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APPEARANCES

FOR THE PLAINTIFF:

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FOR THE DEFENDANT:

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Also Present:

U.S. Pretrial Services Officer Nick Nischik

COURT REPORTER:

Jill L. Jessup, CSR, RMR, RDR, CRR, CRC
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1 TRANSCRIPT OF PROCEEDINGS

2 (June 24, 2019)

3 (In open court:)

4 THE COURT: Good afternoon, everybody. Have a seat.
5 Counsel?

6 MS. MADDUX: Good afternoon, Your Honor.

7 Donna Maddux, appearing on behalf of the United States. We're
8 here in the matter of the United States v. Glen Stoll. It's
9 Case No. 19-cr-00112. The defendant is present. He is out of
10 custody. With him at counsel table is his attorney,
11 Noah Horst. Also with me at counsel table is Nick Nischik from
12 the Pretrial Services office. This is the time set for a
13 hearing on a reported violation of Mr. Stoll's release
14 conditions. The Court should have the report from the Pretrial
15 Services officer, and the government is ready to proceed in the
16 event that the defendant is contesting.

17 THE COURT: Just a moment, please.

18 Becky, turn on the mic.

19 DEPUTY COURTROOM CLERK: It's on. It's on.

20 THE COURT: It's on, but it's not working.

21 DEPUTY COURTROOM CLERK: I'll put batteries in it.

22 THE COURT: All right. It's okay. Go ahead.

23 MS. MADDUX: Your Honor, I was just noting that the
24 government is ready to proceed with a short evidentiary piece
25 in the event that Mr. Stoll is contesting these release

1 violations.

2 THE COURT: Thank you.

3 Counsel?

4 MR. HORST: Good afternoon, Judge. Noah Horst for
5 Mr. Stoll. We are contesting the information contained in this
6 report.

7 THE COURT: Excuse me. Just a moment.

8 I'm all set now. Thank you.

9 MR. HORST: All right, Judge. We're contesting the
10 information contained in this report. In particular, what
11 we're concerned about is pretrial's recommendation of release
12 revocation. That is the main issue that we would like to speak
13 with the Court about. I understand that Ms. Maddux wants to
14 present some of the items which are purported to be printouts
15 from a GoDaddy website and a website domain talking about
16 whether or not Mr. Stoll is violating his release conditions by
17 having this website existing.

18 Although, it's our position that Mr. Stoll does not
19 control this website. It is, in fact, controlled by somebody
20 who Mr. Stoll is prohibited from having contact with by his
21 previous release conditions. That person's name is
22 Paul Revere. Mr. Stoll has explained to me that if I can get
23 ahold of Paul Revere, he thinks that Mr. Revere will take down
24 this website.

25 I just want to note a few things preliminarily. One, this

1 hadn't been accessed, according to the GoDaddy printout, since
2 2018. Before Mr. Stoll was indicted.

3 The second thing is that he was asked by Nick to take down
4 a website called Remedies at Law, which he did right away.

5 And the final thing I would like to note for the Court,
6 just preliminarily, is that Mr. Stoll did comply with the
7 requested home visit by the Western District of Washington. He
8 welcomed them into his home. Pretrial hasn't tried to verify
9 that until just before this hearing, and I think we're waiting
10 to hear back. But it's our position that Mr. Stoll is
11 complying with his release conditions.

12 We're ready to proceed.

13 THE COURT: Very well. In respect to this
14 Mr. Paul Revere, or whatever his name is, is he present today?

15 MR. HORST: Judge, I don't have any idea who
16 Paul Revere is. He's mentioned here. I think the agents are
17 here on this case.

18 THE COURT: He's supposed to have been -- he's
19 alleged to be his pastor.

20 MR. HORST: That is right, and Mr. Stoll has not had
21 any contact with Mr. Revere, unfortunately, because of that
22 order. So I don't -- I don't have any idea if he's here.

23 Is Paul Revere here?

24 UNIDENTIFIED SPEAKER: No.

25 MR. HORST: Okay.

1 THE COURT: All right. Counsel for the government,
2 do you want to proceed?

3 MS. MADDUX: Yes, Your Honor. For the purposes of
4 the record, at this time I would just call Nick Nischik as a
5 witness. He can either testify from the witness stand or from
6 counsel table, whichever Your Honor would prefer.

7 THE COURT: Right there is fine. But we'll swear
8 him.

9
10 NICK NISCHIK,
11 called as a witness on behalf of the Plaintiff, being first
12 duly sworn, is examined and testified as follows:

13
14 THE WITNESS: I do.

15 THE COURT: Thank you.

16 You've heard the allegation by the defense that the
17 defendant was not responsible for posting this material on the
18 website in violation of the conditions. What is your response?

19 THE WITNESS: Your Honor -- Your Honor, I mean, would
20 you like me to respond or the government's attorney?

21 THE COURT: I want you to respond.

22 THE WITNESS: Well, Your Honor, this violation really
23 began with an email from the defendant where the tagline in the
24 email is for a website churchcounsel.org, and when I went to
25 that website, it bore a striking resemblance to the website he

Nischik - D

1 took down previously, which was called Remedies at Law.

2 And as I went through the website, and I can see on the
3 monitor some of the pages, it became clear that it was a
4 violation of the civil injunction out of the Western District
5 of Washington and --

6

7

DIRECT EXAMINATION

8 BY MS. MADDUX:

9 Q. Just to ease this, Your Honor -- I'm going to borrow this
10 microphone for a second. Just to ease this, though, for
11 purposes of the record, Mr. Nischik, once you saw the website
12 that was linked to the defendant's email that he sent to you,
13 did you go to that website?

14 A. I did go to that website.

15 Q. And did you print out the pages that you identified on
16 that website?

17 A. I did print those out.

18 Q. And prior to the hearing today, did we go through and mark
19 those pages as a government's exhibit?

20 A. We did.

21 Q. And are you looking now on the screen and are the parties
22 looking at what is marked as Government's Exhibit 1? Was this,
23 as it says at the top, Administrative Church Counsel's
24 homepage?

25 A. I can't actually see what you pointed to right there, but

Nischik - D

1 I recognize it as the homepage, yes.

2 Q. If I can blow that up?

3 THE COURT: We're going to need the original. We're
4 going to -- that's not coming through on the -- on the screen.

5 DEPUTY COURTROOM CLERK: Yeah, it is.

6 THE COURT: It's not on my screen. I see -- that's
7 fine. We'll use the -- it's just my screen is haywire.

8 MS. MADDUX: Sorry, Your Honor. We'll try to make
9 our record, then, as best we can. We don't have an additional
10 backup of copies here.

11 BY MS. MADDUX: (Continuing)

12 Q. On the homepage, where it says Administrative Church
13 Counsel, is there a link that reads "Lawfully establish a
14 church fellowship or other nontaxable ministry"?

15 A. There is.

16 Q. And is that precisely the type of language that the
17 permanent injunction against Mr. Stoll prohibits him from
18 posting on his websites?

19 A. That's correct.

20 MR. HORST: Your Honor, I'm just going to object.
21 That calls for a legal conclusion that I don't believe
22 Mr. Nischik is qualified to make.

23 THE COURT: That's fine. I'll make my own decision
24 from that evidence.

25 Thank you. Go ahead.

Nischik - D

1 BY MS. MADDUX: (Continuing)

2 Q. And in addition to the homepage, were you able to -- when
3 you click through that, does it take you to Establishment
4 Services?

5 A. It does.

6 Q. And is that what has been marked as Government's Exhibit
7 2?

8 A. I can't see the exhibit number.

9 Q. Sorry.

10 A. Yes, it is.

11 Q. And on the Establishment Services page, does it list the
12 establishment forms for creating one of these nontaxable church
13 entities?

14 A. That's correct.

15 Q. Were you able also to print out a Membership Services
16 page?

17 A. Yes, I was.

18 Q. And is that marked as Government's Exhibit 3?

19 A. Correct.

20 Q. And for the Membership Services page for Administrative
21 Church Counsel, does that list services including defense
22 against civil lawsuits and criminal charges?

23 A. It does.

24 Q. Does it also say that one of the services is remedies at
25 law, assistance of counsel, or legal representation?

Nischik - D

1 A. It does.

2 Q. Did you also print out a page entitled Administrative
3 Church Counsel Organizational Procedures for the Church?

4 A. I did.

5 Q. Is that marked as Government's Exhibit 4?

6 A. It is.

7 Q. Does this also list a number of procedures for ministerial
8 trusts or corporation sole?

9 A. It does.

10 Q. Does it also reference Remedies at Law?

11 A. It does.

12 Q. Did you also print out an Administrative Church Counsel
13 page that was entitled About Us?

14 A. I did.

15 Q. And is that marked as Government's Exhibit 5?

16 A. It is.

17 Q. And does this page also refer to setting up ministries
18 through church legal counsel?

19 A. It does.

20 Q. Does it also discuss providing for the creation of
21 ministerial trusts and trust management?

22 A. It does.

23 Q. Did you also print out an Administrative Church Counsel
24 About page that lists headquarters offices?

25 A. I did.

Nischik - D

1 Q. Is that marked as Government's Exhibit 6?

2 A. It is.

3 Q. Are you familiar with -- let me scroll in here. This
4 North American office is in Arlington, Washington. Do you know
5 that address to be affiliated with the defendant in any way?

6 A. I do. It looks like one of the addresses we have come to
7 know through our supervision of him.

8 Q. And, finally, did you also look up the information on who
9 the Administrative Church Counsel website or churchcounsel.org
10 website was connected to through GoDaddy?

11 A. I did review that.

12 Q. Is that marked here as Government's Exhibit 9.

13 A. It is.

14 Q. So under is "who is" search results, does that show the
15 domain name and the same name you were looking at was
16 churchcounsel.org?

17 A. Correct.

18 Q. And looking to the second page, looking here at the admin
19 name, who is listed as the admin for the website for GoDaddy?

20 A. Glen Stoll.

21 Q. Is the address listed below the Arlington, Washington,
22 address we saw a minute ago?

23 A. It is.

24 Q. And, again, Officer Nischik, you have reviewed the
25 permanent injunction against Mr. Stoll; correct?

Nischik - D/X

1 A. That's correct.

2 Q. And did you provide a copy of that injunction to the Court
3 for today's hearing?

4 A. Yes.

5 MS. MADDUX: Your Honor, I believe that's the end of
6 the presentation of evidence.

7 THE COURT: Thank you.

8 Examine the witness if you choose.

9 MR. HORST: Thank you, Judge.

10 Donna, can I see Exhibit 9?

11 MS. MADDUX: Uh-huh.

12

13

CROSS-EXAMINATION

14 BY MR. HORST:

15 Q. Mr. Nischik, I want to talk to you about Exhibit 9. Okay?

16 A. Okay.

17 Q. Does this appear to be the Exhibit 9 that you just
18 discussed with the prosecutor?

19 A. It does.

20 MR. HORST: Judge, I'm sorry. Can you hear me okay?

21 THE COURT: Yes, I can.

22 BY MR. HORST: (Continuing)

23 Q. All right. Can you tell me and can you tell the Court,
24 please, when this website was last updated?

25 A. It looks like it was August 26, 2018.

Nischik - X

1 Q. Okay. And what day was Mr. Stoll arraigned, according to
2 your report? Do you recall?

3 A. I don't recall. I know that it was in 2019.

4 Q. Okay. Fair to say that this website was last updated
5 prior to Mr. Stoll's arraignment?

6 A. Correct.

7 Q. What is the address that Mr. Stoll is residing at today?

8 A. I have a hard time answering that question. He's provided
9 a number of different addresses.

10 Q. My question is --

11 THE COURT: Let him finish.

12 THE WITNESS: The address that he's supposed to be
13 residing at is 7311 Grove Street, Marysville, Washington 98270.

14 BY MR. HORST: (Continuing)

15 Q. Okay. Thank you.

16 Mr. Stoll is being supervised by the Western District of
17 Washington; is that correct?

18 A. That's correct.

19 Q. All right. And that's Lisa Combs who's supervising him?

20 A. Correct.

21 Q. Prior to this hearing, did you reach out to Ms. Combs to
22 determine whether Mr. Stoll complied with the home visit that
23 was the subject of the last hearing?

24 A. I did send an email asking if he had complied. I have not
25 heard back.

Nischik - X

1 Q. Okay. And you sent that email just a few minutes before
2 this hearing started; is that correct?

3 A. Correct. That's when I learned that there had been a home
4 visit.

5 Q. All right. That's because Mr. Stoll explained to you that
6 he had, in fact, let Ms. Combs and another agent into the
7 office -- excuse me, into his house, offered them sparkling
8 water, and complied with a home visit requirement; is that
9 true?

10 A. That's his information.

11 Q. Also, you met with myself and Mr. Stoll, following his
12 arraignment, in your office; is that correct?

13 A. Correct.

14 Q. At that time we went through the release conditions, which
15 are part of the last couple of pages of your submission to the
16 Court today; correct?

17 A. Correct.

18 Q. And you were -- we had a lot of questions for you, didn't
19 we?

20 A. There were a significant number of questions.

21 Q. Okay. And one of the things that was established at that
22 meeting is that Mr. Stoll is pretty responsive to counsel's
23 suggestions about what does need and what does not need to be
24 done. Is that also true?

25 A. Yes. I would say that's a fair assessment.

Nischik - X

1 Q. Okay. So do you recall me asking you specifically which
2 website you wanted him to take down, and you told us it was
3 Remedies at Law; is that correct?

4 A. Correct.

5 Q. At that time you were not aware of a website called
6 Church -- Administrative Church Counsel. Is that also correct?

7 A. The website is churchcounsel.org, but I was not aware of
8 it at that point.

9 Q. Understood. Understood.

10 Now, at this point you are asking Mr. Stoll to remove --
11 or to take down the Church Counsel website. Is that also
12 correct?

13 A. Well, we filed a violation, and we've asked for his
14 revocation. If he's continued on release, we would ask that
15 the website be brought down.

16 Q. Okay. And the last time that you asked Mr. Stoll to take
17 down a website by specifically naming that website, he
18 complied; is that true?

19 A. Correct.

20 MR. HORST: Okay. Judge, I don't have any more
21 questions for this witness at this time.

22 THE COURT: Anything further for the government?

23 MS. MADDUX: Just one item, Your Honor, for
24 clarification, actually, from Exhibit 9, which I'll put back
25 up.

Nischik - X

1 I just wanted to clarify as to this specific exhibit. I
2 think that defense counsel indicated here that he believed the
3 website may have been last updated on this date, which is in
4 August of 2018, but this particular GoDaddy search has nothing
5 to do with the changes to the website. It is only specific as
6 to the creation or updating of the domain name itself. I just
7 wanted to clarify that.

8 THE COURT: Is that correct?

9 THE WITNESS: That, I'm not aware of.

10 MR. HORST: Judge, I don't think any of us are
11 qualified to educate the Court as to what that printout means
12 with regards to when a particular piece of the website was
13 updated. I think it's pretty clear that it says the date that
14 it was updated.

15 If the government is offering that to demonstrate that
16 that is something that Mr. Nischik printed out, that's fine;
17 but for the government to try to explain to the Court, without
18 using an expert, to what this means, I think that's another
19 story altogether, and I would object.

20 THE COURT: It's subject to argument, is what it
21 means, from both sides.

22 Go ahead.

23 MS. MADDUX: Your Honor, I think it's clear that the
24 defendant's continued use of this website is directly in
25 violation of the order that was put in place into the state of

1 Washington back in 2005, and we'll acknowledge that it's true
2 that when specifically asked to take down the Remedies at Law
3 website, the defendant did do so. But one of his conditions
4 was that he has to conduct himself in a manner that is
5 consistent with the terms of the final order and permanent
6 injunction that was issued out of the state of Washington. And
7 when you look at page 14 of the order, almost every one of the
8 specific pieces of that permanent injunction prohibit the
9 defendant from being involved in just this type of activity.

10 Number one, the permanent injunction prohibits him from
11 organizing, promoting, marketing, or selling any trust, tax
12 shelter, plan, or arrangement, including any type of so-called
13 asset protection device or similar arrangement that advises,
14 encourages, or assists taxpayers to attempt to evade the
15 assessment of their tax liabilities.

16 It also prohibits the defendant from making false
17 statements about the allowability of any deduction or credit,
18 including any type of so-called asset protection device.

19 It further prohibits him from promoting the false and
20 frivolous position that federal income taxes can be reduced or
21 eliminated by using corporation sole and ministerial trusts to
22 shelter income.

23 This website, which has defendant's fingerprints all over
24 it and in many sense is nearly identical in form and content to
25 what was on the Remedies at Law page -- on its homepage. When

1 you go to the homepage, it allows the user to click through a
2 link that directs them how to lawfully establish a church
3 fellowship or other nontaxable ministry. That is not
4 prohibited -- or that is prohibited under the order from
5 Washington.

6 And it goes on to talk about ministerial trusts,
7 corporation soles, and all the things that defendant is
8 prohibited from doing essentially promoting the same tax scheme
9 that brings us before the Court while he's under pretrial
10 supervision.

11 THE COURT: When did he do this?

12 MS. MADDUX: What we know, Your Honor, is that the
13 website is live and that according to Officer Nischik, he
14 received an email from the defendant listing himself as
15 Administrative Church Counsel with a link to the website in his
16 signature block, and that has been while this case has been
17 pending.

18 THE COURT: When? When is my question.

19 MS. MADDUX: Do you have the date?

20 THE WITNESS: I don't have the exact date. It was
21 within days of his violation hearing.

22 MS. MADDUX: Officer Nischik indicates that
23 information is in his report. He doesn't have the specific
24 date, but it was within a few days of the last hearing we had
25 before Judge Russo in the last two weeks.

1 THE COURT: Thank you.

2 MS. MADDUX: So for those reasons, Your Honor, we
3 believe the defendant is in violation and, quite frankly,
4 something must be done to ensure that he is complying with the
5 laws and his pretrial conditions while he's awaiting trial.

6 THE COURT: Counsel, does your client want to
7 testify?

8 Well, I'll ask him directly. Sir, do you want to make a
9 statement or to testify? Either one.

10 THE DEFENDANT: Yes, I would like to do that.

11 THE COURT: Are you ready to be sworn?

12 MR. HORST: Judge, could I have a minute, please,
13 with Mr. Stoll before you swear the witness -- before you swear
14 my client?

15 THE COURT: Yes.

16 MR. HORST: Thanks.

17 THE COURT: Let me clarify you don't have a duty to
18 give any testimony. The burden of proof is solely with the
19 government. On the other hand, you have written messages to
20 the Court, I believe, saying that you have never had a chance
21 to state your position, and so if you wish to do that, this is
22 the time to do it.

23 MR. HORST: Judge, I appreciate you giving Mr. Stoll
24 the opportunity to be heard. That's very important to
25 Mr. Stoll. My preference, however, would be to address this

1 violation concern and then, secondarily, to address some of
2 Mr. Stoll's issues that he would like to raise with the Court.
3 I think that makes it cleaner and --

4 THE COURT: That's fine.

5 MR. HORST: Okay.

6 THE COURT: I just want to make sure that -- the
7 Court has all afternoon to listen to this case, and I want to
8 have all the information that I should have. His custody
9 status is in question, and so we'll take it from there.

10 Go ahead and make your comment as to the government's
11 presentation at this time. Is that what you want to do?

12 MR. HORST: I would like to argue about the
13 government's presentation, yes.

14 THE COURT: Go ahead, sir.

15 MR. HORST: Subject, of course, to my previous
16 objections, I would like to note that Mr. Stoll's compliance on
17 pretrial release has not been ideal; however, Mr. Nischik and I
18 and Ms. Maddux and I have been able to communicate, I think
19 pretty successfully, in order to accomplish compliance.

20 What I mean by that is we had a pretty quick interview,
21 for example, because Mr. Stoll had turned himself in down in
22 Portland, and we wanted to get the information to U.S. Pretrial
23 in advance of his arraignment so that they could make a
24 recommendation regarding release.

25 Mr. Stoll was not in the state at that time, but he turned

1 himself in once he learned about the government's indictment.

2 When we did that, Mr. Stoll was with his wife, and he
3 asked his wife, "What's my address?" And he took the
4 address -- I think Mr. Nischik wrote it down -- with his wife
5 in the background listing off the address. That's the source
6 of, I think, this first violation allegation that was brought
7 before the Court before.

8 Mr. Stoll was not permitted to go back to the address that
9 was given by his wife and contacted me and tried to contact
10 Mr. Nischik in order to say "I've got to stay someplace. I
11 would like to go to my other residence." And that's, indeed,
12 where he did stay and where he remains today.

13 THE COURT: Where is that?

14 MR. HORST: What's the address?

15 THE DEFENDANT: 7311 Grove Street.

16 MR. HORST: 7311 Grove Street.

17 THE DEFENDANT: In Marysville.

18 MR. HORST: In Marysville, Washington.

19 You'll note, Judge, that's not the same address that's on
20 the GoDaddy printout. I don't know what that address is. I
21 don't think the government has put on any evidence as to why
22 that's associated with Mr. Stoll or why they believe it's
23 associated with Mr. Stoll. The only relation I can see is it's
24 in the same state.

25 Mr. Stoll has been living at that address and sought

1 clarification of his release conditions last week, and that's
2 why we were before Judge Russo.

3 Mr. Stoll, understandably, has some difficulty
4 understanding why all of these 11, or so, conditions are being
5 required of him in order to stay out of custody, and that's, I
6 think, why he would like to speak with the Court today, to
7 raise some of those concerns and have some real clarification
8 from the Court as to what is expected of him.

9 When that is clarified for Mr. Stoll, either through me or
10 through the Court, Mr. Stoll has always complied.

11 So when he was told to take down the Remedies at Law
12 website, which he -- I can't remember if he had exclusive
13 control over it or not, but I told him to make it happen, and
14 he made it happen.

15 There's no evidence before the Court that this other
16 website Church Counsel -- Administrative Church Counsel, has
17 been touched by Mr. Stoll at any time following his
18 arraignment. His email has always been
19 glen@administrativechurchcounsel.org. That's true. Like a lot
20 of other emails, there's a little link for getting free email
21 and free virus protection. I don't -- you know, it's a
22 signature line, and I don't think that government has admitted
23 any evidence today to link conclusively Mr. Stoll's email
24 address to taking any action in violation of the Western
25 District of Washington's injunction.

1 That injunction that Ms. Maddux read to the Court says
2 something about don't organize or promote any tax shelters and
3 things of that nature. Well, by sending an email to Pretrial,
4 asking for clarification about his release conditions, it's not
5 as if he's hiding anything. The name Administrative Church
6 Counsel is right there, and he's certainly not promoting any
7 unlawful activity or any other activity in violation of an
8 injunction by sending that email.

9 You're right, of course, that the prosecution bears the
10 burden of proving a violation, but submitting a GoDaddy
11 printout that has a date of activity prior to the arraignment,
12 they simply haven't done it.

13 But more importantly, Mr. Stoll and I can make that
14 website come down. We've done it before; we'll do it again.
15 When I asked Mr. Stoll who controls that website, he told me it
16 was somebody named Paul Revere. He's a person who is known as
17 C.D.F., K.B., and L.B., I don't know who Paul Revere is. But I
18 understand that some of the agents for the government are in
19 the courtroom today, and I'm sure they can get me in touch with
20 Mr. Revere, and I can leave him a message and tell him if he
21 wants his disciple to stay out of custody, he needs to take
22 down the website. That's easy.

23 THE COURT: I'll ask our security people. Has any
24 person attempted to come in using the name of Paul Revere?

25 I'm asking you.

1 THE CSO OFFICER: Not through security, Your Honor.
2 We haven't had anybody in there today that came through with
3 that name.

4 THE COURT: I couldn't hear him.

5 MS. MADDUX: He said, no, Your Honor, not today.

6 THE COURT: Thank you.

7 THE CSO OFFICER: Right.

8 THE COURT: Thank you. Would the government like to
9 respond?

10 MS. MADDUX: Just, Your Honor, for the record, I know
11 that the Court mentioned a few minutes ago that Mr. Stoll,
12 using the Administrative Church Counsel email, has multiple
13 times reached out to the Court and to the parties at times for
14 filing, and he has sent, as Mr. Horst is well aware of,
15 multiple emails related to filings from himself to his
16 attorney, to all the parties, and to the case view filing
17 system from the Administrative Church Counsel email, signed
18 Glen Stoll, Administrative Church Counsel,
19 www.churchcounsel.org. That's his signature block. That's the
20 signature block he's used in the last two weeks.

21 THE COURT: Thank you.

22 Before I hear from him about protesting other issues, what
23 do you want to do? For the government, is his agreement to --

24 Let me finish my sentence, please.

25 His agreement to not put up any form of this type of

1 illegal business, talking about tax evasion essentially, is
2 that sufficient at this juncture, or do you want him in
3 custody?

4 PRETRIAL OFFICER NISCHIK: Your Honor, if I could --
5 Your Honor, if I could answer. The concerns from Pretrial
6 Services are about his resistance to virtually everything, and
7 we found it -- or find ourselves in court quite a bit, compared
8 to most normal pretrial defendants, when he wants to argue
9 about each point.

10 If he did take down all of his websites and he did comply
11 with home visits and reporting instructions on a consistent
12 basis, then we would support his continued release; however,
13 that's not what he's demonstrated. In each instance, he comes
14 in, says I'll do something, and he may follow through on one
15 thing, and then we have, you know, within the next week, a new
16 issue that arises that involves the attorneys, the Court,
17 trying to bring him back in, and the amount of time and effort
18 that it takes to bring somebody back into compliance like this
19 is enormous. And so if -- if he complies consistently, I would
20 support a release, but that's not been my experience.

21 He says that he will, but he does not, and so I'm sort of
22 torn on the recommendation. My experience tells me he doesn't
23 want to be supervised, but he's here today saying, "Give me
24 another try. I'll do it the right way." So if we take him at
25 his word, then I think another -- another shot at pretrial

1 supervision is reasonable.

2 I just want to make clear that if -- if he's continued on
3 release, we would -- we would need him to stay in compliance
4 and not have to be coming back to the Court over and over with
5 regard to violations or resistance to supervision.

6 THE COURT: Well, the answer to that is I'm in charge
7 now. He doesn't have to go through the magistrate. And he
8 should know that I will not tolerate any website by him.
9 Period. None. And if there's any that -- of any form, I'm
10 just restricting it so that we don't have a debate. That will
11 take care of any effort to get around what obviously he was
12 doing here. This particular issue, obviously all he did was
13 just create another situation which duplicated what he had been
14 enjoined not to do.

15 I think you know that I won't tolerate any such nonsense
16 at all.

17 THE DEFENDANT: Yes.

18 THE COURT: None.

19 And as far as your other concerns are concerned --
20 involved, the request for him not to confer with the Bradys
21 cannot be continued. The Bradys are coming up for sentencing
22 that -- we ran into this in the Malheur occupier situation
23 where I attempted to prohibit somebody from speaking to
24 co-defendants, and we had to change our position. Whether the
25 Bradys want to talk to him or not, that's up to them.

1 As far as home visits are concerned, that's not an issue
2 at this time. He's allowed home visits. They'll continue, but
3 on a reasonable basis.

4 I don't know -- see any reason at this point for home
5 visits, what they're going to accomplish, other than to verify
6 that he is, indeed, home; but that's certainly not to gather
7 further evidence. It doesn't seem to be in the picture. But I
8 don't want to speak for the prosecution.

9 Do you need anything more than what you have? You've got
10 thousands of pages so far. 53,000 or something like that. Is
11 there anything that's missing at this point?

12 MS. MADDUX: Your Honor, you're referring to our
13 investigation at this point? The investigation is complete at
14 this point. We would like to focus on preparing for trial, as
15 opposed to dealing with pretrial release violations.

16 THE COURT: I think I made it clear to him that I'm
17 not going to allow any nonsense of any kind of communication on
18 a web page, period.

19 Do you agree to that? If you don't, I don't care. That's
20 my order.

21 Now, did you want to say anything else to the Court?

22 MR. HORST: Judge, I think that we could make the
23 most of our time if we went through these release conditions
24 and got a little bit of clarification from the Court today. I
25 appreciate you clarifying the conditions regarding --

1 THE COURT: I'm here to do it.

2 MR. HORST: Okay. Great. May I sit?

3 THE COURT: Yes. Sure-ion.

4 MR. HORST: Thank you. I'm not thrilled about my
5 client making filings without running them by me, but I'm going
6 to refer to one of them now so we can all be on the same page,
7 if that's okay.

8 THE COURT: I'm accepting no filings directly from
9 the defendant. They will not be docketed.

10 MR. HORST: Okay.

11 THE COURT: Everything must be filed by you.

12 MR. HORST: I appreciate that, Judge. Thank you.

13 THE COURT: Okay.

14 MR. HORST: So I don't know, then, if you have this
15 titled Emergency Motion for Stay.

16 THE COURT: None of them have been filed.

17 MR. HORST: All right. Good. Well, I'll go through
18 them. I'm sure -- do you have them?

19 Judge, I can assume that --

20 THE COURT: All I can state --

21 MR. HORST: Maybe I'll put it up on this screen.

22 THE COURT: No, you don't have to do that. I'm just
23 telling you -- have a seat -- that nothing he has filed,
24 without coming through you, has been filed. Period. They're
25 gone. They're not -- they don't exist, legally.

1 MR. HORST: Understood. I appreciate that.

2 THE COURT: What's the next one?

3 MR. HORST: What I want to do is just reference the
4 conditions that Mr. Stoll is requesting clarification on, and I
5 have this document that he listed them out, and it's convenient
6 for me and, I think, the parties if I put that --

7 THE COURT: That's fine. That's fine.

8 MR. HORST: I won't mark this as an exhibit, Judge,
9 but I will put this up here.

10 Let's see. Okay. The first, Mr. Stoll would like to be
11 able to defend himself through counsel, and I think it's --
12 this may seem very strange, but the Court is allowing
13 Mr. Stoll, through counsel, to put on a defense. Am I correct
14 about that?

15 THE COURT: Yes.

16 MR. HORST: Okay. The second, Mr. Stoll is
17 requesting that all of the documents with the Court's signature
18 be provided to him, and I'm assuming that's obviously going to
19 happen as well.

20 THE COURT: Obviously.

21 MR. HORST: Okay.

22 THE COURT: In every case.

23 MR. HORST: Thank you, Judge.

24 And then as to these 11 conditions, Mr. Stoll would like
25 to be allowed to have contact with his pastor, Paul Revere, and

1 we would like to address that now rather than at some future
2 time.

3 THE COURT: Well, we don't know who Paul Revere is.
4 As you said, you don't know him.

5 MR. HORST: No idea.

6 THE COURT: He's attempted to come in through the
7 Court. We think he is another tax protester and potential --
8 there will be no contact with Paul Revere and pertaining to
9 anything that has to do with the merits of this case.

10 As far as him talking to somebody of his own faith, that
11 has to be a person who is an identifiable person, who is,
12 indeed, a legitimate pastor. Of course he has a right to --
13 his rights as a parishioner, but not to some person who is not,
14 indeed, a pastor.

15 That's a very difficult line to draw because, you see, I
16 don't know Paul Revere, and Paul Revere is not here.

17 Do you know where he is, sir?

18 THE DEFENDANT: Oh, me?

19 THE COURT: Yeah.

20 THE DEFENDANT: He can be reached regularly by anyone
21 through his website embassyofheaven.com. Embassyofheaven.com.
22 And I think their phone number is listed there and all contact
23 information.

24 THE COURT: That's okay. I'm asking him the
25 question. What does the government -- do you have any

1 information on this fellow, or the probation officer? I think
2 you said you don't really know who he is or what he is.

3 MS. MADDUX: Your Honor, we do have a true name
4 for --

5 THE COURT: What is his true name?

6 MS. MADDUX: -- Paul Revere.

7 PRETRIAL OFFICER NISCHIK: Craig Fleishman.

8 THE COURT: Is that your understanding of who it is?

9 THE DEFENDANT: Oh, me? No, I have no understanding.
10 I've never heard of that name.

11 THE COURT: Well, then if you never -- don't know
12 even his true name, there will be no contact.

13 If you want to submit to the Court evidence that he is
14 indeed a -- from him to identify his background and who he is
15 and where he is --

16 MR. HORST: Judge, I'll review these documents and
17 perhaps --

18 THE COURT: There will be no contact until I'm
19 satisfied that -- of his identity or -- or where he may be
20 reached and whether or not he is a -- of the -- is he really
21 just a tax protester that's creating the same criminal acts as
22 the defendant is accused of?

23 What's your next one, sir?

24 MR. HORST: Judge, because I'm sure that Mr. Stoll is
25 going to ask me this question when we leave, it will be very

1 useful to have you clarify.

2 If Mr. Revere is a religious man and he is Mr. Stoll's
3 spiritual guide or pastor and we can demonstrate that to the
4 Court's satisfaction --

5 THE COURT: If he's legitimate, fine. If he's just
6 another protester under -- hiding under a religious cloak, no.

7 MR. HORST: Understood. Thank you.

8 THE COURT: That's clear, isn't it?

9 THE DEFENDANT: Yes.

10 MR. HORST: Thank you, Judge.

11 I think the next condition has been thoroughly address
12 today regarding the website Mr. Stoll has taken that --

13 THE COURT: No websites at all. Period.

14 MR. HORST: Thank you. Mr. Stoll -- I'm assuming the
15 Court is not preventing Mr. Stoll from practicing his religion
16 conditions, maintaining a church residency or being civilly
17 dead, whatever that means.

18 THE COURT: Well, I don't know what that means.

19 MR. HORST: That's not a prohibition.

20 THE COURT: I'm not going to declare legally that
21 somebody has a right to declare themselves civilly dead.
22 That's not going to be part of the Court's order.

23 MR. HORST: Okay.

24 THE COURT: As far as he has a right to go to church
25 or practice his religion, whatever it may be.

1 MR. HORST: Thank you.

2 So just to be very clear, you are not preventing him --
3 that's not a release condition for Mr. Stoll?

4 THE COURT: No.

5 MR. HORST: Thank you, Judge.

6 I'll try to be as quick as I can.

7 THE COURT: We're in no hurry. This is his day in
8 court. We are in no hurry.

9 MR. HORST: Okay.

10 THE COURT: This is -- the Court is here to treat
11 everybody fairly and have an opportunity to express themselves.

12 MR. HORST: Thank you, Judge. I appreciate that; I
13 know Mr. Stoll appreciates that.

14 THE DEFENDANT: Very much.

15 THE COURT: Okay.

16 MR. HORST: Mr. Stoll is not required to renounce in
17 residency with any church; correct?

18 THE COURT: As far as his residency with any church?
19 What does that mean? That he's living with the church?

20 MR. HORST: Yes.

21 THE COURT: That doesn't make any -- what are you
22 talking about, sir? I don't understand that.

23 MR. HORST: You can explain it if you want.

24 THE DEFENDANT: All right.

25 MR. HORST: Try to be quick.

1 THE COURT: Just sit down and speak in the mic.

2 THE DEFENDANT: All right. Legal residency is a
3 significant concern about being under the authority of
4 Jesus Christ. We have been commanded -- I have been commanded
5 to -- in -- by virtue of the position of being civilly dead,
6 which is similar to what a monk would do entering a monastery.
7 It's along that line. It's how many people are able to
8 understand. I have taken a very serious -- entered into a very
9 serious covenant to go about doing good and providing service
10 to humanity. This is why I run a clean and sober house in
11 Marysville. We do a mentoring program for young people called
12 the Adventure Club that we do. We have fellowships and we
13 teach compliance with the law and that we are to respect the
14 civil authority, such as yourself, and --

15 THE COURT: Counsel, let him talk. Let him.

16 MR. HORST: Thank you, Judge. I just want to be able
17 to provide him good counsel. I want him to express himself,
18 but --

19 THE DEFENDANT: I appreciate his precautions.

20 Thank you.

21 MR. HORST: Excuse me.

22 THE DEFENDANT: Thank you for allowing that.

23 And, yes -- and so residency, as we understand it, in the
24 church, is -- has to do with the identity of the thing under
25 which jurisdiction prevails, and the primary jurisdiction of

1 one in my position in the church is that of the church that the
2 jurisdiction of the church and the authority of Jesus Christ,
3 who also commands us to respect the civil authorities as
4 represented by you and the others.

5 And this is the concern that we have. My residency is not
6 the state of Washington. My residency is not the United States
7 of America. It is the Kingdom of Heaven, as identified in
8 scripture, because the Kingdom of Heaven is within, and it's a
9 very deeply held religious conviction that we take seriously,
10 but -- and no disrespect to the civil authorities, but being
11 civilly dead to that system that we forgo the rights or
12 privileges that are offered to us by the secular authorities.

13 THE COURT: I've heard this before, and the point is
14 that you may be civilly dead but you have a civil
15 responsibility to pay your taxes.

16 THE DEFENDANT: Absolutely.

17 THE COURT: All right.

18 THE DEFENDANT: Absolutely.

19 THE COURT: All right. Let's go on to the next
20 point.

21 THE DEFENDANT: Did we conclude that one?

22 THE COURT: So as far as telling us where your
23 residence is, that's fine. You don't have to.

24 MR. HORST: Thank you, Judge.

25 We appreciate that.

1 The next one is --

2 THE COURT: Now, as far as his physical residence,
3 now I --

4 THE DEFENDANT: Right.

5 THE COURT: Not his religious residence.

6 THE DEFENDANT: Correct. That's --

7 THE COURT: We got it right?

8 THE DEFENDANT: I think we understand each other.

9 Thank you so much.

10 MR. HORST: Thank you, Judge.

11 The next is Mr. Stoll would like to be able to possess,
12 obtain, prepare, and sign typical documents that are related to
13 his responsibilities as a church administrator, not regarding
14 the financial documents.

15 It's clear to me that it would be unreasonable, given the
16 allegations, to have Mr. Stoll deal with tax documents, for
17 example, or bank documents. I understand that, and Mr. Stoll
18 does too; but as to this request, Mr. Stoll would like to be
19 able to possess typical documents that are related to his
20 responsibilities as a church administrator.

21 THE COURT: Well, what are your responsibilities as a
22 church administrator? Do you have a -- do you have a -- an
23 identifiable job?

24 THE DEFENDANT: Yes, I do. I -- I do serve as church
25 administrator. I have -- just this past week, I, you know,

1 preached -- provided a Sabbath school class lesson, preached a
2 service, invited people to receive Christ as their Savior; and,
3 as far as paperwork is concerned, I recommend that people
4 identify their calling from God and that they live according to
5 that calling, that purpose that God has given them, to be a
6 blessing and to contribute to the community and be a blessing
7 to humanity and taking some of the burden off of government,
8 not putting more on, but to -- to assist in the lawful
9 administration of government -- secular government. That
10 church and state -- what I teach is the separation of church
11 and state --

12 THE COURT: As long as it doesn't have anything to do
13 with taxes. Does it? Yes or no?

14 MR. HORST: No, Judge.

15 THE DEFENDANT: I would say it has nothing to do with
16 taxes.

17 The only reason I'm hesitating is because it is well
18 understood that churches are nontaxable entities if they are
19 truly doing the work of the church. I just didn't want to
20 mislead the Court.

21 THE COURT: That's fine.

22 THE DEFENDANT: Do you understand? Is that
23 acceptable?

24 THE COURT: I understand what you're saying, but I'm
25 not going to allow it.

1 THE DEFENDANT: Oh, I see.

2 MS. MADDUX: Your Honor, I would just add that the
3 type of work as a church administrator that Mr. Stoll is
4 referring to is specifically the services offered on the
5 Administrative Church Counsel website and establishment
6 services. The form he was talking about, the declaration of
7 status form indicated here, which participants in his program
8 fill out in order to become a nontaxable ministry, Mr. Stoll
9 will always say this has nothing to do with taxes. We say it
10 does.

11 As long as he's not doing anything that's in violation of
12 the court injunction, then there shouldn't be an issue; but we
13 are never going to agree on the language of the services that
14 he provides as a church administrator.

15 THE COURT: Yes. As far as you advising people about
16 they have no obligation to pay their taxes, that's prohibited.
17 That's advising people to not -- it's not protected. It's
18 engaged in criminal activity as you have been charged and that
19 the Bradys have been charged and have pled guilty to.

20 As far as -- you are not going to put anything on the web,
21 which would be covered by my order, so you can just hold that
22 all in abeyance until you get through this litigation.

23 THE DEFENDANT: Yes. I don't suppose I need to
24 advise legitimate nontaxable ministries that they are
25 nontaxable. They can get that advice from someone else.

1 THE COURT: That's not your position to make any such
2 statements.

3 THE DEFENDANT: That's what I'm saying. Yes, I
4 understand that. Thank you.

5 THE COURT: That's fine. What's your next issue?

6 MR. HORST: Judge, may I remain seated?

7 THE COURT: What?

8 MR. HORST: Can I remain seated?

9 THE COURT: I encourage you to.

10 MR. HORST: Thanks. It's a force of habit.

11 Just to be clear to Mr. Stoll, he is not to touch any
12 documents relating to taxes or -- or this -- the indictment or
13 the allegation here, but if the --

14 THE COURT: Oh, he can talk about the indictment and
15 the allegations, but he certainly -- he is not to tell people
16 they don't have to pay their taxes. That's --

17 MR. HORST: And so long as he's not --

18 THE COURT: That's about as clear as we can get.

19 MR. HORST: I agree it's very clear, but I just want
20 to make sure we don't have to come back here again to clarify
21 it.

22 THE DEFENDANT: The reason it's confusing to me, if I
23 may explain --

24 THE COURT: Yes.

25 THE DEFENDANT: -- is because I have never advised

1 people that they are not to pay their taxes. That's why it's
2 hard for me to understand it.

3 THE COURT: It's a nonissue, then. It's a nonissue.

4 THE DEFENDANT: Very good. Thank you.

5 MR. HORST: Judge, I agree.

6 THE COURT: Let's go on to the next one.

7 MR. HORST: He may possess documents related to
8 church just as long as they're not tax or financial documents.
9 Is that fair?

10 THE COURT: That's fine.

11 MR. HORST: Understood?

12 THE DEFENDANT: I believe so.

13 MR. HORST: Okay. Let's see. May I assume that the
14 Court is not prohibiting Mr. Stoll from performing his duties
15 as a minister of the gospel?

16 THE COURT: Absolutely not.

17 MR. HORST: The next one is regarding church mail and
18 other documents. May Mr. Stoll possess and obtain church mail
19 and other documents?

20 THE COURT: As long as it doesn't pertain to avoiding
21 taxes.

22 MR. HORST: Okay. And is it okay if that church mail
23 is addressed to another parishioner? That's not going to be a
24 violation?

25 THE COURT: As long as it doesn't involve taxes.

1 MR. HORST: Okay. Thank you.

2 The home visits -- I understood the Court to say that
3 assuming --

4 THE COURT: If -- there will be no more.

5 MR. HORST: No more home visits?

6 THE COURT: Right.

7 MR. HORST: Okay. Thank you.

8 THE COURT: Unless the -- they're not prohibited.
9 He's required to report to the probation officer or at the
10 probation officer's office. And if he's not available, then
11 certainly probation can check where he's supposed to be, and
12 that includes his home.

13 MR. HORST: Okay. Is the same -- is the same true
14 for employment inspections and visits as well? I'm not clear
15 what that condition --

16 THE COURT: What -- the probation officer wants to
17 make a statement.

18 Go ahead. You can just sit down.

19 PRETRIAL OFFICER NISCHIK: Thank you, Your Honor.
20 With regard to the home visits, I just wanted to clarify that
21 the purpose of the home visits is to enforce the conditions of
22 release, and without the home visits, the -- the sort of -- the
23 main reason we are doing supervision is gone. The idea behind
24 them is you show up during a reasonable time, and you're
25 unannounced so that you catch the person in their true state of

1 being, however that might be -- following the rules or not
2 following the rules.

3 So, for example, the defendant has a no-contact order. If
4 we come by and Paul Revere is there, then we know that. If we
5 don't go to the home, we'll never know, because he will never
6 bring Paul Revere into the office.

7 As far as financial accounts, lines of credit --

8 THE COURT: Okay. That's fine. I understand that,
9 as far as your purpose of supervision, but not to collect
10 additional -- you're not there to do a search and seizure.

11 PRETRIAL OFFICER NISCHIK: No, Your Honor. Certainly
12 not, Your Honor. Home visits are never conducted to further
13 the government's criminal case. That is not our role.

14 THE COURT: That's fine. As long as they're
15 restricted to what we talked about.

16 PRETRIAL OFFICER NISCHIK: They're solely to enforce
17 the conditions of release that the defendant agrees to.

18 THE COURT: But not to buttress the government's
19 case.

20 PRETRIAL OFFICER NISCHIK: No, Your Honor.

21 THE COURT: That's fine.

22 What is your next one?

23 MR. HORST: Judge, I think we should make sure that
24 that is very clear. I heard the Court say there will be no
25 more home visits.

1 THE COURT: Well, then I had to rethink.

2 MR. HORST: I understand.

3 THE COURT: I understood that they would be
4 reasonable and not for the purpose of finding additional
5 evidence against him.

6 MR. HORST: May I suggest a less intrusive way to
7 determine whether Mr. Stoll is communicating with this
8 Paul Revere person is to maybe run by the house and see if
9 Paul Revere's car is out front.

10 THE COURT: No.

11 MR. HORST: Coming into the house is certainly more
12 intrusive than necessary; and, furthermore, it doesn't seem to
13 me there are any other conditions that the Court has clarified
14 today that would --

15 THE COURT: From my perspective, the probation states
16 that this is very important. It seems to me to have the
17 probationer appear before the probation officer in the
18 probation office or a -- a courthouse, or what have you; but if
19 you find that they are important, I will restrict them to on a
20 reasonable basis. Like, what? No more than two a month?

21 PRETRIAL OFFICER NISCHIK: Your Honor, I would say
22 that that's probably more than he's going to see anyway. It's
23 probably going to be once a month and then --

24 THE COURT: Why don't we just settle on once a month.
25 You don't have to announce it.

1 PRETRIAL OFFICER NISCHIK: Your Honor, I'm hesitant
2 to limit it to a number because if there's an issue that comes
3 up, if we become aware from a third party that --

4 THE COURT: Then you bring it up with me. Just call
5 me.

6 PRETRIAL OFFICER NISCHIK: Yes, Your Honor.

7 THE COURT: So no more than one a month unless
8 there's an issue that requires additional.

9 What else you got?

10 MR. HORST: Thank you, Judge. The final issue, I
11 believe, unless Mr. Stoll wants to add something, is employment
12 visits. So my understanding is that Mr. Stoll ministers to
13 various people. Sometimes when I call him he's at somebody's
14 bedside.

15 THE COURT: We don't even know where his employment
16 business is. It doesn't have an identifiable residence.

17 MR. HORST: Right. And that's my issue.

18 THE COURT: That's why there is none.

19 MR. HORST: Okay. Thank you. Thank you, Judge.
20 Thank you for giving us your afternoon.

21 As you mentioned earlier, there are -- according to my
22 data person, approximately 53,000 pages of discovery.
23 Mr. Stoll, you can imagine, would really like to review that
24 discovery; however, there's a protective order in place that
25 makes it impossible for me to just hand over a flash drive or

1 two with that information on it.

2 The government tells me they're unable to provide a
3 redacted copy to me, which leads me to have to incur great
4 expense to redact all that discovery or to pay somebody to get
5 through all of that discovery.

6 THE COURT: I can say that I have had many cases with
7 the prosecutor and that she will -- when we get ready for final
8 pretrial conference, that she will have honed that -- her
9 exhibits down to a fraction of what is provided for discovery.
10 If you -- she's as close as the office. Her office is
11 downstairs. She will provide you with anything you want to
12 look at.

13 MR. HORST: Judge, I have all of the discovery. The
14 issue is more being able to share it meaningfully with my
15 client.

16 THE COURT: Well --

17 MR. HORST: I just wanted to alert the Court that,
18 you know, I've been investigating the costs of a redaction
19 service or a redaction software, and I'm going to make that
20 request so that I can provide it, and it will be quite
21 expensive.

22 THE COURT: I'll look at your request.

23 MR. HORST: Thank you.

24 THE COURT: But now usually, in the past, we've --
25 we've had thousands of exhibits. Many more than what you're

1 talking about. If you remember --

2 MS. MADDUX: I do, Your Honor.

3 THE COURT: We have had truckloads full of it -- of
4 exhibits. She does a wonderful job of honing it down to what
5 is going to be presented against the defendant. There's
6 nothing for him to worry about if it's not ever going to be
7 presented. And then she also has been obligation to provide
8 anything that will be exculpatory under the *Brady* decision.
9 And so if she violated that, the case would be thrown out. So
10 that's where we are.

11 You don't have to hire any expert at this point. It's
12 premature.

13 What's our trial date? It's in September?

14 MS. MADDUX: Your Honor, I wanted to inquire with the
15 Court on that. Mr. Horst had filed his request for a set-over.
16 The Court set that five-day trial date for September the 17th.
17 The parties were not consulted. I'm actually going to be out
18 of the country that week for three weeks, so we would be
19 looking at a trial date either before that week or closer to
20 the end of October the government would be available.

21 THE COURT: Well, you're going to need some time.

22 MR. HORST: I sure am, Judge.

23 THE COURT: Okay. Towards the end of October is more
24 realistic.

25 MR. HORST: Okay.

1 THE COURT: Is that agreeable?

2 MR. HORST: Theoretically, yes. I don't want to
3 prohibit myself now from filing a continuance motion should I
4 feel --

5 THE COURT: Oh, no. I'm just saying is --

6 MR. HORST: Yes.

7 THE COURT: We need a speedy trial waiver.

8 MS. MADDUX: Your Honor, you may remember that when
9 Mr. Horst filed his request for a set-over his client did not
10 consent to a speedy trial waiver, but the Court did grant the
11 complex case designation and did, indeed, waive the time period
12 up until trial. So I do believe, given the Court's complex
13 case ruling, we can continue that and extend a new trial date
14 to, at the earliest, the end of October or November, based on
15 the Court's calendar.

16 THE COURT: Becky?

17 DEPUTY COURTROOM CLERK: October 29th is available.

18 THE COURT: Thank you.

19 Now, anything else you want to get off your chest?

20 THE DEFENDANT: Yes. Based upon everything that I
21 have been provided, which is essentially nothing, I'm prepared
22 to go to trial today. And the trial, as far as I'm aware,
23 would consist of the things that -- the evidence that would be
24 presented at the trial would be the evidence that has been
25 presented to me, which is nothing.

1 THE COURT: Well, let's see.

2 THE DEFENDANT: That's the concern I have due to
3 timely discovery.

4 THE COURT: Wait, wait, wait now.

5 THE DEFENDANT: Sure.

6 THE COURT: As far as the documents are concerned,
7 they're in the hands of your lawyer. It's your responsibility
8 to meet with your lawyer and go over the documents. He's
9 trying to pare -- we're trying to pare down what you must face
10 or what would help you, so giving you access -- he can turn
11 over the whole 53,000 pages. Is that what you want?

12 THE DEFENDANT: Yes, it is.

13 THE COURT: You can provide them to him.

14 MR. HORST: I would love to do that, Judge. My
15 understanding of the protective order is that there may be some
16 information I can't turn over. But if we could amend the
17 protective order so that Mr. Stoll can have a complete copy of
18 discovery and that that protective order prohibits Mr. Stoll
19 from further disclosure --

20 THE COURT: Well, absolutely.

21 MR. HORST: Let's do that. Wonderful. I'll give him
22 a copy today.

23 THE COURT: You get the copies, but you can't share
24 them with anybody. They're for you and your lawyer.

25 THE DEFENDANT: I understand that.

1 THE COURT: We got a deal.

2 THE DEFENDANT: Thank you so much. I appreciate
3 that.

4 THE COURT: Now are you squared away?

5 THE DEFENDANT: I believe so.

6 And may I say that I really appreciate the courtesy that
7 you have extended to me in hearing my concerns. I feel this is
8 the first time that I have actually been allowed to be heard,
9 and I appreciate that, Judge Jones.

10 THE COURT: I also understand what your situation is.
11 Your future is at stake.

12 THE DEFENDANT: Yes.

13 THE COURT: Let's do it right.

14 THE DEFENDANT: Thank you so much.

15 THE COURT: Just knock off all this tax stuff pending
16 trial. You've got enough to handle defending what you have
17 done in the past, so you do me the favor of just adhering to
18 the essence of your release. I'm not going to take -- I was
19 prepared to take you into custody today because this idea you
20 can circumvent this by creating another entity is not going to
21 wash with me, and you know that.

22 THE DEFENDANT: I do. Yes, sir.

23 THE COURT: Anything further?

24 MS. MADDUX: Yes, Your Honor, just a few items. I
25 will work with Mr. Horst, and we will submit an amended

1 protective order. I have done that in other cases where we
2 have clear guidelines about the redistribution or how that
3 information is accessed.

4 As you might imagine, the discovery is full of the Brady's
5 personally identifying information, among others.

6 I wanted just to clarify the Court did find Mr. Stoll in
7 violation today, but no revocation?

8 THE COURT: That's correct. Certainly, he was in
9 violation by creating this other website.

10 MS. MADDUX: And can there be a time period?

11 THE COURT: The marshals can leave. Thank you. I
12 appreciate you standing by. I really expected to take him into
13 custody.

14 U.S. MARSHAL: Yes, judge.

15 MS. MADDUX: Can there be a time period during which
16 the Church Counsel website comes down? If it's not down within
17 a week --

18 THE COURT: Now.

19 MS. MADDUX: Today? Okay.

20 THE COURT: Now.

21 MS. MADDUX: Thank you, Your Honor.

22 MR. HORST: Judge, I'm going to need, I think, myself
23 to get ahold of Mr. Revere. I don't have that contact
24 information. I know that maybe I can get it.

25 THE COURT: Get it through your client.

1 MR. HORST: Could I get it from the government or
2 their agents, or could you order them to provide it to me so I
3 can contact this person?

4 MS. MADDUX: The contact information we had for
5 Paul Revere is the same contact information that Mr. Stoll
6 provided, but we know he's a decades-long associate of
7 Mr. Stoll, very close associate, both personally and is a
8 key -- key partner in the program that's at issue today, so I'm
9 certain Mr. Stoll has his contact information.

10 THE COURT: Also, we have another question.

11 We have an Arlington address, not a Marysville address,
12 for the defendant. You gave us a Marysville address?

13 THE DEFENDANT: The Arlington address is an office.

14 THE COURT: Oh, okay.

15 Do you need anything further?

16 PRETRIAL OFFICER NISCHIK: No, Your Honor. I had
17 intended to create a new release order with the new conditions
18 of the Court and then the old conditions that the Court did not
19 remove.

20 THE COURT: Yeah.

21 PRETRIAL OFFICER NISCHIK: I guess I'll make the
22 distinction that the defendant's physical residence will be the
23 Marysville residence.

24 THE COURT: Fine. Thank you. Court is in recess.

25 MS. MADDUX: Thank you, Your Honor.

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MR. HORST: Thank you, Judge.

THE DEFENDANT: Thank you.

(Hearing concluded.)

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C E R T I F I C A T E

United States of America v. Glen Stoll

3:19-cr-00112-JO

SUPERVISED RELEASE VIOLATION HEARING

June 24, 2019

I certify, by signing below, that the foregoing is a true and correct transcript of the record, taken by stenographic means, of the proceedings in the above-entitled cause. A transcript without an original signature, conformed signature, or digitally signed signature is not certified.

/s/Jill L. Jessup, CSR, RMR, RDR, CRR, CRC

Official Court Reporter
Oregon CSR No. 98-0346

Signature Date: 7/8/19
CSR Expiration Date: 9/30/20