David Hinders, Vince Hinders, Frank Ecelbarger, Lou Gallo and especially Mark Mullery

– had routine telephonic and emails contacts with SGM headquarters in Maryland and with SGM executive management.

17. Based on the well-established patterns of communication demonstrated through appended emails, SGM executive management consulted directly with Defendants Mullery, Gallo, and D. Hinders about responses to allegations of physical and sexual abuse of children. Exhibit 11 is an email dated October 4, 2009 that establishes Defendant Mullery communicated directly with Defendant Mahaney (located at SGM headquarters in Maryland) about the sexual abuse of the Coe children. Exhibit 12 is an email dated September 6, 2009 that establishes Defendants Gallo, D. Hinders and Mullery communicating directly with Defendant Mahaney about the sexual abuse of the Coe children. (These exhibits are being filed under seal to protect the identities of the Coe children.) Based on my knowledge of the workings of SGM executive management with the local pastors, I believe it likely that SGM executive management consulted also with V. Hinders about incidents of sexual abuse of children occurring in the Fairfax Church.

18. The five Fairfax pastors physically went to Maryland on church business on multiple occasions. Mark Mullery taught many training sessions at the Pastors College. Vince Hinders, David Hinders and Frank Ecelbarger attended training at Pastors College. In addition, Frank Ecelbarger attended the People of Destiny School of Ministry, which was located in Maryland, in 1988.

19. Exhibit 13 is a copy of the Sovereign Grace Church of Fairfax calendar for March 1999. This snapshot in time shows Vince Hinders attending the Pastors College in Maryland on March 2-4 and demonstrates Frank Ecelbarger attending Pastors College in Maryland on March 30-31.

20. Sovereign Grace Church of Fairfax organized events in Maryland. Exhibit 14 is a copy of the Fairfax Covenant Church Men's Retreat held in Maryland on February 23-24, 2001.

21. Until the date upon which Sovereign Grace Church of Fairfax formally withdraws from the SGM network, the four Defendants currently employed by Sovereign Grace Church of Fairfax (D. Hinders, V. Hinders, Mullery, Gallo) are being licensed by SGM and are subject to being terminated from their pastoral employment by the SGM Board of Directors or by SGM executive management acting in conjunction with the local elders.

I solemnly affirm under penalties of perjury that the foregoing is true to the best of my knowledge, information and belief:

Brent Detwiler

Brent Detwiler

County/City of Cabarrus/Concord
Commonwealth/State of NC
The foregoing instrument was acknowledged before me this 25 day of March, 2013, by
Brent Detwiler
(name of person seeking acknowledgement)
Bobby Joe Cornett
Notary Public
My Commission Expires: 12-03-15

BOBBY JOE CORNETT
NOTARY PUBLIC
Mecklenburg County
North Carolina
My Commission Expires December 03, 2015