

Return Date: No return date scheduled  
Hearing Date: No hearing scheduled  
Courtroom Number: No hearing scheduled  
Location: No hearing scheduled

FILED  
12/18/2018 10:44 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
2018L011219

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. )

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

Defendants. )

No.: 2018 L 011219

Hon. Diane Joan Larsen

**MOTION PURSUANT TO  
ILLINOIS SUPREME COURT RULE 201(C)**

NOW COME PLAINTIFFS, by and through The Law Office of Michael J. Young, and respectfully moves this Court pursuant to Illinois Supreme Court Rule 201(c), for a Protective Order preventing the abuse of Discovery by the defendants and in support states as follows:

1. The Complaint on this matter was filed on October 16, 2018.
2. The Complaint is primarily based upon false and inaccurate information disseminated by defendants or published through defendant's website "The Elephant's Debt."
3. Prior to answering the charges that are in the Complaint, the defendants have independently elected to attempt having the Complaint dismissed on technical grounds.

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4. The defendants have filed three separate Motions To Dismiss through their choice of legal representation. While not an unorthodox or unexpected course of action it does present particular complications within the context of this case. The defendants each have individual pecuniary interests in publicizing as much discovery as possible even while attempting to dismiss the overall case on technical grounds.

5. The defendants have declared on their website, "The Elephant's Debt," that they will publish all documents to keep their donors and financial backers apprised of the legal situation.

6. The defendant Roys is in the process of writing a journalistic article about Plaintiffs and has been reaching out to associated persons in order to gain information relating to Plaintiffs not otherwise readily available.

7. It is for improper purposes that defendants make sweeping requests for information at this stage while attempting to dismiss based upon technical grounds. It is hard pressed to see how the scope and relevance of documents that need be requested can be concisely ascertained while three separate legal teams are pursuing varying legal theories for dismissal.

8. While this issue alone is not atypical, the case at bar needs to be looked at in the light that the defendants have pecuniary interests in obtaining such information, regardless of the pertinence such information has to defending the claims against them. Be it as sourcing for future articles or for further fodder on their website; which to date, by their own admission has raised over \$10,000.00 by specifically drawing additional public attention to the ongoing case.

9. Further, compounding the need to protect information from anterior motives the defendants have issued subpoenas seeking information from out of state non-parties and have received information pursuant to the subpoenas that contains confidential information. For example, some of the materials contain the names of minors as well as their addresses, dates of birth, and telephone numbers. The materials also contain other confidential material including

attorney work-product.

10. This Court has the power and duty to protect the confidential information that is obtained through discovery. Specifically, Illinois Supreme Court Rule 201(c)(1), provides, “[t]he court may at any time on its own initiative, or on motion of any party or witness, make a protective order as justice requires, denying, limiting, conditioning, or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage, or oppression.” Ill. Sup. Ct. R. 201(c)(1).

11. Trial courts are invested with considerable discretion to supervise the course of discovery as the court deems appropriate. Skolnick v. Alzheimer & Gray, 191 Ill.2d 214, 223, 730 N.E.2d 4, 12 (2000) (Citing Atwood v. Warner Electric Brake & Clutch Co., 239 Ill.App.3d 81, 88, 179 ILL.Dec. 18, 605 N.E.2d 1032). Protective orders are part of the arsenal of tools a court may use to oversee discovery and prevent harassment. Kunkel, 179 Ill.2d at 531, 689 N.E.2d at 1052; Hall v. Sprint Spectrum L.P., 368 Ill.App.3d 820, 823, 858 N.E.2d 955, 958 (2006).

12. Rule 201(c)(1) does not set out any specific requirements for protective orders. There is only the broad standard “as justice requires.” The committee comments to Rule 201 note that subparagraph (c)(1) provides for “broad discretion to make protective orders.” Statland v. Freeman, 112 Ill.2d 494, 499, 493 N.E.2d 1075, 1077-78 (1986).

13. In Hall, the parties entered into a stipulated protective order under which either party could label documents as “Confidential” or “Attorneys [sic] Eyes Only.” The protective order limited access to the documents according to how they were labeled and provided that the labeled documents were to be used solely for the lawsuit. Hall v. Sprint Spectrum L.P., 368 Ill.App.3d 820, 821, 858 N.E.2d 955, 957 (2006).

14. In an action concerning a construction contract, the circuit court entered a protective order restricting access, reproduction, and retention of any financial documents and information so disclosed in that action. Brostron v. Warmann, 190 Ill.App.3d 87, 89, 546 N.E.2d 3, 5 (1989).

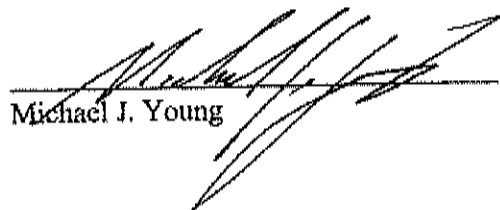
15. Although a common law presumption and statutory right exists allowing the public to inspect and copy public records and documents and this principle is essential to the functioning of our democracy, access to them may be denied where the material becomes a vehicle for improper purposes. Skolnick, 191 Ill.2d 214, 730 N.E.2d 4; Nixon v. Warner Communications, Inc., 435 U.S. 589, 597, 98 S.Ct. 1306, 55 L.Ed.2d 570 (1978); 705 ILCS 105/16(6) (West 2001); Jackson v. Jackson, No. 02 L 577, 2002 WL 32301735, at \*3 (Ill. Cir. Ct. June 19, 2002).

16. In choosing to define the scope of discovery regarding confidential information, The Court should determine when a discovery request for confidential information causes such unreasonable annoyance, expense, embarrassment, disadvantage, or oppression that justice requires denial of the discovery request. Int'l Truck & Engine Corp. v. Caterpillar, Inc., 351 Ill.App.3d 576, 578-79, 814 N.E.2d 182, 184 (2004).

17. The defendants have explicitly stated that they intend to publicize both sensitive and confidential materials that are produced via discovery. There is also the reasonably implied assertion that discovery materials will be utilized in forthcoming publications by defendants in lieu of traditional sources. This ulterior use of discovery places Plaintiffs at a drastic disadvantage when attempting to pursue their lawful action as this use of discovery can be leveraged to deter further litigation. Plaintiffs understand that discovery is a natural and integral part of this process and do not wish to impede meaningful lawful discovery. Plaintiffs do however, wish to circumvent potential misappropriation and monetization of the legal process.

Wherefore, this Court should put in place safe guards in the form of a Protective Order, to prevent abuse of the discovery process..

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



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

FILED  
12/18/2018 10:55 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2018L011219

HARVEST BIBLE CHAPEL,  
THROUGH JAMES SCOTT MILHOLLAND,  
COO; RONALD DUITSMAN, ELDER )  
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INDIVIDUALLY AND AS SENIOR )  
PASTOR OF HARVEST BIBLE )  
CHAPEL, )

Plaintiffs, )

vs. )

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

Defendants. )

No.: 2018 L 011219

Hon. Diane Joan Larsen

Hearing Date: 1/7/2019 10:30 AM - 10:30 AM

**MOTION PURSUANT TO  
ILLINOIS SUPREME COURT RULE 201(C)**

NOW COME PLAINTIFFS, by and through The Law Office of Michael J. Young, and respectfully moves this Court pursuant to Illinois Supreme Court Rule 201(c), for a Protective Order preventing the abuse of Discovery by the defendants and in support states as follows:

1. The Complaint on this matter was filed on October 16, 2018.
2. The Complaint is primarily based upon false and inaccurate information disseminated by defendants or published through defendant's website "The Elephant's Debt."
3. Prior to answering the charges that are in the Complaint, the defendants have independently elected to attempt having the Complaint dismissed on technical grounds.

4. The defendants have filed three separate Motions To Dismiss through their choice of legal representation. While not an unorthodox or unexpected course of action it does present particular complications within the context of this case. The defendants each have individual pecuniary interests in publicizing as much discovery as possible even while attempting to dismiss the overall case on technical grounds.

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attorney work-product.

10. This Court has the power and duty to protect the confidential information that is obtained through discovery. Specifically, Illinois Supreme Court Rule 201(c)(1), provides, “[t]he court may at any time on its own initiative, or on motion of any party or witness, make a protective order as justice requires, denying, limiting, conditioning, or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage, or oppression.” Ill. Sup. Ct. R. 201(c)(1).

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17. The defendants have explicitly stated that they intend to publicize both sensitive and confidential materials that are produced via discovery. There is also the reasonably implied assertion that discovery materials will be utilized in forthcoming publications by defendants in lieu of traditional sources. This ulterior use of discovery places Plaintiffs at a drastic disadvantage when attempting to pursue their lawful action as this use of discovery can be leveraged to deter further litigation. Plaintiffs understand that discovery is a natural and integral part of this process and do not wish to impede meaningful lawful discovery. Plaintiffs do however, wish to circumvent potential misappropriation and monetization of the legal process.

Wherefore, this Court should put in place safe guards in the form of a Protective Order, to prevent abuse of the discovery process..

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



12/18/18 HARVEST BIBLE CHA

MOTION SCHEDULED

YOUNG MICHAEL J

9842 ROOSEVELT RD.

WESTCHESTER

10:30 01/07/19  
60154 708 410-0090



FILED DATE: 12/19/2018 2:45 PM 2018L011219

FILED  
12/19/2018 2:45 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2018L011219

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

HARVEST BIBLE CHAPEL,  
THROUGH JAMES SCOTT MILHOLLAND,  
COO; RONALD DUITSMAN, ELDER )  
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SPERLING, ELDER BOARD MEMBER; )  
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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. )

Hon. Diane Joan Larsen

Defendants. )

**AMENDED NOTICE OF MOTION**  
**PURSUANT TO ILLINOIS SUPREME COURT RULE 201(C)**

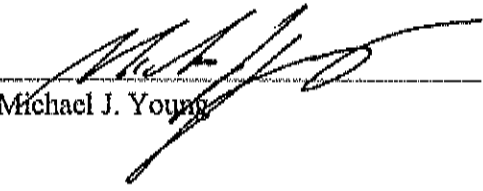
To: **Charles Philibrick**  
Rathje Woodward LLC  
300 East Roosevelt Road, Suite 300  
Wheaton, Illinois 60187

**Mark H. Horwitch**  
Tabet DiVito & Rothstein LLC  
209 S. LaSalle Street, 7th Floor  
Chicago, Illinois 60604

**Uri B. Abt**  
Tabet DiVito & Rothstein LLC  
209 S. LaSalle Street, 7th Floor  
Chicago, Illinois 60604

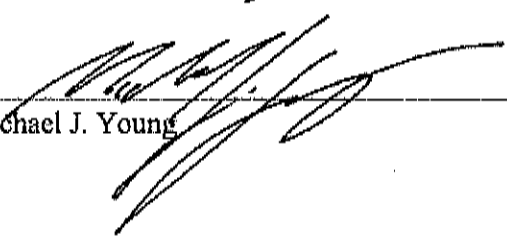
**Thomas P. Scherschel**  
Smith Amundsen LLC  
3815 E. Main Street, Suite A-a  
St. Charles, Illinois 60174

PLEASE TAKE NOTICE that on January 7, 2019, at 10:30a.m., or soon thereafter as Plaintiff may be heard, I shall appear before the Honorable Diane Joan Larsen in Room 2405, of the Richard J. Daley Center, Chicago, Illinois and present the attached Motion Pursuant to Illinois Supreme Court Rule 201(C).

By:   
Michael J. Young

**CERTIFICATE OF SERVICE**

I, Michael J. Young, an attorney, certify that on December 19, 2018, I caused service of the foregoing Amended Notice of Motion Pursuant to Illinois Supreme Court Rule 201(C) and Motion Pursuant to Illinois Supreme Court Rule 201(c) and served upon the above individuals at the addresses listed above by regular U.S. Mail, with postage prepaid.

  
Michael J. Young

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





FILED  
12/28/2018 9:28 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2018L011219

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

HARVEST BIBLE CHAPEL,  
THROUGH JAMES SCOTT MILHOLLAND,  
COO; RONALD DUITSMAN, ELDER )  
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CHAPEL, )

Plaintiffs, )

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No.: 2018 L 011219

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

Hon. Diane Joan Larsen

Defendants. )

**NOTICE OF MOTION STAY DISCOVERY  
OR IN THE ALTERNATIVE TO  
BAR ABUSE OF PRETRIAL DISCOVERY MATERIALS**

To: **Charles Philbrick**  
Rathje Woodward LLC  
300 East Roosevelt Road, Suite 300  
Wheaton, Illinois 60187

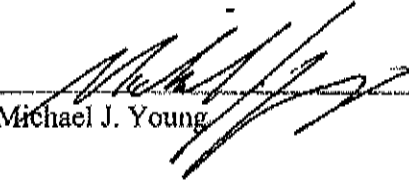
**Mark H. Horwitch**  
Tabet DiVito & Rothstein LLC  
209 S. LaSalle Street, 7th Floor  
Chicago, Illinois 60604

FILED DATE: 12/28/2018 9:28 AM 2018L011219

**Uri B. Abt**  
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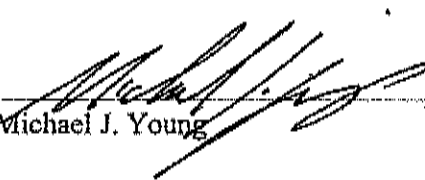
**Thomas P. Scherschel**  
Smith Amundsen LLC  
3815 E. Main Street, Suite A-1  
St. Charles, Illinois 60174

PLEASE TAKE NOTICE that on January 7, 2019, at 10:30a.m., or soon thereafter as Plaintiff may be heard, I shall appear before the Honorable Diane Joan Larsen in Room 2405, of the Richard J. Daley Center, Chicago, Illinois and present the attached Motion to Stay Discovery or in the Alternative to Bar Abuse of Pretrial Discovery Materials.

By:   
Michael J. Young

**CERTIFICATE OF SERVICE**

I, Michael J. Young, an attorney, certify that on December 28, 2018, I caused service of the foregoing Amended Notice of Motion Pursuant to Illinois Supreme Court Rule 201(C) and Motion Pursuant to Illinois Supreme Court Rule 201(c) and served upon the above individuals at the addresses listed above by regular U.S. Mail, with postage prepaid.

  
Michael J. Young

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



FILED DATE: 12/28/2018 9:20 AM 2018L011219

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

FILED  
12/28/2018 9:20 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2018L011219

HARVEST BIBLE CHAPEL,  
THROUGH JAMES SCOTT MILHOLLAND,  
COO; RONALD DUITSMAN, ELDER )  
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CHAPEL, )

Plaintiffs, )

vs. )

No.: 2018 L 011219

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

Defendants. )

Hon. Diane Joan Larsen

**MOTION TO STAY DISCOVERY  
OR IN THE ALTERNATIVE TO  
BAR ABUSE OF PRETRIAL DISCOVERY MATERIALS**

NOW COME PLAINTIFFS, by and through their attorney The Law Office of Michael J. Young, and respectfully moves this Court to stay Discovery until the resolution of the Motions to Dismiss, in support of such request the plaintiffs state as follows:

1. The Complaint on this matter was filed on October 16, 2018.
2. The defendants filed three separate Motions to Dismiss.
3. The Defendants' Motions to Dismiss seek to dismiss the plaintiffs' entire Complaint as well as distinct portions therein.

4. On December 5, 2018, this Court set a briefing schedule whereby the plaintiffs must respond to the Defendants' three separate Motions to Dismiss by February 4, 2019.
5. Notwithstanding the three pending Motions to Dismiss, the defendants have issued several Subpoenas to third-parties seeking a wide array of documents, including private e-mails and text messages.
6. On December 6, 2018, the third-parties that received these Subpoenas provided responses that contained both confidential information as well as information that is protected by the Attorney-Client Privilege.
7. Counsel for the plaintiffs advised defense counsels that the documents tendered pursuant to the Subpoenas contained both confidential information as well as information protected by the Attorney-Client Privilege. Specifically, plaintiffs' counsel Michael Young wrote to all defense counsels on December 6, 2018:

I am formally requesting that these responses are not provided to any other entity other than the attorneys that have their appearance on file . . ."

Exhibit 1.

8. Additionally, on December 8, 2018, Attorney Young wrote to opposing counsels requesting that the materials be held by counsels until Judge Larsen had an opportunity to hear Plaintiffs motion:

Initially I did not believe a Protective Order was necessary nor desired because Discovery was not opened by the Court and the defendants' have all filed motions to dismiss, alleging that the

entire case should be dismissed. However, because the Elephant's Debt website continues to publish information of the court proceedings (that is not complete nor accurate) and documents, I am concerned that the confidential and privileged communications will be published by the defendants. The defendants' litigation strategy is that of trying to case in the court of public opinion rather than in the actual venue.

Therefore, I will be filing a Emergency Motion for a Protective Order. This motion will be filed Monday, December 10, 2018 and will be noticed for December 12, 2018. Based upon your own acknowledgement that the materials contains both confidential and privilege communications and this notice of our intention to file for a Protective Order, I am requesting that the documents remain only with the attorneys of record and not published to the ED website or otherwise until Judge Larsen has the opportunity to hear the matter. Finally, the defendants are not prejudiced by waiting a few days for Judge Larsen's ruling. (Emphasis added).

Exhibit 2.

9. On December 12, 2018, Attorney Young again wrote to opposing counsels:

[P]lease consider this this formal notice pursuant to Illinois Supreme Court Rule 201(p) of the Plaintiffs claim that the documents tendered so far by third-parties are protected because they are privileged, work product and or confidential. Until my motion which deals directly with this issue is before the Court, I would direct all counsels to Illinois Supreme Court Rule 201(p) . . .

Exhibit 3.

10. Plaintiffs' counsel initially noticed their Motion for a Protective Order for December 13, 2018. However, Plaintiffs counsel decided not to move forward with the motion as the defendants attorneys stated that they did not receive any notice. Plaintiffs changed the date in order to ensure that all defense counsels had adequate notice.
11. Plaintiff re-noticed the Motion for December 18, 2018.
12. On December 13, 2018, plaintiffs' counsel, for the fourth time, requested that defense counsel hold the materials until Judge Larsen had the opportunity to rule on the issuance of a Protective Order as it pertained to these documents.

Counsels:

I will schedule my motion so it does not interfere with anyone's Christmas holiday. However, by doing so, I need an agreement on the documents that have been produced so far. I tend to agree with Attorney's Philbrick reading of Ill. Sup. Ct. Rule 201(p), nevertheless, the documents that are produced are still subject to both confidentiality and other specific protections. What is the harm to your clients' if the documents are held by counsel until the Judge can rule on the issue? I understand that the defendants want to publish these on the ED website asap. The cases I have cited in my motion support my position that they should be held until the Court decides the matter.

Exhibit 4.

13. The plaintiffs scheduled its motion for a protective order before this Court for December 18, 2018, as an Emergency Motion out of concern that defense counsels would release the information to their clients and they would publish the information on the internet.



14. On December 18, 2018, approximately 30 minutes before this Court was scheduled to hear Plaintiffs' Motion for a Protective Order, Defendant Roys published the contested materials on the internet. Exhibit 5.
15. Defendants, Mahoney and Bryant, also published the contested materials on their website, the Elephant's Debt. Exhibit 6.
16. Defendant, Roys, Mahoneys, and Bryants usurped Judge Larsen's authority by publishing the materials before this Court had the opportunity to hear the matter.
17. The defendants continue to seek as much confidential and privilege information as they can with the sole intention of publishing all Discovery to force the plaintiffs into dismissing the lawsuit. Exhibit 7.
18. Using Discovery for the purpose of trying to embarrass a party is not proper. *See Roberson v. Liu*, 198 Ill.App.3d 332, 338, 555 N.E.2d 999 (asserting that "conduct calculated to embarrass, hinder or obstruct a court in its administration of justice or to derogate from its authority or dignity" is the applicable standard a court should utilize when assessing Contempt).
19. Additionally, publishing materials received in Discovery when there is a Motion for a Protective Order pending is unethical, unprofessional, disrespectful to this Court, to plaintiffs' counsel, and to the interests of justice. *See May Centers, Inc. v. S.G. Adams Printing and Stationery Co.*, 153 Ill.App.3d 1018, 1022-3, 506 N.E.2d 691 (1987) (stating that "Discovery should educate the parties as to their value of their claims and defenses and expedite ascertainment of the truth . . . A litigant *has no constitutional right* to disseminate information made available only for the purposes of trying his suit . . . Pretrial discovery has a significant potential for abuse. This abuse is not limited to matters of delay and expense; discovery may also implicate privacy interests of litigants

and third parties. Such interest are implicitly protectable by protective orders”) (internal citation omitted)(emphasis added).

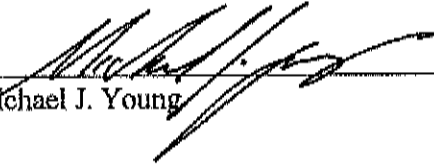
20. The defendants’ wrongful use of Discovery, their wrongful publication of confidential and privileged information and their intentional efforts to undermine this Court’s authority, is a basis to stay Discovery until such time as a Protective Order is in place and rulings on the Defendants’ Motions to Dismiss have been decided.
21. This Court may stay Discovery “as part of its inherent authority to control the disposition of cases before it.” *Phillips Electronics, N.V. v. New Hampshire Insurance Co.*, 295 Ill.App.3d at 901-2, 692 N.E.2d 1268 (1998).
22. A request for a stay of Discovery only attempts to “preserve the status quo existing on the date.” *Kaden v. Pucinski* 263 Ill.App.3d 611, 615, 635 N.E.2d 468 (1994).
23. As the party seeking the stay plaintiffs need only justify the stay in outweighing “potential harm” to the opposing parties. *Kaden* 263 Ill.App.3d at 616, 635 N.E.2d 468.
24. Defendants suffer no potential harm from temporarily delaying Discovery. There is no way to be sure what will survive any of the Motions to Dismiss.
25. The present case differs from the normal circumstance in that materials being tendered in Discovery is being published on the internet by defendants. *See* Exhibit 5, 6, and 7.
26. Defendants state, on their website, that it is their understanding that Discovery is public record and therefore allowed to be published. Exhibit 7. This is however, patently untrue as “courts clearly distinguish between pleadings . . . and mere discovery which has not been filed with the court. . . In fact, discovery by its very nature is distinct from documents which are filed with the court. . . Therefore, discovery is not open to the public at common law and is generally conducted in private as a matter of modern practice.” *Jackson v. Jackson*, 2002 WL 323301735 (citing *Seattle Times v. Rhinehard*,

476 U.S. 20 and *Monier v. Chamberlin*, 35 ILL.2d 351, 221 N.E.2d 410).

27. This creates real opportunity for harm to plaintiffs in that defendants are reaching far beyond the reasonable scope of Discovery as plaintiffs currently see it, and even further beyond reasonable scope in the event that some claims do not survive the multitude of motions.
28. In normal circumstance this is an acceptable risk to litigation. However, in the present action with the instantaneous dissemination plaintiffs should not have to sacrifice all aspects of their public privacy in regards to matters unrelated to the case at hand in order to pursue their actionable legal rights. *See May Centers, Inc. v. S.G. Adams Printing and Stationary Co.*, 153 Ill.App.3d 1018, 506 N.E.2d 691 (stating as reasoning against abuse of Discovery that plaintiffs would “rather than expose themselves to unwanted abusive use of discovered matters, individuals may well forgo the pursuit of their just claim: ‘The judicial system will thus have made the utilization of its remedies so onerous that the people will be reluctant or unwilling to use it, resulting in frustration of a right as valuable as that of speech itself’”)(internal citations omitted).
29. The continued untethered Discovery as it is being perpetrated by defendants, when not limited by a reasonable scope of the actions, stands to create cognizable harm to plaintiffs. Forcing them to disavow any desire or hope of privacy, whether related to this case or not. Staying Discovery for a short time to allow for a clearer image of the case as it stands does not present any harm actual or foreseeable to defendants in this matter. *See May Centers, Inc.*, 153 Ill.App.3d at 1023, 506 N.E.2d 691 (the defendants need to show need or good reason to justify being able to publish Discovery).

30. These abuses of Discovery to circumvent the natural order of the law are precisely why the relevant rules and case precedent have been created. As we wish to continue pursuing this matter with respect to opposing counsel we hope this court provides a remedy that allows for his matter to be handled amicably as the defendants have shown they intend to circumvent the authority of this court as much as possible. Therefore, Plaintiffs respectfully request that this Court grant an Order to Stay Discovery until such a time as the Motions to Dismiss have been decided and/or a Protective Order has been entered in the alternative to bar the abuse of pretrial Discovery materials.

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

FILED DATE: 12/28/2018 9:20 AM 2018L011219

**From:** Mike Young <esqmichaelyoung@yahoo.com>  
**Sent:** Thursday, December 6, 2018 5:27 PM  
**To:** Charles L. Philbrick <CPhilbrick@rathjewoodward.com>  
**Cc:** mike@winwithyoung.com; tscherschel@salawus.com; Mark Horwitch  
<MHorwitch@TDRLAWFIRM.com>  
**Subject:** Re: Harvest Bible Chapel et al. v. Maloney, et al.



Attorney Philbrick and other recipients of this e-mail:

I had a very brief look at the responses and will review them more in-depth in the coming days.

However, what I am able to tell in the short time that I did review them is that they contain some very confidential information, including but not limited to, telephone numbers, addresses, and other material.

Further, the tendered documents also contain information that is protected by attorney-client privilege.

Without having the opportunity to review them in full today, I will be claiming that the entire response is subject to attorney-client privilege until such time I am able to fully review the response.

I am formally requesting that these responses are not provided to any other entity other than the attorneys that have their appearance on file. I will review these responses and will more narrowly tailor what I am claiming is privilege.

This request is also intended to protect individuals that are victims in this matter.

Please confirm that you will honor this request.

Sincerely,

Michael J. Young

FILED DATE: 12/28/2018 9:20 AM 2018L011219



From: Michael Young mike@winwithyoung.com  
Subject: RE: Harvest Bible Chapel et al. v. Maloney, et al.  
Date: December 8, 2018 at 1:07 PM  
To: Charles L. Philbrick CPhilbrick@rathjewoodward.com  
Cc: Mike Young esqmichaelyoung@yahoo.com, tscherschel@salawus.com, Mark Horwitch MHorwitch@TDRLAWFIRM.com

Dear Attorney Philbrick:

The documents that were tendered pursuant to the subpoenas was volumous (over 180 pages) and contained privileged communications as well as confidential information. Additionally, there is information that falls under the attorney-client privilege and contains the names, dates of birth, addresses and telephone numbers of individuals that have been identified as being harmed. My request that the documents tendered be shared with only counsels on this matter until I have had a chance to full review the material is more than reasonable.

Initially I did not believe a Protective Order was necessary nor desired because Discovery was not opened by the Court and the defendants' have all filed motions to dismiss, alleging that the entire case should be dismissed. However, because the Elephant's Debt website continues to publish information of the court proceedings (that is not complete nor accurate) and documents, I am concerned that the confidential and privileged communication will be published by the defendants. The defendants' litigation strategy is that of trying the case in the court of public opinion rather than in the actual venue.

Therefore, I will be filing a Emergency Motion for a Protective Order. This motion will be filed Monday, December 10, 2018 and will be noticed for December 12, 2018. Based upon your own acknowledgement that the material contains both confidential and privilege communications and this notice of our intention to file for a Protective Order, I am requesting that the documents remain only with the attorneys of record and not published to the ED website or otherwise until Judge Larsen has the opportunity to hear the matter. Finally, the defendants are not prejudiced by waiting a few days for Judge Larsen's ruling.

Sincerely,

Michael Young

From: Mike Young <[esqmichaelyoung@yahoo.com](mailto:esqmichaelyoung@yahoo.com)>  
Sent: Wednesday, December 12, 2018 10:50 AM  
To: Charles L. Philbrick <[CPhilbrick@rathjewoodward.com](mailto:CPhilbrick@rathjewoodward.com)>  
Cc: Mark Horwitch <[MHorwitch@TDRLAWFIRM.com](mailto:MHorwitch@TDRLAWFIRM.com)>; Scherschel, Thomas <[TScherschel@salawus.com](mailto:TScherschel@salawus.com)>; [kweiler@salawus.com](mailto:kweiler@salawus.com); [mike@winwithyoung.com](mailto:mike@winwithyoung.com);  
Cockream, Melissa <[MCockream@salawus.com](mailto:MCockream@salawus.com)>  
Subject: Re: Harvest Bible Chapel et al. v. Maloney, et al.

Counsels:

Based upon the issues that have been raised of notice of my motion, I will NOT be presenting my motion tomorrow, December 13, 2018. I will re-file the motion and notice and I will set the matter on the court's regular motion call.

Moreover, please consider this formal notice pursuant to Illinois Supreme Court Rule 201(p) of the Plaintiffs claim that the documents tendered so far by third-parties are protected because they are privilege, work product and or confidential. Until my motion which deals directly with this issue is before the Court, I would direct all counsels to Illinois Supreme Court Rule 201(p), which specifically states:

(p) Asserting Privilege or Work Product Following Discovery Disclosure. If information inadvertently produced in discovery is subject to a claim of privilege or of work-product protection, the party making the claim may notify any party that received the information of the claim and the basis for it. After being notified, each receiving party must promptly return, sequester, or destroy the specified information and any copies; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the receiving party disclosed the information to third parties before being notified; and may promptly present the information to the court under seal for a determination of the claim. The producing party must also preserve the information until the claim is resolved.

Therefore, please treat the documents that have been tendered (including text messages) under the established provisions of Ill. Sup. Ct. Rule 201(P).

Sincerely,

Michael J. Young



FILED DATE: 12/28/2018 9:20 AM 2018L011219



From: Mike Young [esqmichaelyoung@yahoo.com](mailto:esqmichaelyoung@yahoo.com)  
 Subject: Re: Harvest Bible Chapel et al. v. Maloney, et al.  
 Date: December 13, 2018 at 9:20 AM  
 To: Mark Horwitch [MHorwitch@TDRLAWFIRM.com](mailto:MHorwitch@TDRLAWFIRM.com)  
 Cc: Charles L. Philbrick [CPhilbrick@rathjewoodward.com](mailto:CPhilbrick@rathjewoodward.com), Scherschel, Thomas [TScherschel@salawus.com](mailto:TScherschel@salawus.com), kweier@salawus.com, mike@winwithyoung.com, Cockcream, Melissa [MCockcream@salawus.com](mailto:MCockcream@salawus.com)

Counsels:

I will schedule my motion so it does not interfere with anyone's Christmas holiday. However, by doing so, I need an agreement on the documents that have been produced so far. I tend to agree with Attorney's Philbrick reading of Ill. Sup. Ct. Rule 201(p), nevertheless, the documents that are produced are still subject to both confidentiality and other specific protections. What is the harm to your clients' if the documents are held by counsel until the Judge can rule on the issue? I understand that the defendants want to publish these on the ED website asap. The cases I have cited in my motion, support my position that they should be held until the Court decides the matter.

Additionally, even if your clients are allowed to view these documents, it is unlikely that they will be allowed by the court to publish them on their website. Further, Discovery has not "opened" as there are three motions to dismiss pending.

Please let me know if we can have an agreement so I can set my motion up for the first week of January. If there is no agreement, it might be best if I set it up as an emergency motion so that we can appear before the court before Christmas.

Sincerely,

Michael J. Young

On Dec 13, 2018, at 8:00 AM, Mark Horwitch <[MHorwitch@TDRLAWFIRM.com](mailto:MHorwitch@TDRLAWFIRM.com)> wrote:

Mike: I will be out of town during that last week in December so please notice for January. Thank you.

On Dec 12, 2018, at 5:05 PM, Mike Young <[esqmichaelyoung@yahoo.com](mailto:esqmichaelyoung@yahoo.com)> wrote:

Attorney Horwitch:

I have not motioned it up yet. My associate informs me that the first available date is December 24, 2018, December 26, 2018, etc. If I have assurances that all will comply with rule 201(p), I will set this motion up for the first week of January. However, without the agreement, I will have to set it for the soonest date available.

I will note that 201(p) states in part: "After being notified, each receiving party must promptly return, sequester, or destroy the specified information and any copies; must not use or disclose the information until the claim is resolved." It does not allow an attorney to make his or her own decision on what is and what is not protected.

Sincerely,

Michael J. Young

On Dec 12, 2018, at 3:53 PM, Mark Horwitch <[MHorwitch@TDRLAWFIRM.com](mailto:MHorwitch@TDRLAWFIRM.com)> wrote.

Mr. Young,

Have you re-noticed the motion yet?

Mark H. Horwitch  
 Partner  
 Tabet DiVito & Rothstein LLC  
 209 S. LaSalle St., 7th Floor  
 Chicago, IL 60604  
 Direct Tel: (312) 762-9465  
 Main Tel: (312) 762-9450



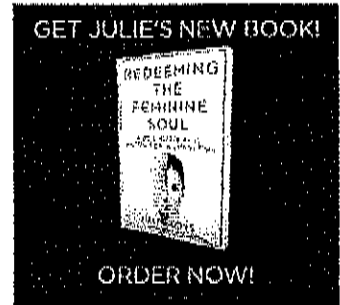


FILED DATE: 12/28/2018 9:20 AM 2018LO11219

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18



# Harvest Elder Accuses Church Leaders of "Deceitfulness and Manipulation" and Attempting to "Run a Cult"

Posted in Church Issues, Evangelicalism by Julie Roys

James MacDonald and the senior leaders of the Chicago-area megachurch, Harvest Bible Chapel (HBC), operate with "deceitfulness and manipulation," and are attempting "to run a cult and control the masses."

That's according to Randy Williams, a current Harvest elder and former chairman of the executive committee (EC)—a group consisting of MacDonald and four to five elders, which make the financial and legal decisions for the church.

Williams makes these statements in a November 10, 2017, text I obtained through a subpoena in defense of the lawsuit Harvest brought against me. Williams tells Brian White, lead pastor of an Independent Harvest Bible Chapel in Indianapolis, IN:

*I am fully recusing myself of any involvement with the EC (executive committee) and James (MacDonald) and XLT (executive leadership team). I've had it with the deceitfulness and manipulation.*

Williams also expresses dismay about an Elder Update published the previous day, saying:

*This update and all that it represents is beyond my comprehension of anything but an attempt to run a cult and control the masses.*

The November elder update addressed allegations that Harvest had inappropriately taken nearly \$2 million from Harvest Bible Fellowship (HBF)—the church's former church planting network of about 150 independent churches—and used the money for its own purposes. The allegations came from the Great Commission Collective (GCC), a new, independent church planting network formed by churches that used to belong to HBF. The update said Harvest elders rejected the allegations by GCC, claiming that "GCC opinions were fundamentally flawed from the start."

However, in another text sent three months earlier, Williams, who was acting as a liaison between the church and GCC pastors, affirmed GCC opinions. Addressing White and two other GCC pastors who participated in a financial review of HBF, Williams writes:

*We (EC) see what you see. We honestly were not aware of all that has come out about the magnitude of the financial mismanagement. We/I will take responsibility for that governance failure. We have no debate over the facts as you have concluded.*

The other two pastors in that text thread are David Wisen, teaching pastor at Harvest Bible Chapel Spring Lake, and Bill Borinstein, former pastor at Harvest Bible Chapel North Phoenix and now at Hope Bible Church in Scottsdale. Also included was Earl Seals, an elder at Harvest who resigned in the midst of the HBF/GCC debacle. It's clear from Wisen, Borinstein, and White's texts that the pastors saw MacDonald as the major impediment to GCC and Harvest reaching an equitable settlement. Brian White writes:

*The problem is James. His control, his manipulation, his anger, his torching of others to protect his reputation, the wake of his irresponsible financial stewardship and direction of his organization. The continued manipulation of people and narratives. The problem is James.*

Similarly, Bill Borinstein writes:

*No church would ever allow their Sr Pastor and leadership team to act over a*

+ Julie Roys on Son Of Former MBI President Joe Stowell Speaks Of "Toxic," "Unholy," And "Dangerous" Culture At Harvest

+ Maze on Son Of Former MBI President Joe Stowell Speaks Of "Toxic," "Unholy," And "Dangerous" Culture At Harvest

+ Pete on Son Of Former MBI President Joe Stowell Speaks Of "Toxic," "Unholy," And "Dangerous" Culture At Harvest

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FILED DATE: 12/26/2018 9:20 AM 2018L011219

*long period of time with such a blatant lack of transparency or in a culture of fear. . . . We were told by James in a meeting that HBC paid for the systems upgrade and they were giving it to us for free (yet we were charge(d) \$500K), we were never told that 10% of our funds were given to WITW (Walk in the Word), we were never told that the bylaws of our organization were changed in 2014 . . . we were never told about a 100 year lease the HBF was signatory to or that the HBF would be paying operating expenses for the training center in Croton (including staff), we were never told that designated funds for Harvest Gives were being held and not paid out.. do I need to go on. . . .*

*I know not one pastor who cares that James lves in a \$4-\$5 million\* dollar house, what they care about is his publicly lying about it and the lengths he went to hide it (all while he was president of our organization). Where is the integrity in that? . . .*

*There are too many people in our fellowship who know too much, who have seen too much of James. They have seen how employees have been treated, they have been in rooms where they have been berated or seen others berated, they have heard about his blow up at HCA (Harvest Christian Academy), the blowup at the Sr pastors retreat, the blowup at our leadership meeting in downtown Chicago, they have sat in restaurants when he has dressed down servers, they have heard the stories from the many ex-employees scattered around the country, from the ex-elders who have left because they could not in good conscience stay in that culture anymore. 1 Tim 3:2 says, "Therefore an overseer must be above reproach.." You are dealing with 100+ pastors who know that passage. We are not perfect, we do not expect James to be perfect. What we have seen and experienced is not above reproach . . ."*

At the end of his text, Borinstein asks, "At what point do we, do you say . . . enough! Aren't we there?" Williams responds, "Yes, Bill we are there."

Yet according to a leaked letter by Wisen, GCC pastors never reached an agreement with Harvest because Harvest leaders, at MacDonald's insistence, made payments to GCC contingent on a "hush clause"—an agreement by GCC members not to publicly attack Harvest. (For more, see my exposé on Harvest in WORLD Magazine.)

At the end of Wisen's letter, which was published in October, Wisen says he doubts Harvest will ever pay the churches what it owes them, but encourages pastors not to retaliate. However, when White saw the elder update in November, which he called "problematic . . . for its continued dishonesty," he texted Williams, complaining that the elders had not upheld the truth, and warning Williams that he might speak publicly.

Williams responds:

*For the record I have had no involvement with the November 9 elder update and have had no interaction with James or XLT since September.*

This contradicts the elder update, which is signed "The Elders of Harvest Bible Chapel," and claims that "the Elders and Executive Committee are alert and fully engaged." The update also asserts that elders "are not in any respect unhappy or frustrated with the submission of our senior leadership to Board authority." Yet Williams also says in his text:

*I am truly sorry that despite my best efforts to lead biblically it's become increasingly clear that James is unwilling to yield to at least my view of elder authority. He has his own view and it does not reconcile with mine.*

White then asks Williams, "Is there any group of elders on the elder board that are willing to stand for truth?" Williams responds:

*I know of one guy trying hard but feeling isolated and attacked. There may be others but I think the vast majority are deer in headlights. The EC seems neutered without my involvement and the spin campaign is in full force.*

Williams then concludes:

*I don't see anything short of a public media exposé getting James on his knees.*

Sometime between November 2017 and now, Williams was replaced by Steve Huston as chairman of the executive committee. Yet Williams apparently has remained on the elder board, despite his strong misgivings. Williams appears in the photo of Harvest's elders at the top of this page, which was posted to Harvest's website at the end of February, 2018. (He's the one in the blue sweater and blue collared shirt in the front row.) Harvest's website also lists Williams as "former chairman," which according to Harvest's bylaws automatically makes him a member of the executive committee. I reached out to Williams for comment, but he did not respond. (Ken Mariotti, pictured in the front row in the purple shirt, resigned from Harvest's elder board in April 2018.)

*\*There are conflicting reports about the true value of MacDonald's house. MacDonald told WORLD that his home appraised at \$1.4 million. However, a 2017 Kane Co. tax bill listed the fair market value of the home at \$2.1 million. Some who have seen the luxury appointments in the house estimate the value is much higher.*

**Below is the actual text conversation between Williams and White sent in November 2017:**

FILED DATE: 12/29/2018 9:20 AM 2018L011219

11/14/17 1:39 PM

The Elder update released today publicly is problematic for all involved for its continued dishonesty on multiple fronts. Sadly, we have endeavored to move on in ministry and be as general as possible regarding our concerns and their truthfulness. We had entrusted those things to Elders and that has been met with an allowance of continued dishonesty from HBC leadership. We will respond to this update with clarity and full argument in defense of truth and our integrity. In our last conversation I committed to give you forward notice if we felt the need to speak with more detail and this text is proof of such integrity on this point.

Hi Brian, I am fully recusing myself of any involvement with the EC and James and XLT. I've had it with the deceitfulness and manipulation. I am truly sorry that despite my best efforts to lead biblically it's become increasingly clear that James is unwilling to yield to at least my view of elder authority. He has his own view and it does not reconcile with mine. This update and all that it represents is beyond my comprehension of anything but an attempt to run a cult and control the masses.

There is rumor of a video to be created by James next week for former HBC pastors, it sounds like that is planned for Wednesday.

I'm heading to Indy for the weekend and could sure use a good message from someone I respect. Mind if I visit your church for service on Sunday?

For the record I had no involvement with the elder update and have had no interaction with James or XLT since September.

1

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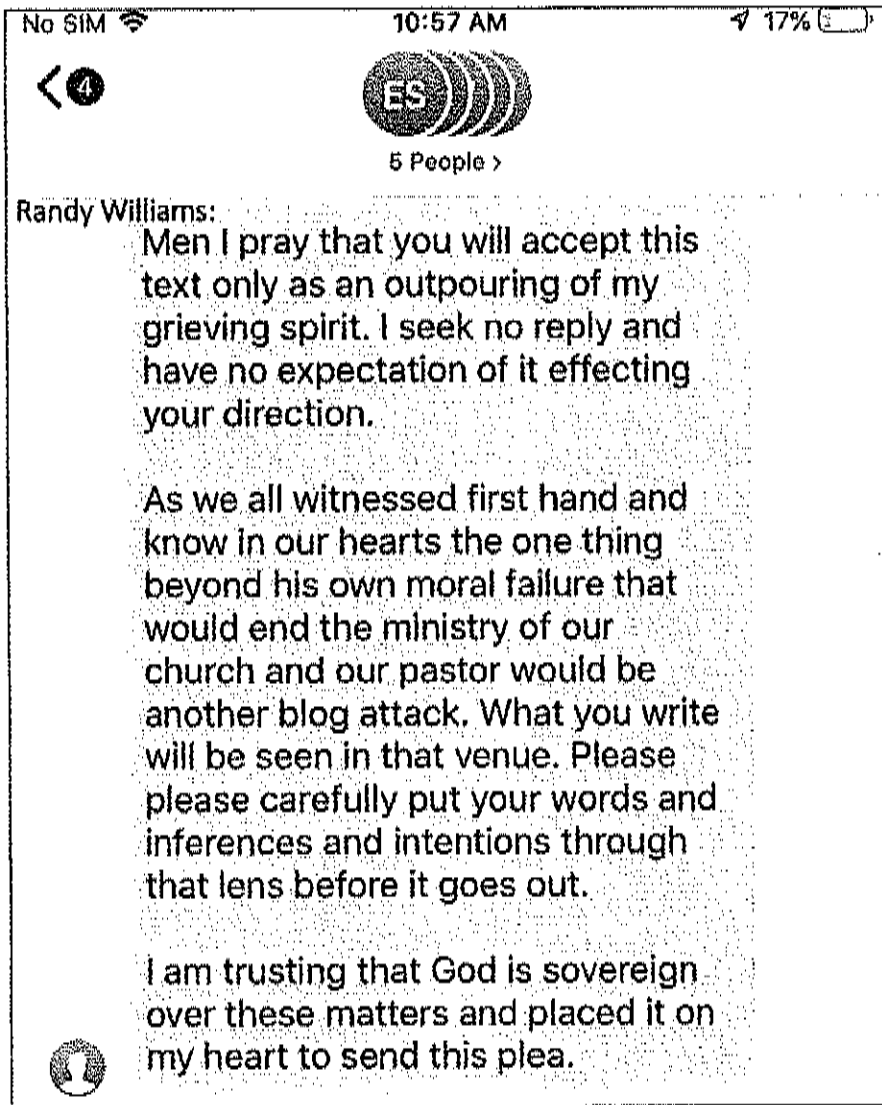
Sorry I wasn't able to get your call and I appreciate your text. Please don't fall on my way out the door to go see a Bible game with my kids. You are always welcome in our church and I appreciate your comments about me. Is there any group of elders on the elder board that are willing to stand for truth?

I know of one guy trying hard but feeling isolated and attacked. There may be others but I think the vast majority are deer in headlights. The EC seems neutered without my involvement and the spin campaign is in full force.

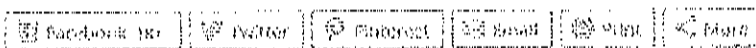
We can talk but as I told Dallas Jenkins I don't see anything short of a public media expose' getting James on his knees. My only caveat is that I've not talked to him directly for weeks.

**Below is the complete text thread between Williams, White, Wisen, Borinstein, and Seals sent in late July 2017:**

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Meredith Andrews: Worship & Passion for the Church Fuels Her Music August 21, 2017

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39 COMMENTS

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LETTER THAT PROMPTED HARVEST EXCOMMUNICATION: "WE ARE CONVINCED THAT JAMES . . . IS NOT BIBLICALLY QUALIFIED TO BE AN ELDER"

### 39 thoughts on "Harvest Elder Accuses Church Leaders of "Deceitfulness and Manipulation" and Attempting to "Run a Cult""



Rebecca Davis

December 18, 2018 at 9:14 am

Reply

I just finished reading it. This is truly explosive. At what point will the Harvest elders stop trying to "manage" bloggers and simply live with integrity? For them, the cost will be high-loss of income, loss of friends, a smear campaign for their "disloyalty." But on the other side of the horrors they'll find the commendation of the Lord and a new group of friends who also want to stand for righteousness and against wickedness. God have mercy.

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FILED DATE: 12/28/2018 9:20 AM 2018L011219



**Justin Haas**

December 18, 2018 at 9:50 am

Reply

"Let not any one pacify his conscience by the delusion that he can do no harm if he takes no part, and forms no opinion. Bad men need nothing more to compass their ends, than that good men should look on and do nothing."

- John Stuart Mill

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**Alex H**

December 18, 2018 at 10:15 am

Reply

Looking forward to more reports like this from additional discovery in the lawsuit. Let it all come out.

★ Loading...



**erasmuse**

December 18, 2018 at 10:16 am

Reply

Amazing. Why, why, didn't the men who knew what was going on publish these things to the world, instead of just to each other?

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**PC**

December 18, 2018 at 1:41 pm

Reply

The \$1 million question. Chances are they'll admit they had a small part to play but won't question the church hierarchy, power structures, small compromises, and spiritual abuse that got them to this place.

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FILED DATE: 12/28/2018 9:20 AM 2018L011219



**John**

December 18, 2018 at 6:55 pm

Reply

Yep. You can see that from Bill Borenstein. If James is so terrible why didnt Bill and their mutual friend Jack bring it to light sooner?

★ Loading...



**Headless Unicorn Guy**

December 20, 2018 at 10:45 am

Reply

Hard to question something when YOU're personally benefiting from the System.

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**joemisek**

December 18, 2018 at 1:52 pm

Reply

Fear of being abused and humiliated like everyone else before who dared to challenge or expose James? I'd like to know why this Randy Williams has remained on the board long after he knew of how deeply this problem in the senior pastor runs.

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**Tomas**

December 18, 2018 at 5:16 pm

Reply

Because there is an unwritten rule in Churchianity not to air dirty laundry. The Congress or the Courts need to pass a law or make a ruling that all non-profit (501c3) organizations cannot issue non-disclosure agreements and non-competition agreements within whatever's miles of a similar church. Imagine Apostle Paul stating that no one can have a congregation within 50 miles of Antioch or Corinth. Shame on this concept for non-profits.

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FILED DATE: 12/28/2018 9:20 AM 2018LD11219



Jessica

December 19, 2018 at 4:16 pm

Reply

Because, as they say in the church, they were "protecting James" and the churches/HBF. I disagree that any of them (GCC men included) were or are "protecting" the church. But I agree that protecting James AND themselves was a big m-o

★ Loading...



FREESTLAST

December 18, 2018 at 10:32 am

Reply

Dear Almighty, Sovereign, Righteous, Eternal God,  
EL ROI,  
YAHWEH,  
ELOHIM.....

We ask that you would please BLESS and protect Julie Roys and ALL those willing to confront EVILLLLLLLLLL.  
Please intervene and stop the wicked ones.....

as You did with

Goliath

Jezebel

Haman.....

Lord, we thank you for what You are going to do.

GOD+1=MAJORITY!!!!!!!!!!!!!!!!!!!!

Jeremiah 15:21

I WILL DELIVER YOU out of the hand of the wicked,  
and redeem you from the grasp of the ruthless.

★ Loading...



Todd McCauley

December 18, 2018 at 10:33 am

Reply

It's only a matter of time before we hear of James stepping down...Another one bites the dust. "Oh Lord,  
when will we learn?"

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FILED DATE: 12/28/2018 9:20 AM 2018L011219

 **theartist**

December 18, 2018 at 11:18 am

Reply

'It is ONLY when we YIELD to the Holy Spirit's authority that Christ's likeness within us becomes obvious.' (Dr. Charles Stanley).

caps mine.

★ Loading...

 **Charles**

December 18, 2018 at 11:34 am

Reply

Looks like one of the four riders of the HBC inquisition video - Randy Williams woke up to the reality where he was and was he truly serving. He has done much damage to others for the sake of MacDonald and it is time now for him to publicly apologize for his years long foolishness.

★ Loading...


 **Diane Taylor**

December 18, 2018 at 11:40 am

Reply

I used to attend Harvest Elgin until Pastor McDonald delivered his SK sermon on Easter Sunday instead of the message of Christ's resurrection. This was several years back and my husband and I were shocked Pastor McDonald used the increased attendance for Easter to promote tithing. I later learned that in order to become a member, you have to give 10 percent to HBC. Since my husband and I live on a modest income, this precluded us from joining and after that my husband would no longer attend. We both are lifelong Christians but I do have questions about how so many pastors use a few select passages and twist them to promote a financial agenda. I grew up attending a small country church with a parsonage and the pastor received a modest salary similar to those in the congregation. Nowadays, so many Evangelical leaders are millionaires living a lavish lifestyle and building huge luxurious churches that I give in time in being a foster parent to those who truly are in need-abused children.

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 **John**

December 18, 2018 at 10:52 pm

Reply

Harvest doesn't know how much money you make or if you're giving 10% of your income. It is not a requirement to become a member. I am a member at Harvest and I was never made to sign anything that says you have to give 10% of your income.

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**Mike**

December 19, 2018 at 2:10 pm

Reply

John,

It's concerning you address the errant (?) reply about tithing at Harvest, but totally ignore the elephant in the room; James McDonald's conduct, the elders who do not hold him to account, and the substance of this article.

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**Observer**

December 20, 2018 at 6:54 am

Reply

It is not required by HBC to Tithe in order to be a member. But the pressure is definitely put on by the Senior Pastor and staff to have all members do this. Even though I have to believe that they know as well as I do that Tithing is not a requirement for the NT Church. Any study of Tithing in the OT will tell you that. But as they like to say, toward the years end, "I wouldnt want to have the Lords Money in my house, get those lltthes in." Because you haven't begun to give an Offering until your tithes are paid up, if this was commanded for us there would be 11 Commandments not 10. I see this as a way to insure a steady cash flow, not giving from a Cheerful Heart, not under compulsioin.

★ Loading...



**Julie Anne**

December 18, 2018 at 12:19 pm

Reply

I applaud your steadfastness, Julie. I, too, continued to blog while in the midst of a defamation lawsuit by my pastor, Chuck O'Neal, in Beaverton, Oregon. We won the lawsuit. You will win, too. The process can be unnerving, so be sure to take care of yourself. Thank you for exposing the truth.

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**Mike**

December 19, 2018 at 2:15 pm

Reply

So much for Christians obeying the clear commands of Scripture to not sue one another (1 Corinthians 6:1-8).

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**Charles Despeville**

December 18, 2018 at 12:33 pm

Reply

Deeply sorry for the offensive and counter New Covenant Insult you have encountered. Tithing is a men on men superimposed burden and an offense fully fitting Matthew 18:6. Cult like HBC abuses it on an Industrial scale. How big is its and MacDonald's millstone?

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**SL**

December 18, 2018 at 1:23 pm

Reply

all I see in that picture are MEN. Where are the women? that in and of itself makes me wonder

★ Loading...



**joemisek**

December 18, 2018 at 1:54 pm

Reply

HBC is fully complementarian and believes that only men can serve as pastor or elder. I no longer believe in that theology but it's no secret that HBC has held that belief since it started. This is a picture, I believe, of the 30-man elder board.

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**Mike**

December 19, 2018 at 2:21 pm

Reply

Wonder what? That's probably one of the few things that they got right. The clear teaching of Scripture is that men are to be the elders (1 Timothy 3:1-7 and Titus 1:5-9). They violated just about all of the other requirements in those verses by having James MacDonald as an elder/pastor.

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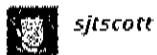
**Patrick Beach**

December 18, 2018 at 2:46 pm

Reply

Over 20 years ago when I was bring the family to RM there was a capital campaign. I read about the senior pastor being first among equals. I Inquired about the leadership, both church activities and corporately. Who was listed as Officers of the church with the State of Illinois? James stated that was minor form filled out yearly and filed. Back then I looked it up and only James and Kathy were listed as Officers and Board members. Governance 101 tells me this is a problem. Between that & other issues (rabid anti Catholic rants from the pulpit, evidence of temper in the hallways) we left. I truly hoped many of the good men left behind would bring governance into the 21st century. The amount of \$ everyone is dealing with is phenomenal. The people do not have the knowledge, skills and abilities to manage this. It happens all over the entrepreneurial founders have to be brought out and transitioned out of organizations.

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**sjtscott**

December 18, 2018 at 7:20 pm

Reply

Here's a thought:

The gospel of Jesus Christ is free. Always has been and always will be.

Churches which allow pastors to: preach, produce, package, purvey, and profit from sharing the gospel, display an errant mindset. No pastor who preaches God's Word, by a filling of the Spirit, to God's people and the lost, should be enriched by the monetization of that message.

There are zero examples in scripture, on the contrary.

Being compensated for communicating is not to be confused with also capitalizing on the content.

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**Jaltrevic**

December 18, 2018 at 9:33 pm

Reply

Amen and amen! James announced many years ago that he and Kathy did not wish to profit off the church. He told a story about how a church had released his father after years and he was left without an income. He asked us to look at each other and agree that he should not have to depend on our church and the elders to insure he was financially taken care of when he was older (What about trusting God I thought) That was the beginning...He told us that he was going to have "streams of income" and got everyone to agree this was a good thing. What folks did not understand at the time was that he was setting himself up with a number of salaries and incomes from the church.

Former HBC member  
of 18 yrs

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**Gum Boocho**

December 19, 2018 at 7:13 pm

Reply

If you think that the Lord has not ordained that those who preach the Gospel should live off that preaching of the Gospel, you are Biblically ignorant. Thou shalt not muzzle the ox as he treads out the grain. Go read Galatians 6 and the long section of 2 Corinthians on giving.

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**Gretchen Gallup**

December 18, 2018 at 8:58 pm

Reply

Thank you again, Julie, for exposing the darkness like you did with Moody Bible Institute. We must all continue to pray for our sister in Christ as she steps out in the power of the Holy Spirit and the Truth of God's Word. Pray for her protection in every way and that the Light of the Gospel shines brightly in the darkness that is in ANY leadership in the Body of Christ as a whole, and HBC in particular. I could only tolerate 5 years of hearing the anger from the pulpit of the RM campus. It's one thing to listen to and participate in lifting up the Lord Jesus Christ during the worship times, but another when something other than God's Word is lifted up from the pulpit. I finally left, without joining, and found a place where Jesus Christ and the Word of God are lifted up and preached...and no sign of pride or anger, except when they are sins to be dealt with according to the Scriptures. Keep on your knees, Body of Christ, lest we too we swept up into the sins of those we are praying for. Thank you again, my dear sister Julie, for being light in the darkness - especially during this season where the Son of God took on human flesh. His FIRST coming came at night...His SECOND coming could be at any time...but ALL THE WORLD WILL SEE THAT COMING!!! God bless you all!

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 **Dan Keller**

December 18, 2018 at 9:47 pm

Reply

JULIE ROYS that's right JULIE ROYS is schooling James McDonald and his gutless puppet Elder board and many of the pastor's at Harvest how to "ACT LIKE MEN "maybe she should be the key note speaker to the 3 men who will be at the palooza in 2019.

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 **Truth**

December 19, 2018 at 9:43 am

Reply

I have heard of the Memphis Mafia, but obviously this is the Harvest Mafia. Anyone who gets in his way he unleashes his wrath. Isn't it interesting all these people who have left? Including the most recent Chief officer to resign a few weeks ago. Why did he jump off the Titanic?

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 **anthony**

December 19, 2018 at 10:19 am

Reply

One of James favorite verse to quote is Galatians 6:7 "Do not be deceived: God cannot be mocked. A man reaps what he sows". He is trying to prove/disprove that verse.

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 **Sandra**

December 19, 2018 at 10:31 am

Reply

A couple of things stood out to me from this article. First, the fact that not one pastor had an issue JM lived in a multi-million \$ mansion? If they did, maybe they were to scared to talk about it. However if they really were okay with that, were they hoping to follow in JM's footsteps and get mansions of their own? Second, I'm stunned that, according to these texts, JM would regularly berate restaurant servers. This was something known and observed by other pastors? What a horrific witness for the Kingdom! Both inside and outside the church, it appears JM displayed arrogance, truly believing he was better than anyone else, forgetting all the "love one another's" sprinkled throughout the NT.



There is no doubt in my mind JM has disqualified himself from the pastorate forever. Let the Light continue to shine on this wicked situation.

Thank you, Julie!

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**Charles Despeville**

December 19, 2018 at 10:29 pm

Reply

Ditto. HBC pastors and elders who have no issues that MacDonald lives in multimillion dollar mansion... This says it all as to who are these people, this church and the times we live in.

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**deeplygrateful**

December 19, 2018 at 10:36 am

Reply

Let us be in prayer for this. God can change hearts. God can redirect this. Confession and repentance are needed. So... completely and utterly tragic...

★ Loading...



**yournjesus**

December 20, 2018 at 7:40 pm

Reply

Much to digest, but I fully agree with deeplygrateful. We should all pray for healing. We are all sinners and not worthy of casting stones. Blessed are those who are poor in spirit. May we all keep our eyes upon JESUS, not on taking sides or tearing others down.

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**Gum Boacho**

December 19, 2018 at 7:18 pm

Reply

For \$64,000 give me a verse that says any of these 5 things:

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- 1) "senior pastor" (aside from reference to the Lord Jesus),
- 2) "associate pastor" as an inferior grade of pastor.
- 3) Different grades of human pastors,
- 4) a verse other than in Eph 4 on "pastors & teachers" where the word pastor occurs in the NT aside from a) literal sheep care giver, b) the Lord Jesus,
- 5) a verse ordering Church members to tithe.

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December 20, 2018 at 11:15 pm

Reply

Recommendation from Ministry Watch re: HBC donors

<https://www.ministrywatch.com/articles/maedonald3.php?fbclid=IwAR3uwn9OaTg4thBUlGR1LMcj4A5tzkV3QZdR1JhTp4VD0GozsHspTfOVtXk>

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December 21, 2018 at 12:05 pm

Reply

"I know not one pastor who cares that James lives in a \$4-\$5 million\* dollar house." Seriously?! How is THAT not a problem?

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+ Pete ON Son of Former MBI President Joe Stowell Speaks of "Toxic," "Unholy," and "Dangerous" Culture at Harvest

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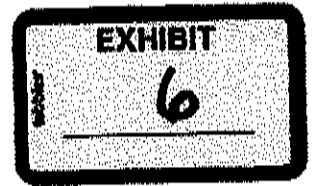
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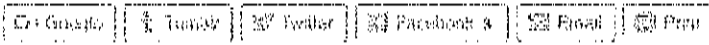
Randy Williams (HBC Elder & Former Chairman of the Board) calls HBC a Cult

Posted on December 18, 2018



Early this morning, co-defendant and journalist Julie Roys published a new article entitled "Harvest Elder Accuses Church Leaders of 'Deceitfulness and Manipulation' and Attempting to 'Run a Cult.'"

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This entry was posted in [Cruz Commission Collection: Harvest Bible Chapel, Harvest Bible Federation, James MacDonald, Julie Roys, Lawful, Randy Williams](#). Bookmark the [permalink](#).

4 Responses to Randy Williams (HBC Elder & Former Chairman of the Board) calls HBC a Cult

Linda says:

December 21, 2018 at 9:24 pm

What? No update on this post? No willingness to give airtime to Randy Williams' December 21 statement in response to Julie Roys' post? Could it be that you may not be interested in publicizing facts that contradict your own desired narrative? I really have wanted to believe the best about your motives in curating this site, but I am not yet persuaded that they are as honorable as you would want people to believe. Praying for us all, who will give an account to the only One who rightly judges each ones' heart. I genuinely wish God's best for you.

[Reply](#)

Former 12 Year Member and Leader says:

December 18, 2018 at 4:59 pm

Current Harvest Bible Chapel Elders,

The situation is quickly escalating out of control. Before James can direct the narrative and spin the "attacks" against him and his church, the elder board needs to act quickly and decisively to gain control and protect the church and its members from further damage. While James is away, the elder board needs to vote unanimously and announce the following changes:

- Given the character issues recently brought to light through World Magazine and the current litigation, based on Titus 1:5-9, James S. MacDonald is immediately relieved of all duties and obligations to Harvest Bible Chapel and is removed from the Elder Board and from access to the Harvest pulpit and systems
- Dissolve the Executive Elder Committee effective immediately
- Ask for the resignations of any and all elders that are found to be complicit in James' unbiblical leadership, character, and treatment of subordinates
- Terminate the employment of any family members of James S. MacDonald currently working for Harvest Bible Chapel and any of its affiliates, including but not limited to: Luke MacDonald, Landon MacDonald, Abigail MacDonald, and Kathy MacDonald
- Terminate the employment of any and all pastors and leaders that executed James' unbiblical and unethical treatment of members and fellow leaders, including but not limited to: Rick Donald, Jeff Donaldson, and others
- Remove Harvest Bible Chapel from any and all lawsuits currently in process
- Announce the immediate search for a new high-quality Senior Pastor, with an emphasis on character and Bible-teaching gifts
- Invite any former elders, pastors, leaders, and members to return to help the transition process in a Godly, Biblical, and humble manner
- Announce that the current multi-site structure will be re-evaluated once the new leadership and elder board is in place
- Announce that the current constitution will be completely rewritten in line with a Biblical distribution of authority and which supports the future structure of the church
- Broadcast these changes to the congregation through an Elder Update, Press Release, and e-mail blast
- Ensure all future communication with membership and the press is devoid of spin, wordsmithing, dishonesty, and protection of leaders
- Release all ex-leaders and pastors from any existing anti-compete and non-disclosure agreements

James will certainly sue to be re-instated, but with him no longer controlling the narrative with the congregation, he will be without his most important asset, control of the conversation. He would also need to be made aware that any lawsuit would result in the public release of all financial records previously under control of the XLT, including Salary, Bonus, and Benefits for all MacDonald family members, LLC ownership that resulted in financial conflicts of interest, and any shifts of funds between Harvest Bible Chapel entities. The potential impact on James' future ministry opportunities should limit any litigation options.

Although this would be an extremely difficult time for the church, it would protect the current congregation from future harm and ensure the Bride of Christ is led in a Biblical, humble, and God-honoring manner. Any loss of membership as a result of James' departure would likely be offset by the many wounded and disillusioned that return with optimism, hoping for integrity and humility to return to the church they loved. May His Peace be over the entire process.

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Stacy

**Amor7 says:**

December 18, 2018 at 6:56 pm

Thoughtful plan! However, from reading a recent article, it states as follows.....

"The Bylaws make the Sr. Pastor a member of The Executive Committee. The Bylaws provide for removal of the Sr. Pastor only by unanimous consent of The Executive Committee.(...)" It sounds as though James would have to fire himself and that probably would not happen.

The congregation of 12k+ is at stake and I'm grieved as to where to go from here. Your ideas are well thought out and you may consider sharing on Julie Roy's Facebook where discussions are going on.

Blessings on your efforts to protect the "church".

Eric

**Eric Miller says:**

December 18, 2018 at 9:48 pm

I have read this site for some time, having come across it as a result of originally following, listening to, and reading James McDonald's sermons and books.

When the controversy arose during the involvement of T.D. Jakes in the Elephant's Room 2 event, I sent an email to HBC as one who was concerned about the theological confusion and harm that might come from the seeming validation of his doctrinal positions. To the credit of HBC, I received a phone call from one of the pastors (He is no longer there but I believe his first name was something like Lyle, Lionel or Lowell – my apologies to him for not remembering). I expressed some concerns and we had a very amicable conversation. Unfortunately, in my opinion, within a few days after our conversation James McDonald seemed to bring 'race' into the dialogue in regard to the Elephant Room 2. I texted or emailed that same Pastor as to the intensity of my disappointment and how inappropriate and, perhaps even unnecessarily inflammatory, such an effort appeared to be. He responded – graciously, albeit a bit defensively – and that was the end of our contact, as it wasn't long after that that he, too, left HBC.

Fifteen years ago I felt led to leave my job and to enter full-time vocational ministry. I have been a Senior/Lead Pastor since that time, and the Lord has continued to bless myself and our church family beyond what we deserve. I have no regrets in making this transition and am grateful that the Lord lets me be involved in His Kingdom in this way, in spite of my own brokenness. That said:

1. Having now served in this role for this length of time, I have concluded that God gave a biblical model of church governance that involved a plurality for a reason. No one man has the capacity, the call, or the wisdom to have excessive executive authority. I have heard time and again that 'a bigger church has to use a different model,' hence things like executive teams made up of individuals who don't even attend the church, or 'elders within the eldership' who make up an ultimate decision-making group, often where the Pastor has a clearly disproportionate say and/or authority in matters. HBC's seeming lack of trust in God's ways has not only appeared to reek havoc on their own church family and their staff but is also casting a shadow on all of us seeking to preach the Gospel of Jesus as the information like that in the text streams in this blog post, and the recent article in World becomes public.

2. The need for 'non-disclosure' and 'no-compete' clauses in the very Body of Christ in my opinion is a disgrace. How is it that we have come to a place that we let competition and silence be guiding factors in what is to be a Gospel-driven community (the church) that is all about proclamation and the spread of God's Word? Isn't any positive impact we've had for the Gospel and the Kingdom from God anyway – what is it we're 'protecting' by such things? Surely not Him.

3. I have watched individuals leave our church family at times for reasons that I did not agree were real or justifiable, in regard to how we were painted as a staff or leadership. I have no doubt HBC has had the same. That said, both individuals who have been involved in their leadership and staff seem to point to the presence a culture that is incredibly broken, unpredictable and – in some ways – vile. Perhaps it is time for everyone to just get on their knees, repent of the wrong that has been done and – literally – to start again with a new leadership model where the Pastor is one of several Elders with equal authority. If not, it appears they're on their way to letting their pride destroy them as was done at Mars Hill – where a Pastor appeared to blatantly ignore the authority that he was under, imploded a church body (as well as, it appeared, the willingness of some to ever put their faith in Jesus), and ran off and planted a new church appearing to try to hide / ignore what had just happened.

4. Years ago, while holding an elective office, I was part of a small group that ended up 'rocking the boat' and making some very unpopular – and personally costly – public decisions as a result of uncovering some behaviors, financial arrangements and lack of accountability that was just wrong. The 'easy' thing to do would have been to just let it go, move on and to not face the assured broken relationships and 'new normal' that were going to come about due to acting. But, after a lot of prayer and sleepless nights it was clear that acting was the right thing to do.

Although I write this from a distance – Pennsylvania – due to the fact that I feel it impossible for HBC to claim anymore that these are 'in-house' events for 'in-house' folks only to speak into, due to their own efforts to be a 'brand' and to influence churches throughout the nation and the world, I do acknowledge that, ultimately, these events will need to be resolved by the HBC community. However, the fact that some folks in the HBC body found some information that they felt was wrong, sought to have questions answered, and ultimately started this site when answers appeared to be not-existent, misleading or avoided does not make them wrong for taking action.

I clearly don't know if all that has been shared here is 100% accurate – and it is unfortunate if it isn't. But these folks didn't just write a few personal opinions; they published a wealth of seemingly very disconcerting information. And, it is information that appears to have stood the test of time, rebuttal and that has led to additional information that appears to be concerning.

I don't know where this goes next for all of you, but I do know that the more that is revealed, the worse it appears to look; not just for HBC but for all of us seeking to stand for and proclaim the Gospel of Jesus, if from nothing more than 'guilt by association' in the general public's eyes due to being Christians.

I write this as a follower of Jesus who struggles with my own sinful nature, pride, and past leadership decisions I wish I could go back and make differently – an imperfect person saved by grace through Jesus. Might we all constantly remember that's all we are regardless of 'worldly metrics' of 'success.' My fear is we're going to do nothing but add to the deconstruction of a Christian worldview in America if we don't.

Blessings, Eric

[Eric](#)

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The Elephant's Debt

*Blog at WordPress.com.*

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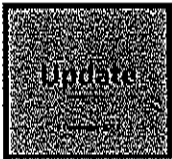




The Elephant's Debt  
*From Exodus to Jubilee*

## Litigation Update: Julie Roys Requests 28 Sets of Documents from MacDonald and HBC

Posted on December 3, 2018



On 14 November 2018, counsel for defendant Julie Roys submitted a document entitled: "Requests for Productions to Plaintiffs." [1] This request contains an itemized list of documents Ms. Roys requires, helpfully categorized into 28 separate groupings. So, for instance, in her first request Julie Roys is requesting "James and Kathy MacDonald's state and federal tax returns for the years 1995 through 2018." Per the instructions of the document, James Sherwood MacDonald and Harvest Bible Chapel have 28 days in which to respond in some fashion or another.

Put simply, this is a standard opening request in the discovery process of a lawsuit. As long as a lawsuit exists, the defendants are afforded the legal right to request all relevant information from the plaintiffs that could affect their ability to defend themselves in the court of law. Thus, what we are posting here is Julie Roys' legal request for James Sherwood MacDonald and Harvest Bible Chapel to produce material evidence under their control which is necessary, in part, for her defense in this case.

[1] This document is produced during the course of litigation and is legally allowed to be published. To the best of our knowledge, any member of the public could request this information from the court file. As such, this is one of many such documents that we will be publishing to keep our donors apprised of the legal situation.



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And the Number Shall Be Five

Harvest Bible Chapel and James MacDonald Sues TED and a Journalist in "Defamation"

Litigation Update: 5 December 2018 Hearing

This entry was posted in [Defamation](#), [Harvest Bible Chapel](#), [James MacDonald](#), [Julie Roys](#), [Lawsuit](#), [Temporary Restraining Order](#). Bookmark the [permalink](#).

## One Response to *Litigation Update: Julie Roys Requests 28 Sets of Documents from MacDonald and HBC*

Paragraph: [Harvest Bible Chapel Update: The Elephant's Debt is Fully Funded. Julie Roys in Discovery is Asking for James MacDonald's Tax Returns From 1995 Through 2018 | Wondering Eagle](#)

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