

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

HARVEST BIBLE CHAPEL, THROUGH )  
JAMES SCOTT MILHOLLAND, COO; RONALD )  
DUITSMAN, ELDER BOARD CHAIRMAN; )  
WILLIAM SPERLING, ELDER BOARD )  
MEMBER; AND JAMES S. MACDONALD, )  
BOTH INDIVIDUALLY AND AS SENIOR )  
PASTOR OF HARVEST BIBLE CHAPEL, )

Plaintiffs, )

vs. )

No. 2018 L 011219

RYAN MICHAEL MAHONEY, MELINDA )  
MAHONEY, SCOTT WILLIAM BRYANT, )  
SARAH BRYANT, AND JULIE STERN ROYS, )

Defendants. )

**DEFENDANT ROYS' MOTION PURSUANT TO  
ILLINOIS SUPREME COURT RULE 137 FOR SANCTIONS**

Julie Stern Roys, by her counsel of record, Rathje Woodward LLC, hereby moves for an award of sanctions against the plaintiffs pursuant to Illinois Supreme Court Rule 137. In support of her motion, defendant Roys states as follows:

**I. INTRODUCTION**

1. Plaintiffs filed a six-count complaint asserting claims for violation of the Deceptive Trade Practices Act and Defamation *per quod* against each of the defendants. Plaintiffs are the officers of a not-for-profit religious institution known as Harvest Bible Chapel. As to defendant Roys, plaintiffs' complaint is littered with patently false allegations asserted against Ms. Roys in violation of Illinois Supreme Court Rule 137.

2. At the outset of this case, Ms. Roys, through her counsel, demanded that the complaint be dropped pursuant to Rule 137. Notwithstanding that demand, plaintiffs persisted

with their complaint for three months, when they finally dismissed the complaint without prejudice on January 17, 2019. As a consequence of prosecuting this matter for three months' time, Ms. Roys was forced to incur substantial attorneys' fees in violation of the rule. Accordingly, Ms. Roys prays that this Court find that the plaintiffs violated Rule 137 when they signed the complaint against Ms. Roys and enter an appropriate sanction that indemnifies her for this ill-advised and improper lawsuit.

## II. THE PROCEDURE AND THE PLEADINGS.

### A. The Procedure.

3. Plaintiffs filed their verified complaint on October 17, 2018. A copy of the verified complaint is attached as Exhibit A to this motion.

4. Each of the plaintiffs signed the verified complaint.

5. The same day, plaintiffs filed a verified emergency motion for temporary restraining order, and attempted to present the emergency motion for temporary restraining order *ex parte*.

6. Having filed the matter in the law division, the circuit court judge sitting in the law division transferred the matter to the chancery division in order for the *ex parte* emergency motion for temporary restraining order to be heard.

7. That afternoon, October 17, 2018, the Honorable Diane J. Larsen, sitting in the chancery division, considered the *ex parte* emergency motion for temporary restraining order and denied the motion finding that "there is no emergency articulated by the motion warranting an expedited hearing and that the movement has not established that this matter needs to be resolved on an expedited basis."

8. Judge Larsen's order instructed the plaintiffs "to spindle the motion on the court's regular call" and to "deliver a copy of this order to the non-moving parties along with a copy of the motion and complaint."

9. Plaintiffs then attempted to present their emergency motion for temporary restraining order on October 25, 2018, but failed to properly spindle the motion. Counsel for the defendants appeared and objected to the improper notice, so the Court did not hear the emergency motion for temporary restraining order on that day and instructed plaintiffs to spindle their motion.

10. Thereafter, plaintiffs never attempted to spindle or present the emergency motion for temporary restraining order.

11. On October 22, 2018, Ms. Roys filed a motion to dismiss plaintiffs' complaint.

12. In November 2018, Ms. Roys implemented a strategy of propounding written discovery to the plaintiffs and third-parties, believing that once information concerning the truth of the matters asserted in the Complaint were made available in discovery, then plaintiffs would dismiss the case.

13. Ms. Roys propounded interrogatories and production requests to the plaintiffs on November 14, 2018.

14. Ms. Roys issued third-party record subpoenas to key third-party witnesses, Williams, White and Wisen on November 30, 2018.

15. The third-party witnesses immediately provided documentation to counsel for Ms. Roys in response to the record subpoenas. In the wake of receiving the documents produced by third-parties, plaintiffs brought an emergency motion for a protective order to bar disclosure of any information obtained in discovery.

16. Separate and apart from the litigation, on November 30, 2018, plaintiffs posted on their website “ANSWERS TO TWO MEDIA QUESTIONS.” (Exhibit B)

17. In response to the question “Why have we involved Julie Roys, and was it to suppress a story she was working on about Harvest in matters we feared, becoming public?”

Plaintiffs stated in part:

The issue with Julie Roys is her lack of objectivity and how she came to focus on Harvest Bible Chapel, a church she has never participated in. Our awareness of her attempts to stir up gossip, sow discord, inflame old animosities, and confront sensitive matters with specific church families in order to discredit the church led us to include her in the lawsuit.

(Ex. B)

18. Judge Larsen heard plaintiffs’ emergency motion for entry of a protective order on January 7, 2019, and denied the motion. Immediately thereafter, plaintiffs announced on their website that they intended to dismiss the lawsuit without prejudice.

19. On January 17, 2019, the circuit court entered an order dismissing the matter without prejudice.

20. Ms. Roys now brings this motion within thirty (30) days of the dismissal of the lawsuit.

**B. The Pleading.**

21. Allegations 59 to 115 contain scores of allegations concerning supposedly defamatory statements published on The Elephant’s Debt website. (Ex. A, ¶¶ 59-115).

22. Plaintiffs allege that Ms. Roys, in conjunction with the other defendants, were “the principal authors of the ED website.” This statement falsely associates Ms. Roys with scores of supposedly defamatory comments she never made.

23. To further associate Ms. Roys with the other defendants, plaintiffs claimed that Ms. Roys' husband "is a former work associate of Defendant R. Mahoney." These assertions are entirely false and without any basis.

24. Roys' first contact with the authors of The Elephant's Debt happened via email in April 2018, which is after all the allegedly defamatory statements were published on the Elephant's Debt website. It was evident from the website at the time the Complaint was filed that the last post by Elephant's Debt was in December of 2017. (Ex. B)

25. The Complaint alleges that Ms. Roys "intentionally made false statements in an effort to defame James S. MacDonald in her blog posting." (Ex. A, ¶ 123) However, there was nothing even remotely negative about James MacDonald published on Ms. Roys blog before October 17, 2018, when the lawsuit was filed. Plaintiffs never identified any defamatory blog posting on Ms. Roys' blog.

26. The Complaint alleges that Ms. Roys made false statements in "an effort to harm the reputation of James S. MacDonald in other digital and written media." (Ex. A, ¶ 124) The allegation is false. In addition, Plaintiffs never articulate what Ms. Roys published that was allegedly false about MacDonald, to whom the false statement of fact was published or when.

27. Plaintiffs also alleged that in March 2017, Roys contacted "multiple Moody board members in an effort to pressure them to remove James S. MacDonald and his program 'Walk in the Word' from the Moody program schedule . . ." Ms. Roys did not contact any Moody board members in March 2017.

28. The Complaint alleges that Ms. Roys contacted former staff members of Harvest and "began asserting false allegations involving the Plaintiffs." (Compl. ¶ 125) Actually, former staff members of Harvest contacted Roys and asked her to hear their stories and consider

investigating Harvest. After hearing their stories, and discerning that they were credible, Roys began following up on leads and seeing if she could verify their stories.

### III. ANALYSIS.

#### A. Illinois Supreme Court Rule 137.

29. Illinois Supreme Court Rule 137 provides in pertinent part as follows:

The signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well grounded in fact and is warranted by existing law or a good-faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation....

If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of reasonable expenses incurred because of the filing of the pleading, motion or other paper, including a reasonable attorney fee.

Ill. Sup. Ct. Rule 137.

#### B. Plaintiffs Have Violated Rule 137.

30. The Purpose of Supreme Court Rule 137 authorizing sanctions for filing frivolous pleadings or motions is to prevent abuse of the judicial process by penalizing claimants who bring vexatious and harassing actions based upon unsupported allegations of fact and law; it is not intended to simply penalize litigants for lack of success; rather, its aim is to restrict litigants who plead frivolous or false matters without any basis in law. *Fremarek v. John Hancock Mut. Life Ins. Co.*, 272 Ill.App.3d 1067, 1074, 651 N.E.2d 601, 606 (1st Dist. 1995).

31. Here, the factual allegations against Roys are patently false and would have been easily known to be false following a reasonable inquiry at the time of filing.

32. Plaintiffs admitted in their website on November 30, 2018, that they did not have a good faith basis for filing the lawsuit. (Ex. B)

33. As a consequence of being named in this frivolous lawsuit, Roys incurred attorneys' fees in excess of \$30,000.

WHEREFORE, defendant Julie Stern Roys prays for an order from this Court sanctioning the plaintiffs for having violated Rule 137 and ordering plaintiffs to reimburse Ms. Roys for all costs and reasonable attorneys' fees incurred in this matter and such other relief as this Court deems just and proper.

Dated: February 19, 2019

Respectfully submitted,

/s/Charles L. Philbrick

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*Attorneys for Defendant Julie Stern Roys*

**CERTIFICATE OF SERVICE**

I, Charles L. Philbrick, an attorney, certify that on February 19, 2019, I served a true and correct copy of Defendant Julie Stern Roys” Motion pursuant to Illinois Supreme Court 137 for Sanctions via electronic transmission upon:

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/s/ Charles L. Philbrick  
Charles L. Philbrick



12-Person Jury

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FILED  
10/16/2018 3:45 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL

HARVEST BIBLE CHAPEL,  
THROUGH JAMES SCOTT MILHOLLAND,  
COO; RONALD DUITSMAN, ELDER )  
BOARD CHAIRMAN; WILLIAM )  
SPERLING, ELDER BOARD MEMBER; )  
AND, JAMES S. MACDONALD, BOTH )  
INDIVIDUALLY AND AS SENIOR )  
PASTOR OF HARVEST BIBLE )  
CHAPEL, )

Plaintiffs, )

vs. )

No.: 2018L011219

RYAN MICHAEL MAHONEY, )  
MELINDA MAHONEY, )  
SCOTT WILLIAM BRYANT, SARAH BRYANT, )  
and JULIE STERN ROYS. )

Defendants. )

COMPLAINT AND JURY DEMAND

NOW COMES the Plaintiffs, Harvest Bible Chapel, through James Scott Milholland,  
COO; Ronald Duitsman, Elder Board Chairman; William Sperling, Elder Board Member; and  
James S. MacDonald, individually and as Senior Pastor of Harvest Bible Chapel, by and through  
their attorney, The Law Office of Michael J. Young, and complains of Defendants,  
Ryan Michael Mahoney, Melinda Mahoney, Scott William Bryant, Sarah Bryant, and  
Julie Stern Roys and alleges as follows:

PARTIES

1. Plaintiff, Harvest Bible Chapel (hereinafter "Harvest") is an Illinois, registered non-for-profit corporation church that has its main campus in Rolling Meadows, Illinois. Harvest also has locations in Elgin, Illinois; Chicago, Illinois; Highland Park, Illinois; Crystal Lake, Illinois; Niles, Illinois; Aurora, Illinois; and Naples, Florida.
2. Plaintiff, James S. MacDonald is a resident of Elgin, Illinois, and is the Senior Pastor of Harvest Bible Chapel.
3. Plaintiff, James Scott Milholland resides in St. Charles, Illinois, and is the Senior Executive Pastor/COO of Harvest Bible Chapel.
4. Plaintiff, Ronald Duitsman resides in Downers Grove, Illinois, and is the Elder Board chairman of Harvest Bible Chapel.
5. Plaintiff, William Sperling resides in Palatine, Illinois, and is a member of the Elder Board of Harvest Bible Chapel.
6. Defendant Ryan Michael Mahoney (hereinafter "R. Mahoney") is a resident of Wheaton, Illinois, County of DuPage. Defendant R. Mahoney is one of the principal individuals that operates the website, "The Elephant's Debt" (hereinafter "ED").
7. Defendant Melinda Mahoney, (hereinafter "M. Mahoney") is a resident of Wheaton, Illinois, County of DuPage. Defendant M. Mahoney provides material support to the ED website, including but not limited to providing funds for computer(s) that are used to create, edit, host and maintain the ED website, and providing funds for internet access for the ED site.

8. Defendant, Scott William Bryant, (hereinafter "SW. Bryant") is a resident of Geneva, Illinois. Defendant SW. Bryant is one of the principal individuals that operates the website, "The Elephant's Debt," (hereinafter "ED").
9. Defendant, Sarah Bryant (hereinafter "S. Bryant") is a resident of Geneva, Illinois. Defendant S. Bryant provides material support to the ED website, including but not limited to providing funds for computer(s) that are used to create, edit, host and maintain the ED website, and providing funds for internet access for the ED site.
10. Defendant Julie Stern Roys (hereinafter "Roys") is an author, speaker, blogger, podcaster, and was the host of a radio show on Moody Radio in Chicago, Illinois. Defendant Roys is also the owner and author of the website "Julieroys.com". Defendant Roys is a resident of Carol Stream, Illinois, County of Cook.
11. Plaintiffs hereby reserves the right to add additional Defendants to this Complaint. Four (4) additional Defendants are being considered by the Plaintiffs.

#### NATURE OF CASE

12. Harvest Bible Chapel (Harvest) began as a group of eighteen people from five different churches throughout northwest suburban Chicago seeking to form a new church.
13. Harvest was launched on September 18, 1988, at the Rolling Meadows High School in Rolling Meadows, Illinois with 207 individuals in attendance.
14. Upon its founding, James S. MacDonald was invited to serve as Senior Pastor.
15. Harvest was founded based on a vision developed by its initial founders that grew into the "Five Pillars". These Pillars are: Unapologetic Preaching; Unashamed Adoration; Unceasing Prayer; Unafraid Witness; and Unconditional Love.

16. In 1995, after seven years of meeting at the Rolling Meadows High School, Harvest congregation members secured its own property located at 800 Rohlwing Road, Rolling Meadows, Illinois.
17. On September 10, 1995, the first service was held in the Rolling Meadows location.
18. On August 24, 1997, Harvest received a monetary gift and an influx of members from the former Prospect Heights Baptist Church, following the closing of the Prospect Heights Baptist Church.
19. Additionally, in 1997, Pastor James S. MacDonald and Kathy MacDonald first aired the "Walk in the Word" radio program, intended to proclaim the gospel and cultivate a hunger for more gospel preaching.
20. In 1998, Harvest launched the Vision 2000 campaign to expand its ministries by funding the completion of unfinished space at the existing Rolling Meadows Campus.
21. The Vision 2000 campaign resulted in the construction of: the Cornerstone Cafe; new classrooms; offices; a gym; a commercial kitchen; a Learning Center; and the Chapel.
22. In March of 2000, the Harvest Bible Chapel Elder Board through Pastor James S. MacDonald shared a vision for the church to plant "10 churches in 10 years".
23. Pastor Ron and Jody Zappia, along with 300 church members, founded Harvest Bible Chapel Glen Ellyn, which has now relocated to Naperville, Illinois, and is known as High Point Church.
24. In 2002, Harvest Bible Fellowship (HBF) was formed with the objective of executing the stated vision of planting "10 churches in 10 years" vision.
25. HBF achieved its goal of founding its first 10 churches within four years of its formation.

26. In 2002, a supporter of the "Walk in the Word" radio show offered Harvest 650 acres of property in Newaygo, Michigan for the purposes of establishing a camp. On July 28, 2002, Camp Harvest was launched on this property.
27. In 2003, Harvest was the recipient of a gift in Elgin, Illinois, that included +/- 60 acres, a 280,000 square foot building and 900 car parking garage valued then at approximately \$53,000,000.
28. In September 2004, the first service was held in Elgin, Illinois.
29. In 2004, a small and struggling congregation in Niles, Illinois voted to join Harvest and gift their building to Harvest, valued then at approximately \$3,000,000, with improvements added since that time.
30. The resulting Elgin Campus also became home to the Harvest Christian Academy, a preschool through grade twelve Christian school of 700 students.
31. In 2006, the church planted Harvest Bible Chapel Crystal Lake defaulted on a \$6,000,000 mortgage. The former Elder Chairman and former Business Pastor at that time, obligated Harvest Bible Chapel of Rolling Meadows without Board approval for the entire default amount, which was added to the church's mortgage.
32. From 2005-2007, rapid growth and construction overruns resulted in Harvest's implementation of an extensive revision of its financial system and controls, including Harvest's establishment of an audit committee, a finance committee, and a compensation committee. Each committee is overseen by lay leaders with expertise in their particular field.
33. On September 1, 2007, Harvest dedicated a new building in Crystal Lake, Illinois as the home for the Crystal Lake Campus.

34. On September 2, 2009, Harvest began holding worship meetings at a school in the Wicker Park neighborhood of Chicago.
35. In the summer of 2009, the Elders established a task force to study like-minded churches of its similar size and doctrine to determine the most appropriate, biblically-based governance and accountability structure.
36. This study resulted in a 21-page report with recommendations to the Elder Board.
37. The task force recommended an expansion of both the number and skill diversity of biblically-qualified Elders, much of which was adopted by the board and has facilitated a greater effectiveness in the Elder Board governance and accountability for staff.
38. On January 23, 2011, two-hundred members of the Elgin campus opened the Aurora Campus in a former TV studio.
39. In September 2012, Harvest was gifted the Scottish Rite Cathedral in the Gold Coast neighborhood of Chicago, valued then at approximately \$10,000,000. This launched the Harvest Cathedral Campus and moved services that began originally in the Wicker Park school to this location.
40. On April 8, 2012, a group of people launched its first service as the North Shore Campus at the Winnetka Community House.
41. By 2012, HBF was responsible for founding sixty-two (62) Harvest Bible Chapels around the world.
42. In September 2013, Harvest was unanimously approved for full accreditation by the board of the Evangelical Council for Financial Accountability, following a full financial review by their president and treasurer.
43. In 2014, HBF opened its 100th church in Brantford, Ontario.

44. In September 2015, the church members that were meeting in the Winnetka Community House relocated to a permanent location on Deerfield Road in Highland Park, Illinois.
45. As of the start of the 2016 school year, the Harvest Christian Academy has 700 students and more than 90 staff members.
46. In April 2016, Harvest Bible Chapel acquired a permanent location for the Aurora Campus. From the sale of the Aurora television studio, \$4,000,000 cash was utilized to pay down the principal balance on the church's mortgage.
47. Camp Harvest offers programming for students' summer and winter camps, residential addiction recovery, a yearly men's retreat, a pastoral retreat and training, as well as other family ministries.
48. The ministry at Camp Harvest that Harvest Bible Chapel developed includes formal ministry programs for kids, students, men and woman, each of which consists of weekly programming as well as events occurring throughout the year.
49. The weekly church ministry of Harvest Bible Chapel, with regular attendance over 12,000, also includes stewardship training for members around time, talent, treasure, and testimony, and offers biblical counseling services to members.
50. Ministries for church members and regular attenders extend to benevolence contributions (cars, home maintenance, meals) and beyond members and regular attenders to compassion contributions (food pantry, mentoring, prison ministry, seasonal volunteerism).

51. Harvest Bible Chapel has expanded the ministry to several forms of media: Music (Vertical Worship, established 2012, has released four albums), Film (Vertical Church Films, established 2012, has produced short films and one feature length film), and Television and Radio (Walk in the Word TV, established 2014, which brings preaching by television shows that can be viewed by 98% of American households. Weekly Nielsen ratings exceed 3,000,000 viewers weekly; Arbitron cumulative rating exceeds 2,000,000 viewers weekly).
52. In 2018, Harvest Bible Chapel launched a new ministry, Mission Harvest which has a primary focus on church planting. Mission Harvest is available and helps 170 churches which were planted in the seventeen years of HBF, as well as countless churches large and small around the world that have a like minded commitment to church planting. Today, Mission Harvest provides resources for church planters such as training, conferences, and short-term mission trips.
53. Annually, Harvest Bible Chapel and related ministries obtain regular financial audits from Capin Crouse an independent accounting firm. These audits have been posted publicly on the church's website since 2013.
54. Harvest Bible Chapel is governed by an Elder board that consists of 31 members.
55. The Elder board is responsible for the spiritual direction of the church and its related ministries. Included in the Elder Board responsibilities is the approval of all rates of compensation for staff, including Pastor James S. MacDonald. Additionally, the Elder board establishes policy to mandate the way in which they want the church to run and holds its more than 400 staff accountable to conforming to those policies through monthly meetings with senior staff.



56. The specifics of Elder policy governance are detailed in the church's bylaws and available for viewing on the church's website.
57. On or before September 2013, Harvest Bible Chapel was found to be in full compliance with all Evangelical Council for Financial Accountability (ECFA) standards. After review audits from 2010 forward, ECFA's board voted unanimously to grant full accreditation to Harvest Bible Chapel, which established with finality the immense integrity undergirding all financial matters at Harvest Bible Chapel. The seven ECFA standards are located at [:http://www.ecfa.org/Standards.aspx](http://www.ecfa.org/Standards.aspx).
58. Capin Crouse, the independent accounting firm which has audited Harvest Bible Chapel and its related ministries, and ECFA affirm that Harvest Bible Chapel and all of its related ministries meet or exceed all established standards confirming their fiscal integrity and financial strength. These endorsements established beyond any reasonable doubt the financial integrity of Harvest Bible Chapel between the years 2012 to present.
59. Defendant R. Mahoney was a former Harvest employee and recent graduate of Wheaton Graduate School who was disciplined on three separate occasions while he was a teacher at Harvest Christian Academy (HCA) for negating James S. MacDonald's sermons and influencing HCA students to share his cynical view of Harvest and its culture. In 2010, this resulted in the decision not to renew his teaching contract, at which time he immediately ceased church attendance and began circulating false and discrediting information about James S. MacDonald and Harvest Bible Chapel. Defendant R. Mahoney has stated privately to many individuals that the goal of ED is that "either James leaves Harvest or everyone else does."

60. While attending Harvest Bible Chapel, Defendant R. Mahoney met Defendant SW. Bryant, who had become equally divisive after being declined a teaching opportunity that he repeatedly pursued. SW. Bryant stopped attending Harvest at the same time R. Mahoney ceased his attendance. At that time, they began publishing negative and defamatory information about Harvest on SW. Bryant's propriety website, Blood Stained Ink, the precursor to the full-scale attack website, [TheElephantsDebt.com](http://TheElephantsDebt.com), which began in October 2012.
61. TheElephantsDebt.com website ("ED") falsely and negligently states that Harvest Bible Chapel "by 2010 had \$70 Million in debt and barely survived a bankruptcy in 2006". The publication of this statement damages James S. MacDonald and Harvest Bible Chapel by contradicting the veracity of their public statements that the church's mortgage never reached that amount. This statement has been continually republished as of the date of this Complaint.
62. The ED website falsely asserts that Harvest Bible Chapel was on the edge of bankruptcy. This statement portrays the church as irresponsible in its governance and its communication with the church members, and promotes the ED website's own frequent refrain that the church is weak financially. This statement has been continually republished as of the date of this Complaint.
63. The ED website calls the church's mortgage "reckless debt" and falsely asserts that it was accumulated prior to the church's assets exceeding \$100 million. This statement has been continually republished as of the date of this Complaint.

64. The ED website falsely asserts that Harvest Bible Chapel amassed mortgage debt that exceeds its assets, implying that a bank loaned to them with insufficient collateral as security. This statement has been continually republished as of the date of this Complaint.
65. The ED website falsely wrote, "James S. MacDonald bears the lion's share of the responsibility for accumulation \$70 million dollars of debt. He likewise bears the responsibility for telling the congregation that he would build out under certain terms and then proceeded to build out under very different terms, without correcting or revising the congregations' expectations." This false and negligent statement caused harm to James S. MacDonald and Harvest Bible Chapel by portraying him as an autocratic leader not following the authority of the Elder Board. This statement has been continually republished as of the date of this Complaint.
66. The Ed website falsely, negligently, and harmfully gathered and published the opinion of two former Elders who were removed on the basis of performance failure and presented that information as having greater weight than the 40 other Elders who were providing meaningful oversight and accountability. In addition, those 40 Elders heard and unanimously rejected the former Elders' opinions published on the ED website. Those statements have been continually republished as of the date of this Complaint.

67. The ED website did falsely and harmfully publish the view point of former Elders who breached broadly accepted board policy and fiduciary responsibility by falsely and unlawfully reporting financial details about the church's finances. These false reports caused harm to James S. MacDonald and Harvest Bible Chapel by forcing them to absorb these falsehoods or publicly expose the former elders to a factual refutation of their assertions. This statement has been continually republished as of the date of this Complaint.
68. The ED website did wrongly equate the opinions of three additional former Elders who were ineligible to serve on the board because, as vendors to the church or recipients of financial support for their own non-profits, they failed to resolve their conflicts of interest and issues of self-dealing, per the church laws. By equating the discordant opinion of three former Elders with the viewpoints of Elders numbering more than ten times that, many being completely objective, non-conflicted men, the ED website casts false light on the health of Plaintiffs, Harvest Bible Chapel and the reason James S. MacDonald along with the rest of the board rejected their subjective and contrary viewpoint. This statement has been continually republished as of the date of this Complaint.

69. ED falsely and detrimentally equate the opinion of a small number of additional former Elders, removed for cause, with the unanimous opinion of a much larger group of current leaders. ED perpetuated its false viewpoint by making no attempt at any time to meet with current Elders and rejecting all efforts to enlighten them through internal documents, board minutes, and first-hand accounts. This reckless disregard for truth caused damage to the reputations of Harvest Bible Chapel and its leaders, including James S. MacDonald as Senior Pastor and James S. MacDonald individually. This statement has been continually republished as of the date of this Complaint.
70. The ED website posted an article that falsely alleged that James S. MacDonald was under reporting his present compensation. This statement has been continually republished as of the date of filing of this Complaint.
71. The ED website falsely and negligently asserted that James S. MacDonald had the discretion to disclose his income from the church, contrary to the policy of the Elders. This statement impugned MacDonald's character for not usurping the Elder authority they elsewhere assert he disregards. This statement has been continually republished as of the date of filing of this Complaint.
72. The ED falsely portrays James S. MacDonald as being financially irresponsible and unresponsive to the direction of the Elders. This statement has been continually republished as of the date of filing of this Complaint.
73. The ED website, falsely wrote, "Regarding the 5G campaign, the elders did not address whether MacDonald continues to believe that he speaks for the Lord when talking to his congregation about how much money they should give to these fund raising efforts". This false and negligent statement is harmful to James S. MacDonald and Harvest Bible

Chapel by portraying him as a deity and as an autocratic leader who does not follow the authority of the Elder Board. This statement has been continually republished as of the date of this Complaint.

74. The ED website falsely asserts that MacDonald chose to infuse the issue of race into the discussion at the Elephant Room 2 Conference. This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel by portraying him as racially insensitive. This statement has been continually republished as of the date of this Complaint.
75. The ED website falsely asserts that James S. MacDonald had "numerous streams of revenue" tied to Harvest Bible Chapel and that he demanded a 40% pay raise. Both comments are falsely sourced in statements traceable to the former Elder board chairman who breached his fiduciary responsibility in giving these false reports and who himself made significant income through monopolizing health and life insurance sales (that were not competitively bid for many years) through his volunteer role at the church, which he never disclosed to anyone or made public. In fact, upon our information and belief, it was his loss of income and not his loss of board position that caused him to make these false statements. This was the only Elder board member not employed by the church who was compensated for his time. This statement has been continually republished as of the date of filing of this Complaint.
76. The ED website falsely asserts that there was no mention of the 5G campaign helping with debt relief at the outset of campaign. This is demonstrable false, negligent and harmful to James S. MacDonald and Harvest Bible Chapel as it portrays them as misleading the congregation and undermining confidence in their fiduciary leadership.

This statement has been continually republished as of the date of filing of this Complaint.

77. The ED website falsely wrote that James S. MacDonald is above reproach and is a lover of money, evidencing an underlying character problem which disqualifies him from ministry. This false and negligent statement caused harm to James S. MacDonald and Harvest Bible Chapel by portraying him as unqualified for pastoral ministry in contradiction of the unanimous position of the Elder Board and detrimentally interferes with the independence and governance of a self-governing local church. This statement has been continually republished as of the date of filing of this Complaint.
78. The ED website negligently reported the false accusation that James S. MacDonald gambled at a casino table “with buy-ins in the multiple thousands of dollars. If this is slanderous libel, I implore him to say so directly.” This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel by portraying him as unaccountable to his Elders, which falsely discredits the healthy and biblical governance of Harvest Bible Chapel. This statement has been continually republished as of the date of filing of this Complaint.
79. The ED website negligently reported the false accusation that James S. MacDonald had a gambling problem and “has been disciplined a few times by his Elders in the last 10 years for this issue in his life.” This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel by portraying him as unaccountable to his Elders, which falsely discredits the healthy and biblical governance of Harvest Bible Chapel. This statement has been continually republished as of the date of filing of this Complaint.

80. The ED website falsely equates poker with gambling, then falsely asserts that by playing poker, James S. MacDonald has contradicted his teaching that addiction to gambling evidences greed. These false and negligent statements cause harm to James S. MacDonald and Harvest Bible Chapel by portraying that he is a lover of money and thereby disqualifying him as pastor of a local church. This statement has been continually republished as of the date of filing of this Complaint.
81. The ED website falsely asserted "that James S. MacDonald has ceased to qualify as an Elder" for failing to be above reproach and being a lover of money. This false and negligent statement from the Defendants, who are non-members of the church but attempt to assert a right of governance granted only to the Elders of Harvest Bible Chapel as per the church's by-laws, portray him as financially irresponsible, which falsely discredits his suitability to lead a local church. This statement has been continually republished as of the date of filing of this Complaint.
82. The ED website falsely asserted that James S. MacDonald "bears the responsibility for granting himself half the power invested in the Elder Board of Harvest Bible Chapel." This false and negligent statement caused harm to James S. MacDonald and Harvest Bible Chapel by portraying him as an autocratic leader who changed the church's governance structure on a whim, which undermines Congregation confidence in his leadership. This statement has been continually republished as of the date of this Complaint.



83. The ED website falsely asserted that James S. MacDonald did not address “Jakes’ well established history of preaching the prosperity gospel” simply because he did not do so publicly. This false and negligent statement caused harm to James S. MacDonald and Harvest Bible Chapel by attempting to discredit 30 years of faithful Bible teaching upon which the congregants of Harvest Bible Chapel have come to rely, which falsely discredits his suitability to lead a local church. This statement has been continually republished as of the date of filing of this Complaint.
84. The ED website falsely published that James S. MacDonald “failed to treat with temperance, self-control, respectability and gentleness all members of The Void.” This false and negligent statement causes harm to James S. MacDonald and Harvest Bible Chapel by failing to consider many reconciliations and attempted reconciliations that have taken place, sins that have been confessed, and members of The Void who would not agree entirely with this assertion, thereby injuring the confidence of church members who have heard and seen the very opposite. This statement has been continually republished as of the date of filing of this Complaint.
85. The ED website correctly asserts that the decision about James S. MacDonald continuing to serve as an Elder/Pastor “now rests with the body of Harvest Bible Chapel and the Elders that have been appointed to serve as their leader”. Yet the Defendants continue to this day to publish false and negligent statements undermining the decisions they acknowledge are not theirs. This action is harmful to James S. MacDonald and Harvest Bible Chapel by interfering in the private practices of an organization fully conforming to charitable law. This statement has been continually republished as of the date of filing of this Complaint.

86. The ED website posted an article that falsely portrayed James S. MacDonald as leading an unhealthy culture at Harvest Bible Chapel, erroneously and negligently stating that the core culture problem is the character of MacDonald. This statement has been continually republished as of the date of filing of this Complaint.
87. The ED website falsely stated the Pastors' Retreat house at Camp Harvest "effectively functions as MacDonald's personal property," that only MacDonald family "photographs adorn this space," and that renovations to the home amounted to "opulent interior decorating on his vacation home." These false and negligent statements caused harm to James S. MacDonald and Harvest Bible Chapel by impugning their motives for assisting more than 50 different pastoral families with needed rest and refreshment, many on multiple occasions, in a facility the Elders designated for that purpose. This statement has been continually republished as of the date of filing of this Complaint.
88. The ED website falsely asserted that one Elder's defense of another Elder is objective and unrelated to any private interest. This false and negligent statement caused harm to James S. MacDonald and Harvest Bible Chapel by portraying them as fairly criticized by objective men who have no personal advantage relative to their statements. This statement has been continually republished as of the date of this Complaint.
89. The ED website falsely wrote, "Dr. Allchin appears to believe that there are a growing number of people who are no longer confident in the leadership of James S. MacDonald," when in reality, Dr. Allchin was removed from the Elder Board of Harvest Bible Chapel as a unanimous action of the Elder board and for cause in March 2009. This false and negligent statement from a former Elder caused harm to James S. MacDonald and Harvest Bible Chapel by publishing bias and malice aforethought.

90. The ED falsely wrote “no leader of Harvest has ever contacted either author of The Elephant’s Debt following its publication in October 2012.” This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it contradicts James S. MacDonald’s public statements about seeking reconciliation and undermines congregational confidence. This statement has been continually republished as of the date of filing of this Complaint.
91. The ED website published the false and unsubstantiated claims of the former Elder board chairman whose self-dealing and multiple conflicts of interest were the only financial irregularities flagged during the Evangelical Council for Financial Accountability’s (ECFA) five-year review of the church’s financial practices in September 2013. These false and negligent statements are harmful to James S. MacDonald and Harvest Bible Chapel in that they cannot be refuted apart from full disclosure of the former chairman’s lack of integrity in fulfillment of his fiduciary role. This statement has been continually republished as of the date of filing of this Complaint.
92. The ED website falsely asserted, “over the past 12 months, many people have asked why Moody Bible Institute continues to air “Walk in the Word” on its airwaves in light of TED and the numerous former Elders and pastors that have testified at TED.” This statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it interferes with a business contract by a competitor and undermines the integrity and credibility of their 21-year radio ministry, in the eyes of the congregation and global audience. This statement has been continually republished as of the date of filing of this Complaint.

93. The ED website falsely asserted that James S. MacDonald “recently paid off the mortgage on his \$2.1 million Inverness home.” This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it indicates a financial capacity he does not possess and falsely ascribes it to excess compensation, which falsely diminishes his credibility in the eyes of the congregation. This statement has been continually republished as of the date of filing of this Complaint.
94. The ED website falsely promised to cease publication about Harvest Bible Chapel, then by beginning afresh in June of 2017, caused harm to James S. MacDonald and Harvest Bible Chapel by republishing previous false statements and adding to the library of misinformation so that an entirely new group of church members were exposed to all damages detailed in this Complaint. This statement has been continually republished as of the date of filing of this Complaint.
95. The ED website falsely asserts that Ron Zappia inexplicably rebranded his church from Harvest Bible Chapel to Highpoint Church, the insinuation being that this reflected a separation between Harvest Bible Chapel, James S. MacDonald and Ron Zappia, which is false. Further the decision for the rebranding was collaborative. This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it wrongly characterizes a longstanding and treasured relationship as acrimonious, which it is not, and thereby casts this important relationship in false light. This statement has been continually republished as of the date of filing of this Complaint.

96. The ED website falsely asserts that Ron Zappia spearheaded [which he did not] a forced resignation [which did not happen]. This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it caused the members of the church to believe that important long term relationships with ministry partners are unraveling. This statement has been continually republished as of the date of filing of this Complaint.
97. The ED website falsely asserts that James S. MacDonald's resignation from Harvest Bible Fellowship (HBF) was not fully voluntary and that he attempted to obfuscate the truth. This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it has no basis in fact and causes the members of harvest to believe they are unwelcome in the many churches they have planted. This statement has been continually republished as of the date of filing of this Complaint.
98. The ED website falsely asserted that James S. MacDonald claims of lifestyle adjustment were untrue. They further asserted that he had not reduced the size of his home, that he attempted to manipulate public opinion, and that these choices were not entirely voluntary. These false and negligent statements are harmful to James S. MacDonald and Harvest Bible Chapel in that they cause church members to believe their confidence is misplaced. This statement has been continually republished as of the date of filing of this Complaint.

99. The ED website falsely stated “that James S. MacDonald was relieved of leadership duty and he is to remain on staff solely for the purposes of teaching/preaching.” This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that it causes church members to believe their confidence is misplaced. This statement has been continually republished as of the date of filing of this Complaint.
100. The ED website falsely wrote that James S. MacDonald was forced to resign or he was terminated from HBF and that certain HBF pastors threatened to leave if James S. MacDonald remained as president. This statement has been continually republished as of the date of filing of this Complaint.
101. The ED website falsely wrote that HBF demanded an audit of HBF funds using their own auditors. This false and negligent statement is harmful to James S. MacDonald and Harvest Bible Chapel in that is characterized the financial review as a demand from HBF versus what it actually was, a request from Harvest Bible Chapel leadership. This statement has been continually republished as of the date of filing of this Complaint.
102. The ED website falsely stated that Dave Wisen (“Wisen”) was the source of ‘tens of millions of dollars’ to Harvest. This statement has been continually republished as of the date of filing of this Complaint.
103. The ED website posted that there were significant and routine conflicts that occurred between James S. MacDonald and the Elder Board, falsely portraying that James S. MacDonald did not respect the Elder Board. This statement has been continually republished as of the date of filing of this Complaint.

104. The ED website falsely accused James S. MacDonald of structuring the Elder Board in a way to minimize their ability to govern and assert control over the direction of the church. This statement has been continually republished as of the date of filing of this Complaint.
105. The ED website intentionally published an illegally obtained copy of an inaccurate, factually false and financially damaging private letter from Wisen regarding Harvest. This content published by the ED website alleging missing HBF funds, failure to provide promised financial support, or any other malfeasance is harmful and negligent to James S. MacDonald and Harvest Bible Chapel by portraying financial impropriety and disqualification in ministry. This letter has been continually republished as of the date of filing of this Complaint.
106. The ED website falsely posted and grossly misrepresented that Harvest amassed approximately \$70 million of debt under the leadership of James S. MacDonald. This statement has been continually republished as of the date of filing of this Complaint.
107. The ED website personally attacked James S. MacDonald's character by falsely stating that he requested a 40% increase to his base salary, and followed that by questioning his character. This statement has been continually republished as of the date of filing of this Complaint.
108. The Defendants through the ED website falsely accused James S. MacDonald of being guilty of financial impropriety by stating that James S. MacDonald's renovations of Harvest were reckless and irresponsible. This statement has been continually republished as of the date of filing of this Complaint.

109. The ED website falsely accused James S. MacDonald of offering “hush money” as a way of covering up alleged wrong doing. This statement has been continually republished as of the date of filing of this Complaint.
110. The ED website extensively edited its executive summary, reasserting its primary falsehood and establishing a current timeframe for its false and negligent statements, causing harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of filing of this Complaint.
111. The ED website falsely asserts that a substantial sum of the church's debt reduction did not come from their operation budget, but from the sale of the Aurora Campus. This negligent and harmful statement falsely contradicts the Elders’ assertion that careful financial management of the general fund has led to the majority of the mortgage reduction, thereby undermining congregational confidence in its leadership. This statement has been continually republished as of the date of filing of this Complaint.
112. The Ed website falsely asserts that “Walk in the Word,” which was made a fully-integrated auxiliary of Harvest Bible Chapel in 2009, did so to hide MacDonald’s income from Walk in the Word. This false and negligent statement disparages James S. MacDonald’s motives for ministry and casts doubt upon the Elders’ ability to provide meaningful accountability. This statement has been continually republished as of the date of filing of this Complaint.



113. The ED website falsely asserts that the Elders of Harvest asked James S. MacDonald “several times to cease from gambling, to stop gambling ‘for the sake of his weaker brother.’” This false and negligent statement has no basis in fact and causes harm to James S. MacDonald and Harvest Bible Chapel by influencing the church’s members to fear James S. MacDonald is not in submission to the Elder board. This statement has been continually republished as of the date of filing of this Complaint.
114. The ED website falsely states James S. MacDonald’s current home in Elgin, Illinois is larger than the home he voluntarily vacated in 2013. This false and negligent statement causes harm to James S. MacDonald by calling his integrity into question among church members and the worldwide ministry family. This statement has been continually republished as of the date of filing of this Complaint.
115. The Defendants through the ED website falsely published an assertion that Randy Williams former chairman of the Elder Executive Committee resigned from the board in protest of the way content was developed and distributed to the congregation in an update from the Elders of the church. This statement is false in that he neither protested nor resigned. This false and negligent statement is damaging to James S. MacDonald and Harvest Bible Chapel in that it seeks to further impugn congregational confidence in the healthy distribution of authority between church staff and its Elders. This statement has been continually republished as of the date of filing of this Complaint.
116. At all relevant times the Defendants, as the principal authors of the ED website, have always been in the practice of approving all reader comments before they were published on the website.

117. It was and is the practice of the owners and authors of the ED website to approve all slanderous and damaging content regarding James S. MacDonald.
118. It was and is the practice of the Defendants as the owners and authors of the ED website not to publish the comments that sought to refute the false damaging and incorrect content that was posted on the ED website.
119. Defendant Roys is an author, speaker, blogger, podcaster, and was the host of a radio show on Moody Radio in Chicago, Illinois. Defendant Roys works extensively and in mutual partnership with the authors of ED. Further, Defendant Roys' husband is a former work associate of Defendant R. Mahoney.
120. Defendant Roys was scheduled to be the keynote speaker at a Harvest Bible Chapel women's event in and around February 2017.
121. On or about February 2017, Harvest canceled Defendant Roys' speaking engagement at the Harvest Bible Chapel women's event due to her reckless and negligent statements about Moody Bible Institute which is a significant ministry partner of Harvest Bible Chapel.
122. On or about March 2017, Defendant Roys intentionally made false statements in an effort to defame James S. MacDonald in her reporting. Roys contacted multiple Moody board members in an effort to pressure them to remove James S. MacDonald and his program "Walk in the Word" from the Moody program schedule where it has been aired for 18 years.
123. On or about March 2017, Defendant Roys intentionally made false statements in an effort to defame James S. MacDonald in her blog posting.

124. On or about March 2017, Defendant Roys intentionally made false statements in an effort to harm the reputation of James S. MacDonald in other digital and written media in which she communicates with the public.
125. Defendant Roys began contacting former staff members of Harvest Bible Chapel and has been asserting false allegations involving the Plaintiffs, Harvest Bible Chapel and James S. MacDonald, which the Plaintiffs became aware of in September 2018.
126. Interviews conducted by Defendant Roys with current and former employees who were present during events alleged by Defendant Roys, deny the occurrence of any event and are willing to provide statements on oath to support their testimony.
127. On or about September 30, 2018, one witness, Sandy Song, who was present to an alleged event, requested a meeting with Defendant Roys, and Defendant Roys refused to meet with her.
128. Defendant Roys, in an effort to have her previous radio program reinstated on Moody Radio and to regain the position she was fired from at Moody Bible Institute, contacted the former chair of Moody Bible Institute, Jerry Jenkins, and threatened to further publicize his poker playing. During this call, Roys quoted materials from the ED website, falsely and negligently stating that Plaintiff, James S. MacDonald was only kept on Moody radio after ED publications of many falsehoods herein stated, because they were poker buddies. These false and negligent statements are harmful to Harvest Bible Chapel and to James S. MacDonald by undermining support for his broadcast ministry.

129. On or about October 5, 2018, Plaintiffs sent Defendant Roys a gracious e-mail invitation to meet with the Elders of the Harvest Bible Chapel and discuss her desire to publish a story about Harvest Bible Chapel. Defendant Roys refused to meet.
130. On or about October 11, 2018, Defendant Roys contacted former Harvest Bible Chapel employee, Joel Smith, and demanded that he turn over video footage with the intent to further gain an unfair competitive advantage.
131. On October 12, 2018, Defendant Roys contacted Plaintiffs' employee, Sharon Kostal, through a voicemail, informing her of a pending story that she was writing for World Magazine and requesting to schedule interviews with current staff members of Plaintiffs. Sharon Kostal returned Defendant Roys telephone call within two hours, offering to assist and asking names of those to be interviewed. Sharon Kostal also sent Defendant Roys a text message affirming the same details. Defendant Roys did not respond for 24 hours, then texted with a request to communicate via e-mail.

#### JURISDICTION AND VENUE

132. Jurisdiction is proper in the State of Illinois by virtue of 735 ILCS 5/2-209(a)(1), and (7), (b)(4) and (c); the transaction of any business within this state and the making or performance of any contract or promise substantially connected with this State.
133. Venue is proper in Cook County under 735 ILCS 5/2-101 (1), (2), as most Defendants reside in Cook County. In addition, Cook County is the County in which the transactions at issue, or at least some part thereof, arose.
134. Plaintiffs seek an amount greater than \$30,000.01 and disavows any judgment, (including attorney fees and costs) greater than \$70,000.00.

FIRST CLAIM FOR RELIEF

PLAINTIFFS HARVEST BIBLE CHAPEL, THROUGH JAMES SCOTT MILHOLLAND, COO; RONALD DUTSMAN, ELDER BOARD CHAIRMAN; WILLIAM SPERLING, ELDER BOARD MEMBER; AND JAMES S. MACDONALD, BOTH INDIVIDUALLY AND AS SENIOR PASTOR OF HARVEST BIBLE CHAPEL

AGAINST DEFENDANTS:

RYAN MICHAEL MAHONEY,  
MELINDA MAHONEY,  
SCOTT WILLIAM BRYANT, SARAH BRYANT  
JULIE STERN ROYS

ILLINOIS DECEPTIVE TRADE PRACTICES ACT

815 ILCS 510/2. et seq.

135. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 134 of this Complaint, as if the same were herein set forth verbatim.
136. At all times relevant hereto there existed in the State of Illinois a certain statute commonly known as the Uniform Deceptive Trade Practices Act, 850 ILCS 510/1 et seq. (the "Act").
137. Section 2 of the Act provides in relevant part:
- (a) A person engages in a deceptive trade practice when, in the course of his or her business, vocation, or occupation, the person:
  - (8) disparages the goods, services, or business of another by false or misleading representation of fact.
138. Section 3 of the Act provides:
- A person likely to be damaged by a deceptive trade practice of another may be granted injunctive relief upon terms that the court considers reasonable. Proof of monetary damage, loss of profits or intent to deceive is not required. Relief granted

for the copying of an article shall be limited to the prevention of confusion or misunderstanding as to source.

Costs or attorneys' fees or both may be assessed against a defendant only if the court finds that he has willfully engaged in a deceptive trade practice.

The relief provided in this Section is in addition to remedies otherwise available against the same conduct under the common law or other statutes of this state.

139. The services and trade of Harvest are in the ministry and fellowship it provides and the spiritual message it delivers.
140. Harvest grows its congregation and expands the delivery of its ministry and the ability to deliver its message of spirituality and Christianity based upon its reputation and that of its pastors and Elder Board.
141. It is the duty and mission of Harvest and its pastors to teach and spread the gospel and to equip their followers to do the same.
142. Pastors are held in special regard due to their position within the church and their devoutness, reverence and adherence to the teachings of Christ and the church. The reputation of the pastors and church are intertwined such that the reputation of the pastor is the reputation of the church and any diminution of the reputation and fealty of the pastor tarnishes the church itself and interferes with its ability to minister to its followers and spread the word of God to others.
143. If church followers lose trust in the pastor (messenger), they lose trust in the message, and a pastor who loses the trust of his flock cannot effectively minister and deliver the gospel and its religious teachings.
144. The false and misleading statements of the ED website regarding Pastor James S. MacDonald diminish the church in the eyes of its followers and those it would minister, and thereby interferes with the services of Harvest.

145. The ED website threatens to continue with the publication of false and misleading lies regarding Harvest and its pastors, which in turn poses a further threat to Harvest's ability to effectively communicate the gospel and proselytize.

146. Harvest has been damaged and it is likely Harvest will continue to be damaged or suffer further damage by virtue of the ED's website continued publication of false and defamatory materials.

WHEREFORE, Plaintiffs pray this Honorable Court enter an injunction prohibiting Defendants from publishing false and misleading statements, or statements that disparage Harvest, its spiritual message or its pastors, and award it damages in an amount to be proven at trial.

#### SECOND CLAIM FOR RELIEF

PLAINTIFFS HARVEST BIBLE CHAPEL, THROUGH JAMES SCOTT MILHOLLAND, COO; RONALD DUITSMAN, ELDER BOARD CHAIRMAN; WILLIAM SPERLING, ELDER BOARD MEMBER; AND JAMES S. MACDONALD, BOTH INDIVIDUALLY AND AS SENIOR PASTOR OF HARVEST BIBLE CHAPEL

AGAINST DEFENDANT:

JULIE STERN ROYS

ILLINOIS DECEPTIVE TRADE PRACTICES ACT  
815 ILCS 510/2, et seq.

(Competing Business)

147. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 146 of this Complaint, as if the same were herein set forth verbatim.

148. At all times relevant hereto there existed in the State of Illinois a certain statute commonly

known as the Uniform Deceptive Trade Practices Act, 850 ILCS 510/1 et seq. (the "Act").

149. Section 2 of the Act provides in relevant part:

- (a) A person engages in a deceptive trade practice when, in the course of his or her business, vocation, or occupation, the person:
- (8) disparages the goods, services, or business of another by false or misleading representation of fact.

150. Section 3 of the Act provides:

A person likely to be damaged by a deceptive trade practice of another may be granted injunctive relief upon terms that the court considers reasonable. Proof of monetary damage, loss of profits or intent to deceive is not required. Relief granted for the copying of an article shall be limited to the prevention of confusion or misunderstanding as to source.

Costs or attorneys' fees or both may be assessed against a defendant only if the court finds that he has willfully engaged in a deceptive trade practice.

The relief provided in this Section is in addition to remedies otherwise available against the same conduct under the common law or other statutes of this state.

- 151. Defendant Roys is an author, speaker, blogger, and podcaster. Defendant Roys was a previous radio host on Moody Radio in Chicago, Illinois.
- 152. Defendant Roys generates revenue from her work as an author, speaker, blogger and podcaster.
- 153. Plaintiff James S. MacDonald is also an author, speaker and is the host of a radio program on Moody Radio in Chicago, Illinois.
- 154. Defendant Roys is engaged in a similar business as that of the Plaintiffs and is competing to attract the same market share as the Plaintiffs.



155. The Defendant intentionally has made false, misleading and untrue statements about the Plaintiffs to discredit the good name of the Plaintiffs in order to directly interfere with the ministry and broadcast opportunities available to James S. MacDonald.
156. Plaintiff Harvest Bible Chapel gains benefit from James S. MacDonald's work as an author, speaker and radio host.
157. Defendant Roys has made and published false and misleading statements against the Plaintiffs to benefit her competing business and to try to increase her market share.
158. As a direct and proximate cause of the Defendant's conduct, the Plaintiffs have been injured.

WHEREFORE, Plaintiffs pray this Honorable Court enter an injunction prohibiting Defendant from publishing false and misleading statements, or statements that disparage Harvest Bible Chapel, its spiritual message or its pastors, and award it damages in an amount to be proven at trial.

THIRD CLAIM FOR RELIEF

PLAINTIFFS HARVEST BIBLE CHAPEL, THROUGH JAMES SCOTT MILHOLLAND, COO; RONALD DUTTSMAN, ELDER BOARD CHAIRMAN; WILLIAM SPERLING, ELDER BOARD MEMBER; AND JAMES S. MACDONALD, BOTH INDIVIDUALLY AND AS SENIOR PASTOR OF HARVEST BIBLE CHAPEL

AGAINST DEFENDANTS:

RYAN MICHAEL MAHONEY,  
MELINDA MAHONEY,  
SCOTT WILLIAM BRYANT, SARAH BRYANT

DEFAMATION PER QUOD

159. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 158 of this Complaint, as if the same were herein set forth verbatim.
160. Defendants through the ED website falsely published in a negligent act that Dave Wisen was “singular” source of “tens of millions of dollars” to Harvest Bible Chapel and James S. MacDonald. Dave Wisen, individually, never contributed tens of millions of dollars to Harvest Bible Chapel. This statement harms Harvest Bible Chapel’s reputation by giving the impression that Harvest is disproportionally supported by the financial support of a single person. In truth, Harvest Bible Chapel and its related ministries have tens of thousands of financial supporters. This statement has been continually republished as of the date of this Complaint.
161. Defendants through the ED website falsely claimed that James S. MacDonald solely authored the Elder Update content which was distributed to the congregation, rather than truthfully reporting that the Elder Board had authored the content. This statement harms

James S. MacDonald's reputation personally and Harvest Bible Chapel reputation by undermining the congregations' confidence of the fact that the church's decisions are made collectively by the Elder Board, and negligently states that James S. MacDonald privately shapes every decision within the church and behaves as an autocrat. This statement has been continually republished as of the date of this Complaint.

162. Defendants through the ED website falsely and negligently asserted that Randy Williams, the Chairman of the Executive Elders, had resigned as a result of a dispute regarding the content of an Elder Board Update distributed to the congregation. This false allegation harms the reputation of James S. MacDonald by impugning the impartial, non-vocational authority of the Elder, who serves as the cornerstone of donor trust. By falsely stating that Randy Williams resigned over an event that in truth never took place, Defendants through the ED website damage the reputation of James S. MacDonald by insinuating that he cannot follow the biblical authority he is under and be a trustworthy pastor. This statement has been continually republished as of the date of this Complaint.

163. Defendants through the ED website published that James S. MacDonald was forced to resign from Harvest Bible Fellowship on June 14, 2017. This published statement by Defendants is false and the actions of publishing the false information is negligent which damages James S. MacDonald's reputation by suggestion he is untrustworthy and reckless with the church's ministry. This statement has been continually republished as of the date of this Complaint.

164. Defendants through the ED website wrote that Harvest Elders “remove MacDonald from leadership; retain him for teaching”. This statement is false and the actions negligent which has damaged James S. MacDonald’s reputation by suggesting that the Elder Board lacks confidence in the very role the Elder Board has defined for James S. MacDonald at the church. This statement has been continually republished as of the date of this Complaint.
165. Defendants through the ED website negligently published an illegally obtained unauthorized and factually inaccurate and false letter from David Wisen, which was financially damaging and which called into question the integrity of James S. MacDonald and Harvest Bible Chapel. There was no missing money, no unpaid support, or any other malfeasance as the letter asserts. The letter was procured illegally and published without permission from the author, Dave Wisen. The unauthorized negligent public publication of the letter damages the reputation of James S. MacDonald by alleging financial impropriety of James S. MacDonald personally and the financial impropriety of the church leadership. This statement has been continually republished as of the date of this Complaint.
166. Defendants through the ED website falsely, negligently and without permission, published the factually false private letter authored by Dave Wisen which accused James S. MacDonald of offering “hush money” and requiring a “hush clause” as a way of covering up alleged Harvest’s “wrongdoing.” This false and negligent publication of the letter damages James S. MacDonald’s reputation and Harvest Bible Chapel’s reputation by insinuating financial impropriety. As to James S. MacDonald, he was not directly involved in any negotiations and settlement of financial issues raised within the letter.

This statement has been continually republished as of the date of this Complaint.

167. Defendants through the ED website, falsely and negligently asserted through publication that \$573,000 was unaccounted for due to Harvest Bible Chapel's mismanagement. This false negligently published allegation, which was disproved by independent outside auditors, Capin Crouse, harms the reputation of James S. MacDonald personally by suggestion moral and financial impropriety on his part. The HBF representatives were told that the \$573,000 was a detailing of the way the two organizations shared portions of many salaries of their staff members, based upon work performed for each organization. It was the privacy of the salaries that led to the lack of detailed disclosure. The leader of the HBF representatives declined an offer from the CFO of HBC to view the salary amounts and verify the totals in private. It is the longstanding practice of Harvest Elders not to disclose individual salaries of its staff members, except as they are set by the compensation committee of the church. Further, this false negligently published allegation, which was disproven by independent outside auditors, Capin Crouse, harms Harvest Bible Chapel, by undermining the financial obligation and duty the church has to biblically steward the donations provided by the members. This statement has been continually republished as of the date of this Complaint.
168. Defendants through the ED website routinely negligently publish comments of its readership without any concern for defamatory content of the comments. For instance, Defendants through the ED website published the following comment: "Does James have a gambling addiction? Is that how he met the new guy? [referring to Harvest's hire of special counsel]. Maybe the new guy wrote off online gambling debt for James. It makes sense with how in debt the church is. Plus the personality reminds me of a mean drunk."

This comment, published by the Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald by falsely and negligently publishing on a public website the suggestion that James S. MacDonald had a gambling addiction and/or unpaid gambling debts. This statement has been continually republished as of the date of this Complaint.

169. Defendants through the ED website routinely negligently publish comments of its readership without any concern for defamatory content of the comments. Defendants through the ED website negligently published the following comment: "You tell a group of senior pastors to go get screwed, then you quit Harvest, pull the funding, fire the innocent employees, get called out for not paying your share, then get caught playing games with the money, and then to top it off in the name of being above reproach blames the guys who are picking up the pieces and trying to keep peace and require that they say nothing about what you tried to pull over their eyes. This is pure evil and we see right through your spin attempts." This comment, published by Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald and Harvest Bible Chapel by falsely and negligently publishing on a public website the suggestions that the statement is truthful and accurate. In this case, the entire statement is false and the Defendants were negligent in knowingly publishing the statement with the singular intent to bring harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of this Complaint.

170. Defendants through the ED website routinely negligently publish comments of its readership without any concern for defamatory content of the comments. Defendants through the ED published a letter from a disgruntled former staff member: "when you are on staff at Harvest, there is a culture that encourages you to remain silent. it is a culture of fear." This comment published by the Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald and Harvest Bible Chapel by falsely and negligently publishing on a public website the suggestion that the statement is truthful and accurate. In this case, the statement is false and the Defendants were negligent in knowingly published the statement with the singular intent to bring harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of this Complaint.

171. Defendants through the ED website routinely negligently publish comments of its readership without concern for defamatory content of the comments. Defendants through the ED website negligently published the following comment: "I am sure in the course of time there would be many more stories of the fear culture that exists in the Harvest workplace. As a result, it would appear that allegedly, James is not a nice person in the workplace and is not a good manager of people. An environment of fear and trembling within Harvest has long been shrewdly cultivated by James S. MacDonald. But the fear and trembling are for James, and not for the LORD! His defiant attitude of extreme entitlement, at the terrible expense of others, appears to have at long last infected the entire leadership of Harvest." This comment, published by the Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald and Harvest Bible Chapel by falsely and negligently publishing on a

public website the suggestion that the statement is truthful and accurate. In this case, the statement is false and the Defendants were negligent in knowingly published the statement with the singular intent to bring harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of this Complaint.

172. Defendants through the ED website routinely negligently publish comments of its readership without any concern for defamatory content of the comments. Defendants through the ED website published: "James is a Prideful, Power Hungry, Bully or a man surrounded by enablers. The enablers are surrounded with decent Christians trying to make a difference by training disciples for Christ. The sheep below leadership are indoctrinated to fear asking any questions of the Church. When this works it creates a submissive man, not to Christ but to the toxic leadership of the Church." This comment, published by the Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald and Harvest Bible Chapel by falsely and negligently publishing on a public website the suggestion that the statement is truthful and accurate. In this case, the statement is false and the Defendants were negligent in knowingly publishing the statement with the singular intent to bring harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of this Complaint.

173. Defendants through the ED website routinely publish comments of its readership without any concern for defamatory content of the comments. Defendants through the ED website published: "Harvest continues to bring in young future leaders and expose them to this twisted cult like culture of leadership. It is damaging the Church on a scale



much greater than just the local member's faith. It is sending their young Brothers out with a blueprint rooted in self-gain and self-promotion". This comment, published by the Defendants on the ED website was done with the expressed negligent intent to harm the reputation of James S. MacDonald and Harvest Bible Chapel by falsely and negligently publishing on a public website the suggestion that the statement is truthful and accurate. In this case, the statement is false and the Defendants were negligent in knowingly published the statement with the singular intent to bring harm to James S. MacDonald and Harvest Bible Chapel. This statement has been continually republished as of the date of this Complaint.

- 174. The statements by the Defendant that were published on the ED website are false.
- 175. The Defendants knew or acted in reckless disregard of the truth of the statements when they published and or allowed the statements to be published.
- 176. The Plaintiffs have been damaged as a result of the asforesaid false statements.

WHEREFORE, Plaintiffs prays that this Honorable Court enter judgment against Defendants jointly and severally, as follows:

- A. Awarding compensatory damages in the amount within the jurisdictional limits of this Court, or in an amount that is found to be fair and just;
- B. Granting such other relief as may be just and equitable.

FOURTH CLAIM FOR RELIEF

PLAINTIFFS HARVEST BIBLE CHAPEL, THROUGH JAMES SCOTT MILHOLLAND, COO; RONALD DUITSMAN, ELDER BOARD CHAIRMAN; WILLIAM SPERLING, ELDER BOARD MEMBER; AND JAMES S. MACDONALD, BOTH INDIVIDUALLY AND AS SENIOR PASTOR OF HARVEST BIBLE CHAPEL

AGAINST DEFENDANT:

JULIE STERN ROYS

DEFAMATION PER QUOD

177. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 176 of this Complaint, as if the same were herein set forth verbatim.
178. On or about March 1, 2018, to the date of filing, Defendant Roys has in reckless disregard of the truth published to third parties false statements about Harvest Bible Chapel and James S. MacDonald. In these false statement, Defendant Roys has made assertions that James S. MacDonald has a gambling problem and can not be trusted with finances. This has damaged both Harvest Bible Chapel and James S. MacDonald because members, viewers, and listeners of the church and related ministries believe the false and negligent publications of the Defendant and lose trust in the message of the church and James S. MacDonald and thereby the church and James S. MacDonald lose the financial support of these individuals.
179. The statements of Defendant Roys about the Plaintiffs were made in reckless disregard for the truth and/or with the knowledge of that the statements were false.

180. As a direct and proximate result of Defendants Roys' false and malicious claims Plaintiff Harvest Bible Church has suffered damage and continues to suffer damages.

WHEREFORE, Plaintiffs pray that this Honorable Court enter judgment against Defendants as follows:

- A. Awarding compensatory damages in the amount within the jurisdictional limits of this Court, or in an amount that is found to be fair and just;
- B. Granting such other relief as may be just and equitable.

**FIFTH CLAIM FOR RELIEF**

PLAINTIFFS HARVEST BIBLE CHAPEL, THROUGH JAMES SCOTT MILHOLLAND, COO; RONALD DUTSMAN, ELDER BOARD CHAIRMAN; WILLIAM SPERLING, ELDER BOARD MEMBER; AND JAMES S. MACDONALD, BOTH INDIVIDUALLY AND AS SENIOR PASTOR OF HARVEST BIBLE CHAPEL

AGAINST DEFENDANTS:

RYAN MICHAEL MAHONEY,  
MELINDA MAHONEY,  
SCOTT WILLIAM BRYANT, SARAH BRYANT

FALSE LIGHT

- 181. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 180 of this Complaint, as if the same were herein set forth verbatim.
- 182. The statements of Defendants as pleaded above are false, are highly offensive to the reasonable person, and the Defendants knew that the information was false at the time they were asserting the false claims.

183. The Defendants routinely demonstrated a reckless disregard for the truth and publicly placed the Plaintiff James S. MacDonald in a False Light.
184. The Defendants made over (20) false public statements as pleaded herein that were intentionally designed to mislead the reader and listener of the Plaintiff James S. MacDonald, so as to paint the Plaintiff James S. MacDonald as unfit and not qualified to be a spiritual leader of the church, and recklessly sought to destroy the ministry of Harvest Bible Chapel with the public dissemination of the false information.
185. The false and reckless statements of Defendants were offensive and embarrassing and had a negative impact on the Plaintiff James S. MacDonald's ability to be a spiritual leader and to effectively minister and advocate the gospel.
186. The false and reckless statements made by the Defendants created the false light which was cast upon the Plaintiff James S. MacDonald, which was the direct and proximate cause of the loss of more than 2,500 church members and more than three million dollars in donations were a direct and proximate result of Defendants' false statements.
187. Any reasonable person, and any reasonable pastor would be offended and embarrassed by the false and reckless statements made by the Defendants' statements.
188. The false and reckless statements made by the Defendants failed to ascertain the truth of their statements and failed to conduct any reasonable investigation into the facts prior to publishing their claims.
189. Defendants' statements are alarming and disturbing and have caused Plaintiff James S. MacDonald great embarrassment and emotional distress, and has interfered with his ability to be the spiritual leader of Harvest Bible Chapel.

190. As a direct and proximate result of Defendants' false and malicious claims Plaintiff James S. MacDonald has suffered damage and continues to suffer damages.

WHEREFORE, Plaintiffs pray that this Honorable Court enter judgment against Defendants jointly and severally, as follows:

- A. Awarding compensatory damages in the amount within the jurisdictional limits of this Court, or in an amount that is found to be fair and just;
- B. Granting such other relief as may be just and equitable.

#### SIXTH CLAIM FOR RELIEF

#### TRO AND INJUNCTION

191. Plaintiffs hereby realleges and reaffirms paragraphs 1 through 190 of this Complaint, as if the same were herein set forth verbatim.
192. Plaintiffs Harvest Bible Chapel and James S. MacDonald have a clearly ascertainable property right in and to their reputations and good names.
193. The good name of Harvest Bible Chapel and James S. MacDonald allow them to be effective at serving the mission of ministering, teaching and spreading the gospel of Jesus Christ, which in turn allows and encourages the members, listeners, readers and viewers to financially support the ministry of Harvest Bible Chapel.
194. The false and malicious statements of Defendants have created scandal which is doing a continuing harm to the Plaintiffs.

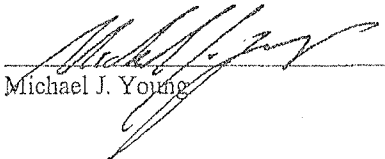
195. Churches and pastors are held to a higher standard by societal norms than the general population and other non-profit agencies; as such when there is a scandal at a church, the church members, radio/podcast listeners, readers and TV viewers and those served by the ministry of Harvest Bible Chapel react negatively and that negative reaction damages the church and its pastors.
196. All of the Defendants have created artificial barriers and impediments to the Plaintiffs ability to effectively serve the mission of ministering, teaching and spreading the gospel of Jesus Christ of the Christian religion.
197. By publishing false stories, Defendants have planted doubt in the minds of congregation members and those the Plaintiffs minister to. As a result, the published false stories need to be explained and the truth revealed to overcome the false stories, before the churches members, listeners, readers and viewers can receive the mission of ministering, teaching and spreading the gospel of Jesus Christ.
198. The status quo of the parties is the last peaceable, uncontested status proceeding the dispute, which in this case is the current status where no new false stories are published.
199. Although the Plaintiffs have legal remedies for the damages as alleged herein, legal remedies are not adequate as they do not protect the Plaintiffs from retaliation or harassment, or further false disparagement.
200. In the absence of a TRO, Plaintiffs will suffer irreparable harm in that the transgressions of the Defendants are ongoing and non-stop and an award of damages after the fact will not make Plaintiffs whole nor fully rectify the wrongs being perpetrated by Defendants, nor will it prevent further abuses of the truth or disparagement.

201. None of the actions complained of are legal or authorized by law and Plaintiffs have established a likelihood of success on the merits of this case.
202. The Defendants have no right to act outside the law, and no right to make false and malicious attacks on the good names and reputations of the Plaintiffs.
203. Defendants will suffer no hardship if a TRO and injunction are granted, as they have no protectable interests.
204. The public has an interest in a spotlight being shown on the corrupt publications of the Defendants' practices, and as such the public interest will be furthered by the issuance of a TRO and permanent injunction.

WHEREFORE, Plaintiffs prays that this Honorable Court enter judgment against Defendants jointly and severally, as follows:

- A. Granting the Plaintiffs a TRO and permanent injunction;
- B. Granting such other relief as may be just and equitable.

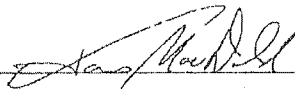
Respectfully submitted,

  
\_\_\_\_\_  
Michael J. Young

Michael J. Young  
Law Office of Michael J. Young  
Atty No.: 32510  
9842 Roosevelt Road  
Westchester, Illinois 60154  
(708) 410-0090

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



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James S. MacDonald, Individually Senior  
Pastor, Harvest Bible Chapel



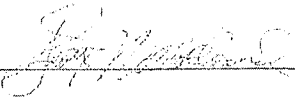
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Ronald Duitsman  
Chairman of the Elder Board Chairman Harvest  
Bible Chapel



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William Sperling  
Elder Board Member  
Harvest Bible Chapel



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James Scott Millholland  
Chief Operating Officer and  
Senior Executive Pastor, Harvest Bible Chapel



## ANSWERS TO TWO MEDIA QUESTIONS

November 30, 2018

### **Q. “Why did we proceed with the lawsuit now, given that the attack bloggers had not published since December 2017?”**

A. As of June 2017, the attack bloggers had not published since January of 2014 due to a period of relative peace in our church. Then, as we were concluding a difficult process of separation from leading HBF and all the churches we had planted, the attack bloggers began to publish in earnest doing great damage through outright falsehoods. This, after more than four years of silence and with significant detrimental impact upon treasured relationships in our own church and among our church plants.

So after sixteen months of reflection and consultation among Christian leaders outside our church family, we decided to move past self-examination and the many changes we had made and take action to protect our church family. We agreed that the bloggers refusal to come under Matthew 18's prescription for conflict resolution among believers, freed us to **“treat them as a non-believer”** (Matthew 18:17) and seek the legal protection afforded us in the civil authorities **“ordained by God for the punishment of wrongdoers”** (Romans 13:1-6).

### **Q. “Why have we involved Julie Roys, and was it to suppress a story she was working on about Harvest in matters we feared becoming public?”**

A. It was not the fact of a story about Harvest that concerned us, as we have nothing to hide or anything we would be concerned if it were made public. By policy, there are a few matters the Elders keep private to protect the church or to conform to Illinois employment law; however, there is nothing secretive between or among the Senior Staff and Elders of the church.

The issue with Julie Roys is her lack of objectivity and how she came to focus on Harvest Bible Chapel, a church she has never participated in. Our awareness of her attempts to stir up gossip, sow discord, inflame old animosities, and confront sensitive matters with specific church families in order to discredit the church led us to include her in the lawsuit.

Following a recorded interview we gave to *World Magazine* to answer several old issues Julie raised, she turned her attention to financial accusations. We were contacted by the Evangelical Council for Financial Accountability's (ECFA) President Dan Busby, related to a series of questions she brought them. ECFA has informed her that Harvest is an ECFA member in good standing. We invited ECFA to do an onsite visit on December 10. We anticipate no issues once our best practice financial records are again independently verified as meeting all ECFA standards. The last time ECFA came to review our financial records they commented, “Never have we seen such a gap between what we were told about a church and what is actually true.” We anticipate the same result, but no longer believe patience will stop this time wasting and injurious assault upon the integrity of our church.

We remain committed as a church to the biblical teaching on conflict resolution and forgiveness between believers. If any or all of the defendants agreed to cease their interference and leave the governance of our church to the Elders that God has raised up, we would drop them from this suit immediately. However, we are willing to go the distance in seeking a legal remedy because we believe these actions serve notice that we will not hesitate to protect Harvest Bible Chapel from malicious efforts to discredit our church and its leaders.