

CASE TYPE: OTHER CIVIL

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SHERBURNE

TENTH JUDICIAL DISTRICT

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EDWARD G. PALMER,

Plaintiff

**PLAINTIFFS' FIRST SET  
OF REQUESTS FOR ADMISSIONS**

Vs.

SOLID ROCK CHURCH, INC. of  
ELK RIVER, MINNESOTA, a  
Minnesota Non-Profit Corporation,

Court File No. 71-C5-04-000821

WILLIAM NEAL MATTHEWS,  
MARY BETH MATTHEWS,  
LORIN STEPHENSON,  
KYLE SMITH, JOHN DOE and  
OTHER UNNAMED INDIVIDUALS.

Defendants.

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TO: James A. Bumgardner, Attorney for Defendants, Terpstra, Black & Moore, Ltd.,  
First National Financial Center, 812 Main Street, Suite 102, Elk River, Minnesota  
55330.

**PLEASE TAKE NOTICE** that, pursuant to Rule 36.01 of the Minnesota Rules of Civil Procedure, you are requested and required to furnish answers to the following Requests for Admissions to Edward G. Palmer (“Plaintiff”) within thirty (30) days from the date of service. Each answer shall specifically admit or deny the matter or set forth in detail the reasons why the Defendants cannot truthfully admit or deny the matter.

## DEFINITIONS AND INSTRUCTIONS

1. These admission requests should be answered in accordance with the Definitions and Instructions set forth in Plaintiffs' First Set of Interrogatories to Defendants.

2. These requests for admissions are deemed to be continuing. If Defendants, Defendants' attorneys or Defendants' agents obtain any other information which would add to, modify, or qualify your responses supplied herein, you are directed, pursuant to Minn. R. Civ. P. 26.05, to give timely notice of such information and furnish the same to Plaintiff without delay.

3. You are required to answer these Requests for Admission by either stating that you Admit or Deny the statement. **Defendants may not give lack of information or knowledge as a reason for failure to admit or deny unless Defendants state that a reasonable inquiry has been made and that the information known or readily obtainable by Defendants is insufficient to enable the party to admit or deny.**

4. Any matter admitted pursuant to this rule is conclusively established unless the Court on motion permits withdrawal or amendment of the admission. Any admission made by Defendants is for the purpose of the pending action only and is not an admission by Defendants for any other purpose nor may it be used against Defendants in any other proceeding. See Minn. R. Civ. P. 36.02.

## ADMISSION REQUESTS

**REQUEST NO. 1:** Excluding Palmer's handwritten notes at the bottom of the document, Admit that Plaintiffs' Exhibit No. 3 is a copy of the name change resolution hand out given to members of the Elk River Assembly of God Church at the meeting held on July 1, 1993.

**REQUEST NO. 2:** Admit that Plaintiffs' Exhibit No. 3 is the only Articles of Incorporation resolution that was presented to Palmer and the members of the organization for consideration at the business meeting held on July 1, 1993.

**REQUEST NO. 3:** Admit that Plaintiffs' Exhibit No. 4 is a copy of the corporation's meeting minutes for the meeting held at the Elk River Assembly of God Church on July 1, 1993.

**REQUEST NO. 4:** Admit that you represented to Plaintiff and the members of the organization voting at the business meeting held on July 1, 1993 that the only Article change that was being proposed was a simple name change to Article I.

**REQUEST NO. 5:** Concerning the Articles of Incorporation, Admit that the members voted only for a name change to Article I on July 1, 1993 and that no other Articles of Incorporation considerations or votes took place at that business meeting.

**REQUEST NO. 6:** Admit that the name change authorized on July 1, 1993 only required a modification of then existing original Articles of Incorporation — Article I.

**REQUEST NO. 7:** Admit that you had a fiduciary duty to Plaintiff and members to file only the name change authorized on July 1, 1993 with the Minnesota Secretary of State.

**REQUEST NO. 8:** Admit that you filed more changes to the Articles than the simple name change to Article I that was authorized at the July 1, 1993 business meeting.

**REQUEST NO. 9:** Admit that a change to the original Articles of Incorporation Article II was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article II on July 1, 1993.

**REQUEST NO. 10:** Admit that the change made to the original Articles of Incorporation Article II shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 11:** Admit that the change made to the original Articles of Incorporation Article II shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 12:** Admit that the change made to the original Articles of Incorporation Article II shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 13:** Admit that a change to the original Articles of Incorporation Article III was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article III on July 1, 1993.

**REQUEST NO. 14:** Admit that the change made to the original Articles of Incorporation Article III shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 15:** Admit that the change made to the original Articles of Incorporation Article III shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 16:** Admit that the change made to the original Articles of Incorporation Article III shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 17:** Admit that a change to the original Articles of Incorporation Article IV was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article IV on July 1, 1993.

**REQUEST NO. 18:** Admit that the change made to the original Articles of Incorporation Article IV shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 19:** Admit that the change made to the original Articles of Incorporation Article IV shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 20:** Admit that the change made to the original Articles of Incorporation Article IV shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 21:** Admit that a change to the original Articles of Incorporation Article V was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article V on July 1, 1993.

**REQUEST NO. 22:** Admit that the change made to the original Articles of Incorporation Article V shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 23:** Admit that the change made to the original Articles of Incorporation Article V shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 24:** Admit that the change made to the original Articles of Incorporation Article V shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 25:** Admit that a change to the original Articles of Incorporation Article VI was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article VI on July 1, 1993.

**REQUEST NO. 26:** Admit that the change made to the original Articles of Incorporation Article VI shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 27:** Admit that the change made to the original Articles of Incorporation Article VI shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 28:** Admit that the change made to the original Articles of Incorporation Article VI shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 29:** Admit that a change to the original Articles of Incorporation Article VII was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article VII on July 1, 1993.

**REQUEST NO. 30:** Admit that the change made to the original Articles of Incorporation Article VII shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 31:** Admit that the change made to the original Articles of Incorporation Article VII shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 32:** Admit that the change made to the original Articles of Incorporation Article VII shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 33:** Admit that a change to the original Articles of Incorporation Article VIII was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article VIII on July 1, 1993.

**REQUEST NO. 34:** Admit that the change made to the original Articles of Incorporation Article VIII shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 35:** Admit that the change made to the original Articles of Incorporation Article VIII shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 36:** Admit that the change made to the original Articles of Incorporation Article VIII shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 37:** Admit that a change to the original Articles of Incorporation Article IX was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article IX on July 1, 1993.

**REQUEST NO. 38:** Admit that the change made to the original Articles of Incorporation Article IX shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 39:** Admit that the change made to the original Articles of Incorporation Article IX shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 40:** Admit that the change made to the original Articles of Incorporation Article IX shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 41:** Admit that a change to the original Articles of Incorporation Article X was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article X on July 1, 1993.

**REQUEST NO. 42:** Admit that the change made to the original Articles of Incorporation Article X shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 43:** Admit that the change made to the original Articles of Incorporation Article X shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 44:** Admit that the change made to the original Articles of Incorporation Article X shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 45:** Admit that a change to the original Articles of Incorporation Article XI was filed with the Minnesota Secretary of State in the document shown as Palmer Exhibit 6 and that the members did not authorize a change to Article XI on July 1, 1993.

**REQUEST NO. 46:** Admit that the change made to the original Articles of Incorporation Article XI shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 47:** Admit that the change made to the original Articles of Incorporation Article XI shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 48:** Admit that the change made to the original Articles of Incorporation Article XI shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 49:** Admit that the original Articles of Incorporation did not have an Article XII.

**REQUEST NO. 50:** Admit that the addition of an Article XII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 51:** Admit that the addition of a new Article XII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 52:** Admit that the addition of a new Article XII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 53:** Admit that the original Articles of Incorporation did not have an Article XIII.

**REQUEST NO. 54:** Admit that the addition of an Article XIII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 55:** Admit that the addition of a new Article XIII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 56:** Admit that the addition of a new Article XIII made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 57:** Admit that the original Articles of Incorporation did not have an Article XIV.

**REQUEST NO. 58:** Admit that the addition of an Article XIV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 59:** Admit that the addition of a new Article XIV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 60:** Admit that the addition of a new Article XIV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 61:** Admit that the original Articles of Incorporation did not have an Article XV.

**REQUEST NO. 62:** Admit that the addition of an Article XV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of existing corporate governing documents.

**REQUEST NO. 63:** Admit that the addition of a new Article XV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a breach of your fiduciary duty to Plaintiff.

**REQUEST NO. 64:** Admit that the addition of a new Article XV made to the Articles of Incorporation shown in Palmer Exhibit 6 was a violation of the Minnesota Non-Profit Corporation Act, Minn. Stat. Chapter 317A.

**REQUEST NO. 65:** Admit that the members were led to believe that only a name change had been made to the Articles of Incorporation and that your representation of this as fact constitutes the withholding of material facts from the members.

**REQUEST NO. 66:** Admit that Plaintiffs' Exhibit No. 6 is a copy of the contents of the meeting notice letter you supplied the members for the July 11, 1995 meeting.

**REQUEST NO. 67:** Admit that the notice shown as Plaintiffs' Exhibit No. 6 is dated July 7, 1995 and that you only gave the members a maximum of four (4) days written notice of the business meeting held on July 11, 1995.

**REQUEST NO. 68:** Admit that the notice shown as Plaintiff Exhibit No. 6 states nothing about any proposed changes to the organization's Articles of Incorporation.

**REQUEST NO. 69:** Admit you presented no resolutions for Articles of Incorporation changes at the July 11, 1995 business meeting.

**REQUEST NO. 70:** Admit that Plaintiffs' Exhibit No. 7 is the basic hand out given members at the July 11, 1995 business meeting excluding Palmer's hand written notes.

**REQUEST NO. 71:** Admit that then existing Article XV required that the substance of any proposed Article changes had to be disclosed and posted for four consecutive weeks.

**REQUEST NO. 72:** Admit that you did not disclose or post any proposed Article changes prior to or subsequent to the July 11, 1995 meeting for that meeting.

**REQUEST NO. 73:** Admit that the resolution shown as Plaintiff Exhibit No. 7 is the same resolution found in Matthews Affidavit dated October 5, 1999, Exhibit 6 pages 28-29.

**REQUEST NO. 74:** Admit that Plaintiff Exhibit 8 and 9 are basic copies of Matthews Affidavit Exhibit 6 pages 28 and 29.

**REQUEST NO. 75:** Admit that in the last clause of the July 11, 1995 resolution it states that a committee will be made up "to make appropriate changes in the Constitution and By-laws to present to the congregation at a later date."

**REQUEST NO. 76:** Admit that you never established a committee to review the changes necessary to affiliate with the AFCM, which was called for in the July 11, 1995 resolution.

**REQUEST NO. 77:** Admit that you never "presented" to the members the changes the committee was supposed to identify "for the constitution and bylaws."

**REQUEST NO. 78:** Admit that you withheld material information from the members concerning the AFCM affiliation during the July 11, 1995 business meeting.

**REQUEST NO. 79:** Admit that you withheld the material fact that you intended to take away all members voting rights after the July 11, 1995 meeting and that this was required of an AFCM affiliation.

**REQUEST NO. 80:** Admit that you represented to the members on July 11, 1995 that there were no significant or major changes in governing documents required to switch affiliations and that the government nature of the corporation would remain the same.

**REQUEST NO. 81:** Admit that you represented to the members on July 11, 1995 that you needed to change affiliations because you felt you could no longer remain under the leadership of the AG District Council due to differences in opinions.

**REQUEST NO. 82:** Admit that one of the reasons for calling the July 11, 1995 meeting so hastily is that you were upset by a report that the AG District Council had distributed.

**REQUEST NO. 83:** Admit that when you filed the changes in October 1995 with the Minnesota Secretary of State, that you stated the Article changes filed were approved by a vote of the membership that occurred on the date of July 11, 1995.

**REQUEST NO. 84:** Admit that the corporate meeting minutes for the July 11, 1995 contain no mention or discussion of Article changes or any vote for any Article change.

**REQUEST NO. 85:** Admit that the corporate meeting minutes for the July 11, 1995 contain no mention of the members having to give up voting rights nor any discussion of such an AFCM requirement to do so.

**REQUEST NO. 86:** Admit that the members did not give up or waive any of their voting rights at the July 11, 1995 business meeting.

**REQUEST NO. 87:** Admit that you had no corporate authority to alter the organization's governing documents as a result of the July 11, 1995 business meeting.

**REQUEST NO. 88:** Admit that you orchestrated the October 1995 Amended Articles filing and those that preceded it with the Minnesota Secretary of State, because you aspired to own an AFCM ministry whereby only your family owned and controlled the corporation.

**REQUEST NO. 89:** Admit that Plaintiffs' Exhibit No. 15 is a copy of the contents of the resolution that you sent to the Association of Faith Church Ministries (AFCM) on or about November 7, 1996.

**REQUEST NO. 90:** Admit that you held a meeting to affiliate with the AFCM in September 1996.

**REQUEST NO. 91:** Admit you settled the AG District lawsuit on November 1, 1996.

**REQUEST NO. 92:** Admit you disaffiliated with the AFCM on November 7, 1996 only six days after settling the AG District lawsuit.

**REQUEST NO. 93:** Admit that you used the AFCM as a ruse to disaffiliate with the AG District to "take over" the corporation.

**REQUEST NO. 94:** Admit that no meeting of the members occurred on November 7, 1996 except Defendant William Neal Matthews and a few others close to him.

**REQUEST NO. 95:** Admit that Defendant William N. Matthews was formally installed as the Senior Pastor of Elk River Assembly of God Church on the morning of Sunday, December 13, 1992 at the corporation's second morning service.

**REQUEST NO. 96:** Admit that Defendant William N. Matthews used Jeremiah chapter 23, verses 1-4 as a Bible teaching reference on the day of his formal installation as Senior Pastor [December 13, 1992].

**REQUEST NO. 97:** Admit that Defendant William N. Matthews was presented to the members of the corporation as a married man in 1992.

**REQUEST NO. 98:** Admit that Defendant William N. Matthews was presented to the members of the corporation as a father of six children in 1992.

**REQUEST NO. 99:** Admit that Defendant William N. Matthews was presented to the members of the corporation as a family man in 1992.

**REQUEST NO. 100:** Admit that when Defendant William N. Matthews was presented to the members of the corporation in 1992 that, at one point, his wife and six children joined him on the stage and that they then represented themselves together as a united family to serve the members of the corporation.

**REQUEST NO. 101:** Admit that Defendant William N. Matthews was an accredited Assembly of God Minister in July 1993.

**REQUEST NO. 102:** Admit that Defendant William N. Matthews was originally licensed by the Assemblies of God in 1984 and had maintained his license through 1993.

**REQUEST NO. 103:** Admit that Defendant William N. Matthews was the Pastor of a Chelsea, Michigan Assemblies church for two years prior to being elected president of ERAG.

**REQUEST NO. 104:** Admit that in July 1993 Defendant William N. Matthews was subject to some degree of management and leadership oversight by the Minnesota District Assembly of God Ministries based in Minneapolis.

**REQUEST NO. 105:** Admit that in July 1993 Defendant William N. Matthews was subject to some degree of similar oversight by the National Headquarters of the Assembly of God Ministries, which provided a higher layer of management and leadership above that of the Minnesota District Assembly of God Ministries.

**REQUEST NO. 106:** Admit that you will be held individually responsible for your own answers to all discovery requests and that you cannot rely upon the answer of another Defendant before the Court to provide an answer for you.

**REQUEST NO. 107:** Admit that the Elk River Assembly of God Church By-Laws in July 1993 had a provision requiring “Assembly of God” credentials or accreditation for all ministers that were to be employed for service to the corporation.

**REQUEST NO. 108:** Admit that Defendant William N. Matthews was represented to the members of the corporation as a man of integrity in 1992.

**REQUEST NO. 109:** Admit that Defendant William N. Matthews was represented to the members of the corporation as a man of honesty in 1992.

**REQUEST NO. 110:** Admit that Defendant William N. Matthews was represented to the members of the corporation in 1992 as having experience in managing non-profit corporations.

**REQUEST NO. 111:** Admit that Defendant William N. Matthews attended and graduated from the North Central Bible College.

**REQUEST NO. 112:** Admit that the background and history of Defendant William N. Matthews that was represented to the members of the corporation in 1992 were those of a committed Assembly of God Minister.

**REQUEST NO. 113:** Admit that members of the organization in 1992 were led to believe that Defendant William N. Matthews was loyal to the Assembly of God Ministries from whom he was accredited as a minister.

**REQUEST NO. 114:** Admit that if William N. Matthews had not been credentialed and licensed by the Assemblies of God that he would not have been considered for the corporate job of ERAG's president.

**REQUEST NO. 115:** Admit that Defendant William N. Matthews was presented to the members of the corporation in 1992 as a righteous man.

**REQUEST NO. 116:** Admit that Defendant William N. Matthews was presented to the members of the corporation in 1992 as a holy man.

**REQUEST NO. 117:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on April 27, 1993.

**REQUEST NO. 118:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on May 11, 1993.

**REQUEST NO. 119:** Admit that Defendant William N. Matthews cancelled the membership class scheduled for May 18, 1993.

**REQUEST NO. 120:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on May 25, 1993.

**REQUEST NO. 121:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on June 1, 1993.

**REQUEST NO. 122:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on June 8, 1993.

**REQUEST NO. 123:** Admit that Defendant William N. Matthews cancelled the membership class scheduled for June 15, 1993.

**REQUEST NO. 124:** Admit that Defendant William N. Matthews personally taught a membership class to Plaintiff and other prospective members on June 24, 1993.

**REQUEST NO. 125:** Admit that Defendant William N. Matthews indoctrinated Plaintiff and other prospective members in a series of membership classes that started on April 27, 1993 and ended on June 24, 1993.

**REQUEST NO. 126:** Admit that the indoctrination of Plaintiff and other prospective members was immediately preceding the corporation's July 1, 1993 business meeting.

**REQUEST NO. 127:** Admit that LeAnn Strauss attended the same membership class series as Plaintiff.

**REQUEST NO. 128:** Admit that Rick Strauss attended the same membership class series as Plaintiff.

**REQUEST NO. 129:** Admit that Plaintiff attended the corporate business meeting held on July 1, 1993.

**REQUEST NO. 130:** Admit that Char Moshier attended the corporate business meeting held on July 1, 1993.

**REQUEST NO. 131:** Admit that Marty Moshier attended the corporate business meeting held on July 1, 1993.

**REQUEST NO. 132:** Admit that Plaintiffs' Exhibit 5 is a copy of Plaintiffs' Membership application dated July 14, 1993.

**REQUEST NO. 133:** Admit that Plaintiff was accepted as a full member of the corporation on the date of his application, July 14, 1993.

**REQUEST NO. 134:** Admit that the context in which Plaintiff formulated the basis of his stock transfer would have included the events of the organization in the period of time from September 1992 to July of 1993.

**REQUEST NO. 135:** Admit that the context in which Plaintiff formulated the basis of his stock transfer would have included the membership classes of April 27 to June 24, 1993.

**REQUEST NO. 136:** Admit that you never told Plaintiff that you planned to fraudulently alter the corporation's Articles based upon the business meeting of July 1, 1993.

**REQUEST NO. 137:** Admit that by not telling Plaintiff of your July 1993 plan to fraudulently alter the Articles that you withheld material information from Plaintiff during the time he was completing his assessment of whether to join the corporation.

**REQUEST NO. 138:** Admit that you had already hatched your corporate take over plan and intent to fraudulently misrepresent Article changes to the Minnesota Secretary of State prior to the time that Plaintiff transferred his 545,000 shares.

**REQUEST NO. 139:** Admit that if Plaintiff had known all material facts concerning the corporation on July 14, 1993 that Plaintiff would not have joined the organization.

**REQUEST NO. 140:** Admit that if Plaintiff had known all material facts concerning your intentions for the corporation then existing on July 14, 1993 that Plaintiff would not have joined or transferred his 545,000 shares of stock four days later on July 18, 1993.

**REQUEST NO. 141:** Admit that you represented your organization as a "Full-Gospel" ministry in 1993 prior to the transfer of Plaintiffs' 545,000 shares and that by nature that would have precluded any lies and dishonesty.

**REQUEST NO. 142:** Admit that the corporation was subject to the local oversight of a board of deacons or trustees (board) in July 1993.

**REQUEST NO. 143:** Admit that the corporate organization was in the form of a denominational congregation in July 1993.

**REQUEST NO. 144:** Admit that all members of the organization were legally the owners of the organization in July 1993.

**REQUEST NO. 145:** Admit that all voting members of the organization had equal rights as provided for in the organization's By-Laws, Articles and under Minnesota Statute 317A as the organization existed in July 1993.

**REQUEST NO. 146:** Admit that corporate officers were obligated to comply with the standard of conduct specified under Minn. Stat. § 317A.361.

**REQUEST NO. 147:** Admit that corporate directors were obligated to comply with the standard of conduct specified under Minn. Stat. § 317A.251.

**REQUEST NO. 148:** Admit that you were at all times required to comply with the corporation's By-Laws.

**REQUEST NO. 149:** Admit that you were at all times required to comply with the corporation's Articles.

**REQUEST NO. 150:** Admit that you were at all times required to comply with all applicable sections of Minnesota law at Minn. Stat. Chapter 317A.

**REQUEST NO. 151:** Admit that the corporation's By-Laws and Articles had no provisions which modified the provisions of Minn. Stat. § 317.111 Subd 3 (19) and (24).

**REQUEST NO. 152:** Admit that you routinely solicited new membership for the corporation.

**REQUEST NO. 153:** Admit you routinely told attendees that they could not participate in any area of the corporation without first joining the corporation and becoming a member.

**REQUEST NO. 154:** Admit that you maintain a mailing list and computerized database containing names of current members, former members and of prospective members.

**REQUEST NO. 155:** Admit that you maintain corporate records concerning all business meetings including a list of meeting attendees, meeting minutes and resolutions.

**REQUEST NO. 156:** Admit that you have a record of the July 1, 1993 and the July 11, 1995 business meeting attendees.

Dated: June 7, 2004

PLAINTIFF

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Edward G. Palmer, Plaintiff  
Attorney Pro Se

15548 95<sup>th</sup> Circle NE  
Otsego, Minnesota 55330  
(763) 441-3440  
(763) 441-7174 Fax

#### **ACKNOWLEDGMENT**

The party, upon whose behalf this pleading is submitted, by and through the undersigned, hereby acknowledges that sanctions may be imposed for a violation of Minn. Stat. § 549.211.

Dated: June 7, 2004

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Edward G. Palmer, Plaintiff  
Attorney Pro Se