

DETAILS OF CRIMINAL FRAUD CASE AGAINST MONSON & CO- provided by Tom Phillips

- **Current Events**

***Introduction by Steve Benson Feb. 10. 2014**

The following is based on a series of extensive communications between Tom Phillips and myself, regarding the issuance of summonses to Mormon Church president Thomas S. Monson, ordering him to appear in UK Magistrates' Court on 14 March 2014 to answer charges against him and the Mormon Church of criminal financial fraud.

The following information has been thoroughly reviewed for accuracy by Phillips, approved by him and is provided here with his full and express knowledge and permission. Immense thanks and appreciation to Tom for his efforts.

***Operational Aspects of the UK Justice System**

During the course of his case, Phillips has had extensive and direct contact with the UK legal system, as it has made its way through the country's Magistrates' Courts.

By way of description, a Magistrates' Court is similar, in general concept, to a US grand jury. Even so, despite the grand jury system having been inaugurated in England a few hundred years ago, the grand jury has since been abandoned by most countries except the US.

A Magistrates' Court is limited in sentencing powers, with the authority to impose on the convicted up to 12 months in prison. In the UK legal system, a Crown Court is a higher court than a Magistrates' Court and is authorized to hand down stiffer sentences.

All criminal proceedings commence in the lower Magistrates' Courts. A Magistrates' Court judge determines if there are grounds for a case to proceed. The judge for the Westminster Magistrates' Court issued the summons for Monson to appear to answer charges of criminal financial fraud. This Court is the senior Magistrates' Court in the UK, and handles such issues as terrorism, major fraud and extradition.

Phillips anticipated that the judge would rule as he had hoped--and it did. Phillips notes that the Magistrates' Court ruled in favor of 90% of what Phillips asked to be part of the summons.

***Phillips Time-Line Dealings with the UK Magistrates' Courts**

Phillips is of the view that his dealings with the Magistrates' Court system should have taken only a few days but, instead, extended out to almost four months. He made his written submissions to the Court on 10 October 2013 and attended an oral hearing before the District Judge at Westminster Magistrates' Court on 15 October 2013. The Court's legal advisers went through Phillips' legal submissions on 15 October 2013.

Rulings and discussions about the service of summons continued until the District Magistrates' Court issued its summonses to Monson on 31 January 2014. The process of deliberation leading up to the Court's decision to authorize the summonses involved the judge putting every conceivable defense on behalf of Monson to Phillips. The judge conducted a very detailed assessment of the evidence backing up the allegations made by Phillips.

Why the process took so long is unclear, although Phillips has his private opinions on this. He suspects there may have been procedural interference attempted by the Mormon Church, which might help account for the fact that it took him over three months to get the case filing through the lower UK Magistrates' Court to the point of the summonses being issued to Monson.

Phillips was concerned that Monson may have already known that something was brewing. He noted, for example, that arguments put to Phillips by a Clerk to the Justices (before Phillips finally prevailed in getting the Court to issue its summons) contained legalistic-sounding use of English vernacular concerning matters of arrest warrants and summonses that sounded, to Phillips, like they could have perhaps been provided by Mormon Church legal advisors.

Phillips was eventually notified by the Magistrates' Court that the summons had been signed off on by the District judge. The summons was sent out to Monson from the UK via first-class post.

***Details of the Summons**

The summons requires Monson to appear, in person, in Westminster Magistrates' Court on 14 March 2014 at 10 a.m., for the purpose of Monson answering seven specific charges of false representation by the Mormon Church (as listed in the summons), which are said to be in contravention of Section 1 of the Fraud Act of 2006.

If Monson fails to appear, the Court may issue a warrant for Monson's arrest. Monson's appearance will be in the Court venue where initial evidence is produced and the charges are read out. The actual trial will not begin on 14 March 2014 but sometime thereafter as determined by the appropriate Court (almost certainly Southwark Crown Court).

The maximum time permitted under UK law for defendants to appear in Magistrates' Court to answer a summons is six weeks. In Monson's case, the maximum-allotted time of 6 weeks is being allowed because:

- 1) Monson is presently in the US;
- 2) Monson needs to make travel arrangements for his summons appearance in UK Court; and
- 3) UK-to-US postal delays may play in communication with the defendants.

The Magistrates' Court judge will almost certainly refer the case to the Crown Court for the setting of an actual trial date by its judge. Monson's case will most likely be assigned by the Magistrates' Court to the Crown Court which, if the trial results in a conviction, can impose a heavier sentence than the Magistrates' Court. The case may also end up in Crown Court because of its sheer magnitude.

On the other hand, the Magistrates' Court could actually set the date for trial itself and hear evidence in its own court. It could conceivably find Monson guilty, then refer the case to the Crown Court for sentencing because the Magistrates' Court has concluded that Monson deserves harsher punishment than only the Crown Court can order.

In the British system of justice, a defendant has various pre-trial options, including:

- 1) the right to ask for a trial by jury;
- 2) the right to ask for a trial by the Magistrates' Court (In most criminal cases, defendants are likely to be convicted by a judge, not by a jury; therefore, a jury may be seen by the defendant as being more sympathetic to his or her interests); and
- 3) the right to avoid trial by pleading guilty to the judge beforehand.

***Specific Mormon Church Targets of the Criminal Fraud Charges**

Mormon Church president Thomas S. Monson and the Mormon Church's Corporation of the President (COP) are the initial defendants in this Court filing. Plans are to eventually expand the case beyond Monson as Mormon Church president (i.e., the Corporate Sole), by bringing charges against the entire high command of the Mormon Church- comprised of the First Presidency and the Quorum of Twelve Apostles.

***Legal Elements of the Case of Criminal Fraud Being Brought Against Monson and the Mormon Church**

Phillips provided a copy of the UK Fraud Act of 2006 to the Magistrates' Court judge, in which he highlighted areas of that law that are relevant to his case. (Even judges have tended not to be aware of certain parameters of the Fraud Act of 2006).

Under the Fraud Act of 2006, a false representation is any statement or representation that is either untrue or misleading. (UK. laws on fraud were recently modernized, due in large measure as a response to the problem of widespread Internet fraud. The Fraud Act of 2006 was enacted to update those fraud laws).

The axis of the criminal fraud case against Monson is as follows:

- 1) Untrue statements have been dishonestly made by the Mormon Church with the intent to accrue financial gain for the Mormon Church and cause a financial loss to others.
- 2) A person who dishonestly makes false representations with the intent of financial gain for oneself and/or for others; or who causes financial loss, or exposure of others to financial loss, is guilty of committing criminal fraud under the Fraud Act of 2006. By definition, the term "false representation" refers to anything that is "untrue" or "misleading."
- 3) The Fraud Act of 2006 does not preclude the introduction of religious arguments into a case; nevertheless, one does not need to delve into the doctrine of religious arguments in order to successfully make the case of criminal fraud against the Mormon Church.
- 4) Monson must prove in Court that his representations were true and, if he can do so, he is then required to prove they were not misleading. This is an impossible barrier for Monson to overcome, given that 12 jurors--with the statistical probability being that not one of them will be a Mormon--are unlikely to find any credibility in such claims by Monson.
- 5) Disproving, in Court, various false statements made by the Mormon Church requires providing factual refutation of those statements. This refutation is not about attacking the Mormon religion on its core religious doctrines. Religious claims may, themselves, not be testable in Court; however, empirical facts can be tested in Court. If those proven facts serve to undermine Mormon Church religion doctrine, that will be a consequence for some. Again, an essential point of the case is that issuance of the summons to Monson is not a personal attack on Monson or on the Mormon Church's religious arguments. To the contrary, it is a legal action brought against Monson by British courts because of acts committed by Monson in violation UK fraud law, which could lead to Monson's conviction.

In making his case for a filing of criminal fraud charges against Monson, Phillips listed seven specific statements of fact which demonstrate that the Mormon Church has made false representations in categorically claiming that certain things have actually happened which did not happen and/or are not true.

Among these demonstrations of false representation are two, in particular:

--1) The Book of Abraham was translated from ancient Egyptian papyri by Joseph Smith (as relating to Mormon Church "truth" claims that the Book of Abraham is claimed to be the handwritten autobiographical account of Abraham, penned by Abraham himself.

Proving that this is a false representation by Monson and the Mormon Church is not an attack on the religious doctrine, per se, as found in its canonized Book of Abraham (even though one can assert there are falsehoods contained therein, as well as heinous doctrines); rather, what is being legally challenged is the claim made in the Book of Abraham's introductory statement that it (the Book of Abraham) was produced as result of direct translation by Mormon Church founder Joseph Smith from ancient Egyptian hieroglyphics.

In an effort to get around its false representation, the Mormon Church is now claiming that Smith did not literally translate the Book of Abraham parchments from actual ancient Egyptian characters. Instead, the Mormon Church is claiming that Smith used those parchments only as a "catalyst" to facilitate an "inspired" translation that was not dependent on what was actually written on the papyri.

In actuality, the Book of Abraham (contrary to what it claims in its introduction), is not an account personally written by the ancient Israelite prophet Abraham by Abraham's own hand up on papyri but, rather, is a common funerary text from the Egyptian Book of the Dead--of which there are many in existence and which have been accurately translated by professional Egyptologists. Phillips has personally seen such original Egyptian funerary texts in museums in Birmingham and London, England.

Even pro-Mormon Egyptologists have acknowledged that, contrary to Mormon Church truth claims, the Book of Abraham is not an actual translation from ancient Egyptian of Abraham's life but, instead, the Book of Abraham is falsely represented to have been translated from papyri that are, in reality, from Egyptian Book of Dead, with no relation to at all Abraham's life and not written by Abraham.

--2) No physical death of any kind (human, animal etc.) occurred on Earth prior to 6,000 years ago (as relating to Mormon Church "truth" claims made about two people, Adam and Eve, were immortal before they sinned, thereafter becoming mortal and being cast out of the Garden of Eden).

In the event that the case goes to trial, the central issue of false representations having been made by the Mormon Church will demonstrated through:

- a) the Mormon Church's canonized scriptures;
- b) sermons by Mormon Church leaders delivered at its General Conferences and
- c) current or recent official teaching manuals and other official Mormon Church publications.

Evidence that these Mormon Church representations are, in fact, demonstrably false will be provided by statements introduced at trial from experts in biology, Egyptology and anthropology (with, for instance, the latter dealing with the Mormon Church claim of whether Native Americans actually descended from a single family that left Jerusalem in 600 B.C.).

Initially, the District Magistrates' Court judge assumed that Thomas S. Monson was an honest man; however, Phillips' position was that Monson and the Mormon Church had acted dishonestly. (Phillips has examples of other Mormon Church leaders lying, naming, for instance, Mormon Church General Authorities Dallin Oaks, Jeffrey Holland and Paul Dunn, which prove that the Mormon Church has a history of lying).

***Named Victims in the Criminal Fraud Action Against the Mormon Church**

Two specific individuals were asked to submit written statements in December 2013, in behalf of the case. In order to be named as victims, they were required to agree to attend Court proceedings in order to give evidence against the Mormon Church. The issued summons is actually two summonses--one for each of these named victims. One of these individuals was born into Mormon Church, and as a Mormon bishop left Mormon Church in 2011, in his 40s. The other individual converted to the Mormon Church in his 20s and left the Mormon Church in his middle years after accepting statements presented to him as true, are in fact not true and the Mormon Church knows they are not true.

Because Monson has now been served with these summonses, the names of these two individuals are a matter of public record. (To read their explanation as to why they agreed to join the case, see: "Joint Statement Concerning Summonses Served on Thomas Spencer Monson," by Steve Bloor and Chris Ralph, 7 February 2014, at: <http://journeyofloyaldissent.wordpress.com/joint-statement-concerning-su...>)

The District judge wished to restrict legal action to these two individuals who have joined the case. Phillips, on the other hand, wanted one summons to cover all the victims, including the 180,000 individuals that the Mormon Church claims as its members residing in England and Wales. (The UK Treasury is also included as a victim for having lost tax revenue due to Mormon Church financial fraud). Phillips thought this approach of issuing a summons in behalf of the UK's Mormon Church membership was the proper route, noting that the Magistrates' Court judge agreed with him as to the tenets of the Fraud Act of 2006. The British Home Office (comparable to the US Department of Justice) produced its own written interpretation of the Fraud Act of 2006, in which it concluded that violation of the Act does not require naming victims; rather, a criminal act is committed when one publishes untrue information if the intent is to make money, even if no money is made or lost by anyone. Phillips had wanted the wording of the summons amended so as not to have restricted it to the two named individuals but acceded to the judge's request in order to avoid even more delay. The judge made that decision as a personal judgment of the Court, after admitting that it was not legally necessary, but it was imposed by the judge as a matter of judicial discretion.

The judge's decision requiring named victims meant Phillips was then faced with two options:

- 1) accept the judge's decision for named victims; or
- 2) apply for a judicial review of the decision to the High Court, which would have taken an additional three months.

Phillips told a Court lawyer that he (Phillips) would not, in any practical sense, be able to get additional witness statements from others who may have wanted to join the summons if Phillips was not allowed to tell them what the contents of the summons. The Court lawyer told Phillips that the Court had no problem with Phillips informing others about the nature of the case and the summons. The Court did not impose conditions of silence on Phillips, with the Court lawyer indicating having no problem with him (Phillips) sending copies of the summons to other people, en masse. (Phillips sent a copy of the draft summons to

the two aforementioned named litigants, prior to the District judge's signature, as their names would ultimately be made public). He could have sent out more summons (some 100-plus) for additional named victims to join in the filing but did not want to do so out of concern that those being told would not be able to keep it confidential. Phillips was legally allowed by the Court to say that the summons had been issued since he is acting in this case as private prosecutor, and could therefore state publicly that litigants are taking action or seeking prosecution. Ultimately, because Phillips did not want further delay, he decided not to appeal the judge's decision to name specific victims.

***The UK Treasury is a Victim of Mormon Church Acts of Criminal Financial Fraud Involving the Mormon Church's Collection of Tithes**

First, note should be made of the Mormon Church's status as a charity under UK law. Per the administration of that law, a Charities Commission is assigned the responsibility of establishing basic "badges" by which a given group can be legally designated as a charitable organization. The badges have since been expanded to cover seven categories.

Two of those badges include:

- 1) religion; and
- 2) relief of poverty

In the past, it was assumed that if one was both "God-fearing" and a religion, then it was a given that the religion involved was for "public benefit." But, under present UK law, this is no longer the case. Under Charities Commission requirements, a religion must demonstrate that it exists for "public benefit." A recent ruling from the English High Court declared that even the state-established Church of England is no longer automatically assumed to be a "public benefit." It is required under Charity Commission regulations to make the case that it exists for "public benefit"—meaning that it can no longer claim that because it is a religion, it is for "public benefit."

Whether the Mormon Church actually serves as a "public benefit" in Great Britain is a matter for serious consideration, given how Mormon Church criminal financial fraud has victimized the UK Treasury.

The following example illustrates that fact:

When UK citizens pay tithing to the Mormon Church, they receive tax relief from the British government. For instance, when a British citizen pays \$100.00 in the form of a charitable donation to the Mormon Church, \$80.00 of that amount is paid to the Mormon Church directly from the Mormon Church member making the donation. The remaining \$20.00 is paid directly by the British government to the Mormon Church, with that amount coming to the Mormon Church from the British government out of taxes which were paid by the donor to the UK government. In other words, based on British tax rates, 20% of the charitable contribution is first deducted and goes to the British government. The UK citizen pays 80% of their charitable donation to the Mormon Church, with the British government paying the remaining 20% to Mormon Church.

In the time period that the Fraud Act of 2006 has been in effect, the total tithing paid by Mormon citizens of the UK to the Mormon Church has amounted to approximately \$300 million. This constitutes a financial gain to the Mormon Church. Included in that Mormon Church income figure is tax relief upwards of \$60 million. The Mormon Church would not have received that financial gain if its members had not been induced to give tithing to the Mormon Church based on false claims made by the Mormon Church.

The Mormon Church operates a tithe-collecting company in the UK, which serves as its "charitable" arm. This company is registered with the UK Charities Commission as a charity, and is organized under the name of "The Church of Jesus Christ of Latter-day Saints [Great Britain]." It is the main company incorporated in England by the Mormon Church and is assigned the role of receiving tithes from UK members of the Mormon Church. (Phillips says he could have, if he had so chosen, sought legal redress from this UK-based company).

The financial gains made by the Mormon Church through its collection of tithes--which are generated through intentional false representation of its "truth" statement-- therefore constitute acts of criminal fraud committed by Mormon Church against both individual UK citizens and the UK Treasury.

***Fear of Revenue Loss is an Incentive for the Mormon Church to Make False Representations**

If the Mormon Church admitted its religious statements were untrue, many people would not pay tithing; hence, creating a significant reduction in income for the Mormon Church.

As a personal example, Phillips says that in his personal conversion to Mormonism, false statements were made to him by Mormon Church missionaries, including that God had spoken to Joseph Smith. Nonetheless, Phillips initially believed this and other Mormon Church claims to be true, joined the Mormon Church and commenced paying tithing. When he discovered that these religious statements made by the Mormon Church were not true, he discontinued paying tithing--as many others have done, as well.

A case where such a phenomenon has occurred involves another church which today operates under the name of the Community of Christ (originally known as the Reorganized Church of Jesus Christ of Latter-day Saints, or RLDS). When the RLDS admitted that it had made untrue religious statements, it experienced loss of both membership and tithing income. The Mormon Church knows that if it (the Mormon Church) acknowledges that it, too, has made untrue religious statements, it would suffer the same financial repercussions as experienced by RLDS.

***Possible Consequences for Monson and the Mormon Church if Monson is Found Guilty**

The summons is legally defined as being criminal, not civil, in nature. Therefore, if Monson is found guilty under UK fraud law, that means that a crime (i.e., in US terms, a felony) has been committed. This crime is punishable by fine, imprisonment or both.

In order to avoid conviction, Monson's lawyers must convince a British jury (with no Mormons likely impaneled on the jury) that Monson's false representations are true--and that Monson (a recipient of an MBA degree and other honorary degrees, and the owner of four universities/colleges) was unaware that, although he may himself believe the statements to be true, these representations might actually be untrue or misleading.

Due to the financial magnitude of the fraud (amounting to as much as \$300 million in criminally-procured tithing money), Monson, if convicted, will almost certainly be given a prison sentence. (As noted, there are currently seven counts of fraud, with the maximum custodial sentence for each being 10 years). Facing this potential outcome, a recommendation is that Monson appear as summoned by the British Court and there, at his first opportunity, plead guilty. This approach would save Monson and the Mormon Church further embarrassment by avoiding an unnecessary and lengthy public trial, during which the truthfulness of statements made by the Mormon Church and its leaders would be subjected to intense, open and critical examination. Moreover, if Monson took this advised route, the punishment imposed would probably be more lenient than if he refused to admit guilt.

The best advice for Monson would, therefore, be that his attorneys ask the Court for application of mitigating circumstances--meaning that Monson would contend that he was not aware of UK law on matters of criminal fraud. Monson's rationale would be that his legal advisers were not expert in areas of said law and, therefore, that the Mormon Church should only pay a fine, with any sentence being deferred (provided no other wrongdoing was thereafter committed by Monson during a given period of time).

It is unlikely, however, that the Mormon Church will follow this option. Instead, the Mormon Church will probably fight the criminal fraud charges because it is inherently misguided and believes it is right.

Another possibility for dealing with the looming potentialities of this case is for the Mormon Church to attempt having the fraud charges delayed or dismissed through an appeal to the High Court in London. However, in order to convince the High Court to grant a delay, the Mormon Church would have to claim that the issuance of the summons was irrational. This would then require the Mormon Church to prove that the issuance of the summons was, in fact, irrational. It is unlikely that such an argument would prevail, given that that District Judge seriously weighed the evidence for the fraud charges during a period of three months, during which time she put to Phillips every conceivable argument that could be made in defense of Monson--thereby demonstrating rationality on the part of the judge.

The risk run by the Mormon Church is that if Monson pleads not guilty but is found guilty, \$300 million

dollars will have therefore been determined to have been fraudulently gained by the Mormon Church (accrued from 1 January 2007, the inauguration date of Fraud Act of 2006), and the Mormon Church will be made to pay the piper.

A Magistrates' Court lawyer has suggested other possible actions that could be taken against Monson and the Mormon Church.

These actions could involve following:

- 1) compensation, in which case the Mormon Church would be ordered by the Court to pay back to designated victims all the personal tithing that these victims have given to Mormon Church; and
- 2) a confiscation order, in which case those convicted would not be allowed to benefit from the proceeds of their crimes (with, for instance, the Court ordering the freezing of Mormon Church assets. The Mormon Church holds millions of dollars in land and buildings in the UK).

The possibility also exists that other first-world countries (such as Canada, Australia and Sweden) may be looking at charging Mormon Church with financial fraud. If such is the case, then perhaps an aggrieved person in the U.S. may decide to pursue the case, as well, given that US law is based on English law (including the grand jury concept, which was established by the English in the 16th century).

Finally, even if Monson wins the case, he would certainly lose in the eyes of the public. A Magistrates' Court lawyer has noted that once the actual hearing commences (meaning that when Monson is summoned to appear in UK court to answer charges of criminal fraud), reporters will be present every day in the courtroom looking for stories. In the event that the case ultimately goes to trial, the Court's proceedings would become a matter of widespread public record, combined with intense public interest--with the UK press immediately breaking reports of the trial for consumption in London and around the world.

***Grounds, through US Federal Law, for Filing Criminal Fraud Case Against Mormon Church in US**

This case against the Mormon Church, as it is being pursued under the UK Fraud Act of 2006, is seen as a possible stepping-stone to a RICO case against the Mormon Church in the US. "RICO" stands for "Racketeer Influenced and Corrupt Organizations Act." RICO is described as "a federal law designed to combat organized crime in the United States. It allows prosecution and civil penalties for racketeering activity performed as part of an ongoing criminal enterprise. Such activity may include illegal gambling, bribery, kidnapping, murder, money laundering, counterfeiting, embezzlement, drug trafficking, slavery and a host of other unsavory business practices. To convict a defendant under RICO, the government must prove that the defendant engaged in two or more instances of racketeering activity and that the defendant directly invested in, maintained an interest in, or participated in a criminal enterprise affecting interstate or foreign commerce."

("Racketeer Influenced and Corrupt Organizations Act [RICO]," at: <https://www.nolo.com/legal-encyclopedia/content/rico-act.htm> ; for further information on the definition of RICO, along with explanations of the law's prohibited activities, civil and criminal penalties, venues and processes, evidence, etc., see: "18 U.S. Code Chapter 96 - RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS," at: <http://www.google.com/url?sa=t&rct=j&q=http%3A%2F%2Fwww.law.cornell.edu%2F>)

UK laws were modernized in response to the growing problem of Internet fraud and have some similarity to RICO laws in the US. Phillips' UK case is one said to "cut our teeth on," because issues such as fraud and tax evasion may be elements for future legal action undertaken against the Mormon Church in the US under RICO--with a UK conviction of Monson possibly laying the groundwork for prosecution of Monson and the Mormon Church.

Under RICO, if two felonies are committed in any 10-year period, victims are entitled to compensation of three times amount of monies lost due to the fraud perpetrated against them.

***Possible Mormon Church Defenses Against Charges of Criminal Fraud**

- 1) Monson's probable belief that Mormon theology is true does not constitute a legal basis for defense by the Mormon Church because the Mormon Church is acting dishonestly with regard to "truth" claims that are demonstrably false.

2) Certain legal experts in Britain have opined that the criminal fraud case pending against Monson has no chance of succeeding. Some critics have, for example, maintained that the Crown Prosecution Service (CPS) would take control of the case and proceed to shut it down.

It is more complicated than that. Once the case becomes known to the Crown Prosecution Service, it has three options:

- a) It can take over the case and prosecute it themselves;
- b) It can not take over the case and, instead, allow the designated private prosecutor (Phillips) to proceed with prosecuting the case himself; or
- c) It can take over the case and shut it down.

Below are responses to the above three options:

- a) If the CPS takes over the case for its own prosecution, Phillips would incur no personal financial burden in that prosecution.
- b) If the CPS grants permission for Phillips to privately prosecute the case, he would then set about to raise money to pay for legal assistance.
- c) If the CPS decides to shut down the case, such a decision would depend on successfully meeting the following two tests:

--the likelihood of the conviction of Monson; and

--whether any public benefit exists to allowing case to proceed.

The CPS, it is argued, will not be able to pass these two tests. At any rate, the CPS cannot shut down the case without first conferring with Phillips. In the meantime, Phillips has consulted with a British legal firm that informs him they will be able to stop CPS from taking over and shutting down the case.

3) Defenders of the Mormon Church assert that its collection of tithes is not a fraudulent operation because faithful Mormon members voluntarily give their tithes to the Mormon Church.

When Phillips approached two leading UK law firms with his criminal fraud case against Monson, their initial response was that involving religious doctrine in Monson's case was not permissible because Mormon Church members, by their own choice, pay tithes. It took several hours to convince these firms that in the Mormon Church, tithing is actually not voluntary. After listening to the facts of the case, the firms agreed that there was a strong case to be made against the Mormon Church for committing crimes of financial fraud, and indicated a willingness to take the case all the way to trial.

4) Certain critics of the legal action taken against the Mormon Church have publicly cited the British case of "Singh v. Singh" as a supposed rebuttal to Phillips' claim of Mormon Church criminal fraud.

That assertion prompted this response from Phillips:

"I have . . . looked up [a] 'Singh v. Singh' case and . . . can see no relevance to the Fraud Act [of] 2006. . . . The District Judge would never have issued the summons unless they were convinced there was a case to answer . . . I have since found another case by the name of 'BCA v. Singh,' which may have been the one the lawyer was referring to. This case was decided one way in the High Court and reversed in the Court of Appeal. The controversy led to a new Act of Parliament in 2013 to clarify matters. I still do not understand how this case and subsequent legislation undermines mine. . . . An excerpt [from this second case] is 'and new statutory defenses of truth and honest opinion are also part of the key areas covered by the new law.' Note the words ' . . . truth and honest opinion . . . '

"Monson's defense would have to be truthful and honest. The allegations are about the truthfulness of certain factual statements that can be tested in court, by expert witnesses (Egyptologists, biologists, etc.), Monson's defense would have to be truthful and honest. The allegations are about the truthfulness of certain factual statements that can be tested in court, by expert witnesses (Egyptologists, biologists etc.)."

***The Mormon Church Cannot Afford for This Case to Go to Trial**

The Mormon Church, because of its fear over the criminal charges filed against it, is (as predicted)

attempting to kill the fraud case it is now facing-- at least killing it in minds of its members by:

- 1) inoculating faithful Mormon with the LDS Church's own spin once the summons became made publicly known to the outside world; and
- 2) attempting to discredit Phillip's personal character, as the Mormon Church has done with previous critics —by attacking the messenger rather than addressing the issues.

***The Prediction that the Mormon Church-Owned “Deseret News” Would Minimize the Case in Its Coverage**

Concern as been expressed that once the story broke on the Monson summons, the “Deseret News” would do a dismissive, misdirect puff-piece attacking Monson's accusers as being bitter ex-Mormons. That prediction has proven to be correct.

***The Prediction that the UK Press Would Provide Wide Coverage of the Summons Story**

It was anticipated that the story would spread quickly through the UK press. That, too, has proven to be correct.

***The Mormon Church's Legal Ineptitude with Regard to Its Unawareness of the Laws of Other Countries**

Phillips has dealt with the Mormon Church around the world and points out that the laws of other nations apply to Mormon Church activities in those nations and not according to US law. The Mormon Church's legal aides have, in other cases, appointed local attorneys and then too often relied on what they these parties say. There have been cases, for instance. of local attorneys/solicitors being completely wrong in their advice to the Mormon Church in countries such as Sierra Leone, the UK and the Republic of Ireland. Some local law firms (particularly in some African countries) see a cash cow in these Mormon Church efforts , where retained local legal assistance does not know the laws of the nations in which the Mormon Church is attempting to litigate its religious interests.

***The Desired Focus of Phillips' Legal Action Against the Mormon Church**

Phillips wishes for focus to remain on UK law-based issues of:

- 1) Mormon Church misrepresentation of its “truth” statements;
- 2) criminal fraud committed by the Mormon Church for its purposes of financial gain,; and
- 3) loss to both UK citizens of their personal revenue and the UK Treasury of its tax revenue because of these fraudulent acts and misrepresentations of fact criminally committed by the Mormon Church..

***Meanwhile, Religious Belief and Practice are Declining throughout Europe**

Europe has had it “up to its neck” with religion and, as a result, is throwing off the shackles of religion. Religion itself is basically “down” (meaning losing viability and influence) in secular Europe.

In that steady process, the Mormon Church is dead in the UK--or at least dying a slow death.

"Recovery from Mormonism - www.exmormon.org"