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6 Attorneys for **VICTOR DOLLENTE, ELLEN VILLANUEVA, ROBERT MILLER, UNITED**
7 **METHODIST CHURCH OF HOLTVILLE**

8
9 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **IN AND FOR THE COUNTY OF IMPERIAL**

11 SOUTH DISTRICT UNION OF THE
12 CALIFORNIA-PACIFIC ANNUAL
13 CONFERENCE OF THE UNITED
METHODIST CHURCH,

14 Plaintiff,

15 vs.

16 VICTOR DOLLENTE, ELLEN
17 VILLANUEVA, ROBERT MILLER and
UNITED METHODIST CHURCH OF
18 HOLTVILLE, and DOES 1 to 10,

19 Defendants.

CASE NO. ECU001351

DEFENDANTS' ANSWER TO VERIFIED
COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF BASED ON:

1. QUIET TITLE;
2. DECLARATORY RELIEF;
3. BREACH OF FIDUCIARY DUTY;
4. CONVERSION

Trial Date: None
Action Filed: April 9, 2020

The Honorable L. Brooks Anderholt, Judge

21 Defendants Victor Dollente, Ellen Villanueva, Robert Miller, and United Methodist Church
22 of Holtville, pursuant to Code of Civil Procedure section 446, answer the verified Complaint for
23 damages and injunctive relief filed by plaintiff South District Union of the California-Pacific Annual
24 Conference of the United Methodist Church as follows.

25 Pursuant to Code of Civil Procedure section 431.30, subdivision (f), Defendants generally

1 deny all Complaint allegations not so denied or expressly admitted. Defendants reserve the right to
2 amend their Answer to assert other defenses, if necessary.

- 3 1. In answer to paragraph 1 of the Complaint, Defendants admit the allegations of said
4 paragraph.
- 5 2. In answer to paragraph 2 of the Complaint, Defendants admit that Plaintiff sent Exhibit G of
6 the Complaint stating the Southern District California-Pacific Conference of the United
7 Methodist Church (“Conference”) announcing the Conference’s “decision to discontinue the
8 Charter of Holtville UMC” and that Exhibit G speaks for itself. Defendants deny that the
9 Holtville Church was closed.
- 10 3. In answer to paragraph 3 of the Complaint, Defendants admit only that the language of the
11 Book of Discipline is accurate, which speaks for itself. Defendants allege that the rest of said
12 paragraph contains legal argument and to that extent, requires no response.
- 13 4. In answer to paragraph 4 of the Complaint, Defendants admit receiving Exhibit G of the
14 Complaint stating the Conference has made a “decision to discontinue the Charter of
15 Holtville UMC” and that Exhibit G speaks for itself. Defendants deny that the Holtville
16 Church was closed. Defendants admit that the property has not been conveyed to the
17 Conference’s designee, the South District.
- 18 5. In answer to paragraph 5 of the Complaint, Defendants deny the allegations of said
19 paragraph.
- 20 6. In answer to paragraph 6 of the Complaint, Defendants allege that said paragraph contains
21 legal argument and to that extent, requires no response. Defendants deny any factual
22 allegations in said paragraph.
- 23 7. In answer to paragraph 7 of the Complaint, Defendants admit that board of directors and/or
24 officers of the Holtville Church are fiduciaries with an obligation to act in accordance with
25 the Book of Discipline. Defendants deny that the Holtville church was closed.
- 26 8. In answer to paragraph 8 of the Complaint, Defendants allege that said paragraph contains
27 legal argument and to that extent, requires no response. Defendants deny the factual
28 allegations in said paragraph.

- 1 9. In answer to paragraph 9 of the Complaint, Defendants lack sufficient information or belief
2 to admit or deny the allegations of said paragraph and on that basis deny such allegation.
- 3 10. In answer to paragraph 10 of the Complaint, Defendants admit that the Holtville Church is a
4 California nonprofit religious corporation located at 217 West 7th Street, Holtville,
5 California 92250 and that the Holtville Church was originally named “The First Methodist
6 Episcopal Church of Holtville,” later changed to “The first Methodist Church of Holtville,”
7 and finally acquired its present name in 1970.
- 8 11. In answer to paragraph 11 of the Complaint, Defendants admit that Victor Dollente
9 (“Dollente”) is an individual residing at 410 East 10th Street, Holtville, California 92250 and
10 that Dollente is a member of the board of directors of the Holtville Church, and its treasurer
11 and/or chief financial officer.
- 12 12. In answer to paragraph 12 of the Complaint, Defendants admit that Ellen Villanueva
13 (“Villanueva”) is an individual residing in Holtville, California and that Villanueva is a
14 member of the board of directors of the Holtville Church.
- 15 13. In answer to paragraph 13 of the Complaint, Defendants admit that Robert Miller (“Miller”)
16 is an individual residing in Holtville, California and Miller is a member of the board of
17 directors of the Holtville Church.
- 18 14. In answer to paragraph 14 of the Complaint, Defendants lack sufficient information or belief
19 to admit or deny the allegations of said paragraph and on that basis deny such allegation.
- 20 15. In answer to paragraph 15 of the Complaint, Defendants admit that plaintiff is referring the
21 “Individual Defendants” as stated.
- 22 16. In answer to paragraph 16 of the Complaint, Defendants admit that this Court has subject
23 matter jurisdiction as the causes of action asserted herein arise under California law.
- 24 17. In answer to paragraph 17 of the Complaint, Defendants admit that this Court has personal
25 jurisdiction over the Holtville Church since it is a California nonprofit religious corporation.
- 26 18. In answer to paragraph 18 of the Complaint, Defendants admit that this Court has personal
27 jurisdiction over the Individual Defendants because each of them resides and is located in
28 Imperial County.

- 1 19. In answer to paragraph 19 of the Complaint, Defendants admit that venue is proper in this
2 Court since the Holtville Church and its property are located in Imperial County, and the acts
3 giving rise to this Complaint were committed by the Individual Defendants in Imperial
4 County.
- 5 20. In answer to paragraph 20 of the Complaint, Defendants lack sufficient information or belief
6 to admit or deny that The United Methodist Church (not a party herein) is a worldwide
7 Christian denomination formed in 1968 by the union of The Methodist Church and the
8 Evangelical United Brethren Church and the Methodist Church had previously been created
9 in 1939 by a merger between The Methodist Episcopal Church and The Methodist Episcopal
10 Church, South and on that basis deny such allegation.
- 11 21. In answer to paragraph 21 of the Complaint, Defendants lack sufficient information or belief
12 to admit or deny that The United Methodist Church does not have a central headquarters or a
13 single executive leader and duties are divided among bodies that include the General
14 Conference (an international body of nearly 1,000 delegates elected by annual conferences
15 that generally meets 20 every four years), the Council of Bishops and the Judicial Council
16 and on that basis deny such allegation.
- 17 22. In answer to paragraph 22 of the Complaint, Defendants admit the governing instruments of
18 The United Methodist Church include the Book of Discipline, the denomination's book of
19 law, and the Book of Resolutions. Defendants lack sufficient information and belief to admit
20 or deny the inclusion of policies of the denomination on current social issues are part of the
21 governing instruments and on that basis deny such allegation.
- 22 23. In answer to paragraph 23 of the Complaint, Defendants lack sufficient information and
23 belief to admit that The United Methodist Church is comprised of geographical or regional
24 sub-units called "annual conferences" and that there are 54 annual conferences in The United
25 States (each of which may cover an entire state, only part of the state, or even parts of two or
26 more states) and 75 annual conferences abroad. Some, but not all, annual conferences are led
27 by a Resident Bishop and that The Book of Discipline describes the annual conference as the
28 "basic unit" of the church and on that basis deny such allegation.

1 24. In answer to paragraph 24 of the Complaint, Defendants admit that The Book of Discipline
2 contains a number of provisions governing the property and operations of local United
3 Methodist churches.

4 25. In answer to paragraph 25 of the Complaint, Defendants admit only that the language of the
5 Book of Discipline is accurate, which speaks for itself. Defendants allege that the rest of said
6 paragraph contains legal argument and to that extent, requires no response.

7 26. In answer to paragraph 26 of the Complaint, Defendants admit that the board of trustees is
8 subject to The Book of Discipline.

9 27. In answer to paragraph 27 of the Complaint, Defendants admit that the language of the Book
10 of Discipline is accurate, which speaks for itself.

11 28. In answer to paragraph 28 of the Complaint, Defendants admit that the language of the Book
12 of Discipline is accurate, which speaks for itself.

13 29. In answer to paragraph 29 of the Complaint, Defendants admit that the language of the Book
14 of Discipline is accurate, which speaks for itself.

15 30. In answer to paragraph 30 of the Complaint, Defendants admit only that the language of the
16 Book of Discipline is accurate, which speaks for itself. Defendants allege that the rest of said
17 paragraph contains legal argument and to that extent, requires no response.

18 31. In answer to paragraph 31 of the Complaint, Defendants lack sufficient information or belief
19 to admit or deny the allegations of said paragraph and on that basis deny such allegation.

20 32. In answer to paragraph 32 of the Complaint, Defendants lack sufficient information and
21 belief to admit that the California-Pacific Annual Conference of The United Methodist
22 Church (the "Conference") is one of the 54 United States-based annual conferences of The
23 United Methodist Church, covering Southern California, parts of Central California, Hawaii,
24 the Pacific Islands, Guam and Saipan and that almost 350 local churches are within the
25 territory of the Conference, with approximately 50,000 individual members and on that basis
26 deny such allegation.

27 33. In answer to paragraph 33 of the Complaint Defendants lack sufficient information and belief
28 to admit that the Conference is further divided into five geographic subdivisions to assist in

1 its work of furthering The United Methodist mission and that the South District is one of
2 those five; the other four being the North, West, East, and Hawaii districts and that the South
3 District is separately incorporated, and is headed by a District Superintendent and on that
4 basis deny such allegation.

5 34. In answer to paragraph 34 of the Complaint, upon information and belief Defendants admit
6 that the Holtville Church was incorporated on October 10, 1908 as a California nonprofit
7 religious corporation. Upon information and belief, a true and accurate copy of the original
8 articles of incorporation is attached hereto as Exhibit "A." The articles state, in part, that ". .
9 . the objects for which this corporation is formed are to establish and incorporate a church in
10 the City of Holtville . . . according to the rules and discipline of the Methodist Episcopal
11 Church"

12 35. In answer to paragraph 35 of the Complaint, upon information and belief Defendants admit
13 all of the following: that in 1940, the articles of incorporation of the Holtville Church were
14 amended and that upon information and belief, a true and accurate copy of this amendment is
15 attached hereto as Exhibit "B." The amendment states, in part, "[t]hat the purposes for which
16 said corporation is formed is to establish, control and maintain The First Methodist Church of
17 Holtville, California . . . in conformity to the doctrine, government, rules, and regulations of
18 the Methodist Church as contained in its Book of Discipline and the amendments thereto that
19 may be made from time to time by its general conference and in accordance with the rules,
20 regulations, useage [sic] and ministerial appointments authorized and declared by the annual
21 conference of the Methodist Church within whose bounds the property owned or acquired by
22 said corporation is located" and "that this corporation is subject to the Book of Discipline,
23 laws, and ministerial appointments of the Methodist Church as from time to time authorized
24 and declared by the General Conference and by the Annual Conference or the Methodist
25 Church within whose bounds said corporation is located."

26 36. In answer to paragraph 36 of the Complaint, upon information and belief Defendants admit
27 that in 1970, the articles of incorporation of the Holtville Church were further amended.
28 Defendants admit that defendant Exhibit C speaks for itself.

- 1 37. In answer to paragraph 37 of the Complaint, Defendants admit that The Holtville Church is
2 governed, subject to the Book of Discipline, by a board of trustees which also functions as
3 the board of directors. Defendants lack sufficient knowledge to admit the other allegations in
4 such paragraph and on that basis, deny such allegations.
- 5 38. In answer to paragraph 38 of the Complaint, Defendants admit that the Holtville Church
6 holds title to three parcels of real property: (1) the church at 13 217 West 7th Street,
7 Holtville, California 92250, bearing APN 045-163-006-000; (2) an adjacent house at 225
8 West 7th Street, Holtville, California 92250, bearing APN 045-163-007-000; and (3) an
9 additional house at 663 Cedar Street, Holtville, California 92250, bearing APN 045-202-
10 00316 000.
- 11 39. In answer to paragraph 39 of the Complaint, upon information and belief Defendants admit
12 that this is a grant deed for the church at 217 West 7th Street, Holtville, California 92250,
13 bearing APN 045-163-006-000 and Exhibit D speaks for itself.
- 14 40. In answer to paragraph 40 of the Complaint, upon information and belief Defendants admit
15 that this is a grant deed for the Cedar Street property, bearing APN 045-202-003-000 and
16 Exhibit E speaks for itself. Upon information and belief, Defendants admit that the
17 “Methodist Church” was a predecessor to The United Methodist Church.
- 18 41. In answer to paragraph 41 of the Complaint, upon information and belief Defendants admit
19 that this document states it is a Declaration of Religious Restriction covering all three
20 properties and Exhibit F speaks for itself.
- 21 42. In answer to paragraph 42 of the Complaint, Defendants admit that the Holtville Church
22 owns certain articles of personal property, including implements of worship, vestments,
23 books and appliances.
- 24 43. In answer to paragraph 43 of the Complaint, Defendants admit that the Holtville Church has
25 one or more bank accounts in which funds belonging to the church are deposited.
- 26 44. In answer to paragraph 44 of the Complaint, Defendants lack sufficient information or belief
27 to admit or deny details of the discernment process and on that basis deny such allegations.
28 Defendants deny that they were given every opportunity to demonstrate the potential for a

1 viable ministry and cease acting in certain ways and deny the statement that Defendants were
2 undermining the appointed pastor and on that basis deny such allegations.

3 45. In answer to paragraph 45 of the Complaint, Defendants lack sufficient information or belief
4 to admit or deny details of the discernment process or the recommendation of closure and on
5 that basis deny such allegations.

6 46. In answer to paragraph 46 of the Complaint, Defendants deny that the Holtville Church was
7 closed and deny that title to all property of the Holtville Church, real and personal, vested in
8 the Conference's trustees.

9 47. In answer to paragraph 47 of the Complaint, Defendants lack sufficient information or belief
10 to admit or deny details regarding the actions taken by the conference, its trustees, the South
11 District and on that basis deny such allegations.

12 48. In answer to paragraph 48 of the Complaint, Defendants admit that Plaintiff sent Exhibit G
13 and Defendants received such letter and that Exhibit G speaks for itself.

14 49. In answer to paragraph 49 of the Complaint, Defendants deny the allegations of such
15 paragraph.

16 50. In answer to paragraph 50 of the Complaint, Defendants admit that Plaintiff sent Exhibit H
17 and I and Defendants received such letter and that Exhibit H and I speak for itself.
18 Defendants deny all other allegations in paragraph 50.

19 51. In answer to paragraph 51 of the Complaint, Defendants deny the allegations of such
20 paragraph.

21 52. In answer to paragraph 52 of the Complaint, Defendants deny the allegations of such
22 paragraph.

23 53. In answer to paragraph 53 of the Complaint, Defendants deny that they do not have authority
24 to expend funds, retain counsel or act for or bind the Holtville Church.

25 54. In answer to paragraph 54 of the Complaint, Defendants reallege and incorporate by
26 reference as set forth herein the admissions, denials and allegations set forth in Defendants'
27 paragraphs 1 through 53 above.

28 55. In answer to paragraph 55 of the Complaint, Defendants admit that the Holtville Church

- owns the three listed properties. Defendants deny all other allegations in paragraph 55.
56. In answer to paragraph 56 of the Complaint, Defendants admit that the Holtville Church does own tangible personal property located at 217 West 7th Street, Holtville, California 92250, as well as funds, accounts, currency, and other things of value.
57. In answer to paragraph 57 of the Complaint, Defendants allege that said paragraph contains legal argument and to that extent, requires no response.
58. In answer to paragraph 58 of the Complaint, Defendants allege that said paragraph contains legal argument and to that extent, requires no response.
59. In answer to paragraph 59 of the Complaint, Defendants allege that said paragraph contains legal argument and to that extent, requires no response.
60. In answer to paragraph 60 of the Complaint, Defendants allege that said paragraph contains legal argument and to that extent, requires no response.
61. In answer to paragraph 61 of the Complaint, Defendants reallege and incorporate by reference as set forth herein the admissions, denials and allegations set forth in Defendants' paragraphs 1 through 60 above.
62. In answer to paragraph 62 of the Complaint, Defendants admit that the South District is an interested person as to (i) through (v).
63. In answer to paragraph 63 of the Complaint, Defendants deny that there is an actual controversy related to the property because Defendants deny that the Holtville Church has been closed.
64. In answer to paragraph 64 of the Complaint, Defendants admit this to the extent that Defendants deny that the Holtville Church has been closed. Defendants lack sufficient information or belief to admit or deny the position of the South District and on that basis deny such allegation.
65. In answer to paragraph 65 of the Complaint, Defendants lack sufficient information or belief to admit or deny the position of the South District and on that basis deny such allegation. Further, Defendants allege that said paragraph contains legal argument and to that extent, requires no response.

1 66. In answer to paragraph 66 of the Complaint, Defendants lack sufficient information or belief
2 to admit or deny the position of the South District and on that basis deny such allegation.
3 Further, Defendants allege that said paragraph contains legal argument and to that extent,
4 requires no response.

5 67. In answer to paragraph 67 of the Complaint, Defendants reallege and incorporate by
6 reference as set forth herein the admissions, denials and allegations set forth in Defendants'
7 paragraphs 1 through 66 above.

8 68. In answer to paragraph 68 of the Complaint, Defendants admit that one purpose of the
9 Holtville Church is to further The United Methodist mission, in conformity of the Book of
10 Discipline. Except as herein admitted, Defendants denys paragraph 68.

11 69. In answer to paragraph 69 of the Complaint, Defendants lack sufficient information or belief
12 to admit or deny the allegations of said paragraph and on that basis deny such allegation.
13 Further, Defendants allege that said paragraph contains legal argument and to that extent,
14 requires no response.

15 70. In answer to paragraph 70 of the Complaint, Defendants allege that said paragraph contains
16 legal argument and to that extent, requires no response.

17 71. In answer to paragraph 71 of the Complaint, Defendants allege that said paragraph contains
18 legal argument and to that extent, requires no response.

19 72. In answer to paragraph 72 of the Complaint, Defendants reallege and incorporate by
20 reference as set forth herein the admissions, denials and allegations set forth in Defendants'
21 paragraphs 1 through 71 above.

22 73. In answer to paragraph 73 of the Complaint, Defendants admit that Plaintiff sent Exhibit G
23 and Defendants received such letter and that Exhibit G speaks for itself. Except as herein
24 admitted, Defendants denies paragraph 73.

25 74. In answer to paragraph 74 of the Complaint, Defendants deny paragraph 74 in its entirety.
26 Additionally, Defendants allege that said paragraph contains legal arguments and to that
27 extent, requires no response.

28 75. In answer to paragraph 75 of the Complaint, Defendants deny paragraph 75 in its entirety.

1 Additionally, Defendants allege that said paragraph contains legal arguments and to that
2 extent, requires no response.

3 **AFFIRMATIVE DEFENSES**

4 **First Affirmative Defense**

5 **(Failure to state a cause of action.)**

- 6 1. Plaintiff's First Cause of Action fails to state facts upon which relief can be granted.
7 2. Plaintiff's Second Cause of Action fails to state facts upon which relief can be granted.
8 3. Plaintiff's Third Cause of Action fails to state facts upon which relief can be granted.
9 4. Plaintiff's Fourth Cause of Action fails to state facts upon which relief can be granted.

10
11 **Second Affirmative Defense**

12 **(Uncertainty)**

13 Each of Plaintiff's causes of action are uncertain in that it cannot be determined:

- 14 1. Whether the Holtville Church was closed and under what procedure. Whether all of the
15 rules of The Book of Discipline were applied. More specifically, there is no clarity regarding
16 compliance with rules such as Rule 213.

17 **Third Affirmative Defense**

18 **(Comparative Fault)**

19 The acts alleged to have been committed by Defendants were in fact committed in whole or
20 in part by others including, but not limited to plaintiff and interested parties as set forth above.

21 **Forth Affirmative Defense**

22 **(Estoppel)**

23 Plaintiffs are estopped to make the claims set forth in the Second Amended Complaint by
24 reason of their failure to comply with The Book of Discipline procedural requirements prior to the
25 commencement of this action.

26 **Fifth Affirmative Defense**

27 **(Statute of Limitations)**

28 Plaintiff's claims are barred by the following Statutes:

1. Code of Civil Procedure Section 337.
2. Code of Civil Procedure Section 338.
3. Code of Civil Procedure Section 339.
4. Code of Civil Procedure Section 340.
5. Code of Civil Procedure Section 343.

Sixth Affirmative Defense

(Waiver)

Any claims asserted in the Complaint have been waived.

Seventh Affirmative Defense

(Laches)

The claims set forth in the Second Amended Complaint are barred by the doctrine of Laches.

Eighth Affirmative Defense

(Conduct Was Justified)

The conduct of Defendant in regard to the matters alleged in Plaintiff's Complaint was justified, and by reason of the foregoing, Plaintiff is barred from any recovery against Defendant.

Ninth Affirmative Defense

(Acts of God)

Defendant is informed and believes and, based thereon, alleges that the damages complained of in Plaintiff's Complaint, if any, were impacted by COVID-19, an unforeseeable act of God, thereby barring, either partially or totally, Plaintiff's claimed damages.

Tenth Affirmative Defense

(Unjust Enrichment)

Defendant is informed and believes and, based thereon, alleges that Plaintiff's Complaint, and each cause of action contained therein, is barred by the doctrine of unjust enrichment, and that Plaintiff would be unjustly enriched by the requested relief.

Eleventh Affirmative Defense

(Complete Performance)

1 Defendant has appropriately, completely, and fully performed and discharged any and all
2 obligations and legal duties arising out of the matters alleged in Plaintiff's Complaint.

3 **Twelfth Affirmative Defense**

4 **(Discharged Duties)**

5 Defendant is informed and believes and, based thereon, alleges that prior to the
6 commencement of this action, Defendant duly satisfied and discharged all duties and obligations
7 owed to Plaintiff arising out of any and all agreements, representations, or contracts made by or on
8 behalf of Defendant.

9 **Thirteenth Affirmative Defense**

10 **(Lack of Equity)**

11 As between Defendant and Plaintiff, the equities do not preponderate in favor of Plaintiff as
12 to allow recovery.

13 **Fourteenth Affirmative Defense**

14 **(Unclean Hands)**

15 By virtue of Plaintiff's own careless, negligent and other wrongful conduct, Plaintiff should
16 be barred from recovering against Defendant by the equitable doctrine of unclean hands.

17 **Fifteenth Affirmative Defense**

18 **(Reservation)**

19 Defendant reserves the right to amend its answer to assert further affirmative defenses that
20 are not presently known but may become known and available through further investigation and
21 discovery.

22 **PRAYER FOR RELIEF**

23 WHEREFORE, Defendants pray that judgment be entered as follows:

- 24 1. That the Complaint, and all relief requested therein, be denied and dismissed with prejudice in
25 its entirety;
- 26 2. That Plaintiff take nothing by their Complaint, and that judgment be entered in favor of
27 Defendants and against Plaintiff;
- 28 3. That Defendants be awarded its costs of suit; and

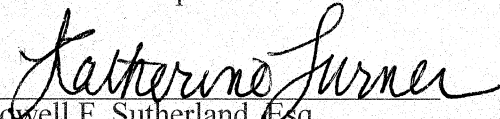
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4. For such other relief as the Court deems just and proper.

DATED: August 26, 2020

Respectfully submitted,

SUTHERLAND & GERBER
A Professional Corporation

By: 
Lowell F. Sutherland, Esq.

Attorneys for VICTOR DOLLENTE, ELLEN
VILLANUEVA, ROBERT MILLER, UNITED
METHODIST CHURCH OF HOLTVILLE

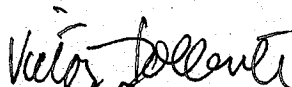
VERIFICATION

I, Victor Dollente, declare:

I am a party to this action. I have read the foregoing Verified Answer to Verified Complaint. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe it to be true.

Executed on August 26, 2020, at El Centro, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Victor Dollente

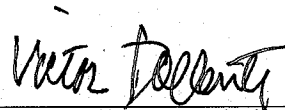
VERIFICATION

I, Victor Dollente, declare:

I am a party to this action. I have read the foregoing Verified Answer to Verified Complaint. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe it to be true.

Executed on August 26, 2020, at El Centro, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Victor Dollente, on behalf of UNITED
METHODIST CHURCH OF HOLTVILLE

VERIFICATION


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I, Ellen Villanueva, declare:

I am a party to this action. I have read the foregoing Verified Answer to Verified Complaint. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe it to be true.

Executed on August 26, 2020, at Holtville, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Ellen Villanueva

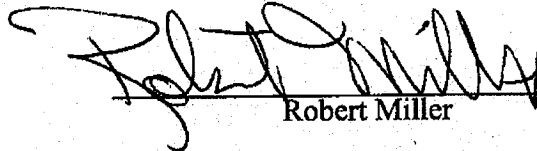
VERIFICATION

I, Robert Miller, declare:

I am a party to this action. I have read the foregoing Verified Answer to Verified Complaint. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe it to be true.

Executed on August 26, 2020, at Holtville, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


Robert Miller