

COPY

WILLIAMSON COUNTY
CIRCUIT COURT

IN THE CIRCUIT COURT FOR WILLIAMSON COUNTY, TENNESSEE

2011 SEP 26 PM 12: 02

RAFAEL MARTINEZ,)
)
 Plaintiff,)
)
 v.)
)
 GWEN SHAMBLIN and TEDD ANGER,)
)
 Defendants.)

Case No. **2011-515**
JURY DEMAND

COMPLAINT

The Plaintiff, Reverend Rafael Martinez, hereby states his claims against the Defendants, as follows.

PARTIES

1. Reverend Rafael Martinez is an adult individual residing in Cleveland, Bradley County, Tennessee. Reverend Martinez is a licensed minister in the Church of God, is employed full-time in a secular job, and is also the co-founder of Spiritwatch Ministries (“Spiritwatch”), through which he provides outreach and ministry to individuals affected by cultic movements.

2. Gwen Shamblin is an adult resident of Williamson County, Tennessee. Mrs. Shamblin is internationally known as the founder of the Weigh Down Workshop, a Christian weight loss program, and as the founder of Remnant Fellowship (“Remnant”), a religious organization based in Brentwood, Williamson County, Tennessee.

3. Tedd Anger is an adult resident of Williamson County, Tennessee. Mr. Anger is employed by Remnant and is a leader of the Remnant congregation.

JURISDICTION AND VENUE

4. The Defendants are residents of Williamson County, Tennessee. The primary actions at issue in this case, including the Defendants' filing of the defamation lawsuits in question, occurred in Williamson County, Tennessee.

5. Jurisdiction and venue are appropriate in this honorable Court.

FACTS

A. The Defendants and the Remnant Fellowship

6. Mrs. Shamblin is internationally known for a variety of reasons, including, but not limited, to those set forth in Paragraph Number 2 above. In addition to being the single person most closely associated with the Remnant, which she founded in 1999, and with the Weigh Down Workshop, she has authored a best-selling diet book, and appeared on various national television shows such as *Larry King Live*, *The Tyra Banks Show*, and *Good Morning America*. She has voluntarily given numerous interviews to both television and print media outlets. She has voluntarily spoken at various events. She has caused her sermons at Remnant to be broadcast to the world via the internet and telephonically. She has addressed various groups within Remnant, and has allowed certain of these sessions to be recorded and distributed worldwide.

7. Within Remnant, Mrs. Shamblin is sometimes referred to as a prophetess. She is recognized as the leader of the organization, is featured prominently on its website, and regularly preaches, teaches, and/or lectures to the members.

8. Remnant is a religious organization headquartered in Brentwood, Williamson County, Tennessee. Remnant is international in scope, broadcasting its sermons around the

world for the benefit of individuals and satellite churches. Since its inception, Remnant has been involved in a number of public controversies, as described more fully herein, including, but not limited to, its teachings on the concept of the Trinity, allegations that it is a cult, its relationship with the Weigh Down Workshop, and its stance on child discipline. On at least one occasion, Remnant was picketed by various individuals who accused Remnant of being a cult.

B. Various Matters of Public Controversy and Debate

9. Gwen Shamblin and Tedd Anger have been at the forefront of much of the controversy surrounding Remnant. They have both been outspoken defenders of themselves, their teachings, and Remnant.

10. Gwen Shamblin and Tedd Anger have both made numerous public statements designed to either promote their worldview or defend themselves and/or Remnant from criticism. Their statements, writings, teachings, and interviews with the media have been part of the on-going public debate about the types of topics listed in Paragraph 8 above.

C. The Smith Murder

11. Negative publicity about Remnant reached a boiling point in the years following the murder of an 8-year-old boy named Josef Smith (not to be confused with Joseph Smith, his father). In particular, the Smith murder caused Mrs. Shamblin's, Mr. Anger's, and Remnant's teachings regarding corporal punishment to be scrutinized by the local and national media.

12. Joseph and Sonya Smith were adult members of Remnant who resided in North Georgia and attended a satellite branch of the church. On at least one occasion, Sonya Smith

spoke to Gwen Shamblin about child discipline issues with respect to the Smiths' son Josef. On at least one occasion, Sonya Smith also spoke to Tedd Anger about child discipline issues with respect to her son Josef.

13. On one occasion, after receiving counsel from Mr. Anger, Sonya and her husband removed everything from their son Josef's room except for his Bible and locked him in the room from a Friday until the following Monday.

14. In 2003, Joseph and Sonya Smith were arrested for beating their son Josef to death. They were charged with murder. The police found bruises over Josef's entire body. The Smiths admitted to striking their son, including using glue sticks.

15. Donations from Remnant members helped the Smiths post bond and hire a high-profile criminal defense attorney from Atlanta. Numerous Remnant members traveled to Georgia to attend the proceedings and support the Smiths. Remnant members maintained a web site devoted to the Smith case, and used this web site to assert that the Smiths are innocent.

16. Ultimately, the Smiths were convicted of felony murder and other lesser charges. Testimony at the trial revealed that young Josef had been locked in a chest, struck with glue sticks, and beaten severely.

17. The Smiths appealed their conviction. On November 8, 2010 the Supreme Court of Georgia denied their appeal. The Smiths attempted to further appeal their conviction to the United States Supreme Court. On June 27, 2011, the United States Supreme Court issued its decision that it would not hear the case. The Smiths are currently serving life sentences in Georgia. On information and belief, Mrs. Shamblin and/or Remnant paid all or some of the Smiths' legal bills.

18. All aspects of the Smiths' trial were highly publicized. Court TV televised portions of the trial. The trial was discussed on the *Nancy Grace* cable television show. Mrs. Shamblin and Mr. Anger both gave public statements and interviews regarding the trial. Both Mrs. Shamblin and Mr. Anger publicly defended Mr. and Mrs. Smith.

19. Throughout the investigation and trial, Mr. and Mrs. Smith were defensive of their treatment of young Josef, maintaining that corporal punishment was appropriate under their religious beliefs.

20. In the lead-up to the trial, law enforcement agents in Georgia coordinated with law enforcement agents in Williamson County, Tennessee to investigate whether Remnant teachings had anything to do with the Smiths' treatment of their son. This coordination culminated in the service of a search warrant on the offices of the Weigh Down Workshop.

21. On information and belief, aside from Mr. and Mrs. Smith, neither Remnant, Mrs. Shamblin, Mr. Anger, nor anyone else associated with Remnant was charged in any way or implicated in any way with the Smith murder.

22. During the trial, the attorneys involved announced that a deal had been struck to limit Remnant's involvement in the case.

23. During the general time period of the investigation and trial, from approximately 2003 through 2007, Remnant received a regular stream of negative publicity and press. National and local news stories cast Remnant in an unflattering light as they examined the teachings of the church on corporal punishment, the allegations that the church was a cult, and the question of a link between Remnant and the Smith case. Former Remnant members came forward to share negative experiences. For instance, a former Remnant member voluntarily gave an interview to a

local television news station in which she stated that while she attended Remnant she was “afraid that her son would get beat [sic] severely by another parent.”

24. In particular, Nashville’s News Channel 5 ran a multi-part series entitled *Firm Beliefs*, in which it closely documented the on-going controversies involving Mrs. Shamblin and Remnant. In this series, News Channel 5 detailed and discussed allegations regarding Remnant’s status as a cult, allegations that Remnant advocated corporal punishment, and the Smith murder case. News Channel 5 posed the question of whether Mr. and Mrs. Smith had been influenced by Remnant’s teachings with respect to child discipline. Later, various news outlets reported that Remnant had made a deal (or words to that effect) to avoid getting dragged into the Smith murder trial.

25. In an effort to confront their critics and control their damages, Mrs. Shamblin and Mr. Anger voluntarily appeared on television and gave a lengthy interview to News Channel 5 television reporter Phil Williams. The interview covered a variety of topics, including Remnant, its teachings on child discipline, and the Smith murder case. However, as damage control, this interview backfired. During the interview, Mr. Williams asked Mrs. Shamblin and Mr. Anger about Remnant’s position on corporal punishment. After they responded, Mr. Williams played portions of an audio recording which flatly contradicted Mrs. Shamblin’s and Mr. Anger’s assertions. This audio recording included, *inter alia*, Mrs. Shamblin lecturing on the topic of child discipline and fielding a call from Mrs. Smith regarding disciplinary issues she was having with her son Josef. Mrs. Shamblin reacted to Mr. Williams’ playing of the recordings by saying that the recordings were fake. Subsequently, Mrs. Shamblin recanted, and conceded that the recordings were authentic.

26. In the wake of the bad press that Remnant had been receiving, and in the wake of the *Firm Beliefs* series and the Phil Williams interview, Mrs. Shamblin and Mr. Anger wanted to sue, or to have Remnant sue, News Channel 5. However, their attorney advised them that they did not have a claim, and that their allegations against News Channel 5 were “not actionable.”

D. Reverend Martinez, Spiritwatch Ministries, and the First Lawsuit

27. By the time of the Smith murder case, Reverend Martinez had been a vocal critic of Remnant for years. Reverend Martinez views Remnant as a cult, and actively works through his countercult ministry, Spiritwatch, to assist families who have “lost” members to Remnant, former members of Remnant, and others who had been affected by Remnant. This work is part of Reverend Martinez’s on-going countercult ministry, in which he has been equally critical of other organizations that he identifies as being cults.

28. Reverend Martinez closely followed the news of the Smith murder case. A former Remnant member provided him with copies of certain recordings made within Remnant, which Reverend Martinez provided to Phil Williams, and which Phil Williams played, in part, as referenced in Paragraph 25 above. These recordings were made by Remnant. The tapes feature Remnant members discussing corporal punishment, and feature Mrs. Shamblin talking directly with Mrs. Smith (Josef’s mother) about methods of discipline for young Josef. Ultimately, at the request of law enforcement authorities in Georgia, Reverend Martinez supplied these original tapes to the prosecution team in the Smith case for their evaluation.

29. In approximately November of 2006, sixty-seven (67) members of Remnant filed a defamation lawsuit against Reverend Martinez (the “First Lawsuit”), Case No. 06648, in

Williamson County Circuit Court. The First Lawsuit was unclear as to its claims and causes of action, but requested compensatory damages in excess of \$300,000 and punitive damages of \$3,000,000. Reverend Martinez denied any wrong-doing whatsoever, and vigorously defended the First Lawsuit. News cameras were on hand to film the hearing on the Motion to Dismiss filed by Reverend Martinez in 2007. After instructions from the bench that the Complaint needed to specify who was suing whom for what, the Plaintiffs voluntarily dismissed the First Lawsuit in 2007 and did not re-file it. In a public interview regarding the First Lawsuit, the attorney representing the various Remnant members, Samuel J. Harris, Esq. stated that he knew that Reverend Martinez did not have significant assets, or words to that effect.

30. After the conclusion of the First Lawsuit, Reverend Martinez continued to closely follow the Smith case, and to closely follow the public actions of Remnant and Mrs. Shamblin.

31. On August 13, 2008, Mr. Martinez made the following internet post in response to an article he read on the internet, which had to do with another case where a child was killed and a cult was linked, in some way, to the death (the response will be referred to herein as the "Statement"):

An equally dangerous cult called Remnant Fellowship found itself under scrutiny when two of its members were arrested, tried and convicted of murdering one of their children when they followed the child-rearing directions of the cult's leadership, self-anointed "prophetess" Gwen Shamblin and her sycophant lieutenant Tedd Anger. When the members, Joseph and Sonya Smith went to trial, however, Remnant was able to cop a deal with the prosecutors and avoid getting dragged into the murder trial.

As the Church Lady would say "How conVEEEEenient."

So that twisted woman Gwen Shamblin to this day strolls around from coterie to coterie in her little Southern cult hothouse, blindly followed by about 1100 or so people, many of whom are children who are just as vulnerable to the practical

lifestyle excesses Shamblin advances as “God’s Way”...and who likely have endured abuses that would make you swallow hard.

Sad that it’s only when children die in the horrific ways that cults set up for them that this issue EVER pierces the national conscience.

After all, Britney Spears lack of underwear and the premiere of the next action flick installment at the metroplex are far more important.

Murderous ministries are afoot everywhere. They are as American and home grown as mom, apple pie, and McDonalds. The problem is everyone forgets about them when they drop off the front page—except the victims of these cults and those very few activists and ministers who can’t let this evil be forgotten and who do what we can to get people out of these groups and aid them in getting a firm foundation on reality again.

G. The Second Lawsuit

32. On August 12, 2009, *after* the bad press described above, *after* the disastrous Phil Williams interview described above, *after* Mrs. Shamblin and Mr. Anger inquired about suing News Channel 5 but were told that their claims were “not actionable,” and *after* the dismissal of the First Lawsuit, Mrs. Shamblin and Mr. Anger once again sued Mr. Martinez in Williamson County Circuit Court, Case No. 09476, over the Statement, asserting in Count I that it was an invasion of their privacy and in Count II that it was defamatory (the “Second Lawsuit”).

33. The Second Lawsuit alleged that the Statement had caused both Mrs. Shamblin and Mr. Anger loss of reputation, humiliation, public ridicule, mental distress, and loss of privacy.

34. The Second Lawsuit alleged that the Statement had caused both Mrs. Shamblin and Mr. Anger to suffer damages to their reputations and to their potential incomes.

35. The Second Lawsuit alleged that Mrs. Shamblin and Mr. Anger were entitled to at least \$100,000 each in compensatory damages and \$500,000 in punitive damages. The Second

Lawsuit was signed for attorney Samuel J. Harris, Esq. by non-lawyer/litigant Tedd Anger, in violation of the Tennessee Rules of Civil Procedure.

36. In reality, the Second Lawsuit was nothing more than a retaliatory action aimed at a critic without substantial assets and meant to chill the speech of critics and to turn the tide in the news cycle, which had been predominantly negative for Mrs. Shamblin, Mr. Anger, and Remnant.

37. In truth, neither Mrs. Shamblin nor Mr. Anger suffered any loss whatsoever that can be causally linked to the Statement.

38. In truth, the Statement is not actionable in any way.

39. Aside from certain statements of rhetorical hyperbole and/or opinion, the Statement conveyed the same essential facts that were conveyed by News Channel 5's series, and in other media forums, except that the Statement was published to a dramatically *smaller* audience.

40. The filing of the Second Lawsuit was reported by an article in the *Tennessean*. Given the presence of the news media at the hearing on Reverend Martinez's Motion to Dismiss the First Lawsuit, various statements made to the media by Mrs. Shamblin and Mr. Anger, and the immediate publication of an article regarding the Second Lawsuit, Reverend Martinez believes and alleges that Mrs. Shamblin and/or Mr. Anger, directly or indirectly, solicited media coverage for their campaign against Reverend Martinez.

H. The Statement Constitutes Protected Speech

41. Our society has a compelling interest in the free and open exchange of ideas and dialogue, even when that dialogue is harsh or offensive.

42. While the government can regulate speech in certain instances, and while private citizens have causes of action such as defamation to protect them in other instances, the censorship of speech is disfavored, if not impossible, particularly when the speech concerns matters that are true, matters that concern public figures, and/or matters that concern public controversies.

43. In this case, the speech in the Statement directly pertained to public figures and matters of public controversy. In addition, the assertions in the Statement were either true or were mere opinion and/or rhetorical hyperbole.

44. In short, the speech in the Statement was no more actionable than the speech in the News Channel 5 series.

45. The Second Lawsuit was wholly devoid of factual or legal merit, and should never have been brought. Mrs. Shamblin and Mr. Anger quickly conceded and, in fact, stipulated for purposes of the Second Lawsuit, that they were public figures, that the issues involved were matters of public controversy, that matters of opinion are not actionable, and that the material factual assertions in the Statement were either true or had been reported as true by various news outlets.

46. Reverend Martinez hired counsel to defend him from the claims in the Second Lawsuit. Ultimately, the Second Lawsuit was dismissed at summary judgment, on the merits, with prejudice.

47. Mrs. Shamblin and Mr. Anger appealed the dismissal of the Second Lawsuit,

causing Reverend Martinez additional time, effort, and expense. The Court of Appeals affirmed the Trial Court in all respects in its dismissal of Mrs. Shamblin's and Mr. Anger's claims.

**COUNT ONE
MALICIOUS PROSECUTION /WRONGFUL INSTITUTION
OF CIVIL PROCEEDINGS**

48. Reverend Martinez hereby incorporates and re-states Paragraphs 1-47 as if fully set forth herein.

49. Mrs. Shamblin and Mr. Anger brought the Second Lawsuit against Reverend Martinez.

50. Mrs. Shamblin and Mr. Anger brought the Second Lawsuit against Reverend Martinez without probable cause. In fact, they knew at the time they brought it that the claims were not actionable, that they had not been damaged as described in the Second Lawsuit, that Reverend Martinez did not have significant assets, and that the First Lawsuit, which made similar allegations, had gotten nowhere.

51. Mrs. Shamblin and Mr. Anger brought the Second Lawsuit against Reverend Martinez with malice. They knew their claims were not actionable, and they knew that they had not been damaged by the Statement, yet they persisted in bringing their claims for the purpose of public relations, and in order for them to reverse the tide of bad press they and Remnant had been receiving and to chill the speech of other would-be critics. When Mrs. Shamblin and Mr. Anger consulted their attorney about suing News Channel 5 he correctly advised them that the claims were not actionable. When they filed the Second Lawsuit, Tedd Anger, a litigant and non-lawyer, actually signed the Complaint. In short, the Second Lawsuit was brought in bad faith, for

improper motives, without probable cause, with malice, and was not based on the objective advice of independent counsel.

52. The Second Lawsuit was terminated on the merits in Reverend Martinez's favor. The Court of Appeals affirmed the decision of the Trial Court in every way.

53. As an actual and proximate cause of the filing of baseless litigation against him, Reverend Martinez has suffered damages, including, but not limited to, having to incur attorney's bills and pay attorney's fees and other costs of litigation.

54. The actions of Mrs. Shamblin and Mr. Anger in filing the Second Lawsuit were intentional and reflected a planned public relations strategy gone wrong. Although Mrs. Shamblin and Mr. Anger made various allegations in the Second Lawsuit, they quickly conceded that many of their allegations were without merit, by stipulating that they were public figures, that the various issues were matters of public concern and debate, that it was not actionable to be called a "cult," and that statements of opinion were not actionable.

55. For the reasons set forth herein, Reverend Martinez is entitled to recover both compensatory and punitive damages against Mrs. Shamblin and Mr. Anger.

COUNT TWO ABUSE OF PROCESS

56. Reverend Martinez hereby incorporates and re-states Paragraphs 1-55 as if fully set forth herein.

57. Mrs. Shamblin and Mr. Anger have attempted to use legal process to embarrass,

silence, and chill the speech of Reverend Martinez and other would-be critics.

58. Despite their knowledge that Reverend Martinez has limited assets, Mrs. Shamblin and Mr. Anger sued him for punitive damages in excess of \$500,000.

59. By serving Reverend Martinez with a Complaint that does not have the signature of a licensed attorney, as required by the Tennessee Rules of Civil Procedure, Mrs. Shamblin and Mr. Anger abused legal process.

60. Mrs. Shamblin and Mr. Anger brought the Second Lawsuit against Reverend Martinez for purposes other than pursuing a legitimately actionable claim against him—specifically, they brought the Second Lawsuit for the improper purpose of trying to turn the tide of bad press they had been receiving, and to chill the legitimate speech of their many critics. In particular, Mrs. Shamblin and Mr. Anger were concerned about the welfare and success of the Remnant and the Weigh Down Workshop, both of which depend heavily upon recruiting, advertising, and soliciting members/customers. In short, the Second Lawsuit, and the entire campaign against Reverend Martinez, were cynical business decisions and had nothing to do with the pursuit of actionable claims.

61. As an actual and proximate cause of the filing of baseless litigation against him, Reverend Martinez has suffered damages, including, but not limited to, having to incur attorney's bills and pay attorney's fees.

62. For the reasons set forth herein, Reverend Martinez is entitled to recover both compensatory and punitive damages against Mrs. Shamblin and Mr. Anger.

WHEREFORE, for the reasons set forth herein, Reverend Martinez respectfully

requests:

1. That a jury of 12 hear this case;
2. That a judgment be entered for the Plaintiff and against the Defendants, jointly and severally;
3. That the Plaintiff be awarded compensatory damages in an amount to be proven at trial;
4. That the Plaintiff be awarded punitive damages against Gwen Shamblin in an amount to be proven at trial but not to be less than \$1,000,000;
5. That the Plaintiff be awarded punitive damages against Mr. Anger in an amount to be proven at trial but not to be less than \$500,000;
6. That the Plaintiff be given leave to amend his Complaint as additional facts are discovered;
7. That the Plaintiff be awarded such other and further relief as justice and equity require; and
8. That all Court costs be taxed against the Defendants, jointly and severally.

RESPECTFULLY SUBMITTED,

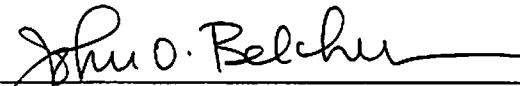
G. PHILIP ANDERSON, P.C.

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We acknowledge ourselves as surety for all court costs and taxes in this case in accordance with Tenn. Code Ann. §20-12-120.

G. PHILIP ANDERSON, P.C.

By: 

G. Philip Anderson, Esq.

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RAFAEL MARTINEZ,)
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Plaintiff,)
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Case No. **2011-515**
JURY DEMAND

**PLAINTIFF'S FIRST SET OF INTERROGATORIES, REQUESTS FOR ADMISSION
AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO TEDD ANGER**

Pursuant to *Tenn. Rule Civ. Pro.* 26, 33, 34 and 36, Plaintiff Rafael Martinez hereby requests that Defendant Tedd Anger respond in writing and under oath to the following Interrogatories, Requests for Admission and Requests for Production of Documents and serve these written responses upon counsel for the Plaintiff within forty-five (45) days after service.

In addition to the written responses, and to the extent you rely on the production of documents in your answers as permitted by *Tenn. Rule Civ. Pro.* 33.03, Plaintiff requests that you produce those documents for inspection and copying at the offices of Lassiter, Tidwell, & Davis, PLLC, 1850 One Nashville Place, 150 Fourth Avenue North, Nashville, Tennessee 37219, forty-five (45) days from the date they are served on you hereof, or on a date and at a time and place mutually agreeable to counsel for the parties.

I. DEFINITIONS

1. As used herein, the terms "you," "your," or "yourself," refers to Defendant Tedd Anger and to his agents, employees, corporate alter-egos, representatives and attorneys, and each person acting or purporting to act on his behalf, including the agent responsible for the answers to discovery requests.

2. As used herein, the term "person" shall include natural persons, firms, partnerships, associations, joint ventures, corporations, agencies, boards, authorities, commissions, governmental entities, and any other form of legal or informal entity.

3. "And," as well as "or," as used herein shall be read and applied as though interchangeable, and shall be construed either disjunctively or conjunctively so as to require the fullest and most complete disclosure of all requested information.

4. The term "Document" shall be defined as the original, and if the original is unavailable, an identical copy of the original, any copy of any tangible thing or subject matter having any informational content whatsoever, which is not in the actual or constructive possession, custody, or control of Defendants, their attorneys, agents or representatives of any type whatsoever. The term "Document" shall include but not be limited to the following:

a. Handwritten, printed, typewritten, computer-generated, email, recorded, graphic or photographic material of any kind or character; and

b. Any and all memoranda, books, records, filings, reports, notes, desk calendars, diaries, telegrams, transcripts, correspondence, graphs, charts, letters, lists, minutes, agenda, computer print-outs, drafts, contracts agreements, bulletins, and all other writings of any and every description; and

c. Any and all drafts or copies of any of the objects defined as documents in parts (a) and (b) above, which are not identical to the original of such document.

5. As used herein, "Identify" or "Identification" shall mean:

a. When used in reference to a person, such terms shall call for his or her full name, present or last-known address, telephone number, present or last place of employment and relationship to Defendants, and the events relative to this Lawsuit.

b. If an Interrogatory requests identification of a document and such document was, but is no longer, in the possession or subject to the control of Defendants or any of their attorneys, agents or representatives, state whether the requested item (a) is missing or lost, (b) has been destroyed, (c) has been transferred to others, or (d) has been otherwise disposed of and in each instance, explain the circumstances surrounding such disposition and any authorization for disposition and the date or approximate date thereof.

6. As used herein, "Remnant" shall refer to the Remnant Fellowship.

7. As used herein, "WDW" shall refer to the Weigh Down Workshop.

8. As used herein, "WDM" shall refer to the Weigh Down Ministries.

9. As used herein, references to "Phil Williams" or "NewsChannel 5" refer to the series "Firm Beliefs" produced and aired on NewsChannel 5.

10. As used herein, references to "First Lawsuit" refer to the Lawsuit filed in Williamson County, Tennessee Circuit Court on or about November 6, 2006, Docket # 06648, styled, Kent and Regina Smith, et al vs Anonymous Blogger and Rafael Martinez.

11. As used herein, references to "Second Lawsuit" refer to the Lawsuit filed in Williamson County, Tennessee Circuit Court on or about August 12, 2009, Docket # 09476, styled, Gwen Shamblin and Tedd Anger vs Rafael Martinez.

II. INSTRUCTIONS

1. When an Interrogatory requires you to "state the basis of" a particular claim, assertion, contention, or allegation, state in your answer all facts you think support, refer to, or evidence such claim, assertion, contention or allegation.

2. If you contend that a privilege is claimed as a ground for not answering any Interrogatory or if any Interrogatory is otherwise objected to, describe the legal and factual basis for the claim of privilege or other objection.

3. If you contend that any document or portion thereof is privileged and/or not subject to inspection, pursuant to the requirements of *Tenn. Rule Civ. Pro. 26.02(5)*, as to each such document or portion thereof, please state expressly the privilege, protection, or objection upon which you rely and describe the nature of the document or protection thereof not produced or disclosed in sufficient detail that Defendant will be able to identify the document to assess the applicability of the privilege, protection or objection asserted, including but not limited to, title or nature of the document, the author of the document, the date the document was prepared and/or transmitted, and the recipient of the document.

4. In the event you choose to produce the document in lieu of summarizing its contents or answering the Interrogatory, your answer to the Interrogatory should state with particularity the document being produced and such document should accompany the answer. When producing the actual document in lieu of a summary thereof, you admit the authenticity of the document produced.

5. The singular and plural of words shall be interpreted either in the singular or plural to bring them within the scope of these Interrogatories.

6. As used herein, the present shall always include the past tense.

III. INTERROGATORIES

1. Identify all individuals answering these Interrogatories or contributing any information or data to assist you in answering these Interrogatories.

RESPONSE:

2. Describe, in detail, your relationships with Remnant, WDW, and WDM.

RESPONSE:

3. Identify by name, address, and phone number every person who was involved in the decision to file the First Lawsuit.

RESPONSE:

4. Identify by name, address, and phone number every person who was involved in the decision to file the Second Lawsuit.

RESPONSE:

5. Identify by name, address, and phone number every marketing and/or public relations consultant you, Remnant, WDW or WDM conferred with or consulted with regarding the filing of the First Lawsuit and the Second Lawsuit.

RESPONSE:

6. Identify by name, address, and phone number every member of the print, television, radio, or other media you, Remnant, WDW or WDM contacted regarding the First Lawsuit and the Second Lawsuit.

RESPONSE:

7. Describe in detail how you became familiar with Rafael Martinez and with the website, Spiritwatch.org.

RESPONSE:

8. Identify by name, address, and phone number the person who first read the Statement set forth at paragraph 31 in the Complaint or who first brought the Statement to your attention.

RESPONSE:

9. Identify by name, address, and phone number the person that typed the Complaint in the First Lawsuit.

RESPONSE:

10. Identify by name, address, and phone number the person that typed the Complaint in the Second Lawsuit.

RESPONSE:

11. Identify by name, address, and phone number the person that signed the Complaint in the First Lawsuit by permission.

RESPONSE:

12. Identify by name, address, and phone number the person that signed the Complaint in the Second Lawsuit by permission.

RESPONSE:

13. Identify by name, address, and phone number all persons within Remnant, WDW and WDM with whom you discussed the First Lawsuit.

RESPONSE:

14. Identify by name, address, and phone number all persons within Remnant, WDW and WDM with whom you discussed the Second Lawsuit.

RESPONSE:

15. Identify by name, address, and phone number the party that paid the legal fees for the Plaintiffs in the First Lawsuit and the Second Lawsuit.

RESPONSE:

16. Identify by name, address, and phone number every person you consulted or conferred with regarding your appearance with Phil Williams on the NewsChannel 5 interview. Include all discussions or consultations prior to and subsequent to that interview.

RESPONSE:

17. Did you consult with or discuss the Phil Williams interview, both prior to and after the interview, with an attorney?

RESPONSE:

18. Describe in detail the circumstances, including the date and time, when you discovered that Rafael Martinez had given the taped phone conversation between Gwen Shamblin and Sonja Smith to Phil Williams.

RESPONSE:

19. Describe, in detail, all damages which you claim to have suffered in the First Lawsuit. Specifically, itemize the damages, explaining actual losses and describing each and every supporting document which evidences the losses (e.g., tax returns, receipts, invoices, etc.).

RESPONSE:

20. Describe, in detail, all damages which you claim to have suffered in the Second Lawsuit. Specifically, itemize the damages, explaining actual losses and describing each and every supporting document which evidences these loss (e.g., tax returns, receipts, invoices, etc.).

RESPONSE:

21. Describe, in detail, all written correspondence, conversations, or other communications between you, on the one hand, and any Plaintiff, Defendant, or third-party, on the other hand, if such communication concerns the damages you allege in the First Lawsuit.

RESPONSE:

22. Describe, in detail, all written correspondence, conversations, or other communications between you, on the one hand, and any Plaintiff, Defendant, or third-party, on the other hand, if such communication concerns the damages you allege in the Second Lawsuit.

RESPONSE:

23. Identify by name, address, and phone number each doctor you conferred with or who treated you for the mental distress you allege in the Second Lawsuit.

RESPONSE:

24. State the gross amount of your total salary or salaries, bonuses, if any, and 1099 earnings for each of the years 2004, 2005, 2006, 2007, 2008, and 2009 and the source of such salary, bonus, or 1099 earnings.

RESPONSE:

25. Identify by name, address, and phone number all of the Plaintiffs in the First Lawsuit.

RESPONSE:

OATH

I hereby certify that the foregoing Responses to Plaintiff's First Set of Interrogatories are true and correct to the best of my knowledge, information and belief.

TEDD ANGER

Date: _____

STATE OF _____
COUNTY OF _____

I, _____, am a Notary Public, and I am personally acquainted with Tedd Anger, or his identity has been proved to me on the basis of satisfactory evidence. I acknowledge that Tedd Anger executed this document by the signature above.

Witness my hand this _____ day of _____, 2011.

Notary Public

My Commission Expires:

IV. REQUESTS FOR ADMISSION

1. Admit that you are a public figure with respect to the events at issue in the First Lawsuit.

RESPONSE:

2. Admit that you stipulated and admitted that you are a public figure with respect to the events at issue in the Second Lawsuit.

RESPONSE:

3. Admit that Gwen Shamblin is a public person.

RESPONSE:

4. Admit that you preach or give presentations or sermons at Remnant.

RESPONSE:

5. Admit that you appear prominently on the web-site maintained by Remnant.

RESPONSE:

6. Admit that you were a plaintiff in the First Lawsuit against Rafael Martinez.

RESPONSE:

7. Admit that you were a plaintiff in the Second Lawsuit against Rafael Martinez.

RESPONSE:

8. Admit that Gwen Shamblin was a plaintiff in the First Lawsuit against Rafael Martinez.

RESPONSE:

9. Admit that Gwen Shamblin was a plaintiff in the Second Lawsuit against Rafael Martinez.

RESPONSE:

10. Admit that the First Lawsuit in which you were a plaintiff against Rafael Martinez was dismissed.

RESPONSE:

11. Admit that Summary Judgment in favor of Rafael Martinez was granted in the Second Lawsuit by the Circuit Court of Williamson County, Tennessee.

RESPONSE:

12. Admit that the Tennessee Court of Appeals upheld the grant of Summary Judgment to Rafael Martinez in the Second Lawsuit.

RESPONSE:

13. Admit that you have no evidence whatsoever that any statement of fact made by Reverend Martinez that is the subject of the First Lawsuit was made with a reckless disregard of the truth.

RESPONSE:

14. Admit that you have no evidence whatsoever that any statement of fact made by Reverend Martinez that is the subject of the Second Lawsuit was made with a reckless disregard of the truth.

RESPONSE:

15. Admit that certain statements made by Reverend Martinez, which you have excerpted in the First Lawsuit, are statements of personal opinion.

RESPONSE:

16. Admit that none of the statements made by Reverend Martinez which you have excerpted in the First Lawsuit apply to you.

RESPONSE:

17. Admit that you suffered no damages, monetary or otherwise, due to the statements of Reverend Martinez excerpted by you in the First Lawsuit.

RESPONSE:

18. Admit the following statement excerpted by you in the First Lawsuit is directed at Remnant and not specifically at any individual. "Furthermore, Remnant Fellowship teachings are dangerous and destructive. Over the past five years, Remnant members have lost dangerous amounts of weight, with extreme fasting often advocated (even 14-21 day fasts). Family Relationships are often damaged because any family member who tries to convince a Remnant Fellowship member to leave the group is cut off".

RESPONSE:

19. Admit the following statement excerpted by you in the First Lawsuit is directed at Remnant and not specifically at any individual. "The most disturbing development of Remnant Fellowship's teachings include its advocacy over the past couple of years of extreme discipline for children raised in the movement, included repetitive and harsh spankings and whippings for children who disobey and do not maintain emotional control".

RESPONSE:

20. Admit that certain statements made by Reverend Martinez, which you have excerpted in the Second Lawsuit, are statements of personal opinion.

RESPONSE:

21. Admit that any statements by Reverend Martinez regarding Remnant being a cult are directed at Remnant and not specifically at any individual.

RESPONSE:

22. Admit that you either use, or have used, or both, a publicist.

RESPONSE:

23. Admit that you either use, or have used, or both, a Public Relations Firm.

RESPONSE:

24. Admit that Remnant is a Tennessee Non-Profit Corporation.

RESPONSE:

25. Admit that Remnant maintains a web site at www.remantfellowship.org.

RESPONSE:

26. Admit that WDM maintains a website at www.weighdown.com.

RESPONSE:

27. Admit that numerous former members of Remnant have gone public with their criticisms of Remnant.

RESPONSE:

28. Admit that you actively promote Remnant, WDW, and WDM to the general public.

RESPONSE:

29. Admit that you have appeared on a variety of local television broadcasts.

RESPONSE:

30. Admit that whether a particular church or religious organization is a cult or not is a matter of personal opinion.

RESPONSE:

31. Admit that whether a person is a sycophant or not is a matter of personal opinion.

RESPONSE:

32. Admit that prior to the time that Reverend Martinez published the statements quoted in the Second Lawsuit, the mainstream news media had reported the following as fact: a) that Remnant had found itself under scrutiny as a result of the Smith case; b) that Joseph and Sonya Smith were members of Remnant at the time they killed their child; c) that Remnant taught its members regarding the subject of child discipline; d) that Sonya Smith had spoken to both Gwen Shamblin and Tedd Anger regarding the issue of the discipline of her son Josef before Josef was killed; e) that a search warrant was served on Remnant; e) that Remnant supported the Smiths and helped to pay their bond and legal bills; and f) that Remnant made a deal with prosecutors to limit its involvement in the trial.

RESPONSE:

33. Admit that you were advised by legal counsel that litigation against Phil Williams or NewsChannel 5 for statements made by Phil Williams or other NewsChannel 5 talent in the series "Firm Beliefs" aired on NewsChannel 5 were not "actionable".

RESPONSE:

34. Admit that your attorney in a television interview after the First Lawsuit stated that you knew Rafael Martinez could not pay a substantial judgment against him.

RESPONSE:

35. Admit that you did not visit a medical doctor, psychiatrist or psychologist for the mental distress you allege in the Second Lawsuit.

RESPONSE:

36. Admit you filed the First Lawsuit in an attempt to silence Rafael Martinez.

RESPONSE:

37. Admit that you filed the Second Lawsuit in an attempt to silence Rafael Martinez.

RESPONSE:

38. Admit Remnant is losing members.

RESPONSE:

OATH

I hereby certify that the foregoing Responses to Plaintiff's Requests for Admissions are true and correct to the best of my knowledge, information and belief.

TEDD ANGER

Date: _____

STATE OF _____
COUNTY OF _____

I, _____, am a Notary Public, and I am personally acquainted with Tedd Anger, or his identity has been proved to me on the basis of satisfactory evidence. I acknowledge that Tedd Anger executed this document by the signature above.

Witness my hand this _____ day of _____, 2011.

Notary Public

My Commission Expires:

V. REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Produce any document or recording referenced in any Response to any Interrogatory or Request for Admission herein.

RESPONSE:

2. Produce each and every document (including, but not limited to, emails and internet postings of any kind, including social media) that in any way references the First Lawsuit and the Second Lawsuit.

RESPONSE:

3. Produce any of your resumes or biographies that you maintain for any reason.

RESPONSE:

4. Produce each and every document (including, but not limited to, emails and internet postings of any kind, including social media), and each and every audio or visual recording (including, but not limited to, cds, dvds, tapes, computer files and images and all other media formats) wherein you, Gwen Shamblin, or any person presently or formerly associated with Remnant discusses the First Lawsuit or the Second Lawsuit.

RESPONSE:

5. Produce any document (including, but not limited to, emails and internet postings) that you intend to rely upon in your defense of this case.

RESPONSE:

6. Produce full and complete copies of your tax returns for 2004, 2005, 2006, 2007, 2008, 2009, and 2010, including all schedules.

RESPONSE:

7. Produce all documents that in any way demonstrate or evidence any damages, including but not limited to monetary damages and/or medical damages, that you claim to have sustained as a result of the actions you have alleged in the First Lawsuit and the Second Lawsuit.

RESPONSE:

8. Produce all medical records related to any medical treatment you received or drugs you took with respect to the mental distress you allege you suffered in the Second Lawsuit.

RESPONSE:

9. Produce all documents that would support your claim of medical damages.

RESPONSE:

10. Produce all personal balance sheets or personal financial statements you prepared for any third party or for internal use for the calendar years 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

RESPONSE:

11. Produce all checks or other documents evidencing payment to any attorney who billed you for work on the First Lawsuit and Second Lawsuit.

RESPONSE:

12. Produce all corporate minutes and corporate records for WDW where anything related to the First Lawsuit or Second Lawsuit was referred to or discussed.

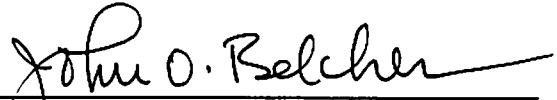
RESPONSE:

13. Produce all corporate minutes and corporate records for Remnant where anything related to the First Lawsuit or Second Lawsuit was referred to or discussed.

RESPONSE:

Respectfully submitted,

LASSITER, TIDWELL, DAVIS, PLLC

By: 

John O. Belcher, Esq., #018335
150 Fourth Avenue North, Suite 1850
Nashville TN 37219-2408
(615) 259-9344 (office)
(615) 242-4214 (facsimile)
jbelcher@lassiterlaw.com
Co-Counsel for Plaintiff

By: 

G. Philip Anderson, Esq., # 003279
Ramparts Building
155 Franklin Road, Suite 120
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(615) 377-9370 (office)
(615) 377-9616 (facsimile)
philip.anderson@gpalegal.com
Co-Counsel for Plaintiff

RECEIVED

SEP 26 2011

CIRCUIT COURT

IN THE CIRCUIT COURT FOR WILLIAMSON COUNTY, TENNESSEE

COPY

RAFAEL MARTINEZ,

Plaintiff,

VS

GWEN SHAMBLIN and TEDD ANGER,

Defendants.

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Case No. **2011-515**
JURY DEMAND

**PLAINTIFF'S FIRST SET OF INTERROGATORIES, REQUESTS FOR ADMISSION
AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO GWEN SHAMBLIN**

Pursuant to *Tenn. Rule Civ. Pro.* 26, 33, 34 and 36, Plaintiff Rafael Martinez hereby requests that Defendant Gwen Shamblin respond in writing and under oath to the following Interrogatories, Requests for Admission and Requests for Production of Documents and serve these written responses upon counsel for the Plaintiff within forty-five (45) days after service.

In addition to the written responses, and to the extent you rely on the production of documents in your answers as permitted by *Tenn. Rule Civ. Pro.* 33.03, Plaintiff requests that you produce those documents for inspection and copying at the offices of Lassiter, Tidwell, & Davis, PLLC, 1850 One Nashville Place, 150 Fourth Avenue North, Nashville, Tennessee 37219, forty-five (45) days from the date they are served on you, or on a date and at a time and place mutually agreeable to counsel for the parties.

I. DEFINITIONS

1. As used herein, the terms "you," "your," or "yourself," refers to Defendant Gwen Shamblin and to her agents, employees, corporate alter-egos, representatives and attorneys, and each person acting or purporting to act on her behalf, including the agent responsible for the answers to discovery requests.

2. As used herein, the term "person" shall include natural persons, firms, partnerships, associations, joint ventures, corporations, agencies, boards, authorities, commissions, governmental entities, and any other form of legal or informal entity.

3. "And," as well as "or," as used herein shall be read and applied as though interchangeable, and shall be construed either disjunctively or conjunctively so as to require the fullest and most complete disclosure of all requested information.

4. The term "Document" shall be defined as the original, and if the original is unavailable, an identical copy of the original, any copy of any tangible thing or subject matter having any informational content whatsoever, which is not in the actual or constructive possession, custody, or control of Defendants, their attorneys, agents or representatives of any type whatsoever. The term "Document" shall include but not be limited to the following:

a. Handwritten, printed, typewritten, computer-generated, email, recorded, graphic or photographic material of any kind or character; and

b. Any and all memoranda, books, records, filings, reports, notes, desk calendars, diaries, telegrams, transcripts, correspondence, graphs, charts, letters, lists, minutes, agenda, computer print-outs, drafts, contracts agreements, bulletins, and all other writings of any and every description; and

c. Any and all drafts or copies of any of the objects defined as documents in parts (a) and (b) above, which are not identical to the original of such document.

5. As used herein, "Identify" or "Identification" shall mean:

a. When used in reference to a person, such terms shall call for his or her full name, present or last-known address, telephone number, present or last place of employment and relationship to Defendants, and the events relative to this Lawsuit.

b. If an Interrogatory requests identification of a document and such document was, but is no longer, in the possession or subject to the control of Defendants or any of their attorneys, agents or representatives, state whether the requested item (a) is missing or lost, (b) has been destroyed, (c) has been transferred to others, or (d) has been otherwise disposed of and in each instance, explain the circumstances surrounding such disposition and any authorization for disposition and the date or approximate date thereof.

6. As used herein, "Remnant" shall refer to the Remnant Fellowship.

7. As used herein, "WDW" shall refer to the Weigh Down Workshop.

8. As used herein, "WDM" shall refer to the Weigh Down Ministries.

9. As used herein, references to "Phil Williams" or "NewsChannel 5" refer to the series "Firm Beliefs" produced and aired on NewsChannel 5.

10. As used herein, references to "First Lawsuit" refer to the Lawsuit filed in Williamson County, Tennessee Circuit Court on or about November 6, 2006, Docket # 06648, styled, Kent and Regina Smith, et al vs Anonymous Blogger and Rafael Martinez.

11. As used herein, references to "Second Lawsuit" refer to the Lawsuit filed in Williamson County, Tennessee Circuit Court on or about August 12, 2009, Docket # 09476, styled, Gwen Shamblin and Tedd Anger vs Rafael Martinez.

II. INSTRUCTIONS

1. When an Interrogatory requires you to "state the basis of" a particular claim, assertion, contention, or allegation, state in your answer all facts you think support, refer to, or evidence such claim, assertion, contention or allegation.

2. If you contend that a privilege is claimed as a ground for not answering any Interrogatory or if any Interrogatory is otherwise objected to, describe the legal and factual basis for the claim of privilege or other objection.

3. If you contend that any document or portion thereof is privileged and/or not subject to inspection, pursuant to the requirements of *Tenn. Rule Civ. Pro. 26.02(5)*, as to each such document or portion thereof, please state expressly the privilege, protection, or objection upon which you rely and describe the nature of the document or protection thereof not produced or disclosed in sufficient detail that Defendant will be able to identify the document to assess the applicability of the privilege, protection or objection asserted, including but not limited to, title or nature of the document, the author of the document, the date the document was prepared and/or transmitted, and the recipient of the document.

4. In the event you choose to produce the document in lieu of summarizing its contents or answering the Interrogatory, your answer to the Interrogatory should state with particularity the document being produced and such document should accompany the answer. When producing the actual document in lieu of a summary thereof, you admit the authenticity of the document produced.

5. The singular and plural of words shall be interpreted either in the singular or plural to bring them within the scope of these Interrogatories.

6. As used herein, the present shall always include the past tense.

III. INTERROGATORIES

1. Identify all individuals answering these Interrogatories or contributing any information or data to assist you in answering these Interrogatories.

RESPONSE:

2. Describe, in detail, your relationships with Remnant, WDW, and WDM.

RESPONSE:

3. Identify by name, address, and phone number every person who was involved in the decision to file the First Lawsuit.

RESPONSE:

4. Identify by name, address, and phone number every person who was involved in the decision to file the Second Lawsuit.

RESPONSE:

5. Identify by name, address, and phone number every marketing and/or public relations consultant you, Remnant, WDW or WDM conferred with or consulted with regarding the filing of the First Lawsuit and the Second Lawsuit.

RESPONSE:

6. Identify by name, address, and phone number every member of the print, television, radio, or other media you, Remnant, WDW or WDM contacted regarding the First Lawsuit and the Second Lawsuit.

RESPONSE:

7. Describe in detail how you became familiar with Rafael Martinez and with the website, Spiritwatch.org.

RESPONSE:

8. Identify by name, address, and phone number the person who first read the Statement set forth at paragraph 31 in the Complaint or who first brought the Statement to your attention.

RESPONSE:

9. Identify by name, address, and phone number the person that typed the Complaint in the First Lawsuit.

RESPONSE:

10. Identify by name, address, and phone number the person that typed the Complaint in the Second Lawsuit.

RESPONSE:

11. Identify by name, address, and phone number the person that signed the Complaint in the First Lawsuit by permission.

RESPONSE:

12. Identify by name, address, and phone number the person that signed the Complaint in the Second Lawsuit by permission.

RESPONSE:

13. Identify by name, address, and phone number all persons within Remnant, WDW and WDM with whom you discussed the First Lawsuit.

RESPONSE:

14. Identify by name, address, and phone number all persons within Remnant, WDW and WDM with whom you discussed the Second Lawsuit.

RESPONSE:

15. Identify by name, address, and phone number the party that paid the legal fees for the Plaintiffs in the First Lawsuit and the Second Lawsuit.

RESPONSE:

16. Identify by name, address, and phone number every person you consulted or conferred with regarding your appearance with Phil Williams on the NewsChannel 5 interview. Include all discussions or consultations prior to and subsequent to that interview.

RESPONSE:

17. Identify by name, address, and phone number all of the Plaintiffs in the First Lawsuit.

RESPONSE:

18. Describe in detail the circumstances, including the date and time, when you discovered that Rafael Martinez had given the taped phone conversation between yourself and Sonja Smith to Phil Williams.

RESPONSE:

19. Describe, in detail, all damages which you claim to have suffered in the First Lawsuit. Specifically, itemize the damages, explaining actual losses and describing each and every supporting document which evidences the losses (e.g., tax returns, receipts, invoices, etc.).

RESPONSE:

20. Describe, in detail, all damages which you claim to have suffered in the Second Lawsuit. Specifically, itemize the damages, explaining actual losses and describing each and every supporting document which evidences these loss (e.g., tax returns, receipts, invoices, etc.).

RESPONSE:

21. Describe, in detail, all written correspondence, conversations, or other communications between you, on the one hand, and any Plaintiff, Defendant, or third-party, on the other hand, if such communication concerns the damages you allege in the First Lawsuit.

RESPONSE:

22. Describe, in detail, all written correspondence, conversations, or other communications between you, on the one hand, and any Plaintiff, Defendant, or third-party, on the other hand, if such communication concerns the damages you allege in the Second Lawsuit.

RESPONSE:

23. Identify by name, address, and phone number each doctor you conferred with or who treated you for the mental distress you allege in the Second Lawsuit.

RESPONSE:

24. State the gross amount of your total salary or salaries, bonuses, if any, and 1099 earnings for each of the years 2004, 2005, 2006, 2007, 2008, and 2009, and the source of such salary, bonus or 1099 earnings.

RESPONSE:

OATH

I hereby certify that the foregoing Responses to Plaintiff's First Set of Interrogatories are true and correct to the best of my knowledge, information and belief.

GWEN SHAMBLIN

Date: _____

STATE OF _____
COUNTY OF _____

I, _____, am a Notary Public, and I am personally acquainted with Gwen Shamblin, or her identity has been proved to me on the basis of satisfactory evidence. I acknowledge that Gwen Shamblin executed this document by the signature above.

Witness my hand, at office, this _____ day of _____, 2011.

Notary Public

My Commission Expires:

IV. REQUESTS FOR ADMISSION

1. Admit that you are a public figure with respect to the events at issue in the First Lawsuit.

RESPONSE:

2. Admit that you stipulated and admitted that you are a public figure with respect to the events at issue in the Second Lawsuit.

RESPONSE:

3. Admit that Tedd Anger is a public figure with respect to the events at issue in the First Lawsuit.

RESPONSE:

4. Admit that Tedd Anger is a public figure with respect to the events at issue in the Second Lawsuit.

RESPONSE:

5. Admit that you are the one living person most closely associated with Remnant.

RESPONSE:

6. Admit that you preach or give presentations or sermons at Remnant.

RESPONSE:

7. Admit that you are featured prominently on the web-site maintained by Remnant.

RESPONSE:

8. Admit that you have voluntarily appeared numerous times on national television.

RESPONSE:

9. Admit that you were a plaintiff in the First Lawsuit against Rafael Martinez.

RESPONSE:

10. Admit that you were a plaintiff in the Second Lawsuit against Rafael Martinez.

RESPONSE:

11. Admit that Tedd Anger was a plaintiff in the First Lawsuit against Rafael Martinez.

RESPONSE:

12. Admit that Tedd Anger was a plaintiff in the Second Lawsuit against Rafael Martinez.

RESPONSE:

13. Admit that the First Lawsuit in which you were a plaintiff against Rafael Martinez was dismissed.

RESPONSE:

14. Admit that Summary Judgment in favor of Rafael Martinez was granted in the Second Lawsuit by the Circuit Court of Williamson County, Tennessee.

RESPONSE:

15. Admit that the Tennessee Court of Appeals upheld the grant of Summary Judgment to Rafael Martinez in the Second Lawsuit.

RESPONSE:

16. Admit that you have no evidence whatsoever that any statement of fact made by Reverend Martinez that is the subject of the First Lawsuit was made with a reckless disregard of the truth.

RESPONSE:

17. Admit that you have no evidence whatsoever that any statement of fact made by Reverend Martinez that is the subject of the Second Lawsuit was made with a reckless disregard of the truth.

RESPONSE:

18. Admit that certain statements made by Reverend Martinez, which you have excerpted in the First Lawsuit, are statements of personal opinion.

RESPONSE:

19. Admit that none of the statements made by Reverend Martinez which you have excerpted in the First Lawsuit apply to you.

RESPONSE:

20. Admit that you suffered no damages, monetary or otherwise, due to the statements of Reverend Martinez excerpted by you in the First Lawsuit.

RESPONSE:

21. Admit the following statement excerpted by you in the First Lawsuit is directed at Remnant and not specifically at any individual. "Furthermore, Remnant Fellowship teachings are dangerous and destructive. Over the past five years, Remnant members have lost dangerous amounts of weight, with extreme fasting often advocated (even 14-21 day fasts). Family Relationships are often damaged because any family member who tries to convince a Remnant Fellowship member to leave the group is cut off".

RESPONSE:

22. Admit the following statement excerpted by you in the First Lawsuit is directed at Remnant and not specifically at any individual. "The most disturbing development of Remnant Fellowship's teachings include its advocacy over the past couple of years of extreme discipline for children raised in the movement, included repetitive and harsh spankings and whippings for children who disobey and do not maintain emotional control".

RESPONSE:

23. Admit that certain statements made by Reverend Martinez, which you have excerpted in the Second Lawsuit, are statements of personal opinion.

RESPONSE:

24. Admit that any statements by Reverend Martinez regarding Remnant being a cult are directed at Remnant and not specifically at any individual.

RESPONSE:

25. Admit that you have regularly commented on religious issues, including the validity or truth of other religious faiths.

RESPONSE:

26. Admit that you have stated that certain religious beliefs are false.

RESPONSE:

27. Admit that you either use, or have used, or both, a publicist.

RESPONSE:

28. Admit that you either use, or have used, or both, a Public Relations Firm.

RESPONSE:

29. Admit that you either use, or have used, or both, a Marketing Firm.

RESPONSE:

30. Admit that Remnant is a Tennessee Non-Profit Corporation.

RESPONSE:

31. Admit that Remnant maintains a web site at www.remantfellowship.org.

RESPONSE:

32. Admit that WDM maintains a website at www.weighdown.com.

RESPONSE:

33. Admit that numerous former members of Remnant have gone public with their criticisms of Remnant.

RESPONSE:

34. Admit that you actively promote Remnant, WDW, and WDM to the general public.

RESPONSE:

35. Admit that you have appeared on a variety of national television shows, including, but not limited to, The Larry King Show and The Tyra Banks Show.

RESPONSE:

36. Admit that you have appeared on a variety of local television broadcasts.

RESPONSE:

37. Admit that whether a particular church or religious organization is a cult or not is a matter of personal opinion.

RESPONSE:

38. Admit that whether a person is a sycophant or not is a matter of personal opinion.

RESPONSE:

39. Admit that prior to the time that Reverend Martinez published the statements quoted in the Second Lawsuit, the mainstream news media had reported the following as fact: a) that Remnant had found itself under scrutiny as a result of the Smith case; b) that Joseph and Sonya Smith were members of Remnant at the time they killed their child; c) that Remnant taught its members regarding the subject of child discipline; d) that Sonya Smith had spoken to both Gwen Shamblin and Tedd Anger regarding the issue of the discipline of her son Josef before Josef was killed; e) that a search warrant was served on Remnant; e) that Remnant supported the Smiths and helped to pay their bond and legal bills; and f) that Remnant made a deal with prosecutors to limit its involvement in the trial.

RESPONSE:

40. Admit that you were advised by legal counsel that litigation against Phil Williams or NewsChannel 5 for statements made by Phil Williams or other NewsChannel 5 talent in the series "Firm Beliefs" aired on NewsChannel 5 were not "actionable".

RESPONSE:

41. Admit that your attorney in a television interview after the First Lawsuit stated that you knew Rafael Martinez could not pay a substantial judgment against him.

RESPONSE:

42. Admit that you did not visit a medical doctor, psychiatrist or psychologist for the mental distress you allege in the Second Lawsuit.

RESPONSE:

43. Admit that you receive no salary or other compensation from Remnant.

RESPONSE:

44. Admit you receive no salary or other compensation from WDW and/or WMD.

RESPONSE:

45. Admit you filed the First Lawsuit in an attempt to silence Rafael Martinez.

RESPONSE:

46. Admit that you filed the Second Lawsuit in an attempt to silence Rafael Martinez.

RESPONSE:

47. Admit Remnant is losing members.

RESPONSE:

OATH

I hereby certify that the foregoing Responses to Plaintiff's Requests for Admissions are true and correct to the best of my knowledge, information and belief.

GWEN SHAMBLIN

Date: _____

STATE OF _____
COUNTY OF _____

I, _____, am a Notary Public, and I am personally acquainted with Gwen Shamblin, or her identity has been proved to me on the basis of satisfactory evidence. I acknowledge that Gwen Shamblin executed this document by the signature above.

Witness my hand this _____ day of _____, 2011.

Notary Public

My Commission Expires:

V. REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Produce any document or recording referenced in any Response to any Interrogatory or Request for Admission herein.

RESPONSE:

2. Produce each and every document (including, but not limited to, emails and internet postings of any kind, including social media) that in any way references the First Lawsuit and the Second Lawsuit.

RESPONSE:

3. Produce any of your resumes or biographies that you maintain for any reason.

RESPONSE:

4. Produce each and every document (including, but not limited to, emails and internet postings of any kind, including social media), and each and every audio or visual recording (including, but not limited to, cds, dvds, tapes, computer files and images and all other media formats) wherein you, Tedd Anger, or any person presently or formerly associated with Remnant discusses the First Lawsuit or the Second Lawsuit.

RESPONSE:

5. Produce any document (including, but not limited to, emails and internet postings) that you intend to rely upon in your defense of this case.

RESPONSE:

6. Produce full and complete copies of your tax returns for 2004, 2005, 2006, 2007, 2008, 2009, and 2010, including all schedules.

RESPONSE:

7. Produce all documents that in any way demonstrate or evidence any damages, including but not limited to monetary damages and/or medical damages, that you claim to have sustained as a result of the actions you have alleged in the First Lawsuit and the Second Lawsuit.

RESPONSE:

8. Produce all medical records related to any medical treatment you received or drugs you took with respect to the mental distress you allege you suffered in the Second Lawsuit.

RESPONSE:

9. Produce all documents that would support your claim of medical damages.

RESPONSE:

10. Produce all personal balance sheets or personal financial statements you prepared for any third party or for internal use for the calendar years 2004, 2005, 2006, 2007, 2008, 2009, and 2010.

RESPONSE:

11. Produce all checks or other documents evidencing payment to any attorney who billed you for work on the First Lawsuit and Second Lawsuit.

RESPONSE:

12. Produce all corporate minutes and corporate records for WDW where anything related to the First Lawsuit or Second Lawsuit was referred to or discussed.


RESPONSE:

13. Produce all corporate minutes and corporate records for Remnant where anything related to the First Lawsuit or Second Lawsuit was referred to or discussed.

RESPONSE:

Respectfully submitted,

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