

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
ORPHANS' COURT

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IN RE: GRAND BOULÉ OF) NO. 600 NP of 2025
SIGMA PI PHI FRATERNITY) Control No. 252337
-----)

July 2, 2025

City Hall, Room 432

Philadelphia, Pennsylvania

BEFORE: THE HONORABLE STELLA M. TSAI, J.

- - -

PRELIMINARY INJUNCTION HEARING

- - -

Reported by: Stefanie Scurvin, RPR
Official Court Reporter

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A P P E A R A N C E S

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1 (Court was convened.)

2 THE COURT CRIER: Your Honor, your
3 next matter is In Re: Grand Boulé of Sigma Pi
4 Phi, Orphans' Court Number 600 NP of 2025,
5 Control Number 252337.

6 THE COURT: Counsel, would you like to
7 enter your appearance?

8 MR. SCOTT: Yes. Jeffrey Scott from
9 Archer & Greiner on behalf of Mr. Loren
10 Douglass.

11 MS. CHEWNING: Good morning, Your
12 Honor; Kerri Chewning, also with Archer &
13 Greiner, on behalf of Mr. Douglass.

14 THE COURT: Good morning.

15 MR. JORDAN: Lloyd Jordan on behalf of
16 Respondent Sigma Pi Phi Fraternity. Good
17 morning, Your Honor.

18 THE COURT: Good morning.

19 MR. BOLDEN: A. Scott Bolden for Reed
20 Smith on behalf of Sigma Pi Phi. Good
21 morning, Your Honor.

22 THE COURT: Good morning.

23 MS. LUEDDEKE: Julia Lueddeke on
24 behalf of Sigma Pi Phi, from Reed Smith.

25 THE COURT: When you get the

1 opportunity, make sure you use the mic, okay.

2 MS. LUEDDEKE: Okay.

3 THE COURT: That's all right.

4 Before we start, they know that I have
5 to give a disclosure. I was once a partner
6 at Archer & Greiner. That was eight years
7 ago. And while I do not think it will
8 compromise my ability to decide this case
9 fairly and judiciously, I thought as a matter
10 of wanting -- we just need to put that on the
11 record and ask.

12 I would like to think my former
13 partners would not want to seek my recusal on
14 this matter; but I will open up to either
15 party if they have concerns about it. I
16 would give you an opportunity to consider
17 that matter if you have not already.

18 MR. JORDAN: Your Honor, if I may ask
19 a brief question.

20 THE COURT: Sure.

21 MR. JORDAN: Have you worked with
22 petitioner's counsel?

23 THE COURT: It was a decade ago. I
24 left the firm in 2016; that's almost ten
25 years ago.

1 MR. BOLDEN: Your Honor, I think what
2 my co-counsel is raising -- have you done a
3 substantial amount of work with him, or were
4 you just a member of the firm?

5 THE COURT: We did work on matters
6 together, but I think I can be objective. I
7 mean, I believe that.

8 MR. JORDAN: Thank you, Your Honor.

9 If you're comfortable, we're
10 comfortable.

11 THE COURT: Do you need to discuss
12 with your client?

13 MR. JORDAN: No, Your Honor.

14 THE COURT: I understand there's a
15 question about the sequestration of
16 witnesses; is that correct?

17 MR. SCOTT: That would be correct.

18 THE COURT: I don't have specific
19 policy, but what I'll do is ask counsel, let
20 counsel take the lead.

21 MR. SCOTT: Your Honor, the only -- of
22 course we're entitled to have a
23 representative, right? But if anyone else I
24 think is going to testify should be
25 sequestered.

1 THE COURT: Right. Counsel.

2 MR. JORDAN: That's fine.

3 MR. BOLDEN: I think we have one
4 witness still in the courtroom.

5 MR. SCOTT: He's going to be the first
6 witness.

7 MR. BOLDEN: Judge, if there's some
8 preliminary matters --

9 THE COURT: The purposes of any
10 housekeeping I do -- I think it's appropriate
11 to sit outside. Thank you, counsel.

12 MR. BOLDEN: Thank you, Your Honor.

13 THE COURT: This is a preliminary
14 objection hearing. I think we have our
15 witnesses identified and pursuant to the
16 order, I did not print out all the documents
17 that were provided or identified, marked. I
18 have them on my laptop here. So I would just
19 ask to have brief openings -- ten to 15, at
20 most. Less than that you think, Mr. Scott?

21 MR. SCOTT: (Nods head.)

22 THE COURT: If we can start the
23 witnesses.

24 MR. JORDAN: Your Honor, if we may, we
25 have a preliminary matter I would like to

1 bring to the Court's attention. Before we
2 begin, may I take the podium?

3 THE COURT: Yeah.

4 MR. JORDAN: Your Honor, thank you
5 for giving us the opportunity to address
6 these preliminary matters. Lloyd Jordan
7 representing Sigma Pi Phi fraternity.

8 Your Honor, we filed in our
9 preliminary objection something that's very
10 fundamental in regards to how this matter
11 proceeds or does not proceed. We've alleged
12 that the Court doesn't have subject matter
13 jurisdiction because this matter was moot.

14 The underlying basis of Petitioner's
15 case is that he was removed by a meeting of
16 the board of directors in April 9th, that
17 there was a vote of 8 to 4 to remove him.

18 He contends that the vote was not
19 proper because there was some glitch or
20 something that was in the bylaws that said
21 the vote had to be by the entire board, those
22 present and voting. And since that time,
23 that statute, that part of the bylaws has
24 actually been interpreted to mean you have to
25 be present to vote because the document

1 itself states that the arbitrator of that
2 particular division upon advice of counsel of
3 the grand constitution and bylaws committee
4 and the grand council and consultation of the
5 grand council.

6 But, more importantly, we'll skip
7 ahead to this argument. So, the Petitioner
8 has argued the whole time that vote be ten
9 votes for removal. Ten votes. That's his
10 whole basis of this matter that the votes
11 were not the requisite votes.

12 After the April 9th vote, that was 8
13 to 4. It was twelve people who voted. So it
14 was 8 to 4, met the two-thirds requirement to
15 remove him from office. Subsequently, the
16 board met again on May 21st. And decided to
17 deliberate on what happened on April 9th.

18 The board reconsidered all the matters
19 that had been brought before them that had
20 come from the investigation committee that I
21 might have been remiss to say that there had
22 been an investigation of activities by
23 Petitioner and culminated in the April 9th
24 vote.

25 At that meeting on May 21st, the board

1 reconsidered and actually went back to
2 re-examine each and everything that happened
3 back on April 9th and then took a vote upon
4 motion of a resolution whether or not to
5 ratify that action or to reverse that action.

6 The board voted at that meeting on May
7 21st by a vote of 11 to 0 that the action
8 that took place on April 9th was valid and
9 that the ground still stood as of May 21st.
10 Now the other interesting point about this,
11 Your Honor, is that of the eleven votes, when
12 I said in April, of the eleven votes on May
13 21st, the vote on April 9th, it was 8 to 4.

14 Two of the people who actually voted
15 not to remove him but are now voting to
16 remove him in the May 21st matter. Your
17 Honor, the law is very clear in regards to
18 mootness of an issue. Even assuming arguendo
19 that he's correct in the requirement of ten,
20 there's a vote of 11 that removed him, that
21 agreed to remove him on May 21st and ratified
22 the previous action.

23 The ratification is valid and we argue
24 it in our brief and it's throughout. The law
25 is very, very clear here and it states, Your

1 Honor, the ratification is clearly within the
2 control of the board of directors that an
3 issue, once it's moot, this Court, at any
4 part of the proceedings, must dismiss this
5 matter because the Court loses subject matter
6 jurisdiction.

7 The relief he's also requesting is one
8 that requires another vote. The vote, in
9 itself, was 11 to 0 -- way over the margin
10 that he's arguing that he wants to have this
11 vote to establish. So, Your Honor, we
12 contend that the Court doesn't have subject
13 matter jurisdiction.

14 THE COURT: I kind of need a record to
15 make that call.

16 MR. JORDAN: Your Honor, we have
17 actually provided verification, declarations
18 that there was a vote, that the vote took
19 place on May 21st and that the vote was 11 to
20 0. There's no counter-argument to that
21 effect.

22 THE COURT: I believe Mr. Scott would
23 have an argument to make, but I also think
24 the filings that you filed to date, I think
25 there's a question as to whether that

1 ratification was sufficient to override,
2 assuming that the facts that Mr. Scott
3 presented are proven, so I don't think that
4 you're going to succeed in today right now in
5 preventing a hearing on this matter.

6 MR. JORDAN: So, Your Honor, if I may,
7 two things: One, I have one other
8 preliminary matter, but if we can do this on
9 this particular issue. We can bifurcate this
10 hearing and center it upon the first part
11 about the Court having subject matter
12 jurisdiction and this issue being moot, so I
13 think it's required to be dealt with before
14 we proceed any further. I would request the
15 Court to allow this to be a bifurcated matter
16 and let the Court take testimony in regards
17 to that and make its ruling after the Court
18 has gotten it.

19 THE COURT: I appreciate your
20 suggestion. Counsel, I will take it under
21 consideration and whether I should proceed in
22 that manner but that's why I'm a little
23 skeptical, but I'll look at it.

24 I'll hear from Mr. Scott on this
25 issue.

1 MR. SCOTT: Good morning. That's what
2 this entire preliminary injunction petition
3 is about. It's about the unlawful actions of
4 the board before April 9th, on April 9th and
5 after April 9th. This is in response to
6 preliminary objections. All the facts --
7 because they filed preliminary objections,
8 not an answer, all the facts alleged in our
9 petition are deemed true and accurate
10 for purposes of preliminary objection and we
11 get the benefit of the doubt in the light
12 most favorable to Mr. Douglass.

13 So all those facts, which have not
14 been contested in any filing that they
15 submitted; in fact, they didn't answer point
16 by point any of the facts that were alleged,
17 so those facts should be deemed in the light
18 most favorable to Mr. Douglass.

19 Pennsylvania law certainly has a
20 ratification provision, but Pennsylvania law
21 allows an aggrieved party who has standing --
22 Mr. Douglass has standing under the
23 corporation law and Mr. Douglass has standing
24 under the ratification section, which I
25 believe is at Section 15 Pa.C.S.A., Section

1 223 through 228 -- and that allows an
2 aggrieved party, an interest holder, to
3 challenge a ratification within 120 days of
4 the ratification.

5 What happened in this case, Your
6 Honor, is that the board members -- he can
7 prove this -- knew that eight votes was
8 insufficient. After the vote, the board
9 decided to have a committee and the committee
10 declared all by itself unilaterally, without
11 any notice to Mr. Douglass, that Section 2,
12 Bylaw 4G is ambiguous.

13 And because they're the ones who say
14 it's ambiguous, which we do not agree with,
15 the ambiguity has to be viewed in the light
16 most favorable to Mr. Douglass because when
17 you examine bylaws, you look at both contract
18 law and you look at how one looks at a
19 statute. So any ambiguity -- and we're going
20 to prove that that's exactly what they said.

21 This is subject to several
22 interpretations, which we disagree with.
23 That's going to be construed in favor of
24 Mr. Douglass. And that was post -- post-
25 April 9th and I believe the first notice of

1 that was April 21st. We're also going to
2 prove, as Mr. Jordan said, they consulted
3 with general counsel; but general counsel
4 told -- and that's Exhibit A to our
5 petition -- told the board that the word
6 "entire board" means that the denominator has
7 to be 14 because you cannot remove or take
8 out the meaning of the word "entire".

9 The board ignored that, went ahead and
10 decided we're going to remove basically the
11 world "entire". And on May 21st, they
12 ratified this new interpretation. And here's
13 the kicker: Not only did they ratify the new
14 interpretation after the fact, they decided
15 that we're going to ratify this new
16 interpretation without any notice to
17 Mr. Douglass at all. And we're going to
18 apply it retroactively, backwards to April
19 9th, and that's in paragraph 1.

20 When the Court looks at Resolution
21 Number 1, which is Exhibit 9, P-9, you'll see
22 paragraph 2, its perspective as to everybody
23 else in the entire Boulé, which is
24 approximately 54, 5500 people. I may be off
25 a few hundred but that's how many. So they

1 treated Mr. Douglass differently than
2 everyone else after the vote. So this case
3 cannot possibly be moot because the state law
4 allows a challenge to ratification.

5 Hold on a second, Mr. Jordan. And we
6 have other claims in the case. The
7 ratification was brought up by Defendants-
8 Respondents in their preliminary objections.
9 We responded and said what are they talking
10 about?

11 This whole challenge as to
12 ratification relates all the way back to
13 April 9th, the vote, so it cannot possibly be
14 moot. And if it were, we would need
15 discovery anyway in terms of what they did;
16 what they didn't do; how they did it and so
17 forth, Your Honor.

18 I got to tell you, there's more than
19 enough subject matter jurisdiction in this
20 case.

21 THE COURT: Thank you. All right,
22 counsel.

23 MR. JORDAN: Your Honor, if I may give
24 an important rebuttal.

25 THE COURT: All right.

1 MR. JORDAN: And I may not be a
2 Philadelphia lawyer, but I do read, Your
3 Honor. And the history here is, counsel has
4 provided this Court -- I think counsel had an
5 oversight. Maybe he didn't read the rest of
6 the statute. He so excitedly said that
7 Pennsylvania state had a provision regarding
8 what has to happen with ratification.

9 He cites it in his answer, 15 Pa.C.S.
10 223 to 229. And it does talk about there's a
11 ratification requirement under that
12 provision. It's 15 --

13 THE COURT: 223.

14 MR. JORDAN: Yeah, 223. And it's in
15 his answer. It's in his answer, Your Honor.
16 Well, when I read this thing because it kind
17 of got dropped to us in the last couple of
18 days, I just know counsel didn't know
19 anything about this, whoever gave it to him,
20 but that Section 15 starting at 201 -- well,
21 let me go back.

22 My question, Your Honor, was that he
23 kept talking about a defective entity needs
24 to go through these processes for
25 ratification. A defective entity needs to go

1 through these processes to do this
2 for ratification. I said, defective entity?
3 What in the heck is a defective entity?

4 I start backing my way up through that
5 particular set of statutes. That whole
6 section in 15(a)C.S. 201 in sequence is about
7 the formation of an entity in the state, the
8 formation. A defective entity is one that
9 hasn't followed all the guidelines to
10 properly certify itself with any entity in
11 the state. And therefore it's a defective
12 entity and that provision of 223 through 229
13 has to be followed for the defective entity.

14 It's certain things a defective entity
15 may do, but if it's ratified later, the
16 actions that it did, even though it's not
17 properly formed, then that's the provision
18 it's under. There is no prohibition that
19 hinders my client from this ratification. It
20 properly did so 11-0.

21 There is nothing, nothing in
22 Petitioner's answer nor the petition that
23 said that ratification by voting 11-0 was
24 improper. It's properly validated. It's
25 their declaration saying it happened.

1 There's a resolution that's offered by,
2 provided by, and the petitioner has not
3 provided this Court anything to the contrary.
4 And, more importantly, there has been no one
5 saying that that issue was ambiguous.
6 However, the provision in the bylaws
7 itself -- and Your Honor, I hate to say this,
8 but the courts are very long and clear that
9 the Court cannot invoke itself into the
10 governing body's decisions in regards to
11 decisions that it makes, unless it's
12 completely improper under the law.

13 And the bylaws in Pennsylvania -- the
14 bylaws of an organization clearly has the
15 priority of setting what happens within that
16 organization. In here, the provision in
17 Bylaw 2, Section 4G says the entire board
18 present and voting would have -- by a
19 two-thirds vote can remove an officer.

20 That division was interpreted by a
21 grand constitution and bylaws committee and
22 there was not one part in that document that
23 says that this Grand Board has to operate on
24 anything that the general counsel said. In
25 fact, they didn't have general counsel at

1 that time -- we'll get back to that argument
2 later.

3 But, more importantly, that particular
4 general counsel, quasi-general counsel
5 recused himself. And it's part of, I think,
6 Petitioner's Exhibit P-5 -- I think that's
7 the number -- where he issues a recusal. So,
8 again, there would be no reason to talk to
9 that general counsel about --

10 THE COURT: I think we're getting into
11 the merits again of the -- I recognize what
12 you're trying to accomplish here. I
13 understand your argument. I'm going to take
14 a moment to consider how I'm going to proceed
15 with this matter and just give me a few, I
16 need to talk to my team about this.

17 MR. SCOTT: Thank you, Your Honor.

18 THE COURT: Thank you very much. Take
19 a brief recess.

20 (A brief recess was taken.)

21 THE COURT: What Mr. Scott said was
22 partially true and some of it is not exactly
23 how we deal with things here in Orphans'
24 Court. It is -- to speak of wisdom of the
25 Supreme Court, the documents rule; but here

1 in Orphans' Court, sometimes in court the
2 procedures that are followed in civil when
3 they are not available, but they're not
4 described in our rules. But if you look at
5 Rule 3.9 of our preliminary objections, the
6 way you dispose of preliminary objections,
7 look at 3.9(d)(2) where the parties have not
8 filed an amended pleading in response to the
9 preliminary objections, that the court shall
10 determine promptly all preliminary
11 objections. If an issue of fact is raised,
12 the court shall consider evidence by
13 deposition or otherwise.

14 And that's essentially what we're
15 doing in this proceeding. And considering
16 your request for bifurcation, I thought about
17 it, but, frankly, I don't know where I would
18 begin the time limit. So, I think we'll
19 start from the beginning. All right.

20 So we're going to start -- I think
21 Mr. Scott did cover most of his opening. Is
22 there anything else you wanted to add?

23 MR. SCOTT: Yes, Your Honor. So, I
24 wanted to let the Court know that we're going
25 through the defendant's exhibit, Defendant's

1 Exhibit 9 -- I made a mistake, I said
2 plaintiff's exhibit -- Defendant's Exhibit 9,
3 which is Resolution Number 1, and that is the
4 ratification of -- it's not the ratification
5 of the actual votes or the facts that were
6 before the original board or the board on
7 April 9th.

8 It was the ratification of the new
9 interpretation that was applied
10 retroactively. I want to just put that on
11 the record to make that fact clear. We think
12 that's important. And even if the
13 ratification section code doesn't apply --
14 first of all, any aggrieved party can bring
15 an action, and that's what we're doing here.

16 He's an aggrieved party in his
17 standing and that has not been disputed. So
18 with that, I think I'm ready to call our
19 first witness.

20 THE COURT: Thank you. You just
21 wanted to respond?

22 MR. JORDAN: If I may.

23 THE COURT: This is opening, yes;
24 opening part two or three.

25 MR. JORDAN: Your Honor, the

1 respondent will show the Court that the
2 removal of Loren Douglass was proper within
3 the bylaws and it was later ratified, the
4 removal. And what happened here, Your Honor,
5 after a series of violations of rules and
6 procedures of the fraternity's bylaws and
7 other policies, the then-Grand Sire Loren
8 Douglass violated those rules and policies.

9 He had been counseled several times
10 about actions that stated an over-extension
11 of travel budget; misuse of money; the
12 failure to hire a grand councilor properly
13 and the person that he hired, he called him a
14 grand counselor; however, the term of bylaws
15 required the board to approve the general
16 counsel and that never happened.

17 He hired him, he says, in an emergency
18 to stop the cyber attack, but there was no
19 cyber attack that happened. What happened
20 was that the vendor of the website took it
21 down for failure to pay the bill. But more
22 importantly, the fraternity, at that time,
23 converted to a new website.

24 And so going after the vendor who
25 actually -- the amount in dispute about

1 \$40,000, the law firm that he hired on a
2 matter that was under \$100,000 billed the
3 fraternity almost \$700,000 and there was no
4 agreement written or signed between Sigma Pi
5 Phi and this law firm. And that was all
6 under the direction of Mr. Douglass.

7 Mr. Douglass bought a set of gold
8 lapel pins for the former president without
9 getting approval from the board to do it.
10 Actually, he told the body he was buying it
11 out of his own money.

12 He waited over a whole two terms, from
13 the time that he said he bought these things
14 to the time that he became Grand Sire and
15 then back, tried to approve the expenditure
16 that happened a year or so before he became
17 the Grand Sire or within that period of time.

18 The board investigated these travel
19 vouchers and travel requests and the board
20 tried to reject about 25 travel requests of
21 his that were way over budget, including
22 things like traveling with two security
23 officers across the United States. Why he
24 needed security like that, why he didn't get
25 permission from the board, nobody knows.

1 He goes to Paris and spends money on
2 the fraternity, spends an exorbitant amount
3 of time, had a bill of \$8,000, he and his
4 wife, and come back and expects the
5 fraternity to pay. He didn't get approval
6 for any of these things.

7 He further has been combative with the
8 executive officer office, the grand officer
9 of the Boulé. The board tried to handle this
10 matter all within itself to keep it very
11 quiet, but he would not heed the warnings
12 from the board and subsequently the board
13 received letters from some board members.
14 And some people outside the board caught wind
15 of what was going on and demanded this thing
16 get investigated.

17 So on the February 21st meeting --

18 THE COURT: So wait. I think you're
19 going --

20 MR. JORDAN: Two minutes, Your Honor.

21 THE COURT: So the February 21st
22 meeting where Mr. Douglass was a chairman of
23 that meeting where the issues were discussed
24 of what the allegations were, an
25 investigation committee was formed. The

1 investigation committee took about two months
2 to review.

3 They interviewed Mr. Douglass on April
4 1st. In fact, Mr. Douglass replied to the
5 investigation before that hearing, the
6 opportunity to rebut the charges on April 1st
7 with a long dialogue of responding to the
8 charges.

9 Then beginning on the date of April
10 8th, the day before, he met with Grand
11 Sire-elect Jesse Tyson and was told what was
12 going to happen. On April 9th, on the day he
13 was removed, the investigation committee gave
14 their report.

15 Mr. Douglass was in the room and he
16 responded for 45 minutes to the charges. And
17 after he responded to the charges -- and I
18 hate to use a slang, Your Honor -- he dropped
19 the mic and walked out the room. No one told
20 him to leave. He left. And he said you all
21 are going to do what you want to do and
22 walked out the room.

23 So after deliberations, the board
24 voted and removed him by a vote of 8 to 0.
25 Initially, the meeting started with 14.

1 Mr. Douglass self-exited himself from the
2 meeting -- that left 13. Another member left
3 the meeting -- so that left 12. And so the
4 vote was 8 to 4, a proper two-thirds of the
5 majority removed him. And I've already
6 talked to the Court about -- subsequently on
7 May 21st. Thank you.

8 THE COURT: Thank you.

9 MR. SCOTT: May I, Your Honor.

10 THE COURT: Yes.

11 THE COURT CRIER: Good morning, would
12 you state your first and last name for the
13 court reporter.

14 THE WITNESS: My name is Abraham J.
15 Turner. First name spelled A-B-R-A-H-A-M,
16 initial J, last name Turner; T-U-R-N-E-R.

17 THE COURT: Mr. Scott, your witness.

18 MR. SCOTT: Yes, Your Honor. Thank
19 you.

20 - - -

21 . . . ABRAHAM J. TURNER, having been duly sworn,
22 was examined and testified as follows:

23 - - -

24 DIRECT EXAMINATION

25 - - -

1 BY MR. SCOTT:

2 Q. Mr. Turner, what is your current
3 relationship with the Boulé?

4 A. I'm currently the grand agogos. In that
5 position I'm responsible for protocol and also to
6 ensure the sanctity and the security of all of our
7 meetings to be sure that those who attend our
8 meetings have been validated and have been verified
9 as members of the fraternity.

10 Q. Are you a board member as well?

11 A. Yes. I am on the Grand Board. The grand
12 agogos is a position that has been picked by lot to
13 be on the board. I represent one of 14 Grand Board
14 members.

15 Q. We heard Mr. Jordan say that the vote was 8
16 to 0 on April 9th; is that true?

17 MR. JORDAN: Objection. Leading the
18 witness.

19 THE COURT: I think he restated it.
20 8-4; is that right?

21 MR. SCOTT: It was 8 to 4, yes.

22 BY MR. SCOTT:

23 Q. Mr. Turner, how did you get appointed to the
24 board?

25 A. Again, I was selected by lot at our Grand

1 Boulé event that happens biannually. Two of the
2 members of the Grand Board are selected by lot. All
3 of the other members of the board conducted campaigns
4 and they have to be elected by the members of the
5 board; but two of us -- the grand rhetoricos and
6 myself, the grand agogos -- are selected by lot.

7 Q. Do you remember when that took place?

8 A. Yes, in San Diego at the most recent boulé
9 last year 2024, in San Diego -- don't remember the
10 exact date because I travel a lot.

11 Q. Were you present at the April 9th vote?

12 A. Yes, I was present there.

13 Q. Did you vote?

14 A. Yes, I voted.

15 Q. Let me take you back in time a little bit
16 before you became a board member. Were you working
17 at the time you became a board member?

18 A. Please restate the question.

19 Q. Were you employed at the time?

20 A. I'm a retired military officer after 35
21 years, so -- and I run my own consulting company.

22 Q. When you retired from the military, what
23 branch was that?

24 A. That was the U.S. Army.

25 Q. And what was your highest rank?

1 A. My rank is Major General for the U.S. Army;
2 two stars.

3 Q. What were some of your responsibilities as
4 Major General?

5 MR. JORDAN: Your Honor, I'm going to
6 object to the relevance to what he did to
7 become a major general.

8 THE COURT: I'll overrule it, I think,
9 a little bit.

10 BY MR. SCOTT:

11 Q. Describe generally.

12 A. I was Commanding General for Fort Jackson,
13 South Carolina. And I worked with the Joint Staff.
14 I've been the Chief of Staff. I used to teach a
15 command at the Air Force base, so I've had some
16 operating positions as Commanding General, which gave
17 me the awesome responsibilities of taking care of our
18 young soldiers, sailors and Marines in the area where
19 we served.

20 Q. And were you involved in discipline?

21 A. Yes. All commanding generals are certainly
22 involved with discipline at the different court
23 martials' levels because of the Uniform Code of
24 Military Justice, we have special court martials that
25 convene. We have general court martials convening

1 also.

2 Q. Did I contact you to come here today?

3 A. No. No, I am here on my own volition and I
4 volunteered to support Loren Douglass on this because
5 of my firm belief that the --

6 MR. JORDAN: Objection.

7 THE COURT: Goes beyond. Sustained.

8 I mean, if you can just answer the
9 questions posed to you, sir. Thank you.

10 BY MR. SCOTT:

11 Q. Do you believe that his removal on April 9th
12 is proper under the bylaws as a board member? Do you
13 believe that?

14 MR. JORDAN: Your Honor, objection.
15 No foundation.

16 THE COURT: Why don't you lay a
17 foundation.

18 BY MR. SCOTT:

19 Q. Are you familiar with the constitution and
20 bylaws?

21 A. Yes, I am.

22 MR. SCOTT: May I approach, Your
23 Honor.

24 THE COURT: Yes.

25 MR. SCOTT: This is P-28.

1 THE COURT: For the record, we are
2 going to use the designations made by the
3 plaintiffs -- or the petitioner and
4 respondents, just for purposes of keeping
5 things straight.

6 BY MR. SCOTT:

7 Q. I have in front of you what's been marked as
8 P-28. What are those? What is that document?

9 A. This is the constitution and bylaws dated
10 September 6, 2024.

11 Q. As a board member, are you familiar with
12 these bylaws?

13 A. Yes, I am.

14 Q. Are you familiar with the sections involving
15 voting and removal of board members?

16 A. Yes, I am.

17 Q. When did you become familiar with those
18 sections involving voting and removal of board
19 members?

20 A. Well, when I first became a member of the
21 fraternity because we had constitution and bylaws at
22 the time but more specifically after I became grand
23 agogos.

24 Q. And why is it after you became grand agogos
25 you more specifically looked at the bylaws?

1 A. Well, because in my position I had to be
2 very familiar with the protocols; and also the
3 governing body of our fraternity, that's part of my
4 responsibility.

5 Q. Are you familiar with the Section 4G of the
6 bylaws?

7 A. Yes, I am.

8 Q. Were you familiar with Section 4G prior to
9 April 9th of 2025?

10 A. Not as well as I had wanted to be.

11 Q. Okay. But you were familiar with that
12 section, correct?

13 A. I am now, correct.

14 Q. Were you involved in the process involving
15 the vote?

16 A. Yes, I was.

17 Q. In your own words, can you take us through
18 what happened on April 9, 2025, at that board
19 meeting?

20 A. The board meeting convened and they had
21 been --

22 MR. JORDAN: Your Honor, I object.

23 This is uncalled for. It calls for a
24 narrative of everything that happened in the
25 board meeting.

1 THE COURT: What's your objection?

2 MR. JORDAN: He asked the witness to
3 testify what happened in the board meeting.

4 THE COURT: It seems like a direct
5 question. Overruled.

6 MR. SCOTT: Please.

7 MR. BOLDEN: I have a second
8 objection. Counsel hasn't laid a foundation
9 that this witness was even present for the
10 meeting.

11 THE COURT: I believe he said he was.
12 Is that correct? Were you at the
13 meeting?

14 THE WITNESS: Yes, Your Honor. I was
15 at the meeting.

16 MR. BOLDEN: For the record, counsel
17 has not established what bylaws and
18 constitution he's referring to. I just want
19 the record to be clear --

20 THE COURT: Thank you so much. I
21 thought he made reference to it. If you can
22 put it in the record what is the document.
23 State the document.

24 MR. SCOTT: P-28. It is the Sigma Pi
25 Phi Fraternity's constitution and bylaws; the

1 edition date, September 6, 2024.

2 THE COURT: Counsel, before we
3 continue, I want to establish representation.
4 So on whose behalf are you here for, same
5 parties?

6 MR. BOLDEN: I'm here for Sigma Pi Phi
7 Fraternity.

8 THE COURT: So I'm going to recognize
9 you working together as a team, but it will
10 be est if you can limit the person dealing
11 with the specific witness to one person. I
12 suppose if you could just try to work
13 together so that there's no confusion.

14 MR. BOLDEN: Yes, Your Honor. I
15 completely agree with you. I was just trying
16 to protect the record. Taking copious notes.
17 Thank you.

18 THE COURT: Limit it to one party, one
19 attorney.

20 MR. SCOTT: One more question about
21 P-28.

22 BY MR. SCOTT:

23 Q. Were these bylaws in effect at the time of
24 the vote on April 9th?

25 A. Yes. These bylaws, the ones I have in P-28

1 were in effect during that vote.

2 MR. SCOTT: Your Honor, would you
3 prefer getting exhibits in as we go, or at
4 the end of the hearing?

5 THE COURT: I think to the extent that
6 you recall, it's better if we do it at the
7 end. You can do it at the end. That's fine.

8 BY MR. SCOTT:

9 Q. So you remember the question that I asked
10 you?

11 A. Yes. The question was what were the
12 proceedings at the meeting. If you could repeat it.

13 Q. Yes.

14 In your own words, can you tell us what
15 happened at that meeting with regards to the April
16 9th vote from when the motion was made, up until the
17 time -- I'm sorry, go back before the motion was
18 made. Go back to the beginning of the session.

19 A. During the meeting, there was a
20 subcommittee. The subcommittee had been designated
21 to look into six charges that were leveled against
22 Loren Douglass.

23 Those six charges were brought to the entire
24 board, meaning those who were present at the time in
25 the paper format -- it was in a manila folder with

1 all of the charges -- and the recommended resolution
2 of the charges by the subcommittee.

3 The subcommittee consisted of four members
4 of the Grand Board plus Archon Tyson, who was the
5 sire-elect. So we were looking at the charges and
6 the recommendations for the response to the charges
7 from the subcommittee.

8 MR. JORDAN: Your Honor, I object. He
9 said what we were looking at. He can testify
10 to what he did. He cannot testify what
11 others did.

12 THE COURT: Can you be more precise?
13 Just talk about yourself, okay?

14 THE WITNESS: Yes, Your Honor. I
15 reviewed the packet that was in front of me.
16 My packet was labeled Number 8. And I was
17 looking at my packet and looked at the
18 recommended response. And at the conclusion
19 of us looking at the packet, the chairman of
20 the subcommittee, Archon Tyson, rendered the
21 recommendation of removal.

22 MR. SCOTT: Let me stop you for a
23 second. Your Honor, may I approach.

24 THE COURT: What's your concern?

25 MR. JORDAN: Your Honor, my objection

1 is I didn't hear him. He started mumbling.
2 So I need to hear what he said; repeat what
3 his answer was.

4 THE COURT: I think the chairman of
5 the subcommittee?

6 THE WITNESS: The chairman of the
7 subcommittee was Archon Tyson and it was
8 after we looked at the packet that was in
9 front of us, we were ready to get into a
10 discussion of what the response would be from
11 the board. At that time, Chairman Tyson
12 opined that the recommendation of the
13 subcommittee is that Loren Douglass should be
14 removed.

15 BY MR. SCOTT:

16 Q. When was the first time you, as a board
17 member, heard that that was going to be an issue at
18 this board meeting?

19 A. That was the very first time that we heard
20 the word removal for Loren Douglass.

21 Q. The packet of materials you reviewed with
22 the recommendations, were there any recommendations
23 made by the subcommittee on any charge for the
24 removal of Mr. Douglass as the Grand Sire?

25 A. There were none. There were no

1 recommendations for removal from the subcommittee to
2 the Grand Board member.

3 Q. What was your reaction? What was your
4 personal reaction?

5 A. I was shocked. I was surprised.

6 Q. Why were you shocked and surprised?

7 A. Because nothing that I had looked at that
8 appeared before me in my packet recommended removal.

9 Q. Did you observe any of the other board
10 members speak out about this?

11 A. Yes, there were at least two other board
12 members that reacted just as I did.

13 Q. Which board members were those?

14 MR. JORDAN: Your Honor, objection.

15 This witness does not know what these
16 witnesses, these other people he mentioned
17 what they did, how they looked, and why they
18 did it.

19 THE COURT: Mr. Scott.

20 MR. SCOTT: Your Honor, this is an --
21 indulge me -- this is a preliminary
22 injunction hearing. I think the rules of
23 evidence are lessened. We intend to be able
24 to prove this later if we get past this
25 stage. It's not -- I think it's a hearsay

1 objection that I'm hearing.

2 THE COURT: I think that...

3 MR. SCOTT: I think what he heard when
4 he spoke with somebody and what people said
5 is there's about four exceptions to the
6 hearsay rule that I can think of right now:
7 It could be excited utterance; it could be
8 present sense impression; it could be not
9 even offered for the truth right now.

10 It's just about their knowledge, the
11 board's knowledge and what the board did.
12 Remember, the board acts as a group, not as
13 individuals.

14 THE COURT: Thank you, Mr. Scott.
15 That's very helpful. I think I understand
16 the nature of that objection, but I also
17 think the best way for you to address that --
18 not exactly sustaining it, sir, but I also do
19 think it's important that you not try to
20 remind -- how did you know these people had
21 these opinions?

22 THE WITNESS: Your Honor, I did not
23 attempt to read the minds of the other two
24 members of the board that responded just as I
25 did. I saw them react. I heard them react.

1 My reaction was --

2 THE COURT: So what did they say, if
3 you know?

4 THE WITNESS: How did you get to the
5 position of removal when you are only
6 recommending the possibility of reprimand or
7 censorship in the packets that we had before
8 us.

9 BY MR. SCOTT:

10 Q. And was there a response to that question?

11 A. I do not recall a response from Tyson.

12 Q. Do you recall who was at the board meeting,
13 the actual board members by name?

14 A. Yes, I do.

15 Q. Can you, to the best of your recollection,
16 tell the Court who was present?

17 A. Okay. We had some on Zoom and we had some
18 present in the meeting. On Zoom, Ahmad, Kendrick,
19 Bradley and I think Heard. In the meeting, we had
20 Welch, myself, Hall, Tyson, Roman, Jackson,
21 Garibaldi, Tapscott, Searcy.

22 Q. Was the folk, the people who were on Zoom,
23 is that permitted under the bylaws?

24 A. Yes.

25 MR. JORDAN: I object in regards to

1 this witness testifying about the bylaws.
2 There's no foundation he has any real
3 knowledge about the bylaws required. He can
4 talk about what his job is in there; but
5 otherwise, he has no foundation laid.

6 THE COURT: Thank you. I think
7 Mr. Scott can respond. I actually need a
8 response.

9 MR. SCOTT: Your Honor, he's the grand
10 agogos.

11 THE COURT: Can you spell that for me?

12 THE WITNESS: Grand agogos.

13 A-G-O-G-O-S.

14 MR. SCOTT: I believe he testified he
15 read the bylaws. He knows the bylaws. He
16 knows the rules. He knows how to convene a
17 meeting. He knows what the voting procedures
18 are. He's familiar with the bylaws, as a
19 board member. He couldn't operate as a board
20 member unless he knows what the bylaws say.

21 THE COURT: Go ahead.

22 MR. JORDAN: I was going to say
23 exactly what the question is about, off the
24 foundation.

25 THE COURT: Well, I think we already

1 established he read the bylaws. He's
2 familiar with them. So I will overrule that
3 objection. I think you did answer already,
4 sir.

5 THE WITNESS: I think I did.

6 THE COURT: Is that your understanding
7 of the bylaws...

8 THE WITNESS: Yes, I'm very familiar
9 with the bylaws, Your Honor.

10 MR. SCOTT: Your Honor, may I
11 approach.

12 THE COURT: You may.

13 BY MR. SCOTT:

14 Q. I show you what will be marked as P-6. P-6
15 is the type of document called a Grand Board Meeting
16 Minutes, Tuesday, April 9, 2025 and Wednesday, April
17 9, 2025. Did I read that correctly?

18 A. I see Tuesday, April 8, 2025, executive
19 session.

20 Q. And are you familiar with these types of
21 document in your position as a board member?

22 A. Yes, I am. They show the minutes of the
23 meeting that we had.

24 Q. After a board meeting, are these minutes
25 prepared and typed?

1 A. Yes, they normally are.

2 Q. Do you know which board members are
3 responsible for preparing these minutes?

4 A. Normally, our secretary grammateus.

5 Q. Would you spell that for the court reporter,
6 please?

7 A. Grammateus is G-R-A-M-M-A-T-E-U-S. And his
8 last name is spelled S-E-A-R-C-Y.

9 Q. After the board meeting of April 8th and
10 April 9th, do you recall getting a copy of these
11 minutes?

12 A. Yes, we have a copy of it.

13 Q. And so you're familiar with the contents of
14 these minutes?

15 A. Yes, I'm familiar with it.

16 Q. If I can turn you to page 3 -- well, let me
17 stop you. Go to page 2. And it tells you who is
18 there in person, correct?

19 A. Yes.

20 Q. And then the next page, it tells you who
21 attended by Zoom, correct?

22 A. Yes.

23 Q. Where it says virtual attendees' via Zoom,
24 it actually has the timestamps when they logged on
25 and logged off; is that correct?

1 A. Yes.

2 Q. And we see that Mr. Bradley, a board member,
3 was logged out at 12:23, correct?

4 A. Yes.

5 Q. I wanted to just take you back for a second.
6 There was a committee that was going to do the
7 investigation. Remember?

8 A. The subcommittee, yes.

9 Q. Was Mr. Bradley a part of that?

10 A. Yes, he was a member of the subcommittee.

11 Q. And so he would then member of the
12 subcommittee that prepared the recommendations.

13 A. Yes.

14 Q. What's higher? A censure or a private
15 reprimand?

16 A. A censorship is probably higher.

17 MR. JORDAN: Your Honor, I'm going to
18 object. There's no foundation for the
19 witness to be able to testify as to the
20 general nature of what a censure is or
21 reprimand. It depends on the organization.

22 If he has to read what organization I
23 that document there is, so he could be
24 talking about the Army, he could be talking
25 about --

1 THE COURT: I recognize that. So,
2 sustain the objection to the extent that you
3 need to answer. Establish a foundation.

4 BY MR. SCOTT:

5 Q. The Boulé -- what's the level of discipline?

6 A. My understanding of it is reprimand,
7 censorship.

8 Q. And then the next section is the vote
9 results, correct?

10 A. Yes.

11 Q. And then it lays out what the results are,
12 right?

13 A. Yes, of that vote.

14 Q. Now, when the vote was taken, was
15 Mr. Douglass present?

16 A. No, he was not.

17 Q. Was Mr. Tyson present?

18 A. Yes, he was.

19 Q. And what was Mr. Tyson's position in the
20 Boulé at the time of the vote?

21 A. He was the sire-elect, which is the second
22 in charge.

23 Q. Who is the last person that voted yes
24 for removal?

25 A. Tyson.

1 Q. And after Tyson voted, did the vote pass?
2 Did they pass the motion?

3 A. The motion was passed by the board based on
4 the 8-to-4 vote that was made.

5 Q. At the time that was taken, did someone say
6 the motion passed?

7 A. Yes.

8 Q. Was there any objections to that?

9 A. Oh, yes.

10 Q. Who objected?

11 A. I objected.

12 Q. Anyone else object?

13 A. Kendrick objected.

14 Q. We're talking about objecting, do you mean
15 removal?

16 A. We objected to the 8-to-4 vote to remove
17 Loren Douglass.

18 Q. Why did you object to the 8-to-4 removal?

19 A. Because I wasn't certain at the time that
20 they had reached the threshold that's required by our
21 law.

22 Q. After your review of the bylaws, before the
23 vote, what was your understanding that what was
24 required to remove a board member?

25 MR. JORDAN: Objection, Your Honor.

1 Again, there's no foundation that he has any
2 experience interpreting the constitution and
3 bylaws. He can say he knows there's a bylaw.
4 He can see the document, but the ability,
5 skills necessary for an interpretation, he
6 has not laid any foundation for.

7 THE COURT: I'm going to overrule that
8 because I think as a board member he
9 understands the rules to be in, whether he's
10 not offering legal opinion. And so I'm going
11 to overrule that objection.

12 BY MR. SCOTT:

13 Q. Why did you object?

14 A. I objected because I understand what was
15 written in the bylaws that specifically states that
16 in order to remove a member of the Grand Board, the
17 vote must be an affirmative vote of two-thirds of the
18 entire Grand Board present and voting, in order to
19 remove someone from the Grand Board.

20 Q. And the minimum number of votes?

21 A. It's ten.

22 Q. After you objected, what happened?

23 A. Well, it really fell on deaf ears at the
24 time. And at that moment, I was really concerned
25 about a rhetorician, Archon Bradley, because his vote

1 was not rendered with this vote and I was concerned
2 about him. That's why I reached out to him to find
3 out what was happening because, remember, he was on
4 Zoom at the start of our meeting.

5 Q. Do you know what Mr. Bradley's vote was?

6 A. Not at that time, not until I reached out to
7 him.

8 Q. Why did you reach out to Mr. Bradley?

9 A. Well, because he had been on the
10 subcommittee, first of all. He had been on the
11 subcommittee. And with the motion of offering of
12 Archon Tyson to remove him, to me, that was a shock
13 to me, because nothing in the paperwork showed
14 removal that they gave us. So I wanted to talk to
15 Bradley because I knew him.

16 Both he and I were selected by lot to be on
17 this board. I knew he would give me the straight
18 information.

19 Q. Did you know if Mr. Bradley attempted to
20 return to the Zoom meeting?

21 A. No, I didn't. I found out --

22 MR. JORDAN: Your Honor, object.
23 Hearsay.

24 MR. SCOTT: It's not being offered for
25 the truth.

1 THE COURT: I might have sustained.
2 Try something.

3 BY MR. SCOTT:

4 Q. Did you have communications with
5 Mr. Bradley?

6 A. Yes.

7 Q. And did Mr. Bradley send you communications
8 via text?

9 A. Yes, because I asked him what had happened.
10 I asked him why he didn't vote. He said, I did vote.

11 MR. SCOTT: May I approach.

12 THE COURT: You have the text?

13 MR. SCOTT: Yes. It's P-9. P-9A.

14 Would the Court like a copy of that?

15 THE COURT: I would. I can get
16 offline.

17 MS. CHEWNING: Your Honor, if I may, I
18 don't believe P-9A and 9B were included in
19 the communication.

20 BY MR. SCOTT:

21 Q. Mr. Turner, I'd like you to look at first
22 the document marked P-9A. Do you see that?

23 A. Yes, I have it.

24 Q. It says on the top 19:27. It's military
25 time, correct?

1 A. Yes, 7:27 p.m.

2 Q. 7:27 p.m. on Wednesday, April 9, 2025?

3 A. Right.

4 Q. It says SB; under that, Stefan.

5 A. Stefan.

6 Q. Who's that?

7 A. That's Mr. Bradley.

8 Q. What did Mr. Bradley text you during your
9 conversation with him?

10 A. He text me. This is my text before I left
11 and when I returned from the meeting.

12 Q. What does he say?

13 A. The text reads, I'm leaving, I'm needing to
14 leave until about two.

15 MR. JORDAN: Your Honor, I object.

16 This is hearsay. He cannot testify as to
17 what Archon Bradley was communicating.

18 Archon Bradley needs to be testifying to what
19 he was saying.

20 He can testify he received the
21 document. He can't testify what he's saying.
22 I can't cross-examine Archon Bradley.

23 MR. SCOTT: Your Honor, this is a
24 contemporaneous text message from Mr. Bradley
25 telling Board Member Turner that he informed

1 the executive committee -- going to get to
2 that -- that he had to leave and he would
3 return at 2:10.

4 And this was shared and the offer of
5 proof is this was shared with President-elect
6 Tyson and because of the vote, Grand Sire
7 Tyson and this was ignored. Because it's a
8 preliminary injunction, we're going to be
9 able to prove this at trial. And this is not
10 something that he was made up by this
11 witness. This is virtually the same day.

12 THE COURT: So what I will say, it's
13 admitted for the limited purpose in showing
14 the plaintiff the potential --

15 MR. SCOTT: And it also goes to
16 notice.

17 THE COURT: Notification. Not for the
18 purpose of what his vote would be, truth,
19 frame of mind.

20 MR. SCOTT: So let's go through this
21 next text --

22 MR. JORDAN: Your Honor, in regards to
23 your ruling, counsel should not be able to go
24 through what was being written here. It's
25 already been admitted that he received

1 somebody's text message.

2 THE COURT: This is a bench trial
3 purpose, certain limited purpose.

4 MR. SCOTT: Yes, Your Honor. Limited
5 purpose in which for what Your Honor.

6 THE COURT: Limited to what his state
7 of mind was.

8 MR. SCOTT: Whose frame of mind, Your
9 Honor?

10 THE COURT: The individual who -- it's
11 not for the truth as I understand it, right?

12 BY MR. SCOTT:

13 Q. Did Mr. Bradley send you the screenshot of
14 what he texted?

15 A. Yes, he did.

16 Q. And who did he text to?

17 A. He texted to the subcommittee members
18 for which he was a member of.

19 Q. And those subcommittee members were members
20 of the board on April 9th?

21 A. Yes, they were.

22 Q. His screenshot says that he needed to leave
23 until around 2:10, correct?

24 A. Yes.

25 Q. And Mr. Tyson, right, he was part of the

1 subcommittee, right?

2 A. Well, he chaired the subcommittee.

3 Q. And his vote -- he said, "My vote is against
4 removal (in the aggregate) if I don't make it back."
5 Did I read that correctly?

6 A. That's exactly what he said.

7 Q. He also says to the people he texted,
8 "Please let it be known if you-all get to that before
9 I return." And that was at 12:22, correct?

10 A. Yes.

11 Q. If we go back to P-6 on page 3 where I went
12 over virtual attendees via Zoom, you see that?

13 A. I see it.

14 Q. When did Mr. Bradley exited, according to
15 Mr. Searcy, according to the minutes?

16 A. It showed Bradley 10:48 through 12:23, he
17 left the vote due to an early departure.

18 Q. By the way, do you know why Mr. Bradley had
19 to leave?

20 A. He's the dean at Amherst University up in
21 Boston and he had a dean's meeting I believe; some
22 sort of meeting.

23 Q. And then Mr. Searcy typed in "ineligible to
24 vote due to early departure". Did I read that
25 correctly?

1 A. That's what he has typed.

2 Q. And then the screenshot then indicates at
3 some point Mr. Bradley asked whoever was running it,
4 the board member, to extend the Zoom link because he
5 couldn't get in, correct?

6 A. Yes, he was trying to get back in.

7 Q. So he returned?

8 A. Yes.

9 Q. Did you bring this text to anybody's
10 attention?

11 A. Yes, I did.

12 Q. Who?

13 A. Archon Tyson.

14 Q. Why did you bring it to Archon Tyson's
15 attention?

16 A. I felt it was a travesty of justice to not
17 include his vote.

18 Q. And why is that?

19 A. Well, because he was a member of the Grand
20 Board. He had rendered his notice to the
21 subcommittee chair who his vote was.

22 Q. The Grand Board, wasn't he president at the
23 time that he gave the vote?

24 A. Yes. Yes, he was present. Yes, he was
25 present.

1 Q. And he also voted, right?

2 A. And he voted.

3 Q. And if his vote was counted, the motion
4 would have failed?

5 A. Exactly right. Because it would have been a
6 8-to-5 decision instead of 8 to 4.

7 Q. That's under the meeting that they have.
8 Under your meeting, would it still have failed
9 anyway?

10 A. Yes, it would have failed because it still
11 would not have reached the ten.

12 Q. So if we take their meaning of it that the
13 word "entire" doesn't matter, would the vote have
14 failed?

15 A. Yes.

16 Q. Because it's not two-thirds of a majority?

17 A. Which it was 10 of 14.

18 Q. And when you brought it to Mr. Tyson's
19 attention, how did you do that?

20 A. I did it through several means. First, I
21 told him verbally at the meeting before I departed,
22 and then while I was boarding my aircraft, the
23 airplane to return home from Orlando, I sent him a
24 text.

25 And I sent him a text with the screenshot

1 that Bradley had sent me directly to him. And I
2 asked him to look at this. I asked him to delay the
3 announcing of removal of Douglass because this thing
4 is still, this is still being contested. I sent it
5 to him. I got a response, thanks, and --

6 THE COURT: Hold on a second. Can you
7 hear okay?

8 BY MR. SCOTT:

9 Q. When you say "he," let's talk about what
10 that means.

11 A. Archon Tyson. I sent a text to Archon Tyson
12 while I was in the Orlando, Florida, airport
13 preparing to depart. And my text stated that I am
14 concerned that we have a problem with our voting
15 because Stefan Bradley actually voted.

16 And I sent him a copy of Archon Bradley's
17 text that he sent me, the screenshot that he sent me.
18 I sent it to him. I think his response was, thank
19 you, I'll get back to you, something to that effect.

20 Q. Is that Exhibit 9B?

21 A. Yes, this is it. This is 9B.

22 Q. That's the text message that you just
23 described that you sent to Mr. Tyson?

24 A. That was the first message that I sent to
25 him at 18:18 that afternoon, 6:18 p.m.

1 THE COURT: I just wanted to address
2 something on the record. I think you
3 referred to Grand Sire Tyson as Archon. That
4 is Mr. Bradley's first name; is that right?

5 MR. SCOTT: The title Archon, I should
6 have done that, Your Honor. I apologize.

7 THE COURT: I need a glossary, my
8 apologies. Appreciate it.

9 BY MR. SCOTT:

10 Q. So, you said this to Mr. Tyson and you hear
11 back from him that we're going to change the motion
12 to not pass it? Is that what happened?

13 A. I was asking him to delay any announcement
14 of the 8-to-4 vote. I did not get a response. I
15 summarily, once I landed, I sent him another text
16 once I landed home. And that is also shown in the
17 same exhibit that you provided to me.

18 Q. And this was all on the same day?

19 A. All in the same day on the 9th.

20 MR. SCOTT: I want to show you an
21 email. This is Exhibit P-10. There's a
22 photograph of Bennett Gaines, executive
23 director.

24 BY MR. SCOTT:

25 Q. Are you familiar with Mr. Gaines?

1 A. Yes, I am. He's the executive director for
2 the fraternity.

3 Q. And what's his responsibilities?

4 A. He's the executive director. He manages, he
5 leads the office that's located in Atlanta, Georgia.

6 Q. Approximately how many members does the
7 Boulé have?

8 A. Hundreds.

9 Q. How many chapters? Are you familiar?

10 A. Not exactly; it's well over 50.

11 Q. And what chapter are you in?

12 A. I'm a member of Epsilon Alpha chapter in
13 Fayetteville, North Carolina.

14 Q. So I'm showing you what's been marked April
15 10, 2025, and it's to the archons of Sigma Pi Phi
16 Fraternity. What is an archon?

17 A. An archon is a member of a fraternity and he
18 resides in all of the different states. We have
19 archons in all the states and abroad also.

20 Q. Were you familiar with this announcement?

21 A. Yes, I am.

22 Q. What is this announcement?

23 A. This is an announcement that was made the
24 very next day after speaking to Archon Tyson about my
25 plea to revisit this vote. The announcement was that

1 the vote had been taken and it announced that after a
2 comprehensive and deliberate process and in
3 accordance with Bylaws 2, Section 4G, the
4 constitution and bylaws of our fraternity, the Grand
5 Board by a required two-thirds affirmative vote has
6 voted to remove Loren Douglass from the office of
7 Grand Sire Archon effective immediately.

8 Q. Was this a correct statement of what
9 happened?

10 MR. JORDAN: Your Honor, I'm going to
11 object. No foundation.

12 THE COURT: I think it's a lot to ask.
13 So why don't we withdraw the question.

14 MR. SCOTT: I withdraw it.

15 THE COURT: Sustained.

16 BY MR. SCOTT:

17 Q. So we had a vote on April 9th. We have
18 Mr. Bradley texting you on the same day saying I
19 voted no. We have the board minutes indicating that
20 Mr. Bradley, despite being told he was ineligible to
21 vote and then you texted Mr. Tyson about Bradley's
22 vote that he received. And then despite your request
23 to hold off, on April 10th they sent you notice,
24 correct?

25 A. Of course. That's exactly what happened.

1 Q. Did you attempt to do anything else after
2 contacting Mr. Tyson and after this April 10th notice
3 went out?

4 A. Archon Tyson was the only person that I've
5 spoken to on the Grand Board since this election on
6 the 9th of April about my contest. I made it known
7 to the entire Grand Board that I refused to accept
8 the 8-to-4 vote as a member of the Grand Board.

9 Q. Mr. Turner, do you sit on any other boards
10 other than Boulé?

11 MR. JORDAN: Objection, Your Honor.
12 Relevance.

13 MR. SCOTT: Laying a foundation, Your
14 Honor.

15 THE COURT: Overruled.

16 THE WITNESS: I sit on four other
17 boards of which three of them I am the
18 chairman of the board.

19 BY MR. SCOTT:

20 Q. And are there when, in your personal life,
21 where you're sitting on the boards where officers or
22 directors or members need to recuse themselves?

23 MR. JORDAN: Your Honor, objection.
24 Hearsay.

25 MR. SCOTT: It's personal knowledge.

1 MR. JORDAN: Your Honor, no
2 foundation. Not relevant to what other
3 boards do. We get into hearsay about how
4 they act, what they talk about, what they're
5 doing.

6 THE COURT: With respect to this,
7 what's the offer of proof?

8 MR. SCOTT: Well, I'm trying to get to
9 the part where interested board members of
10 the Boulé stand to gain something from the
11 action should step away from a vote.

12 THE COURT: I'm going to sustain the
13 objection. Stick to probably what we have.

14 BY MR. SCOTT:

15 Q. Under the bylaws of the Boulé, you have been
16 a member since what year?

17 A. 2018.

18 Q. Who stood to gain the most from voting
19 Mr. Douglass out?

20 MR. JORDAN: I object. There's no
21 foundation. There's no way for him to know
22 what's in their mind, what they're going to
23 get, whatever. There's no foundation of him
24 having any knowledge about anybody else in
25 the Boulé, what their attitude or thought

1 process is.

2 THE COURT: Mr. Scott, what's your
3 response to that?

4 MR. SCOTT: My response is it's well
5 within his personal knowledge. He knows the
6 order of business. He knows the order of who
7 becomes the next in line.

8 THE COURT: I think why don't you ask
9 that question. So I sustained your
10 objection. Just reframe it. I think that's
11 ambiguous.

12 MR. JORDAN: Your Honor, while we're
13 still on the same objection, that becomes
14 speculation about who stands to gain.

15 THE COURT: No. I think the question
16 now is who would succeed, which is much more
17 specific as I understand it.

18 MR. SCOTT: How long --

19 THE COURT: Start again.

20 MR. SCOTT: I'll withdraw it and
21 reframe it, Your Honor.

22 BY MR. SCOTT:

23 Q. How long does a Grand Sire have to serve on
24 his term once elected?

25 A. A Grand Sire serves two years as Grand Sire.

1 Q. And the Grand Sire can be -- how many times
2 can the Grand Sire be reelected?

3 A. The Grand Sire can only serve one term, as I
4 understand it.

5 Q. So Mr. Douglass has a two-year limitation
6 and can't serve again, correct?

7 A. Yes.

8 Q. Is there such a thing as a Grand Sire-elect?

9 A. There's a Grand Sire-elect, who is the
10 second in command or the second in charge of the
11 organization.

12 Q. Does the Grand Sire-elect -- after the Grand
13 Sire finishes his term, does that person have to run
14 again, or is that person appointed to a higher
15 position?

16 A. That person has to run but normally the
17 Grand Sire-elect moves up to the next position, which
18 is the Grand Sire.

19 Q. Has that been the case since you've been a
20 member of the Boulé?

21 A. That has been the case that the Grand Sire-
22 elect has moved up to become the Grand Sire.

23 Q. In this case, who was the Grand Sire-elect?

24 A. Archon Tyson.

25 Q. Who issued the last vote on April 9th?

1 A. Archon Tyson.

2 Q. Do you believe he should have recused
3 himself?

4 A. Yes.

5 MR. JORDAN: Your Honor, objection.
6 There's no foundation. He's not an expert to
7 testify on what he should have done in
8 regards to this meeting.

9 THE COURT: Overruled. I'll allow him
10 to testify based on what his understanding
11 is.

12 MR. JORDAN: It goes to -- sorry, Your
13 Honor. It goes to the very heart of what his
14 understanding of what -- no question has been
15 laid for him to talk about he's an ethics
16 expert, an expert on conflict.

17 THE COURT: Is there a process
18 for recusal? What is your policy on recusal?

19 THE WITNESS: My understanding, Your
20 Honor, is that if you are heading a committee
21 or a subcommittee of such and a vote has to
22 come up for removal of a person at this
23 level, then recusal should be an act that is
24 considered.

25 THE COURT: Is this something that

1 you've observed in this organization?

2 THE WITNESS: This is the first time
3 that we've ever had this situation come up.

4 THE COURT: So this is basic
5 understanding.

6 MR. JORDAN: But, Your Honor, he said
7 that what happens -- this is what happened.
8 If I can voir-dire the witness, Your Honor, I
9 want to find out where he found this
10 information.

11 THE COURT: You'll have an opportunity
12 to do so.

13 MR. JORDAN: He's testifying.

14 THE COURT: I recognize that. You'll
15 be able to address it later. You may
16 proceed.

17 BY MR. SCOTT:

18 Q. Do you believe that Mr. Tyson should have
19 recused himself on April 9th?

20 A. I do.

21 Q. Why?

22 A. Because he was heading the subcommittee and
23 he apparently stood the grounds to move up to that
24 position of Grand Sire, if, in fact, he voted to
25 remove Loren Douglass.

1 Q. If Mr. Tyson recused himself, would the vote
2 fail under their interpretation?

3 A. Yes, the vote would have failed under their
4 interpretation.

5 MR. JORDAN: Again, Your Honor,
6 objection. Speculation.

7 THE COURT: Hypothetical, so I'll
8 leave it. Overruled.

9 BY MR. SCOTT:

10 Q. If Mr. Tyson recused himself and did not
11 vote, how many "yes" votes would there have been?

12 A. A total of seven "yes" votes.

13 Q. Would that have been enough under 4G to
14 remove Mr. Douglass?

15 A. No. No.

16 Q. Did Mr. Tyson or anybody on the executive
17 committee adjourn the meeting after Bradley left to
18 allow him to come back?

19 A. No, there was no adjourning.

20 MR. SCOTT: Indulge me one second.

21 BY MR. SCOTT:

22 Q. I take you back to P-6, which is the board
23 minutes. Let me know when you there.

24 A. Yes. I'm here.

25 Q. Mr. Loren Douglass was not present at the

1 motion to remove, correct?

2 A. He was not present.

3 Q. Was there a motion made to ask him to leave
4 or to recuse himself?

5 A. No.

6 Q. Did anybody on the board, including
7 yourself, ask Mr. Douglass to return after
8 deliberations?

9 A. No.

10 MR. JORDAN: Objection, Your Honor.
11 This is leading. And more importantly it's
12 not the witness's testimony. There's been no
13 testimony that said anyone asked
14 Mr. Douglass --

15 MR. SCOTT: I'm asking him questions.

16 THE COURT: Wait one second.

17 MR. JORDAN: There's no testimony.
18 This witness can say that he instructed
19 Mr. Douglass to leave the meeting. The
20 question was after Mr. Douglass was requested
21 to leave, did anyone request to bring him
22 back. There's been no testimony of that.

23 THE COURT: Well, I think you could
24 restate it. Thank you.

25 THE COURT: Sustained.

1 BY MR. SCOTT:

2 Q. Did Mr. Douglass leave the meeting at some
3 point?

4 A. Yes, he did.

5 Q. Prior to the motion to remove, did you hear
6 anyone say let's bring Douglass back before the
7 motion to remove is made?

8 A. Nobody made that comment.

9 Q. I think I asked you this, but I want to make
10 sure. Was there a motion to have Mr. Douglass recuse
11 himself from voting?

12 A. No.

13 Q. See where the section in the middle of P-6
14 on page 2, the date is Wednesday, April 9th. Where
15 it says motion to remove immediate-past-Grand Sire
16 Archon Douglass. Do you see that?

17 A. Yes, I see it now.

18 Q. Mr. Searcy typed in some times, correct?

19 A. Yes.

20 Q. So was this being recorded on Zoom, this
21 whole meeting?

22 A. I think it was.

23 Q. And is there a chat where you put in
24 comments if you're aware?

25 A. Yes.

1 Q. Have you seen a recording of that entire
2 Zoom meeting?

3 A. I have not.

4 Q. Do you know if a recording exists?

5 A. I don't know.

6 Q. And it indicates that at 12:33 -- I'm going
7 to butcher this -- T-H-E-S-A-U-R-I-S-T-E-S, that's
8 the motion to remove Mr. Douglass, correct?

9 A. Yes.

10 Q. He's actually saying that due to violations
11 of Bylaw 2, Section 4F, that's what he says in the
12 document?

13 A. That's what he says in the document.

14 Q. Probably a typo, right?

15 A. I assume we're dealing with 4G, not 4F.

16 Q. The debate went on for 35 minutes, 21
17 seconds after 12:33.

18 A. That's what's shown.

19 Q. The debate concluded at 1:08?

20 A. Yes.

21 Q. And then there was some further -- it looks
22 like further deliberations up until 1:23, correct?

23 A. That's what's shown.

24 Q. And according to the time line, Mr. Bradley
25 was not present during the motion, right?

1 A. He was not.

2 Q. In fact, the motion was made after Bradley
3 left the room?

4 A. Yes.

5 Q. Now, was there an emergency that day where
6 the Boulé had to end the meeting quickly?

7 A. Not that I know of.

8 Q. Is there anything that during the board
9 meetings -- I know this was a long day starting at
10 eight a.m. -- was there a lunch break?

11 A. Yes. We normally have a lunch break or
12 lunches brought in.

13 Q. Do you normally have a noon break?

14 A. Yes.

15 Q. Is there like generally a normal time when
16 an afternoon break would happen after lunch, during
17 lunch?

18 A. Sometime after lunch.

19 Q. And, according to Mr. Bradley's text to you,
20 he came back around 2:00, correct?

21 A. Yes, he did.

22 Q. Which would only be 30 minutes after?

23 A. Right.

24 MR. SCOTT: Your Honor, can I take a
25 two-second break?

1 THE COURT: Two? I think we need to
2 give the court reporter some time. So let's
3 take a 15-minute break. I remind you you're
4 under oath. You're not to speak to anybody
5 about your testimony or talk about any other
6 things. Thank you so much.

7 MR. SCOTT: May I approach. Do some
8 housekeeping on one of the exhibits.

9 THE COURT: Yes.

10 BY MR. SCOTT:

11 Q. Mr. Turner, take a look at P-9, please.

12 What is P-9?

13 A. P-9 is a text -- a copy of Archon Bradley's
14 text that he photo-shot to me.

15 Q. And the date of the text?

16 A. The text is the 9th of April.

17 Q. At what time?

18 A. 8:53 p.m.

19 Q. I see you are the sender of this case?

20 A. Yes. This is when I'm sending the text to
21 Archon Tyson at the time.

22 Q. Is it Mr. Douglass or Mr. Tyson?

23 A. This is Mr. Tyson's response to me at 8:54.

24 Q. Let me show you what we marked as P-9A.

25 That's the text that Stefan sent you, right?

1 MR. JORDAN: Your Honor, I can't see
2 what P-9A is.

3 THE COURT: You don't have another?

4 MR. JORDAN: It doesn't have P-9A.

5 MR. SCOTT: I have two more.

6 THE COURT: Why don't you put this mic
7 on when you're speaking.

8 MR. SCOTT: So we'll share the mic.
9 Is that good?

10 COURT REPORTER: Yes.

11 BY MR. SCOTT:

12 Q. And this is from -- 9A is from Mr. Bradley,
13 correct?

14 A. Yes, it is.

15 Q. That's the text that you testified about him
16 sending you what he had sent to the executive
17 committee?

18 A. Yes, subcommittee.

19 Q. Subcommittee.

20 By the way, do you know what the
21 subcommittee, what their vote was? Was that
22 indicated in that answer that you reviewed?

23 MR. JORDAN: Your Honor, objection to
24 hearsay.

25 THE COURT: I think that's sustained.

1 MR. SCOTT: Your Honor, let me just
2 keep where I am.

3 BY MR. SCOTT:

4 Q. So 9B is to Mr. Tyson, correct?

5 A. Right.

6 Q. And that's dated Wednesday, April 9th?

7 A. Yes, 6:18 in the evening.

8 Q. A few hours after the vote?

9 A. Yes, a few hours after the vote. I was
10 preparing to depart from Orlando Airport.

11 THE COURT: Thank you.

12 BY MR. SCOTT:

13 Q. I remember you referencing that before the
14 debate on April 9th that you were given a packet of
15 material, correct?

16 A. Yes. That was the packet showing the result
17 of the subcommittee work that investigated the six
18 charges leveled against Loren Douglass.

19 Q. And that subcommittee made recommendations
20 for each of those charges?

21 A. Yes, it did.

22 Q. Do you have any knowledge of the
23 subcommittee discussing removal at any time?

24 A. None. None whatsoever.

25 Q. After April 9th, did you discuss the removal

1 with any person on the executive committee?

2 MR. JORDAN: Objection, Your Honor.

3 Calls for hearsay.

4 THE COURT: It might discuss; so it's
5 sustained.

6 MR. SCOTT: It's being offered, Your
7 Honor, to show that a member of the executive
8 committee may not have happened --

9 THE COURT: What are you trying to do?

10 MR. SCOTT: Not for the truth; it's
11 for knowledge of --

12 THE COURT: What is it that you -- I
13 think the question itself is pretty broad, so
14 you might need to tailor it to address your
15 need.

16 BY MR. SCOTT:

17 Q. After the vote, did you have a discussion --
18 very simple question -- with anybody on the executive
19 committee?

20 A. No.

21 Q. Did you attempt to have a discussion with
22 anyone on the executive committee after the vote?

23 A. No.

24 Q. What about Mr. Tyson?

25 A. I reached out to him after the vote that

1 evening because we kind of disbanded once the vote
2 was taken later on that afternoon.

3 Q. We talked about Section 4G right? And you
4 are a board member who is familiar with 4G, correct?

5 A. Yes, I am.

6 Q. What does 4G mean to you as a board member
7 voting on the removal of a board member?

8 MR. JORDAN: Objection. Asked and
9 answered. He has already testified that he
10 said his entire board was present and voting.
11 He said it three times. He's going back over
12 it again.

13 THE COURT: Overruled. You may just
14 answer that question.

15 THE WITNESS: My understanding is that
16 in order to remove someone from the Grand
17 Board, you must have an affirmative vote with
18 two-thirds of an affirmative vote of the
19 entire Grand Board, which, in this case,
20 means the entire Grand Board is 14; so the
21 requirement should be two-thirds, which is
22 10.

23 BY MR. SCOTT:

24 Q. Are you familiar with 4F?

25 A. Yes, I am.

1 Q. Is the bylaw still up there?

2 A. Yes, I still have it.

3 THE COURT: Mr. Scott, can you give
4 the rest of the subsection 4F?

5 MR. SCOTT: Bylaw 2, section 4F like
6 Frank.

7 THE COURT: Thank you.

8 BY MR. SCOTT:

9 Q. Are you there?

10 A. Yes, I am.

11 Q. Is that a removal provision as well?

12 A. It's a removal provision, but it's not as
13 specific as with the Grand Board. This is for the
14 entire -- this requires the majority of his member to
15 vote to remove a Grand Board, so it's not the same as
16 the Grand Board in voting.

17 Q. So, meaning if there was a meeting of the
18 Boulé?

19 A. Yes, the entire Boulé.

20 Q. And if there was a motion made in front of
21 the entire Boulé to remove --

22 MR. JORDAN: Objection. That's
23 speculation.

24 MR. SCOTT: It's not speculation.

25 THE COURT: First of all, one person

1 at a time. I want to hear Mr. -- Mr. Scott,
2 please refrain.

3 Mr. Jordan, would you finish your
4 objection.

5 MR. JORDAN: First of all, it's
6 speculation. So if somebody had done so and
7 so, more importantly, he continues to testify
8 as an expert with no foundation about any
9 provisions and whether what would have
10 happened, what should have gone on. That
11 requires an expert, somebody with more
12 knowledge than what he has. There's nothing
13 shown to the contrary.

14 THE COURT: Mr. Scott, for the record.

15 MR. SCOTT: Your Honor, I can make
16 this argument to the Court. I don't need to
17 have the witness do it, so I'll withdraw the
18 question.

19 THE COURT: Okay.

20 BY MR. SCOTT:

21 Q. Is there anybody in the Boulé -- after the
22 vote of April 9th, did you have a discussion with
23 anybody in the Boulé about the meaning of 4G and the
24 word "entire"?

25 A. Not immediately. But eventually, I did

1 speak to, and subsequent to the board meeting that we
2 had I spoke with the other board members and also the
3 chairman of the constitution of bylaws subcommittee,
4 Archon Webster.

5 Q. And what was that discussion about?

6 MR. JORDAN: Your Honor, objection.
7 Starting to get to hearsay.

8 MR. SCOTT: He's a witness on their
9 list.

10 THE COURT: Wait. Your objection --

11 MR. JORDAN: It's hearsay.

12 MR. SCOTT: He is a witness.

13 Mr. Webster is on their list and so he can
14 ask him any questions he wants. It's not
15 being offered for the truth.

16 THE COURT: I think the question is
17 whether it was a discussion, right? To me,
18 that's not actual hearsay.

19 MR. JORDAN: Withdraw the objection.

20 THE COURT: Thank you.

21 BY MR. SCOTT:

22 Q. Did you have a discussion with Mr. Webster
23 about the bylaws?

24 A. Yes, I had a discussion with Mr. Webster
25 about the bylaws because my position has always been

1 that the vote was an inaccurate vote -- inaccurate
2 meaning it was not a legal vote, 8-to-4.

3 And at the request of Mr. Tyson at a
4 subsequent meeting, he asked me to talk with Archon
5 Webster, who was the chair of the constitution and
6 bylaws committee for our Boulé, for him to explain to
7 me why my understanding of the bylaws was inaccurate.

8 So we spoke for about 30 minutes by
9 telephone. At the end of the discussion, I shared
10 with him, I am still committed to my understanding of
11 that entry now, customs and bylaws, that we need 10
12 of 14 votes to remove anyone from the Grand Board.
13 And I followed up my conversation with an email that
14 I sent to him thanking him for the discussion, but I
15 stand firm on my commitment with respect to my
16 understanding of that entry on the bottom.

17 Q. Is Mr. Webster, to your knowledge, an
18 attorney?

19 A. Not that I know of. I know that his title
20 is as the chairman of the customs and bylaw
21 committee.

22 Q. If you know, is he a parliamentarian? Do
23 you know what that is?

24 A. Of course.

25 Q. What is a parliamentarian?

1 MR. JORDAN: Objection. There's no
2 foundation and knowledge as to his
3 background.

4 THE COURT: I think he answered the
5 question. Overruled. If you know.

6 BY MR. SCOTT:

7 Q. Do you know what a parliamentarian is?

8 A. Yes. A parliamentarian is one that monitors
9 and ensures that the correct administrative
10 procedures are being followed in an organizational
11 meeting and understand the rules of voting and
12 discussion and any meeting that he or she is a part
13 of.

14 Q. Now compare that definition to what your
15 role is as the grand agogos?

16 A. Well, my role as the grand agogos is to
17 ensure that appropriate protocols are met, that the
18 sanctity and the security of our meeting is upheld
19 such as proper dress; the appropriate accoutrements
20 that you may have earned in the fraternity; and also
21 to show that anyone who's in that meeting has been
22 checked, so to speak, to ensure that they're all
23 archons.

24 Q. And we spoke about the organization just a
25 little bit, to wrap this up. Can you give the Court

1 a little bit, to the best of your ability, the
2 history of the Boulé and its mission?

3 A. I can give you mine.

4 Q. Yes.

5 A. Views, what the Boulé is. The electron
6 represent anybody else except Abe Turner. The Boulé
7 is an esteemed organization since 1904 that has
8 brought men of similar desires to help their
9 communities together to ensure that there are
10 opportunities for folks to succeed in life, either
11 educationally and to all professions.

12 When the Boulé was first established, it was
13 established with some very serious-minded men, very
14 professional. As a matter of fact, the Boulé has
15 been -- it was pretty much a secret society for quite
16 some time. It's now more private than secret. When
17 I was asked to consider becoming a member of this, I
18 felt an honor because of what this organization
19 represents.

20 MR. JORDAN: Going to object to this
21 narrative. I don't know where it's supposed
22 to be going with regard to issues in this
23 case.

24 THE COURT: I think I will allow his
25 perspective on what the organization is

1 about, to educate me. Overruled.

2 MR. SCOTT: You can continue,
3 Mr. Turner.

4 THE WITNESS: Thank you, Your Honor.

5 The membership of this organization is
6 comprised of very professional men. Most of
7 them have been very successful in all of
8 their different disciplines, whether it be
9 medical, legal, military. In all types of
10 professions you'll find members of this
11 organization.

12 So I felt an honor to be a part of it
13 because I've lived a life of commitment to
14 law and order. And when I became the grand
15 agogos, I was doubly honored because of the
16 responsibilities that I had to take.

17 And while I'm sitting here testifying
18 now to you, to this Court, I must make it
19 clear, I'd like to make it clear that I am
20 committed to our constitution and bylaws just
21 as I'm committed to all of the other legal
22 doctrines that I've had to subscribe to in my
23 professional career. So the Boulé is an
24 organization of high expectations and --

25 MR. JORDAN: Your Honor, I renew my

1 objections.

2 THE COURT: I think I appreciate your
3 commentary, but we got what Mr. Scott was
4 asking for. Sustain that objection.

5 Go ahead, Mr. Scott.

6 BY MR. SCOTT:

7 Q. Just getting back to that packet of that
8 material that you were given of the executive
9 committee's recommendations, did anyone object not
10 having enough time to review it? Any board member
11 object?

12 A. Yes.

13 Q. And who was that?

14 A. Archon Kendrick, a regional sire archon.

15 Q. Do you recall what he said in terms of what
16 the objection was?

17 A. Yes. His objection was that he did not
18 have --

19 MR. JORDAN: Objection, Your Honor.
20 This is hearsay.

21 THE COURT: I recognize that.
22 Overruled.

23 MR. SCOTT: It's not being offered for
24 the truth.

25 THE WITNESS: I was there at the

1 meeting. I heard what Mr. Kendrick said.
2 And his points were that he did not have
3 enough time to read through two of the six
4 cases that were presented. He needed more
5 time.

6 BY MR. SCOTT:

7 Q. And was he granted more time?

8 A. No.

9 Q. Do you know why?

10 MR. JORDAN: Again, Your Honor, going
11 to object.

12 MR. SCOTT: It's either a yes or no.

13 THE COURT: Do you happen to know why?

14 THE WITNESS: I don't know why.

15 BY MR. SCOTT:

16 Q. Do you think -- this is, again, as Abe
17 Turner only -- do you think what happened at the
18 April 9th meeting was consistent with the goals and
19 the culture of the organization?

20 A. No, I do not.

21 Q. Why not?

22 A. Because I think the bylaws were violated and
23 in some cases knowingly. And from my position, I
24 felt that someone has to stand up for the rule of law
25 and that's what I'm doing.

1 MR. SCOTT: That's all the questions I
2 have, Your Honor.

3 THE COURT: Thank you. I'm sure
4 counsel has some questions for you.

5 MR. JORDAN: Yes, Your Honor.

6 Your Honor. Cross-examination.

7 THE COURT: Are we going to break
8 for lunch? I think we will break. It is now
9 11:17. We can go to 12, but what is your
10 proposal?

11 MR. JORDAN: I think it's a little
12 after 12. I'll be here at least an hour.

13 THE COURT: Just so you know, I have
14 an entire day. I don't have -- I don't think
15 we can squeeze three witnesses, four
16 witnesses. How many witnesses do we have
17 left? How many do you have?

18 MR. JORDAN: My witnesses.

19 THE COURT: Yes.

20 MR. JORDAN: Four.

21 THE COURT: Try to be realistic.

22 - - -

23 CROSS-EXAMINATION

24 - - -

25 BY MR. JORDAN:

1 Q. Archon Turner, isn't it true that you
2 weren't elected to become agogos?

3 A. I was not elected; I was selected.

4 Q. Yes. It's pulling straws; isn't that right?

5 A. When you say it's pulling straws, my name
6 was selected from a pool of all of the delegates that
7 attended the Boulé.

8 Q. That was not a conscious decision how you
9 got selected; is that correct?

10 A. Why do you say that? I don't understand the
11 question.

12 Q. When you say selected, what do you mean by
13 selected?

14 A. I mean, here's what I mean. The delegates
15 of the entire Boulé attend the Boulé meeting. All of
16 the names of the delegates are placed into a pool of
17 names, and from that pool, two names are pulled --
18 one, the agogos; the other is rhetoricos.

19 Q. It's not based upon your qualifications.
20 It's based upon a random selection of a number of
21 names pulled basically like out of a hat, correct?

22 A. Well, I think it's based on the
23 qualification of being a boulé member.

24 Q. Outside of being a member of the Boulé, it's
25 a random selection.

1 A. Yes, it's a random selection.

2 Q. Anybody in that room who is a member and
3 registered for that meeting could have been in the
4 same position.

5 A. Yes, that's accurate.

6 Q. You didn't interview for that position, did
7 you?

8 A. No, I did not.

9 Q. No one asked you to talk about your
10 qualifications for that job.

11 A. No, I did not.

12 Q. Isn't your job just nothing more than
13 watching the door, making sure people who enter that
14 room are members of the Boulé?

15 A. Oh, it's more than that.

16 Q. Show me under the constitution and bylaws --
17 I think it's P-28, Exhibit P-28, where it says it's
18 more than that.

19 A. Well, I think because the mere fact you're
20 sitting on the Grand Board, you represent a hierarchy
21 of leadership and expectation that you sit on the
22 Grand Board. That's no different than being an
23 agogos at the lower level as a member of the Boulé,
24 when you're only responsible for the responsibility
25 there, even though it's not specified.

1 Q. But you're not sitting on the Grand Board
2 based upon qualifications other than being the
3 grand --

4 A. That's true.

5 Q. You weren't interviewed to be sitting on the
6 Grand Board.

7 A. I was not interviewed to be sitting on the
8 Grand Board.

9 Q. Nobody asked you about your background to
10 see if you knew anything about being a member of the
11 board; is that correct?

12 A. Nobody asked me about my background to be
13 sitting on the Grand Board because the expectation is
14 that any Boulé member has the qualifications.

15 MR. JORDAN: Objection.

16 THE COURT: What's your objection?

17 MR. JORDAN: My objection is he went
18 beyond the scope of my question.

19 THE COURT: I think he offered his
20 perspective, so I'm going to overrule that
21 objection.

22 BY MR. JORDAN:

23 Q. Going back to this meeting on April 9th,
24 Loren Douglass was in that meeting, was he not?

25 A. When the meeting started, he was in the

1 meeting, yes.

2 Q. But Loren left the meeting on his own,
3 didn't he?

4 A. I don't think so. I think he was asked to
5 leave the meeting.

6 Q. Were you in the meeting?

7 A. I was in the meeting.

8 Q. What do you mean you think so? Did someone
9 ask him to leave?

10 A. Well, you're asking me a question. I'm
11 trying to give you the best of my recollection.

12 MR. JORDAN: Your Honor, would you
13 instruct the witness to answer the question.

14 THE COURT: I think, to be honest with
15 you, right, we're having -- Stefanie is
16 having a hard time keeping up with you.
17 Please do not speak over each other. Just
18 refrain.

19 MR. JORDAN: Let me ask you. Did
20 anyone else tell Archon --

21 THE COURT CRIER: Counsel, the mic may
22 not be on.

23 MR. JORDAN: Thank you.

24 THE COURT: Go ahead. So what's the
25 question right now?

1 MR. JORDAN: I asked the question, did
2 anyone tell Archon Douglass to leave the
3 meeting?

4 THE WITNESS: At the beginning of the
5 deliberation, he was asked to leave.

6 BY MR. JORDAN:

7 Q. Who asked him to leave?

8 A. I don't recall.

9 Q. Isn't it true no one asked him to leave?

10 A. That's not true. Somebody asked him to
11 leave.

12 Q. Is it in the minutes someone asked him to
13 leave?

14 A. I don't see it. I cannot attest to who
15 asked him to leave.

16 Q. Was the person sitting to the right of you
17 or to the left of you?

18 A. I can't recall.

19 Q. Why don't we talk about the minutes.

20 Look at P-6. You testified in regards to
21 the P-6 minutes of the meeting.

22 A. Okay. I have it.

23 Q. Where does this bogus piece of document come
24 from?

25 MR. SCOTT: Objection.

1 THE COURT: Can you tell me what this
2 is?

3 MR. JORDAN: Where'd you get P-6?
4 Where did that come from?

5 THE COURT: What document is that,
6 sir?

7 MR. JORDAN: P-6.

8 BY MR. JORDAN:

9 Q. Where did that document come from?

10 A. This document is the minutes from the
11 meeting and it came from -- I'm thinking it came from
12 Searcy, the grammateus.

13 Q. Do you see Searcy's name on these?

14 A. At the very end. "Respectfully submitted,
15 Darrell G. Searcy".

16 Q. Where is that?

17 A. The last page. We don't have the full copy.

18 THE COURT: Let's make sure we all
19 have the same document.

20 BY MR. JORDAN:

21 Q. The page, is it not the page you showed me
22 that says something about summary? It has Searcy's
23 name on it, I think at the last page?

24 A. "Respectfully submitted".

25 Q. On what page is that? What document is

1 that?

2 A. This is the last page of P-6.

3 Q. P-6. Is there a title, two pages back? Go
4 back from the last page. What does it say that is?

5 A. It has "Next Steps" and it has governance
6 duties on it.

7 MR. JORDAN: If I may approach,
8 please.

9 BY MR. JORDAN:

10 Q. It's not part of the meeting, an earlier
11 part of P-6. The earlier part says something about
12 minutes; is that correct?

13 A. The first part says "Grand Board Meeting
14 Minutes". And then it shows the summary of the
15 transcript report.

16 Q. Take a look at P-7. You have P-7 in front
17 of you?

18 A. I do not have P-7.

19 Q. P-7 is an exhibit that the petitioner
20 provided us. Can you tell me what Exhibit P-7 should
21 be?

22 A. P-7 looks to be another version of the
23 meeting notes from the April 9th meeting.

24 Q. Take a second to thumb through the document.
25 Can you see Archon Searcy's name on the last page?

1 A. Grammateus Searcy. Yes, I see it.

2 Q. Take a moment to look through the document.
3 On the front of the first page of P-7, what's the
4 title on that?

5 A. Title says, "Executive Session". At the top
6 of page 7?

7 Q. Page 7, correct. It's different from what
8 our exhibit is.

9 A. I have four pages of P-7. You asked for the
10 top of page 7.

11 Q. What does it say?

12 A. Top of P-7?

13 THE COURT: What page?

14 THE WITNESS: Says "Executive Session
15 Attendance".

16 MR. JORDAN: Look at your page 7.

17 THE COURT: Page 7 of P-7?

18 MR. JORDAN: Yes. It would actually
19 be P-7, the one I just gave you, P-7.

20 BY MR. JORDAN:

21 Q. Look at the front of that and look at the
22 front of P-6.

23 A. I see what you're getting at.

24 Q. What do you mean? What am I getting at?

25 A. You're looking at the signature blocks.

1 Q. I'm sorry.

2 A. You're looking at the signature blocks, the
3 last page of P-7?

4 Q. No, I'm looking at the front page of P-7.

5 A. I'm confused. I'm sorry, I can't follow
6 you, what you asked me to do.

7 Q. I asked you to take a look at the front of
8 page P-7. What does P-7 purport to be?

9 A. As I mentioned, I stated before it's an
10 executive session, April 9, 2025. It shows the
11 attendance and it goes in chrono order.

12 Q. Isn't this different than what's at P-6, the
13 front page of P-6?

14 A. Yes.

15 Q. Go to the second page of P-7. Okay?

16 A. Okay.

17 MR. JORDAN: Go to the second page of
18 P-6. Your Honor, do you have a copy of it?
19 I'm sorry.

20 THE COURT: I do not.

21 MR. JORDAN: I can give you the exact
22 same one.

23 MR. SCOTT: Your Honor.

24 THE COURT: Yes.

25 MR. JORDAN: Going to P-6, second

1 page, have you looked at it?

2 THE COURT: Yes.

3 MR. JORDAN: Is the second page of P-7
4 the same as P-6?

5 MR. SCOTT: I'm going to -- may I
6 object.

7 THE COURT: What's your objection?

8 MR. SCOTT: My objection is we haven't
9 determined whether or not Mr. Turner has seen
10 P-7, which is labeled "Executive Session"
11 versus P-6, which is labeled "Sigma Pi Phi
12 Fraternity". We haven't determined whether
13 or not Mr. Turner typed P-7 or has any
14 knowledge about P-7.

15 If there's something inconsistent,
16 that's not my objection, but to suggest that
17 he has any personal knowledge about how P-7
18 was created, that's my objection.

19 MR. JORDAN: Your Honor, he testified
20 to P-6. My question to him is where did P-6
21 come from.

22 THE COURT: Is that your understanding
23 what he testified to, that's what it says,
24 right at the top?

25 MR. JORDAN: My question to him,

1 because this is cross-examination, where did
2 P-6 come from; isn't it different than P-7.

3 THE COURT: So what are the
4 differences that you're --

5 MR. JORDAN: That's what I'm pointing
6 out. That's what I'm stepping through, Your
7 Honor.

8 THE COURT: So maybe it would be
9 helpful to tell us what the differences might
10 be, or start.

11 BY MR. JORDAN:

12 Q. If you look at P-7 and P-6, are they not two
13 different documents?

14 A. They're two different documents, primarily,
15 because the P-6 exhibit is an exhibit that talks to
16 the Grand Board meeting. If you look at P-7 that you
17 gave me, it talks to the executive session that took
18 place in executive session.

19 Now, I did not create either of these
20 documents and I testified that the one that I am
21 familiar with is the one that came to me in an email.
22 I would have to go back to my records to confirm
23 whether or not P-7 that you gave me ever came to me
24 in an email.

25 Q. You don't know if P-6 was an official record

1 of the minutes; isn't that correct?

2 A. Well, based on what I have in front of me,
3 it's basically --

4 Q. What did you say?

5 A. I said based on what I have here, yes.

6 Q. Compared to P-7.

7 A. I think it is.

8 MR. JORDAN: Your Honor, if I may
9 approach, I want you to take a look at. I
10 think I already gave the Court a copy of SPP
11 Exhibit 7.

12 THE COURT: What is this? SPP?

13 MR. JORDAN: Exhibit 7.

14 THE COURT: So this is your Exhibit 7.

15 MR. JORDAN: That's correct.

16 THE COURT: Mark that on your exhibit
17 list.

18 MR. JORDAN: Yes, it is.

19 BY MR. JORDAN:

20 Q. Can you tell me what SPP Exhibit 7 purports
21 to be?

22 A. It looks to be a meeting of the Grand Board
23 on the 8th and 9th of April at the Hyatt Regency
24 Hotel in Orlando.

25 THE COURT: Does it say Orlando?

1 THE WITNESS: Meeting of the Grand
2 Board of directors, April 8th and 9th.

3 BY MR. JORDAN:

4 Q. And this indicates that this is the minutes
5 of that meeting; is that correct? Doesn't it say
6 that it's the meeting of the Grand Board April 8th
7 and gives an attendance; is that correct?

8 A. Yes, it does.

9 Q. And it provides an attendance. Do you agree
10 that this is the attendance of the meeting?

11 A. Looking through it now, yes.

12 Q. And going back to P-6, do you see on the
13 front page, the attendance of who was in the meeting?

14 A. No.

15 Q. Do you see on P-6 the agenda for the
16 meeting?

17 A. I only see agenda adjustments on page two.

18 Q. At the top of page two it says there's
19 agenda adjustments?

20 A. Page two says "morning session" and "agenda
21 adjustments".

22 Q. SPP-7?

23 A. No. I said Exhibit P-6. You asked me to
24 take a look at P-6 to see if there was an agenda. I
25 looked at it on the first page. I went to page two.

1 At the very top it says "morning session" and "agenda
2 adjustments".

3 Q. Take a look at SPP 7, please; top of SPP 7.

4 A. Back to SPP-7, page one.

5 Q. What's at the top of this page?

6 A. At the top of this page, it says "the
7 meeting of the Grand Board of directors". And it has
8 a date of April 8th and 9th.

9 Q. On the second page?

10 A. Second page it shows agenda, correct.

11 Q. And it also lists other items there, what
12 was discussed at the meeting, correct?

13 A. It does.

14 Q. Was this a topic of discussion at that
15 meeting of where do we go from here? It was led by
16 Archon Douglass?

17 A. Yes.

18 Q. Did that happen?

19 A. Yes.

20 Q. And there's another topic: Engaging with
21 the guests in the Hyatt Orlando and Visit Orlando.
22 Did that occur?

23 A. Yes, it did.

24 Q. Going over to P-6, do you see anything in
25 P-6 that indicated there was a discussion about "our

1 board" and "where do we go from here?"

2 A. No. No, I don't see anything there.

3 Q. Do you see anything on P-6 about a
4 discussion engaging with our guests at the Hyatt
5 Regency Orlando?

6 A. No, I do not.

7 Q. Going back to SPP Exhibit 7, the same page,
8 number two, do you see it says actionable topics
9 update for the Grand Time & Peace (sic) Committee?

10 A. Yes.

11 Q. The Time & Place Committee, did that occur?

12 A. Yes.

13 Q. Would you go over to P-6. Do you see a
14 report like that in this?

15 A. No, I don't see a report.

16 Q. Going over to SPP, Exhibit 7, page 3, do you
17 see a topic discussing Grand Finance Committee
18 update?

19 A. Yes.

20 Q. Did that occur in that meeting?

21 A. Yes. I see that, yes.

22 Q. Would you go over to P-6. Do you see that
23 in P-6?

24 A. No, I don't.

25 Q. The Grand Finance Committee Report?

1 A. No.

2 Q. And that Grand Finance Report was given in
3 that meeting, correct?

4 A. Yes, the finance report was given at the
5 meeting.

6 Q. Going over to page four -- look at page SPP
7 7, page four. The top, does this say "Action Topic,
8 Report of the Grand Investment Subcommittee"?

9 A. Yes, I see it.

10 Q. Did that occur in the meeting?

11 A. It did.

12 Q. Let's go over to P-6. Do you see that
13 report in P-6?

14 A. No, I do not.

15 Q. Going to the bottom of SPP 7, page 4, do you
16 see April 9, 2025?

17 A. Yes.

18 Q. Going over to P-6, does it have any
19 indication of when the meeting started or reconvened
20 on April 9th?

21 A. It only shows the virtual attendees and what
22 time they were attending.

23 Q. Going back to SPP Exhibit 7, page four at
24 the bottom, it says "Discussion topics: Grand Offices
25 Report". You see that?

1 A. Yes, I see it.

2 Q. Do you see it lists the Grand Sire Archon,
3 no report; Grand Grammateus, no report; Grand
4 Thesauristes. Do you see that?

5 A. Yes.

6 Q. Did they give a report?

7 A. The thesauristes did and executive director.

8 Q. Going over to page five of that same
9 exhibit, SPP Exhibit 7, "Executive Director Archon
10 Gaines updated the board on the following". You see
11 that?

12 A. Yes.

13 Q. Did that occur at that meeting?

14 A. Yes.

15 Q. Let's go back over here to P-6. Isn't it
16 true none of that is in P-6, is it?

17 A. No, it's not.

18 Q. So my initial question is where did this
19 document come from?

20 A. I don't know.

21 Q. Let me ask you one other thing. Going to
22 the last page of SPP-7, page 13, what does it say?
23 Who signed off on this, who attested to this
24 document?

25 A. Grand Grammateus Darrell Searcy.

1 Q. Again, where did this document P-6 come
2 from?

3 A. I don't know.

4 Q. You admit this document P-6 is completely
5 different than this document P-7?

6 MR. SCOTT: Objection.

7 THE COURT: What's your objection?

8 MR. SCOTT: It's a misstatement of the
9 documents.

10 THE COURT: I think it's overruled.
11 Just answer the question.

12 THE WITNESS: You asked me where did
13 it come from. I don't know where it came
14 from, but this document has some of the
15 specifics that is contained in both P-6 and
16 P-7 with respect to voting, the issue at hand
17 here.

18 BY MR. JORDAN:

19 Q. In regards to the minute portion of P-6, the
20 minute portion of P-6, do you see Searcy's
21 attestation to that document of the minute portion?

22 A. I see the minute portion.

23 Q. The minute portion says where that came
24 from.

25 A. You're on P-6 or P-7?

1 Q. P-6.

2 A. I see his name at the very end.

3 Q. Of P-6?

4 A. P-6 on the last page.

5 Q. Of the minute portion?

6 A. This is P-6. This is what I'm looking at.

7 Q. Bottom of page three, it says "adjourned,"
8 does it not?

9 A. It does says adjourned.

10 Q. And then it starts on the next page, page
11 four, five. At the top of that, it's a different
12 document.

13 A. It is a different document. It says,
14 "Transcript Report".

15 Q. Right. And on the top of it, it says,
16 "Meeting Summary".

17 A. Yes, it does.

18 Q. That's separate from the minutes that we
19 just talked about, correct?

20 A. Well, I can't tell. I see a signature block
21 at the very end of it all.

22 Q. Within the version that you agreed was the
23 minute meetings at the adjournment after adjourning,
24 do you see Archon Searcy's attestation to this?

25 A. Not on page four, but it's at the end of the

1 packet that includes the meeting summary also.

2 Q. We're talking about minutes. I didn't ask
3 you about summaries; I'm talking about the minutes.
4 Isn't there a difference there?

5 A. Yes, there's a difference.

6 Q. Thank you.

7 You don't see Archon Searcy's name attested
8 on the minute portion, do you?

9 A. I don't see the information. Common is
10 accurate with respect to the voting that took place
11 at the meeting. Those are the points I want to make.
12 Even though the report is different, the point is
13 made there was a vote of 8-to-4.

14 MR. JORDAN: Your Honor, would you
15 instruct the witness to answer the question I
16 asked?

17 THE COURT: I think he answered the
18 question. Let him finish his statement.

19 THE WITNESS: Thank you, Your Honor.
20 as you went through the series of questions,
21 you asked me the difference between two
22 documents.

23 BY MR. JORDAN:

24 Q. No, I did not. I said, are the documents
25 different.

1 A. Your questions led to me looking at the
2 documents to reflect whether or not each document had
3 identical information. The part of the reports that
4 I agreed with Cheatham on is the vote of the Grand
5 Board to remove Loren Douglass. That information is
6 contained in both of these reports.

7 Q. So is it safe to say that as we look through
8 and compare P-6 with SPP 7 and also the other P-7
9 that P-6 has partially what went on in that meeting?
10 It's only partial to what you've already testified.

11 A. Are you asking me for my response? My
12 response is that P-7, your exhibit, goes into finite
13 details of the meeting.

14 Q. That are not in P-6, correct?

15 A. That are in P-6, yes.

16 Q. And you don't know where this P-6 came from,
17 how you got it?

18 A. No, I don't know. Not without going back to
19 my internal email.

20 Q. So, there was a lot to do about Archon
21 Bradley -- strike that. Who authored P-6?

22 A. Based on what I'm looking at, it appeared to
23 be Archon Searcy because his signature is at the
24 bottom.

25 Q. Is that a guess or do you know what I'm

1 looking at?

2 A. His signature is at the end of the document.

3 THE COURT: Let me ask a question.

4 What are you called, Archon? So, is this the
5 document that you -- that was in your -- you
6 received yourself? Did you receive P-6?

7 THE WITNESS: Because, Your
8 Honor, right now, I can't attest that I
9 actually received this document P-6, because
10 when counsel entered P-7, okay, I have to now
11 go back to my email traffic to take a look at
12 that to see which one actually came in.

13 What I keyed in on were -- an actual
14 process caused the meeting that we sat
15 through on the 9th of April.

16 THE COURT: That's consistent with the
17 documents?

18 THE WITNESS: Yes.

19 THE COURT: You've actually seen?

20 THE WITNESS: Yes.

21 MR. JORDAN: Your Honor, I move to
22 strike. There's been no foundation for P-6.
23 The witness said I don't know where it came
24 from. I don't know if that's ripe. I'm
25 going to ask that all testimony in regards to

1 P-6 be struck.

2 THE COURT: Counsel.

3 MR. SCOTT: He identified the document
4 as minutes he received. He testified to
5 that. His memory was there. There was
6 nothing about P-6 that he repudiated or said
7 didn't happen. In fact, his testimony was
8 consistent with that document. If the other
9 side thinks this is going to be a discovery
10 issue, that's fine; but for purposes of this
11 injunction hearing, he's already testified
12 that he's seen it and it's consistent with
13 his memory.

14 MR. JORDAN: Your Honor, he testified,
15 I don't know where this document came from.
16 I don't know anything about it. He just said
17 it, Your Honor.

18 THE COURT: Let me ask you,
19 Mr. Turner. Do either of these documents
20 look familiar to you?

21 THE WITNESS: The document that looks
22 familiar to me the most is P-6.

23 THE COURT: Then I overrule the
24 objection. Thank you. Or denied, whatever
25 it is.

1 BY MR. JORDAN:

2 Q. So let me go back a second. On P-6, P-6
3 says did the meeting on April 9th begin with a call
4 to order, thereafter you had the morning session
5 agenda adjustments and nothing else happened on that
6 morning, April 9th, other than before we got to
7 the -- strike that. Let me rephrase it.

8 On April 9, on P-6 there appears to be three
9 items prior to the motion to remove; is that correct?

10 A. (No audible response.)

11 Q. You begin at the top. The top says what
12 date?

13 A. The top says "Tuesday, April".

14 Q. On the second page, April 9th?

15 A. Wednesday was April 9th.

16 Q. And the first thing, according to P-6, was
17 the call to order, correct?

18 A. As is always the case with all of our
19 meetings, a call to order.

20 Q. And the second item is morning session and
21 agenda adjustment, correct?

22 A. That's what's shown, yes.

23 Q. And then the next item of business is
24 executive session; is that correct?

25 A. Yes.

1 Q. But didn't you just testify, looking at SPP
2 Exhibit 7, that other items of business took place
3 that morning of April 9?

4 A. If P-6 says so, if you look at page two of
5 P-6 it says, "Grand Thesauristes Roman provided
6 financial report." And if you go to the executive
7 session, you'll see that Grand Sire-Elect Tyson
8 chaired the investigating team outlining the
9 committee's progress. Those things were actually
10 taking place that morning.

11 Q. But the question was other items. What
12 about the discussion with -- strike that, already
13 went over that.

14 Is it your duty and responsibility as agogos
15 to interpret the constitution and bylaws of Sigma Pi
16 Phi?

17 A. Yes. From my clear understanding, yes, it
18 is.

19 Q. You have the essential responsibility to
20 render a decision about the constitutions and bylaws?

21 A. No, it is not my decision. It is not my
22 responsibility to render a decision.

23 Q. In fact, you know nothing about
24 constitutions and bylaws, rules and procedures; is
25 that correct?

1 A. That's incorrect. That's incorrect and --

2 THE COURT: Again, I don't know how
3 much Stefanie is able to record, but
4 guarantee you'll just have to make sure
5 words, when you state them, are actually part
6 of the record.

7 So, I'd like you to finish your
8 statement and then move to the next question.
9 Do you have anything else you'd like to say?

10 THE WITNESS: Yes. My statement is
11 that your assessment is incorrect. I do
12 understand the constitution and bylaws of our
13 organization.

14 BY MR. JORDAN:

15 Q. It wasn't my assessment, Archon. Isn't it
16 true that when you talked to Archon Webster, you
17 called him, as you testified, and you said to him,
18 Archon Webster, I don't know anything about
19 constitution and bylaws. I know nothing about
20 Robert's Rules or parliamentary procedures. I am
21 just a soldier, a military man. You called him
22 for advice; is that correct?

23 A. I never made that statement.

24 Q. So if Archon Webster comes in and says that,
25 he's not telling the truth; is that right?

1 A. No, unless he has me recorded. I don't
2 remember saying that. I don't throw my rank around
3 or my time as a military leader just to make points
4 with anybody.

5 Q. That wasn't the question.

6 A. That's what you stated.

7 Q. So I'm asking you, if Archon Webster came
8 here and said what I just said to you what you
9 stated, would that be the truth or be a lie?

10 A. If he said that, it would be inaccurate.

11 Q. Inaccurate meaning?

12 A. Inaccurate, not the truth.

13 Q. You're saying he's a liar?

14 A. Not true.

15 Q. Tell me something else that Archon Webster
16 told you that's a lie.

17 A. He told me that the 8-to-4 vote was an
18 accurate vote.

19 Q. Is that a lie or just an opinion?

20 A. That's his opinion.

21 Q. Is it a lie?

22 A. My position is it's a lie because my
23 understanding is it's 10 to 4; 10-to-4 vote.

24 Q. And you contend that Archon Bradley should
25 have revoke -- his text message I think was something

1 P-9A. You have the exhibit in front of you?

2 A. I'm looking at P-9.

3 Q. P-9A?

4 THE COURT: One of the text messages?

5 MR. JORDAN: Yes.

6 THE WITNESS: I see P-9 is an exhibit.

7 BY MR. JORDAN:

8 Q. You testified to P-9A thereto. Starts off,
9 "Stefan".

10 THE COURT: Oh, here it is.

11 Q. You testified about 9A that Archon Bradley,
12 he gave the Grand Board meeting his vote by this, 9A?

13 A. I did not testify as such. I testified that
14 Archon Bradley submitted his text messages that you
15 have there in this exhibit to the subcommittee
16 members of the board. He did not send this text to
17 the entire Grand Board. I have no knowledge of the
18 text while we were in this meeting.

19 MR. JORDAN: Your Honor, I move to
20 strike all the testimony in regard to 9A,
21 P-9A from this witness.

22 THE COURT: For what?

23 MR. JORDAN: He said he doesn't know
24 anything about it. He's given all kind of
25 testimony from 9A.

1 THE COURT: He did receive the text at
2 some point, correct?

3 THE WITNESS: He gave me the text,
4 yes, Your Honor.

5 MR. JORDAN: Who gave you the text?

6 THE WITNESS: Bradley did. Can I
7 explain, Your Honor, so I can bring clarity
8 to this?

9 THE COURT: My understanding is that
10 you received this text as a copy of what was
11 sent to other people later?

12 THE WITNESS: Right. After the
13 meeting from Bradley, Bradley sent me that
14 text shot.

15 THE COURT: Not that testimony because
16 he testified that he did receive it, that
17 it's a copy of screenshots.

18 BY MR. JORDAN:

19 Q. Where did you receive it? Where is your
20 name on it?

21 A. Where's my name on it? He sent it to me to
22 my telephone.

23 Q. I don't see a telephone on here.

24 A. You won't see a telephone because he sent me
25 a copy -- he took a picture of it and then sent it to

1 me. It's the same one I sent to Archon Tyson.

2 Q. It's not your contention that Archon
3 Bradley's text message that said, my vote is against
4 removal. If I don't make it back, it should be
5 counted. Is that your testimony that this meant his
6 vote should have been counted?

7 A. It's my testimony that his vote should have
8 been continued in this process because he actually
9 voted. He sent that vote to members of the
10 subcommittee.

11 Q. What was his vote?

12 A. His vote was no.

13 Q. How do you know he voted no?

14 A. There it is right there. That's what he
15 said.

16 Q. You're going back to 9A where he says that.
17 This should have been accounted to his vote. Is that
18 what you're saying? I need you to speak up for the
19 record.

20 A. Yes. His vote was rendered by a text to the
21 subcommittee members. At some point in time, during
22 that meeting, the times are there.

23 Q. And you're saying because he sent this
24 text --

25 MR. SCOTT: I don't think he's

1 finished. Your Honor, I don't --

2 THE COURT: I want to clarify what is
3 your...

4 MR. JORDAN: My question is his
5 contention is that Archon Bradley's vote
6 should have been counted because he sent this
7 text message.

8 THE COURT: I guess that's a fair
9 question.

10 THE WITNESS: Yes. I believe his vote
11 should have been counted because he sent the
12 text message to the subcommittee members to
13 let them know he had to go step out to this
14 meeting at Amherst University, and if he
15 didn't get back, here's my vote just in case
16 you guys voted. That's what he did.

17 BY MR. JORDAN:

18 Q. But he wasn't in a meeting, was he, when he
19 sent this? He was not in the meeting when he said
20 this.

21 THE COURT: Please, please.

22 THE WITNESS: I'm sorry, counsel. I
23 wear two hearing aids. I couldn't hear you.

24 MR. JORDAN: I'm sorry, I didn't
25 realize that. Thank you for letting me know

1 that so I'll keep my voice projected.

2 THE WITNESS: I was wearing hearing
3 aids. I'm sorry, I didn't understand what
4 you were saying.

5 BY MR. JORDAN:

6 Q. At the time he sent the text, he was not in
7 the meeting, correct?

8 A. He was in the meeting on Zoom. He was on
9 Zoom in the meeting when he sent the text. He
10 notified everyone he had to leave -- not me but to
11 the subcommittee chair.

12 Q. At the time of the vote, was he in the room?

13 A. No, he was not.

14 Q. But you still contend that his vote should
15 have counted; is that correct?

16 A. Yes. Because he was on the subcommittee and
17 he wanted to ensure that his vote was rendered.

18 Q. So, in his absence you're saying his vote
19 should have been taken in by the board, correct?

20 A. Yes, he voted.

21 Q. Now you've done a lot of testimony in regard
22 to the constitution and bylaws of Sigma Pi Phi. And
23 I think it's in Exhibit P-28 you have up there.

24 A. Yes.

25 Q. Isn't it true that Bylaw 2, Section 5I

1 states that each Grand Board member shall have a vote
2 on all matters that require action by the Grand Board
3 when he is present and may not be represented by
4 proxy; isn't that correct?

5 MR. SCOTT: Can you point to the --
6 where are you reading from?

7 THE COURT: What page?

8 MR. JORDAN: It's Bylaw number 2 in
9 Section 5I.

10 MS. CHEWNING: On the 13th page of the
11 document the witness has.

12 THE COURT: That's enough. Thank you.

13 Counsel, I would just ask you once
14 they locate the provision that you speak a
15 little more slowly so that we can get
16 everything down.

17 MR. JORDAN: Okay.

18 THE COURT: Thank you.

19 MR. JORDAN: And it would be on page
20 13.

21 THE WITNESS: I have it.

22 BY MR. JORDAN:

23 Q. Isn't it true that that section Bylaw 2, 5I
24 says the Grand Board cannot change votes by proxy?

25 A. It says may not be presented by proxy, yes.

1 Q. It does say also that the vote -- to vote,
2 the member must be present; isn't that correct?

3 A. Present -- in the Zoom format that we've
4 had, you can be present at a meeting sitting in on a
5 Zoom, you're signed into Zoom. We have that
6 capability.

7 Q. So let's be semantic. But he wasn't present
8 at the time of the vote, correct?

9 A. He was not there.

10 Q. And now that I think of it, are you aware
11 under Pennsylvania law, Section 5759(a) that the law
12 in Pennsylvania says you cannot vote by proxy?

13 A. I'm not familiar with the Pennsylvania law
14 that addresses that.

15 Q. So when you were testifying that Bradley's
16 vote should have counted when he was not in the
17 meeting, you weren't taking into account Bylaw 2,
18 Section 5I that prohibited that?

19 A. I didn't see it as a proxy vote, counsel. I
20 didn't see it as a proxy vote. He rendered a vote.
21 He submitted it to the subcommittee chair so that
22 they can acknowledge what his vote was.

23 Q. So also regarding, you made testimony that
24 you thought that the vote should have counted. The
25 vote that happened on that day, April 9th, was not

1 legal because you said the provision section, bylaw
2 2, section 4G said the entire board present and
3 voting, correct?

4 A. I said that with the emphasis on the word
5 "entire" being italicized.

6 Q. Going back to bylaws, we talked about in
7 page 3, Section 5I, doesn't it require a member's
8 vote to be counted when he's present?

9 A. The question -- state the question again,
10 please.

11 Q. Does Bylaw 2, Section 5I state that a grand
12 member's vote to count when he's present?

13 A. Present means being present when the roll
14 call is made for a meeting and all of the members of
15 the board were present when this meeting started.

16 Q. But at the time of the vote was Archon
17 Bradley on Zoom or in the room when the vote was
18 counted?

19 A. He was away because he already specified he
20 had stepped away.

21 Q. He was away, correct?

22 A. He was not there at the vote.

23 Q. So that means he was not present, right?

24 A. He was in the Zoom. He was still tied in,
25 so I would imagine if your understanding of it is

1 that -- I can give you my understanding of it, okay.
2 He left the meeting with the intention to come back.
3 He was there when the meeting started, but he was not
4 there presently on the Zoom when the vote was made.

5 Q. I understand I'm beating a dead horse.

6 So during that meeting of April 9th, isn't
7 it true that Archon Douglass addressed the charges?
8 He had a time to speak about the charges that were
9 brought against him?

10 A. A very short period of time.

11 Q. How long did he speak?

12 A. Not very long. Several minutes is not very
13 long --

14 Q. Was it at least 45 minutes?

15 A. I would say --

16 MR. JORDAN: I'm sorry.

17 THE COURT: Do not interrupt. He
18 needs to answer the question.

19 THE WITNESS: He said 45 minutes. I
20 think it's more on the order of less than 30.

21 BY MR. JORDAN:

22 Q. So if the transcript shows 45 minutes, it's
23 wrong?

24 A. Well, you know, again, that's my assessment.

25 Q. Is that your assessment or is that your

1 guess?

2 A. If the transcript is showing 45 minutes,
3 then it's 45 minutes. That's my recollection, I
4 thought it was less than that.

5 Q. But he did speak? You said he spoke.

6 A. He spoke.

7 Q. He spoke at least 30 minutes, you say?

8 A. Yes.

9 Q. What, if anything, did he do after he spoke?

10 A. After he presented his response to the
11 charges, then we went into deliberations. He was
12 asked to depart.

13 Q. Who asked him to depart?

14 A. I don't recall. You asked that question
15 earlier.

16 Q. Isn't it true he walked out the room on his
17 own?

18 A. No, that didn't happen.

19 Q. Why are you sure he didn't do that?

20 A. Because I remember somebody saying you have
21 to leave the room because we're going to
22 deliberations.

23 Q. Do you remember who said that?

24 A. I don't know. It's not reflected in the
25 minutes.

1 Q. What makes you think someone said it?

2 A. I heard it.

3 Q. You heard it coming from whom?

4 A. I don't know. I just don't recall.

5 Q. So, if everybody, if four other witnesses
6 come in here and say that Archon Douglass left this
7 meeting; after he gave his 45-minute statement, he
8 walked out the room, they're not telling the truth,
9 correct?

10 A. I would say to you, counsel, that those --
11 well, no, I don't know. I don't have a response
12 for that.

13 THE COURT: Can you give me a sense of
14 what the room looked like? A conference
15 room?

16 THE WITNESS: Conference room, long
17 table like a U-shaped table with a screen up
18 front in the middle on Zoom, like a
19 wraparound.

20 THE COURT: Pretty big? Is it as big
21 as this courtroom?

22 THE WITNESS: Pretty huge; about the
23 size of this room.

24 BY MR. JORDAN:

25 Q. So turning your attention back to SPP

1 Exhibit 7 --

2 A. Okay.

3 Q. -- if you would go now to -- strike that.

4 You admit that SPP Exhibit 7 is more
5 detailed about what happened in the meeting than what
6 we have in P-6. Would you agree with that?

7 A. I agree that it's more refined and has more
8 information than in P-6.

9 Q. The question is this, more detailed?

10 A. Yes, it's more detailed, yes.

11 Q. So if you go over to page 10 of SPP-7, do
12 you see anything in regards to -- towards the middle
13 of the page on page 10 -- about Archon Douglass
14 leaving the room?

15 A. I see an entry that he left the room at
16 11:29 a.m.

17 Q. Do you see anything on that page in these
18 detailed minutes that said someone told him to leave?

19 A. I do not.

20 Q. Do you see anyone making a motion that he
21 should leave the meeting?

22 A. I do not.

23 Q. Going back to P-6, do you see on P-6, second
24 page, where Archon Douglass left the meeting on the
25 April 9th section?

1 A. I do not.

2 Q. But you did leave the meeting, right?

3 A. You asked me did I leave the meeting?

4 Q. He did leave the meeting.

5 A. Well, yes. He did leave the meeting. Yes,
6 he did leave the meeting.

7 Q. And so P-6 says nothing about a motion
8 for him to leave the meeting, correct?

9 A. I don't see anything in P-6.

10 Q. And P-6 doesn't say anyone told him to leave
11 the meeting?

12 A. I don't see that either.

13 Q. Going back over to SPP-7, page 10, it says
14 Archon Douglass left the meeting at 11:29 a.m. Isn't
15 that real specific?

16 A. It is more specific in nature, yes.

17 Q. You see on that document, that same page, no
18 one said told him to leave?

19 A. It's not recorded in this document, no.

20 Q. So if I have four other witness that come in
21 and say that Archon Douglass, after he spoke, as they
22 used to say, dropped the mic, walked out the meeting
23 on his own, would they be lying?

24 MR. SCOTT: Objection.

25 THE COURT: What's your objection?

1 MR. SCOTT: They haven't testified yet
2 and it's all speculation and it's just
3 argument.

4 THE COURT: This is cross-examination,
5 so I'll allow it. Go ahead.

6 THE WITNESS: If they were to state
7 that -- and you asked me a hypothetical
8 situation -- then I would stick with my
9 position that somebody asked, somebody asked
10 him to depart.

11 BY MR. JORDAN:

12 Q. But you could be incorrect, right?

13 A. All of us could be incorrect. We try not to
14 be.

15 Q. My question is about you.

16 A. I'm not perfect.

17 Q. My question is, you could be incorrect,
18 correct?

19 A. In this case, I don't believe I am.

20 Q. Could it be a fact that you didn't hear
21 correctly?

22 A. I had my hearing aid in that day, counsel.
23 And to ask me if I heard something correctly, I take
24 that as a personal insult to me.

25 Q. You're the one that were brought into the

1 courtroom --

2 THE COURT: Counsel, can I ask you
3 just to...

4 MR. JORDAN: I'll leave it.

5 BY MR. JORDAN:

6 Q. Let me go back to something else that you
7 testified to. Going to, I think this is 9B, it's I
8 guess on page 9B. At the top of it, it says the time
9 clock is 20:49. You see that?

10 A. Yes, I see it.

11 Q. Going to that text message, allegedly, from
12 Archon Bradley, you testified that he was trying to
13 indicate to people in the meeting -- Archon Tyson --
14 that he was back, to let him in the meeting; is that
15 correct?

16 A. When he sent the text, he said yes, I'm
17 trying to get back in at 12:23, somewhere in there.

18 Q. That's what you mean when you were saying
19 Archon Tyson refused to let him in the meeting or he
20 ignored his --

21 MR. JORDAN: Strike that.

22 THE WITNESS: I didn't say that.

23 BY MR. JORDAN:

24 Q. You said no one let him back in the meeting,
25 correct?

1 A. Well, apparently not. He never came back
2 in.

3 Q. But you said that he had asked to come back
4 in the meeting and people ignored him, to get back in
5 the meeting. That's not your testimony?

6 A. That's not my testimony.

7 Q. Okay. Keep me straight.

8 A. I said that in his text he rendered his
9 vote. And then later on, he said I was trying to get
10 back in the meeting, but I never got back in.

11 Q. And you condemned those running the meeting
12 for the fact they didn't let him back in the meeting.

13 A. I didn't condemn. There's no condemnation
14 on my part of anybody here.

15 Q. I think the record is clear. Let me move
16 on.

17 What's the time of his text, that text that
18 says "please Zoom the link, I'm not getting in".

19 A. Let me look at it. That was at 2:14 in the
20 afternoon.

21 Q. Now I want you to go over to SPP-7. Page
22 13, you know the very detailed report of the minutes.
23 You see page 13, what time did the meeting end?

24 A. 2:01.

25 Q. 2:01. So isn't it true at the time that

1 this alleged text asking to come back into the
2 meeting at 2:14 for Archon Bradley, the meeting was
3 over?

4 A. Yes. The meeting was over, yes. That's
5 true. That's a true statement.

6 Q. So going back to P-28, you testified that
7 Archon Tyson should have recused himself from the
8 meeting. Is there anything in P-28 that says that he
9 should recuse himself or anybody should recuse
10 himself from the meeting?

11 A. There's nothing in the constitution that
12 requires the grand officer at this level to recuse
13 himself from any of it. There's no mandatory
14 requirement to recuse himself.

15 We're talking about decorum and just basic
16 decency here. And I think deep down that he should
17 have recused himself from the vote to remove Loren
18 Douglass.

19 Q. So, you also testified that the
20 investigation committee could have done other things
21 that could have censured him, reprimanded him. There
22 is nothing in the constitution or bylaws that says
23 that's any type of remedy with regard to someone
24 being disciplined; is that correct?

25 A. There's nothing in the constitution that

1 specifies exactly what should happen. Remember, this
2 is the first time we got a Grand Board in a position
3 where we're dealing with the removal of a Grand Board
4 member.

5 So when you're asking me the question is
6 there anything else written, the decision for the
7 penalty of the Grand Board member rests on the Grand
8 Board. And the Grand Board must vote on what that
9 action should be as a penalty. To remove him -- to
10 remove a Grand Board member, you must have two-thirds
11 of the entire Grand Board's membership, so the
12 denominator is 14 and the numerator is 10 and we
13 never got to that.

14 Q. Are you familiar with the interpretation and
15 opinion of the grand constitution and bylaws
16 committee regarding section bylaw 2, 4G?

17 A. The only thing I'm familiar with is the
18 discussion that I had with Mr. Webster when he told
19 me that the constitution and bylaws were written
20 ambiguously. It wasn't written well. That line
21 wasn't written well.

22 MR. JORDAN: Going to ask you to look
23 at it.

24 THE COURT: All right. So how much
25 more do you have?

1 MR. JORDAN: Your Honor, I got it
2 could be at least -- is that 12:20?

3 THE COURT: I think that if you are at
4 a convenient stopping point, it might be a
5 good time to take...

6 MR. JORDAN: I really can go because
7 he said a lot.

8 THE COURT: Say that again.

9 MR. JORDAN: I think I'm going to be
10 at least a full hour.

11 THE COURT: Another hour?

12 MR. JORDAN: Forty minutes, maybe.

13 THE COURT: I'm just wondering. I'd
14 rather take a pause now and come back. Take
15 a short lunch.

16 You're under oath. Please do not
17 speak to anybody. Thank you very much.
18 Appreciate it.

19 (A luncheon recess was taken.)

20 THE COURT: So, we will resume with
21 the cross-examination of Mr. Turner.

22 Just in terms of housekeeping, after
23 Mr. Turner's testimony is complete, we'll
24 have Mr. Searcy's testimony; is that correct?

25 MR. JORDAN: That's correct.

1 THE COURT: Okay. Are you ready to
2 proceed?

3 MR. JORDAN: I'm going to release the
4 witness. I finished my questions.

5 THE COURT: Thank you.

6 MR. SCOTT: Just a couple of follow-
7 up, Your Honor.

8 THE COURT: I think you said one.

9 MR. SCOTT: I did.

10 THE COURT: Give you some more.

11 MR. SCOTT: Whatever the answer is,
12 maybe two.

13 - - -

14 REDIRECT EXAMINATION

15 - - -

16 BY MR. SCOTT:

17 Q. Do you remember there was testimony
18 regarding your interpretation of 4G?

19 A. Yes.

20 Q. Did you happen to receive a memorandum from
21 general counsel regarding section 4G?

22 A. Yes.

23 MR. SCOTT: May I approach, Your
24 Honor.

25 THE COURT: You may.

1 BY MR. SCOTT:

2 Q. I want to show you P-12. I'll identify for
3 the record -- this is a memorandum dated Monday,
4 April 21, 2025. It's addressed to the member of the
5 board of directors of the Grand Boulé. And it's a
6 preliminary review and recommendation for special
7 legal review regarding Grand Board action to remove
8 Archon Loren Douglass as Grand Sire archon. Did I
9 read all of that correctly?

10 A. Yes.

11 Q. This is dated April 21st. Is that about the
12 time that you received it?

13 A. Yes, it's how it was presented to the board.

14 Q. And is there an opinion from legal counsel
15 with regard to what Section 4G means?

16 A. Yes, it's here and I have to flip through --
17 read what they say and it stated that --

18 MR. JORDAN: Your Honor, I object to
19 the hearsay nature of his testimony bringing
20 about the use of this document.

21 THE COURT: Mr. Scott, it's probably
22 best -- recognizing and acknowledging your
23 concern, I suggest that you point specific
24 sections and perhaps read it yourself and
25 what have you.

1 BY MR. SCOTT:

2 Q. Turn to page three, okay? And it has a
3 heading entitled, "Board Process For Removal,"
4 correct?

5 A. Yes.

6 Q. And that heading goes through what the
7 criteria is to remove a Grand Board officer, correct?

8 A. It does. It shows three.

9 Q. I don't know if I asked you this. This was
10 addressed to all the Grand Board members, right?

11 A. Yes, all of the board members that are
12 present.

13 Q. When you read the legal opinion, did it
14 change your mind about the number of votes to remove
15 a grand officer or Grand Board member?

16 A. After reading this at that board meeting, it
17 solidified my position that we needed 10 of 14
18 members in order to remove a Grand Board member.

19 Q. And this memorandum was from a lawyer named
20 Ceasar C. Mitchell from Dentons Law Firm?

21 A. Yes. Attorney Ceasar Mitchell was, at the
22 time, our grand council for the fraternity.

23 Q. And what is the grand council?

24 A. The grand council is the attorney for our
25 fraternity that guides us in legal matters.

1 Q. And the session that you were just
2 discussing is on page two where it says "Grand Board
3 vote to remove," correct?

4 A. Yes, it does. It specifically states out
5 that his assessment is a fixed minimum of ten votes
6 are required to remove a grand officer.

7 Q. And do you know what the purpose of the
8 memorandum that was sent to the board?

9 MR. JORDAN: Objection, Your Honor.

10 MR. SCOTT: Yes or no.

11 THE COURT: It's a foundational
12 question. Do you know?

13 THE WITNESS: When the 8-to-4 vote was
14 determined, there was still a lot of
15 questions among the Grand Board about the
16 validity of that vote. I was pleased to see
17 that the grand council brought this to the
18 attention of the Grand Board to show a legal
19 opinion of the entry at 4G in our
20 constitution of bylaws.

21 BY MR. SCOTT:

22 Q. And the legal opinion of Mr. Mitchell was,
23 my assessment is that a fixed minimum of ten votes
24 are required to remove a grand officer. Did I read
25 that correctly?

1 A. Yes.

2 Q. And you also relied on the recent edition of
3 Robert's Rules, correct?

4 A. Yes.

5 Q. Are you familiar with Robert's Rules?

6 A. Yes.

7 Q. That looks like the Robert's Rules?

8 A. Yes.

9 Q. The most recent edition?

10 A. Yes.

11 Q. And that's what looks like Mr. Mitchell
12 used. He provides a legal analysis. And my question
13 to you is after this was circulated to the board on
14 Monday, April 21st of 2025, what, if anything, what
15 if any action with regard to the vote took place?

16 A. Nothing took place and his report was
17 dismissed as not having been requested and which sow
18 seeds of, I guess, of turmoil within the fraternity,
19 if in fact this came to fruition.

20 Q. Did you have discussions with any other
21 board member -- this is a yes or no -- regarding
22 Mr. Mitchell's opinion?

23 A. No.

24 MR. SCOTT: Your Honor, that's it.

25 That's all the questions I have.

1 - - -

2 RE CROSS-EXAMINATION

3 - - -

4 BY MR. JORDAN:

5 Q. Where in P-2 does it say this is a legal
6 opinion?

7 A. I can't specifically tell you where it says
8 this is a legal opinion except it says preliminary
9 review and recommendation, then the subject
10 for special legal review regarding the Grand Board
11 action to remove Archon Loren Douglass.

12 And based on my position on the Grand Board
13 at the Grand Council to bring an opinion to the
14 board, this is something learned of the Grand Board
15 pleading, I would imagine.

16 Q. Does this document say it's a legal opinion?

17 A. I don't see the words legal opinion. It
18 says "special legal review".

19 Q. Well, let's even go back a step further.
20 When did the Grand Board vote Ceasar Mitchell, the
21 general counsel, to Sigma Pi Phi?

22 A. Oh, I don't recall that date. It was before
23 I became a member of the Grand Board.

24 Q. Is it true he was never voted to general
25 counsel of Sigma Pi Phi?

1 A. I don't know that, counsel. I don't know
2 that he was ever voted. When I came onto the board
3 last year in 2024, he was there as the legal counsel
4 to -- I don't go back and research every -- whether
5 or not the grand council was voted on any particular
6 date, but my assumption was that he was the legal
7 counsel. Everybody referred to him as legal counsel.

8 Q. Wait a minute. Did you just say that when
9 you came on the board in June of 2024, he was the
10 general counsel when you came onto the board?

11 A. Well, I would imagine he was at the time.

12 THE COURT: I want to clarify for the
13 record. How did you refer to him, as general
14 counsel or?

15 THE WITNESS: I said general counsel.
16 He was the counsel for our fraternity and
17 that's why he was legal counsel, general
18 counsel.

19 THE COURT: Legal counsel.

20 BY MR. JORDAN:

21 Q. So when you came on the board in June of
22 2024, you're saying he was already the general
23 counsel; is that correct?

24 A. I'm not -- at the time, I believed that he
25 was. That's my understanding at the time.

1 Q. So you don't know?

2 A. I don't recall, but at the time when he
3 presented this to us, he was being referred to as the
4 general counsel in April of 2025.

5 Q. The question was -- strike that.

6 Have you seen any contract that's been
7 executed between Sigma Pi Phi and Ceasar Mitchell or
8 Dentons establishing him as general counsel?

9 A. Counsel, no, I have not.

10 Q. Are you familiar with the bylaws that say
11 that the general counsel has to be appointed and
12 approved by the Grand Board?

13 A. I understand that he has to be approved by
14 the Grand Board. I don't remember specifically what
15 entry it is in our constitution and bylaws. If you
16 can direct me to that.

17 Q. Can you go to P-28, page 22?

18 A. I'm there, page 22.

19 Q. Page 23.

20 A. Okay. 23.

21 Q. Is it true that Bylaws 7 and Section 2A
22 state that (Reading) The Grand Sire, subject to the
23 majority approval of the Grand Board shall appoint an
24 attorney in good standing with the bar association
25 and an archon active status with a member Boulé in

1 good standing with the Grand Boulé, to serve as
2 general counsel; is that correct?

3 A. Yes. That is entry, page 23.

4 Q. And to your knowledge, did that occur?

5 A. To my knowledge, he had appointed as a
6 general counsel. I have no reason not to believe
7 that.

8 Q. Isn't it true that one of the allegations
9 that was being investigated by the investigation
10 committee was the fact that Ceasar Mitchell at the
11 Dentons firm was never presented to the board
12 for approval?

13 A. That was one of the allegations.

14 Q. So you have anything contrary that says that
15 he was appointed and Dentons appointed by the board,
16 by majority vote?

17 A. I have nothing.

18 Q. Now going back to P-12, I've already asked
19 you, there's nothing here. We're quite clear that is
20 an opinion, right?

21 A. In the second paragraph of the first page of
22 P-12 says, "As legal counsel to the Grand Board, it
23 is incumbent upon me to support the Board as it
24 performs its governance." And he provided his views
25 in this document.

1 Q. Did he provide his views?

2 A. His view is in concert with what the
3 constitution and bylaws state at 4G.

4 Q. Is that correct? Let's go to the last page
5 of page 10. Show me where he's concluded that he's
6 made an interpretation of Bylaw 2, Section 4G.

7 A. It is not stated on page 10 where he has
8 made a correlation between the constitution and the
9 work that he did to provide us this document. I'm
10 not sure on what you're asking me with respect to my
11 understanding of this document that's before me.

12 Q. I'm asking you on this page 10 if he
13 concluded about what Bylaw 2, Section 4G meant.

14 MR. SCOTT: Just on page 10?

15 MR. JORDAN: Yeah.

16 THE WITNESS: He discussed it on page
17 two.

18 BY MR. JORDAN:

19 Q. I'm asking about page 10.

20 A. It's not on page 10; it's on page two.

21 Q. What's on page two?

22 A. It's on page two where it says, "Bylaw 2,
23 Section 4G of the grand constitution and bylaws
24 establishes a minimum number of votes required to
25 remove a grand officer. This provision states, in

1 pertinent part: A Grand Board may, upon a two-thirds
2 affirmative vote of the *entire* Grand Board present
3 and voting at any meeting, remove a Grand Board."
4 That stated that the first sentence, Section I,
5 "Grand Board Vote to Remove," that's when he reflects
6 the bylaws.

7 Q. Isn't this like the thought process?

8 A. I don't think it's a thought process. It's
9 not my thought process. It's what I read in the
10 constitution and bylaws, my interpretation.

11 Q. Are you aware that Archon Ceasar said this
12 is not his opinion, but that it was some thoughts
13 and --

14 A. I'm not familiar with that. I'm not aware
15 of him having to make that statement.

16 Q. Let's go to page 10. What does it resolve
17 on page 10? Is it true that he says that as such,
18 special counsel should review any procedural concerns
19 related to the vote for the board to effectuate the
20 removal of Archon Douglass from the office of Grand
21 Sire. The following includes but is not limited to
22 the question that special counsel should consider.
23 Is that what normally happens in a legal opinion from
24 a lawyer?

25 A. Counsel, this is only like the third time

1 I've been in a court of this matter where you asked
2 me whether or not I interpreted the legal writings
3 and preparation of a counsel. If you're asking me is
4 this normal, I don't know if it's normal. I would
5 imagine when I saw this document -- and we all did --
6 we all assumed, we're all on the board --

7 MR. JORDAN: Objection.

8 THE WITNESS: I'm just telling you,
9 along with everyone else.

10 MR. JORDAN: Your Honor, I'm going to
11 object to his testimony.

12 THE COURT: So, let me just ask you,
13 what were you trying to...

14 THE WITNESS: What I'm trying to say
15 is that when Mr. Archon Ceasar Mitchell
16 presented this document to the board, we all
17 had an opportunity to take a look at it.
18 When you presented the information, it was
19 immediately -- there was immediate pushback
20 from several members on the Grand Board with
21 respect to -- the statements were made to the
22 fact we didn't ask for this opinion. Why are
23 you doing this, okay? And I guess the line
24 of questioning was leading me to understand
25 that some members of the Grand Board thought

1 that he was trying to muddy the water.
2 That's what I thought the line of questioning
3 was. But for me, I'm reading a document from
4 a lawyer, from a counsel who works for an
5 attorney.

6 BY MR. JORDAN:

7 Q. Are you finished with that?

8 Let me go to page 10. Continuing to page
9 10, he raises questions about how this thing should
10 be looked at; isn't that correct?

11 A. There are six questions on page 10.

12 Q. Yes, that's exactly right. It says his
13 advice is that appointed special counsel; isn't that
14 correct?

15 A. Yes.

16 Q. And he says the questions to ask because
17 he's indicating these are open questions and thoughts
18 regarding what he wrote and what the board may have
19 done is did the vote tally satisfy the minimum
20 affirmative vote requirement for removal per Bylaw 2,
21 Section 4 in Robert's rule; is that correct?

22 A. He asked the six questions, so I'll answer
23 your question by saying yes.

24 Q. Thank you.

25 And then the second question he asks,

1 "Should Archon Bradley's vote have been counted? Or
2 was it a disallowed absentee or proxy vote?" That
3 was a question, right?

4 A. That was a question. Those two questions
5 were entered as number two.

6 Q. And number three. "Should Archon Douglass
7 have been afforded the right to vote?"

8 A. Yes, that's another question.

9 Q. Number four. "Does the fact that both
10 Archons Douglass and Bradley were initially present
11 impact the number of Board members constituting the
12 denominator of the two-thirds proportion?" Is that
13 correct?

14 A. That's correct.

15 Q. And then he can also ask other questions
16 from his document because he wants special counsel to
17 answer, correct?

18 A. Yes.

19 Q. What is the significance of inclusion of the
20 word "entire"?

21 A. Italicized, yes.

22 Q. And Number 6. "Is the denominator a fixed
23 number based on the total number of proscribed and
24 seated Grand Board members? Or is the denominator
25 merely the number of Board members present and voting

1 at any meeting?" Correct?

2 A. Yes, those questions, all six of them --

3 Q. So this document generated questions about
4 the activity that the Grand Board took; is that
5 correct?

6 A. Yes, it does. But it also, counsel -- also
7 on page two, he gives his assessment and that's what
8 guided me in my understanding of it. Go to page two
9 and look at his assessment. And his assessment was
10 that you needed 10 of 14 votes.

11 Q. He said that when this was given, other
12 members of the Grand Board pushed back; is that
13 correct?

14 A. Oh, yes.

15 Q. They also had opinions contrary to what is
16 in this document, correct?

17 A. I assume they did.

18 Q. Is there anything in our constitution and
19 bylaws that say that the Grand Board has to adhere
20 what is allegedly -- I'm going to use the word for
21 sake of discussion, alleged Grand General Council's
22 advice that they must adhere to that?

23 A. There's nothing written in our constitution
24 that we must abide by that. If you think about this
25 logically, if you're sitting on a board and your

1 grand council brings in a document that says here's
2 the bylaw, there's my legal opinion and on the second
3 page it says my assessment is that, I'm just trying
4 to explain my thoughts. On the second page, it says
5 10 of 14, then why would I just back away from that
6 being on the board? Why would I walk away from that
7 and say well --

8 Q. That wasn't my question to you. My question
9 to you, is there any rule in the bylaws that says --

10 A. I answered that. I said no.

11 Q. Thank you.

12 Now you said something else that was --
13 strike that. Let's go to P-5.

14 MR. SCOTT: Object.

15 THE COURT: Is it related?

16 Absolutely. It's from this alleged general
17 council that recused himself through the
18 whole process.

19 THE COURT: I'm going to allow this
20 and then Mr. Scott will be able to have the
21 last word, okay.

22 MR. SCOTT: All right.

23 BY MR. JORDAN:

24 Q. Do you have a copy of P-5?

25 A. I do not have P-5.

1 THE COURT: Do you have a copy of P-5,
2 counsel?

3 MR. JORDAN: In fact, let me trade
4 with you. You have an opportunity to see
5 that document?

6 THE WITNESS: I have not seen this
7 document before today right now at this time.

8 MR. JORDAN: Who's the document
9 written to?

10 MR. SCOTT: Objection. He has never
11 seen the document. How can he testify to it?

12 THE COURT: Fair point.

13 BY MR. JORDAN:

14 Q. So if I told you that Archon Ceasar Mitchell
15 recused himself because he was involved in the whole
16 investigation from the standpoint he's one of the
17 allegations charged against Loren Douglass, would
18 that be correct?

19 A. Based on this document that I'm reading now,
20 it would be.

21 Q. And isn't it true that Archon Ceasar
22 Mitchell --

23 MR. SCOTT: I thought we objected,
24 Your Honor.

25 THE COURT: Thank you. It's a

1 scope. Must be wonderful to get up on the
2 stand and take an oath and testify.

3 MR. JORDAN: It's cross-examination.

4 THE COURT: I think that the
5 introduction of the topic of general counsel
6 allows a little latitude here, but I don't
7 think we can go much further than this.

8 MR. JORDAN: Would you answer my
9 question, please.

10 THE WITNESS: Would you restate the
11 question.

12 BY MR. JORDAN:

13 Q. Isn't it true that part of the charges
14 against Archon Douglass was his hiring of Archon
15 Mitchell in the Dentons firm and presented a legal
16 bill to the fraternity, nearly \$700,000?

17 A. I don't remember the exact numbers, but I do
18 know it was one of the charges against him.

19 Q. And you don't think that he should have
20 recused himself? Strike that.

21 Do you think he should have recused himself
22 from making a decision on the question of Loren
23 Douglass, one of which he was a subject on?

24 A. Whether he recuses himself or not, to me,
25 has no bearing on the meeting of that entry in our

1 constitution and bylaws and interpretations. What
2 I'm hearing is I think you're saying that he's doing
3 it to his advantage, that's why he provided this
4 document.

5 Q. So this morning, if I'm not correct, you
6 were recusing all kinds of people because they
7 thought they had some type of conflict and some other
8 interest --

9 MR. SCOTT: Objection.

10 THE COURT: We have an objection. I
11 think that's enough.

12 BY MR. JORDAN:

13 Q. Did you not say that Archon Tyson should
14 have recused himself from being involved in the
15 process?

16 A. He was the lead head of the subcommittee
17 that did the investigation for the six charges that
18 were leveled against Loren Douglass. And his vote --
19 his vote meant whether or not Douglass would stay in
20 or out and he was an eighth vote entered into this
21 voting process that we had. As the head of that
22 subcommittee, yes, I felt he should have recused
23 himself.

24 Q. So you're saying that Ceasar Mitchell who
25 had on the line, \$700,000 on the line regarding this

1 investigation did not have a conflict and he should
2 not recuse himself. Is that what you're saying?

3 A. I didn't see this as -- I didn't see that as
4 having a conflict of interest.

5 Q. Are you familiar with the rules and canons
6 and ethics for a lawyer?

7 A. I am vaguely familiar with ethics. I know
8 lawyers have rules and ethics they have to follow,
9 yes.

10 Q. Do lawyers have a responsibility and duty,
11 based upon your knowledge, to recuse themselves if
12 they're personally involved and have a financial
13 interest --

14 A. That's a deep question. I don't know.

15 THE COURT: First of all, I'm
16 expecting -- finish your question and
17 understand that he's not an attorney, right?

18 MR. JORDAN: He said he's familiar so
19 that's why I asked the question.

20 BY MR. JORDAN:

21 Q. Are you familiar with the fact that when a
22 lawyer has a conflict with his client and he has a
23 financial involvement in a matter that raises an
24 issue that he should recuse himself?

25 A. I would expect that he would.

1 MR. JORDAN: No further.

2 THE COURT: You're good.

3 MR. SCOTT: I just want to go to
4 page -- I'm sorry, Your Honor. I needed to
5 do this. Page four, P-12.

6 THE WITNESS: Okay.

7 - - -

8 FURTHER REDIRECT EXAMINATION (Resumed)

9 - - -

10 BY MR. SCOTT:

11 Q. By the way, is Mr. Mitchell a member of the
12 fraternity?

13 A. Yes, he is.

14 Q. Is that one of the requirements to be a
15 grand general counsel to be a member of the
16 fraternity?

17 A. Yes.

18 Q. And can I take you down to the section where
19 it's about midway down, last paragraph under the
20 conclusion where it starts out "as such". Do you see
21 that?

22 A. Yes. Yes.

23 Q. I'm going to read this and I'm going to ask
24 you if I read it correctly:

25 "As such, there is a reasonable likelihood

1 that a finder of fact may not summarily dismiss a
2 challenge to the adequacy of the procedural steps
3 employed by the board to remove Archon Douglass.
4 Given these considerations, it's prudent for the
5 board to enlist special counsel."

6 A special counsel is somebody different than
7 a grand council?

8 A. Yes. A third party, so to speak.

9 Q. Somebody who's not a member of the
10 fraternity?

11 A. I think so. If you can't find someone who's
12 in the fraternity to do it.

13 Q. To enlist --

14 MR. JORDAN: Objection.

15 THE COURT: Excuse me, what's your
16 objection?

17 MR. JORDAN: There's no foundation
18 for him to understand what special counsel
19 meant.

20 MR. SCOTT: Can I just?

21 THE COURT: I think -- Mr. Jordan,
22 thank you for your objection. I'm going to
23 overrule to the extent I understand what
24 Mr. Turner understood.

25 MR. SCOTT: Let me go back to what I

1 was reading.

2 BY MR. SCOTT:

3 Q. "Given these considerations, it's prudent
4 for the board to enlist special counsel to conduct a
5 legal review of the board's actions related to the
6 removal of Archon Douglass. In the event of
7 litigation or a formal intra-fraternal review, having
8 enlisted legal guidance regarding the forgoing
9 concerns will reflect Board diligence and informed
10 decision-making."

11 Did I read that correctly?

12 A. Yes, you did.

13 MR. SCOTT: And that's all the
14 questions I have.

15 THE COURT: Thank you.

16 Mr. Turner, I appreciate the time with
17 us today. You may be seated.

18 THE WITNESS: Thank you, Your Honor.
19 Do you wish to excuse Mr. Turner?

20 THE COURT: Counsel said he can be
21 excused too. All right.

22 Mr. Turner, thank you very much
23 for your time.

24 MR. SCOTT: Your Honor, P-4, I think
25 Mr. Searcy -- I just wanted to bring

1 something to your attention before lunch.
2 There was discussion about whether or not
3 Mr. Douglass should have been in the meeting,
4 should not have been in the meeting, or
5 whether or not Mr. Searcy should have voted.

6 I just wanted to point the Court to
7 plaintiff's preliminary objections.

8 THE COURT: Respondents?

9 MR. SCOTT: His response. On page 21.
10 And they have argued in paragraph 21 and
11 footnote 2 that Mr. Douglass would not have
12 been able to even vote because he's not
13 disinterested. It's a double negative, but
14 that's the way the statute reads.

15 So for them to be arguing the
16 opposite, I think they should be estopped
17 from making any argument related to the fact
18 that he left because their position is it
19 doesn't matter if he left or stayed, he was
20 not permitted to vote anyway.

21 And so for that reason, it could apply
22 and that is for the courts to decide, of
23 course, whether or not that applies to
24 Mr. Tyson as well. He's not a disinterested
25 director. They're making inconsistencies

1 with this.

2 THE COURT: Thank you. Mr. Jordan.

3 MR. JORDAN: Your Honor, first of all,
4 that's not what the statement says. That
5 actually was testimony being given here and
6 not proper argument. He has not briefed that
7 particular point for us to respond to.
8 However, Loren Douglass was the issue and the
9 subject of that investigation.

10 And as we know, many investigation
11 committees are from within and somebody moves
12 up. There's been no showing that there's any
13 kind of conflict whatsoever. What we do know
14 is Mr. Douglass was actually the subject of
15 the action; Mr. Tyson wasn't.

16 THE COURT: Just want to finish that
17 point?

18 MR. SCOTT: Just to be clear, I wasn't
19 quoting from my brief. I'm quoting from
20 their brief. And I'm not going to read it
21 for the Court. The Court has it, unless the
22 Court wants me to read it into the record.

23 THE COURT: It will be taken into
24 consideration. There's a lot to absorb in
25 one setting. Thank you.

1 So you're going to call Mr. Searcy?

2 MR. JORDAN: Yes.

3 THE COURT: Okay. So we decided to
4 put him on now because of his travel
5 schedule. And I thank counsel for their
6 flexibility.

7 THE COURT CRIER: Good afternoon.
8 Please spell your first and last name for the
9 record for the court reporter.

10 THE WITNESS: It's D-A-R-R-E-L-L,
11 Searcy, S-E-A-R-C-Y.

12 THE COURT: Your witness.

13 MR. JORDAN: Thank you.

14 - - -

15 . . . DARRELL SEARCY, having been duly sworn,
16 was examined and testified as follows:

17 - - -

18 DIRECT EXAMINATION

19 - - -

20 BY MR. JORDAN:

21 Q. Again, would you state your name for the
22 record.

23 A. Darrell Searcy.

24 Q. Are you a member of Sigma Pi Phi Fraternity?

25 A. I am.

1 Q. Typically, what are members of Sigma Pi Phi
2 Fraternity called?

3 A. Archons.

4 Q. So is it okay if we call you Archon Searcy?

5 A. Yes, it is.

6 Q. What and state and city do you reside?

7 A. I live in Palm Beach Gardens, Florida.

8 Q. What's your occupation?

9 A. I run my own business. I'm an airport
10 concession contractor.

11 Q. When you say run your own business, what
12 does that mean?

13 A. That means I own a business. I'm an
14 entrepreneur.

15 Q. And what are your occupational
16 responsibilities with your business?

17 A. I run the day-to-day operations at my
18 business. I got about 400 employees that we manage;
19 three, 400 that we manage. I market for my business.
20 I'm responsible for payroll.

21 THE COURT: I just ask you to slow
22 down a little bit.

23 THE WITNESS: I'm sorry.

24 THE COURT: Can't take it all down at
25 one time.

1 THE WITNESS: I handle the day-to-day
2 operations of my company.

3 BY MR. JORDAN:

4 Q. And so you testified that you're a member of
5 Sigma Pi Phi Fraternity. How long have you been a
6 member?

7 A. I joined in 2011.

8 Q. Do you hold any positions at Sigma Pi Phi?

9 A. Yes, I'm the grand grammateus.

10 Q. What's the grand grammateus?

11 A. It's like the corporate secretary of the
12 organization.

13 Q. And what's the responsibilities?

14 A. I'm responsible for the minutes, for the
15 notes; counter-sign contracts; and I handle the
16 operational -- the operations of the organization in
17 regards to minutes, notes and communications.

18 Q. And what about corporate? Do you review the
19 corporate records?

20 A. Yes. I'm responsible for all corporate
21 records and documents, that's correct.

22 Q. And as grand grammateus, are you a part of
23 any other boards or committees within the fraternity?

24 A. Yes.

25 Q. And what are they?

1 A. I'm part -- by virtue of my position, I'm a
2 member of the executive committee.

3 Q. Any other board or committee?

4 A. No.

5 Q. Are you a member of the Grand Board?

6 A. I'm a member of the Grand Board, that's
7 correct.

8 Q. So, in this position, are you the custodian
9 of the official record for the Boulé?

10 A. Yes.

11 Q. And when I say Boulé, is that another name
12 for Sigma Pi Phi?

13 A. The Boulé is another name for Sigma Pi Phi,
14 correct.

15 Q. And does the fraternity have a travel
16 policy, to your knowledge?

17 A. Yes, we do.

18 MR. JORDAN: Exhibit 16.

19 MR. SCOTT: Your Honor, the petition
20 for the injunction as related to the
21 procedural vote is not about the merits on
22 the underlying action. That's not part of
23 this. This is about the voting and
24 procedural and not -- anything beyond the
25 recommendations, the board's vote, and

1 whether or not it was procedurally possible.

2 This is not summary judgment. It's
3 not the time for the respondent to put their
4 case on. The issue before the Court is very
5 narrow, is whether or not there were a
6 sufficient number of votes to remove
7 Mr. Douglass.

8 If this is going to be without any
9 discovery, without any chance to even look at
10 documents, this is going to go forever and
11 I'm going to end up taking a deposition in
12 this courtroom. And so I'm not sure where
13 this is going, but I hear where this is
14 going. I'm not sure if that's helpful to the
15 parties, the litigants, and to move forward
16 because that's a narrow issue before the
17 Court. I think we teed that up.

18 MR. JORDAN: Your Honor, one of the
19 requirements is the lack of success on the
20 merits in this phase of the -- for the
21 preliminary...

22 THE COURT: It's a preliminary call on
23 that issue, but I also think that we have
24 preliminary objections that address some of
25 these concerns. So we need to take discovery

1 to determine whether they're sustainable.

2 I think I recognize we're trying to
3 get this -- it is interesting how some of
4 these preliminary injunctions can become mini
5 trials, but in some ways, that's where we are
6 right now. There's an issue about, frankly,
7 succeeding on the merits too as Mr. Jordan
8 says.

9 So, I appreciate your concern about
10 the scope, but I think this it is
11 appropriate. If it goes way beyond what we
12 need to address, we'll get that point. We
13 can readdress it again.

14 MR. SCOTT: Your Honor.

15 MR. JORDAN: I withdraw this exhibit
16 and move on.

17 THE COURT: Okay.

18 MR. SCOTT: I just wanted to...

19 THE COURT: So I think, Mr. Scott, I
20 don't -- I don't mean to anticipate your
21 question, but I think you're correct. I
22 think what you're saying at this particular
23 issue goes on to the investigation. I think
24 really we do want to focus on some issues
25 that are before us. Thank you, Mr. Jordan.

1 Thanks.

2 BY MR. JORDAN:

3 Q. Archon Searcy, did there come a time while
4 you were on the board that a member of the Grand
5 Board came under investigation?

6 A. Yes.

7 Q. Who came under investigation by the Grand
8 Board?

9 A. Former Grand Sire Loren Douglass.

10 Q. When did this investigation begin?

11 A. It began in February.

12 Q. Going to show you what's marked as SPP
13 Exhibit 1.

14 Archon Searcy, have you seen this document
15 before?

16 A. Yes.

17 Q. In fact, do you know who created this
18 document?

19 A. I created this document.

20 Q. And what does the document purport to be?

21 A. These are the minutes from the Miami board
22 meeting and the Miami executive session.

23 Q. And do you see your name anywhere on the
24 document? Strike that.

25 Do you see your name officially as part of

1 this document in your position as Grand Grammateus?

2 A. Yes.

3 Q. Can you take a look at page 6?

4 A. Yes, the last page.

5 Q. What does that last page say in regards to
6 your name that's on there?

7 A. "Respectfully submitted, Darrell E. Searcy,
8 Grand Grammateus, Sigma Pi Phi Fraternity".

9 Q. Is that the way you normally sign off on
10 your minutes?

11 A. Yes.

12 Q. Is that the way you normally sign off on
13 your official minutes?

14 A. Correct.

15 Q. Will this Exhibit 1 be the February 21st
16 minutes of the meeting of February 21st where the
17 committee was appointed?

18 A. Correct.

19 Q. During that meeting, was there discussion
20 about the need to establish an investigation
21 committee?

22 A. Yes.

23 Q. And what were the concerns by the Grand
24 Board, why they established an investigation?

25 A. There had been numerous communications with

1 Loren Douglass about expenditures. There have been
2 numerous conversations with him about some other
3 policy violations.

4 Then there were numerous emails that came to
5 the board where some of the information that we had
6 discussed had gotten out. There were numerous emails
7 that had come to the board that forced us to do an
8 investigation.

9 Q. Was one of the concerns of the investigation
10 concerning the hiring of the general counsel?

11 A. Yes.

12 Q. And what was that concern?

13 A. Well, the concern was the general counsel
14 was hired without permission of the board.

15 Q. And was there any other concern addressed in
16 regards to the hiring of the general counsel and his
17 firm?

18 A. There were several other concerns.

19 Q. Was any of them financial?

20 A. Yes.

21 Q. What was the concern about financial?

22 A. Inappropriate spending without budgetary
23 authority; travel, there were travel; purchases; the
24 expenditure on the Grand Board -- I'm sorry, for the
25 general counsel.

1 There was concern about withholding
2 information that was pertinent to us with regards to
3 creating a budget that we could work with and live
4 with. Those were the financial issues that were
5 addressed.

6 Q. The issue about the general counsel and
7 expenditures, was there an issue about a lawsuit that
8 had been filed and he was defending him on, the
9 fraternity on?

10 A. Correct.

11 MR. SCOTT: I thought he said
12 defending -- is it Mr. Douglass, or is he
13 defending...

14 THE COURT: Why don't we clarify that.
15 Could you restate that?

16 BY MR. JORDAN:

17 Q. Sure. Was there an issue with the amount of
18 money that was spent regarding money spent -- strike
19 that.

20 Was there an issue with regards to the
21 general counsel's bill to Sigma Pi Phi regarding the
22 lawsuit that he was representing the fraternity in?

23 A. Correct.

24 Q. Do you remember the amount of money that was
25 owed at that time to the general counsel?

1 A. Approximately \$600,000.

2 Q. And do you know the underlying lawsuit that
3 he was representing the fraternity on?

4 A. Yes, I do.

5 Q. What was that about?

6 A. It was against a vendor, Jeter Active, which
7 provided IT support to the fraternity and the total
8 dispute of the amount was \$120,000.

9 Q. Do you remember how much the bill was
10 for Mitchell's firm?

11 A. About \$600,000.

12 Q. Was it closer to 700,000?

13 A. Closer to -- the initial bill was \$600,000,
14 \$700,000.

15 Q. And that was a concern to the board
16 because -- was it not?

17 A. Correct. It was a major concern.

18 Q. I'm going to ask you to go to page 4 of the
19 SPP 1, Exhibit 1. Who chaired that meeting on
20 February 21st?

21 A. Loren Douglass.

22 Q. And there was a dialogue and discussion
23 about these issues at that meeting?

24 A. Yes, there was.

25 Q. And do these February 21, 2025 minutes

1 properly reflect those issues and discussions?

2 A. Yes.

3 Q. And does this document reflect that an
4 investigation committee was formed to investigate
5 these charges?

6 A. Yes.

7 Q. I'm going to point your attention to page 4,
8 Board Actions and Deliberations. What's the first
9 item that was there?

10 A. Motion regarding executive committee
11 recommendation.

12 Q. So what precipitated this discussion?

13 A. The executive committee met to determine the
14 best method to deal with the accusations. The
15 executive committee decided that this should go to
16 the Grand Grievance and Complaint Committee.

17 Q. When you say issues, how did the issues come
18 to the Grand Board?

19 A. There were emails that were provided to us
20 from archons and there were communications internally
21 from archons' board members expressing concerns about
22 Loren Douglass's behavior.

23 Q. And did the board approve an investigation
24 committee?

25 A. They did approve an investigation committee.

1 Q. And who did they select to lead that
2 investigation?

3 A. At the time, Grand Sire-elect Jesse Tyson.

4 THE COURT: Could you say that again?

5 THE WITNESS: Jesse Tyson.

6 THE COURT: Okay. There are a lot of
7 words I'm learning.

8 THE WITNESS: Sorry.

9 MR. JORDAN: Your Honor, we move the
10 admission of SPP-1.

11 MR. SCOTT: I think this is a business
12 record, so I have no objection.

13 THE COURT: Thank you. So go in
14 and -- we'll just make sure we put a pin on
15 that under exhibits. I know you will.

16 BY MR. JORDAN:

17 Q. Do you remember who was on the investigation
18 committee?

19 A. Obviously, Grand Sire-elect at the time,
20 Jesse Tyson was the chair; Western Region Sire-elect
21 Askia Ahmad --

22 (Traffic interruption.)

23 (Discussion off the record.)

24 THE COURT: Go ahead.

25 THE WITNESS: Western Region Sire

1 Archon, which is the western region
2 president, Askia Ahmad. We had a central
3 region sire archon, which is the central
4 region president, Calvin Heard; we had the
5 grand rhetoricos, which is what we call our
6 leading archon or someone that brings
7 information to the organization -- that
8 person was Stefan Bradley; grand
9 thesauristes, he's a treasurer. He's the
10 grand treasurer and that was Derrick Roman.
11 That was the five-member committee.

12 BY MR. JORDAN:

13 Q. Now, to your knowledge, did the
14 investigation committee, after it was formed, meet
15 with Archon Douglass to address the charges against
16 him?

17 A. Yes.

18 Q. How do you know?

19 A. It was a two-hour video that I had an
20 opportunity to review.

21 Q. What do you mean by a two-hour video?

22 A. When they spoke with him during the
23 investigation, is that what you're asking?

24 Q. Yes.

25 A. Yes. There was an investigation that took

1 place between Loren Douglass and the committee. It
2 was video-recorded. I saw the transcript.

3 Q. When you say investigation, do you mean it
4 was interviewed?

5 A. They interviewed, correct.

6 Q. And they were discussing with him the
7 charges that were brought against him?

8 A. Correct --

9 MR. SCOTT: Your Honor, I think what
10 he looks at is not personal knowledge. If
11 he's just laying a foundation to what
12 happened, it's fine; but to the extent that
13 he proceeds to talk about what he heard or
14 perceived, I think that's objectionable.

15 THE COURT: So counsel, are you trying
16 to elicit that kind of testimony?

17 MR. JORDAN: Yes, Your Honor. For the
18 fact that he witnessed it. He witnessed it
19 by video. It should be admissible because in
20 fact, this was not something that he was
21 told. It was something that he actually saw.

22 MR. SCOTT: He didn't participate in
23 the meeting. All he's doing is -- it's like
24 watching a TV show and telling the Court what
25 happened.

1 THE COURT: I mean, I think that I'm
2 going to sustain the objection for now and
3 consider it, but maybe you can address it
4 later. So let's sustain the objection, so
5 please move on.

6 BY MR. JORDAN:

7 Q. Let me ask you prior to that meeting --
8 strike that.

9 What date was that interview to your
10 knowledge?

11 A. April, beginning of April.

12 Q. Did you receive, at anytime prior to that
13 date, a communication from Archon Douglass about the
14 charges?

15 A. Yes.

16 Q. And do you know when that might have been?

17 A. March, mid to late, mid-March, if I'm not
18 mistaken. I'm not 100 percent sure.

19 MR. JORDAN: I'm going to show you
20 what I have marked as SPP 4.

21 Your Honor, may I approach the
22 witness.

23 THE COURT: Yes.

24 BY MR. JORDAN:

25 Q. Archon Searcy, had you seen that document

1 before?

2 A. Yes.

3 Q. Is this a document that you have in your
4 official fraternity records?

5 A. Yes, it is.

6 Q. Can you tell me what this document is?

7 A. It is a letter to -- it is a letter to Grand
8 Sire Tyson and the board, giving his narrative to all
9 of the accusations that were made against him.

10 MR. SCOTT: Your Honor, I'm looking at
11 the prong sent to cc subject. I don't see
12 that Mr. Searcy was copied on this and I
13 don't see that the board was copied on this,
14 14 members. So I'm not sure how this would
15 have gotten to him from this particular
16 email.

17 MR. JORDAN: If I can frame that.

18 THE COURT: Can you address that?

19 BY MR. JORDAN:

20 Q. Archon Searcy, are you the official
21 depository of documents, records, including emails?

22 A. Yes.

23 Q. Are those things that were involved in the
24 investigation committee?

25 A. Correct.

1 Q. The Grand Board?

2 A. Correct.

3 Q. How did you receive this document?

4 A. All of the information with regard to the
5 investigation are sent to me for proper filing and
6 maintaining.

7 Q. And so this document, Exhibit 4 is
8 maintained in the official documentation in which you
9 are custodian?

10 A. In which I -- correct.

11 THE COURT: This is a business record.

12 MR. SCOTT: Except he kept it in a
13 file and he has no personal knowledge of
14 this.

15 THE COURT: Is it offered?

16 MR. JORDAN: It's not offered for the
17 truth of the matter. It's offered for the
18 fact that it existed in that account. We're
19 not going through the dialogue.

20 THE COURT: You're not going to
21 address that he is essentially a custodian of
22 records?

23 MR. JORDAN: Exactly right.

24 THE COURT: That's where we are.
25 That's all it is. Thank you.

1 BY MR. JORDAN:

2 Q. Did there come a time when the investigation
3 committee met with the Grand Board to discuss its
4 findings?

5 A. Yes.

6 Q. Do you know when that occurred?

7 A. Sure. At the meeting in Orlando.

8 Q. And do you know the date of that?

9 A. I don't, right offhand. Mid-April maybe,
10 I'm not exactly sure.

11 MR. JORDAN: I'm going to hand you, if
12 I may, Your Honor, Exhibit 7 SPP, Exhibit 7.

13 BY MR. JORDAN:

14 Q. Have you seen that document before?

15 A. Yes.

16 Q. Do you know who created that document?

17 A. I created that document.

18 Q. How do you know that?

19 A. Because it has my name and title on the
20 bottom. I'm the creator of the document.

21 Q. Is that minutes of the meeting in April?

22 A. April 8th and 9th in Orlando.

23 Q. So it's the second time you've seen your
24 name at the bottom of a document for minutes?

25 A. Correct.

1 Q. Do you normally do that for your official
2 minutes? Sign your name at the end of it?

3 A. Yes.

4 Q. Or provide them with your name?

5 A. Yes.

6 Q. Take a moment to see if this is the official
7 recording of your minutes. So who's the chair of the
8 meeting on April 9th?

9 A. Loren Douglass. This appears to be the
10 complete set of minutes from the April 8th and 9th
11 meeting in Orlando.

12 MR. JORDAN: Your Honor, if I can
13 approach the witness. You already have this,
14 P-6?

15 THE COURT: P-6, yes.

16 BY MR. JORDAN:

17 Q. Archon Douglass, have you seen SPP Exhibit
18 in P-6 before?

19 A. Are you referring to me or?

20 Q. I'm sorry. I apologize; Archon Searcy, my
21 bad.

22 Have you seen that document before?

23 A. I'm not -- I don't -- I'm not familiar with
24 this right offhand. These aren't the minutes from
25 that meeting.

1 Q. Look at the front page, please. What does
2 it purport to be?

3 A. It says the Grand Board meeting minutes from
4 April 8th and April 9th.

5 Q. So you don't know where the document is?

6 A. I do not.

7 Q. That's not the official minutes of the
8 meeting of April 8th and April 9th?

9 A. No. It doesn't even include the -- I'm not
10 familiar with this.

11 Q. So SPP Exhibit 7 is your official minutes?

12 A. Correct. The official minutes are the first
13 document that we looked at that had my...

14 Q. So let me ask you, who chaired that meeting
15 of April 8th through 9th?

16 A. Loren Douglass.

17 Q. And who set the agenda for that meeting?

18 A. Loren Douglass.

19 Q. Was there any agenda changes for that
20 meeting?

21 A. Yes, there was.

22 Q. How was the agenda changed?

23 A. Typically, I set the agenda for the
24 meetings. I send the agenda out to the body. Loren
25 Douglass decided that he did not want me to send the

1 agenda for the meeting, so he sent the agenda for the
2 meeting himself.

3 Q. On that agenda -- was the investigation
4 committee report on the original agenda?

5 A. Yes.

6 Q. Did the investigation committee report get
7 moved by Archon Douglass?

8 A. Yes.

9 Q. How so was it moved?

10 A. The meeting was supposed to be, obviously,
11 the Grand Board meeting. But the investigation was
12 going to be the vast majority of the meeting on the
13 first day. Archon Douglass and I had kind of a
14 heated disagreement about the agenda.

15 And he, at the time, the Grand Sire demanded
16 that he had the right to set the agenda and made it
17 very clear that that was his role. So he decided to
18 make the first day a team-building session. And the
19 second day, we were supposed to deal with normal
20 governance items from the agenda. There were no
21 reports.

22 Q. So the investigation committee report had
23 moved down the agenda?

24 A. Yes. It was the last thing that happened on
25 the second day.

1 Q. And during this meeting, did the
2 investigation committee give a report of their
3 investigation?

4 A. Yes, they did.

5 Q. Did you make -- strike that.

6 Did Exhibit 7 contain the report and
7 discussion around the investigation committee?

8 A. Yes, page 7.

9 Q. So the investigation committee reported out
10 the conclusions of their investigation; is that
11 correct?

12 A. Correct.

13 THE COURT: What page is that again?

14 THE WITNESS: The executive session,
15 starts on page seven.

16 THE COURT: That's where it's
17 reported?

18 THE WITNESS: Yes, ma'am.

19 THE COURT: Thank you.

20 BY MR. JORDAN:

21 Q. And after the investigation committee gave
22 its report, did Grand Sire Douglass have the
23 opportunity to rebut the charges or refute the
24 charges?

25 A. Yes, he did.

1 Q. Did he do so?

2 A. Yes, he did.

3 Q. How long did he speak?

4 A. Less than an hour and 45 minutes, 50
5 minutes.

6 Q. During that time, did he deny any of the
7 charges?

8 A. No.

9 Q. What, if anything, occurred after he spoke?

10 A. After he spoke, he left the room. He
11 grabbed his bag, left the room.

12 Q. He grabbed his bag?

13 A. You mean afterward, after the?

14 Q. Yes.

15 A. We voted. There was a communication.

16 MR. SCOTT: Hold on a second, Your
17 Honor. I think he's cutting him off.

18 MR. JORDAN: I'm sorry.

19 THE COURT: I appreciate you allowing
20 him to finish his answer.

21 After he dropped his bags, you said
22 something else.

23 THE WITNESS: At the end of the
24 meeting, when Loren Douglass had an
25 opportunity to speak, when he finished

1 speaking, he grabbed the bag and left the
2 room.

3 BY MR. JORDAN:

4 Q. You got to be careful. You and I were
5 speaking at the same time.

6 A. Sorry.

7 Q. Did anyone instruct Loren to leave the
8 meeting?

9 A. No.

10 Q. Archon Douglass to leave the meeting?

11 A. No.

12 Q. Did anybody move that he leave the meeting,
13 make a motion that he be relieved from the meeting?

14 A. No.

15 Q. Did he leave the meeting on his own
16 volition?

17 A. Yes.

18 Q. What then happened during the meeting
19 regarding the investigation after Archon Douglass
20 left?

21 A. The investigation committee reconvened with
22 the investigation lending to discussion all of the
23 charges and there was a vote that took place after.

24 Q. Now, going back a minute. So, prior to
25 Archon Douglass leaving the meeting, did he say

1 anything to the board?

2 A. Yes. Absolutely. He made very strong
3 remarks.

4 Q. What, if anything, did he say?

5 A. You have a choice to make. You have a
6 choice to make; slammed his hand on the table and
7 left the room.

8 Q. I didn't hear what you said.

9 A. "You have a choice to make".

10 Q. What did you say about his hand?

11 A. He slammed the table, grabbed his bag and
12 left.

13 Q. When this meeting started on April 9, how
14 many members of the board were there?

15 A. Fourteen.

16 Q. And then Archon Douglass left the meeting?

17 A. Correct.

18 Q. That would leave how many?

19 A. Thirteen.

20 Q. At the time of the vote, how many members of
21 the board were there?

22 A. Twelve.

23 Q. And did any others leave the meeting?

24 A. Correct. Archon Bradley; the rhetoricos,
25 Stefan Bradley, who was on Zoom, left the meeting.

1 Q. Did anyone else leave?

2 A. No.

3 Q. Was anybody else absent from the meeting at
4 that point?

5 A. No.

6 Q. So that would have left 12 people?

7 A. Twelve, correct.

8 Q. What happened in regards to the action? Did
9 anybody make a motion or anything in regards to the
10 action, in regards to the investigation of Archon
11 Douglass?

12 A. Correct. There was a motion made to remove
13 Archon Douglass from the role of Grand Sire.

14 Q. Was it properly made and seconded?

15 A. It was properly made and seconded.

16 Q. And was a vote taken?

17 A. A vote was taken.

18 Q. And what was the vote?

19 A. The vote was 8 to 4.

20 Q. And percentage-wise, what is a vote of 8 to
21 4?

22 A. Sixty-six, sixty-seven. I don't do math.

23 Q. That would be a fraction; two-thirds?

24 A. It was a super majority of the board.

25 Q. After that meeting, who became the Grand

1 Sire?

2 A. Well, the Grand Sire left would naturally
3 become the Grand Sire based on our policies; our
4 constitution and bylaws.

5 Q. Do you know, to your knowledge, had
6 anybody -- did Archon Tyson who became the Grand Sire
7 discuss how his vote was supposed to be resolved
8 before it happened?

9 A. I don't understand the question.

10 Q. Did Archon Douglass -- strike that, Archon
11 Tyson tell anybody how to vote?

12 A. No.

13 Q. Do you know whether or not --

14 MR. SCOTT: Objection. I should have
15 objected sooner. Unless he spoke to
16 somebody, then he's just guessing right now.

17 MR. JORDAN: Correct. I'll withdraw
18 the question.

19 BY MR. JORDAN:

20 Q. Did Archon Tyson tell you how to vote?

21 A. No, he did not.

22 Q. Did he ask you to vote for removal?

23 A. No.

24 Q. Did you observe Archon Tyson during this
25 meeting?

1 A. Yes.

2 Q. What was his demeanor like?

3 A. Combative.

4 Q. Archon Tyson?

5 A. I'm sorry, thought you meant Douglass. No,
6 his demeanor was calm, collected; calm.

7 Q. Did he instruct anybody to leave the room?

8 A. No.

9 Q. Take a look at page SPP Exhibit 7. On page
10 8, toward the middle of the page, the paragraph
11 begins "before the board members on Zoom". You see
12 that paragraph?

13 A. Yes.

14 Q. And then you come down to the, I guess
15 that's the last sentence in that paragraph, what is
16 that sentence?

17 A. Are we referring to the one that says "GSA
18 Tyson" reconvened?

19 Q. It says "period of reading."

20 A. This period of reading lasted approximately
21 45 minutes. During such time, GSA Douglass and GSA
22 Tyson left the meeting room for approximately 20
23 minutes to meet privately.

24 Q. Going on to page 10, does it reflect the
25 time that Archon Douglass left the meeting?

1 A. Archon Douglass left the meeting at
2 11:29 a.m.

3 Q. Going over to page number -- also the bottom
4 of page 10, are these -- between on page 10 and 11.
5 Are those the findings of the investigation committee
6 at the bottom?

7 A. Bottom of page 10 and 11, correct. Those
8 are the findings, correct.

9 Q. And going over to page number 12, does that
10 properly reflect the motion made for the removal?

11 A. That's correct.

12 Q. What, if anything else occurred in regards
13 to the removal action by the Grand Board?

14 A. Can you be a little bit more succinct?

15 Q. Did the Grand Board again meet to consider
16 the removal of Archon Douglass at any point?

17 A. At the very next Grand Board meeting, there
18 was a meeting of the Grand Board to make a
19 determination whether the actions that we took were
20 accurate and followed the rules and regulations of
21 the term. So, yes, there was a second vote that was
22 taken at our very next Grand Board meeting, which
23 would have been in May.

24 Q. Was there an issue or controversy about any
25 particular division of grand constitution and bylaws

1 committee regarding the removal process of Archon
2 Douglass?

3 A. There was some confusion regarding the
4 constitution and bylaws about whether all board
5 members should be able to vote or whether they're
6 present to vote.

7 Q. I'm going to show you what has been marked
8 as P-5. Have you seen that document before?

9 THE COURT: Just identify what it is
10 for the record.

11 MR. JORDAN: For the record, that is
12 P-5, which States that subject line, notice
13 of recusal regarding current board inquiry
14 concerning Grand Sire robes. See that?

15 THE WITNESS: Yes.

16 BY MR. JORDAN:

17 Q. And who's that document from?

18 A. It's from Archon Ceasar Mitchell who's
19 serving as the general counsel.

20 Q. Who did that document go to?

21 A. It went to the entire Grand Board of
22 directors.

23 Q. Is that a true and accurate copy of that
24 document?

25 A. I think so.

1 MR. SCOTT: Your Honor, I don't think
2 there's a dispute.

3 THE COURT: What's that?

4 MR. SCOTT: There's no dispute here.
5 That's not true and accurate, but if he's
6 going to try and authenticate it, that
7 doesn't have the.

8 THE COURT: Do you have any questions
9 about it?

10 MR. JORDAN: Not about the document
11 period. I just want it to be official on the
12 record we got a problem with that, I guess,
13 this morning.

14 THE COURT: That one was actually
15 received by the board members.

16 THE WITNESS: Correct.

17 THE COURT: I recognize your
18 objection, but I'm going to overrule it.

19 BY MR. JORDAN:

20 Q. Was one of the accusations against Archon
21 Douglass, did it involve the general counsel?

22 A. Correct.

23 Q. And what was that?

24 A. It was the hiring of the general counsel
25 about the board rule.

1 Q. Are you aware of the proper procedure
2 for hiring a general counsel?

3 A. There is -- anyone that is going to serve as
4 general counsel should have been brought back to the
5 Grand Board for deliberations, for discussions, and
6 the Grand Board would have to authorize, by majority
7 vote, the hiring of a general counsel.

8 Q. During the time which you have been the
9 grand grammateus, did that occur?

10 A. No.

11 Q. Also, is it not also a fact as you listed
12 here in Exhibit 7 on page 10 and 11, there is an
13 issue regarding the general counsel's bill?

14 A. Correct.

15 Q. And do you see that on page 11?

16 A. Correct.

17 Q. And under number four, what does it say in
18 regard to legal expenses?

19 A. (Reading) Special Committee had sufficient
20 evidence that he did not speak nor gain preapproval
21 to engage in legal activities that resulted in nearly
22 \$700,000 of legal costs.

23 Q. So, based upon this document, the removal of
24 Loren Douglass -- strike that. You already testified
25 that on Exhibit 7, page 10 and 11, there's a list of

1 the charges?

2 A. Correct.

3 Q. And what went on for the investigation
4 report. So, the removal of Loren Douglass, or did
5 the removal of Loren Douglass include something more
6 than just the general counsel allegations and
7 investigation?

8 A. Absolutely.

9 Q. So that anytime after this meeting, did the
10 Grand Board or did the Grand Board request an
11 interpretation of the provision for removal?

12 A. Absolutely.

13 Q. Of the body?

14 A. Yes, we did.

15 Q. And who did you request that from?

16 A. The Grand Board.

17 Q. Who did you request an interpretation from?

18 A. From the executive committee.

19 Q. Did anybody else give an opinion regarding
20 the interpretation bylaws to 4G?

21 A. We had several folks. There were folks that
22 were giving interpretations all over the place.

23 Q. Was at anytime the grand constitution and
24 bylaws committee requested?

25 A. The grand constitution and bylaws committee

1 was brought in to help the board make their final
2 interpretation of it.

3 Q. What's the function of the grand
4 constitution and bylaws committee?

5 A. They manage, oversee, and ensure our
6 constitution and bylaws are met and preserved.

7 Q. And who chairs that committee?

8 A. Archon Jeffrey Webster.

9 Q. I'm handing you what's been marked as SPP
10 Exhibit 8. Have you seen this document?

11 Well, this document is (Reading) Subject:
12 Interpretation of Voting Requirement in Bylaw Section
13 2(4G) -- Removal of a Grand Board Member.

14 Have you seen this document before?

15 A. Yes, I have seen this document before.

16 Q. Is this document an official record of Sigma
17 Pi Phi?

18 A. Yes, it is.

19 Q. Under the constitution and bylaws committee,
20 do you know if there's an official arbiter or
21 committee or person who is in charge with
22 interpreting the constitution and bylaws if there's
23 any issue?

24 A. The executive committee.

25 Q. I'm going to show you what's been marked as

1 SPP Exhibit 9. And Exhibit 9 indicates Resolution 1,
2 executive committee of the Grand Boulé of Sigma Pi
3 Phi ratify the interpretation of Bylaws 2(4G) of the
4 grand constitution and bylaws committee, correct?

5 A. That's correct.

6 Q. Read to me what the third "whereas" states?

7 A. (Reading) Whereas the fraternity possesses
8 the authority as vested by the grand bylaws and
9 committee, Bylaw 3(6)(a), to interpret the Grand
10 Boulé governance laws subject to consultation with
11 the general counsel and the chairman of the Grand
12 Boulé constitution and bylaws committee.

13 Q. And what happened with this resolution?

14 A. The Grand Board took a vote on this
15 resolution.

16 Q. What, if anything, did it do with this
17 resolution? Did it pass or fail?

18 A. It passed.

19 Q. Did the Grand Board make an interpretation
20 regarding that provision of Bylaw 2(4G)?

21 A. Correct.

22 Q. Was there an attachment to the resolution?
23 It would be exhibit page 9, page 3. I think you are
24 at the page.

25 A. Page 3.

1 Q. Does the top say "attachment"?

2 A. Attachment A, correct?

3 Q. Is that a document from the Grand Boulé's
4 constitution and bylaws committee to the Grand Board?

5 A. Correct.

6 Q. And is subject to interpretation of voting
7 requirements?

8 A. Yes.

9 Q. Just before that, page two, do you see that,
10 your signature on this document?

11 A. Yes.

12 Q. Are you familiar with Archon Tyson's
13 signature?

14 A. Yes, it is.

15 Q. And do you see Archon Tyson's signature
16 there?

17 A. Yes, it is.

18 Q. And was this document passed and approved?

19 A. It was passed.

20 Q. And going back to the front, first page,
21 where it says "Now therefore be it resolved by the
22 executive committee of the Grand Boulé of Sigma Pi
23 Phi Fraternity," what did it ratify? What did it do
24 at the first "thereof"?

25 MR. SCOTT: If he's going to read the

1 document -- he didn't create the document. I
2 mean, anybody can create a document. Either
3 he has personal knowledge or not.

4 THE COURT: I hear what you're saying,
5 counsel, but I'll overrule the objection.
6 Let's go.

7 BY MR. JORDAN:

8 Q. Would you read Number 1 for me, please?

9 A. (Reading) Grand Boulé Sigma Pi Phi
10 Fraternity, hereinafter referred to as fraternity, is
11 governed by its grand constitution and bylaws, which
12 documents set forth the fundamental principles and
13 operational framework for the fraternity.

14 Q. And the next one, please?

15 A. "Wherein Bylaw 2(4G) of the Grand Boulé
16 constitution and bylaws is inartfully written and can
17 lead to confusion in its application in determining
18 the vote necessary to remove a Grand Board member."

19 Q. I think we're looking at different spots.
20 I'm looking at "now therefore be it resolved" down at
21 the bottom.

22 A. My apologies. Now, therefore be it resolved
23 by the executive committee of Grand Boulé of Sigma Pi
24 Phi Fraternity as follows: Ratification of
25 interpretation, the executive committee hereby

1 formally ratifies and confirms and affirms the
2 established interpretation of Bylaw 2(4G) that the
3 vote required to remove a Grand Board member is
4 two-thirds vote of the Grand Board members present
5 and voting at the meeting.

6 Q. The next one, please?

7 THE COURT: I want to make a
8 suggestion.

9 MR. JORDAN: Your Honor, we can let it
10 speak for itself.

11 THE COURT: Thank you. We do like
12 your speaking voice, but please close the
13 document.

14 THE WITNESS: Thank you.

15 THE COURT: Anything else?

16 BY MR. JORDAN:

17 Q. On May 21st, 2025, did the Grand Board meet
18 on May 21, 2025? Did the Grand Board meet?

19 A. Yes.

20 Q. Going to hand you what's been marked as SPP
21 Exhibit 10 document entitled, "Resolution of Grand
22 Boulé of Sigma Pi Phi Fraternity document
23 interpreting the bylaw Section 2(4G) ratifying the
24 prior action concerning the removal of Grand Sire
25 Archon and affirming voting requirements

1 for adoption." Have you seen that document before?

2 A. Yes, I have.

3 Q. Do you see your signature on this document
4 on the reverse side?

5 A. Yes, I do.

6 Q. And does this document reflect the action
7 taken by the Grand Board on May 21st?

8 A. Yes, it does.

9 Q. At that meeting, do you remember what the
10 vote was regarding the adoption of that resolution?

11 A. The vote was unanimous, 11 to 0.

12 Q. How many members attended that meeting on
13 May 21st?

14 A. Thirteen board members attended that
15 meeting.

16 Q. To your knowledge, do you know why the vote
17 was 11 to 0?

18 A. Two of the board members left right before
19 we decided to take a vote.

20 Q. What do you mean they left right before they
21 decided to take a vote?

22 A. Two of the board members decided to leave
23 the meeting to hop off of the Zoom right before we
24 took the vote.

25 Q. At what point? You said right before. Had

1 there been discussions before they left?

2 A. Yes.

3 Q. Had there been a motion at that point?

4 A. Yes.

5 Q. And the two left?

6 A. And the two left.

7 Q. Do you know which two left the meeting?

8 A. Yes. Archon Turner and Archon Kendrick.

9 Q. So a vote was taken of the remaining 11?

10 A. Of the present and voting, it was 11 to 0.

11 Q. Did anyone tell Archon Kendrick or Archon
12 Turner to leave the meeting?

13 A. No, they did not.

14 Q. Did they excuse themselves and left the
15 meeting?

16 A. No, they did not.

17 Q. How do you know they left the meeting?

18 A. Because we have a record of Zoom and it
19 tells us what time they get off the Zoom.

20 Q. You see them physically, initially?

21 A. Physically they hopped off of the --
22 correct.

23 Q. Prior to this vote, did Archon Tyson ask you
24 to vote in favor of this ratification?

25 A. No, we did not.

1 Q. Did anybody else ask you on the board?

2 A. No.

3 Q. Was the term widely used in regards to the
4 resolution?

5 A. No.

6 MR. JORDAN: I have no further
7 questions of this. Give me one second.

8 THE COURT: Okay. You reconsidered?

9 BY MR. JORDAN:

10 Q. I'm going to show you what's been marked as
11 SPP Exhibit 13. I show you what's been marked as
12 Exhibit SPP, Exhibit 13, entitled "Subject, Grand
13 Board executive summary". Have you seen that
14 document before?

15 A. I have.

16 Q. What does the document come from?

17 A. Loren Douglass.

18 Q. Who is it submitted to?

19 A. To the entire board.

20 Q. What is the subject of this document?

21 A. Grand Board Executive Summary, Next Steps.

22 Q. Do you know what precipitated Archon
23 Douglass to send this?

24 A. That was a message that was sent after the
25 board about his behavior and his actions -- I'm

1 sorry, to the body.

2 MR. JORDAN: I have no further
3 questions of the witness.

4 THE COURT: Mr. Scott, Let's try to
5 get back here like 3:00 or so. You have to
6 go?

7 THE WITNESS: Correct.

8 THE COURT: What time is your flight?

9 THE WITNESS: Five-fifteen.

10 THE COURT: Take a five-minute break;
11 five to ten.

12 (A brief recess was taken.)

13 THE COURT: Continue cross-
14 examination.

15 - - -

16 CROSS-EXAMINATION

17 - - -

18 BY MR. SCOTT:

19 Q. I want to bring your attention, Mr. Searcy,
20 to the May 21, 2025 board meeting. Can you hear me?

21 A. Yes.

22 Q. Do you recall that there was, Mr. Turner had
23 a conflict in his schedule that required him to leave
24 the meeting at a certain time?

25 A. I don't recall that.

1 Q. Do you recall him changing the time at one
2 point? It was earlier in the day, then it changed it
3 to the evening. You recall that?

4 A. I don't recall that.

5 Q. Do you have minutes of the May 21, 2025
6 board? Meeting.

7 A. Yes, I do.

8 Q. I meant, generally, do you have those
9 minutes?

10 A. Yes.

11 Q. When the vote took place with regards to the
12 ratification on May 21, 2025, the motion was made
13 after Mr. Turner had left; isn't that correct?

14 A. That is not my recollection.

15 Q. Well, Mr. Turner wasn't there to vote,
16 correct?

17 A. He was not there to vote.

18 Q. But sitting here today, you don't have a
19 memory as to when the motion was made, correct?

20 A. No.

21 Q. You talked about Zoom recordings. You
22 recall that?

23 A. Yes.

24 Q. Are those Zoom recordings kept for any
25 period of time?

1 A. Yes.

2 Q. How long are they kept?

3 A. We used the recordings. They're typically
4 part of the records.

5 Q. So if I wanted to look at what happened on
6 April 8th and April 9th and it was recorded by Zoom,
7 those would still be available?

8 A. If they were recorded.

9 Q. So --

10 A. If they were recorded.

11 Q. Would you note that in your minutes if it
12 was being recorded?

13 A. I am pretty sure that we would recognize
14 that in the minutes.

15 Q. Who's "we"?

16 A. We, as in I, as in the fraternity, as in the
17 keeper of the records.

18 Q. You're the keeper.

19 Are you also the scrivener, the secretary?

20 A. Yes.

21 Q. And do you take notes during the board
22 meetings?

23 A. Yes, we do.

24 Q. You take handwritten notes?

25 A. Not always handwritten notes. We have audio

1 records of meetings from April and May.

2 Q. How are the audio records stored?

3 Electronically?

4 A. They're stored electronically, yes.

5 Q. And they're still in existence today?

6 A. Correct.

7 Q. And May 21st, that was in Zoom?

8 A. That was recorded by Zoom?

9 MR. JORDAN: Your Honor, I'm going to
10 object to this line of questioning. And as
11 counsel has cautioned earlier about the issue
12 here today is about the removal. It sounds
13 like we're doing a deposition trying to get
14 the location of documents and records --

15 MR. SCOTT: But there was an issue
16 about whether or not a certain set of
17 documents -- whether the real documents are
18 not the real documents and that's what this
19 is all about.

20 THE COURT: Overruled.

21 BY MR. SCOTT:

22 Q. Now, Mr. Searcy, at the end, there's the
23 official minutes, correct, when we finally sign off
24 on them, right?

25 A. Yes, correct.

1 Q. Are there drafts prepared prior to the final
2 minutes being completed?

3 A. When the minutes go out, the board members
4 have an opportunity to review them for accuracy and
5 then we come back in and make sure that they're
6 accurate.

7 Q. So when you say it goes out to the board,
8 are you sending them the fully completed minutes, or
9 is that an interim draft?

10 A. There may be an interim draft. It could be
11 a variety.

12 Q. And then you have, after the draft is sent
13 out, do you get comments back?

14 A. On some occasions we get comments back;
15 sometimes we don't.

16 Q. Do you recall in regard to the April 8th and
17 April 9th board meetings, whether or not you sent out
18 drafts of the minutes of those meetings?

19 A. I don't recall.

20 Q. Did you prepare a draft?

21 A. I don't recall.

22 Q. Do you recall getting any feedback on the
23 minutes, whether it was a draft or a final?

24 A. I'm sorry. I don't.

25 Q. You would normally do that by email, right?

1 Send it out by email, the draft by email?

2 A. Yes.

3 Q. How long would you wait for a response
4 before you finalize the minutes?

5 A. There's no prescribed, no prescribed time.

6 Q. Has there ever been an occasion where you
7 send out a draft and the final version that's in your
8 file does not reflect the draft accurately? In other
9 words, it's different?

10 A. If someone were to make updates or a
11 decision or deletion or corrections.

12 Q. When you send out the document everyone has
13 an opportunity to edit it. Is that what you're
14 saying?

15 A. I want to make sure it's correct, correct.

16 Q. Did you change the content of the April 8th
17 or April 9th minutes from April 8th until you put the
18 final version in the file? Did you make changes?

19 A. I don't recall.

20 Q. How would I know whether or not you made
21 changes or not? Would that be another Word document?

22 A. It could be on a Word document. It could
23 be -- I couldn't, I'm sorry. I don't know.

24 Q. Would there be an email trail of you sending
25 out drafts?

1 A. Definitely correct.

2 MR. SCOTT: May I approach?

3 THE COURT: Thank you.

4 BY MR. SCOTT:

5 Q. I'm going to show you, Mr. Searcy, a
6 document marked as P-2. And this is an email from
7 Mr. Douglass sent Tuesday, March 25, 2025. Is that
8 Jerlando Jackson? You see that?

9 A. It says to Jesse Tyson, Ceasar Mitchell --
10 I'm sorry, Jerlando Jackson.

11 Q. Who is that, by the way?

12 A. He is the Grand Graptor, which is our
13 official publications newsperson.

14 Q. Right under that appears to be a thread.
15 Right under that is an email from Mr. Douglass on
16 March 23rd to Mr. Tyson. And Mr. Mitchell, right,
17 the legal counsel we talked about; is that correct?

18 A. Yes.

19 Q. If we go to the next page, there's another
20 person named Thurbert Baker. You see that?

21 A. I'm looking for Thurbert Baker. Help me,
22 please.

23 Q. It's on the top of the second page.

24 A. "Cc".

25 Q. Yes.

1 A. Got it.

2 Q. Who's Mr. Baker? What's his role?

3 A. I don't know who Thurbert Baker is.

4 Q. He has a Dentons.com address. He's an
5 attorney, I would assume. You see that?

6 A. Yes.

7 Q. So this is in relation to Dentons' legal
8 terms of engagement, correct?

9 A. Yes.

10 Q. And then if you go down below, I have an
11 email from you; is that right?

12 A. Correct.

13 Q. That's dated -- what date is that?

14 A. It's January 17th.

15 Q. Right.

16 What are you doing here with regards to the
17 email to all the board members?

18 A. I'm sending them a copy of a proposed
19 engagement letter from Dentons.

20 Q. So at some point, Dentons, there was a whole
21 process where Dentons was approved as general
22 counsel, right?

23 A. No, it was not.

24 Q. Were you part of the national search
25 for general counsel?

1 A. No, I was not.

2 Q. Are you aware that Dentons was selected?

3 A. No. I know that -- let me take that back.

4 I know that Dentons was serving in the capacity. We
5 did not know that there was not an engagement letter
6 that had been formally...

7 Q. I guess my question is a little different
8 than you -- you may have muddled it up.

9 Were you aware that there was a selection
10 process that took months and that selection process
11 determined and there were members of the fraternity
12 that determined that Dentons would become general
13 counsel?

14 A. I'm not aware of that.

15 Q. Were you a board member back in January,
16 right?

17 A. Correct.

18 Q. What I'm showing has been marked as P-3.
19 It's an email from, at this point, Grand Sire Archon
20 Douglass. Do you see that?

21 A. Yes.

22 Q. And it's addressed to
23 Communications@BouléJournal.org. What is that
24 address?

25 A. Communications@BouléJournal.org is an email

1 that is used by the Boulé journal team. Boulé
2 journal is our PR role.

3 Q. And then do they disseminate these types of
4 communications?

5 A. They do disseminate information throughout
6 the fraternity, correct.

7 Q. And the subject of it is, Seize the Future,
8 Meet our General Counsel. Do you see that?

9 A. Yes.

10 Q. Does this refresh your memory as to when
11 Denton was approved as general counsel?

12 A. No, there was never an approval by the Grand
13 Board.

14 Q. I think we're talking about two different
15 things. I'm not talking about the board. I'm
16 talking about the approval process. Does this
17 refresh your memory as to whether or not the national
18 search landed on the Dentons firm?

19 A. I never knew anything about a national
20 search.

21 Q. Can you just take a look at this document
22 for us?

23 A. Yes, absolutely.

24 Q. This is announcing to the archons of the
25 selection and how the selection was completed, right?

1 A. Correct.

2 Q. It also actually identifies Archon Caesar
3 Mitchell as the appointed general counsel, doesn't
4 it?

5 A. It does.

6 Q. It also give you the names of the panel. Do
7 you see that?

8 A. It does.

9 Q. There is, I think, a former or current
10 Fourth Circuit judge that was part of that panel,
11 correct?

12 A. I don't know who that is.

13 Q. But you are completely outside of this
14 process, the selection process?

15 A. Correct, right.

16 Q. It goes on to talk about Mitchell on page
17 two and it also talks about other members of Dentons
18 and the fact that they're members of the Boulé.

19 Looking at this document, does this not
20 refresh your memory as to whether or not there was a
21 selection process that resulted in Dentons being
22 accepted as the general counsel?

23 A. No.

24 Q. You had testified that before -- I'm sorry,
25 I have to give you the date. On April 8th, you had

1 testified that -- not the executive committee but the
2 investigation committee. Is that the right term?

3 A. For what?

4 Q. For the charges that were being brought?
5 What's the right term? There was a group of five.
6 It includes Tyson, Mr. Bradley -- what was the names?

7 A. You have five members of the executive
8 committee and you have five members of the
9 investigative committee. So you have to help me out
10 now. I want to make sure --

11 Q. Bradley, Ahmad, Tyson.

12 A. The investigative committee.

13 Q. So you had said that during the meeting of
14 April 9th of 2025, that there was a discussion among
15 the investigative committee as it relates to what was
16 going to happen with regards to the charges, correct?

17 A. The investigative committee recorded out to
18 the Grand Board on the second day of the meeting,
19 which would have been April 9th.

20 Q. Right. And then during April 9th, there was
21 a discussion, which included the investigation
22 committee, right?

23 A. The investigative committee which reported
24 out to the Grand Board about their findings from the
25 investigation.

1 Q. And they also reported about their
2 recommendations, right?

3 A. Correct.

4 Q. And Mr. Bradley was there when that was
5 taking place, correct?

6 A. Correct.

7 Q. And during that April 9th meeting,
8 Mr. Bradley made it known that if there was going to
9 be a motion to remove him as Grand Sire, his vote
10 would be no; isn't that correct?

11 A. I wouldn't know that.

12 Q. Because you are not on the executive
13 committee, right?

14 A. I'm not on the investigative committee.

15 Q. Nor are you on the executive committee.

16 A. I am on the executive committee.

17 Q. You are on the executive committee?

18 A. Correct.

19 Q. Now when a motion was made, present during
20 that motion -- Mr. Bradley had left, correct? You
21 have the minutes up there. We don't need to guess.
22 So I forget what the exhibit is.

23 A. You want to tell me which set -- what I'm
24 looking at?

25 Q. I think D-7.

1 A. I don't have anything that says D-7.

2 MS. CHEWNING: SPP-7.

3 THE WITNESS: The minutes from April
4 8th and 9th.

5 MR. SCOTT: Yes.

6 BY MR. SCOTT:

7 Q. Do you have those?

8 A. I do.

9 Q. And along this document, you see that
10 there's times inserted on occasion. Do you see that?
11 The first page has -- the last line has 2:00, 2:20?

12 A. Are you looking at the executive?

13 Q. I'm looking at the meeting of the Grand
14 Board right now. You're on Exhibit 7. You see the
15 bottom?

16 A. I do.

17 Q. So the first part is 1:00 to 5:00 p.m.,
18 correct, first page?

19 A. Correct. 1:05 to 5:00 p.m.

20 Q. And this was conducted by April 8th. Was
21 this available on the Zoom link?

22 A. I don't know.

23 Q. Well, let's take a look. So it looks
24 like -- or you have nine more archons present at the
25 Hyatt. And they were available via Zoom. You have

1 also non-board members, non-board archons available
2 by Zoom. Does that refresh your memory?

3 A. Yes. I don't think there was a Zoom. This
4 meeting was done via Zoom -- it does not.

5 Q. This meeting was entirely by Zoom, April
6 8th?

7 A. No, it was not.

8 Q. So the top of it says, Hyatt Regency Hotel
9 in Florida and via Zoom.

10 A. Hyatt Regency in Florida and via Zoom.
11 Correct. There were people on Zoom. I just don't
12 know if it was recorded or not.

13 Q. You don't know if the April 8th was
14 recorded?

15 A. Correct.

16 Q. If we turn to -- bear with me -- the
17 executive session, which is on page 7, this does tell
18 you that there were certain board members present via
19 Zoom?

20 A. Correct.

21 Q. Based on your general practice, that Zoom
22 meeting is recorded?

23 A. The Zoom was not recorded. It was recorded
24 via AI digital recorder that I have.

25 Q. What is that?

1 A. It's a digital recorder.

2 Q. And you took it off the screen? Is that how
3 it works?

4 A. No. It's a digital recorder. Because it
5 was an executive session, we tend to not record
6 executive sessions in this particular occasion.
7 Because of the nature of the meeting, we had a
8 digital recorder.

9 Q. In a normal case -- put this one aside --
10 when a Zoom is recorded, is it set up as though you
11 can see the gallery where everybody is speaking?

12 A. We had a Zoom. There was a gallery, there
13 were people in the gallery. In this particular case,
14 we used the digital recorder and we got permission
15 from Archon Douglass and the rest of the board to use
16 the digital recorder because it was an executive
17 session.

18 Q. So was there a chat inside the Zoom?

19 A. I think there's always a chat.

20 Q. Do you save any information that anybody
21 puts up on the chat?

22 A. That was not recorded via Zoom so there
23 would not be any chat or any Zoom features recorded.

24 Q. And the times here you have people in
25 attendance via Zoom, how did you get the timestamps?

1 A. Because we were taking notes, we were taking
2 notes. We were taking notes and we were -- and on
3 the AI recorder, it's time-stamped.

4 Q. Did you take a straw vote? As to the motion
5 to remove, did the board take a straw vote?

6 A. What do you mean straw vote?

7 Q. Made a motion. Somebody said I want to make
8 a motion to remove, show of hands; did you do that?

9 A. No.

10 Q. Has that ever happened in the Boulé?

11 A. No, sir.

12 Q. So then we see that Mr. Bradley down below
13 here, he was there from 10:48 to 12:23, correct?

14 A. Correct.

15 Q. Do you have the time recorded in these final
16 minutes when the motion was made?

17 A. Obviously, we can't go back and have the
18 transcript of the AI. We can go back and get the
19 time, every second of that conversation.

20 Q. That is a true statement. But I'm asking
21 you about what you wrote down in the minutes. The
22 final minutes that are in it, the conclusory minutes.

23 A. Which minutes are you specifically referring
24 to?

25 Q. I am looking at the executive session

1 minutes. The question is --

2 A. Is there a specific -- I'm sorry, help me.

3 THE COURT: What page number are you
4 referring to? I don't see it.

5 MR. SCOTT: I'm asking him did he
6 record the times in the notes of when the
7 motion to remove was made?

8 MR. JORDAN: Your Honor, objection.
9 It's ambiguous to even record the time in the
10 notes.

11 THE COURT: I guess the question is do
12 you recall recording the time the motion was
13 made?

14 THE WITNESS: I do not.

15 THE COURT: And it's not reflected in
16 the notes.

17 THE WITNESS: It's not reflected in
18 the notes, no.

19 BY MR. SCOTT:

20 Q. So that's not reflected.

21 So just by looking at the minutes, we don't
22 know when the motion was made, correct?

23 A. We don't know exactly what time.

24 Q. Were you aware that -- did Mr. Bradley
25 communicate to you that he had to leave?

1 A. Did not.

2 Q. Did he communicate that to anybody that
3 you're aware of?

4 A. No.

5 Q. Were you aware that Mr. Bradley attempted to
6 return to the meeting late? Are you aware of that?

7 A. No.

8 Q. You never had a conversation with anybody
9 that said Bradley came back and couldn't log on?

10 A. No.

11 Q. You never had a conversation with anybody
12 that says there's a motion to remove, my vote is
13 "no"?

14 A. No.

15 Q. Mr. Bradley was present at the meeting?

16 A. He was present at the meeting.

17 Q. If Mr. Bradley had said to Mr. Tyson and the
18 other people on the executive or investigative
19 committee my vote is no, would that have been
20 counted?

21 MR. JORDAN: Your Honor, I object.

22 There's no testimony in regards to that.

23 It's a misstatement. There's no facts in
24 evidence.

25 THE COURT: I recognize that it is a

1 hypothetical. I think that's what it is. I
2 think how you operate -- could you answer
3 that question?

4 THE WITNESS: Our bylaws do not allow
5 for voting via Zoom or via any -- I'm sorry,
6 our bylaws do not allow for voting by any
7 member that is not present.

8 BY MR. SCOTT:

9 Q. And he was present though, wasn't he?

10 A. He wasn't present when the motion was made
11 and when the vote was taken.

12 Q. Did you purposely, or anyone else on the
13 board, wait until Mr. Bradley left?

14 A. No.

15 Q. Did you become aware, at anytime after the
16 vote, by any source that Mr. Bradley was going to --
17 did vote no?

18 A. Yes.

19 MR. JORDAN: Your Honor, I would
20 object. There's no testimony that
21 Mr. Bradley voted no. It's an ambiguous
22 question. It assumes that Mr. Bradley was in
23 the meeting before they would know. We've
24 already had the testimony that he was not in
25 the meeting.

1 THE COURT: I think Mr. Searcy is
2 capable of answering the question,
3 understanding the permutation. So I would
4 just ask you to answer the question.

5 THE WITNESS: We received a
6 mysterious text message from Loren Douglass
7 five hours -- four to five hours later, we
8 were all on our way back home to South
9 Florida -- saying that you missed a vote.

10 MR. SCOTT: I didn't understand a word
11 you just said. Can you repeat that?

12 THE WITNESS: This is hearsay. I was
13 told that we received a text message from
14 Loren Douglass four to five hours later
15 saying that you had missed a vote. Bradley's
16 vote didn't count. I'm still Grand Sire.

17 BY MR. SCOTT:

18 Q. So then you did learn that Bradley voted no?

19 MR. JORDAN: Objection, Your Honor.
20 It's ambiguous.

21 THE COURT: Stop it. It's sustained.

22 BY MR. SCOTT:

23 Q. So I'm going to draw your attention to page
24 12 of SPP Exhibit 7. Let me know when you get there.

25 A. I'm here.

1 Q. See where it says "Additional Discussion"?

2 A. Yes.

3 Q. Do you see where it has the sentence above
4 that relates to Mr. Bradley?

5 A. "Grand Rhetoricos Bradley was not present to
6 vote." Correct.

7 Q. Do you recall that your draft of these
8 minutes indicated that Bradley was ineligible to
9 vote?

10 MR. JORDAN: Your Honor, objection.

11 THE WITNESS: I don't --

12 MR. JORDAN: -- he never said that he
13 was eligible to vote.

14 THE COURT: I think the question is
15 overruled. The question is whether you
16 recall.

17 THE WITNESS: I don't even recall if
18 there was a draft of these notes.

19 BY MR. SCOTT:

20 Q. If you did make a change, would those
21 changes be reflected in the document in any way? In
22 other words, if you had the original document and you
23 deleted something and changed it, would there be a
24 trail of the type of things that were added and
25 deleted?

1 THE COURT: Redlining?

2 MR. SCOTT: Redlining, yes.

3 THE WITNESS: No.

4 BY MR. SCOTT:

5 Q. Is there a difference between ineligible to
6 vote and not present to vote?

7 A. I don't understand.

8 Q. I'm asking you. I'm in the bylaws. Is
9 there a difference between someone who's ineligible
10 to vote and --

11 A. I thought I made it very clear, present and
12 voting.

13 THE COURT: Mr. Scott, I hope you're
14 almost finished because it is almost 3:30. I
15 think that we have to let him go.

16 BY MR. SCOTT:

17 Q. Was there a time when you and Mr. Douglass,
18 before the removal, got into an online dispute to
19 announce -- personal?

20 A. Yes.

21 Q. Was there a time when you called him a pimp?

22 MR. JORDAN: Your Honor, I'm going to
23 object. This, again, goes to what the Court
24 instructed regarding substantive issues and
25 we're just dealing with the requirements.

1 THE COURT: I'd like to understand
2 what Mr. Scott...

3 MR. SCOTT: It goes to his bias.

4 THE COURT: First of all, I'll allow
5 it. But it's in the context of this
6 particular dispute?

7 MR. SCOTT: Yes.

8 THE COURT: What's the timing?

9 MR. SCOTT: Oh, this was before the
10 vote, in the same time period.

11 BY MR. SCOTT:

12 Q. Do you remember the -- I'll call it the
13 internet dispute, the email dispute that was just
14 before the vote, the motion to remove, wasn't it?

15 A. No.

16 Q. Did you call him a pimp?

17 A. On February 14th, I sent Loren Douglass a
18 personal email directly to him and told him that we
19 had given -- this board has given him grace. He has
20 abused his authority. He has overspent his money.
21 He has not shown any fiduciary responsibility to this
22 fraternity, that he would not use this fraternity as
23 his personal slush fund and you will not pimp this
24 fraternity. You will not pimp this fraternity like a
25 used car salesman.

1 THE COURT: Thank you. Great.

2 MR. SCOTT: I was just going to ask
3 him.

4 BY MR. SCOTT:

5 Q. Now just one question about the money. When
6 someone submits an expense, they're not asking
7 for the Boulé to pay them. Here, it's going to cost
8 me \$3,000 to go to Miami today. The person is
9 actually paying the money out of their own pocket,
10 correct?

11 A. Give me a real life...

12 Q. Today -- you traveled today, right?

13 A. Correct.

14 Q. You're going to charge it to the Boulé?

15 A. It's on my dime.

16 Q. I'm sorry, it's on your dime?

17 A. It's on my dime.

18 Q. When was the last time you traveled on Boulé
19 business?

20 A. I travel on Boulé business a lot.

21 Q. If you wanted to get -- you would put out
22 your own money, correct?

23 A. Correct.

24 Q. And if you wanted to get reimbursed because
25 you thought it was within the guidelines, you would

1 submit your reimbursement request, correct?

2 A. I have reached my budget for traveling.

3 Q. That's not my question. You would submit
4 your reimbursement because --

5 A. I would not because I have gone beyond my
6 budget for the fraternity. So I am \$10,000 over my
7 budget, which I am eating on my own dime.

8 Q. Now this is a very general question.

9 A. Yes.

10 Q. Before you reached your budget, right, this
11 is not a hypothetical, but I'm sure this has happened
12 in the past. Before you reached your budget, your
13 personal budget that's assigned to you, the process
14 is when you go on Boulé business, you pay out of your
15 own pocket, correct?

16 A. Correct.

17 Q. And then you submit that for reimbursement,
18 correct?

19 A. Up to your budget lineup.

20 Q. That's not my question. You submit that
21 for reimbursement and then it's reviewed by somebody,
22 correct?

23 A. Correct.

24 Q. And then on occasion, you have been the
25 reviewing officer of --

1 MR. JORDAN: Your Honor, I'm going to
2 object. It's getting to the substance of the
3 removal.

4 THE COURT: I think I -- Mr. Scott,
5 you have sort of exceeded your boundary.
6 Define what we want to address here, you've
7 kind of gone beyond, so please wrap it up.

8 MR. SCOTT: I have one question.

9 BY MR. SCOTT:

10 Q. And then those expenses would either be
11 rejected or approved. That's the process, correct?

12 A. Not correct.

13 MR. SCOTT: Okay. That's all I have.

14 THE COURT: Recognizing that I think
15 you have to get on the road -- counsel,
16 anything else?

17 MR. JORDAN: Just one.

18 - - -

19 REDIRECT EXAMINATION

20 - - -

21 BY MR. JORDAN:

22 Q. Do you still have P-3 in front of you?

23 A. P-3?

24 Q. Yes, P-3. It's a picture with Loren in the
25 front.

1 A. Got it. Thank you.

2 Q. You were asked questions about this P-3 that
3 this document went out and it talks about the
4 announcement of the general counsel, correct?

5 A. Correct.

6 Q. You were asked about what was this name at
7 the bottom, Communication@BouléJournal.org, correct?

8 A. Yes.

9 Q. Who sent that document out?

10 A. Someone on the Boulé journal team. I don't
11 know who took it.

12 Q. Whose name is listed here on this document?

13 A. The communication@BouléJournal.org.

14 Q. Does it say "Grand Sire Archon Loren
15 Douglass"?

16 A. Yes, it does.

17 Q. Is Communication@BouléJournal.org a
18 Listserv?

19 A. It's a Listserv, correct.

20 Q. So anybody can post on there and they'll
21 shoot the document out; is that correct?

22 A. Correct.

23 Q. You were also asked about SP-2, a chain of
24 emails starting from Loren Douglass on March 25,
25 2025. It goes around to page two and three, January

1 17th with the engagement -- alleged engagement letter
2 for Dentons. It's SP-2.

3 A. P-2?

4 Q. Yes.

5 A. Yes.

6 Q. It says Archon Douglass sent to you, you
7 sent out to the board a pending engagement letter
8 with the Dentons firm, correct?

9 A. Yes.

10 Q. What precipitated Archon Douglass to send
11 out the engagement letter January 25th?

12 A. Because he found out that the board knew
13 that he did not have an authorized letter of
14 engagement.

15 Q. What do you mean found out? Was he
16 questioned?

17 A. He was questioned about it and was told and
18 the board discovered that there was not a letter of
19 engagement. And this was an attempt to resolve --

20 MR. SCOTT: Objection. He has no
21 personal knowledge of this.

22 THE COURT: Wait. Mr. Scott, first of
23 all, too many people talking at one time.
24 Your objection is that he has no personal
25 knowledge?

1 MR. SCOTT: No. he keeps saying that
2 he was told, he was told.

3 BY MR. JORDAN:

4 Q. Archon Searcy, were you in the room when
5 Archon Douglass was questioned about the engagement
6 letter with the Dentons firm?

7 A. Yes.

8 Q. And when did that happen?

9 A. We were -- I can't recall right offhand.

10 Q. Was it prior to the date of January 17?

11 A. It was in Kohler, Wisconsin, the first
12 weekend of January because we were there for an
13 executive committee meeting in Kohler, Wisconsin at
14 the American Club.

15 Q. And had you received a bill from Dentons?

16 A. We had just received -- correct -- we had
17 just found out there was a \$700,000 bill from --

18 Q. And it was in that meeting, which you
19 attended, that this issue was raised with Archon
20 Douglass.

21 A. Correct.

22 Q. And thereafter this went out; is that
23 correct?

24 A. Correct.

25 MR. JORDAN: I have no further

1 questions.

2 THE WITNESS: Thank you.

3 THE COURT: Thank you very much
4 for your time. All right.

5 (The witness exits the stand.)

6 (A brief recess was taken.)

7 THE COURT: Call your next witness.

8 MR. JORDAN: I call Jeffrey Webster.

9 THE COURT: Mr. Webster, come on up.

10 THE COURT CRIER: Good afternoon.

11 Please spell your first and last name for the
12 court reporter.

13 THE WITNESS: Jeffrey, J-E-F-F-R-E-Y;
14 last name Webster, W-E-B-S-T-E-R.

15 THE COURT CRIER: Raise your right
16 hand, please.

17 THE COURT: Thank you.

18 THE COURT CRIER: Jeffrey Webster.

19 - - -

20 . . . JEFFREY WEBSTER, having been duly sworn,
21 was examined and testified as follows:

22 - - -

23 DIRECT EXAMINATION

24 - - -

25 BY MR. JORDAN:

1 Q. And where do you reside?

2 A. Phoenix, Arizona.

3 Q. And what's your occupation?

4 A. I'm retired.

5 Q. And prior to retiring, what was your
6 occupation?

7 A. I was a senior executive with Exxon Mobile
8 Corporation.

9 Q. I'm going to ask him if he can move up to
10 the mic and scream so that we don't have to lose --

11 THE COURT: Well, let's see how --

12 MR. JORDAN: See how it goes.

13 THE COURT: Exactly.

14 BY MR. JORDAN:

15 Q. So, again, what is your last occupation?

16 A. I was senior executive with Exxon Mobile
17 Corporation.

18 Q. What did you do with Exxon Mobile?

19 A. My background is in sales and marketing at
20 Exxon Mobile.

21 Q. What was your position responsibility?

22 A. Most of my career I spent in sales and
23 marketing running sales units on a global basis.

24 Q. What do you mean running sales units?

25 A. Leadership positions, I ran sales in the

1 Asian Pacific market. I run sales in European
2 markets. I run sales in the Americas. I run sales
3 in South America. I also managed the distributor
4 business for over ten years. And when I retired, I
5 led it downstream, learning the professional
6 development function which focused on --

7 THE COURT: Can you actually -- I'm
8 trying to comprehend everything. Slow down a
9 little bit. So, you said after you retired?

10 THE WITNESS: No, that was prior to
11 retiring.

12 THE COURT: Before you retired. Right
13 before you retired, what did you do?

14 THE WITNESS: I was in sales and
15 marketing.

16 THE COURT: Okay. And then after
17 that.

18 THE WITNESS: When I retired, I was in
19 learning in professional development.

20 THE COURT: Professional development.

21 THE WITNESS: Sales and marketing.

22 BY MR. JORDAN:

23 Q. When you said you ran sales, what does that
24 mean in the international market and all the other
25 places?

1 A. We do business all over the world. And
2 typically, in many of the markets, we'll have a sales
3 unit that focuses on settling finished lubricants,
4 CBL lubricants, commercial lubricants.

5 Q. But in your process, you would run sales
6 with the manager? Were you a door knocker? What do
7 you mean by ran sales?

8 A. I typically oversee multiple markets. So in
9 Asia Pacific, I would oversee sales in the markets of
10 Singapore, Malaysia, Taiwan, Japan, Australia, New
11 Zealand, South Pacific.

12 Q. So you have a number of employees that
13 reported to you?

14 A. Yes.

15 Q. And are you familiar with the organization
16 called Grand Boulé of Sigma Pi Phi?

17 A. I am, yes.

18 Q. How are you familiar?

19 A. I joined the Sigma Pi Phi organization in
20 2016 as an archon.

21 Q. And do you hold any position in the
22 fraternity?

23 A. I am currently the committee chairman of the
24 grand constitution and bylaw committee.

25 Q. And what's your responsibility in the grand

1 constitution and bylaw committee?

2 A. Uphold the governance laws of Sigma Pi Phi,
3 which includes the constitution, the bylaws, the
4 rituals, protocols.

5 It's also living the best practices and make
6 sure, from time to time, we're reviewing the document
7 to ensure that it's consistent with our strategy and
8 business practices.

9 We also field multiple calls from archons
10 and from member boulés from regions and from other
11 archons' questions relative to the document --
12 constitution and bylaws document.

13 MR. JORDAN: Your Honor, if I can
14 approach and give the witness --

15 THE COURT: Sure.

16 BY MR. JORDAN:

17 Q. I'm going to hand you what's been marked as
18 P-28, which is the document entitled, "Constitution
19 and Bylaws of Sigma Pi Phi". Particularly, I want to
20 direct you to the provision on page -- I think it's
21 page -- do you see provision there for establishment
22 of the constitution of bylaws committee?

23 A. Yes.

24 Q. And what section is that?

25 A. Section 3A in Bylaw 4.

1 Q. Does it define the duties there?

2 A. It does.

3 Q. Are those the duties that you're just
4 enumerating?

5 A. They are.

6 Q. And how did you become the chairman of the
7 constitution of bylaws?

8 A. I was appointed as the committee chair for
9 the grand constitution and bylaws by Archon Douglass.

10 Q. And when you say appointed, were there any
11 other steps after that once he appointed you?

12 A. There were steps before and after the
13 appointment.

14 Q. What were the steps before?

15 A. When Archon Douglass was elected as Grand
16 Sire-elect -- that would have been in 2022. Several
17 months after his appointment, he approached me and
18 asked if I would be interested in serving, once he
19 became Grand Sire, as the committee chair for the
20 grand constitution and bylaws.

21 Q. Prior to being appointed the grand
22 constitution and bylaws chair, had you had any
23 previous experience with the constitution and bylaws?

24 A. Yes.

25 Q. And what was that?

1 A. With the Executive Leadership Council. I
2 served --

3 MR. SCOTT: Objection. This is the
4 same line of questioning that I wasn't
5 allowed to get into.

6 THE COURT: I recognize that. I think
7 to be consistent, I think I --

8 MR. JORDAN: Your Honor, that's not
9 correct. The objection is incorrect. This
10 morning, Mr. Turner said that Mr. Webster had
11 no experience in the constitution and bylaws,
12 et cetera, et cetera, et cetera. I mean, I'm
13 asking the witness what his experience is.

14 THE COURT: So what was the question?

15 MR. JORDAN: I asked him -- I forgot
16 the question -- I asked him what
17 experience -- if he had any prior experiences
18 from being chair -- his involvement with
19 constitution and bylaws prior to his
20 appointment.

21 MR. SCOTT: It had to do with the
22 Boulé.

23 THE COURT: Right. But I think there
24 is a distinction here because of his role as
25 the chairperson of the constitution and

1 bylaws made. So I'm going to make -- I
2 recognize that it may seem -- but I do think
3 in this particular matter his experience
4 would be somewhat relevant.

5 MR. SCOTT: So, just for
6 clarification. It sounded like he's going to
7 give an opinion testimony. We were never
8 provided with a report prior to the
9 admission, I mean.

10 THE COURT: They called him as an
11 expert?

12 MR. SCOTT: That's what it sounds like
13 to me.

14 MR. JORDAN: No, Your Honor. I have
15 not asked those kind of questions.

16 THE COURT: What's your intention?

17 MR. JORDAN: First, my question is
18 what experience he had with the constitution
19 and bylaws prior to this, because Mr. Turner
20 directly went after his qualifications.

21 He has the right to talk about his
22 qualifications since the petitioner put it at
23 issue.

24 THE COURT: Are you saying that the
25 statement was made by Mr. Turner?

1 MR. JORDAN: Absolutely.

2 THE COURT: His capacity to serve on
3 this committee? I don't follow.

4 MR. JORDAN: Absolutely. He said that
5 he was not a lawyer. He didn't know anything
6 about constitution and bylaws -- and I'm
7 paraphrasing when I say that. I don't know
8 exactly what he said.

9 THE COURT: My concern is that we're
10 only here about this particular matter. I
11 recognize that he has -- I think I would just
12 ask whether he's had any -- just not to get
13 into the substance of this, whether he has
14 any experience.

15 MR. JORDAN: Your Honor, I have a
16 concern about that. Mr. Turner was here to
17 espouse his opinion about Bylaw 4 -- Bylaw
18 2(4G). He did it over and over again. Am I
19 hearing you correctly that I cannot ask this
20 witness about that?

21 THE COURT: No, not about 4G. But
22 more so now, I don't think that -- his
23 experience may be somewhat relevant, but each
24 entity has a set of bylaws. I don't want to
25 import his interpretation from another entity

1 into this, inject that into this.

2 MR. JORDAN: Well, then, Your Honor, I
3 would like to ask a motion to strike anything
4 that Mr. Turner's testimony this morning that
5 talked about Mr. Webster's qualifications.

6 THE COURT: I don't recall that
7 testimony, but do you have any concern about
8 the qualification issue? I don't remember
9 that specifically.

10 MR. SCOTT: I think we're all
11 qualified to --

12 THE COURT: To interpret.

13 MR. SCOTT: -- to read on paper what
14 we individually believe. It's not whether
15 someone attacks someone's credibility.
16 That's an issue of credibility.

17 THE COURT: I'm not persuaded to
18 strike the testimony, but I am going to allow
19 just some testimony about his experience.
20 That's it. So what other experience do you
21 have?

22 THE WITNESS: Prior to becoming the
23 board chair for the chair committee for the
24 grand constitution and bylaws, I was the
25 bylaws chair member for the Executive

1 Leadership Council organization, which has
2 approximately 8,000 members.

3 I served as the corporate secretary
4 for the Executive Leadership Council. I was
5 on the board there for 11 years.

6 MR. JORDAN: And when --

7 THE COURT: I do have a question. Not
8 to cut off testimony that relates to
9 Mr. Turner's experience, I'd be happy to take
10 information you have on that subject.
11 Go ahead.

12 BY MR. JORDAN:

13 Q. When did you become chair of the
14 constitution and bylaws committee?

15 A. Upon Loren's ascension -- upon Douglass's
16 ascension to the Grand Sire in June of 2024.

17 Q. And what's the composition of the grand
18 constitution and bylaws committee?

19 A. We have 12 members. So the composition of
20 the grand constitution and bylaws committee, we have
21 two archons from each of the five regions. In
22 addition, we have the general counsel, which is ex
23 officio, and myself as a chairman. That makes up the
24 committee.

25 Q. What professions would make up that

1 committee?

2 A. On the grand constitution and bylaws
3 committee, we have six attorneys and two judges. One
4 of the judges is a retired Supreme Court justice for
5 the state of Michigan.

6 Q. Are there others from other professions on
7 that committee?

8 A. We do. We have a mix. We have eight from
9 the legal profession. Again, six attorneys, two
10 judges and four laymen.

11 Q. How often does that committee meet?

12 A. Minimum once per month. We have a standing
13 meeting the first Tuesday of every month. Typically,
14 we have ad hoc meetings based on work demand and
15 questions that may arise, and then I frequently talk
16 to committee members at least on a weekly basis.

17 Q. And regarding the governance document, does
18 the constitution and bylaws have any role?

19 A. Can you rephrase?

20 Q. Regarding the governance documents of Sigma
21 Pi Phi, does the constitution and bylaws have a role
22 in those?

23 A. Yes, they do.

24 Q. And what's their role?

25 A. We basically have ownership of the

1 constitution and bylaws documents for Sigma Pi Phi.

2 Q. Are you familiar, does Sigma Pi Phi have
3 governance laws?

4 A. Sigma Pi Phi does have governance laws.

5 Q. Do you know what those governance laws are?

6 A. Yes.

7 Q. And what are they?

8 A. Constitution and bylaws; the rituals; policy
9 and procedure; and standards of conduct.

10 Q. So was there a time -- strike that.

11 Does the constitution and bylaws committee
12 or yourself give advice to the Grand Board?

13 A. Yes.

14 Q. Did you give advice to member boulés?

15 A. Yes.

16 Q. What is a member boulé?

17 A. A member boulé is an entity that is within
18 one of the five regions.

19 Q. Any other group you give, in a fraternity,
20 you give advice?

21 A. Archons, individual archons.

22 Q. Has there ever come a time when Archon
23 Douglass asked you for advice regarding the
24 constitution and bylaws?

25 A. Occasionally.

1 Q. Do you know whether or not he followed that
2 advice?

3 A. Occasionally.

4 Q. So I guess the other side -- was there a
5 time he didn't follow the advice?

6 A. A time I can cite that he wanted to do
7 something and that was to add additional members to
8 my committee.

9 Q. What, if anything, occurred from that
10 advice?

11 A. I advised him that each of the committees
12 had already been formed, that each of the committee
13 members had already been vetted and approved by him,
14 and they had also been extended membership and agreed
15 to serve on the committee.

16 Q. Did he welcome that advice?

17 A. He had two other individuals he wanted to
18 add to my committee.

19 Q. How did he take your advice if you know?

20 MR. SCOTT: What's the relevance?

21 MR. JORDAN: I'm establishing that
22 this committee provides sire archon advice as
23 well as others because there's other things
24 that we talked about in regard to Bylaw 2(4G)
25 about his ability to give advice.

1 THE COURT: I think it's sufficient
2 relevance here, so overruled. Go ahead.

3 THE WITNESS: Please repeat the
4 question.

5 MR. JORDAN: Well, let's move on.

6 BY MR. JORDAN:

7 Q. Is there some time when the grand
8 constitution and bylaws committee sometime in 2025
9 was called upon to give its opinion regarding the
10 removal of a grand officer from the board?

11 A. Yes.

12 Q. And do you know when that happened?

13 A. That happened in April of 2025.

14 Q. Who made that request?

15 A. That was a request from the board.

16 Q. From the Grand Board?

17 A. From the Grand Board.

18 Q. Anybody specifically?

19 A. That request, I can't recall specifically
20 which board member made the request, no.

21 Q. And did the grand constitution and bylaws
22 committee provide that advice?

23 A. We did, yes.

24 Q. I'm going to show you what's been marked SPP
25 Exhibit 9. It says Resolution 1, executive

1 committee, Grand Boulé Sigma Pi Phi. I really want
2 to take your attention to the second part. Have you
3 seen attachment A? Have you seen that before?

4 A. Yes.

5 Q. And what is that?

6 A. This is the opinion from the grand
7 constitution and bylaws committee on the
8 interpretation for Bylaw 2, Section 4G.

9 Q. And what is that opinion?

10 A. That opinion was that to remove an officer
11 required two-thirds vote of the board, present and
12 voting.

13 Q. How did you come to that opinion?

14 A. That section, Bylaw 2, Section 4G had a lot
15 of discussion. I read it on a number of occasions.

16 I also had consultation from other grand
17 constitution and bylaws committee members on their
18 interpretation. We also -- because it's a short time
19 frame, I spoke to probably three or four bylaw
20 committee members, independent of a committee call,
21 and once the prior report was being filed, I called a
22 meeting of the grand constitution and bylaws
23 committee. I asked if there was anyone that took
24 exception to the interpretation of the bylaws.

25 Q. Did everybody in the committee weigh in on

1 the opinion?

2 A. Yes.

3 Q. No one objected?

4 A. No.

5 Q. Does that opinion discuss how you rendered,
6 made the decision that requires present and voting
7 and not the entire board?

8 A. That is one complete sentence. The sentence
9 reads, "the entire board present and voting".

10 Q. And how did you get to the point that it
11 just means present and voting?

12 MR. SCOTT: Objection. It's like an
13 opinion. And it's not his opinion; it's a
14 group of people's opinions.

15 MR. JORDAN: I said committee --

16 MR. SCOTT: And we don't have an
17 opportunity to find out who those people are;
18 their names; what they did. I don't have a
19 opportunity to cross-examine them.

20 We understand that their decision has
21 already been made, that it doesn't say what
22 we say it says; and so I'm not really sure
23 how that can assist the Court.

24 THE COURT: Mr. Scott, thank you. I'm
25 going to allow Mr. Webster to give us his

1 interpretation understanding.

2 THE WITNESS: Thank you, Judge.

3 BY MR. JORDAN:

4 Q. There's a lot of discussion about the
5 structure of Bylaw 2, Section 4G and whether the term
6 had any impact on an entire and typically people
7 would stop at "entire" without reading the full
8 sentence, "entire board present" --

9 MR. SCOTT: Your Honor, he says a lot
10 of people would read it one way --

11 MR. JORDAN: I want you to, if I may,
12 Your Honor. If we're talking about the
13 process that the committee went through on
14 that and be direct about it.

15 THE WITNESS: Our committee had had
16 extensive dialogue on the structure of Bylaw
17 2, Section 4G, the meaning and interpretation
18 as a committee, the 12 members.

19 Our conclusion was that intent of the
20 bylaw was that the importance for the board
21 members in attendance, present and voting.

22 BY MR. JORDAN:

23 Q. Is that all, it was the intent, or was there
24 anything else that was considered with regards to
25 rendering that opinion?

1 A. There was a lot of discussion regarding that
2 opinion on present and voting because, again, there
3 was a dissent on if you read it just "entire," then
4 one board member could skip a meeting, which would
5 render the entire organization hostage. And the
6 board and organization would not be able to move
7 forward. We said that is absolutely not the intent
8 of that particular bylaw.

9 Q. Did you discuss the structure of the
10 sentence itself, any grammatical issues with it?

11 A. We touched and talked about the structure of
12 the sentence, the grammatical, that the word "entire"
13 is italicized, as many words are italicized within
14 the document.

15 Q. You discussed the various phrases within
16 that document in that provision?

17 A. Absolutely. The key phrase that he had
18 discussed is the phrase "present and voting".

19 Q. In your opinion, did you also talk about the
20 placement of the comma?

21 A. We did.

22 Q. And what was the committee rendering as to
23 that?

24 A. The committee rendered that the placement of
25 the comma is immaterial because it was not as a

1 standalone; it was one that ran together, present and
2 voting, and that it did not have any significant
3 meaning. That was the conclusion of our committee.

4 Q. Earlier, I asked you regarding the
5 governance documents. Let me ask you a question. Is
6 Robert's Rules of Order a governance document of
7 Sigma Pi Phi?

8 A. It is not.

9 Q. In SPP's Exhibit 9, regarding that, is there
10 a provision in the constitution and bylaws that gives
11 the executive committee a role in regards to
12 interpreting any conflicts in the constitution and
13 bylaws?

14 A. Yes.

15 Q. And what would that be?

16 A. Bylaw 3, Section 6A.

17 Q. What role would the executive committee have
18 on the process?

19 A. Where there is ambiguity within the grand
20 constitution and bylaws, the overriding body is the
21 executive committee in consultation with the grand
22 constitution and bylaws committee and general
23 counsel.

24 Q. Do you know what, if anything, the executive
25 committee did with the opinion rendered by the

1 constitution and bylaws committee?

2 A. There was a meeting with the grand
3 constitution and bylaws committee along with the
4 entire board and that was also attended by the GBCB.

5 Q. Going to hand you what's been marked, if I
6 may, P-12. It's entitled, "Preliminary Review of
7 Recommendations for Special Legal Review" from Ceasar
8 Mitchell. Have you seen that document before?

9 A. I have.

10 Q. You read that document?

11 A. I have.

12 Q. And have you had occasion to discuss that
13 document with Ceasar Mitchell?

14 A. I have.

15 Q. Is that document, in your opinion, a legal
16 opinion?

17 MR. SCOTT: Objection.

18 THE COURT: Excuse me. What's your
19 objection?

20 MR. SCOTT: He's asking him whether or
21 not a memo prepared by general counsel is a
22 legal opinion. How does he know?

23 THE COURT: Well, I guess my question
24 is what you're leading to.

25 MR. JORDAN: Well, let me -- have you

1 seen the legal opinions --

2 THE COURT: Sustained.

3 MR. JORDAN: Thank you.

4 BY MR. JORDAN:

5 Q. Have you seen legal opinions given by
6 lawyers?

7 A. Yes, I have.

8 Q. Have you read them?

9 A. Yes, I have.

10 Q. Have you been involved with lawyers?

11 A. Yes, I have.

12 Q. And when you read that document, did you
13 have an opinion about what that document was?

14 MR. SCOTT: Objection as to what he
15 thinks Mr. Ceasar's opinion was.

16 MR. JORDAN: I'm asking him if he had
17 an opinion on what he thought it was.

18 THE COURT: I think that's the
19 question. It's fine with the question, so go
20 ahead.

21 THE WITNESS: Yes.

22 BY MR. JORDAN:

23 Q. What is that?

24 A. I did not think it was a legal opinion.

25 Q. All right.

1 THE COURT: Counsel, I heard you say
2 the term legal opinion. Is that your term,
3 legal opinion?

4 MR. JORDAN: Well, this morning
5 Mr. Turner was calling it a legal opinion,
6 Your Honor, so that's why.

7 BY MR. JORDAN:

8 Q. But you're aware of that document?

9 A. I am.

10 Q. Have you had occasion to discuss the
11 document with Mr. Mitchell?

12 A. I discussed it with him, yes.

13 Q. Do you know whether or not Mr. Mitchell had
14 any discussion with the Grand Board regarding that
15 document?

16 A. We both had discussions with the Grand Board
17 regarding his document.

18 Q. And was that a different time or the same
19 time?

20 A. At the same time.

21 Q. Do you remember when that was?

22 A. On or about the end of April and middle of
23 May.

24 Q. Would it be safe to assume that you gave
25 your thoughts about what Bylaw 2, Section 4G meant

1 and Mr. Mitchell did the same?

2 MR. SCOTT: Objection as to what
3 Mr. Mitchell said.

4 MR. JORDAN: I'm asking --

5 THE COURT: What's your question?

6 MR. JORDAN: I asked, in the meeting
7 would it be safe to say that Mr. Webster had
8 the opportunity to talk about what his
9 opinion was about Bylaw 2(4G) and then
10 Mr. Mitchell had the opportunity.

11 THE COURT: Who's the "he" in your...

12 MR. JORDAN: Archon Webster.

13 THE COURT: So did you have an
14 opportunity to provide that?

15 MR. JORDAN: In that meeting. It's
16 for the state of mind in question, not about
17 the conversation. It's about did he have the
18 opportunity to give his opinion about Bylaw
19 2(4G) and also did Mr. Mitchell, at that
20 meeting, have the opportunity to give his
21 opinion about Bylaw 2(4G).

22 THE COURT: So it's a fine question.
23 So you may answer.

24 THE WITNESS: Yes.

25 BY MR. JORDAN:

1 Q. Prior to the constitution and bylaws
2 committee rendering its opinion, did you receive any
3 instructions about how the opinion was supposed to be
4 written or the conclusion of the opinion?

5 A. No.

6 Q. Did Mr. Archon Tyson give you any direction?

7 A. No.

8 Q. Did anybody in the Grand Board tell you?

9 A. No.

10 Q. Did the constitution and bylaws committee --
11 strike that.

12 Did the constitution and bylaws committee
13 consider itself an independent body in regard to this
14 matter?

15 A. Yes.

16 Q. Have you had the occasion to observe the
17 operation of the fraternity during the time
18 Mr. Douglass was Grand Sire?

19 A. Yes.

20 Q. And have you had the occasion to observe the
21 operation of the fraternity's function under Grand
22 Sire Tyson?

23 A. Yes.

24 Q. Did you have an opinion about how the
25 fraternity is running under Grand Sire Tyson?

1 MR. SCOTT: Objection.

2 MR. JORDAN: He's a member, Your
3 Honor.

4 THE COURT: I think your objection --
5 counsel, what is your objection?

6 MR. SCOTT: (A) It's not relevant.
7 It's not connected to the request
8 for injunctive relief as to how the
9 fraternity was running. It's an opinion of
10 one person out of 5300 members and clearly
11 it's been rehearsed.

12 MR. JORDAN: Your Honor, objection.

13 THE COURT: I recognize where you're
14 going, Mr. Jordan. Sustained.

15 MR. JORDAN: What's sustained?

16 THE COURT: I'm sorry. Overruled; the
17 objection. You may proceed.

18 MR. JORDAN: Your opinion.

19 THE WITNESS: Can you please repeat
20 the question?

21 MR. JORDAN: The question is, I asked
22 have you observed the operation of the
23 fraternity.

24 THE COURT: My apologies, I'm
25 sustaining the objection.

1 MR. JORDAN: Your Honor, let me give
2 an offer of proof. One of the elements is
3 the likelihood of harm and the state and
4 condition of returning in a mandatory
5 injunction the individual back into the --

6 THE COURT: Mr. Scott, can you respond
7 to that?

8 MR. SCOTT: Unless he speaks on behalf
9 of the whole fraternity, he's one voice out
10 of thousands. And so, everyone has an
11 opinion about something, Your Honor.

12 THE COURT: Understood. But I think
13 it is fair for the respondent to address that
14 issue. I do think the question is a bit
15 broad. So if you could just limit it to the
16 operation -- that specific question.

17 MR. SCOTT: Whether -- if the Court
18 deems it relevant, that means I'm going to
19 have to drag in other people to say the
20 opposite, right?

21 THE COURT: Well, that may be the
22 case, but I do think we need to demonstrate
23 these balances.

24 MR. JORDAN: Your Honor, I'm asking
25 for his opinion; nobody else's.

1 THE COURT: I would say that the
2 question that you pose is a bit -- is it
3 better? I'm not sure.

4 MR. JORDAN: In his opinion, is the
5 fraternity functioning better.

6 THE COURT: Function, the operations.
7 Yes, but why don't you restate that. Maybe
8 you have some help.

9 BY MR. JORDAN:

10 Q. So, again, in your opinion, how is this
11 fraternity functioning under Grand Sire Tyson?

12 A. It's functioning great.

13 MR. JORDAN: I have no further
14 questions.

15 THE COURT: If you could move a little
16 further. I think the suggestion was that we,
17 possibly, turn the air conditioning on again.
18 It's getting late.

19 - - -

20 CROSS-EXAMINATION

21 - - -

22 BY MR. SCOTT:

23 Q. Mr. Webster, were you involved in drafting
24 the bylaws in 2022? Bad question. You have the
25 cover sheet, right? September of 2020, what's the

1 adoption?

2 A. September 26, 2024.

3 Q. And those bylaws were in place before
4 Mr. Douglass became the Grand Sire, correct?

5 A. Yes and no. So there were two minor changes
6 at the Grand in June of 2024.

7 Q. Were those changes before or after Section
8 2?

9 A. No.

10 Q. So as it existed at the time that he became
11 Grand Sire, that was the set of rules that the Boulé
12 used?

13 A. Yes.

14 Q. And you have indicated on SPP Exhibit 8 --
15 and I shouldn't say "you". There's a memorandum.
16 You have that in front of you, Number 8?

17 THE COURT: Dated April 21st, right?
18 That's the one you're speaking of?

19 MR. SCOTT: Yes.

20 THE COURT: The attachment.

21 MR. SCOTT: It's the attachment.

22 THE COURT: The resolution, I have a
23 copy of it.

24 BY MR. SCOTT:

25 Q. This memorandum is dated April 21 2025, on

1 page one. It's address to the Grand Board. Who
2 wrote the memorandum?

3 A. I did.

4 Q. You wrote every single thing in here?

5 A. No, I did have help with the minutes.

6 Q. And do you disagree with any of the
7 statements made in this memo?

8 A. I can't hear you.

9 Q. Do you disagree with any of the statements
10 made in this memo?

11 A. I have to go back and -- you want me to read
12 the entire thing?

13 Q. No, I don't think so. But I was wondering
14 whether or not you read it once or twice, looked at
15 it. Do you have a disagreement about one or two
16 things in it generally?

17 A. That's a broad question. I don't know what
18 part -- if you want me to reread it, I can.

19 Q. Anything that jumped out at you back in
20 April, when you read it that needed to be adjusted or
21 changed?

22 MR. JORDAN: Your Honor, I object. I
23 think it's ambiguous and overly broad.

24 THE COURT: Please speak in the mic.

25 MR. JORDAN: I object. I think it's

1 ambiguous and overly broad. I'm not
2 understanding what counsel is asking the
3 witness to do.

4 THE COURT: Mr. Scott, can you restate
5 the question?

6 BY MR. SCOTT:

7 Q. My question is when you got the memo, when
8 it was finally completed, is there anything in here
9 that jumped out at you where you disagreed with it?

10 A. Typically, analyses such as this go through
11 writes, rewrites, changes, debates. So I'm not sure
12 I can answer your question specifically.

13 Q. The final product?

14 A. The final product came from our council.

15 Q. What council?

16 A. Grand constitution and bylaws committee.

17 Q. It came from grand council being as in,
18 like, a council or a lawyer?

19 A. It came from the grand constitution and
20 bylaws committee.

21 Q. Okay. Because you said council and I was
22 wondering.

23 A. Committee.

24 Q. If we go down to Section 3 right there where
25 it says "analysis," see that? Are you at Section 3?

1 A. Yes.

2 Q. I'll walk you through this.

3 A. Okay.

4 Q. I'm going to paraphrase what it says:
5 Section 2(4G) is admittedly ambiguous and susceptible
6 to different interpretations. Did I read that
7 correctly?

8 A. Yes.

9 Q. And that was the opinion of the Grand Board
10 committee, grand board constitution and bylaws
11 committee, right?

12 A. Grand constitution and bylaws committee.

13 Q. Correct.

14 A. Yes.

15 Q. And that opinion came out on April 21, 2025?

16 A. Yes.

17 Q. So, if you look at the bolded section of the
18 memo, do you see the word "entire" in the center?
19 It's embedded.

20 A. Which document are you referring to, sir?

21 Q. The same one, right under the relevant
22 bylaws provision. You see that?

23 THE COURT: Section 2?

24 THE WITNESS: Yes.

25 BY MR. SCOTT:

1 Q. Did you draft this part of the memo?

2 MR. JORDAN: Your Honor, object.

3 Asked and answered.

4 THE COURT: Overruled.

5 BY MR. SCOTT:

6 Q. Did you draft Section 2?

7 A. I don't recall.

8 Q. Is this a verbatim -- this block of verbatim
9 from the bylaws? And you have the bylaw, I think, on
10 your desk.

11 A. Yes, that's correct. The first part is how
12 Bylaw 2, Section 4G is constructed.

13 Q. Is the word "entire" in SPP Exhibit 8, page
14 one, is that italicized?

15 A. It is not.

16 Q. But it is italicized in the actual bylaws?

17 A. It is.

18 Q. It remains italicized; is that correct?

19 A. In the current bylaws?

20 Q. Yes. Did you also look at Section 4F as you
21 were looking at Section 4G?

22 A. Yes.

23 Q. There's a difference between 4F and 4G,
24 correct?

25 A. Yes.

1 Q. The difference is that they were discussing
2 the Grand Boulé, which is the entire organization,
3 right?

4 A. No.

5 Q. What does that mean, Grand Boulé?

6 A. The Grand Boulé, they are referencing the
7 delegates.

8 Q. Off the top of your head, how many
9 delegates?

10 A. I don't do it off the top of my head; 350.

11 Q. Three hundred and fifty.

12 So upon a majority vote of the delegates,
13 present and voting, the Grand Boulé may remove a
14 Grand Board member for any reason. That's what it
15 says, right?

16 A. That is what it says in 4F, yes.

17 Q. And that would be a very large group of
18 people, more than 14, correct?

19 A. (No audible response.)

20 Q. The delegates are more than 14?

21 A. Yes.

22 Q. And more than 100, right?

23 A. Yes.

24 Q. I forgot what you said. Is it more than
25 200?

1 A. Yes.

2 Q. More than 300, in fact, right?

3 A. Yes.

4 Q. And that would be a larger group, right?

5 A. Doing the math, yes.

6 Q. So, you would have a larger majority of the
7 Grand Boulé delegates that would be making the
8 decision on removing a board member under 4F. You
9 would have a lot more people. There would be a lot
10 more voices.

11 A. Is that a question?

12 THE COURT: That's a question. I
13 think he's asking you a question.

14 BY MR. SCOTT:

15 Q. That is a question. A lot more people, a
16 lot more voices. Do you agree?

17 A. Yes.

18 Q. All right. Then you have to go down to ten,
19 it says Sections 4F and 4G address the removal of
20 Grand Board members. It makes no restrictions on the
21 Grand Boulé because of its status as a governing
22 body, but doesn't place restrictions on the Grand
23 Board. Is that footnote 10 still in the bylaws
24 today?

25 A. They are.

1 Q. I didn't see a footnote 10 anywhere
2 mentioned in any of the work product that the
3 committee produced; is that true?

4 A. I'm sorry, what's your question?

5 Q. You discussed the impact of footnote 10 in
6 the written record and recommendation from April
7 21st. You can take your time and go through the
8 April 21st memo. Is it discussed anywhere?

9 A. We have discussed it, yes.

10 Q. Is it in the memo?

11 A. It is not.

12 Q. When the bylaws got amended in 2024,
13 correct, were you part of the group that amended the
14 bylaws?

15 A. The date the bylaws were amended was not
16 2024.

17 Q. What was it?

18 A. 2022.

19 Q. Oh, were you part of the group of members of
20 the fraternity who worked on amending the bylaws? I
21 think they were from 2014, right?

22 A. You're asking for the date of the prior
23 bylaws?

24 Q. Yes.

25 A. I don't have the prior bylaws in front

1 of me.

2 Q. Do you know what the date was?

3 MR. JORDAN: Your Honor, object to
4 relevance.

5 THE COURT: What's your objection?

6 MR. JORDAN: Objection, Your Honor.
7 To relevance. The bylaws in 2014 has no
8 relevance to where we are today.

9 MR. SCOTT: I heard the word, what the
10 intent of the framers were when they drafted
11 this.

12 THE COURT: I need some clarity. So I
13 think the question was whether the members
14 helped rewrite them.

15 THE WITNESS: At the time the bylaws
16 were rewritten in 2022, I was the chair of
17 the western region bylaws committee, so my
18 committee saw a draft of the 2022 bylaws
19 before they were published.

20 BY MR. SCOTT:

21 Q. Did your committee focus on Section 4G?

22 A. I don't recall. That was several years ago.

23 Q. Is there a document that you're aware of,
24 whether it's here or anywhere else, which says "the
25 intent of Section 4G is as follows"?

1 A. Not aware of any documents. Nope.

2 Q. Under the bylaws of the governance rules, is
3 a quorum nine?

4 MR. JORDAN: Excuse me, I couldn't
5 hear.

6 BY MR. SCOTT:

7 Q. So is a quorum nine members of the Grand
8 Board?

9 A. So there are different quorum levels,
10 depending on if you're talking grand, region or
11 member boulé, and the executive committee. So there
12 are quorum requirements throughout the bylaws
13 document so your quorum will depend on which entity
14 you're talking about. So if you can be more
15 specific.

16 Q. Grand Board.

17 MR. JORDAN: Your Honor, objection.
18 There is no question before the Court about
19 whether or not we ever had a quorum. This is
20 a whole different aspect and we can do this
21 all day, constitution and bylaws each and
22 every piece. There's no question about the
23 quorum. It's never been raised by the
24 petitioner.

25 MR. SCOTT: It has nothing to do with

1 that.

2 MR. SCOTT: A quorum.

3 THE COURT: Wait, wait. Mr. Scott,
4 what is it?

5 MR. SCOTT: So there's a suggestion in
6 here that they're reading in the bylaws
7 that -- Mr. Douglass and general counsel -- I
8 believe is absurd. So I'm trying to get into
9 the number of board members that would make a
10 quorum and basically what two-thirds of the
11 majority of the quorum would be and whether
12 or not it would be less than half the quorum.

13 MR. JORDAN: Your Honor, there's no
14 question about a quorum in regards to Bylaw
15 2(4G). It's not been raised in regards to a
16 petition. More importantly, Your Honor,
17 we're now getting into the substance of
18 conversations with Ceasar Mitchell, who's not
19 before the Court.

20 I objected this morning about the
21 hearsay nature and that goes to the substance
22 of what he might say.

23 MR. SCOTT: I am not actually asking
24 any questions about what's in the memo. I'm
25 going to be asking questions about quorums,

1 and absurdity, and things of that nature.

2 THE COURT: I think I'm going to
3 overrule that objection, but just keep it
4 limited.

5 BY MR. SCOTT:

6 Q. Let's move this along. So, a quorum for a
7 Grand Board is how many members?

8 A. A majority of the board members.

9 Q. Nine. Or is it less than nine?

10 A. It's less than nine.

11 Q. Eight. Okay. Two-thirds, just a simple
12 two-thirds majority of a full quorum is how many
13 members?

14 A. Two-thirds?

15 Q. Is that six or five?

16 A. Five.

17 Q. Five is less than -- that's nine members.
18 Five is under your definition.

19 A. That's not my definition. I'm sorry,
20 reading the constitution and bylaws. You asked what
21 was...

22 Q. Under the interpretation, that's all I'm
23 asking, which is present and voting.

24 With a quorum of eight, under your
25 interpretation in this document, five members of the

1 Grand Board could vote to remove an officer. Is that
2 what you're saying?

3 A. I want to make sure I your question. You
4 keep saying "my document". You're talking about the
5 constitution and bylaws?

6 Q. I'm talking about the memorandum from April
7 21st.

8 THE COURT: I think I'd like to try
9 and interpret your question.

10 Mr. Scott, I'm going to take a shot at
11 this. A quorum of -- for me is eight,
12 correct? Does that make sense?

13 THE WITNESS: Correct. A majority.

14 THE COURT: And two-thirds of those
15 present voting; is that correct?

16 MR. SCOTT: That's correct.

17 THE COURT: Would be -- I did the
18 math; five?

19 MR. SCOTT: Yes.

20 THE COURT: So his question is, is it
21 your interpretation that five people could
22 vote of eight.

23 THE WITNESS: Thank you very much.
24 Can you repeat the question, sir?

25 MR. SCOTT: I'm going to follow up

1 with the Court.

2 BY MR. SCOTT:

3 Q. We have a quorum of eight people at the
4 Grand Board meeting. Under the interpretation from
5 April 21st that the committee put together as a
6 recommendation, if eight people were presently
7 voting, five members who voted yes and three members
8 vote no, that officer could be removed under the
9 April 21st recommendation.

10 A. That's a hypothetical question. I don't --

11 Q. It's math.

12 A. Okay.

13 Q. Do you agree with me? My math is wrong?

14 A. No, your math -- so the quorum is in the
15 bylaws. The quorum -- to answer your question, the
16 quorum for a board meeting is the majority of board
17 members.

18 Q. So let me ask you this then. If I had a
19 quorum, could I make a motion to remove an officer if
20 I have a quorum?

21 A. Yes.

22 Q. If three members vote no but five members
23 vote yes, is five enough to remove an officer of the
24 Grand Board?

25 A. There are other steps that must be made

1 before you remove a grand officer.

2 Q. I understand that. I'm getting directly
3 down to the actual ratio and math. Let's assume that
4 all the steps are all done and it's all correct. If
5 five members of a 14-member board under the April
6 21st interpretation voted yes to remove, would those
7 five yeses carry the motion and that officer would be
8 removed?

9 A. I'm not sure I can answer that because,
10 again, it depends on what the board agenda is; who
11 sets the agenda and then what is the motion, what is
12 the substance of that motion. There's a lot of
13 factors. So, first of all, there's a lot of factors
14 to determining whether or not the board --

15 Q. Really, just asking.

16 THE COURT: Mr. Scott, address this.

17 MR. SCOTT: Your Honor, I apologize,
18 but he's avoiding the fact that five members
19 out of the 14-member Grand Boulé could remove
20 an officer and refuses to just acknowledge
21 that that is actually under their
22 interpretation.

23 THE COURT: All right. I recognize --

24 MR. JORDAN: I object to the
25 characterization of his testimony.

1 THE COURT: Say that again.

2 MR. JORDAN: I object to the
3 characterization of the witness's testimony.
4 It's wrong. It's aggressive. He's trying to
5 batter this witness.

6 THE COURT: This is a bench trial and
7 I recognize what you're trying to accomplish
8 here. I also recognize his position and what
9 he's saying to you.

10 BY MR. SCOTT:

11 Q. Do you think that it's absurd to have just
12 five members of a Grand Board that consists of 14,
13 giving them authority to remove a Grand Board member?

14 A. I'm sorry, sir. With the air conditioner
15 blowing, I can hardly hear you.

16 MR. SCOTT: I'll withdraw it.

17 THE COURT: Withdraw the question.
18 All right. Sorry about that. Mr. Jordan,
19 anything else?

20 MR. SCOTT: Can I indulge you? I have
21 one question I want to follow up with -- Your
22 Honor, Mr. Jordan was kind enough to let me
23 ask one question I had forgot.

24 THE COURT: Thanks.

25 BY MR. SCOTT:

1 Q. Going back to this memorandum from April
2 21st, can you go to the very last page? The very
3 last page is page seven. Yours is double-sided, it
4 seems. So I see a footnote to Robert's Rules of
5 Order, 12th Edition. And it cites to Section 44.3,
6 correct?

7 A. Which item number are you on? Are you on
8 the Dentons memo?

9 Q. No, the April 21st memo.

10 A. April 21st memo.

11 Q. Let me know when you're at the last page.

12 A. Yes.

13 Q. There's a footnote. And it references a
14 full paragraph where the author of this portion of
15 this document indicates that whatever interpretation
16 they got was consistent with Robert's Rules of Order.
17 Am I reading that correctly?

18 A. I'm reading it. Now, whether you're reading
19 it --

20 Q. What I'm asking you is that this memo
21 indicates that Robert's Rules were actually referred
22 to when finalizing this April 21st memo to the Grand
23 Board.

24 A. Yes, that's correct.

25 MR. SCOTT: That's all I have. That's

1 literally one question.

2 THE COURT: Go ahead.

3 - - -

4 REDIRECT EXAMINATION

5 - - -

6 BY MR. JORDAN:

7 Q. Regarding the opinion that you've been
8 discussing, can you look on P-28, the constitution
9 and bylaws, page 13, Bylaw 2, Section 5-I?

10 Page 13, does it talk about voting with the
11 Grand Board?

12 A. Yes.

13 Q. And what does it require for voting with the
14 Grand Board?

15 A. Section 5-I. Each Grand Board member shall
16 have a vote on all matters that require action by the
17 Grand Board when he is present and may not be
18 represented by proxy.

19 MR. JORDAN: That's all I have.

20 THE COURT: That's it?

21 MR. JORDAN: Yes.

22 THE COURT: Thank you. All right.

23 - - -

24 RECROSS-EXAMINATION

25 - - -

1 BY MR. SCOTT:

2 Q. One last thing. Is that consistent with the
3 opinion that the constitution and bylaws committee
4 gave?

5 A. Yes.

6 THE COURT: Thank you. Thank you very
7 much for your testimony, Mr. Webster. I take
8 it you have places to go. Thank you very
9 much for joining us. You're excused;
10 released. Thank you.

11 (The witness exits the stand.)

12 THE COURT: All right. I'll talk to
13 the parties about our next steps. It's
14 obviously almost 5:00, so I think this will
15 take another day to complete.

16 We are trying to figure out what we
17 can do in terms of the court reporter. Show
18 up at 9:30 tomorrow and we'll try to start as
19 soon as possible. I'm hopeful that if we
20 don't start screaming, hope to be able to get
21 a court reporter in time.

22 So, is there anything else we need to
23 do in terms of housekeeping before we leave
24 today?

25 MR. SCOTT: No, we'll do the exhibits

1 tomorrow or today.

2 THE COURT: I think since we started
3 down that road, let's do that.

4 Okay, counsel. Anything else?

5 MR. JORDAN: No, Your Honor. Thank
6 you very much. Appreciate it. I'm grateful
7 we were able to get the witnesses completed
8 today. So tomorrow we can do the same.
9 Thank you so much.

10 (The proceeding was adjourned.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings
and evidence are contained fully and
accurately in the notes taken by me on the
trial of the above cause, and this copy is a
correct transcript of the case.

Stefanie Scurvin, RPR
Official Court Reporter