

Rumors and Wild Imagination - Letter to Tom Wetmore

PART ONE OF TWO

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Dear Tom,

I am deeply pained to receive a copy of your web-posted letter. The faithful have, for several weeks, been in earnest prayer over the latest of this long string of expensive lawsuits your office has carried on with the help of non-Adventist lawyers. We have been pleading that the Spirit of God will awaken the General Conference to what it is doing.

Instead, there is now passed to us this self-defensive, almost sarcastic letter. We stand horrified. Is there no way that God can reach you men? Do you not realize what you are doing?

We live in a time when Joel 1:13 to 2:27 should be our united experience today. Yet, sadly, the weeping must be carried on outside, for the men at the porch and the altar are seeking to destroy the worshippers.

However, lest some of the faithful be misled by your high-sounding words, your letter demands a reply. But please know that I do it with deepest sadness. Why should any of the insignificant brethren have to tell our topmost leaders to change their ways?

Because you jump about somewhat in presenting your points, in my reply, I will bundle them under their logical headings rather than sequentially as you presented them. We will identify paragraph (¶) numbers in your presentation.

You sent your charges about me to everyone, but me. I will send my reply to your charges to you; yet you will understand if I also share it with others.

Our church leaders have a problem. **They cannot honestly obtain money from the designated funds for the trademark lawsuits.** This is due to the fact that they dare not take up a special collection in the local churches for money with which to sue fellow Adventists! **Since they cannot do that, they have to misappropriate money collected for some other purpose.** It is as simple as that.

WILD IMAGINATION—“A rumor goes in and out (¶1) . . . his wildly speculative imagination, etc. (¶3)” Tom, the various reports sent out by the faithful about these trademark lawsuits are not rumors, neither are they imagination! They are simple facts about what your office is doing. **It is not difficult for a casual observer to see which side is presenting the facts: Just observe which side is presenting them and which side is avoiding them.** Since 1987, when the trademark litigation began, we have provided the church with approximately eighty 4-page tract news reports and nearly 2,000 pages of legal papers, submitted to various courts across the land. Your side presents nothing more than the briefest of mentions in the *Review* and union papers;—and they consist of little more than generalized admissions that you are doing this to “protect *your* name.”

In addition to factual statements about the suits, we have produced a great deal of historical facts, Spirit of Prophecy statements, and legal data, as to why you should not be doing this.

Yet your side merely says in reply, (1) it must “protect the General Conference’s name” (when it is the property of the believers, not the leaders); and (2) the real problem is those concerned enough to speak up. Ahab called Elijah the troubler in Israel, when, in reality, Elijah was trying to provide the solution. **If Ahab could actually have gotten rid of Elijah, he would have destroyed the nation.** The day that you folk can wipe out all the concerned brethren, the church will become a desolate haunt of buzzards, forsaken even by Heaven.

THE SACRED TITHE CAN BE USED TO PAY SECURITY GUARDS—Well, this is a new one (¶4). **Your argument is that the tithe can legitimately be**

“This action, of appealing to human courts, never before entered into by Seventh-day Adventists, has now been done. **God has permitted this that you who have been deceived may understand what power is controlling those who have had entrusted to them great responsibilities.** Where are God’s sentinels? Where are the men who will stand shoulder to shoulder, heart to heart, with the truth, present truth for this time?”—3 SM 303 (1898).

used to initiate and carry on lengthy lawsuits; since it is equivalent to, what apparently is, your practice of paying security guards from it! Does the church use the tithe flippantly to cover all kinds of expenses, including paying armed guards? Why do you not tell the believers, in the pages of the *Review*, all the things you are using the tithe for?

TITHE USED TO SUPPORT THE GENERAL CONFERENCE—“The . . . fact is that the Church covers its administrative expenses of the conferences out of tithe money.” (§14) I am thankful that you acknowledge this. The funds allocated by the Annual Council for the General Conference Budget come from the faithful tithes paid in by church members throughout the world field. So when a believer pays his tithe, part of it is used to support what you are doing. This is, indeed, unfortunate.

TITHE USED FOR TRADEMARK LITIGATION UP TO 1990—“Since 1990, any trademark litigation and expenses has been paid from non-tithe money.” (§14) **Thank you for admitting that it was paid from the tithe until that year.**

On April 10, 1989, Robert W. Nixon already provided that information, when he wrote: “You inquired whether tithe is used to pay church litigation. The treasury informs me that all litigation is paid from the annual appropriation made at the Annual Council, and that appropriation comes from tithe.” Nixon ought to know, since he has been the lead in-house attorney dealing with the trademark suits since before their inception.

SOURCE OF TRADEMARK LITIGATION FUNDS SINCE 1990—Your letter states that non-tithe funds have been allocated to underwriting all trademark litigation since some time in 1990. Are you aware of what you have admitted? *Let me tell you what you already know:*

The source of 95% all the funds in the church, which the General Conference can play with, are Tithe Funds and Foreign Mission Funds. But let me add more details to this:

The General Conference cannot use Church Expense Funds, for they are retained by the local church.

The General Conference is not supposed to use the percentage of tithe, sent to the local conferences, which they retain or pass on to the unions to be sent, through the General Conference, for overseas workers.

It is only supposed to use the tithe funds allocated to it by the Annual Conference for the yearly General Conference Budget. As you say, prior to

1990, a sizeable portion of that tithe was used to subsidize the trademark lawsuits.

Yet additional clarification is needed here: The conferences not only send Tithe Funds on, through the unions, to the General Conference to be sent overseas; but they also send the Foreign Mission Offerings through the General Conference as well.

It is an interesting fact that 95% of all the less-specific “income of the church” comes from Tithe and Foreign Mission Funds. Aside from that, there is only the special, directly allocated offerings, such as Loma Linda, Famine and Disaster Relief, Liberty Magazine, etc. We presume it is more difficult to misapply those funds.

What other sources of income are there? According to the General Conference Financial Statement, which it hands out at each Annual Council, all that remains is a very small amount which comes to the General Conference for certain trust funds, memorials, etc.

So there we have it: If the General Conference is not now paying from the sacred Tithe Fund the heavy costs, year after year, of those trademark lawsuits (all of which it initiates!),—then it is paying them from the Foreign Mission Offerings! That is, unless it is taking them from Disaster and Famine Relief, ADRA funds supplied by the U.S. Government, or something similar.

What an admission, Tom! Yet there is more!

TITHE FUNDS WERE USED TO PAY OUTSIDE ATTORNEYS UP TO 1995—“Since 1995, all outside legal counsel retained by the General Conference for whatever purpose has been paid from non-tithe money.” (§14) **That sentence, of course, does not agree with the preceding one:** “Since 1990, any trademark litigation and expenses has been paid from non-tithe money.” (§14) **If all litigation and expenses, since 1990, have been paid from non-tithe funds, why have the outside attorneys—which constitutes the lion’s share of the cost—been paid from the tithe down to 1995?**

It is clear that, in General Conference parlance, “all” does not mean “all.” Is your office descending to Clintonesque definitions? Since they are not mentioned in the above definition, very likely, the in-house attorneys handling this case continue to be paid from the tithe right down to the present time.

So Vincent Ramik and his string of outside attorneys’ offices are now paid from the Foreign Mission Offerings. What consolation is that to the faithful? **Has our world headquarters gone berserk, that it variously uses the Tithe and the Foreign**

Letter to Tom Wetmore

**PART TWO
OF TWO**

Continued from the preceding tract in this series

Mission Offerings to harass, financially ruin, and imprison little groups who worship in peace?

HOW MUCH MONEY HAS BEEN SPENT ON THE TRADEMARK LAWSUITS?—You deny the estimate that “the GC has spent \$6 million of tithe in each of three trademark cases.” ¶12 You return to this in ¶15: “As for the \$6 million . . .” *As we reply to this, certain things stand out:*

(1) **You are careful not to disclose the actual cost of the trademark lawsuits. And, for that matter, neither will anyone else at the General Conference. Why?** Because they are enormous! If you really want to settle this, you need to send me an audited statement by the Ernst & Young Accounting Firm, detailing the amount spent on ALL the trademark litigation. (It is a nationally known, reputable firm which the General Conference has worked with in the past.)

(2) **We say those costs are enormous, because they are. It always costs far more for the General Conference to sue a small group—than for the small group to defend itself!** From the very beginning, the General Conference attorneys have feared to soil their hands by personally carrying on these suits. Instead, for each lawsuit (and at times several are in progress at the same time), **two outside law firms are retained to handle each suit.** One is the firm of Diller, Ramik & Wight, in Annandale, VA (the firm name may have changed in more recent years). The other is a local instate law firm. **Over the years, there have been at least seven different instate law firms (in Alabama, Iowa, Washington, D.C., Hawaii, Los Angeles, Maryland, and Florida).**

Tom, you will reply that specialized attorneys are needed for trademark litigation. But the truth is that Max Corbett was neither licensed to practice at a federal bar, nor acquainted with trademark issues,—when, in early 1988, he very quickly obtained a federal court license and became expert in the field; rapidly producing hundreds of pages of legal papers which your fleet of attorneys had great difficulty dealing with. That was because he had truth on his side. Whoever is on the Bible-Spirit of Prophecy side is in the majority.

(3) We are not ashamed of the source of our cost estimates for any of these lawsuits. **We did not obtain the information from the General Conference, because they keep it carefully hidden and do not tell anyone—even conference presidents!** If they were not ashamed to disclose it, they would not hide the facts; but they would present the figures in the

form of a financial statement, approved by a respectable outside auditing firm.

Our source for this was the careful estimates of two attorneys, knowledgeable about such matters. On their say-so, we published these estimates.

(4) **Actually, we have only estimated the cost for three lawsuits, the one in Hawaii, Los Angeles, and Florida.** Why? Because each one of them was lengthy! I frequently read of lawsuits, lasting a few months, which total several million dollars. Yet each of those three suits lasted far longer. *Let us briefly consider each of them:*

The Hawaii case—Vincent Ramik was working on the Hawaii case as early as March 26, 1984 (evidence: our reprint of his letter to John Marik). True, he did not start the suit until after the five-year waiting period expired on November 10, 1986; but the missent letter of March 26, 1984, reveals he was already hard at work collecting General Conference money while preparing a number of future cases. On April 9, 1987, he filed suit against Marik. The case wound along for years, and was not settled until November 14, 1991. During that time, both sides had filed nearly 2,000 pages of legal papers with the court. We have reprinted over 1,500 of them. That case consumed a lot of the Tithe Fund.

By the way, Tom, you say all we have to offer is rumors? We have the facts, Tom—lots of them. It is believed that you also have facts which you dare not disclose.

The Kinship case—In November 1995, Ron Lawson of Kinship International was told to change their name, or else. On December 8, 1987, suit was filed against it. That lengthy suit continued until October 7, 1991.

The Florida case—On March 17, 1997, Perez was told to strike “Seventh-day Adventist” from their church name, or else. More letters followed, including a March 17, 1998, letter by Ramik. The letter included a sickening list of prohibitions required to avoid a lawsuit.

While we are on the subject, Tom, **why is the General Conference afraid to publish the notorious Settlement Agreement in the Review? What are they afraid of? Why do they want the church members to remain ignorant of the Gestapo statements in it? Why do we have to be the ones to publish it?** Why do you label our reprints as “rumors” and “wild imaginations,”—in view of the fact that we reprint the actual documents by the hundreds? We received copies of the *Settlement Agreement* from three different sued groups—in Alabama,

Hawaii, and Florida. I suppose you call them rumors.

That Florida suit dragged on, beyond an October 18, 1999 trial date, to April 13-16, 2000.

Seasoned attorneys have provided us with estimates of millions of dollars for each of those cases. They know attorneys' retainer and hourly fees, ongoing costs, court costs, and likely travel expenses. They know that, in addition to its own staff, the General Conference generously hires two outside law firms to handle every case.

Generous! They surely are generous with attorneys. When the General Conference and three of its officers were sued by David Dennis, the General Conference quickly hired three (3) law firms to defend them! Talk about generous. They must have stacks of money laying around, which they do not know what to do with.

(5) We did not estimate all the other trademark lawsuits! All the others? Yes, all the others!

First, there is the cost of **the Trademark Commission litigation**, which continued from around late 1988 to December 18, 1996, eight years. What did *that* cost?

We did not mention the legal costs of **the Alabama trademark lawsuit**, which ran from February 9, 1987 to September of that year, when Elder Patterson, broken in spirit, finally signed the notorious *Settlement Agreement* on behalf of his Word of Faith Church, 3505 Pulaski Pike, Huntsville, AL 35810. (That suit was a sham; he did not even have the contested name on his sign! The litigation was initiated to try to shut him down, since his powerful Spirit of Prophecy preaching was attracting black Adventists from all over the city.)

We did not mention the legal costs of **the Mason City, Iowa trademark suit** against R. R. Sutton and his United Seventh-day Adventist Church, 128 9th St., N. W., Mason City, Iowa 50401.

We did not mention the legal costs of **the two Washington, D.C. trademark suits** (against small churches in the District): the Tabernacle Seventh-day Adventist Church, 3600 Martin Luther King Blvd., SE, Washington, D.C. 20032; and the Trinidad Church of Seventh-day Adventists, 1201 Staples St., N. E., Washington, D.C. 20002).

We did not mention the legal costs of **the Hyattsville, MD trademark suit** against the Ten Commandments Universal Saturday Seventh-day Adventist Church, 1509 Ray Road, Apt. 301, Hyattsville, MD 20782.

We did not mention the legal cost of **all the air fares, high-priced hotel bills and per diem for restaurants, cabs, etc.**, for your small army of lawyers.

(6) We did not estimate the cost of all the threatened lawsuits! In July 1987, a lady in south-

ern Indiana specifically said that Ramik told her on the phone, **"We already have 30 down; 127 to go. If we take you to court, we will win you too."** *What did that mean?* In this life, we probably will never know. Some things will only be revealed in the final Judgment. We can only assume that Ramik was telling the truth. **Vincent Ramik is probably paid at least \$250 an hour for his time. He has put a lot of it into harassing and suing Seventh-day Adventists.** (In one instance—the Houston Black Church, they were successfully threatened with a suit in order to get the title to the building away from them.)

And it has all been paid from the Tithe or the Foreign Mission Offerings (unless some was lifted from the Disaster and Famine Relief Fund or something similar).

It is an interesting side note that, **in addition to the Houston case, three or four of the above-named lawsuits, plus the Florida one, were filed against black or Hispanic churches. It is surprising that someone has not filed a racial discrimination case against you folk. While we are at it, I notice that you have sued not one of the liberal breakaway groups! You only go after the conservative ones. There appears to be an agenda here.**

(7) We did not estimate the cost of years of in-house General Conference attorney costs. The earliest letter we have from Robert Nixon is to John Marik on March 26, 1984. In the Florida transcript, Nixon testified that he has worked closely with Vincent Ramik on the trademark activities since 1981, when he accompanied Ramik to the Patent and Trademark Commission Office to obtain the permit. In your own letter, you yourself admit you have been actively involved in the litigation. (¶5) How many other in-house General Conference attorneys have been involved?

(8) These trademark costs were so high, and continued so long, that the Annual Council drastically reduced the General Conference Budget back around 1990. How our world headquarters has managed to keep the suits going since then is a secret I would like an answer to. The Annual Council cut back on their money in order to slow them down. Where are they taking the money from?

THE CHURCH SPENDS VERY LITTLE ON TRADEMARK LAWSUITS—"I am confident that if you took Vance Ferrell's figure [for the cost of the Hawaii suit], cut it in quarters and take away a zero, you would still be overshooting the mark by a country mile." (¶5) Let us do a little figuring here: Take my attorney friend's \$6 million estimate for that case. Cut it in quarters (down to \$1,500,000), and take away a zero (which reduces it to \$150,000). (Later in the next paragraph, Tom, you inadvertently raise it a little to "about

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\$240,000” (¶6) My opinion is that I do not believe this.

“I don’t have an active file to check the exact amount.” (¶5) “I do not have the figures in front of me.” (¶8) Tom, you admit that you are only giving your own estimate. I prefer the estimates of the other two attorneys.

However, I would like to see an official financial statement of the costs of that and all other trademark suits, under the signatory audit of Ernst & Young.

THE CHURCH DID NOT DO MUCH LEGAL WORK ON THE HAWAII CASE—“The case was appealed by the Hawaii group after it had been disposed of by the trial court on preliminary motions.” (¶6)

On March 26, 1984, the letters started being sent. On April 9, 1987, the lawsuit was filed. A remarkable flurry of legal papers and hearings occurred in the spring of 1988, resulting in an appeal being filed by Max Corbett, which resulted in a May 11, 1989 Appeals Court hearing in San Francisco, and their decision on October 5. On Friday, December 16, 1989, on the report of a local Adventist pastor, Marik was jailed. The Hawaii case did not end until November 14, 1991. Approximately 2,000 pages of legal papers were filed with the court in the Hawaii case; a large amount of them were by General Conference-paid attorneys. —**And you want us to believe that seven years of activity, a couple thousand pages of legal papers, cooperatively produced by three law firms—only cost the General Conference \$150,000 to \$240,000?**

Little wonder that knowledgeable attorneys recognize that your suits run into the millions of dollars. You folk have such a complicated way of carrying on a lawsuit! Conferring closely with Ramik, your office writes memos, reports, and instructions. Ramik, over in Virginia, sets to work preparing working guidelines and organizing paperwork. In the Hawaii suit, he had to spend a lot of time conversing with, and relaying data to, the legal firm in Honolulu, which carefully wrote legal papers and depositions in accordance with his instructions, which they then filed with the court. At every little hearing, attorneys had to fly to Hawaii from world headquarters and Virginia.

THE HAWAII GROUP WAS CAUSING A BIG PROBLEM FOR THE CONFERENCE—“The Hawaii group was small. The General Conference likely wouldn’t have known of them or even gotten involved but for the fact that it was creating a big problem for the Hawaii Conference.” (¶7) That is not the way I heard it from a number of Adventists on the Kona Coast, both in and out of Marik’s church. John Marik had a flat, smallish type of personality, and his remarkably little group (eleven before the suit; nine immediately after it was filed) kept to itself. They never advertised

in any way (except for the little weathered, wooden sign on the wall of their little place. They did nothing to invite others to attend, and relatively few did. No one wanted to hear him. The church was located some distance from the conference church in Kona. No, Tom, the reason for that suit was to win a precedent. In addition, the Kona Coast was nicely situated nearly 3,000 miles from the mainland. Hopefully, the church members in the States would not learn about headquarter’s bloodthirsty tactics in Hawaii.

It is of interest that you excuse the Hawaii lawsuit because the group “was small” (¶7) and “creating a big problem.” (¶7) The Spanish Church in the 16th century used the same excuse when it applied thumbscrews and the stretching rack to humble non-conformists. How could such a “small” group (primarily consisting of women and children) create a “big problem”? On which side do we find the wild imagination?

RAMIK IS NOT ROMAN CATHOLIC—“Vince Ramik (who is not a Catholic as Ferrell continues to insist).” (¶6) Why should anyone think that Vincent Ramik is a Roman Catholic? Why should there be any controversy over this matter at all? The reason is simple enough: **In 1981, it was stated four times, in the Review, that Vincent Ramik was a Roman Catholic (September 17, 1981).** Why did they say that, if he did not tell them? I cannot believe they lie out of whole cloth. Yet, later, when the General Conference became increasingly embarrassed that its tithe-supported chief trademark-suit attorney was a Roman Catholic,—Ramik suddenly changed and began claiming to have been a faithful Protestant all his adult life!

Looking more closely at this, in that issue of the *Review*, we find that **twice the Review editors said Ramik was a Roman Catholic, and twice Ramik himself said he was a Roman Catholic!** Here are the statements; the last three of which occur during the printed interview with him.

1981 ADVENTIST REVIEW: RAMIK IS A ROMAN CATHOLIC—“Vincent L. Ramik, senior partner of Diller, Ramik & Wight, Ltd., a lawyer who practices patent, trademark, and copyright law in Washington, D.C., . . . **Ramik, a Roman Catholic**, spent more than 300 hours researching 1,000 relevant cases [for the E. G. White plagiarism issue].”—“*Ellen White’s Use of Sources*,” *Adventist Review*, September 17, 1891, p. 3, para. 1, 3.

“*Ramik*: Mrs. White moved me [as I read her writings]! In all candor, she moved me. **I am a Roman Catholic**; but, Catholic, Protestant, whatever—she moved me.”—*Op. cit.*, p. 2, para. 18.

“**I’m not a practicing Roman Catholic.** I was born one; but my wife happens to be a Protestant; **one child is baptized a Catholic**, one is baptized a Protestant. I guess you could say we are an ‘ecumenical’ family!”—

"*There Simply Is No Case*," p. 4, para. 22.

"*Review*: Did the fact that **Mr. Ramik, a Roman Catholic**, would of necessity have to read *The Great Controversy* in its entirety (**which some Catholics** find personally offensive) concern you as you contemplated retaining him?

"*Johns*: **We recognized that some Adventists might wonder about whether he could be objective.** But, on the other hand, if we hired an Adventist lawyer and he came up with a favorable conclusion some perhaps would say, 'Oh, well, he had an ax to grind—what else would you expect?' Anyway, we already knew Mr. Ramik to be highly professional and objective, and, most important, we wanted to know the truth—let the chips fall where they might."—*Op. cit.*, p. 7, para. 7.

1990 GENERAL CONFERENCE STATEMENT: RAMIK HAS NOT BEEN A ROMAN CATHOLIC FOR OVER 25 YEARS, BUT HAS BEEN A PRESBYTERIAN FOR 25 YEARS—"You may also wish to know that our trademark counsel, **Mr. Vincent Ramik, who is often described as a Roman Catholic by independent publications, is a Presbyterian.** Mr. Ramik was raised in a Roman Catholic family, but abandoned those beliefs as a college student. After marriage, he and his wife **joined a Presbyterian church, of which they have been members now for a quarter century.**"—*Robert W. Nixon, Associate General Counsel to the General Conference, letter dated February 8, 1990, paragraph 4.*

We might ask: If Ramik has been a Protestant all his adult life, and his wife has always been a Protestant, **why is one of his children a baptized Catholic? Why, in 1981, did Ramik say he was a Roman Catholic if he was not a Roman Catholic?**

Tom, for your information, we no longer say Ramik is a Roman Catholic; we briefly note the disparity of statements, and pass on to other matters. There are so many other horrors in these ongoing lawsuits, that we do not have time to spend on Ramik's religion. From start to finish, the General Conference position on the trademark suits, their purpose, financing, and management appears to contain both secrecy and deception.

CONCLUSION—Because of your fussing, more information has here been revealed than earlier. Frankly, the wider we open this can of worms, the worse it looks. You folk ought to be ashamed of what you are doing. Instead, you seem hardened beyond change.

That concludes our reply to Tom's widely circu-

lated letter. Here are a few additional points:

MISHANDLING OF FUNDS INEVITABLE IN THESE SUITS—Fund integrity requires using received offerings for the purpose intended. But no Seventh-day Adventist believer would knowingly give money to destroy fellow believers. Therefore, the money for the lawsuits must be wrongfully taken from tithe, foreign missions, or something else. That is fund dishonesty.

Fund Integrity—In order to use the correct funds for the trademark lawsuits, a call would have to be made in the local churches, for donations for a fund to prosecute faithful Adventist believers in the courts. The members would have to be told that millions of dollars are needed for this purpose. Only when that was done could there be fund integrity.

Fund Dishonesty—This is also known as fund misappropriation. A call is made in the churches for Tithe and Foreign Mission Offerings. Millions of dollars of it is then diverted and instead used to persecute, hail into court, fine, and imprison faithful Advent believers—and, ultimately, remove their Adventism from them. This dastardly work is funded with misappropriated (stolen) money. It is a violation of the Eighth Commandment.

VIOLATES THE TEN COMMANDMENTS—The trademark lawsuits violate all ten of the commandments. Read the list given in Exodus 20 and consider the ramifications. Every commandment is broken by this diabolical practice.

Then turn to *Great Controversy*, chapter 3, and read it just as carefully. You will find a slow progression of apostasy occurred in the Church of Rome. It took centuries to perfect the final step, *the Inquisition*.

A REPEAT OF THE INQUISITION—Yet the General Conference today is fast moving into that orbit. For its success, the Inquisition required three things: (1) The Church would select those who should receive persecution. (2) The State would obey by applying the persecution. (3) A carefully worked-out plan for inflicting extreme misery would be under the continual oversight of the Church. —*vf*

"The saints are to judge the world. Then are they to depend upon the world, and upon the world's lawyers to settle their difficulties? God does not want them to take their troubles to the subjects of the enemy for decision. Let us have confidence in one another."

—3 SM 303 (1903)