

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**PLAINTIFF JANET JENKINS'S REPLY TO DEFENDANT TIMOTHY MILLER'S  
RESPONSE IN OPPOSITION TO PLAINTIFF JANET JENKINS'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON COUNT ONE AGAINST DEFENDANTS  
PHILIP ZODHIATES, KENNETH MILLER, AND TIMOTHY MILLER**

Scott D. McCoy  
Southern Poverty Law Center  
P.O. Box 10788  
Tallahassee, Florida 32302  
Phone: (850) 521-3042  
Fax: (850) 521-3001  
Email: scott.mccoy@splcenter.org

Frank H. Langrock  
Langrock Sperry & Wool, LLP  
111 S. Pleasant Street  
P.O. Drawer 351  
Middlebury, Vermont 05753-0351  
Phone: (802) 388-6356  
Fax: (802) 388-6149  
Email: flangrock@langrock.com

J. Tyler Clemons  
Southern Poverty Law Center  
201 St. Charles Avenue, Suite 2000  
New Orleans, Louisiana 70170  
Phone: (504) 526-1530  
Fax: (504) 486-8947  
Email: tyler.clemons@splcenter.org

Sarah Star  
Sarah Star, PL  
P.O. Box 106  
Middlebury, Vermont 05753  
Phone: (802) 385-1023  
Email: srs@sarahstarlaw.com

Diego A. Soto  
Maya G. Rajaratnam  
Southern Poverty Law Center  
400 Washington Avenue  
Montgomery, Alabama 36104  
Phone: (334) 956-8200  
Fax: (334) 956-8481  
Email: diego.soto@splcenter.org  
Email: maya.rajaratnam@splcenter.org

*Counsel for Plaintiffs*

**TABLE OF CONTENTS**

TABLE OF AUTHORITIES ..... ii

STATEMENT OF THE CASE..... 1

ARGUMENT ..... 4

    I. Timothy’s guilty plea establishes beyond a reasonable doubt that he agreed to effect an illegal purpose ..... 4

        A. Timothy’s guilty plea establishes beyond a reasonable doubt that he agreed to abduct or otherwise compel or induce Isabella to leave Jenkins ..... 5

        B. Timothy’s guilty plea establishes beyond a reasonable doubt that Jenkins was legally entitled to Isabella’s custody..... 6

        C. Timothy’s guilty plea establishes beyond a reasonable doubt that he knew Jenkins did not consent ..... 8

    II. Timothy’s guilty plea establishes beyond a reasonable doubt that someone furthered the illegal purpose using illegal means ..... 9

    III. Timothy’s guilty plea establishes beyond a reasonable doubt that the illegal means damaged Jenkins ..... 10

    IV. Jenkins is not required to prove the illegal means were used to benefit Timothy ..... 11

CONCLUSION..... 11

CERTIFICATE OF SERVICE ..... 13

**TABLE OF AUTHORITIES**

**Cases**

*Adams v. Cook*,  
100 A. 42 (Vt. 1917)..... 11

*Adcock v. Brakegate, Ltd.*,  
645 N.E.2d 888 (Ill. 1994)..... 10

*Akerley v. N. Country Stone, Inc.*,  
620 F. Supp. 2d 591 (D. Vt. 2009) (Sessions, C.J.)..... 4

*Boutwell v. Marr*,  
42 A. 607 (Vt. 1899)..... 9

*Chickanosky v. Chickanosky*,  
No. 2009-94, 2010 WL 7799902 (Vt. 2010) ..... 8

*F.R. Patch Mfg. Co. v. Prot. Lodge, No. 213, Int’l Ass’n of Machinists*,  
60 A. 74 (Vt. 1905)..... 9

*Halberstam v. Welch*,  
705 F.2d 472 (D.C. Cir. 1983)..... 10

*In re Extradition of Thi Ha Vu*,  
No. 15-MJ-1049, 2016 WL 8674654 (E.D.N.Y. Feb. 5, 2016)..... 8

*Jenkins v. Miller*,  
983 F. Supp. 2d 423 (D. Vt. 2013) ..... 4, 7, 10

*Jenkins v. Miller*,  
No. 2:12-cv-184, 2017 WL 4402431 (D. Vt. Sept. 29, 2017) ..... 4, 9

*Mansfield Heliflight, Inc. v. Freestream Aircraft USA, Ltd.*,  
No. 2:16-cv-28, 2019 WL 4863013 (D. Vt. Mar. 12, 2019) (Reiss, J.)..... 9

*Montgomery v. Devoid*,  
915 A.2d 270 (Vt. 2006)..... 11

*North Carolina v. Alford*,  
400 U.S. 25 (1970)..... 7

*Preston v. Hutchinson*,  
29 Vt. 144 (1856)..... 9

*United States v. Hasan*,  
586 F.3d 161 (2d Cir. 2009) ..... 8

*United States v. Saliba*,  
No. 8-CR-792, 2010 WL 1189350 (E.D.N.Y. Mar. 26, 2010)..... 8

*Wei Wang v. Shen Jianming*,  
No. 2:17-cv-153, 2019 WL 3254613 (D. Vt. July 19, 2019) (Reiss, J.)..... 11

**Statutes**

18 U.S.C. § 1204..... 5, 6, 7  
Vt. Stat. Ann. tit. 15, § 664 ..... 1, 7, 8

**Other Authorities**

*Abduction*, Black’s Law Dictionary (11th ed. 2019) ..... 5  
*Compel*, Black’s Law Dictionary (11th ed. 2019) ..... 5  
*Inducement*, Black’s Law Dictionary (11th ed. 2019)..... 5  
*Removal*, Black’s Law Dictionary (11th ed. 2019)..... 5  
*Retain*, Black’s Law Dictionary (11th ed. 2019) ..... 5  
*Take*, Black’s Law Dictionary (11th ed. 2019)..... 5

**Rules**

Fed. R. Crim. P. 11 ..... 7

**Treatises**

Restatement (Second) of Torts § 700..... 4, 7, 10

Summary judgment should be granted on Count 1 against Defendant Timothy Miller.

### **STATEMENT OF THE CASE**

In September 2009, just three days before court-ordered parent–child contact between Plaintiff Janet Jenkins and her then-seven-year-old daughter Plaintiff Isabella Miller-Jenkins, Defendant Lisa Miller transported Isabella to Nicaragua. Isabella has not been seen since.

In a sworn deposition, Timothy admitted his involvement in the kidnapping. On September 21, 2009, after Timothy researched Lisa on the internet, Defendant Kenneth Miller told him Lisa wanted to go to Nicaragua because it would not extradite her back to the United States, where a court could transfer custody of her child to another woman. Dep. Tr. 13–14, 24, Ex. 26; *see also Kenneth L. Miller Gov’t Ex. 5 at 3, Ex. 1 to Pl. Janet Jenkins’s Mot. for Partial Summ. J. on Count One Against Defs. Philip Zodhiates, Kenneth Miller, and Timothy Miller (“Mot.”), ECF 439-1; Timothy Miller Plea Agreement (“Agreement”) 3, Ex. 16 to Mot., ECF 439-16.*

At the time, Lisa had “temporary legal and physical responsibility” for Isabella. *See, e.g., Kenneth L. Miller Gov’t Ex. 5 at 1, Ex. 1 to Mot.; see also Vt. Stat. Ann. tit. 15, § 664(1) (defining “Parental rights and responsibilities”).* Jenkins had the right to parent–child contact with Isabella on a temporary basis. *Kenneth L. Miller Gov’t Ex. 5 at 1, Ex. 1 to Mot.; Agreement 3; see also Vt. Stat. Ann. tit. 15, § 664(2) (defining “Parent child contact”).* For example, the family court ordered parent–child contact from September 25, 2009, to September 27, 2009. *See Kenneth L. Miller Gov’t Ex. 12, Ex. 3 to Mot., ECF 439-3.* Jenkins also had pending since May 2009 a motion to transfer custody of Isabella to her, after Lisa’s repeated refusals to allow Jenkins parent–child contact. *See Kenneth L. Miller Gov’t Ex. 14 at 1, Ex. 5 to Mot., ECF 439-5.* The court had warned Lisa that continued contempt could result in a transfer of custody, but she continued to disobey. *Id.* at 7–8.

Timothy agreed to, and did, buy airplane tickets for Lisa and Isabella from Canada to Nicaragua without a stop in the United States. Dep. Tr. 15, 21–23, 27; Agreement 3. He purchased one-way tickets because he understood Lisa would have kept Isabella in Nicaragua if Jenkins’s motion to transfer custody were granted. Dep. Tr. 27–28. He also agreed to pick up Lisa and Isabella from the airport. *Id.* at 15.

Timothy emailed friends and congregants, including Andrew Yoder, information about Lisa from protectisabella.com, which explained that Lisa and Jenkins were in a dispute over Isabella’s custody, that Lisa would probably lose custody of Isabella, that Vermont had jurisdiction over the case, that a Vermont court ruled Jenkins was a legal parent to Isabella, that Virginia’s appellate courts overturned a Virginia court order awarding Lisa “full custody and sole parental status,” and that Lisa had been denying Jenkins parent–child contact with Isabella since 2004. “Lisa Miller” Email, Ex. 27; *see also* Dep. Tr. 16–21.

On September 22, 2009, Lisa and Isabella departed Canada using the tickets Timothy bought. Agreement 3. When Timothy learned the airlines wanted proof Lisa would leave Nicaragua, he had the travel agency that sold him the tickets resolve the issue. Dep. Tr. 35–37. He warned his acquaintances not to discuss Lisa because “it just might be more of a secret.” “Re: A Few Lines” Email, Ex. 28; *see also* Dep. Tr. 31–33. He also solicited and received a list of Nicaraguan residency requirements from Yoder, so Lisa could lawfully remain there. Dep. Tr. 29, 33, 37; *see also* “Residency Requirements” Email, Ex. 29.

On September 23, 2009, Timothy picked up Lisa and Isabella from the airport in Managua and took them to Jinotega to make it harder to find them. Dep. Tr. 28–29, 40. In the United States, Lisa’s attorneys told Jenkins’s attorneys Lisa had not confirmed she would

comply with the September 25, 2009 parent–child contact. *See* “Interim Visitation Order” Email, Ex. 30. Jenkins’s mother unsuccessfully tried to reach Lisa. October 7, 2009 Letter, Ex. 31.

Lisa and Isabella later visited Managua, staying at an apartment Timothy helped them rent. Dep. Tr. 44. Lisa taught children at Timothy’s home. *Id.* at 45.

On November 20, 2009, the family court granted Jenkins “sole physical and legal custody” of Isabella and ordered that Isabella be transferred to Jenkins on January 1, 2010.

*Kenneth L. Miller* Gov’t Ex. 14 at 21, Ex. 5 to Mot., ECF 439-5.

Lisa and Isabella returned to Jinotega on April 27, 2010. Dep. Tr. 53.

In May 2010, Timothy arranged for Yoder to bring him \$500 in cash, purportedly for coffee, by cashing a check Kenneth cut him. *See* “Re: Address” Email, Ex. 32; Dep. Tr. 58–62.

On November 30, 2016, Timothy pleaded guilty to conspiracy to commit international parental kidnapping. Agreement 1. He understood the government would have had to prove:

- a. That Isabella Miller Jenkins [sic] was previously in the United States;
- b. that the defendant agreed with others including Lisa Miller and Ken Miller to assist the taking of Isabella Miller Jenkins [sic] from the United States and retaining the child outside the United States; and
- c. the defendant acted with the intent to obstruct the lawful exercise of parental rights of Janet Jenkins.

*Id.* at 2. He also “agree[d] to the following facts, which form[ed] the basis for the entry of the plea of guilty including relevant conduct”:

- a. That Isabella Miller Jenkins is the daughter of Lisa Miller and Janet Jenkins. Prior to September 22, 2009, Isabelle Miller Jenkins [sic] lived in the United States and Janet Jenkins had the parental right to visit Isabella Miller.
- b. That on or about September 21, 2009, the defendant was a Mennonite minister in Managua, Nicaragua when he was contacted by Kenneth Miller. Kenneth Miller told the defendant that Lisa

Miller was looking to leave the United States with her daughter Isabella Miller Jenkins [sic] as she could lose custody of Isabella to Janet Jenkins.

c. Based on this information, the defendant agreed to assist in arranging Lisa's and Isabella's departure from the United States. The defendant did also purchase one-way airline tickets on September 21, 2009, for Lisa and Isabella to travel from Canada to Managua, Nicaragua on September 22, 2009.

d. Lisa and Isabella departed Canada on or about September 22, 2009, and arrived in Managua, Nicaragua. The defendant learned in November 2009 that Janet Jenkins was award[ed] custody of Isabella Miller Jenkins [sic]. The defendant continued to assist Lisa Miller with assistance up to and including May 2010 when he accepted and provided Lisa Miller with money.

*Id.* at 2–3.

## ARGUMENT

Timothy's guilty plea to conspiracy to commit international parental kidnapping establishes beyond a reasonable doubt all elements of Vermont civil conspiracy: he agreed to effect an illegal purpose, someone used illegal means to further that purpose, and those means damaged Jenkins. *See Jenkins v. Miller*, No. 2:12-cv-184, 2017 WL 4402431, at \*10 (D. Vt. Sept. 29, 2017) (citing *Akerley v. N. Country Stone, Inc.*, 620 F. Supp. 2d 591, 600 (D. Vt. 2009) (Sessions, C.J.)).

### **I. Timothy's guilty plea establishes beyond a reasonable doubt that he agreed to effect an illegal purpose**

Timothy agreed to effect the Vermont tort of intentional interference with parental rights, meaning to abduct or otherwise compel or induce Isabella, a minor child, to leave Jenkins, a parent who was legally entitled to her custody, with knowledge that Jenkins did not consent. *See Jenkins v. Miller*, 983 F. Supp. 2d 423, 451–52 (D. Vt. 2013); *accord* Restatement (Second) of Torts § 700.

**A. Timothy’s guilty plea establishes beyond a reasonable doubt that he agreed to abduct or otherwise compel or induce Isabella to leave Jenkins**

Timothy agreed to cause Isabella to leave Jenkins by compulsion or inducement. The Vermont tort covers the full gamut of ways to cause a child to leave her parent, whether voluntarily by inducement, meaning to “entic[e] or persuad[e] another person to take a certain course of action,” *Inducement*, Black’s Law Dictionary (11th ed. 2019), or involuntarily by compulsion, meaning “[t]o cause or bring about by force, threats, or overwhelming pressure,” *Compel*, Black’s Law Dictionary (11th ed. 2019). *Accord Abduction*, Black’s Law Dictionary (11th ed. 2019) (“lead[] someone away by force or fraudulent persuasion”).

Timothy admitted to agreeing to cause Isabella to leave Jenkins either voluntarily or involuntarily. He pleaded guilty to agreeing to “remove[]” Isabella from the United States, 18 U.S.C. § 1204, meaning to “transfer or mov[e]” her outside the United States, *Removal*, Black’s Law Dictionary (11th ed. 2019)—a voluntary or involuntary means of causing Isabella to leave Jenkins. *See also Take*, Black’s Law Dictionary (11th ed. 2019) (defining “take” to mean “1. To obtain possession or control, whether legally or illegally ... 2. To seize with authority; to confiscate or apprehend”). He also pleaded guilty to agreeing to “retain[]” Isabella outside the United States, § 1204, meaning to “[t]o hold” her “in possession or under control; to keep and not lose, part with, or dismiss,” *Retain*, Black’s Law Dictionary (11th ed. 2019)—an involuntary means of causing Isabella to leave Jenkins.<sup>1</sup>

---

<sup>1</sup> Timothy argues he did not admit any facts after September 2009 because he pleaded guilty to a crime that ended in September 2009. *See* Resp. 9, 11. But he pleaded guilty to the first count of his superseding indictment—conspiracy to commit international parental kidnapping, Agreement 1, which also makes it illegal to conspire to “retain[] a child (who has been in the United States) outside the United States with intent to obstruct the lawful exercise of parental rights.” 18 U.S.C. § 1204 (emphasis added). The superseding indictment provided the conspiracy began in September 2009 and continued. *See Timothy Miller Superseding Indictment 1, Ex. 14 to Mot., ECF 439-14*. Timothy understood the government would have been required to prove he agreed with others to retain Isabella outside the United States. Agreement 2. He admitted he

Timothy argues he did not admit to agreeing to abduct or otherwise compel or induce Isabella to leave Jenkins because that would have been “unreasonable and unnecessary to support” his guilty plea. *See* Mem. in Supp. of Def. Timothy Miller’s Obj. to Mot. (“Resp.”) 10, ECF 463. He does not engage with the language of the federal crime and the Vermont tort to explain how his agreement to remove and retain Isabella outside the United States does not establish he agreed to cause Isabella to leave Jenkins voluntarily or involuntarily.

**B. Timothy’s guilty plea establishes beyond a reasonable doubt that Jenkins was legally entitled to Isabella’s custody**

Jenkins was legally entitled to Isabella’s custody both when she had parent–child contact rights and after she was granted sole parental rights and responsibilities. Under Vermont law governing interference with parental rights, parent–child contact is a form of custody because Vermont seeks to deter parental abduction of children, to protect children, and to protect all parents from deprivation of their rights. *See* Mem. in Supp. of Mot. (“Mem.”) 16–17, ECF 439-27 (comparing Vermont tort of intentional interference with parental rights with Vermont crime of custodial interference, which considers right to parent–child contact to be right to custody).

Timothy admitted to acting with intent to obstruct Jenkins’s parental rights when he agreed to both remove and retain Isabella outside the United States. *See* Agreement 2. For the federal crime, “parental rights” “means the right to physical custody of the child—(A) whether joint or sole (and includes visiting rights); and (B) whether arising by operation of law, court order, or legally binding agreement of the parties.” 18 U.S.C. § 1204(b)(2). Timothy admitted

---

“agreed to assist in arranging Lisa’s and Isabella’s departure from the United States” and he “continued to assist Lisa Miller” after “Jenkins was awarded custody of Isabella” in November 2009. *Id.* at 3. Therefore, Timothy’s admitted conduct after September 2009 was necessary to support his guilty plea, and he is precluded from relitigating those facts.

Jenkins had the right to parent–child contact with Isabella before September 22, 2009, and sole parental rights and responsibilities starting in November 2009.<sup>2</sup>

Timothy argues Jenkins’s right to parent–child contact did not give her custody. *See* Resp. 10–12, 15–18. He ignores Vermont law to the contrary, *see* Mem. 16–17, and cites no support for the proposition that only a parent with legal and physical responsibility has custody for purposes of Vermont law governing interference with parental rights.

Timothy also argues he could not have conspired with Lisa to intentionally interfere with Jenkins’s parental rights because Lisa had sole custody or, at best for Jenkins, joint custody. *See* Resp. 15 (citing Restatement (Second) of Torts § 700 cmt. c). The Vermont Supreme Court likely would not adopt the rule Timothy advances, *see Jenkins*, 983 F. Supp. 2d at 451 (noting Vermont Supreme Court has declined to adopt portions of Restatement), given Vermont’s clear policy preference for protecting children and protecting all parents from deprivation of their rights, including the right to parent–child contact, *see* Mem. 16–17.

Timothy further argues Isabella did not “leave” Jenkins before November 2009 because Lisa’s temporary legal responsibilities included controlling Isabella’s travel arrangements. *See* Resp. 11 (citing Vt. Stat. Ann. tit. 15, § 664(1)). Lisa’s temporary parental rights and responsibilities were subject to Jenkins’s right to contact with Isabella, *see* § 664(1)(B), so she could not use them to interfere with Jenkins’s rights by removing and retaining Isabella outside

---

<sup>2</sup> Timothy argues he did not admit the facts in paragraph 5 of his plea agreement but merely agreed the government would have introduced those facts at trial. *See* Resp. 9. Unlike paragraph 4, paragraph 5 does not specify Timothy merely understood the government would have introduced those facts at trial. *See* Agreement 2. Instead, those facts formed the requisite basis for his plea. *See* Fed. R. Crim. P. 11(b)(3). Timothy did not, for example, enter a *nolo contendere* plea, whereby he did not admit his guilt but authorized the court to treat him as guilty, or an *Alford* plea, whereby he contested the facts and his guilt but pleaded guilty to avoid a harsher sentence. *See North Carolina v. Alford*, 400 U.S. 25 (1970). Besides, Jenkins’s parental rights are a necessary element of the crime. *See* 18 U.S.C. § 1204(a).

the United States for ten years and counting, *cf. Chickanosky v. Chickanosky*, No. 2009-94, 2010 WL 7799902, at \*4 (Vt. 2010) (holding mere one-week overnight Girl Scouts camp did not impermissibly infringe on mother's custodial rights).

**C. Timothy's guilty plea establishes beyond a reasonable doubt that he knew Jenkins did not consent**

Timothy acted with knowledge that Jenkins did not consent. He admitted he acted with intent to obstruct Jenkins's parental rights. *See* Agreement 1. He necessarily also admitted he acted with knowledge that Jenkins did not consent because he could not have intended to obstruct Jenkins's parental rights if he believed Jenkins consented. *Cf. United States v. Hasan*, 586 F.3d 161, 165–66 (2d Cir. 2009) (suggesting knowledge of nonconsent is necessary by considering merits of defendant's argument that evidence was insufficient to find nonconsent); *United States v. Saliba*, No. 8-CR-792, 2010 WL 1189350, at \*1–2 (E.D.N.Y. Mar. 26, 2010) (suggesting knowledge of nonconsent is necessary because consent would negate intent).

Timothy argues he did not admit he knew Jenkins did not consent because one can be guilty of international parental kidnapping even if the parent consented to the initial removal. *See* Resp. 12–14 (citing *In re Extradition of Thi Ha Vu*, No. 15-MJ-1049, 2016 WL 8674654, at \*3 (E.D.N.Y. Feb. 5, 2016)). Timothy, however, admitted he knew Jenkins did not consent to Isabella's initial removal because he admitted he intended to obstruct Jenkins's parental rights.

Timothy also argues Lisa did not need Jenkins's consent to travel with Isabella under both Vermont law and the Vermont family court's orders. *See* Resp. 12–14. That is both not true because Lisa's rights were subject to Jenkins's rights, *see* Vt. Stat. Ann. tit. 15, § 664, and irrelevant to whether Timothy admitted he knew Jenkins did not consent.

**II. Timothy’s guilty plea establishes beyond a reasonable doubt that someone furthered the illegal purpose using illegal means**

The conspiracy’s illegal purpose was furthered by illegal means. Unlike a criminal conspiracy, civil conspiracy requires that the plaintiff was damaged by something unlawful done to further the conspiracy. *Jenkins*, 2017 WL 4402431, at \*10. Timothy admitted Lisa, with his help and to further their conspiracy, removed and retained Isabella outside the United States to obstruct Jenkins’s parental rights. *See* Agreement 2–3. Thus, the illegal purpose of Timothy and Lisa’s conspiracy was furthered by Lisa’s illegal actions.

Timothy argues Jenkins is required to prove she was damaged by something illegal he himself did. *See* Resp. 4–7. The cases Timothy cites do not limit civil liability to conspirators who act illegally to further the conspiracy.<sup>3</sup> If one conspirator causes the plaintiff damage by doing something illegal to further the conspiracy, then all conspirators can be held liable, even if they do nothing illegal. *See, e.g., Mansfield Heliflight, Inc. v. Freestream Aircraft USA, Ltd.*, No. 2:16-cv-28, 2019 WL 4863013, at \*10 (D. Vt. Mar. 12, 2019) (Reiss, J.) (holding defendant could be liable for co-conspirator’s illegal filing of fraudulent lien to further conspiracy to file fraudulent lien); *F.R. Patch Mfg. Co. v. Prot. Lodge, No. 213, Int’l Ass’n of Machinists*, 60 A. 74, 80 (Vt. 1905) (“[E]ach conspirator becomes responsible for the means used by any co-conspirator in the accomplishment of the purpose in which they are all at the time engaged.”); *Preston v. Hutchinson*, 29 Vt. 144 (1856) (“It does not seem to be of any importance that all should have participated in the game. If they were confederates and laboring to a common end, this will be sufficient to create the liability, the same as in cases of conspiracy. ... [I]t would be a

---

<sup>3</sup> For example, Timothy modifies his quotation of *Boutwell v. Marr*, 42 A. 607, 609 (Vt. 1899), to force this extra requirement. *See* Resp. 5. *Boutwell* says only that “the thing done be something unlawful in itself.” 42 A. at 609.

remarkable defense to say that each was only liable for the portion of the booty obtained by himself.”).<sup>4</sup>

### **III. Timothy’s guilty plea establishes beyond a reasonable doubt that the illegal means damaged Jenkins**

The illegal means damaged Jenkins. Timothy admitted Lisa obstructed Jenkins’s parental rights by removing and retaining Isabella outside the United States. *See* Agreement 3. That constitutes damage to Jenkins. *See* Restatement (Second) of Torts § 700 cmt. d (“The deprivation to the parent of the society of the child is itself an injury that the law redresses.”).

Timothy argues Jenkins was not damaged because Lisa had temporary parental rights and responsibilities and Jenkins cannot recover damages for lost parent–child contact. *See* Resp. 19. Jenkins’s only relief, he argues, is to seek to enforce the parent–child contact order, including through contempt. *Id.* These arguments fail because Vermont recognizes a damages claim for intentional interference with a parent’s right to parent–child contact. *See Jenkins*, 983 F. Supp. 2d at 450–52; *see also supra* Section I.B.

Timothy alternatively argues Jenkins’s damages are limited to the those related to the missed parent–child contact in September 2009 because one could only speculate whether custody would be transferred to Jenkins after that missed contact. *See* Resp. 20. Jenkins has not moved for summary judgment on the extent of her damages, only on the issue of whether she was damaged, as required by Vermont civil conspiracy law. Timothy’s argument still fails

---

<sup>4</sup> *Accord Adcock v. Brakegate, Ltd.*, 645 N.E.2d 888, 895 (Ill. 1994) (holding plaintiff need not prove conspirator did something unlawful to further conspiracy because conspirators “are liable for injuries caused by any unlawful acts performed pursuant to and in furtherance of the conspiracy”); *Halberstam v. Welch*, 705 F.2d 472, 481 (D.C. Cir. 1983) (“[A]ll [conspiracy’s] members are liable for injuries caused by acts pursuant to or in furtherance of the conspiracy. A conspirator need not participate actively in or benefit from the wrongful action in order to be found liable. He need not even have planned or known about the injurious action ... so long as the purpose of the tortious action was to advance the overall object of the conspiracy.”).

because he admitted he agreed both to remove and retain Isabella outside the United States, including after Jenkins was awarded sole parental rights and responsibilities. *See supra* Section I.A. Defendants’ conspiracy did not interfere solely with one parent–child contact weekend; by design, it prevented any future parent–child contact and any transfer of custody for the remainder of Isabella’s childhood and perhaps beyond. Their conspiracy caused Jenkins the emotional distress any mother would suffer from the decade-long kidnapping of her child to a foreign country. Each Defendant, including Timothy, can be held responsible for those damages. *See supra* Section II.

#### **IV. Jenkins is not required to prove the illegal means were used to benefit Timothy**

Relying on *Wei Wang v. Shen Jianming*, No. 2:17-cv-153, 2019 WL 3254613, at \*6 (D. Vt. July 19, 2019) (Reiss, J.), Timothy argues Jenkins is required to prove the illegal means were used to benefit him. *See* Resp. 14. First, that argument is based on dicta because *Wei Wang* assumed the cause of action existed and dismissed. *See* 2019 WL 3254613, at \*6. Second, *Wei Wang* quotes *Montgomery v. Devoid*, 915 A.2d 270 (Vt. 2006), which refers to a civil conspiracy claim but instead involved an aiding-and-abetting claim. Third, the benefit requirement applies just to a defendant who approved the tort. *See, e.g., Adams v. Cook*, 100 A. 42 (Vt. 1917) (holding it was legally sound to charge jury that “[a]ll who aid, command, advise, or countenance the commission of a tort by another, *or who approve of it after it is done if done for their benefit*, are liable in the same manner as they would be if they had done it with their own hands” (emphasis added)).

#### **CONCLUSION**

Summary judgment should be granted on Count 1 against Defendant Timothy Miller.

Respectfully submitted.

February 18, 2020

/s/ Frank H. Langrock

---

Frank H. Langrock  
Langrock Sperry & Wool, LLP  
111 S. Pleasant Street  
P.O. Drawer 351  
Middlebury, Vermont 05753-0351  
Phone: (802) 388-6356  
Fax: (802) 388-6149  
Email: flangrock@langrock.com

Sarah Star  
Sarah Star, PL  
P.O. Box 106  
Middlebury, Vermont 05753  
Phone: (802) 385-1023  
Email: srs@sarahstarlaw.com

Scott D. McCoy  
Southern Poverty Law Center  
P.O. Box 10788  
Tallahassee, Florida 32302  
Phone: (850) 521-3042  
Fax: (850) 521-3001  
Email: scott.mccoy@splcenter.org

J. Tyler Clemons  
Southern Poverty Law Center  
201 St. Charles Avenue, Suite 2000  
New Orleans, Louisiana 70170  
Phone: (504) 526-1530  
Fax: (504) 486-8947  
Email: tyler.clemons@splcenter.org

Diego A. Soto  
Maya G. Rajaratnam  
Southern Poverty Law Center  
400 Washington Avenue  
Montgomery, Alabama 36104  
Phone: (334) 956-8200  
Fax: (334) 956-8481  
Email: diego.soto@splcenter.org  
Email: maya.rajaratnam@splcenter.org

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this date, the foregoing document was served on the following counsel of record and unrepresented parties through the Court's CM/ECF system:

Richard Boyer  
Integrity Law Firm, PLLC  
*Counsel for Defendant Linda M. Wall*

Anthony R. Duprey  
Neuse, Duprey & Putnam, PC  
*Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen*

Roger K. Gannam  
Liberty Counsel  
*Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen*

Adam S. Hochschild  
Hochschild Law Firm, LLC  
*Counsel for Defendant Linda M. Wall*

Brooks G. McArthur  
Jarvis, McArthur & Williams, LLC  
*Counsel for Defendant Kenneth L. Miller*

Horatio G. Mihet  
Liberty Counsel  
*Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen*

Daniel Joseph Schmid  
Liberty Counsel  
*Counsel for Defendants Liberty Counsel, Inc. and Rena M. Lindevaldsen*

Norman C. Smith  
Norman C. Smith, PC  
*Counsel for Defendant Linda M. Wall*

Michael J. Tierney  
Wadleigh, Starr & Peters, PLLC  
*Counsel for Defendant Timothy D. Miller*

Defendant Philip Zodhiates

and on the following unrepresented parties by United States mail:

Defendant Victoria Hyden  
1212 Saint Cloud Avenue  
Lynchburg, Virginia 24502

Defendant Response Unlimited, Inc.  
c/o William Zodhiates  
274 Shalom Road  
Waynesboro, Virginia 22980

February 18, 2020

/s/ Diego A. Soto \_\_\_\_\_  
Diego A. Soto  
*Counsel for Plaintiffs*

ATTACHMENT

Page 1

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT

UNITED STATES OF :  
AMERICA :  
vs. :  
KENNETH L. MILLER : NO. 2:11-CR-161

- - -  
TUESDAY, DECEMBER 20, 2011  
- - -

Videotaped deposition of TIMOTHY  
MILLER, taken the at United States Attorney's  
Office, 615 Chestnut Street, 12th Floor,  
Philadelphia, Pennsylvania 19106, commencing  
at 1:54 p.m., before Donna Bucci Stein,  
Registered Professional Reporter and Notary  
Public, and Daniel Grbich, Videotape Operator,  
there being present:

\* \* \*

VERITEXT NATIONAL COURT REPORTING COMPANY  
MID-ATLANTIC REGION  
1801 MARKET STREET, SUITE 1800  
PHILADELPHIA, PENNSYLVANIA 19103

**EXHIBIT**  
**26**

VERITEXT NATIONAL COURT REPORTING COMPANY  
888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

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

APPEARANCES:

UNITED STATES DEPARTMENT OF  
JUSTICE  
BY: EUGENIA A. P. COWLES, ESQUIRE  
11 Elmwood Avenue  
P.O. Box 570  
Burlington, Vermont 05402  
Phone: (802) 951-6725  
eugenia.cowles@usdoj.gov  
Representing the Plaintiff

BOYLE, AUTRY & MURPHY  
BY: DENNIS E. BOYLE, ESQUIRE  
and  
MEGAN SCHANBACHER, ESQUIRE  
4660 Trindle Road, Suite 200  
Camp Hill, Pennsylvania 17011  
Phone: (717) 737-2430  
deboyle@dennisboylelaw.com  
Representing the Defendant

LAW OFFICES OF CLYMER, MUSSER,  
BROWN & CONRAD, P.C.  
BY: EMILY MUSSER BELL, ESQUIRE  
408 West Chestnut Street  
Lancaster, Pennsylvania 17063  
Phone: (717) 299-7101 Ext 132  
emily.bell@cmbclaw.com  
Representing Timothy Miller

- - -

ALSO PRESENT: KENNETH MILLER

LINDA MILLER

MAX GALUSHA, Deputy U.S.  
Marshal

- - -

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

I N D E X

- - -

Testimony of: TIMOTHY MILLER

By Ms. Cowles . . . . . 6-76-85

By Mr. Boyle . . . . . 71-84

- - -

E X H I B I T S

- - -

NUMBER	DESCRIPTION	PAGE REFERENCED
1	E-mail dated 9/21/09	16
2	E-mail dated 9/22/09	28
3	E-mail dated 9/22/09	31
4	Two e-mails dated 9/10/09 and 9/25/09	49/50
5	E-mail dated 9/25/09	49/50
6	E-mail dated 10/19/09	49/50
7	E-mail dated 7/29/10	57
8	Two e-mails dated 5/5/10 and 5/11/10	58
9	E-mail dated 6/26/10	62
10	Two e-mails both dated 7/27/10	63
11	E-mail dated 11/10/10	66

- - -

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

TIMOTHY MILLER

THE VIDEOTAPE OPERATOR: My name is Daniel Grbich representing Veritext Mid-Atlantic Division. The today date is December 20, 2011. The time is approximately 1:54 p.m.

This deposition is being held in the United States Attorney's Office located at 615 Chestnut Street, Philadelphia, Pennsylvania. The caption of this case is the United States of America versus Kenneth L. Miller which is filed in the United States District Court for the District of Vermont, Case Number 2:11-CR-161. The name of the witness is Timothy Miller.

At this time will the attorneys identify themselves and the parties they represent, after which our court reporter, Donna Stein, of Veritext will swear in the witness and you may proceed.

MS. COWLES: I'm Eugenia Cowles. I'm an Assistant U.S. Attorney.

MS. BELL: I'm Emily Bell. I

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

TIMOTHY MILLER

represent the witness, Timothy Miller.

MR. BOYLE: Dennis Boyle. I represent the defendant Ken Miller.

MS. SCHANBACHER: And Megan Schanbacher. I represent the defendant Ken Miller.

- - -

TIMOTHY MILLER, after having been affirmed, was examined and testified as follows:

- - -

THE WITNESS: I will affirm that I will say the truth.

MS. COWLES: Before we begin I'd like to put on the record our stipulation as to objections. The parties agree that all objections that might have been obviated or removed during the course of the deposition with the sole exception of objections to the form of the question are preserved and not waived by failure to make them before or during the deposition notwithstanding other rules that would apply in the

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

TIMOTHY MILLER

absence of a stipulation.

Is that agreed?

MR. BOYLE: That is agreed.

- - -

EXAMINATION

- - -

BY MS. COWLES:

Q All right. Good morning, Mr. Miller.

A Good afternoon.

Q It is afternoon, isn't it?

A Yes, I think so.

Q We started in the morning today.

A Yes. It's been a long time.

Q I know we talked for a while. I'm Jeannie Cowles. I'm an Assistant U.S. Attorney with the Department of Justice. We have talked about the fact that you have counsel present today. So, I just want to go over a few matters before we begin questioning.

First, have you ever had your deposition taken before?

A No.

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

TIMOTHY MILLER

Q I'll be asking you a series of questions to which you are under oath to provide full and complete answers. If you don't understand any questions I ask, please let me know before you respond and I will explain or rephrase the question. Okay?

A Okay.

Q If at any point you need to take a break in these proceedings for any reason, if you can let us know, we can take brief breaks as we go forward. So, you will let me know that as well?

A Yes.

Q And you just took an oath with the court reporter in which you affirmed to tell the truth in accordance with these proceedings. Do you understand that that is an obligation to tell the truth during these proceedings?

A Yes, I do.

Q Do you have any concern about your ability to speak here today, any medications you've taken today or anything else that might cloud your perception or your ability to

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

TIMOTHY MILLER

answer questions?

A Not as far as I know.

Q All right. Your counsel may make some objections as we go through today, what we just talked about, objections to the form of a question. If that happens, take a moment so your counsel and I can address that matter, but then we'll ask you to go ahead and answer the question. Do you understand that?

A Okay.

Q If we have any problems, the attorneys will try to work that out for you so it's not too confusing. All right?

A Yes.

Q Let's start first talking a bit about your background. Can you just state your full name for the record?

A Timothy Miller.

Q Where did you grow up, Mr. Miller?

A In Honduras.

Q What's your citizenship?

A I am Honduranian as well as a U.S. citizen.

Q How did you come by your U.S.

TIMOTHY MILLER

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

citizenship?

A Because of birth abroad to American parents.

Q Where are you currently residing?

A In Nicaragua.

Q What part of Nicaragua?

A Managua.

Q What kind of work do you do in Managua?

A As far as for my living, I work as an editor mostly.

Q You clarified that was for your living. What other kind of work do you do in Managua?

A I also am in charge of a congregation there.

Q What kind of congregation?

A It's a congregation with a Mennonite Christian -- or with a Christian brotherhood.

Q That's what's commonly referred to as Mennonite here in the United States?

A Not necessarily. There's very many -- there's many groups within the

TIMOTHY MILLER

1  
2 Mennonites, yes.

3 Q Okay. What you would describe as a  
4 Christian Brethren?

5 A Christian Brotherhood.

6 Q Brotherhood?

7 A Yes.

8 Q What is your role within that  
9 congregation in Managua?

10 A I'm a pastor.

11 Q Do you have family that lives with  
12 you in Managua?

13 A Well, my family. My wife and my  
14 children, yes.

15 Q What about other family in  
16 Nicaragua?

17 A My parents live in Nicaragua, yes,  
18 and some brothers.

19 Q I would like to turn your attention  
20 now to September 21st of 2009. Did you  
21 receive a call that day regarding an  
22 individual named Lisa Miller?

23 A Yes.

24 Q Would you tell us about that call?

25 A I received a call from one of my

TIMOTHY MILLER

1  
2 co-pastors in Waslala.

3 Q That's W-A-S --

4 A W-A-S-L-A-L-A.

5 Q And that's another area of  
6 Nicaragua?

7 A Right. I used to live there.

8 Q Who was this pastor in Waslala who  
9 called you?

10 A Tim Schrock.

11 Q Who is Tim Schrock?

12 A He's one of my co-pastors.

13 Q How long had you known Tim Schrock?

14 A Since '99.

15 Q Why was he calling you on September  
16 21st of 2009?

17 A Because he told me that I'm going  
18 to be receiving a call.

19 Q What kind of call were you going to  
20 be receiving?

21 A I was going -- I was planning to  
22 receive a call from someone named Ken Miller.

23 Q At the time Tim Schrock indicated  
24 you were going to receive a call from someone  
25 named Ken Miller did you know who Ken Miller

1 TIMOTHY MILLER

2 was?

3 A No.

4 Q What, if anything, did Tim Schrock  
5 tell you about this call that was coming from  
6 Ken Miller?

7 MR. BOYLE: Objection.

8 Hearsay. I'm sorry.

9 MS. COWLES: That's fine.

10 MR. BOYLE: You may answer it.

11 BY MS. COWLES:

12 Q You can go ahead and answer the  
13 question.

14 A Please give me the question again.

15 Q What did Tim Schrock tell you about  
16 the call that you would receive from Ken  
17 Miller?

18 A He just told me that the call had  
19 to do with someone named Lisa Miller.

20 Q About what time of day did you  
21 receive this call from Tim Schrock?

22 A As I recall, about eight o'clock in  
23 the morning.

24 Q As a result of this phone call from  
25 Tim Schrock what, if anything, did you do?

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

TIMOTHY MILLER

A Well, at that point I would have waited on the call.

Q What did you do while you were waiting on this call to come?

A I would have also looked it up on the internet.

Q What did you look up on the internet?

A I looked up Lisa Miller.

Q Now, at some point in time did you receive a call from Ken Miller?

A Yes.

Q When was that?

A As I recall, within the hour.

Q Within an hour of --

A Within an hour of having had the other phone call.

Q What was the nature of the call from Ken Miller?

A That there was someone in the U.S. that wanted to leave and go to Nicaragua.

Q What were you told about this person in the U.S. who wanted to go to Nicaragua?

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

TIMOTHY MILLER

A That she was -- that she had a court case -- there was a court case against her and her child.

Q First off, who told you that there was a court case against this person and her child?

A Who told me that?

Q Yes.

A I think, first of all, Tim would have told me about that.

Q Okay. Then moving on to the second call we started to talk about --

A Okay.

Q -- with Ken Miller --

A We've talked about that, yes.

Q What did Ken Miller tell you about this person who had a court case?

A That they were trying to transfer custody to another women for her child.

Q How did Ken Miller refer to this woman who wanted to come to Nicaragua?

A Lisa Miller.

Q Now, from this first conversation we're discussing did you have further

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

TIMOTHY MILLER

conversations with Ken Miller about Lisa Miller?

A If we had some prior to that?

Q No. After this first conversation we're just discussing did you have additional conversations with Ken Miller?

A Yes.

Q As a result of those conversations what, if anything, did you agree to do regarding Lisa Miller?

A Buy some tickets.

Q What kind of tickets?

A Some airplane tickets.

Q For whom did you agree to buy airplane tickets?

A For Lisa Miller and Isabella.

Q What route of travel were you buying tickets for?

A From somewhere in Canada down to Nicaragua.

Q What else did you -- what else, if anything, did you agree to do for Lisa Miller?

A Pick her up at the airport.

Q I want to come back and talk a

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

TIMOTHY MILLER

little about the conversations leading up to these agreements you just mentioned, but I'm going to first hand you an exhibit, what I will mark for identification as Government Exhibit 1.

MS. COWLES: Will you pass a copy to Defense Counsel?

BY MS. COWLES:

Q Now, Government Exhibit 1 is a three-paged exhibit that appears to be an e-mail from timjomiller@gmail.com to a number of individuals listed as Lucas Miller, Andy Yoder, Kevin Steiner, Keiner Barrantes and Daniel Huber. The subject is Lisa Miller.

Can you tell us first, that e-mail address at the top, timjomiller@gmail.com, are you familiar with that e-mail address?

A Yes.

Q How are you familiar with that?

A That's my e-mail.

Q What is the date of this e-mail?

A September 21, 2009.

Q And the time?

1 TIMOTHY MILLER

2 A 12:16 p.m.

3 Q Who are the individuals to whom you  
4 sent this e-mail generally?

5 A Friends and people that would have  
6 gone to our church.

7 Q If you can review the text of the  
8 e-mail briefly, could you read that for the  
9 record, please, just the top portion?

10 A Just the first --

11 Q Just the part before it says  
12 "Peace, Timo".

13 A "The following is a strange case  
14 that is coming up for a last hearing on  
15 Wednesday before the Supreme Court, as I  
16 understand. Lisa has some of the best lawyers  
17 available, but they are telling her she will  
18 probably lose the case because the homosexuals  
19 and lesbians are trying to make an example of  
20 the case. There is lots of politics involved  
21 in the case. High up politics, and of course  
22 the power of darkness."

23 Q Go on. If you can, read the next  
24 section.

25 A "They tell me there is a lot of

1 TIMOTHY MILLER

2 info on the net about it, some not accurate,  
3 but protectisabella.com is their site, from  
4 which I took this. Please pray for this  
5 situation. I just heard of this case this  
6 morning through some strange circumstances and  
7 involvements. May the Lord be glorified, and  
8 may his will be done."

9 Q And then it's signed by you?

10 A Yes.

11 Q At the bottom of that e-mail  
12 there's something titled Fact Sheet: Lisa and  
13 Isabella Miller attached. Can you describe  
14 what that is?

15 A It just tells a little bit about  
16 Lisa's life and such and the civil union with  
17 Janet Jenkins.

18 Q Let me ask you a few questions  
19 about the message --

20 A Okay.

21 Q -- that you sent here. First, this  
22 message is sent at 12:16 p.m. on September 21,  
23 2009. At the time you sent this e-mail who  
24 had you talked to about the Lisa Miller case?

25 A As far as I can recall, only two

TIMOTHY MILLER

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

people.

Q Who were those?

A Tim Schrock originally, and then Ken Miller.

Q You say in the e-mail "Lisa has some of the best lawyers available but they are telling her she will probably lose".

Did you have an understanding of who "they" are who are telling Lisa she will probably lose?

A No, not as far as I know. I mean I don't recall.

Q You also mention in the e-mail "They tell me there is a lot of info on the net about it, some not accurate. But protectisabella.com is their site, from which I took this". Again, who is the "they" that you are referring to in that portion of the e-mail?

A Well, that would have been specifically about Lisa.

Q Take a look at that sentence again. "They tell me there is a lot of info on the net. But protectisabella.com is their

TIMOTHY MILLER

1  
2 site." You're saying that "their" is Lisa, or  
3 who is -- who is "their site"?

4 A It would definitely be about Lisa.

5 Q It's about Lisa?

6 A Yes.

7 Q Did you understand who put the  
8 website up?

9 A Somebody who was friends of hers or  
10 her herself. I didn't know at that point.

11 Q Do you recall how you were aware or  
12 who had made you aware of the  
13 protectisabella.com site at the time you sent  
14 this e-mail?

15 A Not that I can recall. I would  
16 have been on the net. So, I don't know if  
17 this was -- if anybody at all would have told  
18 me about it, I don't know.

19 Q So, you don't recall whether you  
20 found it or whether someone told you?

21 A Or someone told me, yes.

22 Q You reference in the e-mail also  
23 "strange circumstances and involvements".  
24 What did you mean by that?

25 A Probably talking about the calls

TIMOTHY MILLER

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

that I would have received.

Q From at that point Tim Schrock and Ken Miller?

A Yes.

Q Now, moving on from 12:16 on the 21st when you sent this e-mail, what else did you do that day regarding Lisa Miller?

A Later on I would have bought tickets.

Q How did you buy the tickets?

A I bought them through Golden Rule Travel.

Q Why did you contact Golden Rule Travel?

A Because for some reason I was not able to buy them online.

Q What specific flight path did you purchase tickets for?

A Flying from Canada in to Mexico and then on down south in to Central America.

Q Why did you choose that route?

A Because that's -- that's what was wanted.

Q Who told you what route was wanted?

1 TIMOTHY MILLER

2 A Ken would have told me that.

3 Q First off, why were Lisa and  
4 Isabella flying out of Canada?

5 A Because, as I understood it, a  
6 possible custody transfer, or something down  
7 that -- in that realm anyway.

8 Q Just so I'm clear, they were flying  
9 out of Canada because of a custody transfer.  
10 What do you mean by a custody transfer?

11 A By a possible.

12 Q A possible custody transfer?

13 A Yes.

14 Q What possible custody transfer are  
15 you referring to?

16 A Where they would have given custody  
17 to Janet Jenkins of Lisa's child.

18 Q So, when you say that's why they  
19 are flying out of Canada, what do you mean by  
20 that?

21 A Well, it was just as -- as I  
22 understood it, it was just -- that was where  
23 they were at the moment or were going to be  
24 and there was no -- they didn't want to fly  
25 out of the U.S.

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

TIMOTHY MILLER

Q Who told you that they did not want to fly out of the U.S.?

A Ken.

Q What information, if any, were you given about flying through the United States?

A That they should not stop in the U.S.

Q Why not?

A Because maybe they could be tracked easier.

Q Who told you about that?

A Ken would have told me about that.

Q Why were you willing to purchase tickets for Lisa Miller and Isabella Miller Jenkins knowing that they were not to fly out of or through the United States?

A Well, Lisa at that point had full legal custody. It was not a thing of -- as I understood it, not something that she had any restrictions or anything like that as far as travel. It was more as a possibility.

Q Who told you that Lisa had full legal custody and no travel restrictions?

A As I recall, it would have been

1 TIMOTHY MILLER

2 Ken.

3 Q Why were Lisa and Isabella going to  
4 Nicaragua? Let me rephrase. Why Nicaragua?

5 MR. BOYLE: I'm going to  
6 object to the form of the question in  
7 terms of if he knows.

8 BY MS. COWLES:

9 Q If you know. If you know, why  
10 Nicaragua as opposed to anywhere else?

11 A I would have -- at that point I  
12 would have understood that there was no  
13 extradition out of Nicaragua.

14 Q Had you talked to anyone about  
15 whether or not there was extradition out of  
16 Nicaragua?

17 A I would have talked with Ken about  
18 that.

19 Q Why was it significant, if you  
20 knew, that there was no extradition out of  
21 Nicaragua?

22 A Why was it?

23 Q Why was it significant?

24 A Because in the future if the courts  
25 did rule against her she could potentially

1 TIMOTHY MILLER

2 stay in Nicaragua.

3 Q Let's talk a little bit about these  
4 tickets again. How were -- who was going to  
5 pay for the tickets?

6 A As I understood, Lisa was going to  
7 pay for those tickets.

8 Q How did you pay for them at the  
9 time you purchased them?

10 A With my mother-in-law's credit  
11 card.

12 Q How was Lisa then going to pay for  
13 the tickets?

14 A At that point I didn't know.

15 Q Why were you willing to use your  
16 mother-in-law's credit card to purchase the  
17 tickets?

18 A Because I trust.

19 Q When you say you trust, what did  
20 you trust?

21 A I trusted that what I was told was  
22 going to happen, that she was going to get  
23 reimbursed.

24 Q Do you know if your mother-in-law  
25 was reimbursed?

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

TIMOTHY MILLER

A As I recall, yes, she was.

Q What is your mother-in-law's name?

A Elaine Cooper.

Q By what method was Miss Cooper reimbursed?

A I'm not sure.

Q Did you ever discuss the reimbursement of Miss Cooper with Ken Miller?

A I'm not sure. I'm not sure.

Q How -- do you know how your mother-in-law was going to be reimbursed?

A No.

Q What did you do -- once you had -- you said you contacted Golden Rule Travel about these tickets.

A Uh-huh.

Q Was Golden Rule Travel able to handle the ticket purchase?

A Yes.

Q What did you do once you finished talking to Golden Rule Travel about the tickets?

A I'm not sure.

Q What, if anything, did you do to

TIMOTHY MILLER

1  
2 make Lisa Miller aware that tickets had been  
3 purchased on her behalf?

4 A I would probably channel it back  
5 through Ken.

6 Q Do you recall if you did that?

7 A No, I don't.

8 Q At the time you purchased the  
9 tickets how long did you understand, if you  
10 did have an understanding, that Lisa Miller  
11 was going to spend in Nicaragua?

12 A I didn't know. I didn't know how  
13 long she was staying.

14 Q How were you able to purchase  
15 tickets without that understanding?

16 A I bought one way tickets.

17 Q Did you have any discussions with  
18 Ken Miller about how long Lisa Miller might  
19 stay in Nicaragua?

20 A Not really. We didn't know where  
21 or how long she would stay.

22 Q What, if anything, did you  
23 understand would determine how long she stayed  
24 in Nicaragua?

25 A Probably depending on what happened

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

TIMOTHY MILLER

with the court case.

Q What result in the court case would have kept Lisa Miller in Nicaragua, as you understood it?

A As I understood it, it would have been if she lost custody of her child.

Q I'm going to ask you to take a look at what I'm going to mark as Government's Exhibit 2.

MS. COWLES: Would you pass a copy to Defense Counsel?

MR. GALUSHA: Yes.

BY MS. COWLES:

Q Government's Exhibit 2 is a two-paged exhibit. It appears to be an e-mail to your e-mail address dated September 29, 2009 at 12:05 in the afternoon. The subject line is Residency Requirements. Can you describe what this -- well, first of all, who is this e-mail from?

A From Andy Yoder.

Q Who is Andy Yoder?

A Andy Yoder was someone who was -- who would have been going to our church at the

1 TIMOTHY MILLER

2 time.

3 Q For whom does Andy Yoder work?

4 A He used to work for Christian Aid  
5 Ministries.

6 Q Looking at the text of the e-mail  
7 it appears to relate to Nicaraguan residency.  
8 Can you tell us what this e-mail was about?

9 A I wanted to know what the  
10 requirements were for people that came to  
11 Nicaragua that would stay longer than the six  
12 months or a year.

13 Q Why on September 22, 2009 were you  
14 corresponding with Andy Yoder about residency  
15 requirements for people who might come to  
16 Nicaragua for more than a year?

17 A Well, I was wanting to know what  
18 the requirements were currently for that  
19 because I was thinking ahead if she would --  
20 if Lisa would have to stay in the country,  
21 then she would obviously need some other  
22 paperwork and that kind of thing.

23 Q What was Lisa Miller doing on  
24 September 22nd of 2009?

25 A As I recall, she was flying.

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

TIMOTHY MILLER

Q That's based on your knowledge of the tickets?

A As I recall anyway.

Q So, why on September 22, 2009 were you trying to gather this information for Lisa Miller?

A I think a lot of that was for myself as far as I wanted to know should we -- should she have other paperwork that she doesn't have, or does she have with her what she needs.

Q Who, if anyone, had you discussed the need for this information with?

A If I were to discuss it, it probably would have been with Ken Miller.

Q Do you recall having a discussion with Ken Miller?

A Vaguely I would say I did.

Q What do you recall, even if vaguely, about that discussion?

A That we had a discussion about paperwork, does she have it -- yeah, what does she need. I don't remember even if he told me that she had the requirements or what she had

TIMOTHY MILLER

1 and what she didn't have.

2  
3 Q I'm going to ask you to take a look  
4 now at what I'm going to mark as Government's  
5 Exhibit 3. It's a single-paged e-mail dated  
6 September 22, 2009 at 12:58 p.m. originating  
7 from your e-mail address. The subject is Re:  
8 A Few Lines.

9 Can you tell us first  
10 generally who are the recipients of this  
11 e-mail?

12 A Most of them are my family.

13 Q Can you read the text of the e-mail  
14 for us?

15 A "Sorry, folks, the Lisa subject  
16 should currently not be a topic of discussion  
17 or e-mailing. It might soon, or it just might  
18 be more of a secret. Please advise folks  
19 about this. Pray. Definitely pray."

20 Q And it's signed by you?

21 A Yes.

22 Q As of almost 1:00 p.m. on September  
23 22, 2009 why did you feel that the Lisa  
24 subject should currently not be a topic of  
25 discussion or e-mailing?

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

TIMOTHY MILLER

A Because we had no clue what the outcome was going to be.

Q What do you mean by that?

A We just didn't know what was going to happen.

Q With her -- with what?

A With the court case.

Q Why would you be concerned about family members discussing or e-mailing Lisa Miller as of September 22, 2009?

A Because there was no need for them to discuss something, and I had -- up to this point I had never discussed anything of the matter with them.

Q Who had you discussed Lisa Miller's coming to Nicaragua as of September 22, 2009? Who had you discussed that with?

A As far as I recall, only Ken Miller, and then -- well then, Tim would have been the connection there.

Q How many times did you talk to Tim Schrock about Lisa Miller at that point in time?

A I'm not sure. I think only once.

1 TIMOTHY MILLER

2 Q What, if anything, in your  
3 conversations with Tim Schrock or Ken Miller  
4 had given you the impression that this should  
5 not be a topic of discussion or e-mailing?

6 A It was just something that if in  
7 the future the court case -- the court would  
8 rule against Lisa and her child, then at that  
9 point there was no need to advertise where she  
10 was.

11 Q Why would you not want to advertise  
12 where she was?

13 A Just because -- so they wouldn't  
14 come looking for her.

15 Q Now, when did Lisa and her daughter  
16 Isabella arrive in Nicaragua?

17 A I'm bad with dates. Was it the  
18 23rd?

19 Q I believe looking at the documents  
20 we talked about September 21st as the first  
21 day on which you spoke with Mr. Miller.

22 A Yes. September 22nd. It would  
23 have been the 23rd.

24 Q Between the time that you -- that  
25 we've discussed the purchase of the tickets on

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

TIMOTHY MILLER

September 21st and her arrival on September 23rd were you asked to provide any further assistance to Lisa Miller?

A No. Maybe I'm misunderstanding your question.

Q Before her arrival --

A Okay.

Q After you purchased the tickets but before Lisa Miller arrived what, if anything, were you asked to do on her behalf?

A Well, I was supposed to pick her up.

Q What, if anything, between her -- the purchase of the tickets and the time you picked her up? Let's go on and talk about the arrival and we'll circle back.

You said that you -- you were supposed to pick up Lisa Miller at the airport?

A Yes.

Q Did you do that?

A Yes.

Q How did you know when she would arrive?

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

TIMOTHY MILLER

A Well, obviously I had her itinerary.

Q How had her trip been that far, if you knew?

A Well, she had flown through Salvador. Well and, also, yes, she had had a problem with her ticket with coming down to Nicaragua.

Q Tell me about that problem.

A As I understand it, the airlines want proof of someone leaving Nicaragua. So, if you do a one way ticket, they want to know how is this person leaving the country.

Q How did you become aware of this problem with her one way ticket?

A I would have received a call.

Q Do you recall who called you about the problem with the ticket?

A I don't recall the name, no.

Q Was it someone with whom you were familiar?

A No.

Q How did this person come to contact you?

1 TIMOTHY MILLER

2 A He called me on my cell phone.

3 Q How did he come to have your cell  
4 phone number?

5 A I don't know. I didn't give it to  
6 him.

7 Q What did he ask you to do?

8 A He just alerted me to the situation  
9 and then I contacted the travel agency and  
10 then the arrangements were made through them  
11 to clear the situation.

12 Q What did you do once you had  
13 contacted the travel agency and made  
14 arrangements to clear out the situation?

15 A I'm not sure if I needed to do  
16 anything.

17 Q Who, if anyone, did you let know  
18 once you had been able to resolve the  
19 situation?

20 A I'm not sure if that same person  
21 called me back at that point. Right now I'm  
22 not sure. I know we reviewed some of -- some  
23 of these things.

24 Q It's all right. I just want the  
25 best of your recollection.

1 TIMOTHY MILLER

2 Do you remember speaking to  
3 anyone about making -- clearing up this  
4 problem with the ticket?

5 A I don't recall specifics, no.

6 Q You said that you did, in fact,  
7 pick up Lisa Miller at the airport. Correct?

8 A Yes.

9 Q Where did you go -- what airport  
10 did you pick her up from?

11 A There in Managua.

12 Q Had you previously met Lisa Miller  
13 and her daughter?

14 A No.

15 Q How did you recognize them at the  
16 airport?

17 A Well, they would have had -- Lisa  
18 would have had a covering on.

19 Q What do you mean by a covering?

20 A By a veil or something on her head.

21 Q How would you describe the style of  
22 the clothing they were wearing at the time?

23 A It would have been like a Mennonite  
24 style of clothing.

25 Q To your knowledge, at that point in

TIMOTHY MILLER

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

time was Lisa Miller a Mennonite?

A No.

Q How did you know to look for someone in Mennonite dress?

A Because I was probably told what to look for.

Q Do you recall whether or not you were told what to look for?

A I can't recall specifically, no, but I just expect that I was told that at that point.

Q To your understanding why would Lisa Miller and her daughter be traveling in Mennonite dress in September of 2009?

A You said to my knowledge?

Q To your knowledge why would they have been traveling in that way?

A Probably so that people would think that she was a Mennonite.

Q Why, if you know, would she have wanted people to think she was a Mennonite?

A I don't know.

Q Do you recall discussing with anyone why Lisa Miller and her daughter might

1 TIMOTHY MILLER

2 travel in Mennonite attire?

3 A I don't recall specifically, no.

4 Q Where, if you know, had they  
5 obtained the Mennonite attire?

6 A It was my understanding that they  
7 left Virginia with those clothes or something  
8 similar anyway.

9 Q How did you come to have that  
10 understanding?

11 A Well, that was -- as I recall, this  
12 would have been something that we would have  
13 probably discussed later with Lisa.

14 Q So, you believe that from Lisa you  
15 understood that they left Virginia in those  
16 clothes?

17 A Yes. I don't recall at that point  
18 that I would have had -- that I would have had  
19 that -- you know, in this time I wouldn't have  
20 had that info, no.

21 Q So, at that time you knew that they  
22 were wearing Mennonite clothes but you didn't  
23 know why?

24 A Right, or -- yes, I wouldn't have  
25 known where they got it or such.

TIMOTHY MILLER

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

Q Where did you go once you picked them up from the airport?

A Jinotega.

Q Why Jinotega?

A Because that seemed a convenient place to take them at the point -- at that point.

Q Why not take them -- well, at that point in time were you living in Managua?

A Yes.

Q Why not take them to your home in Managua?

A Well, obviously I bought the tickets. It's very easy to trace where I was. If someone would show up looking for her, she would not be there.

Q Did you discuss the decision to take Lisa and Isabella to Jinotega with anyone?

A If I discussed it with anyone?

Q Yes.

A Yes.

Q Do you recall who you discussed the decision to take them to Jinotega with before

TIMOTHY MILLER

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

you went to Jinotega?

A With a brother from Jinotega.

Q Anyone else?

A Not that I can recall.

Q Once you picked them up at the airport who, if anyone, did you contact to let know that they had arrived?

A I don't know if I did immediately -- well, actually, I know I did not immediately contact anyone.

Q At some point in time did you make contact with someone to tell them that Isabella and --

A I would have had contact with Ken, yes.

Q You mentioned that you had spoken to a brother in Jinotega about taking Lisa and Isabella to Jinotega. Who was that person you spoke to?

A Jesse Brubaker.

Q Where in Jinotega did you take Lisa and Isabella?

A To the town of Jinotega, yes.

Q To whose home?

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

TIMOTHY MILLER

A Well, I actually just took her to the town.

Q Where did you leave her?

A Right there with the brother.

Q With the brother?

A With Jesse.

Q Who you said is Jesse Brubaker?

A Brubaker, yes.

Q What did you do after you dropped Lisa and Isabella with Jesse Brubaker in Jinotega?

A I went home.

Q When did you next come in contact with Lisa Miller and her daughter?

A I'm not exactly sure, but about five or six weeks later.

Q What happened five or six weeks later?

A I was asked to preach up in the Jinotega congregation, and so that's when I met her again.

Q At that point in time five or six weeks after she first went to Jinotega what name was she using?

TIMOTHY MILLER

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

A Sarah.

Q What about Isabella, what name was she using?

A Lydia.

Q If you know, why were Lisa and Isabella now using the names Sarah and Lydia?

A Because they were names that they had chosen for themselves.

Q Why would they choose new names for themselves?

A Because they thought they needed them probably.

Q Based on your understanding why would they have thought they needed new names at that point in time?

A Just because in the future if there was a need to go into hiding or something like that, that would be how people would know them as such.

Q At the time five or six weeks later that you saw Lisa Miller in Jinotega how was she dressing?

A She would dress as a Mennonite.

Q At that point in time, to your

TIMOTHY MILLER

1  
2 knowledge, had she joined the Mennonite  
3 church?

4 A No.

5 Q Now, at some point in time did Lisa  
6 Miller return to Managua?

7 A Yes.

8 Q How did that come about?

9 A She came down to visit and, as I  
10 recall, she would have liked to come down to  
11 that area. Oh, and there was -- there was --  
12 she was living in with the Brubakers and they  
13 were getting visitors. So, the room that they  
14 were going to use was being occupied.

15 Q When she came to Managua where did  
16 she stay?

17 A She stayed at a little apartment  
18 about three blocks away from us.

19 Q How did she come to have that  
20 apartment?

21 A Because I would have helped her  
22 rent it. I mean not -- she would have done  
23 the renting, but, yes, I would have --

24 Q We've been speaking with Lisa  
25 Miller. Where was Isabella during this time?

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

TIMOTHY MILLER

A Right there with her.

Q What kind of work, if any, did Lisa Miller engage in in Nicaragua -- in Managua?

A She was teaching school. She would -- she would teach school. She would come over and help with our children in teaching school, and she would help the girl that was with us. They would sort of be together in teaching.

Q Who is the girl who was with you?

A Jessica.

Q Approximately when did she come to be in Managua helping teach your children?

A When did Lisa?

Q Uh-huh.

A About six months or -- sorry. About six weeks -- from my recollection, about six weeks or so after she would have been in Nicaragua.

Q So, she arrived at the end of the September and about six weeks after that she has come to be with your family?

A Yes.

Q How long did she stay in Managua?

1 TIMOTHY MILLER

2 A She stayed there in Managua until  
3 April.

4 Q April of 2010?

5 A Yes.

6 Q How would you describe Lisa's  
7 relationship with your family during this time  
8 from about six weeks after she arrives until  
9 April of 2010 when she leaves Managua?

10 A Well, there were various -- there  
11 were various struggles that we had through  
12 that, especially looking at -- with Jessica  
13 being involved there.

14 Q Who is Jessica?

15 A Jessica was someone who was there  
16 living with us -- a girl who was living with  
17 us, and there were different times when there  
18 were things back and forth between Lisa and  
19 Jessica. Jessica would tell Lisa something  
20 about us and obviously Lisa believed it, and  
21 there were things that continued going around  
22 there and it created some -- it created some  
23 stress.

24 Q Now, while Lisa was with you how  
25 much time was she spending every day in your

TIMOTHY MILLER

1  
2 household?

3 A She would usually come in the  
4 morning, about nine o'clock. This wasn't  
5 every day, but she would come around nine  
6 o'clock in the morning and then be there  
7 through early afternoon some time.

8 Q During the time that Lisa spent  
9 with you what, if anything, did you know about  
10 the status of her family court case in the  
11 United States?

12 A Well, at one point the custody was  
13 transferred.

14 Q How were you getting information  
15 about the case at that point in time?

16 A Through the internet.

17 Q Who, if anyone, were you discussing  
18 Lisa's case with during that period of time?

19 A With her.

20 Q Now, at some point during this  
21 period that Lisa stayed with your family did  
22 you come to delete a number of e-mails that  
23 you had exchanged?

24 A Yes, I did.

25 Q Tell me a little bit about that.

1 TIMOTHY MILLER

2 A Well, obviously I had bought the  
3 tickets, and even though I did not believe  
4 that it was a crime that I had committed or  
5 anything like that, but it was still -- I  
6 didn't -- I didn't want anybody just to say,  
7 okay, here she is.

8 Q So, if I understand, you're  
9 saying -- I asked you to explain what happened  
10 with deleting these e-mails and you said that  
11 you didn't want anyone to be able to say here  
12 she is. So, what was the reason for deleting  
13 the e-mails?

14 A So they wouldn't be tracked.

15 Q Why were you concerned at that  
16 point in time while Lisa was staying in  
17 Managua that someone would be looking to  
18 e-mails to track Lisa?

19 A Well, I didn't know that they  
20 would, but if they would, they wouldn't be  
21 there.

22 Q Did you discuss deleting the  
23 e-mails with anyone?

24 A Not that I recall.

25 Q Now, after this initial period we

TIMOTHY MILLER

1  
2 discussed, September 21st when you got the  
3 first phone call to September 23rd, 2009 when  
4 Lisa Miller arrived in Nicaragua, did you  
5 remain in touch with Ken Miller?

6 A Periodically.

7 Q How did you stay in touch with him?

8 A Sometimes through the phone, but  
9 e-mail.

10 Q To your knowledge, did Lisa Miller  
11 remain in touch with Ken Miller?

12 A That I know of or that I can  
13 recall, she might have talked to him one time.

14 Q How do you come to have that  
15 information?

16 A As I recall, he would have called  
17 and I would have given her the phone. That's  
18 my recollection. It's very -- it's not clear,  
19 but that would be my recollection of it.

20 Q Now, you mentioned that you also  
21 stayed in touch with Ken Miller, I believe you  
22 said, by e-mail?

23 A Yes.

24 Q I'm going to hand you three  
25 messages, what I'll mark as Exhibits 4, 5 and

1 TIMOTHY MILLER

2 6. Government's Exhibit 4 is a message that  
3 says from Ken Miller to your e-mail address.  
4 The top line is September 25, 2009. It  
5 responds to a message of September 24, 2009.

6 Exhibit 5 is a subject line  
7 picture from your e-mail to Ken Miller at  
8 pcf.net with a picture of your family, and  
9 then Exhibit 6 is from Ken Miller at pcf.net  
10 to your e-mail and starts "Here are the  
11 Millers". If you could, take a look at those  
12 briefly.

13 MR. BOYLE: Just for my  
14 purposes since my copies were not  
15 stapled, the first one is three pages?

16 MS. COWLES: I'm sorry. The  
17 first one is three pages.

18 MR. BOYLE: The second one is  
19 one page?

20 MS. COWLES: Is one page with  
21 the picture with the hearts.

22 MR. BOYLE: And the third one  
23 is likewise three pages?

24 MS. COWLES: Three pages with  
25 two pictures. The last two pages are

TIMOTHY MILLER

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

pictures.

BY MS. COWLES:

Q Starting first with the physical e-mail that's been identified as Government's Exhibit 4, if you look to your message in the middle, can you explain what this is generally?

A This family -- just family news.

Q How often did you send out family news?

A Periodically.

Q To whom did you send it?

A Friends and family.

Q A large list?

A Fairly.

Q You mention in your e-mail "I will also add you to our list". What list is that you're talking about?

A Our e-mail list.

Q Then looking to Exhibit 5, what is Exhibit 5?

A This is a photo of our family.

Q Then Exhibit 6, will you look at that briefly and tell me what that is?

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

TIMOTHY MILLER

A It's an e-mail from Ken with pictures of his family.

Q Now, during this period of these three e-mails starting shortly after the events we've been discussing, September 24, 2009 and going into October of 2009, how would you describe your relationship with Ken Miller?

A Someone I have gotten to know via e-mail and phone calls.

Q How would you characterize him at that point in time?

A A brother of Christ.

Q What kind of things were you discussing with Ken Miller during your conversations?

A I don't recall any specific conversations that we would have had.

Q What, if any, contact did the two of you have regarding Lisa Miller during this period once she had arrived in Nicaragua while she was staying in Managua near your family?

A I can't recall any specific -- something that was said.

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

TIMOTHY MILLER

Q Now, you mentioned that Lisa Miller stayed with your family until approximately when?

A April of 2000 -- wait a minute. April of 2010, yes.

Q Why did Lisa Miller leave at that point in time?

A Because with this thing with Jessica and such it had -- it had definitely created -- we had gotten off focus of our work.

Q What work do you mean by that?

A Church work.

Q What plans -- well, let me ask you first, where did Lisa Miller go when she leaves Managua?

A To my understanding she went to Jinotega.

Q How were you involved in the plans for her departure?

A As far as all I recall was, I knew she was going up there, and I would have received a phone call either the day -- I think it was the same day she was -- she went

TIMOTHY MILLER

1  
2 to Jinotega.

3 Q Who else was involved in making  
4 plans for Lisa Miller's departure from  
5 Managua, to your knowledge?

6 A Managua? It would have been -- I'm  
7 not exactly sure. I would have talked with  
8 Brother Jesse.

9 Q That's Jesse Brubaker?

10 A Jesse Brubaker, yes.

11 Q Did you speak with anyone else  
12 about Lisa Miller's planned departure?

13 A We would have discussed this with  
14 Tim at least months back.

15 Q When you say Tim, who do you mean?

16 A Tim Schrock.

17 Q When you say you would have  
18 discussed it months back, why would you have  
19 discussed it months back?

20 A Simply because he was trying to get  
21 us to focus on what we really needed to focus  
22 there.

23 Q On the church work in Managua?

24 A On the church work in Managua,  
25 yes. Because we had reached out to Jessica

1 TIMOTHY MILLER

2 more as -- in order to help her.

3 Q What impact was Lisa's presence  
4 having on that?

5 A Well, Jessica would go to Lisa and  
6 things would come around and that created a  
7 lot of stress.

8 Q What plans were you aware of being  
9 made for Lisa Miller's new life in Jinotega?

10 A All I can recall was that she was  
11 going to Jinotega.

12 Q After Lisa Miller -- well, did  
13 Lisa, in fact, go to Jinotega?

14 A Yes, she did.

15 Q And that was approximately when?

16 A As I recall, Lisa went on the 27th  
17 of April.

18 Q 2010?

19 A 2010.

20 Q Did you remain in contact with Lisa  
21 after she left?

22 A No, except for one little brief  
23 contact.

24 Q What about Ken Miller, did you  
25 remain in contact with Ken Miller after the

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

TIMOTHY MILLER

end of April of 2010 when Lisa Miller left for  
Jinotega?

A Yes. I would have received their  
e-mails and they would have received ours.

Q I want to take a look at a few of  
those e-mails with you.

THE WITNESS: Break.

MS. BELL: Do you need a quick  
break?

THE WITNESS: Yes, if that's  
okay.

MS. BELL: Is it all right if  
we take about a ten-minute break?

MR. BOYLE: Sure.

THE VIDEOTAPE OPERATOR: The  
time is now 2:53. We are going off the  
video record.

- - -

(Whereupon a break was taken  
at this time.)

- - -

THE VIDEOTAPE OPERATOR: The  
time is now 3:02. We're back on the  
video record.

1 TIMOTHY MILLER

2 - - -

3 BY MS. COWLES:

4 Q Mr. Miller, when we took a break I  
5 had asked you if you had remained in contact  
6 with Ken Miller after Lisa Miller left for  
7 Jinotega in April of 2010 and I believe you  
8 indicated that you had stayed in touch with  
9 him exchanging e-mails.

10 A E-mails and such.

11 Q I want to take a look at a few of  
12 those e-mails. I'm going to hand you what I  
13 will mark for identification as Government's  
14 Exhibit 7. Government's Exhibit 7 is a four-  
15 paged e-mail titled Irish News and signed Ken,  
16 Linda and family. It's from Ken Miller  
17 kingdomseeker1@gmail.com to a number of  
18 recipients including your e-mail address. Can  
19 you tell us just generally what Exhibit 7 is?

20 A Well, it looks like just a news --  
21 a newsletter from Ken or from the family.

22 Q How often did you receive this type  
23 of newsletter from Ken or his family?

24 A Periodically. I'm not sure exactly  
25 how often.

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

TIMOTHY MILLER

Q In addition to the kind of general e-mail we see in Government's Exhibit 7, did you have more personal correspondence with Ken Miller?

A I think I would have.

Q I'm going to ask you to take a look at a few messages. I'm going to start by handing you what I will mark as Government's Exhibit 8 for identification. The date on the top e-mail is May 11, 2010. It includes a chain starting on May 5th of 2010 in which you wrote to Ken Miller. If you could, just take a moment and review those e-mails.

A (Witness complies with request.)

Q Can you describe the exchange that's happening in this series of e-mails on Government's Exhibit 8?

A It looks like I was contacting Andy about bringing some money down.

Q Okay. When you say Andy, who do you mean?

A Andy Yoder.

Q You said it's about bringing some money down. What money are you referring to?

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

TIMOTHY MILLER

A Obviously there was -- there were \$500 here.

Q In the text of the e-mail it refers to coffee. At any point in time leading up to this exchange of e-mails did you sell coffee to Ken Miller?

A Not that I can recall.

Q Were you involved in selling coffee?

A I have, yes.

Q And how does that come about?

A Well, I would -- sometimes I would buy from -- I would buy from Andy.

Q From Andy Yoder?

A From Andy Yoder, yes.

Q What was the price of the coffee from Andy Yoder?

A \$5 a pound is what it is.

Q So, how much coffee would \$500 represent approximately?

A About a hundred.

Q Do you recall being involved in the sale of approximately a hundred pounds of coffee to Ken Miller?

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

TIMOTHY MILLER

A No, I don't.

Q What do you understand this e-mail exchange to be about?

A I'm not sure. I've been puzzling about it.

Q What, if anything, do you recall about receiving money from Ken Miller in May of 2010?

A I don't recall that. I recall some of this.

Q When you say this, what are you indicating?

A This of having gotten a hold of Andy. The rest of it I don't remember.

Q When you say you recall some of the getting a hold of Andy, what do you recall about getting a hold of Andy?

A To get him to deposit a check or bring the cash to Nicaragua.

Q Do you remember if that happened?

A As I recall, it did. As far as how it happened, I'm not sure.

Q Why would you have involved Andy Yoder in that exchange?

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

TIMOTHY MILLER

A Because that was someone who was up in the United States at the moment.

Q Why would you need someone in the United States to help with this kind of transaction?

A What happens down there is, if you want to -- for instance, if you have a U.S. check, if you would take that check to a bank, it takes like a month and a half for that check to clear. So, if there was money that needed to go to Nicaragua, that would have obviously had -- it should have gone as cash; not as check.

Q Do you recall receiving cash from this exchange that's being discussed in Government's Exhibit 8?

A I don't recall that, no.

Q How do you explain the discussion of the sale of coffee in Government's Exhibit 8?

A I'm not sure.

Q What, if any, connection does Government's Exhibit 8 have to Lisa Miller?

A I don't know.

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

TIMOTHY MILLER

Q Were you ever involved in providing funds to Lisa Miller?

A No.

Q To your knowledge, was Ken Miller involved in providing funds to Lisa Miller?

A Not as I remember.

Q I'm going to ask you to take a look at another exhibit. I will mark it Government's Exhibit 9. This is a one-paged message from you to Ken Miller dated Saturday, June 26th of 2010. The subject line says "I would like" and the text says "to talk to you sometime. Call me if you can".

As of June of 2010 how often did you speak to Ken Miller by phone?

A I don't know. I might have periodically. I'm just not sure.

Q Why would you need to talk to Ken Miller by phone?

A I don't know. I didn't specify it.

Q Do you have any recollection as to what this e-mail relates to?

A No.

Q Let's look then at what I'm going

1 TIMOTHY MILLER

2 to mark as Government's Exhibit 10 dated July  
3 27th of 2010. There are two e-mails on the  
4 one-paged exhibit. The top is from you to Ken  
5 Miller beginning with a greeting "Well, hello,  
6 Brother". The bottom says "Ken Miller wrote".

7 Taking a look at that message,  
8 the message from Ken Miller says "no news is  
9 good news I'm assuming" and in the second line  
10 of your message you say "and, yes, no news  
11 does seem to be good news".

12 To what were you referring in  
13 this exchange?

14 A Probably about Lisa.

15 Q Why do you say it's probably about  
16 Lisa?

17 A What else would it be referring  
18 to? I don't know.

19 Q Why would you use something like no  
20 news is good news to refer to Lisa Miller?

21 A I'm not sure. I guess that would  
22 be for him to answer.

23 Q In your response you say "yes, no  
24 news does seem to be goods news". If you  
25 understood this to be an inquiry about Lisa

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

TIMOTHY MILLER

Miller, why not simply say what you know about Lisa Miller?

A It could have been, well, she's okay or -- as far as I know.

Q As of July of 2010 why wouldn't you just say that in an e-mail?

A Well, at that point it had been a few months since I would have even had any contact with her.

Q Why would you still be concerned about secrecy in discussing Lisa Miller in a few months after you had any contact with her?

A There's no sense in discussing her directly.

Q Why do you say that?

A Well, if someone would look at the e-mail, you know, they wouldn't immediately say, oh, this is about Lisa Miller.

Q Why would you be concerned that someone would be looking at your e-mails to gain information about Lisa Miller in July of 2010?

A I wasn't really that concerned. Obviously if I would have been, those e-mails

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

TIMOTHY MILLER

wouldn't have been there.

Q And yet it does appear you took an effort not to use the name Lisa Miller in this e-mail.

A Yes. To a certain degree, yes.

Q What -- at that point in time what concerns did you have about people being aware of your involvement with Lisa Miller?

A I'm not sure if I was that concerned about it. If anyone would have come -- all those months that Lisa was there with us, all of our neighbors saw her. Anybody who came around there saw her. Was it a secret? No. If you would have gone there looking for her, you would have found her. It's that simple.

Q Now, during those months that she was living with you what names did you use to refer to Lisa and Isabella?

A Well, we would have called them Sarah and Lydia.

Q And how would Lisa and Isabella have been dressed during the period of time that they lived with you?

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

TIMOTHY MILLER

A They would have used their clothes, the Mennonite clothes.

Q I want to look at another exhibit that I'm going to mark as Government's Exhibit 11. It's a two-paged exhibit. The first page is an e-mail from Ken Miller

kingdomseeker1@gmail.com to your e-mail address dated November 10th of 2010. The second page is stamped Draft and provides a proposed translation of that e-mail message.

Would you take a look at that for me for a moment?

A (Witness complies with request.)

Q You've had an opportunity to see this e-mail previously. Correct?

A Yes.

Q Now, this e-mail on November 10, 2010 has a portion that appears in another language. What language do you understand that to be?

A Pennsylvania German or Dutch.

Q And had you regularly used Pennsylvania German or Pennsylvania Dutch in your correspondence with Ken Miller?

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

TIMOTHY MILLER

A I wouldn't have, no.

Q Why would you not have?

A Because I can't really read it -- sorry. I can't really write it. I can read it halfway-ish.

Q How is your speech?

A Oh, I can speak it well, but it's not a written language for me.

Q Had Ken Miller previously used Pennsylvania Dutch to contact you?

A I don't know. Not to my recollection.

Q Do you recall receiving this e-mail?

A Did I receive this e-mail? Yes.

Q Looking at -- well, what did you understand the portion in Pennsylvania Dutch to mean?

A He was wondering if she was acting Ecuador like lezgetreal.com was saying she was.

Q When you say she, you're referring to Lisa Miller?

A Yes.

1 TIMOTHY MILLER

2 Q As of November 10, 2010 did you  
3 know whether or not Lisa Miller was in  
4 Ecuador?

5 A I had a good idea she wasn't there.

6 Q Where did you believe that she was?

7 A I would have thought she was in  
8 Jinotega or somewhere thereabouts.

9 Q Did you respond to this message  
10 from Ken Miller, to your recollection?

11 A I did. I don't really recall  
12 exactly what I would have written her --  
13 written him, but, yes, I would have.

14 Q Do you recall whether or not you  
15 discussed Lisa Miller's location with Ken  
16 Miller after receiving this e-mail on November  
17 10th of 2010?

18 A You're speaking of in some other  
19 form or --

20 Q Either by phone or by e-mail or any  
21 any other communication.

22 A No, not that I recall.

23 Q The message -- well, what was your  
24 understanding of why -- let me change that  
25 question.

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

TIMOTHY MILLER

When you received this, what was your impression of why Pennsylvania Dutch is used in this e-mail?

A Simply because he was probably trying to hide what he was talking about.

Q Had you and Ken Miller as of November 10, 2010 discussed the need to not speak publicly about Lisa Miller?

A Not that I can recall.

Q Had you ever discussed whether or not it would be all right to talk to people about how you had been involved with Lisa Miller?

A I don't recall that it ever was a topic of discussion, no.

Q There's a mention in the e-mails of something called lifesitenews. Had you ever corresponded -- had you ever had correspondence facilitated by lifesitenews?

A Not that I recall.

Q The e-mail also asks you if you can get a hold of Lisa Miller. Were you able to get a hold of Lisa Miller in November 10th -- on November 10th of 2010?

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

TIMOTHY MILLER

A I didn't.

Q Do you know if you were able to?

A Well, I didn't even try.

Q How would you have gone about trying to reach her at that point in time?

A I was probably trying to contact her through a brother in Jinotega.

Q What conversations, if any, had you had with Ken Miller about trying to contact Lisa Miller as of November 10, 2010?

A I don't recall. I don't recall. You know, there might have been -- this was one of them that I didn't recall until it was brought to my attention.

Q Okay.

A I'm not sure that I would recall now.

Q Mr. Miller, you were originally charged with aiding and abetting international parental kidnapping by Lisa Miller. Correct? You were charged with aiding and abetting Lisa Miller in an international parental kidnapping. Correct?

A Yes.

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

TIMOTHY MILLER

Q How was your case resolved?

A They told me -- they -- it was --  
the charges were dropped.

Q What was your understanding of your  
agreement with the government leading to the  
dropping of those charges?

A That I would testify if the need so  
arose.

MS. COWLES: Those are all the  
questions I have. Do you have any?

- - -

EXAMINATION

- - -

BY MR. BOYLE:

Q Mr. Miller, I just have a few  
questions, if you could give me a second.  
First of all, we've talked throughout this  
deposition about you, about Ken Miller and  
about Lisa Miller. So, all three of you have  
the same name: Miller. Is there any family  
relationship between the three of you?

A No.

Q Before Lisa Miller arrived in  
Nicaragua had you ever spoken to Lisa Miller?

TIMOTHY MILLER

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

A No.

Q Had you ever talked to her?

A No.

Q Ken Miller, before you received that call in September of 2009 had you ever met Ken Miller?

A No.

Q Prior to today had you ever met Ken Miller in person?

A No.

Q Okay. This is the first time --

A This is the first time we met. Right? I think so.

Q So, up to this time it's all been telephone and e-mail?

A Yes.

Q And there's no family relationship between the two of you?

A Not that I understand.

Q Okay. Now, you've met and spent some time with Lisa Miller. Is that correct?

A She would have been there, yes.

Q And she's an adult woman?

A Yes.

TIMOTHY MILLER

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

Q With her own child?

A Yes.

Q Now, when she was in Nicaragua was she free to come and go as she wanted?

A Yes.

Q Was she ever under your control?

A No.

Q Did you ever give her orders or anything of that nature?

A No.

Q Okay. So, she could have gone wherever she wanted and done whatever she wanted. Is that correct?

A Right. Correct.

Q Now, when Lisa Miller came to Nicaragua did you understand that any order had been entered transferring custody to anyone other than Lisa Miller?

A Excuse me. What was the question?

Q Before Lisa Miller came to Nicaragua did you understand there was any court orders or anything that had transferred custody of her daughter?

A No.

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

TIMOTHY MILLER

Q So, you believe she was the guardian when she got to Nicaragua?

A Definitely. Definitely.

Q And you believe she had ever legal right to come to Nicaragua with her daughter?

A Right.

Q Okay. So, in assisting her did you think you were doing anything wrong?

A No.

Q Okay. And did you talk about that with Ken Miller at all, if you recall?

A Yes. Yeah. I mean that was one thing I do recall that we did talk about that, that there's nothing -- there's nothing wrong in this. She's the legal guardian. Obviously she wouldn't have been, but she was going -- she was traveling under her own name. Everything was legal and aboveboard in that respect.

Q And that was your understanding?

A Yes.

Q And that was Ken's understanding as well?

A As I recall, yes.

1 TIMOTHY MILLER

2 Q Okay. Now, you -- the Assistant  
3 U.S. Attorney talked about the agreement you  
4 made with the government?

5 A Uh-huh.

6 Q As I understand the agreement, the  
7 only term of that agreement really is if you  
8 testify truthfully. Is that your  
9 understanding?

10 A That's right.

11 Q Okay. And in exchange for that,  
12 the charges against you and the District of  
13 Vermont were dropped?

14 A Were dropped, yes.

15 Q Or dismissed?

16 A Yes.

17 Q Prior to that, the charges being  
18 dropped, do you recall meeting with  
19 representatives of the Government on October  
20 5th of this year? I believe it would have  
21 been in Philadelphia.

22 A Okay. I had one meeting, yes.

23 Q Did you tell the Government at that  
24 time that you thought everything that you had  
25 done was legal?

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

TIMOTHY MILLER

A As I recall, I would have.

MR. BOYLE: If I could have just one second.

THE VIDEOTAPE OPERATOR: The time is now 3:25. We are going off the video record.

- - -

(Whereupon a break was taken at this time.)

- - -

THE VIDEOTAPE OPERATOR: The time is now 3:26. We're back on the video record.

- - -

MR. BOYLE: I have no more questions. Thank you, Mr. Miller.

- - -

EXAMINATION

- - -

BY MS. COWLES:

Q Mr. Miller, just one brief area of follow-up. You said that you spoke with Ken Miller about why you weren't doing anything wrong in assisting Lisa Miller to come to

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

TIMOTHY MILLER

Nicaragua. Correct?

A I think so, yes.

Q I believe you told Mr. Boyle that you discussed the fact that she was the legal guardian and she was traveling under her own name?

A Uh-huh.

Q When you -- did you have any discussions with Ken Miller about Lisa Miller's partner's rights to Isabella?

A Not that I recall.

Q What, if any, conversations did you have about rights to visitation that Miss Jenkins might have had at the time that Lisa Miller came to Nicaragua?

A I don't recall any of those.

Q I believe if you look back to Government Exhibit 1 you attached a fact sheet related to Lisa Miller and Isabella Miller Jenkins. If we look into that fact sheet it describes the matter between the two women looking at the top of the second page as a child custody/visitation legal dispute.

Were you aware based on this

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

TIMOTHY MILLER

information that there were both custody and visitation rights at issue in this dispute?

A No, because I don't -- I didn't understand the law, but it was -- I didn't understand the U.S. laws, how they work or anything like that.

Q Do you recall discussing the child custody and visitation issue with Ken Miller?

A Not that I recall.

Q I believe when you testified previously you mentioned that the reason that you understood Lisa Miller wanted to come to Nicaragua was so that her child would not -- let me ask you.

What did you understand the reason was that Lisa Miller wanted to come to Nicaragua?

A That if there was -- with a possible custody transfer.

Q So --

THE VIDEOTAPE OPERATOR:

Excuse me, Counsel. I apologize. The time is now 3:28. This concludes videotape number one.

1 TIMOTHY MILLER

2 - - -

3 (Whereupon a break was taken  
4 at this time.)

5 - - -

6 THE VIDEOTAPE OPERATOR: The  
7 time is now 3:30. This begins videotape  
8 number two of the videotape deposition.  
9 You may proceed.

10 MS. COWLES: Thank you.

11 BY MS. COWLES:

12 Q Mr. Miller, in the e-mail that you  
13 sent, Government's Exhibit 1, you forwarded  
14 information related to an ongoing legal  
15 dispute. Correct?

16 A Yes.

17 Q So, when -- in your discussions  
18 with Ken Miller did you discuss the fact that  
19 Lisa Miller was involved in an ongoing dispute  
20 with her partner about this child?

21 A Well, we talked about -- we talked  
22 about the case as such. That doesn't mean I  
23 understood the implications.

24 Q But you understood there was a  
25 case?

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

TIMOTHY MILLER

A There was obviously a case, yes, but as far as the implications, no, simply because the Bible is very clear. God -- God instituted marriage as a husband and a wife, and if someone has a child by other means, obviously it's not anybody else's child. I mean that would have been my understanding.

Q And you understood that in helping Lisa Miller come to Nicaragua you were helping to keep the child away from the other woman who wanted access to her?

MR. BOYLE: I'm going to object to the form. It's leading.

MS. COWLES: Let me rephrase the question.

BY MS. COWLES:

Q How did your -- what impact did you understand Lisa Miller's travel to Nicaragua to have on the relationship of the child to this other woman, if any?

A As I would have understood it at that time, she had had little or very little contact with her anyway. She had lived with her mother. So, to me it wasn't really --

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

TIMOTHY MILLER

that I would have known, it wasn't really an issue.

Q What impact would you have understood the trip to Nicaragua to have had, though?

A Well, if there was a custody transfer? Is that what you're talking about?

Q Well, I'm starting with the immediate moment. Before any additional orders what affect would coming to Nicaragua have on the relationship, as you understood it, of the child with the other woman?

A I guess I can't really recall that I thought about that as such.

Q How did you think about it?

A I just more thought of this whole thing, well, here's someone who needs help coming to Nicaragua, and I helped.

Q Why did she need help coming to Nicaragua?

A Obviously she needed to be picked up by someone. She didn't know anyone in Nicaragua.

Q Why did she need to come to

1 TIMOTHY MILLER

2 Nicaragua at all, as you understood it?

3 A Because of a -- because of a legal  
4 dispute.

5 Q By coming to Nicaragua what impact  
6 did you understand Lisa Miller could have on  
7 that legal dispute?

8 A I don't know if I thought down  
9 those lines.

10 Q You understood there was a court  
11 case?

12 A Right.

13 Q So, what affect on the court case  
14 did you understand the move to Nicaragua would  
15 have?

16 A If the custody would have been  
17 transferred in the future, well then she  
18 wouldn't have been in the U.S. for that  
19 transfer.

20 Q So, as far as the other woman, Miss  
21 Jenkins' ability to see the child, what affect  
22 did you understand this trip to Nicaragua  
23 would have?

24 A I guess -- like I said, I never  
25 thought -- that I can recall, I never thought

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

TIMOTHY MILLER

down those lines as far as what affect it would have. This was her child. This is Lisa's child. She can do with her child whatever she wants to.

Q But you and Ken Miller discussed the need to insure that people couldn't find Lisa Miller. Correct?

A I wouldn't have put it that way.

Q How would you put it?

A I would have said that she needed to come to Nicaragua for that possibility. We didn't know where she was going. We had -- that I recall, there was nothing -- there was no plan as such.

Q Was Lisa Miller a planner?

A She was.

Q How did you -- based on how you came to know Lisa Miller, did you find it surprising that there was no plan for her life in Nicaragua?

A Ask me the question again.

Q Based on what you came to know of Lisa Miller, did you find it surprising that there was no plan for her life in Nicaragua?

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

TIMOTHY MILLER

A I guess I didn't think -- I mean I didn't think about that, no.

Q Returning simply to this court case, what, if any, discussion did you and Ken Miller have about who would be looking for Lisa Miller and Isabella or who might be looking for Lisa Miller and Isabella if a court order came changing custody?

A Obviously somebody related to the court.

MS. COWLES: I have nothing further.

MR. BOYLE: If I could just follow-up with a few questions.

- - -

EXAMINATION

- - -

BY MR. BOYLES:

Q Just so I understand what I think you're saying, you're saying when Lisa Miller came to Nicaragua you thought she had ever right to have her daughter in Nicaragua. Is that correct?

A I was what?

TIMOTHY MILLER

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

Q You thought Lisa Miller had ever right to have her daughter in Nicaragua?

A Yes.

Q Okay. So, what you were worried about was a potential change in custody?

A Right.

Q But that change had not occurred yet?

A That's right.

Q And you didn't at that point in time know if it would ever occur, did you?

A That's right.

Q And --

MR. BOYLE: I don't think I have any further questions. Thanks.

- - -

EXAMINATION

- - -

BY MS. COWLES:

Q Let me ask you one more question.

You just told Defense Counsel that you weren't sure if the change in custody would ever occur. Correct?

A Right.

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

TIMOTHY MILLER

Q But I believe when we looked at the exhibit related to residency requirements you did collect information about how Lisa Miller might be able to remain in Nicaragua.

Correct?

A But that was also just because of the possibility.

Q Just in case?

A There was no -- I mean I didn't know. I had no clue.

MS. COWLES: All right. I have nothing further.

THE VIDEOTAPE OPERATOR: The time is now 3:38. This concludes the videotaped deposition.

- - -

(Witness excused.)

- - -

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

TIMOTHY MILLER  
C E R T I F I C A T E  
COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF PHILADELPHIA:

I, Donna Bucci Stein, a Notary Public within and for the County and State aforesaid, do hereby certify that the foregoing deposition of Timothy Miller was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal  
this 1st day of January 2012.



-----  
Donna Bucci Stein, RPR  
Notary Public

WORD  
INDEX

[&amp; - alerted]

Page 88

<b>&amp;</b>	<b>2010</b> 46:4,9 53:6	<b>5</b>	<b>able</b> 21:17 26:18
<b>&amp; 2:8,14</b>	55:18,19 56:2 57:7	<b>5</b> 3:15 49:25 50:6	27:14 36:18 48:11
<b>0</b>	58:11,12 60:9 62:12	51:21,22 59:19	69:23 70:3 86:5
<b>05402 2:5</b>	62:15 63:3 64:6,23	<b>5/11/10</b> 3:19	<b>aboveboard</b> 74:19
<b>1</b>	66:9,19 68:2,17	<b>5/5/10</b> 3:18	<b>abroad</b> 9:3
<b>1</b> 3:11 16:6,10 77:19	69:8,25 70:11	<b>500</b> 59:3,20	<b>absence</b> 6:2
79:13	<b>2011</b> 1:8 4:5	<b>57</b> 3:17	<b>access</b> 80:12
<b>10</b> 3:21 63:2 66:18	<b>2012</b> 87:14	<b>570</b> 2:5	<b>accurate</b> 18:2 19:16
68:2 69:8 70:11	<b>21</b> 16:24 18:22	<b>58</b> 3:18	<b>acting</b> 67:20
<b>10/19/09</b> 3:16	<b>21st</b> 10:20 11:16	<b>5th</b> 58:12 75:20	<b>action</b> 87:12
<b>10th</b> 66:9 68:17	21:7 33:20 34:2	<b>6</b>	<b>add</b> 51:18
69:24,25	49:2	<b>6</b> 3:16 50:2,9 51:24	<b>addition</b> 58:2
<b>11</b> 2:4 3:22 58:11	<b>22</b> 29:13 30:5 31:6	<b>6-76-85</b> 3:5	<b>additional</b> 15:6
66:6	31:23 32:11,17	<b>6/26/10</b> 3:20	81:10
<b>11/10/10</b> 3:22	<b>22nd</b> 29:24 33:22	<b>615</b> 1:12 4:9	<b>address</b> 8:8 16:17
<b>12:05</b> 28:18	<b>23rd</b> 33:18,23 34:3	<b>62</b> 3:20	16:19 28:17 31:7
<b>12:16</b> 17:2 18:22	49:3	<b>63</b> 3:21	50:3 57:18 66:9
21:6	<b>24</b> 50:5 52:6	<b>66</b> 3:22	<b>adult</b> 72:24
<b>12:58</b> 31:6	<b>25</b> 50:4	<b>7</b>	<b>advertise</b> 33:9,11
<b>12th</b> 1:12	<b>26th</b> 62:12	<b>7</b> 3:17 57:14,14,19	<b>advise</b> 31:18
<b>132</b> 2:16	<b>27th</b> 55:16 63:3	58:3	<b>affect</b> 81:11 82:13
<b>16</b> 3:11	<b>28</b> 3:12	<b>7/27/10</b> 3:21	82:21 83:2
<b>161</b> 1:6 4:15	<b>29</b> 28:17	<b>7/29/10</b> 3:17	<b>affirm</b> 5:13
<b>17011</b> 2:11	<b>299-7101</b> 2:16	<b>71-84</b> 3:6	<b>affirmed</b> 5:10 7:16
<b>17063</b> 2:16	<b>2:11</b> 1:6 4:15	<b>717</b> 2:11,16	<b>aforsaid</b> 87:6
<b>1800</b> 1:24	<b>2:53</b> 56:17	<b>737-2430</b> 2:11	<b>afternoon</b> 6:11,12
<b>1801</b> 1:24	<b>3</b>	<b>8</b>	28:18 47:7
<b>19103</b> 1:25	<b>3</b> 3:13 31:5	<b>8</b> 3:18 58:10,18	<b>agency</b> 36:9,13
<b>19106</b> 1:13	<b>31</b> 3:13	61:17,21,24	<b>agree</b> 5:18 15:10,15
<b>1:00</b> 31:22	<b>3:02</b> 56:24	<b>802</b> 2:6	15:23
<b>1:54</b> 1:14 4:6	<b>3:25</b> 76:6	<b>9</b>	<b>agreed</b> 6:3,4
<b>1st</b> 87:14	<b>3:26</b> 76:13	<b>9</b> 3:20 62:10	<b>agreement</b> 71:6 75:3
<b>2</b>	<b>3:28</b> 78:24	<b>9/10/09</b> 3:14	75:6,7
<b>2</b> 3:12 28:10,15	<b>3:30</b> 79:7	<b>9/21/09</b> 3:11	<b>agreements</b> 16:3
<b>20</b> 1:8 4:5	<b>3:38</b> 86:15	<b>9/22/09</b> 3:12,13	<b>ahead</b> 8:9 12:12
<b>200</b> 2:10	<b>4</b>	<b>9/25/09</b> 3:14,15	29:19
<b>2000</b> 53:5	<b>4</b> 3:14 49:25 50:2	<b>951-6725</b> 2:6	<b>aid</b> 29:4
<b>2009</b> 10:20 11:16	51:6	<b>99</b> 11:14	<b>aided</b> 87:10
16:24 18:23 28:18	<b>408</b> 2:15	<b>a</b>	<b>aiding</b> 70:20,22
29:13,24 30:5 31:6	<b>4660</b> 2:10	<b>abetting</b> 70:20,22	<b>airlines</b> 35:11
31:23 32:11,17	<b>49/50</b> 3:14,15,16	<b>ability</b> 7:23,25	<b>airplane</b> 15:14,16
38:15 49:3 50:4,5		82:21	<b>airport</b> 15:24 34:20
52:7,7 72:6			37:7,9,16 40:3 41:7
			<b>alerted</b> 36:8

VERITEXT NATIONAL COURT REPORTING COMPANY

888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008939

[america - child]

Page 89

<b>america</b> 1:4 4:12 21:21	<b>assisting</b> 74:8 76:25	<b>birth</b> 9:3	<b>call</b> 10:21,24,25 11:18,19,22,24 12:5 12:16,18,21,24 13:3 13:5,12,18,19 14:13 35:17 49:3 53:24 62:14 72:6
<b>american</b> 9:3	<b>assuming</b> 63:9	<b>bit</b> 8:16 18:15 25:3 47:25	<b>called</b> 11:9 35:18 36:2,21 49:16 65:21 69:18
<b>andy</b> 16:13 28:22,23 28:24 29:3,14 58:19 58:21,23 59:14,15 59:16,18 60:15,17 60:18,24	<b>atlantic</b> 1:24 4:4	<b>blocks</b> 44:18	<b>calling</b> 11:15
<b>answer</b> 8:2,9 12:10 12:12 63:22	<b>attached</b> 18:13 77:19	<b>bottom</b> 18:11 63:6	<b>calls</b> 20:25 52:11
<b>answers</b> 7:4	<b>attention</b> 10:19 70:15	<b>bought</b> 21:9,12 27:16 40:14 48:2	<b>camp</b> 2:11
<b>anybody</b> 20:17 48:6 65:14 80:7	<b>attire</b> 39:2,5	<b>box</b> 2:5	<b>canada</b> 15:20 21:20 22:4,9,19
<b>anyway</b> 22:7 30:4 39:8 80:24	<b>attorney</b> 4:24 6:18 75:3	<b>boyle</b> 2:8,9 3:6 5:3,3 6:4 12:7,10 24:5 50:13,18,22 56:15 71:15 76:3,16 77:4 80:13 84:14 85:15	<b>caption</b> 4:10
<b>apartment</b> 44:17,20	<b>attorney's</b> 1:11 4:8	<b>boyles</b> 84:19	<b>card</b> 25:11,16
<b>apologize</b> 78:23	<b>attorneys</b> 4:18 8:13	<b>break</b> 7:10 56:8,10 56:14,20 57:4 76:9 79:3	<b>case</b> 4:11,14 14:3,3 14:6,18 17:13,18,20 17:21 18:5,24 28:2 28:3 32:8 33:7 47:10,15,18 71:2 79:22,25 80:2 82:11 82:13 84:5 86:9
<b>appear</b> 65:3	<b>autry</b> 2:8	<b>breaks</b> 7:11	<b>cash</b> 60:20 61:13,15
<b>appearances</b> 2:2	<b>available</b> 17:17 19:7	<b>brethren</b> 10:4	<b>cell</b> 36:2,3
<b>appears</b> 16:11 28:16 29:7 66:19	<b>avenue</b> 2:4	<b>brief</b> 7:11 55:22 76:22	<b>central</b> 21:21
<b>apply</b> 5:25	<b>aware</b> 20:11,12 27:2 35:15 55:8 65:8 77:25	<b>briefly</b> 17:8 50:12 51:25	<b>certain</b> 65:6
<b>approximately</b> 4:6 45:13 53:3 55:15 59:21,24	<b>b</b>	<b>bring</b> 60:20	<b>certify</b> 87:6
<b>april</b> 46:3,4,9 53:5,6 55:17 56:2 57:7	<b>b 3:8</b>	<b>bringing</b> 58:20,24	<b>chain</b> 58:12
<b>area</b> 11:5 44:11 76:22	<b>back</b> 15:25 27:4 34:17 36:21 46:18 54:14,18,19 56:24 76:13 77:18	<b>brother</b> 41:3,18 42:5,6 52:14 54:8 63:6 70:8	<b>change</b> 68:24 85:6,8 85:23
<b>arose</b> 71:9	<b>background</b> 8:17	<b>brotherhood</b> 9:21 10:5,6	<b>changing</b> 84:9
<b>arrangements</b> 36:10 36:14	<b>bad</b> 33:17	<b>brothers</b> 10:18	<b>channel</b> 27:4
<b>arrival</b> 34:2,7,17	<b>bank</b> 61:9	<b>brought</b> 70:15	<b>characterize</b> 52:12
<b>arrive</b> 33:16 34:25	<b>barrantes</b> 16:14	<b>brown</b> 2:14	<b>charge</b> 9:16
<b>arrived</b> 34:10 41:8 45:21 49:4 52:22 71:24	<b>based</b> 30:2 43:14 77:25 83:18,23	<b>brubaker</b> 41:21 42:8,9,11 54:9,10	<b>charged</b> 70:20,22
<b>arrives</b> 46:8	<b>beginning</b> 63:5	<b>brubakers</b> 44:12	<b>charges</b> 71:4,7 75:12,17
<b>asked</b> 34:3,11 42:20 48:9 57:5	<b>begins</b> 79:7	<b>buccini</b> 1:14 87:5,17	<b>check</b> 60:19 61:9,9 61:11,14
<b>asking</b> 7:2	<b>behalf</b> 27:3 34:11	<b>burlington</b> 2:5	<b>chestnut</b> 1:12 2:15 4:9
<b>asks</b> 69:22	<b>believe</b> 33:19 39:14 48:3 49:21 57:7 68:6 74:2,5 75:20 77:4,18 78:11 86:2	<b>buy</b> 15:12,15 21:11 21:17 59:14,14	<b>child</b> 14:4,7,20 22:17 28:7 33:8 73:2 77:24 78:8,14
<b>assistance</b> 34:4	<b>believed</b> 46:20	<b>buying</b> 15:19	
<b>assistant</b> 4:24 6:17 75:2	<b>bell</b> 2:15 4:25,25 56:9,13	<b>c</b>	
	<b>best</b> 17:16 19:7 36:25	<b>c 87:2,2</b>	
	<b>bible</b> 80:4		

VERITEXT NATIONAL COURT REPORTING COMPANY  
888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008940

[child - deposition]

Page 90

79:20 80:6,7,11,20 81:13 82:21 83:3,4 83:4 <b>children</b> 10:14 45:7 45:14 <b>choose</b> 21:22 43:10 <b>chosen</b> 43:9 <b>christ</b> 52:14 <b>christian</b> 9:20,20 10:4,5 29:4 <b>church</b> 17:6 28:25 44:3 53:14 54:23,24 <b>circle</b> 34:17 <b>circumstances</b> 18:6 20:23 <b>citizen</b> 8:24 <b>citizenship</b> 8:22 9:2 <b>civil</b> 18:16 <b>clarified</b> 9:13 <b>clear</b> 22:8 36:11,14 49:18 61:11 80:4 <b>clearing</b> 37:3 <b>clothes</b> 39:7,16,22 66:2,3 <b>clothing</b> 37:22,24 <b>cloud</b> 7:25 <b>clue</b> 32:2 86:11 <b>clymer</b> 2:14 <b>cmbclaw.com</b> 2:17 <b>coffee</b> 59:5,6,10,17 59:20,25 61:20 <b>collect</b> 86:4 <b>come</b> 8:25 13:5 14:22 15:25 29:15 33:14 35:24 36:3 39:9 42:14 44:8,10 44:19 45:7,13,23 47:3,5,22 49:14 55:6 59:12 65:12 73:5 74:6 76:25 78:13,17 80:10 81:25 83:12 <b>coming</b> 12:5 17:14 32:17 35:8 81:11,19 81:20 82:5	<b>commencing</b> 1:13 <b>committed</b> 48:4 <b>commonly</b> 9:22 <b>commonwealth</b> 87:3 <b>communication</b> 68:21 <b>company</b> 1:23 <b>complete</b> 7:4 <b>complies</b> 58:15 66:14 <b>computer</b> 87:10 <b>concern</b> 7:22 <b>concerned</b> 32:9 48:15 64:11,20,24 65:11 <b>concerns</b> 65:8 <b>concludes</b> 78:24 86:15 <b>confusing</b> 8:14 <b>congregation</b> 9:17 9:18,19 10:9 42:21 <b>connection</b> 32:21 61:23 <b>conrad</b> 2:14 <b>contact</b> 21:14 35:24 41:7,11,13,15 42:14 52:20 55:20,23,25 57:5 64:10,13 67:11 70:7,10 80:24 <b>contacted</b> 26:15 36:9,13 <b>contacting</b> 58:19 <b>continued</b> 46:21 <b>control</b> 73:7 <b>convenient</b> 40:6 <b>conversation</b> 14:24 15:5 <b>conversations</b> 15:2 15:7,9 16:2 33:3 52:17,19 70:9 77:13 <b>cooper</b> 26:4,5,9 <b>copies</b> 50:14 <b>copy</b> 16:8 28:12 <b>correct</b> 37:7 66:16 70:21,24 72:22	73:14,15 77:2 79:15 83:8 84:24 85:24 86:6 <b>correctly</b> 87:9 <b>corresponded</b> 69:19 <b>correspondence</b> 58:4 66:25 69:20 <b>corresponding</b> 29:14 <b>counsel</b> 6:20 8:4,8 16:8 28:12 78:23 85:22 87:12 <b>country</b> 29:20 35:14 <b>county</b> 87:4,5 <b>course</b> 5:20 17:21 <b>court</b> 1:2,23 4:13,20 7:16 14:3,3,6,18 17:15 28:2,3 32:8 33:7,7 47:10 73:23 82:10,13 84:4,9,11 <b>courts</b> 24:24 <b>covering</b> 37:18,19 <b>cowles</b> 2:4 3:5 4:23 4:24 5:15 6:8,17 12:9,11 16:7,9 24:8 28:11,14 50:16,20 50:24 51:3 57:3 71:10 76:21 79:10 79:11 80:15,17 84:12 85:20 86:12 <b>cr</b> 1:6 4:15 <b>created</b> 46:22,22 53:11 55:6 <b>credit</b> 25:10,16 <b>crime</b> 48:4 <b>currently</b> 9:5 29:18 31:16,24 <b>custody</b> 14:20 22:6 22:9,10,12,14,16 23:19,24 28:7 47:12 73:18,24 77:24 78:2 78:9,20 81:7 82:16 84:9 85:6,23	<b>d</b> <b>d</b> 3:2 <b>daniel</b> 1:16 4:3 16:15 <b>darkness</b> 17:22 <b>date</b> 4:5 16:23 58:10 <b>dated</b> 3:11,12,13,14 3:15,16,17,18,20,21 3:22 28:17 31:5 62:11 63:2 66:9 <b>dates</b> 33:17 <b>daughter</b> 33:15 37:13 38:14,25 42:15 73:24 74:6 84:23 85:3 <b>day</b> 10:21 12:20 21:8 33:21 46:25 47:5 53:24,25 87:14 <b>deboyle</b> 2:12 <b>december</b> 1:8 4:5 <b>decision</b> 40:18,25 <b>defendant</b> 2:12 5:4 5:6 <b>defense</b> 16:8 28:12 85:22 <b>definitely</b> 20:4 31:19 53:10 74:4,4 <b>degree</b> 65:6 <b>delete</b> 47:22 <b>deleting</b> 48:10,12,22 <b>dennis</b> 2:9 5:3 <b>dennisboylelaw.c...</b> 2:12 <b>department</b> 2:3 6:18 <b>departure</b> 53:21 54:4,12 <b>depending</b> 27:25 <b>deponent</b> 87:7,9 <b>deposit</b> 60:19 <b>deposition</b> 1:10 4:7 5:20,24 6:24 71:19 79:8 86:16 87:6,11
---	---	--	---

VERITEXT NATIONAL COURT REPORTING COMPANY  
888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008941

[deputy - forwarded]

Page 91

<b>deputy</b> 2:21	<b>dropping</b> 71:7	<b>eugenia</b> 2:4 4:23	<b>family</b> 10:11,13,15
<b>describe</b> 10:3 18:13 28:20 37:21 46:6 52:8 58:16	<b>duly</b> 87:8	<b>eugenia.cowles</b> 2:6	31:12 32:10 45:23
<b>describes</b> 77:22	<b>dutch</b> 66:22,24 67:11,18 69:3	<b>events</b> 52:6	46:7 47:10,21 50:8
<b>description</b> 3:10	<b>e</b>	<b>exactly</b> 42:16 54:7 57:24 68:12	51:9,9,10,14,23
<b>determine</b> 27:23	<b>e</b> 2:9 3:2,8,11,12,13 3:14,15,16,17,18,20 3:21,22 16:12,17,18 16:22,23 17:4,8 18:11,23 19:6,14,20 20:14,22 21:7 28:16 28:17,21 29:6,8 31:5,7,11,13,17,25 32:10 33:5 47:22 48:10,13,18,23 49:9 49:22 50:3,7,10 51:5,17,20 52:2,5 52:11 56:5,7 57:9 57:10,12,15,18 58:3 58:11,14,17 59:4,6 60:3 62:23 63:3 64:7,18,21,25 65:5 66:7,8,11,16,18 67:15,16 68:16,20 69:4,17,22 72:16 79:12 87:2,2	<b>examination</b> 6:6 71:13 76:19 84:17 85:18	52:3,23 53:3 57:16 57:21,23 71:21 72:18
<b>different</b> 46:17		<b>examined</b> 5:10	<b>far</b> 8:3 9:11 18:25
<b>directly</b> 64:15		<b>example</b> 17:19	19:12 23:21 30:9
<b>discuss</b> 26:8 30:15 32:13 40:18 48:22 79:18		<b>exception</b> 5:21	32:19 35:4 53:22
<b>discussed</b> 30:13 32:14,16,18 33:25 39:13 40:21,24 49:2 54:13,18,19 61:16 68:15 69:8,11 77:5 83:6		<b>exchange</b> 58:16 59:6 60:4,25 61:16 63:13 75:11	60:22 64:5 80:3 82:20 83:2
<b>discussing</b> 14:25 15:6 32:10 38:24 47:17 52:6,16 64:12 64:14 78:8		<b>exchanged</b> 47:23	<b>feel</b> 31:23
<b>discussion</b> 30:17,21 30:22 31:16,25 33:5 61:19 69:16 84:5		<b>exchanging</b> 57:9	<b>filed</b> 4:13
<b>discussions</b> 27:17 77:10 79:17		<b>excuse</b> 73:20 78:23	<b>find</b> 83:7,19,24
<b>dismissed</b> 75:15		<b>excused</b> 86:18	<b>fine</b> 12:9
<b>dispute</b> 77:24 78:3 79:15,19 82:4,7		<b>exhibit</b> 16:4,6,10,11 28:10,15,16 31:5 50:2,6,9 51:6,21,22 51:24 57:14,14,19 58:3,10,18 61:17,20 61:24 62:9,10 63:2 63:4 66:4,5,6 77:19 79:13 86:3	<b>finished</b> 26:21
<b>district</b> 1:2,2 4:13 4:14 75:12	<b>early</b> 47:7	<b>exhibits</b> 49:25	<b>first</b> 6:23 8:16 14:5 14:10,24 15:5 16:4 16:16 17:10 18:21 22:3 28:20 31:9 33:20 42:24 49:3 50:15,17 51:4 53:16 66:6 71:18 72:12,13
<b>division</b> 4:4	<b>easier</b> 23:11	<b>explain</b> 7:7 48:9 51:7 61:19	<b>five</b> 42:17,18,23 43:21
<b>documents</b> 33:19	<b>easy</b> 40:15	<b>ext</b> 2:16	<b>flight</b> 21:18
<b>doing</b> 29:23 74:9 76:24	<b>ecuador</b> 67:21 68:4	<b>extradition</b> 24:13,15 24:20	<b>floor</b> 1:12
<b>donna</b> 1:14 4:20 87:5,17	<b>editor</b> 9:12	<b>f</b>	<b>flown</b> 35:6
<b>draft</b> 66:10	<b>effort</b> 65:4	<b>f</b> 87:2	<b>fly</b> 22:24 23:3,16
<b>dress</b> 38:5,15 43:24	<b>eight</b> 12:22	<b>facilitated</b> 69:20	<b>flying</b> 21:20 22:4,8 22:19 23:6 29:25
<b>dressed</b> 65:24	<b>either</b> 53:24 68:20	<b>fact</b> 6:19 18:12 37:6 55:13 77:5,19,21 79:18	<b>focus</b> 53:11 54:21 54:21
<b>dressing</b> 43:23	<b>elaine</b> 26:4	<b>failure</b> 5:23	<b>folks</b> 31:15,18
<b>dropped</b> 42:10 71:4 75:13,14,18	<b>elmwood</b> 2:4	<b>fairly</b> 51:16	<b>follow</b> 76:23 84:15
	<b>else's</b> 80:7	<b>familiar</b> 16:18,21 35:22	<b>following</b> 17:13
	<b>emily</b> 2:15 4:25		<b>follows</b> 5:11
	<b>emily.bell</b> 2:17		<b>foregoing</b> 87:6
	<b>engage</b> 45:4		<b>form</b> 5:22 8:6 24:6 68:19 80:14
	<b>entered</b> 73:18		<b>forth</b> 46:18
	<b>especially</b> 46:12		<b>forward</b> 7:12
	<b>esquire</b> 2:4,9,10,15		<b>forwarded</b> 79:13

[found - january]

Page 92

<b>found</b> 20:20 65:16 <b>four</b> 57:14 <b>free</b> 73:5 <b>friends</b> 17:5 20:9 51:14 <b>full</b> 7:4 8:18 23:18 23:23 <b>funds</b> 62:3,6 <b>further</b> 14:25 34:3 84:13 85:16 86:13 <b>future</b> 24:24 33:7 43:17 82:17	58:7,8 62:8,25 66:5 74:17 76:6 80:13 83:13 <b>golden</b> 21:12,14 26:15,18,22 <b>good</b> 6:9,11 63:9,11 63:20 68:5 <b>goods</b> 63:24 <b>gotten</b> 52:10 53:11 60:14 <b>government</b> 16:5,10 71:6 75:4,19,23 77:19	<b>hearsay</b> 12:8 <b>hearts</b> 50:21 <b>held</b> 4:7 <b>hello</b> 63:5 <b>help</b> 45:7,8 55:2 61:5 81:18,20 <b>helped</b> 44:21 81:19 <b>helping</b> 45:14 80:9 80:10 <b>hide</b> 69:6 <b>hiding</b> 43:18 <b>high</b> 17:21 <b>hill</b> 2:11 <b>hold</b> 60:14,17,18 69:23,24 <b>home</b> 40:12 41:25 42:13 <b>homosexuals</b> 17:18 <b>honduranian</b> 8:23 <b>honduras</b> 8:21 <b>hour</b> 13:15,16,17 <b>household</b> 47:2 <b>huber</b> 16:15 <b>huh</b> 26:17 45:16 75:5 77:8 <b>hundred</b> 59:22,24 <b>husband</b> 80:5	<b>including</b> 57:18 <b>indicated</b> 11:23 57:8 87:7 <b>indicating</b> 60:13 <b>individual</b> 10:22 <b>individuals</b> 16:13 17:3 <b>info</b> 18:2 19:15,24 39:20 <b>information</b> 23:5 30:6,14 47:14 49:15 64:22 78:2 79:14 86:4 <b>initial</b> 48:25 <b>inquiry</b> 63:25 <b>instance</b> 61:8 <b>instituted</b> 80:5 <b>insure</b> 83:7 <b>interested</b> 87:12 <b>international</b> 70:20 70:23 <b>internet</b> 13:7,9 47:16 <b>involved</b> 17:20 46:13 53:20 54:3 59:9,23 60:24 62:2 62:6 69:13 79:19 <b>involvement</b> 65:9 <b>involvements</b> 18:7 20:23 <b>irish</b> 57:15 <b>isabella</b> 15:17 18:13 22:4 23:15 24:3 33:16 40:19 41:14 41:19,23 42:11 43:3 43:7 44:25 65:20,23 77:11,20 84:7,8 <b>ish</b> 67:6 <b>issue</b> 78:3,9 81:3 <b>itinerary</b> 35:3
<b>g</b>	<b>government's</b> 28:9 28:15 31:4 50:2 51:5 57:13,14 58:3 58:9,18 61:17,20,24 62:10 63:2 66:5 79:13 <b>grbich</b> 1:16 4:3 <b>greeting</b> 63:5 <b>groups</b> 9:25 <b>grow</b> 8:20 <b>guardian</b> 74:3,16 77:6 <b>guess</b> 63:21 81:14 82:24 84:2	<b>h</b>	<b>i</b>
<b>gain</b> 64:22 <b>galusha</b> 2:21 28:13 <b>gather</b> 30:6 <b>general</b> 58:2 <b>generally</b> 17:4 31:10 51:8 57:19 <b>german</b> 66:22,24 <b>getting</b> 44:13 47:14 60:17,18 <b>girl</b> 45:8,11 46:16 <b>give</b> 12:14 36:5 71:17 73:9 <b>given</b> 22:16 23:6 33:4 49:17 87:11 <b>glorified</b> 18:7 <b>gmail.com</b> 16:12,18 57:17 66:8 <b>go</b> 6:20 7:12 8:5,9 12:12 13:22,24 17:23 34:16 37:9 40:2 43:18 53:16 55:5,13 61:12 73:5 <b>god</b> 80:4,4 <b>going</b> 11:17,19,21 11:24 16:4 22:23 24:3,5 25:4,6,12,22 25:22 26:12 27:11 28:8,9,25 31:3,4 32:3,5 44:14 46:21 49:24 52:7 53:23 55:11 56:17 57:12	<b>h</b> 3:8 <b>half</b> 61:10 <b>halfway</b> 67:6 <b>hand</b> 16:4 49:24 57:12 87:13 <b>handing</b> 58:9 <b>handle</b> 26:19 <b>happen</b> 25:22 32:6 <b>happened</b> 27:25 42:18 48:9 60:21,23 <b>happening</b> 58:17 <b>happens</b> 8:7 61:7 <b>head</b> 37:20 <b>heard</b> 18:5 <b>hearing</b> 17:14	<b>idea</b> 68:5 <b>identification</b> 16:5 57:13 58:10 <b>identified</b> 51:5 <b>identify</b> 4:18 <b>immediate</b> 81:10 <b>immediately</b> 41:10 41:11 64:18 <b>impact</b> 55:3 80:18 81:4 82:5 <b>implications</b> 79:23 80:3 <b>impression</b> 33:4 69:3 <b>includes</b> 58:11	<b>involved</b> 17:20 46:13 53:20 54:3 59:9,23 60:24 62:2 62:6 69:13 79:19 <b>involvement</b> 65:9 <b>involvements</b> 18:7 20:23 <b>irish</b> 57:15 <b>isabella</b> 15:17 18:13 22:4 23:15 24:3 33:16 40:19 41:14 41:19,23 42:11 43:3 43:7 44:25 65:20,23 77:11,20 84:7,8 <b>ish</b> 67:6 <b>issue</b> 78:3,9 81:3 <b>itinerary</b> 35:3
		<b>j</b>	
		<b>janet</b> 18:17 22:17 <b>january</b> 87:14	

[jeannie - looked]

Page 93

<b>jeannie</b> 6:17 <b>jenkins</b> 18:17 22:17 23:16 77:15,21 82:21 <b>jesse</b> 41:21 42:7,8 42:11 54:8,9,10 <b>jessica</b> 45:12 46:12 46:14,15,19,19 53:10 54:25 55:5 <b>jinotega</b> 40:4,5,19 40:25 41:2,3,18,19 41:22,24 42:12,21 42:24 43:22 53:19 54:2 55:9,11,13 56:3 57:7 68:8 70:8 <b>joined</b> 44:2 <b>july</b> 63:2 64:6,22 <b>june</b> 62:12,15 <b>justice</b> 2:3 6:18  <b>k</b>  <b>keep</b> 80:11 <b>keiner</b> 16:14 <b>ken</b> 5:4,7 11:22,25 11:25 12:6,16 13:12 13:20 14:15,17,21 15:2,7 19:5 21:4 22:2 23:4,13 24:2 24:17 26:9 27:5,18 30:16,18 32:19 33:3 41:15 49:5,11,21 50:3,7,9 52:2,8,16 55:24,25 57:6,15,16 57:21,23 58:4,13 59:7,25 60:8 62:5 62:11,16,19 63:4,6 63:8 66:7,25 67:10 68:10,15 69:7 70:10 71:19 72:5,7,9 74:12 76:23 77:10 78:9 79:18 83:6 84:5 <b>ken's</b> 74:23 <b>kenneth</b> 1:6 2:19 4:12	<b>kept</b> 28:4 <b>kevin</b> 16:14 <b>kidnapping</b> 70:21 70:24 <b>kin</b> 87:12 <b>kind</b> 9:9,14,18 11:19 15:13 29:22 45:3 52:15 58:2 61:5 <b>kingdomseeker1</b> 57:17 66:8 <b>knew</b> 24:20 35:5 39:21 53:22 <b>know</b> 6:16 7:6,11,12 8:3 11:25 19:12 20:10,16,18 24:9,9 25:14,24 26:11 27:12,12,20 29:9,17 30:9 32:5 34:24 35:13 36:5,17,22 38:4,21,23 39:4,19 39:23 41:8,9,10 43:6,19 47:9 48:19 49:12 52:10 61:25 62:17,21 63:18 64:2 64:5,18 67:12 68:3 70:3,13 81:23 82:8 83:13,19,23 85:12 86:11 <b>knowing</b> 23:16 <b>knowledge</b> 30:2 37:25 38:16,17 44:2 49:10 54:5 62:5 <b>known</b> 11:13 39:25 81:2 <b>knows</b> 24:7  <b>l</b> <b>l</b> 1:6 4:12 11:4,4 <b>lancaster</b> 2:16 <b>language</b> 66:20,20 67:9 <b>large</b> 51:15 <b>law</b> 2:14 25:24 26:12 78:5	<b>law's</b> 25:10,16 26:3 <b>laws</b> 78:6 <b>lawyers</b> 17:16 19:7 <b>leading</b> 16:2 59:5 71:6 80:14 <b>leave</b> 13:22 42:4 53:7 <b>leaves</b> 46:9 53:17 <b>leaving</b> 35:12,14 <b>left</b> 39:7,15 55:21 56:2 57:6 <b>legal</b> 23:19,24 74:5 74:16,19 75:25 77:5 77:24 79:14 82:3,7 <b>lesbians</b> 17:19 <b>lezgetreal.com</b> 67:21 <b>life</b> 18:16 55:9 83:20 83:25 <b>lifesitenews</b> 69:18 69:20 <b>liked</b> 44:10 <b>likewise</b> 50:23 <b>linda</b> 2:20 57:16 <b>line</b> 28:19 50:4,6 62:12 63:9 <b>lines</b> 31:8 82:9 83:2 <b>lisa</b> 10:22 12:19 13:10 14:23 15:2,11 15:17,23 16:15 17:16 18:12,24 19:6 19:10,22 20:2,4,5 21:8 22:3 23:15,18 23:23 24:3 25:6,12 27:2,10,18 28:4 29:20,23 30:6 31:15 31:23 32:10,16,23 33:8,15 34:4,10,19 37:7,12,17 38:2,14 38:25 39:13,14 40:19 41:18,22 42:11,15 43:6,22 44:5,24 45:3,15 46:18,19,20,24 47:8 47:21 48:16,18 49:4	49:10 52:21 53:2,7 53:16 54:4,12 55:5 55:9,12,13,16,20 56:2 57:6 61:24 62:3,6 63:14,16,20 63:25 64:3,12,19,22 65:4,9,12,20,23 67:24 68:3,15 69:9 69:13,23,24 70:11 70:21,22 71:20,24 71:25 72:22 73:16 73:19,21 76:25 77:10,15,20 78:13 78:17 79:19 80:10 80:19 82:6 83:8,16 83:19,24 84:7,8,21 85:2 86:4 <b>lisa's</b> 18:16 22:17 46:6 47:18 55:3 83:4 <b>list</b> 51:15,18,18,20 <b>listed</b> 16:13 <b>little</b> 16:2 18:15 25:3 44:17 47:25 55:22 80:23,23 <b>live</b> 10:17 11:7 <b>lived</b> 65:25 80:24 <b>lives</b> 10:11 <b>living</b> 9:11,14 40:10 44:12 46:16,16 65:19 <b>located</b> 4:9 <b>location</b> 68:15 <b>long</b> 6:15 11:13 27:9 27:13,18,21,23 45:25 <b>longer</b> 29:11 <b>look</b> 13:8 19:23 28:8 31:3 38:4,7,9 50:11 51:6,24 56:6 57:11 58:7 62:8,25 63:7 64:17 66:4,12 77:18 77:21 <b>looked</b> 13:6,10 86:2
---	--	---	---

VERITEXT NATIONAL COURT REPORTING COMPANY  
 888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008944

[looking - national]

Page 94

<b>looking</b> 29:6 33:14 33:19 40:16 46:12 48:17 51:21 64:21 65:16 67:17 77:23 84:6,8 <b>looks</b> 57:20 58:19 <b>lord</b> 18:7 <b>lose</b> 17:18 19:8,11 <b>lost</b> 28:7 <b>lot</b> 17:25 19:15,24 30:8 55:7 <b>lots</b> 17:20 <b>lucas</b> 16:13 <b>lydia</b> 43:5,7 65:22  <b>m</b>  <b>machine</b> 87:9 <b>mail</b> 3:11,12,13,15 3:16,17,20,22 16:12 16:17,18,22,23 17:4 17:8 18:11,23 19:6 19:14,20 20:14,22 21:7 28:16,17,21 29:6,8 31:5,7,11,13 49:9,22 50:3,7,10 51:5,17,20 52:2,11 57:15,18 58:3,11 59:4 60:3 62:23 64:7,18 65:5 66:7,8 66:11,16,18 67:15 67:16 68:16,20 69:4 69:22 72:16 79:12 <b>mailing</b> 31:17,25 32:10 33:5 <b>mails</b> 3:14,18,21 47:22 48:10,13,18 48:23 52:5 56:5,7 57:9,10,12 58:14,17 59:6 63:3 64:21,25 69:17 <b>making</b> 37:3 54:3 <b>managua</b> 9:8,10,15 10:9,12 37:11 40:10 40:13 44:6,15 45:4 45:14,25 46:2,9	48:17 52:23 53:17 54:5,6,23,24 <b>mark</b> 16:5 28:9 31:4 49:25 57:13 58:9 62:9 63:2 66:5 <b>market</b> 1:24 <b>marriage</b> 80:5 <b>marshal</b> 2:22 <b>matter</b> 8:8 32:15 77:22 <b>matters</b> 6:21 <b>max</b> 2:21 <b>mean</b> 19:12 20:24 22:10,19 32:4 37:19 44:22 53:13 54:15 58:22 67:19 74:13 79:22 80:8 84:2 86:10 <b>means</b> 80:6 <b>medications</b> 7:23 <b>meeting</b> 75:18,22 <b>megan</b> 2:10 5:5 <b>members</b> 32:10 <b>mennonite</b> 9:20,23 37:23 38:2,5,15,20 38:22 39:2,5,22 43:24 44:2 66:3 <b>mennonites</b> 10:2 <b>mention</b> 19:14 51:17 69:17 <b>mentioned</b> 16:3 41:17 49:20 53:2 78:12 <b>message</b> 18:19,22 50:2,5 51:6 62:11 63:7,8,10 66:11 68:9,23 <b>messages</b> 49:25 58:8 <b>met</b> 37:12 42:22 72:7,9,13,21 <b>method</b> 26:5 <b>mexico</b> 21:20 <b>mid</b> 1:24 4:4 <b>middle</b> 51:7	<b>miller</b> 1:6,11 2:17 2:19,20 3:4 4:1,12 4:16 5:1,2,4,7,9 6:1 6:10 7:1 8:1,19,20 9:1 10:1,22 11:1,22 11:25,25 12:1,6,17 12:19 13:1,10,12,20 14:1,15,17,21,23 15:1,2,3,7,11,17,23 16:1,13,15 17:1 18:1,13,24 19:1,5 20:1 21:1,4,8 22:1 23:1,15,15 24:1 25:1 26:1,9 27:1,2 27:10,18,18 28:1,4 29:1,23 30:1,7,16 30:18 31:1 32:1,11 32:20,23 33:1,3,21 34:1,4,10,19 35:1 36:1 37:1,7,12 38:1 38:2,14,25 39:1 40:1 41:1 42:1,15 43:1,22 44:1,6,25 45:1,4 46:1 47:1 48:1 49:1,4,5,10,11 49:21 50:1,3,7,9 51:1 52:1,9,16,21 53:1,2,7,16 54:1 55:1,12,24,25 56:1 56:2 57:1,4,6,6,16 58:1,5,13 59:1,7,25 60:1,8 61:1,24 62:1 62:3,5,6,11,16,20 63:1,5,6,8,20 64:1,2 64:3,12,19,22 65:1 65:4,9 66:1,7,25 67:1,10,24 68:1,3 68:10,16 69:1,7,9 69:14,23,24 70:1,10 70:11,19,21,23 71:1 71:16,19,20,21,24 71:25 72:1,5,7,10 72:22 73:1,16,19,21 74:1,12 75:1 76:1 76:17,22,24,25 77:1	77:10,16,20,20 78:1 78:9,13,17 79:1,12 79:18,19 80:1,10 81:1 82:1,6 83:1,6,8 83:16,19,24 84:1,6 84:7,8,21 85:1,2 86:1,4 87:1,6 <b>miller's</b> 32:16 54:4 54:12 55:9 68:15 77:11 80:19 <b>millers</b> 50:11 <b>ministries</b> 29:5 <b>minute</b> 53:5 56:14 <b>misunderstanding</b> 34:5 <b>moment</b> 8:7 22:23 58:14 61:3 66:13 81:10 <b>money</b> 58:20,25,25 60:8 61:11 <b>month</b> 61:10 <b>months</b> 29:12 45:17 54:14,18,19 64:9,13 65:12,18 <b>morning</b> 6:9,14 12:23 18:6 47:4,6 <b>mother</b> 25:10,16,24 26:3,12 80:25 <b>move</b> 82:14 <b>moving</b> 14:12 21:6 <b>murphy</b> 2:8 <b>musser</b> 2:14,15  <b>n</b>  <b>n</b> 3:2 <b>name</b> 4:3,15 8:18 26:3 35:20 42:25 43:3 65:4 71:21 74:18 77:7 <b>named</b> 10:22 11:22 11:25 12:19 <b>names</b> 43:7,8,10,15 65:19 <b>national</b> 1:23
--	---	---	--

VERITEXT NATIONAL COURT REPORTING COMPANY  
888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008945

[nature - point]

Page 95

<b>nature</b> 13:19 73:10	<b>november</b> 66:9,18 68:2,16 69:8,24,25 70:11	<b>opportunity</b> 66:15	<b>people</b> 17:5 19:2 29:10,15 38:19,22 43:19 65:8 69:12 83:7
<b>near</b> 52:23	<b>number</b> 3:10 4:14 16:12 36:4 47:22 57:17 78:25 79:8	<b>opposed</b> 24:10	<b>perception</b> 7:25
<b>necessarily</b> 9:24	<b>o</b>	<b>order</b> 55:2 73:17 84:9	<b>period</b> 47:18,21 48:25 52:4,22 65:24
<b>need</b> 7:9 29:21 30:14,24 32:12 33:9 43:18 56:9 61:4 62:19 69:8 71:8 81:20,25 83:7	<b>o'clock</b> 12:22 47:4,6	<b>orders</b> 73:9,23 81:11	<b>periodically</b> 49:6 51:12 57:24 62:18
<b>needed</b> 36:15 43:12 43:15 54:21 61:12 81:22 83:11	<b>oath</b> 7:3,15	<b>originally</b> 19:4 70:19	<b>person</b> 13:24 14:6 14:18 35:14,24 36:20 41:19 72:10
<b>needs</b> 30:12 81:18	<b>object</b> 24:6 80:14	<b>originating</b> 31:6	<b>personal</b> 58:4
<b>neighbors</b> 65:13	<b>objection</b> 12:7	<b>outcome</b> 32:3 87:12	<b>philadelphia</b> 1:13 1:25 4:10 75:21 87:4
<b>neither</b> 87:11	<b>objections</b> 5:17,18 5:21 8:5,6	<b>p</b>	<b>photo</b> 51:23
<b>net</b> 18:2 19:16,25 20:16	<b>obligation</b> 7:19	<b>p 2:4</b>	<b>physical</b> 51:4
<b>never</b> 32:14 82:24 82:25	<b>obtained</b> 39:5	<b>p.c.</b> 2:14	<b>pick</b> 15:24 34:12,19 37:7,10
<b>new</b> 43:10,15 55:9	<b>obviated</b> 5:19	<b>p.m.</b> 1:14 4:6 17:2 18:22 31:6,22	<b>picked</b> 34:16 40:2 41:6 81:22
<b>news</b> 51:9,11 57:15 57:20 63:8,9,10,11 63:20,20,24,24	<b>obviously</b> 29:21 35:2 40:14 46:20 48:2 59:2 61:13 64:25 74:16 80:2,7 81:22 84:10	<b>p.o.</b> 2:5	<b>picture</b> 50:7,8,21
<b>newsletter</b> 57:21,23	<b>occupied</b> 44:14	<b>page</b> 3:10 50:19,20 66:6,10 77:23	<b>pictures</b> 50:25 51:2 52:3
<b>nicaragua</b> 9:6,7 10:16,17 11:6 13:22 13:25 14:22 15:21 24:4,4,10,13,16,21 25:2 27:11,19,24 28:4 29:11,16 32:17 33:16 35:9,12 45:4 45:20 49:4 52:22 60:20 61:12 71:25 73:4,17,22 74:3,6 77:2,16 78:14,18 80:10,19 81:5,11,19 81:21,24 82:2,5,14 82:22 83:12,21,25 84:22,23 85:3 86:5	<b>occur</b> 85:12,24	<b>pages</b> 50:15,17,23 50:24,25	<b>place</b> 40:7 87:7
<b>nicaraguan</b> 29:7	<b>occurred</b> 85:8	<b>paperwork</b> 29:22 30:10,23	<b>plaintiff</b> 2:7
<b>nine</b> 47:4,5	<b>october</b> 52:7 75:19	<b>parental</b> 70:21,23	<b>plan</b> 83:15,20,25
<b>notary</b> 1:15 87:5,17	<b>office</b> 1:12 4:8	<b>parents</b> 9:4 10:17	<b>planned</b> 54:12
<b>notice</b> 87:7	<b>offices</b> 2:14	<b>part</b> 9:7 17:11	<b>planner</b> 83:16
<b>notwithstanding</b> 5:24	<b>official</b> 87:13	<b>parties</b> 4:19 5:18	<b>planning</b> 11:21
	<b>oh</b> 44:11 64:19 67:8	<b>partner</b> 79:20	<b>plans</b> 53:15,20 54:4 55:8
	<b>okay</b> 7:7,8 8:11 10:3 14:12,14 18:20 34:8 48:7 56:12 58:21 64:5 70:16 72:12,21 73:12 74:8,11 75:2 75:11,22 85:5	<b>partner's</b> 77:11	<b>please</b> 7:5 12:14 17:9 18:4 31:18
	<b>once</b> 26:14,21 32:25 36:12,18 40:2 41:6 52:22	<b>party</b> 87:12	<b>point</b> 7:9 13:2,11 20:10 21:3 23:18 24:11 25:14 32:14 32:23 33:9 36:21 37:25 38:12 39:17
	<b>ongoing</b> 79:14,19	<b>pass</b> 16:7 28:11	
	<b>online</b> 21:17	<b>pastor</b> 10:10 11:8	
	<b>operator</b> 1:16 4:2 56:16,23 76:5,12 78:22 79:6 86:14	<b>pastors</b> 11:2,12	
		<b>path</b> 21:18	
		<b>pay</b> 25:5,7,8,12	
		<b>pcf.net</b> 50:8,9	
		<b>peace</b> 17:12	
		<b>pennsylvania</b> 1:13 1:25 2:11,16 4:10 66:22,24,24 67:11 67:18 69:3 87:3	

VERITEXT NATIONAL COURT REPORTING COMPANY  
888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008946

[point - responds]

Page 96

40:7,8,10 41:12 42:23 43:16,25 44:5 47:12,15,20 48:16 52:13 53:8 59:5 64:8 65:7 70:6 85:11 <b>politics</b> 17:20,21 <b>portion</b> 17:9 19:19 66:19 67:18 <b>possibility</b> 23:22 83:12 86:8 <b>possible</b> 22:6,11,12 22:14 78:20 <b>potential</b> 85:6 <b>potentially</b> 24:25 <b>pound</b> 59:19 <b>pounds</b> 59:24 <b>power</b> 17:22 <b>pray</b> 18:4 31:19,19 <b>preach</b> 42:20 <b>presence</b> 55:3 <b>present</b> 1:17 2:19 6:20 <b>preserved</b> 5:22 <b>previously</b> 37:12 66:16 67:10 78:12 <b>price</b> 59:17 <b>prior</b> 15:4 72:9 75:17 <b>probably</b> 17:18 19:8 19:11 20:25 27:4,25 30:16 38:6,19 39:13 43:13 63:14,15 69:5 70:7 <b>problem</b> 35:8,10,16 35:19 37:4 <b>problems</b> 8:12 <b>proceed</b> 4:22 79:9 <b>proceedings</b> 7:10,18 7:20 <b>professional</b> 1:15 <b>proof</b> 35:12 <b>proposed</b> 66:11 <b>protectisabella.com</b> 18:3 19:17,25 20:13	<b>provide</b> 7:4 34:3 <b>provides</b> 66:10 <b>providing</b> 62:2,6 <b>public</b> 1:16 87:5,17 <b>publicly</b> 69:9 <b>purchase</b> 21:19 23:14 25:16 26:19 27:14 33:25 34:15 <b>purchased</b> 25:9 27:3 27:8 34:9 <b>purposes</b> 50:14 <b>pursuant</b> 87:7 <b>put</b> 5:16 20:7 83:9 83:10 <b>puzzling</b> 60:5  <b>q</b> <b>question</b> 5:22 7:7 8:7,10 12:13,14 24:6 34:6 68:25 73:20 80:16 83:22 85:21 <b>questioning</b> 6:22 <b>questions</b> 7:3,5 8:2 18:18 71:11,17 76:17 84:15 85:16 <b>quick</b> 56:9  <b>r</b> <b>r</b> 87:2 <b>reach</b> 70:6 <b>reached</b> 54:25 <b>read</b> 17:8,23 31:13 67:4,5 <b>really</b> 27:20 54:21 64:24 67:4,5 68:11 75:7 80:25 81:2,14 <b>realm</b> 22:7 <b>reason</b> 7:10 21:16 48:12 78:12,17 <b>recall</b> 12:22 13:15 18:25 19:13 20:11 20:15,19 23:25 26:2 27:6 29:25 30:4,17 30:20 32:19 35:18 35:20 37:5 38:8,10	38:24 39:3,11,17 40:24 41:5 44:10 48:24 49:13,16 52:18,24 53:22 55:10,16 59:8,23 60:7,10,10,16,17,22 61:15,18 67:14 68:11,14,22 69:10 69:15,21 70:12,12 70:14,17 74:12,14 74:25 75:18 76:2 77:12,17 78:8,10 81:14 82:25 83:14 <b>receive</b> 10:21 11:22 11:24 12:16,21 13:12 57:22 67:16 <b>received</b> 10:25 21:2 35:17 53:24 56:4,5 69:2 72:5 <b>receiving</b> 11:18,20 60:8 61:15 67:14 68:16 <b>recipients</b> 31:10 57:18 <b>recognize</b> 37:15 <b>recollection</b> 36:25 45:18 49:18,19 62:22 67:13 68:10 <b>record</b> 5:16 8:18 17:9 56:18,25 76:7 76:14 87:11 <b>recorded</b> 87:9 <b>refer</b> 14:21 63:20 65:20 <b>reference</b> 20:22 <b>referenced</b> 3:10 <b>referred</b> 9:22 <b>referring</b> 19:19 22:15 58:25 63:12 63:17 67:23 <b>refers</b> 59:4 <b>regarding</b> 10:21 15:11 21:8 52:21 <b>region</b> 1:24	<b>registered</b> 1:15 <b>regularly</b> 66:23 <b>reimbursed</b> 25:23 25:25 26:6,12 <b>reimbursement</b> 26:9 <b>relate</b> 29:7 <b>related</b> 77:20 79:14 84:10 86:3 <b>relates</b> 62:23 <b>relationship</b> 46:7 52:8 71:22 72:18 80:20 81:12 <b>remain</b> 49:5,11 55:20,25 86:5 <b>remained</b> 57:5 <b>remember</b> 30:24 37:2 60:15,21 62:7 <b>removed</b> 5:19 <b>rent</b> 44:22 <b>renting</b> 44:23 <b>rephrase</b> 7:7 24:4 80:15 <b>reporter</b> 1:15 4:20 7:16 <b>reporting</b> 1:23 <b>represent</b> 4:19 5:2,4 5:6 59:21 <b>representatives</b> 75:19 <b>representing</b> 2:7,12 2:17 4:3 <b>request</b> 58:15 66:14 <b>requirements</b> 28:19 29:10,15,18 30:25 86:3 <b>residency</b> 28:19 29:7,14 86:3 <b>residing</b> 9:5 <b>resolve</b> 36:18 <b>resolved</b> 71:2 <b>respect</b> 74:20 <b>respond</b> 7:6 68:9 <b>responds</b> 50:5
--	--	--	--

VERITEXT NATIONAL COURT REPORTING COMPANY

888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

008947

[response - talk]

Page 97

<b>response</b> 63:23 <b>rest</b> 60:15 <b>restrictions</b> 23:21 23:24 <b>result</b> 12:24 15:9 28:3 <b>return</b> 44:6 <b>returning</b> 84:4 <b>review</b> 17:7 58:14 <b>reviewed</b> 36:22 <b>right</b> 6:9 8:4,14 11:7 36:21,24 39:24 42:5 45:2 56:13 69:12 72:14 73:15 74:6,7 75:10 82:12 84:23 85:3,7,10,13,25 86:12 <b>rights</b> 77:11,14 78:3 <b>road</b> 2:10 <b>role</b> 10:8 <b>room</b> 44:13 <b>route</b> 15:18 21:22 21:25 <b>rpr</b> 87:17 <b>rule</b> 21:12,14 24:25 26:15,18,22 33:8 <b>rules</b> 5:25	33:3 54:16 <b>seal</b> 87:13 <b>second</b> 14:12 50:18 63:9 66:10 71:17 76:4 77:23 <b>secrecy</b> 64:12 <b>secret</b> 31:18 65:15 <b>section</b> 17:24 <b>see</b> 58:3 66:15 82:21 <b>sell</b> 59:6 <b>selling</b> 59:9 <b>send</b> 51:10,13 <b>sense</b> 64:14 <b>sent</b> 17:4 18:21,22 18:23 20:13 21:7 79:13 <b>sentence</b> 19:23 <b>september</b> 10:20 11:15 16:24 18:22 28:17 29:13,24 30:5 31:6,22 32:11,17 33:20,22 34:2,2 38:15 45:22 49:2,3 50:4,5 52:6 72:6 <b>series</b> 7:2 58:17 <b>sheet</b> 18:12 77:19,21 <b>shorthand</b> 87:9 <b>shortly</b> 52:5 <b>show</b> 40:16 <b>signed</b> 18:9 31:20 57:15 <b>significant</b> 24:19,23 <b>similar</b> 39:8 <b>simple</b> 65:17 <b>simply</b> 54:20 64:2 69:5 80:3 84:4 <b>single</b> 31:5 <b>site</b> 18:3 19:17 20:2 20:3,13 <b>situation</b> 18:5 36:8 36:11,14,19 <b>six</b> 29:11 42:17,18 42:23 43:21 45:17 45:18,19,22 46:8	<b>sole</b> 5:21 <b>somebody</b> 20:9 84:10 <b>soon</b> 31:17 <b>sorry</b> 12:8 31:15 45:17 50:16 67:5 <b>sort</b> 45:9 <b>south</b> 21:21 <b>speak</b> 7:23 54:11 62:16 67:8 69:9 <b>speaking</b> 37:2 44:24 68:18 <b>specific</b> 21:18 52:18 52:24 <b>specifically</b> 19:22 38:10 39:3 <b>specifics</b> 37:5 <b>specify</b> 62:21 <b>speech</b> 67:7 <b>spend</b> 27:11 <b>spending</b> 46:25 <b>spent</b> 47:8 72:21 <b>spoke</b> 33:21 41:20 76:23 <b>spoken</b> 41:17 71:25 <b>stamped</b> 66:10 <b>stapled</b> 50:15 <b>start</b> 8:16 58:8 <b>started</b> 6:14 14:13 <b>starting</b> 51:4 52:5 58:12 81:9 <b>starts</b> 50:10 <b>state</b> 8:17 87:5 <b>states</b> 1:2,3,11 2:3 4:8,11,13 9:23 23:6 23:17 47:11 61:3,5 <b>status</b> 47:10 <b>stay</b> 25:2 27:19,21 29:11,20 44:16 45:25 49:7 <b>stayed</b> 27:23 44:17 46:2 47:21 49:21 53:3 57:8 <b>staying</b> 27:13 48:16 52:23	<b>stein</b> 1:14 4:20 87:5 87:17 <b>steiner</b> 16:14 <b>stipulation</b> 5:17 6:2 <b>stop</b> 23:7 <b>strange</b> 17:13 18:6 20:23 <b>street</b> 1:12,24 2:15 4:9 <b>stress</b> 46:23 55:7 <b>struggles</b> 46:11 <b>style</b> 37:21,24 <b>subject</b> 16:15 28:18 31:7,15,24 50:6 62:12 <b>suite</b> 1:24 2:10 <b>supervision</b> 87:10 <b>supposed</b> 34:12,19 <b>supreme</b> 17:15 <b>sure</b> 26:7,10,10,24 32:25 36:15,20,22 42:16 54:7 56:15 57:24 60:5,23 61:22 62:18 63:21 65:10 70:17 85:23 <b>surprising</b> 83:20,24 <b>swear</b> 4:21 <b>sworn</b> 87:8
<b>s</b>			<b>t</b>
<b>s</b> 3:8 11:3,4 <b>sale</b> 59:24 61:20 <b>salvador</b> 35:7 <b>sarah</b> 43:2,7 65:22 <b>saturday</b> 62:11 <b>saw</b> 43:22 65:13,14 <b>saying</b> 20:2 48:9 67:21 84:21,21 <b>says</b> 17:11 50:3 62:12,13 63:6,8 <b>schanbacher</b> 2:10 5:5,6 <b>school</b> 45:5,6,8 <b>schrock</b> 11:10,11,13 11:23 12:4,15,21,25 19:4 21:3 32:23			<b>t</b> 3:8 87:2,2 <b>take</b> 7:9,11 8:7 19:23 28:8 31:3 40:7,9,12,19,25 41:22 50:11 56:6,14 57:11 58:7,13 61:9 62:8 66:12 <b>taken</b> 1:11 6:24 7:24 56:20 76:9 79:3 87:7 <b>takes</b> 61:10 <b>talk</b> 14:13 15:25 25:3 32:22 34:16 62:13,19 69:12 74:11,14

[talked - understanding]

Page 98

<b>talked</b> 6:16,19 8:6 14:16 18:24 24:14 24:17 33:20 49:13 54:7 71:18 72:3 75:3 79:21,21	82:8,25,25 84:22 85:2	22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1,6	<b>transferring</b> 73:18 <b>translation</b> 66:11 <b>travel</b> 15:18 21:13 21:15 23:22,24 26:15,18,22 36:9,13 39:2 80:19 <b>traveling</b> 38:14,18 74:18 77:6 <b>trindle</b> 2:10 <b>trip</b> 35:4 81:5 82:22 <b>true</b> 87:11 <b>trust</b> 25:18,19,20 <b>trusted</b> 25:21 <b>truth</b> 5:14 7:17,19 87:8,8,8 <b>truthfully</b> 75:8 <b>try</b> 8:13 70:4 <b>trying</b> 14:19 17:19 30:6 54:20 69:6 70:6,7,10 <b>tuesday</b> 1:8 <b>turn</b> 10:19 <b>two</b> 3:14,18,21 18:25 28:16 50:25 50:25 52:20 63:3 66:6 72:19 77:22 79:8
<b>talking</b> 8:16 20:25 26:22 51:19 69:6 81:8	<b>three</b> 16:11 44:18 49:24 50:15,17,23 50:24 52:5 71:20,22	<b>ticket</b> 26:19 35:8,13 35:16,19 37:4	<b>truthfully</b> 75:8
<b>teach</b> 45:6,14	<b>tickets</b> 15:12,13,14 15:16,19 21:10,11 21:19 23:15 25:4,5 25:7,13,17 26:16,23 27:2,9,15,16 30:3 33:25 34:9,15 40:15 48:3	<b>titled</b> 18:12 57:15	<b>try</b> 8:13 70:4
<b>teaching</b> 45:5,8,10	<b>tim</b> 11:10,11,13,23 12:4,15,21,25 14:10 19:4 21:3 32:20,22 33:3 54:14,15,16	<b>today</b> 4:5 6:14,20 7:23,24 8:5 72:9	<b>trying</b> 14:19 17:19 30:6 54:20 69:6 70:6,7,10
<b>telephone</b> 72:16	<b>time</b> 4:6,17 6:15 11:23 12:20 13:11 16:25 18:23 20:13 25:9 27:8 29:2 32:24 33:24 34:15 37:22 38:2 39:19,21 40:10 41:12 42:23 43:16,21,25 44:5,25 46:7,25 47:7,8,15 47:18 48:16 49:13 52:13 53:8 56:17,21 56:24 59:5 65:7,24 70:6 72:12,13,15,22 75:24 76:6,10,13 77:15 78:24 79:4,7 80:23 85:12 86:15 87:7	<b>told</b> 11:17 12:18 13:23 14:5,8,11 20:17,20,21 21:25 22:2 23:2,12,13,23 25:21 30:24 38:6,9 38:11 71:3 77:4 85:22	<b>tuesday</b> 1:8
<b>tell</b> 7:16,19 10:24 12:5,15 14:17 16:16 17:25 19:15,24 29:8 31:9 35:10 41:13 46:19 47:25 51:25 57:19 75:23 87:8	<b>timjomiller</b> 16:12 16:17	<b>top</b> 16:17 17:9 50:4 58:11 63:4 77:23	<b>turn</b> 10:19
<b>telling</b> 17:17 19:8,10	<b>timo</b> 17:12	<b>topic</b> 31:16,24 33:5 69:16	<b>two</b> 3:14,18,21 18:25 28:16 50:25 50:25 52:20 63:3 66:6 72:19 77:22 79:8
<b>tells</b> 18:15	<b>timothy</b> 1:10 2:17 3:4 4:1,16 5:1,2,9 6:1 7:1 8:1,19 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1	<b>touch</b> 49:5,7,11,21 57:8	<b>type</b> 57:22
<b>ten</b> 56:14		<b>town</b> 41:24 42:3	<b>u</b>
<b>term</b> 75:7		<b>trace</b> 40:15	<b>u.s.</b> 2:21 4:24 6:17 8:23,25 13:21,24 22:25 23:3,8 61:8 75:3 78:6 82:18
<b>terms</b> 24:7		<b>track</b> 48:18	<b>uh</b> 26:17 45:16 75:5 77:8
<b>testified</b> 5:10 78:11		<b>tracked</b> 23:10 48:14	<b>understand</b> 7:5,18 8:10 17:16 20:7 27:9,23 35:11 48:8 60:3 66:20 67:18 72:20 73:17,22 75:6 78:5,6,16 80:19 82:6,14,22 84:20
<b>testify</b> 71:8 75:8		<b>transaction</b> 61:6	<b>understanding</b> 19:9 27:10,15 38:13 39:6
<b>testimony</b> 3:4 87:9 87:11		<b>transcribed</b> 87:10	
<b>text</b> 17:7 29:6 31:13 59:4 62:13		<b>transcription</b> 87:10	
<b>thank</b> 76:17 79:10		<b>transfer</b> 14:19 22:6 22:9,10,12,14 78:20 81:8 82:19	
<b>thanks</b> 85:16		<b>transferred</b> 47:13 73:23 82:17	
<b>thereabouts</b> 68:8			
<b>thereof</b> 87:12			
<b>thing</b> 23:19 29:22 53:9 74:14 81:18			
<b>things</b> 36:23 46:18 46:21 52:15 55:6			
<b>think</b> 6:13 14:10 30:8 32:25 38:19,22 53:25 58:6 72:14 74:9 77:3 81:16 84:2,3,20 85:15			
<b>thinking</b> 29:19			
<b>third</b> 50:22			
<b>thought</b> 43:12,15 68:7 75:24 81:15,17			

[understanding - yoder]

39:10 43:14 53:18 68:24 71:5 74:21,23 75:9 80:8 <b>understood</b> 22:5,22 23:20 24:12 25:6 28:5,6 39:15 63:25 78:13 79:23,24 80:9 80:22 81:5,12 82:2 82:10 <b>union</b> 18:16 <b>united</b> 1:2,3,11 2:3 4:8,11,13 9:23 23:6 23:17 47:11 61:3,5 <b>usdoj.gov</b> 2:6 <b>use</b> 25:15 44:14 63:19 65:4,19 <b>usually</b> 47:3	<b>waiting</b> 13:5 <b>waived</b> 5:23 <b>want</b> 6:20 15:25 22:24 23:2 33:11 35:12,13 36:24 48:6 48:11 56:6 57:11 61:8 66:4 <b>wanted</b> 13:22,24 14:22 21:24,25 29:9 30:9 38:22 73:5,13 73:14 78:13,17 80:12 <b>wanting</b> 29:17 <b>wants</b> 83:5 <b>waslala</b> 11:2,8 <b>way</b> 27:16 35:13,16 38:18 83:9 <b>we've</b> 14:16 33:25 44:24 52:6 71:18 <b>wearing</b> 37:22 39:22 <b>website</b> 20:8 <b>wednesday</b> 17:15 <b>weeks</b> 42:17,18,24 43:21 45:18,19,22 46:8 <b>went</b> 41:2 42:13,24 53:18,25 55:16 <b>west</b> 2:15 <b>wife</b> 10:13 80:5 <b>willing</b> 23:14 25:15 <b>witness</b> 4:15,21 5:2 5:13 56:8,11 58:15 66:14 86:18 87:11 87:13 <b>woman</b> 14:22 72:24 80:11,21 81:13 82:20 <b>women</b> 14:20 77:22 <b>wondering</b> 67:20 <b>work</b> 8:13 9:9,11,14 29:3,4 45:3 53:12 53:13,14 54:23,24 78:6 <b>worried</b> 85:5	<b>write</b> 67:5 <b>written</b> 67:9 68:12 68:13 <b>wrong</b> 74:9,15 76:25 <b>wrote</b> 58:13 63:6
<b>v</b>		<b>x</b>
<b>vaguely</b> 30:19,21 <b>various</b> 46:10,11 <b>veil</b> 37:20 <b>veritext</b> 1:23 4:4,20 <b>vermont</b> 1:2 2:5 4:14 75:13 <b>versus</b> 4:12 <b>video</b> 56:18,25 76:7 76:14 <b>videotape</b> 1:16 4:2 56:16,23 76:5,12 78:22,25 79:6,7,8 86:14 <b>videotaped</b> 1:10 86:16 <b>virginia</b> 39:7,15 <b>visit</b> 44:9 <b>visitation</b> 77:14,24 78:3,9 <b>visitors</b> 44:13 <b>vs</b> 1:5		<b>y</b>
<b>w</b>		
<b>w</b> 11:3,4 <b>wait</b> 53:5 <b>waited</b> 13:3		

VERITEXT NATIONAL COURT REPORTING COMPANY  
 888-777-6690 ~ 215-241-1000 ~ 610-434-8588 ~ 302-571-0510

**Kim Eichorn**

---

**From:** Timo & Joanna [timjomiller@gmail.com]  
**Sent:** Monday, September 21, 2009 12:16 PM  
**To:** Lucas Miller; Andy Yoder (work); Kevin Steiner; Keiner Barrantes; Daniel Huber  
**Subject:** Lisa Miller

Brethren,

The following is a strange case that is coming up for a last hearing on Wednesday before the Supreme Court, as I understand. Lisa has some of the best lawyers available, but they are telling her she will probably loose the case because the homosexuals and lesbians are trying to make an example of the case. There is lots of politics involved in the case... High up politics. And of course, the powers of darkness.

They tell me there is a lot of info on the net about it, some not accurate. But protectisabella.com is their site, from which I took this.

Please pray for this situation. I just heard of this case this morning through some strange circumstances and involvements.

May the Lord be glorified, and may His will be done.

Peace,

Timo

-----

**Fact Sheet: Lisa and Isabella Miller**

Lisa's age is 40  
Isabella's age is 6 (she turns 7 in April 2009).

They reside in Bedford County, Va., but formerly resided in Frederick County, Va.

Lisa has a bachelor's degree in psychology from James Madison University and a master's degree (M.Ed.) in special education from the University of Phoenix.

Lisa was joined in a civil union with Janet Jenkins (both women were Virginia residents) in December 2000 in Vermont during a brief vacation trip (civil unions had become legal in Vermont in July 2000).

In 2001, Lisa chose to be artificially inseminated with sperm from an anonymous donor. She became pregnant and gave birth to Isabella in April 2002. Janet Jenkins did not adopt the child.

Lisa, Janet and Isabella moved to Vermont in August 2002 and lived there together for a little more than a year.

Lisa filed to dissolve the civil union in 2003, and moved with Isabella, who was then 17 months old, to the Winchester area of Virginia. She renounced her former lesbian life.

Lisa returned to her Christian faith in 2003. She and Isabella attend Thomas Road Baptist Church in Lynchburg, Va. Lisa is involved in Gospel outreach to incarcerated and substance-addicted youth.



Lisa is represented in her child custody/visitation legal dispute with Janet Jenkins by Liberty Counsel, with offices in Florida and Virginia. Their Web site is <http://www.lc.org>.

The only court that has not yet heard arguments in this case (begun in 2003) is the U.S. Supreme Court. The nation's highest court has so far declined to hear appeals. Currently, Vermont is viewed as having legal jurisdiction in the matter regarding visitation because a Vermont judge ruled that Jenkins is a legal parent to Isabella, entitled to liberal, unsupervised visitation, in 2003. Liberty Counsel still has appeals pending on behalf of Lisa and Isabella.

In 2004, a Virginia court awarded Lisa Miller full custody and sole parent status, setting itself against the Vermont court. The ruling was overturned by the Virginia Court of Appeals two years later. That ruling was further upheld by the Virginia Supreme Court in 2008. After the 2004 court decision, Lisa began (legally, she believed) denying Janet visitation time with Isabella.

Vermont stands on the federal Parental Kidnapping Prevention Act (PKPA), which it claims supercedes the federal Defense of Marriage Act (DOMA), Virginia's Marriage Affirmation Act and Virginia's constitutional marriage amendment in this case. Lisa's attorneys have disputed that "Full Faith and Credit" requires Virginia's enforcement of the Vermont visitation order or any "foreign" orders recognizing the "benefits" of same-sex unions.

On March 3, 2009, Liberty Counsel filed a brief in the Virginia Court of Appeals referring to the absence of case law and noting that all of the custody cases cited by Janet Jenkins' attorneys relate to heterosexual couples or adoptive parents. The brief asks the court to rule that Virginia must only recognize Vermont's visitation order, not enforce it.

Isabella was unable to make the most recent court-ordered visit to Vermont March 7-13, per doctor's orders, as she was ill with the flu. Janet Jenkins declined the invitation to visit her in Virginia. An unsupervised visit also has been ordered for five weeks in the summer.

---

### **Virginia Citizens Launch 'Protect Isabella Coalition'** Group Pressuring Legislators To Uphold Virginia's Marriage Laws

LYNCHBURG, Va. — A coalition of concerned Virginia citizens has formed in support of Lisa Miller and her 6-year-old daughter, Isabella.

Called the Protect Isabella Coalition, the grassroots effort aims to create awareness of what it labels "judicial tyranny" in the child custody/visitation case involving Miller, Isabella's biological mother, and Vermonter Janet Jenkins, her lesbian former partner. The group has a Web site -- [www.ProtectIsabella.com](http://www.ProtectIsabella.com) -- and also has produced television and radio public awareness ads.

Jenkins and Miller were joined in a civil union during a trip to Vermont in December 2000. Afterward, they returned to Northern Virginia to live. Miller was artificially inseminated in a Virginia fertility clinic the following year, and gave birth to Isabella in April 2002.

The couple lived in Vermont for just over a year before Miller filed to dissolve the civil union. Renouncing homosexuality and embracing Christianity, Miller relocated with Isabella back to Virginia.

A Vermont judge ruled in 2003 that Jenkins is also Isabella's "mother," allowing her liberal visitations, although she is unrelated and never adopted the child. Her requests for full custody have been denied.

Deeming Jenkins' open lesbian lifestyle a harmful environment for her daughter, Miller began denying her visits with Isabella following a 2004 ruling by a Virginia circuit court judge that Miller was Isabella's sole parent.

Subsequent Virginia appellate court and Virginia Supreme Court rulings have held that Vermont's visitation order must be recognized and registered because of the federal Parental Kidnapping Prevention Act. This law, both courts said, supercedes Virginia's Marriage Amendment and Marriage Affirmation Act, as well as the federal Defense of Marriage Act (DOMA).

Liberty Counsel attorneys representing Lisa Miller continue to file appeals aimed at protecting Isabella from the emotionally traumatizing experiences of forced visits with a lesbian woman she barely knows. The latest appeal explains that the "Full Faith and Credit" obligation does not require Virginia to enforce the Vermont order.

"The road toward justice has taken a long and winding path, but we believe the courts are getting closer to addressing the core issues in this case," said Mathew D. Staver, founder of Liberty Counsel and Dean of Liberty University School of Law. "The people of Virginia

have plainly spoken in favor of traditional marriage and have rejected same-sex unions. The Virginia courts must now uphold the Constitution."

The Protect Isabella Coalition is asking fellow Virginians to contact their state delegates and senators and ask them to uphold the state's marriage laws and stand in support of little Isabella Miller.

**Subject:** Re: A Few Lines

**From:** Timo & Joanna <timjomiller@gmail.com>

**Date:** Tue, 22 Sep 2009 12:58:51 -0600

**To:** Alvin & Edna Miller <millersofwaslala@gmail.com>

**CC:** "Marcos A. Miller" <socram.oinotna@gmail.com>, Lucas & Juli Miller <themillers@camnica.org>, Joseph & Connie Miller <joconniemiller@gmail.com>, Jonathan & Jessica Miller <jonjes@gmail.com>, Jason Escoto <cowboyjase@gmail.com>, Elizabeth Miller <misslizzard@gmail.com>, Bilmer <thescoto7@gmail.com>, Adonay and Leona <mexicomission@hughes.net>

Sorry, folks, the Lisa subject should currently not be a topic of discussion or emailing. It might soon, or it just might be more of a secret. Please advise folks about this.

Pray. Definitely, pray.

Thanks,

Timo



**EXHIBIT**  
**28**

Residency requirements

**Subject:** Residency requirements

**From:** "Andy Yoder" <ayoder@camnica.org>

**Date:** Tue, 22 Sep 2009 12:05:35 -0600

**To:** "Timo & Joanna" <timjomiller@gmail.com>

Hermano Timo,

Attached is the list of requirements for a Nicaraguan residency. If these guidelines are followed precisely a residency can be gotten very quickly at this time, possibly in one month. The items highlighted are what needs to be brought from the States.

*Andrew S Yoder*  
Christian Aid Ministries  
Managua Nicaragua  
Tel 505-8809-6903

NEW RESIDENCY in NIC.doc	<b>Content-Type:</b> application/msword <b>Content-Encoding:</b> base64
--------------------------	--

<b>EXHIBIT</b> <b>29</b>
-----------------------------

PENGAD 800-631-6989	<b>GOVERNMENT EXHIBIT</b> _____ 2
---------------------	---

## DOCUMENTS NEEDED TO GET NICARAGUAN RESIDENCY

1. Three page application form from Migration  
This application form is sold at the "Formularios" window at Migration.
2. Two pictures (Tamaño pasaporte) Passport size
3. Carta Personal – Template of this letter on Page 2 below  
This is a letter from each adult written to MARIA ANTONIETA NOVOA DIRECTRORA GENERAL requesting Nicaraguan residency and explaining the reason for being here in Nicaragua. Fathers will request residency for their children.
4. Carta de Manutencion  
This is a notarized letter from the mission representative with power of attorney promising to support the applicant(s) and also to cover expenses incurred in getting the applicant(s) back to his (their) country of origin.
5. Exoneracion de Deposito  
This is a letter to MARIA ANTONIETA NOVOA, DIRECTRORA GENERAL requesting to be exonerated from the \$290 deposit that the law requires for US citizens that apply for residency. This purpose of this deposit is to provide funds to ship someone home in the case of misconduct. It is a hassle to get a refund on this deposit after the applicant's term is up.
6. Constancia de Escuela, Notarized  
This is a letter from the school board chairman to MARIA ANTONIETA NOVOA, DIRECTRORA GENERAL for any applicant that is or will be in school here, stating in which grade the child is, this confirming that our school age children do receive schooling.
7. Birth certificate – Authenticated and translated  
Each applicant needs his birth certificate authenticated by the Nicaraguan consul in the US and then authenticated at the Cancilleria on Carretera Norte before taking it to Migration. You will also need a notarized translation.
8. Police record – Authenticated and translated  
Each applicant needs his police record authenticated by the Nicaraguan consul in the US and then authenticated at the Cancilleria on Carretera Norte before taking it to Migration. You will also need a notarized translation.
9. Health certificate – Authenticated and translated  
Each applicant needs his health certificate authenticated by the Nicaraguan consul in the US and then authenticated at the Cancilleria on Carretera Norte before taking it to Migration. You will also need a notarized translation.
10. Photocopy of all passport pages that have any information or stamps

**Sarah Star**

---

**From:** Lindevaldsen, Rena M. <rlindevaldsen@liberty.edu>  
**Sent:** Wednesday, September 23, 2009 9:05 AM  
**To:** Sarah Star; Rebecca Glenberg  
**Cc:** Crampton, Steve  
**Subject:** Interim Visitation Order

Sarah and Rebecca,

Pursuant to Judge Cohen's order, we were to provide confirmation concerning the Sept. 25 visitation. We provided the order to our client and informed her of the 48 hour notice. We have not, however, received any confirmation from our client concerning the upcoming visitation.

**Rena M. Lindevaldsen**  
Special Counsel  
**Liberty Counsel**  
PO Box 11108  
Lynchburg, VA 24506  
(800) 671-1776 – Phone  
(434) 592-7700 – Fax  
[www.LC.org](http://www.LC.org)

Offices in Florida, Virginia and the District of Columbia

Subscribe to our informative *Liberty Alert* email update at <http://www.lc.org/index.cfm?PID=14103>  
Support the ministry of Liberty Counsel at <https://donatelinq.net/donate/donate.asp?mid=LibertyC4u>

This message (and any attached files) is intended for the person to whom it is addressed and may contain confidential information. If you are not the intended recipient, please notify us immediately by replying to this message and deleting it from your computer, because any distribution of this message by you is strictly prohibited. Email cannot be guaranteed secure or error-free. We do not accept responsibility for errors or omissions herein that result from email transmission. Any views or opinions expressed in this email are solely those of the author and do not necessarily represent those of Liberty Counsel.

<b>EXHIBIT</b> <b>30</b>
-----------------------------

**SARAH R. STAR, ESQ.**

**ATTORNEY AND COUNSELOR AT LAW**

6 MILL STREET P.O. BOX 106

MIDDLEBURY, VT 05753

Ph: (802) 385-1023

Fax: (802) 419-3600

Email: [srs@sarahstarlaw.com](mailto:srs@sarahstarlaw.com)

October 7, 2009

Hon. William Cohen  
Rutland Family Court  
9 Merchants Row  
Rutland, Vermont 05701

*VIA FAX*

Re: Miller-Jenkins v. Miller-Jenkins, F454-11-03Rddm

Dear Judge Cohen:

This letter is to inform the Court that no visitation occurred between Ms. Jenkins and IMJ on the weekend of September 25, 2009. Prior to the scheduled contact, I received email communication on 9/23 from Attorney Rena Lindevaldsen stating:

“Pursuant to Judge Cohen’s order, we were to provide confirmation concerning the Sept. 25 visitation. We provided the order to our client and informed her of the 48 hour notice. We have not, however, received any confirmation from our client concerning the upcoming visitation.”

It is also my understanding that Ruth Jenkins, who was to pick IMJ up in Lynchburg for the scheduled visit tried to call Ms. Miller to arrange the visit and left a message, but received no response.

Thank you for your attention to this matter.



Sarah Star, Esq.,  
Attorney for Janet Jenkins

c: Rena Lindevaldsen, Esq.  
Michelle Kenny, Esq.  
Norman Smith, Esq.

**EXHIBIT**  
**31**

**Subject:** Re: Address  
**From:** Ken Miller <kingdomseeker1@gmail.com>  
**Date:** Tue, 11 May 2010 10:13:32 -0400  
**To:** Timo & Joanna <timjomiller@gmail.com>



Right on. Check's in the mail.

On 5/10/2010 7:24 PM, Timo & Joanna wrote:

I finally got a hold of Andy. He said that is not a problem. Just go ahead and mail it to him. He has someone who checks his mail and takes care of stuff up there. He will just withdraw the \$500 and bring it down then the check can be deposited into his account once it gets there.

Blessings,

Timo

Ken Miller wrote:

Greetings Timo,

I just got the check for the coffee in the mail today, unfortunately-- so is it possible for you to contact Andrew to let him know to bring the cash even if the check hasn't arrived yet?

The check is made out to Andrew S Yoder for \$500.00, and should be there sometime this week, but probably not by Thursday, depending when they leave. Or I could contact Andrew too, if I'd know his phone number...

Blessings,

Ken

On 5/5/2010 4:04 PM, Timo & Joanna wrote:

Hello, Brother.

Here is the address for the coffee payment. They plan to leave Thursday the 13th so the check should be there a few days before so they can cash it and bring it down. Just make the check out to him and include a note and say it is

**EXHIBIT**  
**32**

for me.

Thank you for your business, and may the Lord bless you richly.

Timo

Andrew S. Yoder  
PO Box 2145  
Clarkrange TN 38553

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT**

JANET JENKINS, et al.,

Plaintiffs,

v.

No. 2:12-cv-184-WKS

KENNETH L. MILLER, et al.,

Defendants.

**DECLARATION OF DIEGO A. SOTO  
IN SUPPORT OF PLAINTIFF JANET JENKINS'S REPLY TO DEFENDANT  
TIMOTHY MILLER'S RESPONSE IN OPPOSITION TO PLAINTIFF JANET  
JENKINS'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON COUNT ONE  
AGAINST DEFENDANTS PHILIP ZODHIATES, KENNETH MILLER, AND  
TIMOTHY MILLER**

I, Diego A. Soto, declare under penalty of perjury that the following is true and correct:

1. I am a Staff Attorney at the Southern Poverty Law Center and represent Plaintiffs Janet Jenkins and Isabella Miller-Jenkins in this case.

2. Exhibit 26 is a true and correct copy of the transcript of Defendant Timothy Miller's December 20, 2011 deposition in *United States v. Kenneth L. Miller*, No. 2:11-cr-161 (D. Vt.), which I downloaded from PACER.

3. Exhibit 27 is a true and correct copy of a September 21, 2009 email from Timothy Miller with the subject "Lisa Miller," which was introduced as Government Exhibit 1 in Timothy Miller's December 20, 2011 deposition in *United States v. Kenneth L. Miller*, No. 2:11-cr-161 (D. Vt.), and which was produced in this case by Defendant Kenneth Miller.

4. Exhibit 28 is a true and correct copy of a September 22, 2009 email from Timothy Miller with the subject "Re: A Few Lines," which was introduced as Government Exhibit 3 in

Timothy Miller's December 20, 2011 deposition in *United States v. Kenneth L. Miller*, No. 2:11-cr-161 (D. Vt.), and which was produced in this case by Kenneth Miller.

5. Exhibit 29 is a true and correct copy of a September 22, 2009 email from Andrew Yoder with the subject "Residency requirements," which was introduced as Government Exhibit 2 in Timothy Miller's December 20, 2011 deposition in *United States v. Kenneth L. Miller*, No. 2:11-cr-161 (D. Vt.), and which was produced in this case by Kenneth Miller.

6. Exhibit 30 is a true and correct copy of a September 23, 2009 email from Defendant Rena Lindevaldsen with the subject "Interim Visitation Order."

7. Exhibit 31 is a true and correct copy of an October 7, 2009 letter from Sarah Star to the Rutland, Vermont Family Court.

8. Exhibit 32 is a true and correct copy of a May 11, 2010 email from Kenneth Miller with the subject "Re: Address," which was introduced as Government Exhibit 8 in Timothy Miller's December 20, 2011 deposition in *United States v. Kenneth L. Miller*, No. 2:11-cr-161 (D. Vt.), and which was produced in this case by Kenneth Miller.

Executed on February 18, 2020

/s/ Diego A. Soto

Diego A. Soto

*Counsel for Plaintiffs*