

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Kimberly Sweidy,)
)
Plaintiff,) 3:21-cv-08013-SPL
)
vs.) Phoenix, Arizona
) June 5, 2024
Spring Ridge Academy, et al.,) 9:00 a.m.
)
Defendants.)
)
-----)

BEFORE: THE HONORABLE STEVEN P. LOGAN, JUDGE

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TRIAL DAY 6 - (Morning Session)

Official Court Reporter:
Elva Cruz-Lauer, RMR, CRR
Sandra Day O'Connor U.S. Courthouse, Suite 312
401 West Washington Street, Spc. 33
Phoenix, Arizona 85003-2151
(602) 322-7261

Proceedings Reported by Stenographic Court Reporter
Transcript Prepared by Computer-Aided Transcription

A P P E A R A N C E S

For the Plaintiff:

Kimberly R. Sweidy Attorney at Law
By: KIMBERLY R. SWEIDY, ESQ.
3478 Rambow Drive
Palo Alto, CA 94306-3638

Allard Smith APLC
By: MARA SMITH ALLARD, ESQ.
5857 Owens Ave., Ste. 300
Carlsbad, CA 92008

For the Defendants:

Grasso Law Firm PC
By: MICHAEL B. SMITH, ESQ.
ROBERT GRASSO, JR., ESQ.
2250 E. Germann Rd., Ste. 10
Chandler, AZ 85286

Also present: Noel Reddy, Paralegal
Suzanne Courtney, Client Representative

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF WITNESSES

<u>WITNESSES FOR THE PLAINTIFF:</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>
Emma J. Kerrigan	4	18	
Amiee Yelinek	23	32	
John A. Hunter, Ph.D.	37	81	

P R O C E E D I N G S

THE COURT: This court will come to order. All parties present when court last closed are present again. The jury is here.

Ladies and gentlemen, good morning.

The witness is sworn. Please continue the examination.

DIRECT EXAMINATION

BY MS. ALLARD:

Q. The workshops that you attended, which one stands out in your mind at this point?

A. Action.

Q. Tell me what you knew about Action before you actually went.

A. There were two parts that all of the girls who were part of it would get very, very anxious beforehand, which I now know to be the giver-taker exercise and stretches. And that -- they came out with their contracts, which was just something that you do during that workshop, and, yeah, they all seemed very close afterwards.

Q. Why is it you didn't know from other students what was going on in Action before you went?

A. The contents of the trainings are supposed to be, yeah, secret.

Q. Who told you they were supposed to be secret?

9:01:37AM 1 A. Jeannie and other staff.

2 Q. So how long was Action?

3 A. Three-day workshop.

4 Q. And so can you describe the first day from what you

9:01:49AM 5 remember?

6 A. Yeah, the first day was creating your nametags, and that's

7 the big one that I can remember. Then you get sent home to do

8 some homework, which is writing about -- I don't remember what

9 we were writing about, but we had homework for the training.

9:02:11AM 10 Q. How long was the day?

11 A. It was a whole school day, like over a school day and

12 extended into the afternoons more, so whatever we would do

13 normally, you know, school, and then after-school clubs, it was

14 that long.

9:02:22AM 15 Q. Do you recall any emotions or feelings you had after that

16 first day?

17 A. Just still stressed because the girls that had been through

18 before -- this is my first time, the girls that had been

19 through before knew what was coming up on day two, and that

9:02:39AM 20 kind of energy was hard not to feed off of, because they knew

21 what was upcoming, I didn't, but they were clearly stressed

22 about it.

23 Q. When you say, "they were stressed," "girls," were you

24 talking about your girls that were in Action with you, or girls

9:02:54AM 25 that had done it before and gave you some --

9:02:58AM 1 A. Girls that were in Action with me who had previously been
2 through the training that got kicked out at some point.

3 Q. So how many people were in your training for Action that
4 had to repeat it?

9:03:11AM 5 A. The first time there was two or three, can't remember
6 exactly.

7 Q. So you knew from them that the stressful part was going to
8 happen on day two?

9 A. Yeah, day two and day three in the afternoon sess, evening.

9:03:28AM 10 Q. So what happened on day two?

11 A. That was giver-taker, and that was where I got asked to
12 leave the first time. So obviously the next time I went
13 through, I was one of those girls that was stressed about what
14 was coming because the first day you kind of -- you knew you
9:03:44AM 15 weren't really going to get asked to leave unless something

16 egregious had happened, like outside of the training.

17 But day two was, you know, it happened immediately
18 after lunch, so you are stressed throughout lunch, and the
19 girls that know what's coming up, yeah, try to not let it show,
9:04:01AM 20 but obviously it's hard not to because that's where you get,
21 you know, kicked out, one of the two places.

22 Q. Now, who staffed these trainings?

23 A. Combination of students that were still there, sometimes
24 students came back and staff members.

9:04:17AM 25 Q. You mean graduates?

9:04:18AM 1 A. Yeah.

2 Q. Did you ever staff a training?

3 A. No, not afterwards.

4 Q. Did you staff a training when you were still a student?

9:04:26AM 5 A. Yeah.

6 Q. When?

7 A. Towards the end of my stay I staffed a Challenge and an

8 Action and Change.

9 Q. And did you understand what your role was as a staff

9:04:40AM 10 member?

11 A. If I could put words to it, just kind of keep up the, I

12 guess, facade and help made it feel like it was something

13 genuine and provide that kind of energy to the surrounding --

14 you know, to the girls and to the exercises and, yeah.

9:05:05AM 15 Q. So the second time through Action, how did you feel going

16 into day two?

17 A. Stressed because I knew what was coming up.

18 Q. And how did it go with your giver-taker exercise on that

19 particular day?

9:05:22AM 20 A. Got told that I was a giver, so I stayed, which was, you

21 know, relieving. And then obviously everything from that point

22 was, you know, first time and a mystery and, yeah.

23 Q. What happened on day three?

24 A. That's the -- that was the stretches day. So in the

9:05:40AM 25 evening, or the afternoon, you kind of got told what you were

9:05:45AM 1 going to be and what we had to do, and so then you get, you
2 know, dressed up. You get to put some makeup on, which is fun.

3 And then in the evening you get to -- you have to do
4 the stretches, which -- it's dancing by yourself in front of --
9:06:02AM 5 you know, in front of all of the girls that are doing the
6 training with you and also the, you know, staffers that are
7 there, and it's just quite -- you got a spotlight on you, and
8 it's quite overwhelming.

9 The first song that I did was a high-energy song from
9:06:22AM 10 the Wiz, which was really easy to dance to and fun, and it was,
11 you know, jokey. And then the second one was much slower, and
12 I wasn't performing well enough, so I got told to, you know,
13 turn around and look at my shadow on the wall and dance with my
14 shadow.

9:06:44AM 15 And I remember Jeannie, you know, holding my arms and
16 moving them for me, just to, you know, connect with myself and
17 dance with my authentic inner self, which wasn't meant to be
18 this, you know, facade, this big character that the Wizard is
19 meant to represent in the Wizard of Oz.

9:07:08AM 20 And I guess at some point, you know, dancing slow
21 enough or whatever, she let go of my arms, and then I finished
22 dancing to the song, and that was -- I was authentic enough
23 that it was okay.

24 Q. On that particular Action, did you witness any other
9:07:26AM 25 students kicked out by Jeannie?

9:07:29AM 1 A. During giver-taker, yeah. I can't remember about -- during
2 the stretch -- I didn't think anyone was kicked out during the
3 stretches.

4 Q. So how did it feel once you made it through the stretch
9:07:42AM 5 dance?

6 A. That is the biggest sense of relief I've ever felt, because
7 you know there's two places that girls get kicked out. Because
8 as a student, you see them leaving crying because you need to
9 do Action to move to phase 4 to leave.

9:07:56AM 10 And once you get past the stretches, you kind of -- I
11 don't think I know anyone that got kicked out post stretch, so
12 the biggest sense of relief I've ever felt, and just like -- I
13 was invincible. I was on the top of the world, and then we got
14 to eat some sandwiches in the back corner of the room.

9:08:15AM 15 But I felt euphoric and unstoppable. And all of the
16 other girls who, you know, were staffing it or had done the
17 stretches as well in the back corner were just -- just this
18 feeling of elation, like just overwhelming, just positivity,
19 and like, oh my God, like it's over, we have done it, we can
9:08:38AM 20 move on, we can graduate, we can go to Phase 4. This is, you
21 know, one big hurdle that seems to trip everyone up.

22 Q. Was there music being used during these three days?

23 A. Yes.

24 Q. Do you remember any of the songs?

9:08:52AM 25 A. The -- I could probably hum it. It's the like one from --

9:08:55AM 1 it's one of the space songs, I feel like, when you go to sit
2 down in the mornings and like come back from all the breaks.
3 Q. They play that song over and over again?
4 A. Yeah, every time you come back from a break you -- the name
9:09:09AM 5 is completely like slipping my mind right now, but it's --
6 you'd know it if you hear it and --
7 Q. Is it a movie song?
8 A. Yeah.
9 Q. And so how many times did you hear that song over three
9:09:23AM 10 days?
11 A. Every time I came in in the morning, every time you came
12 back from the break. It was the universal indicative sound of,
13 sit down, it's about to start again.
14 Q. And that was the signal you had to sit down?
9:09:36AM 15 A. Yeah.
16 Q. Were you instructed by Jeannie not to tell anybody about
17 your experience?
18 A. Yeah, about was stretches and the actual exercises in the
19 trainings, yeah, we couldn't tell anyone.
9:09:46AM 20 Q. Did she tell you why?
21 A. Something about, you know, you need to experience it for --
22 need to experience it for themselves because you won't be able
23 to put to words just what's going to happen and how impactful
24 it is.
9:10:01AM 25 Q. And you said the impact of finishing the dance was, you

9:10:06AM 1 felt, elation or euphoric. Anything else?

2 A. It felt similar to like a manic episode. I've got bipolar
3 type II, and I'd been having -- I had manic and depressive
4 episodes since I was, you know, 12.

9:10:26AM 5 But the physical sensation of feeling like my heart
6 was higher in my chest and like things were a bit more shallow
7 and acute and my thoughts felt sharper, and that's how I
8 have -- that's how I can identify a manic episode.

9 It felt -- the same physical reactions and the same on
9:10:45AM10 top of the world, invincible, like nothing matters because
11 I'm -- you know, yet nothing matters to me. That kind of
12 feeling resonates. That's how a manic episode feels.

13 Q. When were you diagnosed?

14 A. I was diagnosed when I was 17 after I left SRA.

9:11:04AM15 THE COURT: Ms. Allard, one moment, please.

16 For those of you that didn't read the sign when you
17 walked into this courtroom, the only thing allowed is water.
18 If you have something different from water, you need to get it
19 out of the courtroom, please.

9:11:20AM20 I'm looking at you in the back. Yes. You are not the
21 only one. There's a lady in a black shirt that has something.
22 I don't know if water is red, at this point, but it certainly
23 looked like it wasn't water to me.

24 A VOICE: I will dump it.

9:11:43AM25 THE COURT: Ms. Allard, go ahead, please.

9:11:46AM 1 BY MS. ALLARD:

2 Q. When were you diagnosed?

3 A. When I was 17 in November 2016.

4 Q. Do you have symptoms that you recognize as bipolar symptoms
9:11:57AM 5 before you went to Spring Ridge Academy?

6 A. Yeah, I was having manic and depressive episodes fairly
7 frequently.

8 Q. Did you see a psychiatrist when you were at Spring Ridge
9 Academy?

9:12:08AM 10 A. I did. I had a suicide attempt when I was 13, and I got
11 put on antidepressants and tried various others ones that I was
12 on while I was in Wilderness.

13 And when I was at SRA, I was taken off of all sorts of
14 medication. And during that time, I was happy that I was

9:12:30AM 15 getting taken off meds, because it was -- I thought it was good
16 for my -- good for the process.

17 Q. Did you have what they call a therapist at Spring Ridge
18 Academy?

19 A. Yes.

9:12:39AM 20 Q. Who was that?

21 A. Anna Seno.

22 Q. And did you tell Anna Seno about your symptoms?

23 A. I mean, they mostly just focused on the like, manic part,
24 which they called rage, like they didn't know I was bipolar.

9:12:56AM 25 Q. And where did you obtain your bipolar diagnosis from, as

9:12:59AM 1

far as --

2

A. From Dr. Sara Popkin in Princeton, New Jersey.

3

Q. And you've been medicated ever since?

4

A. Yep.

9:13:08AM 5

Q. And does that alleviate your symptoms?

6

A. Yeah. I don't know that I have got it most of the time.

7

It's genuinely life-changing having the right medication and

8

the right diagnosis.

9

Q. Was there a particular incident at Spring Ridge Academy

9:13:26AM 10

where you were subject to discipline?

11

A. Yeah. During phase 4 we had different phase groups, so you

12

all met with, you know, staff -- or with staff or Phase 4s

13

without and the cohort I was graduating with was pretty big,

14

that was five or six girls at least that were graduating with

9:13:51AM 15

me.

16

And so our Phase 4 groups were unstaffed and you kind

17

of get bored talking about which of your friends are healthy

18

and working when you're at home, so we got bored and did, I

19

guess, piss-take of the 12 steps.

9:14:08AM 20

And we weren't allowed to watch the news, so we

21

boasted as the 12 steps, like things like stealing cookies from

22

the cafeteria or steal an Escalade, but the S in "steal" was a

23

dollar sign, and steal the Quest bars.

24

Q. So you were making fun of the AA 12 steps that were being

9:14:32AM 25

--

9:14:33AM 1 A. Yeah. The last one was, you know, spiritual awakening,
2 which I have never been through AA, don't know the 12 steps,
3 but from what I've heard, that's the last -- you know, the 12th
4 step.

9:14:43AM 5 Q. So when you -- how did this get caught? How did they find
6 out you were making fun of 12 steps?

7 A. I think someone took a picture and posted it on like
8 Instagram or something on a visit.

9 Q. And what was the consequence?

9:14:58AM10 A. We were all sat in the APR on the floor while everyone
11 else, like all staff and all the students were sitting -- our
12 backs were against a wall and were sitting in a, I guess,
13 circle around us or like, you know, semi circle around us, so
14 we were kind of backed literally against a wall, and they were
9:15:17AM15 all on chairs, we were all on the floor. And we were told how
16 damaging that it was.

17 Because we didn't watch the news, we called it, you
18 know, the 12 steps of instating like ISIS in SRA, because we
19 didn't know what it was and we were like 15, 16. So we didn't
9:15:44AM20 know the gravity of, you know, what was actually happening,
21 because we weren't allowed to watch the news.

22 But we were told that, you know, SRA would love --
23 ISIS would love to come to SRA and gang rape girls like us.
24 Things that were just incredibly inappropriate to say. And I
9:15:59AM25 remember being singled out by Anna, just, you know, how

9:16:07AM 1 especially disappointed that they were with me because I kind
2 of talked to my parents a little bit about the news on phone
3 calls, but it was very shallow and surface level because I was,
4 you know, a child.

9:16:24AM 5 Q. Did you witness other girls disclose sexual assaults?

6 A. Oh, yeah.

7 Q. How many times did you see that happen?

8 A. With a lot of regularity. There was a lot of girls that
9 had experienced rape, sexual assault, other kinds of, you know,
9:16:41AM10 things like that.

11 Q. Were they asked to disclose this publicly?

12 A. I mean, that was the general understanding that you release
13 all of your trauma. You tell everyone about what's going on.
14 There was -- you know, you shouldn't keep it secret. You

9:16:59AM15 should tell everyone so that, you know, they can help you with
16 recovering and with their process and all of that.

17 Q. Do you recall Jeannie Courtney getting personally involved
18 in admonishing you regarding your 12-step lampoon?

19 A. Yeah, we were -- she -- I mean, we were all dropped to

9:17:28AM20 phase 2. All of the girls that were, you know, going to
21 graduate had our grants threatened to be pulled, staying there
22 for longer.

23 Just telling us how disappointed and that -- you know,
24 how she expected a personal apology from us. But we were put

9:17:46AM25 on Introspection, so we couldn't talk to anyone. So we had

9:17:50AM 1 gotten dropped. We lost our phone privileges, like our small
2 flip-phone privileges.

3 We got told we were not going to be graduating,
4 couldn't talk to our parents really about it until after they
9:18:02AM 5 had been informed. So when I talked to my parents after, after
6 all of that went down, they already knew what had been told to
7 them about it.

8 Q. What was the academics? What were they like at Spring
9 Ridge Academy?

9:18:19AM 10 A. Suboptimal. I had to repeat my junior year of high school
11 to get appropriate, you know, support for ACTs, SATs so I could
12 get into a good university, which I went to in the UK. I moved
13 back when I was 18.

14 Q. So were you considered a senior in high school when you
9:18:40AM 15 left Spring Ridge Academy?

16 A. I was -- I should have been going into senior year in high
17 school, in terms of, you know, going through the years of
18 school, yeah.

19 Q. And you went to another school in the U.S?

9:18:52AM 20 A. Yes.

21 Q. So a U.S. high school made you repeat your junior year?

22 A. It was a decision that was made with my parents for the
23 academic part, and also because when I moved from the UK, I
24 skipped a grade, so I should have been in third grade age-wise,
9:19:11AM 25 but academic-wise was put in fourth grade.

9:19:15AM 1 So I repeated my junior year partly because the -- I
2 just didn't have the grades to get into a good university,
3 which --

4 Q. What do you attribute to Spring Ridge Academy's academics
9:19:29AM 5 as a reason that you had to repeat?

6 A. It just -- for standardized testing, they're limited to no,
7 like prep, practice, that was given. It wasn't a very rigorous
8 program. It seemed like it took a back burner to the
9 therapeutic part.

9:19:48AM10 Everyone was put in the same class. There was no
11 differentiation between people who were -- it was just 11th
12 grade English, 10th grade English, 11th grade math, 10th grade
13 math. It wasn't -- you know, there was no difference for
14 students who were struggling more or who were coasting through
9:20:08AM15 it.

16 Q. And so you said that you needed to repeat coursework in
17 order to be prepared for standardized exams?

18 A. Yeah, and because it wasn't rigorous enough. Yeah, I
19 wasn't really learning much.

9:20:22AM20 MS. ALLARD: No further questions.

21 THE COURT: Is there any cross-examination?

22 MR. GRASSO: Yes, Your Honor, briefly.

23 THE COURT: Come on up.

24 MR. GRASSO: Good morning, ladies and gentlemen.

25

9:20:34AM 1

CROSS-EXAMINATION

2 BY MR. GRASSO:

3 Q. Good morning, ma'am.

4 A. Good morning.

9:20:38AM 5

6 Q. You were at Spring Ridge from October of 2013 through June
26th, 2015; is that correct?7 A. The date I don't remember exactly, but it was the day that
8 the Supreme Court legalized gay marriage. That's kind of my --
9 how I know the end of it.

9:20:56AM 10

11 Q. You recall you signed a statement for Ms. Sweidy?

12 A. Yeah.

13 Q. I think the dates -- I just want to --

14 THE COURT: Sweidy. We have heard all about it
yesterday. Her name is Sweidy.

9:21:08AM 15

16 MR. GRASSO: I beg Your Honor's forgiveness. I'm
sorry. Ms. Sweidy, I apologize.

17 THE COURT: She made it very clear yesterday.

18 MR. GRASSO: Yes, sir.

19 BY MR. GRASSO:

9:21:15AM 20

21 Q. October 2013 through June 26th, 2015, does that sound
right?

22 A. Yeah.

23 Q. And did you ever return to Spring Ridge or have anything to
24 do with its program after June of 2015?

9:21:26AM 25

A. Yeah, I went back when Jeannie retired. I visited campus,

9:21:31AM 1 said hello to some of the girls that were still there, and then
2 went to the retirement.

3 Q. The retirement party for Ms. Courtney?

4 A. Yeah.

9:21:40AM 5 Q. Aside from attending the retirement party of Ms. Courtney,
6 did you have any other involvement with the program after June
7 of 2015?

8 A. No, not that I can remember.

9 Q. You weren't there when Ms. Sweidy's daughter was there from
9:21:57AM 10 October -- December of 2019 through December of 2020, were you?

11 A. Nope.

12 Q. Do you know Ms. Sweidy's daughter?

13 A. Not personally.

14 Q. You were just talking about this thing that you and -- your
9:22:19AM 15 statement uses the term "cohort." I think that's what you
16 said.

17 I just wanted to see if this sounds familiar: For
18 example, some of my fellow cohort students and I were
19 participating in Phase 4 group. We thought it would be fun and
9:22:34AM 20 clever to lampoon AA's 12 steps.

21 What do you mean by "lampoon"?

22 A. Satirize, make fun of.

23 Q. And then you wrote: We created 12 steps to create ISIS at
24 Spring Ridge Academy.

9:22:51AM 25 Right?

9:22:52AM 1

A. Yep.

2

Q. And you said it included stealing cookies from the cafeteria?

3

4

A. Uh-huh.

9:22:57AM 5

Q. Getting into Cadillac Escalades, punching Brandon in the face, and stealing the Quest bars, right?

6

7

A. Yeah.

8

Q. Then you said that there was others, but you thought it was innocuous except for the one about Brandon?

9

9:23:18AM 10

A. Yeah.

11

Q. So on reflection, you recognized that this may have been

12

somewhat insensitive to do or concerning, especially if there

13

was administrative staff that had folks in the military serving in Iraq?

14

9:23:35AM 15

A. I don't know about anyone -- staff members that had family serving.

16

17

Q. And you put in your statement that you understood that ISIS was synonymous with chaos, right?

18

19

A. Yeah, that's what we generally understood about it, and

9:23:47AM 20

being, you know, kids without access to the news who wanted

21

some sort of, you know, lack of chaos in our heads and our

22

lives, wanted to get home, we were Phase 4s, wanted to get back to some semblance of normality.

23

24

Q. Understood. And in this particular case, how old are you

9:24:14AM 25

now, ma'am?

9:24:15AM 1 A. 25.

2 Q. On reflection now, like when you wrote this statement, do
3 you recognize that some of that may have been problematic for
4 teens to do?

9:24:24AM 5 A. Yeah, of course, but I also think a lot of the things that
6 I did as a teenager are a bit problematic.

7 Q. Completely understood. I also know that after you left
8 Spring Ridge, you mentioned that you received a bachelor's
9 degree in law?

9:24:40AM 10 A. Uh-huh.

11 Q. In the UK, and you graduated, it says, first. You were
12 first in your class?

13 A. UK grading is a bit different, but first class is just the
14 kind of 4.0 equivalent, I guess.

9:24:55AM 15 Q. You obviously did very well. Congratulations.

16 A. Uh-huh.

17 Q. And then you said you got into a world-renowned university
18 for your master's degree in international commercial law,
19 "which I obtained with merit." What does that mean?

9:25:10AM 20 A. I guess in the UK it's -- you know, you get your master's,
21 you don't -- you get it with a merit or distinction, which is
22 just, you know, the work that you did merits, you know,
23 recognition and potential of publication.

24 Q. Yes, ma'am. And then you go on to say: I work in an

9:25:28AM 25 extremely competitive and challenging field now, reliant

9:25:32AM 1 heavily on having superb interpersonal skills. I am good at my
2 job, and I am successful.
3 A. Correct.
4 Q. Is that how you see yourself today?
9:25:42AM 5 A. Yep.
6 Q. Thank you, ma'am.
7 MR. GRASSO: No further questions, Your Honor.
8 THE COURT: Is there any redirect?
9 MS. ALLARD: No, Your Honor. Thank you.
9:25:49AM 10 THE COURT: Subject to re-call, plaintiffs?
11 MS. ALLARD: No, Your Honor.
12 THE COURT: Defense?
13 MR. GRASSO: No, Your Honor.
14 THE COURT: Ms. Kerrigan, thank you so much for
9:25:55AM 15 testifying in this case. Have a wonderful rest of your day.
16 Please be careful with the steps. We've had people fall down
17 the stairs.
18 Next witness, please.
19 MS. ALLARD: Amy Yelinek. Aimee.
9:26:32AM 20 THE COURT: Ma'am, if you could walk to the front of
21 the courtroom, please, and raise your right hand to be sworn.
22 **AMIEE YELINEK, PLAINTIFF'S WITNESS SWORN**
23 THE CLERK: You can have a seat on the witness stand.
24 THE COURT: Ma'am, please adjust the microphone and
9:27:04AM 25 speak directly into it.

9:27:06AM 1 THE WITNESS: Okay.

2 THE COURT: Go ahead, please

3 DIRECT EXAMINATION

4 BY MS. ALLARD:

9:27:09AM 5 Q. Can you state and spell your name for the record?

6 A. Amiee Yelinek. A-M-I-E-E. Y-E-L-I-N-E-K.

7 Q. Did you meet Jeannie Courtney when you were 16 years old?

8 A. No, I was younger -- yes, I was 16 actually.

9 Q. And where were you?

9:27:28AM 10 A. Cross Creek Manor.

11 Q. Can you describe Cross Creek Manor?

12 A. It was a behavioral modification school located in La
13 Verkin, Utah.

14 Q. Do you remember what year that was?

9:27:40AM 15 A. 1992.

16 Q. And generally speaking, why were you at that location?

17 A. I didn't get along with my mother.

18 Q. And was this a school for girls or boys?

19 A. Yeah, it was girls, and then there was a program down the
9:28:00AM 20 street that I was also a part of that had boys as well.

21 Q. And who was the owner of the school?

22 A. Bob Litchfield.

23 Q. And what was the context of you meeting Jeannie Courtney at
24 that school?

9:28:19AM 25 A. In the seminars. They started these seminars. We had to

9:28:23AM 1 go to a recreation center to attend, and there was this woman
2 there and we were told we couldn't leave for three days.

3 Q. Can you describe, generally speaking, the structure of
4 these days?

9:28:41AM 5 A. They were long. They were super long. You didn't get
6 bathroom breaks very often, and I mean, they were long.

7 Q. And do you recall any of the activities?

8 A. Oh, yeah.

9 Q. Can you describe them?

9:29:03AM 10 A. There were --

11 Q. Start with day one.

12 A. Day one, it's a little fuzzy as to whether or not it was
13 day one or day two, but we did like a lifeboat exercise where
14 we had to tell everybody for -- I think it was like three

9:29:25AM 15 minutes or something, why we deserve to be on a lifeboat. We
16 had to tell other people that they didn't deserve to be on the
17 lifeboat.

18 There was a trust exercise that they gave us examples
19 of, like your mom is going to the hospital, do you trust this

9:29:45AM 20 person to take her to the hospital? Or do you trust this
21 person with your wallet?

22 And then they said, basically there's no wiggle room
23 on trust. You either trust people or you don't, and you had to
24 walk up to everybody in the room and tell them whether you
9:30:02AM 25 trusted them or not.

9:30:03AM 1 Q. How did that make you feel?

2 A. Super awkward. I mean, it was awful. You just had to walk

3 up to your friends and, you know, tell them that based on

4 they're not being any wiggle room in trust, you don't trust

9:30:20AM 5 them.

6 Q. Were there reactions, negative reactions?

7 A. Oh, yeah.

8 Q. What kind of reactions did you observe?

9 A. People would cry, mostly. You know, there were groups

9:30:33AM 10 where you would kind of call out people's, I guess, vibe.

11 Like, I think that you're an attention seeker, or I think that

12 you think you're better than us, or -- you know.

13 Q. Were there any particular activities where students were

14 asked to yell or --

9:30:56AM 15 A. Yes.

16 Q. And what were -- can you describe those and what day that

17 happened on?

18 A. I want to say it was the second day, and it was -- they

19 would lower the room -- or the lights in the room, and they

9:31:12AM 20 would play music, like Time After Time.

21 And people would walk up to you and say things to you

22 like, you know, your dad doesn't love you, or it's your fault

23 you were raped, or, you know, how do you feel about that? And

24 you would just be screaming, and it was the most bizarre thing

9:31:36AM 25 I've ever been through.

9:31:38AM 1 Q. About how many students were going through this?
2 A. I would say about 40.
3 Q. 40?
4 A. Yeah.
9:31:44AM 5 Q. In one room?
6 A. Yeah.
7 Q. So there's people crying and screaming?
8 A. Uh-huh.
9 Q. Is that a yes?
9:31:49AM 10 A. Yes.
11 Q. How did that make you feel?
12 A. Sad. I mean, you know, I was kind of consumed with my own
13 thing, but it was very -- I mean, the whole thing was super
14 emotionally charged.
9:32:09AM 15 Q. How would you describe the tone of the song Time After
16 Time?
17 A. Regretful, sad.
18 Q. And so this song was played at this time that people are
19 being confronted with acts from their past to make them sad?
9:32:26AM 20 A. Uh-huh.
21 Q. And that's a yes?
22 A. Yes, ma'am.
23 Q. And so how long did this emotional display go on?
24 A. Hours. It was for hours, and, you know, there were no
9:32:41AM 25 clocks, so -- but it seemed to go on for -- forever.

9:32:47AM 1 Q. Where in all this did the lifeboat activity happen?
2 A. I don't know.
3 Q. Now, do you recall how -- any request that people act out
4 in a violent or aggressive way?
9:33:03AM 5 A. We had pillows, and we were instructed to, you know, put
6 our pillows on the ground and beat on them. Some people hit
7 the walls with their pillows.
8 Q. How did this workshop end, if you recall?
9 A. Kind of a graduation ceremony, like good on you, you did
9:33:32AM 10 it. There were people that walked out, so --
11 Q. They walked out during --
12 A. Yeah, they didn't do what they were supposed to, and so
13 they weren't able to level up later.
14 Q. Can you describe that. Were they told to leave, or did
9:33:52AM 15 they leave on their own?
16 A. They were told to leave.
17 Q. And who did that?
18 A. Jean Courtney.
19 Q. And what do you mean by "level up"?
9:34:00AM 20 A. There was a level-based system at Cross Creek and
21 Adolescent Center for Change.
22 Q. And what was the consequence of being asked by Jeannie
23 Courtney to walk out?
24 A. That you wouldn't be able to level. You wouldn't be able
9:34:16AM 25 to -- you know, if you needed to get up to the next level to

9:34:20AM 1 have a home visit, you couldn't do that.

2 Q. And you witnessed several people being kicked out?

3 A. Yes.

4 Q. What -- how did that make you feel when you saw other

9:34:34AM 5 people kicked out?

6 A. I don't -- I mean -- I don't know that it really impacted

7 me a whole lot, because it wasn't me.

8 Q. What kind of a relationship did you have with the owner of

9 the school prior to attending this seminar led by Jeannie

9:34:51AM 10 Courtney?

11 A. I was a long-termer. Like I knew when I got there I

12 probably wasn't leaving until I was 18, and he was around a

13 lot, and he would talk to the girls and whatnot.

14 At first I was at The Manor, which was a six-week, or

9:35:10AM 15 excuse me, a six-month program. I was there eight months. And

16 then I got some letters out through a staff member to the

17 health department, state department, and child welfare

18 department. And apparently they wanted to come and visit.

19 So they got me out of there, and they sent me to Salt

9:35:27AM 20 Lake City, where Bob was, and Bob made a deal with me that I

21 didn't have to go back to The Manor, so I went to the program

22 down the street, which was only six weeks, but I was there for

23 a year and a half.

24 Q. So at the time that you did this seminar, you had made

9:35:44AM 25 public complaints?

9:35:45AM 1 A. Yes.

2 Q. Were you asked to dance by Jeannie Courtney?

3 A. Yes.

4 Q. What did you have to do?

9:35:56AM 5 A. I was a Pointer Sister, and you had to -- you got time to

6 practice with -- some people only had -- you know, they were

7 Garth Brooks, so it was just them. But the Pointer Sisters,

8 there was three of them, so we had time to practice. And we

9 had to dance to one of the Pointer Sisters songs and lip sync

9:36:19AM 10 and whatnot. And there was a circle around us, and people

11 stood up when they thought that you were giving it your all,

12 but if not everybody was standing up, you couldn't stop.

13 Q. How did you do performing for Jeannie Courtney?

14 A. I mean, I am a good dancer -- no, I'm not a good dancer.

9:36:41AM 15 Everybody stood up. I think, you know, after the first couple,

16 people just were like, no, they're giving it their all, just to

17 kind of make it easier on people.

18 Q. Did anybody get kicked out for not dancing according to the

19 standards expected?

9:36:59AM 20 A. I don't -- I don't think so.

21 Q. So how did the seminar end? What was the -- what kind of

22 note did it end on?

23 A. On a high note.

24 Q. How was that produced?

9:37:15AM 25 A. The graduation ceremony. I mean, like you -- there was a

9:37:20AM 1 whole congratulatory "you did it thing," and it was very
2 emotional, and you felt very close to the people that were in
3 there with you. You just felt better.
4 But it wasn't real, and you didn't really figure that
9:37:42AM 5 out for a couple of days, if at all.
6 Q. So you felt personally -- you felt positive at that time?
7 A. I did.
8 Q. And even though you were already complaining about where
9 you were at publicly?
9:37:57AM 10 A. Correct.
11 Q. You stated the reason you believe you felt that way was
12 because of closeness with other participants?
13 A. Yes.
14 Q. Any other reasons that you can think of?
9:38:11AM 15 A. It was just this up and down, you know, emotional thing,
16 and you kind of made a choice that you were going to be happy
17 about this because everybody else was.
18 And, you know, they were telling you things that
19 didn't necessarily make sense, you know, like the trust thing.
9:38:33AM 20 Like that never made sense to me. Of course there are
21 different ways to trust people. But because they were stating
22 this in such a matter-of-fact way, that -- well, they must be
23 right, because I'm just a kid and what do I know.
24 Q. Was there an activity called Pop?
9:38:57AM 25 A. Yes.

9:38:57AM 1 Q. What was that?

2 A. That was the emotional thing, and I didn't know the name of

3 that until I went back and I staffed a seminar. But that's

4 what they called it. The yelling and screaming and beating the

9:39:08AM 5 pillows. They refer to that as the Pop.

6 Q. And were you asked to -- in the -- there's some statement I

7 think you made about that ceremony where you are named after an

8 animal or something?

9 A. That was in the third seminar, and I -- I don't really

9:39:35AM 10 remember a lot about the third seminar. I know that it wasn't

11 as emotional as the first two, and it seemed like it was just

12 kind of a wrapping up. But I think I was a monkey.

13 Q. And what instructions were you given at the beginning of

14 each day? Were you told, "This is what we're going to do

9:39:54AM 15 today"?

16 A. No.

17 Q. So when you go to do this Pop activity, nobody told you at

18 the beginning of the day, "We're going to do something like

19 this"?

9:40:06AM 20 A. Oh, no.

21 Q. And was each day equally as long?

22 A. Yes.

23 Q. And you said immediately when you were in this graduation

24 ceremony, you felt very good?

9:40:25AM 25 A. Yes.

9:40:26AM 1 Q. And when did those feelings wear off?

2 A. Just the more you thought about it over the next couple of
3 days, things didn't match up with what we knew, but it was
4 confusing because we were kids. We assumed the adults would be
9:40:47AM 5 telling us the truth, to some degree.

6 Q. What instructions were you given about reporting on what
7 happened in these seminars?

8 A. Oh, you can't talk about what happens in the seminars. You
9 can't tell anybody.

9:40:58AM 10 Q. How is it that you were informed that that was the rule?

11 A. I don't remember. I think it was just, you know, don't --
12 because when people had been kicked out and they were, you
13 know, of course going to ask, and they just said don't -- what
14 happens in this room stays in this room.

9:41:17AM 15 MS. ALLARD: No further questions.

16 THE COURT: Is there any cross-examination?

17 MR. SMITH: Yes, Your Honor.

18 THE COURT: Come on up.

19 MR. SMITH: Thank you.

9:41:23AM 20 THE COURT: You're welcome.

21 CROSS-EXAMINATION

22 BY MR. SMITH:

23 Q. Ms. Yelinek, did I pronounce your name correctly?

24 A. Yes.

9:41:34AM 25 Q. My name is Michael Smith. I am representing the defendants

9:41:37AM 1 in this matter. Just couple of follow-up questions.

2 A. Okay.

3 Q. We're talking about when you first went into this program
4 that Mr. Litchfield was running, that was back in what, 1991?

9:41:48AM 5 A. Yes.

6 Q. And at some point you provided an affidavit or a
7 declaration to Ms. Sweidy that she could use in this case; is
8 that correct?

9 A. Uh-huh.

9:42:01AM 10 Q. Is that a yes?

11 A. Oh, yes, I'm sorry.

12 Q. Sure. So what led you to provide that affidavit? Did she
13 contact you or did you reach out to her?

14 A. I believe I contacted her.

9:42:17AM 15 Q. Okay. How did you find out about her?

16 A. I think she must have posted something asking if anybody
17 had any information about -- I am assuming Cross Creek Manor in
18 the '90s.

19 Q. And then when you contacted her from that point, did you
9:42:47AM 20 have any interaction with her daughter Rearden Stata?

21 A. Oh, no.

22 Q. Have you ever been to Spring Ridge Academy?

23 A. I have not.

24 Q. Other than what you just described to the jury as these
9:42:59AM 25 seminars that Ms. Jean Courtney put on during your time

9:43:07AM 1 involved with this Mr. Litchfield's programs, have you ever
2 gone to any of her other seminars?

3 A. No.

4 Q. And if I understand correctly, it sounds like you attended
9:43:18AM 5 three seminars that were put on by Ms. Courtney?

6 A. Yes.

7 Q. The first one you have talked about already. There were
8 two others. And in your affidavit, would you agree that you
9 said that the third seminar was not as taxing as the first two?

9:43:35AM 10 A. Yes.

11 Q. Was it at the end of each one of the seminars where you had
12 this feeling of, you know, kind of upward feeling and elation,
13 or was it --

14 A. Yeah.

9:43:43AM 15 Q. -- only after the third one?

16 A. No, it was after each one of them.

17 Q. Earlier you told us that these seminars were long, very
18 long --

19 A. Yes.

9:43:52AM 20 Q. -- correct?

21 On a daily basis, was that right?

22 A. That is correct.

23 Q. And the seminars that you attended, according to your
24 affidavit, were 10- to 12-hour days; is that right?

9:44:05AM 25 A. That's correct.

9:44:05AM 1 Q. And the meals were provided by the -- by Mr. Litchfield,
2 correct?
3 A. Yes.
4 Q. And speaking of Mr. Litchfield, I mean, everything you are
9:44:17AM 5 telling us about being kept longer in his programs and so
6 forth, to your knowledge, Ms. Courtney had nothing to do with
7 that, right?
8 A. I don't have any idea of the inner workings of the
9 programs.
9:44:32AM 10 Q. And so if he decided to move you from one of his programs
11 to another because you sent correspondence to State
12 authorities, other than him talking to you about that, do you
13 know if anybody else was involved in that decision?
14 A. I have no idea.
9:44:59AM 15 Q. Have you met or spoken with an expert witness in this
16 matter by the name of John Hunter?
17 A. I've met him.
18 Q. When did you meet him?
19 A. Several days ago.
9:45:18AM 20 Q. In connection to this case?
21 A. Yes.
22 Q. And how about an expert witness by the name of James Flens?
23 A. I have not met him.
24 Q. And how about an expert witness by the name of Rick Alan
9:45:33AM 25 Ross?

9:45:35AM 1

A. I have not met him.

2

Q. And what you attended at the time of your involvement with this Cross Creek Manor program Mr. Litchfield was running back in the 1991, '92, so forth, time frame, do you have any

9:45:55AM 5

knowledge as to how that is the same as or different from the kinds of seminars that Ms. Courtney was sponsoring at Spring Ridge Academy?

6

7

8

A. I have no idea.

9

MR. SMITH: That's all I have. Thank you.

9:46:16AM 10

THE COURT: Is there any redirect?

11

MS. ALLARD: No, Your Honor. Thank you.

12

THE COURT: Subject to re-call, plaintiffs?

13

MS. ALLARD: No, Your Honor.

14

THE COURT: Defense?

9:46:23AM 15

MR. SMITH: No, Your Honor.

16

17

THE COURT: Ma'am, thank you so much for coming in this morning. Be careful going down the steps. Have a great rest of your day.

18

19

Next witness, please.

9:46:34AM 20

MS. ALLARD: John Hunter.

21

JOHN A. HUNTER, PH.D., PLAINTIFF'S WITNESS, SWORN

22

23

THE COURT: Mr. Hunter, you have been sitting in the courtroom the last couple of days so you know to speak up and directly into the microphone.

24

9:47:04AM 25

THE WITNESS: Yes, sir.

9:47:05AM 1 THE COURT: Thank you very much.

2 Counsel, whenever you are ready.

3 DIRECT EXAMINATION

4 BY MS. ALLARD:

9:47:10AM 5 Q. Mr. Hunter, what's your current occupation?

6 A. I am a lecturer, and I do some research.

7 Q. And where do you perform that research?

8 A. I am based in South Africa in Johannesburg.

9 Q. And is that at a university?

9:47:27AM 10 A. It's a higher education institution.

11 Q. What's the name of the institution?

12 A. Varsity College.

13 Q. And how long have you been working there?

14 A. I have been there since 2019 permanently. I was doing

9:47:40AM 15 part-time lecturing from 2016.

16 THE COURT: For the record, how do you spell Varsity
17 college?

18 THE WITNESS: V-A-R-S-I-T-Y. College, C-O-L-L-E-G-E.

19 BY MS. ALLARD:

9:47:53AM 20 Q. And can you give us a chronology of your education,
21 training, experience, and what your background is?

22 A. Sure. When I left high school, I studied a business

23 science degree at the University of Cape Town. So it's a

24 four-year honors degree in finance. I worked in that sort of

9:48:14AM 25 space for about ten years, and then returned -- I completed a

9:48:19AM 1 post-graduate diploma in advanced banking law in 2008 at the
2 University of Johannesburg.

3 And then I returned to university in 2013 to study
4 psychology, and I completed an undergrad honors master's and a
9:48:38AM 5 Ph.D. in psychology at the University of KwaZulu-Natal.

6 Q. Was there an area that you specialized in in your Ph.D.?

7 A. Yes. My focus was on the relationship between
8 psychological stress and hypomania and mania, which are the
9 elevated states of bipolar disorder, and it was through looking
9:49:00AM 10 at large group awareness training that, that was what my
11 research was based on.

12 THE COURT: Ms. Allard, just one moment.

13 Number 3, are you okay? Do you need some water? Do
14 you have water with you?

9:49:11AM 15 JUROR: Yes, I do.

16 THE COURT: Very well, go ahead.

17 BY MS. ALLARD:

18 Q. What led you to study and -- let me ask you this, in
19 South Africa, what do they call the work that you need to
9:49:25AM 20 perform to obtain your Ph.D.? In this country we call it a
21 dissertation. What do you call it in South Africa?

22 A. Yes, so a dissertation would be what I had to complete for
23 the Ph.D.

24 Q. And this is the topic that you just described?

9:49:41AM 25 A. Yes.

9:49:41AM 1 Q. And what led you to focus on that area?

2 A. So I was diagnosed with bipolar disorder in 2003. So from
3 2003 to 2010 I was living with the illness that can be very
4 disruptive, high rates of suicide, it can make it very
9:50:00AM 5 difficult to work.

6 So I was spending a lot of time trying to manage the
7 illness as well as I could, learning about it, that kind of
8 thing.

9 So from 2003 to 2010, I was kind of doing this
9:50:13AM 10 relatively informally while doing other things at work. And in
11 2010, I started working at a company just outside of Durban in
12 South Africa.

13 And as part of the induction to be an employee of the
14 company, we were asked to take part in two personal development
9:50:33AM 15 seminars. And they wouldn't tell us what they involved. You
16 know, a lot of people asked what was going to take place and
17 were told it would ruin the experience if they told us what was
18 going to happen.

19 And I took part in the first of the seminars. It was
9:50:51AM 20 called Gateway, and -- so we worked a full day on Thursday. It
21 ran from Thursday until Sunday. So we worked a full day on
22 Thursday, finished at 5:00 in the evening. The seminar started
23 at 6:00 that evening, and I think it ended at about 2:00 in the
24 morning.

9:51:10AM 25 Friday I worked a full day, started the seminar again

9:51:14AM 1 at 6:00 in the evening, worked -- carried on until 2:00 in the
2 morning. Saturday, a full day, I think from about 9:00 to
3 about 12:00. Sunday, from about 10:00 until 6:00 in the
4 evening.

9:51:28AM 5 And it was incredibly exhausting and incredibly
6 confronting and incredibly stressful, and while I was taking
7 part in the seminar, I was thinking to myself, as somebody who
8 is trying to manage bipolar disorder, this is possibly the
9 worst situation that I could be in.

9:51:49AM 10 I knew that that's three of the -- well, at the time I
11 knew that two of the most common triggers for mania, which is
12 the elevated state of bipolar disorder, are psychological
13 stress and sleep disruption.

14 And I couldn't have thought of a more psychologically
9:52:07AM 15 stressful environment to be in. And then there was also sleep
16 disruption, so I was concerned about myself.

17 And on the final day of the training, that real sense
18 of stress and guilt and shame and inadequacy and uncertainty,
19 which is generated throughout the first couple of days, is kind
9:52:27AM 20 of abruptly removed and replaced with the sense of, you know,
21 love and affirmation and you've graduated and you're wonderful,
22 and that sort of thing.

23 And I recognized this to be the third of three very
24 common triggers for mania, which is goal attainment. So often
9:52:43AM 25 when a person achieves something or when stress is removed or

9:52:47AM 1 they achieve some sort of goal, that can also be a major
2 trigger.

3 So I noticed there were these three triggers that I
4 knew about for hypomania and mania. And then when I started
9:53:00AM 5 seeing the way that people were behaving afterwards, it also
6 looked to me very close to what I understood to be hypomaniac
7 and manic symptoms.

8 Q. And what kind of activities were done at Gateway?

9 A. So the first thing that they really do is they ask you to
9:53:19AM 10 agree to a set of rules. So, you know, you can't speak to
11 anyone. You can't engage with anyone around you.

12 They ask you to not use drugs or alcohol. They ask
13 you to make sure that you only leave the room for the bathroom
14 at very specified times. You can't eat in the room. You often
9:53:38AM 15 have to give your watches and phones back, and the windows were
16 kind of taped up so you couldn't really see -- you didn't
17 really get a sense of the passing of time.

18 In terms of exercises, there was something called the
19 Red and Black game. There was -- there was a lot of focus on
9:54:04AM 20 sharing, so basically asking people to reveal things that they
21 had gone through, and then getting feedback from the leader or
22 the trainer.

23 Generally the feedback was, you need to take
24 responsibility for whatever it is that you are talking about.

9:54:22AM 25 And often people revealed quite personal things, quite

9:54:26AM 1 traumatic things, and the feedback was always, regardless of
2 what had happened, you're responsible for it.

3 There was the trust exercise, so what's often referred
4 to as a structured mingle. So when people are to walk
9:54:43AM 5 around -- there was a long lecture on trust, which to me seemed
6 to indicate the sort of indiscriminate nature of trust. So you
7 should almost -- it was very binary; either you trust somebody
8 or you don't. There wasn't really a sense of any judgment
9 around it, and then you had to approach people and say, either
9:55:04AM 10 I trust you, I am not sure if I trust you, I don't trust you,
11 that kind of thing, yeah.

12 Q. Was there a lifeboat exercise?

13 A. So in the second training there was the lifeboat exercise.
14 I didn't take part in the second training. I actually resigned
9:55:23AM 15 from the company. It was that troubling to me that people were
16 being put through this that I -- I set up a meeting with the
17 chairman of the company.

18 And I said to him, I think this could really cause
19 damage to people. And he basically said, you know, anything
9:55:44AM 20 can cause damage to people. You know crossing the street can
21 cause damage. If you don't agree with us, you can leave. And
22 so I said, well, I don't want to have anything to do with this.

23 Q. And so when did you tackle doing research on what you
24 experienced and how did you go about doing that?

9:56:03AM 25 A. I personally didn't actually want to do research on it. I

9:56:07AM 1 found it quite troubling and quite distressing, and I didn't
2 want to have much to do with it. So I approached university
3 professors, and I approached people in the mental health
4 community, and I tried to explain to them what I had been
9:56:20AM 5 through and what these other people had been through.

6 But at the time I had a degree in finance and I had
7 bipolar disorder, and it's quite a strange thing to try to
8 communicate that people are put through this incredible stress
9 and suffering and then experience this euphoria afterwards. It
9:56:40AM 10 is quite counterintuitive.

11 And so I spent probably -- it was really three years
12 really trying to get people to pay attention and do something
13 about it. And eventually in 2013 I decided to go back and
14 study psychology and look into it myself.

9:56:57AM 15 Q. So about how many years have -- once you started studying
16 psychology through obtaining your dissertation and finishing
17 it, how many years of research did you conduct?

18 A. Well, I had been looking into it since 2010, so it has been
19 14 years, and this has really been my primary area of focus for
9:57:19AM 20 14 years.

21 Q. And what body of knowledge have you found or surveyed to do
22 that?

23 A. It's very difficult to do research on large group awareness
24 training, which is what I discovered these seminars were known
9:57:34AM 25 as.

9:57:37AM 1 In my view, if I'm thinking that these seminars are
2 effectively generating hypomanic and sometimes manic states in
3 people, then it's unethical for me to gather participants and
4 send them into a seminar to see whether this is what's going
9:57:51AM 5 on.

6 So all that I could do is I could do review of what
7 had been written by other people about these seminars through
8 the lens of possibly trying to understand are these triggers
9 for mania being used, and are the symptoms of bipolar disorder
9:58:10AM 10 being displayed. And I ended up using, I think it was 121
11 unique sources.

12 So these were books, journal articles, a lot of
13 journalists that had been through various seminars explained
14 their experiences, discussion for contributors, people often
9:58:26AM 15 anonymously online would go onto websites and speak about their
16 experiences, what happens to them, how they felt afterwards,
17 that kind of thing.

18 There is people that had written blogs about their
19 experiences. So what my research was really about was
9:58:41AM 20 gathering a lot of disparate information and bringing it
21 together in a structured way to paint a picture of what takes
22 place in the seminars and how it affects people.

23 Q. So what year did you complete your dissertation?

24 A. 2017.

9:59:00AM 25 Q. And as of 2017, you pretty much exhausted everything that

9:59:05AM 1 was out there on this subject when you wrote it?

2 A. At the time I believe so. I was -- I spent an incredible
3 amount of time online just trying to find everything that I
4 could. So that began from 2010 -- so even when I started my
9:59:20AM 5 dissertation in 2016, I had spent six years really searching
6 for everything that I could. So I feel like I had a fairly
7 exhaustive search of the information.

8 Q. So in a general sense, just talking about some of the
9 prominent people that were out there before you, what do you
9:59:43AM 10 think was one of the most compelling or reliable or maybe I
11 want to say broad pieces of information on this subject prior
12 to what you did?

13 A. I couldn't find anyone who had spent a huge amounts of
14 time. I think Dr. Margaret Singer had a chapter on large group
10:00:07AM 15 awareness training in her book Cults in Our Midst. So chapter
16 8 of her, I think it's a 1999 book, that's focused on large
17 group awareness training. That was a relatively detailed
18 account of what takes place in them.

19 But then there were -- it was mainly from journal
10:00:24AM 20 articles. So there was a 1982 article by researchers at
21 Stanford University, Finkelstein, et al. There was an article
22 in 19 -- there were two in 1977 by some researchers, also I
23 think from that area, Kirsch and Glass and Parris.

24 There was a researcher name Morton Lieberman who
10:00:48AM 25 published research in 1987. Then Janice Haaken and Richard

10:00:53AM 1 Adams published an article in 1983 on the Lifespring training.
2 So there were several articles, mainly from the late '70s and
3 '80s there was research done on them.

4 And I found it very strange that from about 1990 or
10:01:09AM 5 early 1990s, there was very little published about these
6 seminars, and considering how prominent they are, and they
7 really are everywhere, I couldn't believe that there hadn't
8 been more research done on them.

9 Q. Based on your survey of reports, as far as how they were
10:01:28AM 10 documented in journals and then how you learned about what's
11 going on now, can you describe some of the more prominent large
12 group awareness trainings that were in existence in the 1970s.
13 We'll start there.

14 A. Sure. So the ones that are referred to in most of the
10:01:45AM 15 journal articles, they will always say that the prototypical
16 organizations were Est, which stands for Erhard Seminar
17 Trainings, and Lifespring.

18 Occasionally they would have mentioned Actualizations,
19 which was quite a closely related organization, but it was
10:02:02AM 20 really those two that seemed to be the most prominent,
21 certainly the most popular and the most well known.

22 Q. And what happened to those groups?

23 A. Est ran from 1971 until, I believe, 1981. And Est training
24 ran from 1971 until 1984. And from '81 to '84, the
10:02:32AM 25 organization offering it became known as Werner Erhard and

10:02:37AM 1 Associates. Then it ran under -- the seminar being offered
2 from '85 until '91 was known as the Forum.

3 And in 1991, that organization, I don't want to say it
4 shut down, it sold its, what's often referred to as
10:02:56AM 5 "technology" to some of its employees -- that's kind of been
6 disputed as well -- and it became known as Landmark Education.

7 So that organization is really still around just under
8 a different name. Lifespring ran from 1974, and it officially
9 closed, I believe, in 1998. But I would say that it was -- it
10:03:27AM 10 was popular in the '70s and '80s, and then in the '90s it
11 became less popular.

12 But John Hanley, who was the primary founder of
13 Lifespring, has explained that the courses were taken and used
14 by, in his own words, hundreds of different people afterwards.

10:03:49AM 15 So Lifespring disappeared in name, but the technology or the
16 processes are still used by many different organizations around
17 the world.

18 Q. Are they currently being used, to your knowledge, today,
19 based on your research?

10:04:05AM 20 A. Yes.

21 Q. What organizations are using these methods?

22 A. For example, Mastery and Transformational Training, which
23 is an organization based in Los Angeles. My understanding is
24 that they are using very much what Lifespring is.

10:04:22AM 25 There was an organization called Pathways that became

10:04:25AM 1 known as Choices that was -- seems to be using Lifespring's
2 technology.

3 The seminar that I took part in I would say was
4 probably 80 percent Lifespring, 20 percent Est. And when I
10:04:40AM 5 say, you know, exercise for exercise, the use of specific
6 jargon. So I heard the word "grungies." That was a term that
7 was used in Durban, South Africa in a seminar that was not
8 officially -- they didn't say, you know, we're related to
9 Lifespring, but they used that technology.

10:05:02AM 10 The entrance music that was played every time you had
11 to get to your seat. It's know as also Sprach Zarathustra. So
12 it's from 2001: A Space Odyssey. And you hear people speaking
13 about the exact same music being used in some seminar in
14 Bulgaria, in Australia, in China, in different parts of the
10:05:26AM 15 U.S.

16 So the seminars are -- Morton Lieberman and Margaret
17 Singer, and various other people, have noted that the seminars
18 are incredibly structured, so it's quite easy for somebody to
19 take the process and replicate it somewhere else.

10:05:44AM 20 Q. So Lifespring, do you know why it is Lifespring is no
21 longer in existence or how it ended?

22 A. So according to Hanley himself, so he published a book in
23 2012 called, Are You Getting This? And he explains that the
24 lawsuits were -- played a major role in the decline of
10:06:09AM 25 Lifespring.

10:06:11AM 1 Q. Are you familiar with what some of the reactions or
2 complaints were about people's experiences at Lifespring?

3 A. Yes. So he doesn't go into the detail of that, but Mark
4 Fisher, who was a journalist -- still a journalist, I believe,
10:06:25AM 5 at the Washington Post wrote an article in 1987 called, I Cried
6 Enough to Fill a Glass. And it was a deep exploration of
7 Lifespring.

8 And the sorts of things that people were complaining
9 of were things like psychotic episodes, you know, depression.

10:06:45AM 10 There were claims of suicides, that kind of thing.

11 Margaret Singer who wrote about it, as I say, in
12 chapter 8 of her book spoke about PTSD, sort of post-traumatic
13 stress disorder, other stress-related illnesses, phobias, and
14 various other things that emerged claimed as a result of
10:07:09AM 15 participation.

16 Q. Did John Hanley ever talk about efforts that he made as the
17 owner of Lifespring to mitigate damages to people who were
18 going into these seminars?

19 A. Morton Lieberman, who was a professor at the University of
10:07:26AM 20 California San Francisco did a fair amount of research on
21 Lifespring and similar groups in the '70s and '80s. And I
22 believe that he said that he provided a number of guidelines,
23 in terms of things that could maybe help the seminars.

24 He said that some of the guidelines were followed, but
10:07:49AM 25 some of them weren't. And he said one of the things that he

10:07:53AM 1 was most concerned about was the inability of people to leave
2 the environment when they were feeling overwhelmed. So I think
3 that there may have been some attempts to change things to a
4 degree, but I don't know if all of the recommendations were
10:08:14AM 5 taken.

6 Q. Were there any attempts to screen the participants for
7 vulnerabilities, mental health issues?

8 A. The statements made by these organizations is that they are
9 not doing therapy. So they often market themselves as, we are
10:08:36AM 10 not trying to help people that are not well. We are trying to
11 take people that are already healthy and to elevate them.

12 So a lot of these seminars are informed by the human
13 potential or humanistic psychology. So Maslow and Rogers, the
14 idea of self-actualizing, becoming the best possible version of
10:09:01AM 15 yourself. So the screening was that they would market
16 themselves as not being treatments and rather for healthy
17 people.

18 I know, for example, in the Landmark now is very
19 explicit screening of people where they say, if you've -- you
10:09:19AM 20 know, experienced any sort of psychosis, if you have depression
21 or bipolar disorder, if you are taking any medications for
22 depression, anxiety, psychosis, anything like that, then you
23 are strongly advised not to take part. So that's currently at
24 the moment the advice given to healthy adults.

10:09:41AM 25 Q. What about alcohol use? Is there any admonitions regarding

10:09:45AM 1 that?

2 A. Well, they don't want -- and I'll -- I'm sure I can explain
3 what I think the neurobiology of what goes on in the seminars
4 is, but they don't want people to take drugs and alcohol while
10:10:01AM 5 they are taking part in the seminars. I believe it's because
6 it will impact the chemical effect of what's taking place in
7 the seminars.

8 Q. Based on your research on Lifespring, can you describe some
9 of the activities that were done at Lifespring in their
10:10:18AM 10 seminars?

11 A. Sure. So the lifeboat game is -- or the lifeboat exercise
12 is one of the activities. And what took place during the
13 lifeboat exercise was that people were asked to make a case for
14 why they should live and effectively why -- and sometimes, by
10:10:49AM 15 default, why people around them should die.

16 So you would have to make a case for, this is why I
17 think I should be given a place on this life raft, this ship is
18 sinking, and really forces a person to reflect on their own
19 worth.

10:11:05AM 20 But this can be an incredibly stressful thing to go
21 through, because if the person can't think of a way to
22 motivate -- and if other people are also not agreeing that they
23 can motivate for their own survival, it's really going to make
24 you feel like you have a lack of value, or to say to somebody
10:11:24AM 25 they don't deserve to live. That's an incredibly difficult

10:11:29AM 1 thing to say to somebody.

2 The lifeboat exercise is one in which afterwards the
3 trainer will say to you, well, you should have actually backed
4 yourself. So you should have been looking out for yourself.

10:11:47AM 5 You should have motivated for yourself.

6 If you can't trust that with the Red-Black exercise,
7 which is often done the day before, the Red-Black exercise,
8 they will explain the rules of this game to the participants,
9 and they'll say that the purpose of this exercise is for you to
10:12:06AM10 win.

11 And they will ask people to get into groups, and
12 they'll say, you all have to agree on something before you
13 allocate a point to it, and it is quite confusing. And from my
14 research and from my discussions with people, it seems like
10:12:20AM15 it's deliberately confusing.

16 So participants don't really know what they are
17 supposed to be doing. And then this game will be played, and
18 basically at the end of the game the revelation will be that
19 the way for you to have all won and to have all kind of
10:12:39AM20 achieved together is by voting in a particular way, and instead
21 you tried to win for yourselves, and so other people lost.

22 So it's kind of the opposite of what's communicated in
23 the lifeboat game. So you should be looking out for yourself
24 in the one, and you should be looking out for everyone in the
10:12:59AM25 other.

10:12:59AM 1 In my view, it allows the trainers an opportunity to
2 load guilt and shame onto the participants and to say, this is
3 why your life doesn't work. This is why things don't work, is
4 because you completely focused on yourselves and, you know, you
10:13:16AM 5 would rather other people do badly as opposed to everyone
6 winning together.

7 And I think when people hear about the different
8 exercises that take place in these seminars, it must seem
9 incredibly confusing, because they don't really, really make
10:13:38AM 10 sense.

11 But if you look at them through the lens of the points
12 of these things is to generate guilt, shame, inadequacy,
13 uncertainty, fear, then you recognize, okay, these games start
14 to make sense. These exercises start to make sense. This
10:13:55AM 15 feedback starts to make sense.

16 This idea of you need to be responsible for X, Y, and
17 Z, it makes sense. Because I believe, and my research
18 effectively states, that psychological stress is the primary
19 ingredient in these seminars that allows them to generate these
10:14:11AM 20 transformational states.

21 Q. How about language. What kind of language was employed in
22 Lifespring?

23 A. So there's a lot of talk about commitment and integrity and
24 authenticity, responsibility, as I have mentioned, things like
10:14:31AM 25 grungies. So there's a lot of jargon thrown around, and often

10:14:35AM 1 the jargon can be quite difficult to get your head around, but
2 it seems to serve a very specific purpose.

3 You hear of things like thought-terminating cliches,
4 which is something that's -- a researcher of indoctrination
10:14:56AM 5 during the Korean war, a Robert Jay Lifton spoke about. He
6 spoke about learning the language and about thought-terminating
7 cliches.

8 So using a term like, are you coachable. So if a
9 person is not agreeing with something that the trainer is
10:15:13AM 10 saying, they'll say, you agreed that you would be coachable at
11 the beginning, you are not being very coachable. Or they'll
12 say, what you resist persists. And that's kind of this
13 constant cliché that might be thrown around.

14 And the idea is that if you push back on anything,
10:15:31AM 15 it's standing in the way of you achieving what you are supposed
16 to be achieving. So language is quite specific.

17 And people that left Est, people that left Lifespring,
18 people that leave Landmark, you often hear family members and
19 friends saying, I don't really understand what they're talking
10:15:52AM 20 about a lot of the time because they're using very specific
21 language that seems to be very unique to their experience.

22 And one of the things about languages is that it can,
23 as I said, it can shut down critical thinking. So if you say
24 you're not being very coachable, if a person is pushing back.

10:16:13AM 25 And if everyone in the room understands coachable to be a good

10:16:16AM 1 thing, they'll sort of agree with that.

2 But the other thing about using unique language is
3 that it can be quite bonding. You feel like you know something
4 that other people don't. So people that have gone through the
10:16:30AM 5 process bond based on understanding the language, understanding
6 what it's about, and outsiders don't know about it and so
7 there's a bit of a division caused with it as well.

8 Q. Was there an inside use of the word or terminology
9 "feedback" at Lifespring?

10:16:48AM 10 A. Um, no -- not that I am aware of. There was certainly the
11 request that people provide feedback. I didn't notice it as a
12 specific term. So the trainer would certainly provide feedback
13 to people, and they would ask people to provide feedback to
14 each other. But that word wasn't necessarily -- any way that
10:17:18AM 15 it was described.

16 Q. Were people in Lifespring asked to self-disclose personal
17 details?

18 A. Yes.

19 Q. And can you describe that?

10:17:25AM 20 A. So the training is basically broke into three main
21 sections. So there's the first part, which is kind of referred
22 to as distinctions, and that has a lot to do with the language
23 and various elements.

24 The second part is exercises, so when you think about
10:17:45AM 25 the lifeboat game, the Red and Black game. And then the third

10:17:50AM 1 part is what's often referred to as sharing.

2 And so the trainer will encourage people to share
3 something about what they're battling with or struggling with
4 or something they've experienced, and the trainer will work
10:18:05AM 5 with them to explain this idea of responsibility, which is
6 really probably the most central idea in all of these seminars,
7 is the idea of accountability or responsibility.

8 So if somebody says, you know, I was beaten. I -- you
9 know, my parents passed away and that's why I'm experiencing
10:18:28AM 10 these sorts of challenges, I was raped, I went through
11 whatever. The trainer will work through that person to get
12 them to the point where they accept responsibility for what
13 they've experienced, what they're going through.

14 The superficial motivation for it is that if you take
10:18:48AM 15 accountability for something, then it allows you agency. It
16 makes you feel as if you are in control of the situation.

17 But when you read the way that trainers or these
18 leaders interact with participants, the way that they
19 communicate responsibility to people is likely to generate
10:19:10AM 20 guilt and shame and that sort of thing. So they might say to
21 somebody, you made it possible for somebody to rape you.

22 And that was something that I heard during the seminar
23 that I took, and very similar stories have been reported by
24 journalists, people writing books on these seminars.

10:19:38AM 25 It doesn't seem like it was hidden in the 1970s, to be

10:19:42AM 1 honest. So there's a book called The Book of Est that was
2 published in 1976. And one of the participants is asked to
3 share about something that happened to her, and she says, well,
4 I was 10 years old, I think, and I was sitting on my uncle's
10:19:57AM 5 lap and he started to molest me.

6 And the trainer says, no, no, hold on, you're
7 distorting what actually happened. I just want to hear what
8 happened.

9 And so she says, well, you know, he put his hands
10:20:14AM 10 between my legs and he started doing dirty things. And the
11 trainer says, no, no, no, you are putting your own spin on this
12 now. Tell us what actually happened. Dirty things is just
13 your interpretation.

14 And so there's this very strong idea of, you have got
10:20:31AM 15 agency in how you interpret anything that happens to you. But
16 the way that it's applied is so extreme that no trained
17 therapist, as far as I'm concerned, would ever try to use that
18 approach, particularly in a group setting. So -- yeah.

19 Q. What -- as far as Lifespring, what kind of exercises did
10:20:59AM 20 they ask participants to perform to take them out of their
21 comfort zone?

22 A. Well, as I say, I think the Red and Black game is going to
23 be relatively stressful. I think the lifeboat game is going to
24 be stressful. The trust exercise is going to be stressful for
10:21:27AM 25 a lot of people.

10:21:32AM 1 There's also guided meditations, so that takes place a
2 lot in these seminars. So you will be asked to sit down, close
3 your eyes, and essentially visualize various things.

4 One of the things that they tend to do in a lot of
10:21:49AM 5 large group awareness trainings is regression-type exercises.
6 They're getting people to focus on their childhoods, and often
7 to focus on troubling interactions or problems that they've
8 experienced with their mother or father.

9 So asking people to -- asking participants to relive
10:22:11AM 10 difficult situations that they may have had with a parent. And
11 certainly in my seminar, you know, people were just crying and
12 sobbing and, yeah, I mean, personally I have always had a very
13 good relationship with my parents, so it wasn't particularly
14 stressful for me. But certainly for some people, there's a lot
10:22:36AM 15 of trauma being brought up in what I would characterize as a
16 relatively uncontrolled way.

17 Q. If you were doing like a genealogy of the -- you have Est
18 and Lifespring kind of happening at the same time. Where did
19 these founders learn their trade?

10:22:58AM 20 A. Okay, so the timeline for large group awareness trainings
21 is -- it's not entirely clean and clear. So what some of the
22 researchers in the '70s and '80s would say is that there was
23 sensitivity trainings in the 1940s and 1950s.

24 Then they were encounter groups in the 1960s. And I
10:23:22AM 25 think an encounter group is almost identical to what you would

10:23:27AM 1 think of as feedback. So an encounter group is essentially you
2 interacting with other people and them giving you very direct
3 feedback on things that they can see in you, and then that's
4 reciprocated.

10:23:42AM 5 The encounter groups then became large group awareness
6 trainings from the influence of large group awareness
7 trainings, which were popularized from 1971. I think it's
8 probably worth mentioning that Morton Lieberman and Irvin Yalom
9 did a study on encounter groups in 1971.

10:24:05AM10 And this was on, you know, healthy students. And they
11 found that about nine percent of them were experiencing serious
12 psychological harm six months after participation.

13 So there were various other organizations that
14 influenced the individuals that started large group awareness
10:24:23AM15 trainings. So Werner Erhard is the person who started Est in
16 1971. And then John Hanley started Lifespring in 1974, along
17 with Robert White, Randy Revell, Larry Jensen, and
18 Charlene Afremow. Although they had all left Lifespring by
19 1978.

10:24:45AM20 They were all trainers at an organization called Mind
21 Dynamics. So that ran from about 1967 to, I think, 1973. It
22 was shut down or it was -- I believe it was shut down for
23 practicing medicine without a license. They were making claims
24 about being able to do various diagnoses.

10:25:05AM25 So Erhard was a trainer at Mind Dynamics, as were

10:25:09AM 1 Afremow and Jensen and Revell and White. And John Hanley was a
2 trainer on Mind Dynamics. So that was certainly one of the
3 organizations that played a big role in large group awareness
4 trainings. But there was another organization called
10:25:29AM 5 Leadership Dynamics Institute, which was very closely related.

6 So just to give you a sense of this, there was an
7 organization called Holiday Magic, which was also subsequently,
8 I believe, shut down for essentially being multi-level
9 marketing pyramid scheme and that sort of thing.

10:25:53AM10 And the owner of Holiday Magic also had some ownership
11 in Mind Dynamics and in this other organization called
12 Leadership Dynamics Institute. So Mind Dynamics seemed to be a
13 lot more of a -- it was about achieving an alpha brain state.
14 It was about relaxation, a lot closer to transcendental
10:26:26AM15 meditation. It wasn't very stressful.

16 Leadership Dynamics, however, was incredibly
17 stressful. So they were shut down because of claims of abuse
18 from former participants, and they would do things like lock
19 people in coffins, hang them on crosses, ask people to eat
10:26:47AM20 vomit and feces, and really just put people through incredibly
21 difficult situations.

22 In Mark Fisher's article, for example, he explains
23 that, you know, in one exercise some of the male participants
24 would be asked to filet a fake penis and, you know, females
10:27:11AM25 that were participating in a similar training would be brought

10:27:14AM 1 in to watch.

2 And at the end of this seminar, which is incredibly
3 stressful and incredibly traumatic and humiliating and all that
4 sort of thing, again, you would see this incredible sense of
10:27:26AM 5 euphoria and confidence and joy and a sense of transformation.

6 And Hanley, in his 2012 book, he speaks about his
7 experience at Leadership Dynamics as being his big
8 breakthrough. He says, this is when he really understood --
9 you know, this is when he had his breakthrough.

10:27:48AM 10 So I don't think it's an exaggeration to say that
11 Leadership Dynamics was a significant influence on Hanley and
12 on Lifespring. Can I just maybe say as well, Erhard was a
13 salesman. Hanley was a salesman. Both of them had very
14 questionable things happening in their past.

10:28:13AM 15 Hanley was convicted of a felony in 1968. He was
16 given five years, was a suspended sentence, from what I
17 remember. They were salesmen. They didn't have a background
18 in psychology.

19 My understanding is that they stumbled upon these
10:28:32AM 20 processes that allowed people to experience these incredible
21 elevated states, and they found a way to package and sell them.
22 Q. And how much were they charging back in the '70s, if you
23 know?

24 A. I am not sure. I think it was probably a few hundred
10:28:49AM 25 dollars.

10:28:50AM 1 Q. And the programs that are running today, what are they
2 charging?

3 A. Similar. I think about \$400, \$500, but it very much
4 depends on the seminar. Landmark is relatively cheap,
10:29:02AM 5 actually. But they are very similar seminars that might charge
6 \$5,000 or \$10,000 for similar things that are not quite the
7 same.

8 THE COURT: Ladies and gentlemen, this is the perfect
9 time to take our morning recess. Court is in recess until
10:29:18AM 10 10:45.

11 All rise for the jury. Court is in recess.

12 (The jury leaves the courtroom.)

13 THE COURT: Court is in recess.

14 (Recess taken at 10:29 a.m.; resumes at 10:50 a.m.)

10:50:14AM 15 THE COURT: Court will come to order. Please continue
16 with the examination.

17 BY MS. ALLARD:

18 Q. You talked about some of the activities, this issue of
19 inducing stress. What conditions would you compare between
10:50:33AM 20 Lifespring and those you have heard about here that we would
21 contribute to that? What factors in the structure of the
22 seminars?

23 A. I think the long hours are going to play a role. So, you
24 know, physical exhaustion is going to play a role. I think
10:50:50AM 25 that the uncertainty of the environment.

10:50:53AM 1 So they say you can't tell anyone about what is going
2 to take place because it might ruin their experience, and
3 that's actually true, because uncertainty is a form of stress.
4 So if you went into there with a good understanding of what was
10:51:10AM 5 going to happen, that would reduce the stress.

6 I think the opportunities to get out of the
7 environment, the fact that those tend to be very limited in
8 terms of bathroom breaks. That's going to make things more
9 stressful.

10:51:28AM 10 Q. What conditions did Lifespring impose such that individuals
11 were not able to compare notes with each other about what they
12 were experiencing?

13 A. So typically in large group awareness trainings they say to
14 you as one of the rules that you can't take notes down. So
10:51:45AM 15 even in terms of reflecting on your own experience, you don't
16 have much to go back on. So that was the case in Lifespring.
17 That was the case in Est, and it's the case in Landmark or the
18 Landmark Forum now.

19 But also one of the rules that you can't speak to
10:52:02AM 20 anyone in front of you, anyone next to you. So while you are
21 in that environment, you effectively got one person controlling
22 the communication.

23 And I mean, even looking at the situation here,
24 there's attorneys presenting one side and attorneys presenting
10:52:20AM 25 another side, and we understand that this is because in order

10:52:23AM 1 to make an informed decision, you need to get multiple
2 perspectives.

3 So in that environment you have got one person
4 controlling what is shared, what people are allowed to say,
10:52:37AM 5 that sort of thing. So it makes it difficult to think clearly
6 about what's going on around you.

7 Q. And with respect to the lack of the ability to speak to
8 people freely, how does that enhance the response of the
9 participants in these workshops?

10:52:58AM 10 A. Well, it produces conformity. So you're put through
11 something, which I think any person who hears it on the outside
12 would say, well, why didn't you protest, why didn't you get up
13 and walk out, why didn't you do whatever.

14 And in the case with the workshops that have been
10:53:17AM 15 described at these -- at Spring Ridge Academy, for example,
16 there was obviously the threat, if you don't make it through,
17 then you don't move up the levels, then you don't leave.

18 But even this is adults that willingly chosen to take
19 part, they don't -- they don't leave either. So they kind of
10:53:44AM 20 controlled -- I'm sorry, I'm not sure if I'm explaining that
21 correctly.

22 Q. Well, I mean, what factors at Lifespring were such that a
23 person who was there would not normally walk out on their own?

24 A. So Mr. Williams, I believe, mentioned something yesterday
10:54:06AM 25 about the fear of the consequences. So at the beginning of our

10:54:10AM 1 seminar they say to us, training is like a course of
2 antibiotics; if you don't take the full course, you can
3 actually maybe do some harm.

4 Other organizations, I know Landmark, for example,
10:54:22AM 5 says, this is like a roller coaster. It's going to be
6 frightening, it's going to be whatever; however, it's
7 incredibly dangerous for you to get off halfway through. They
8 also ask people to commit up front typically that they will
9 stay through the duration of the training.

10:54:38AM 10 And I'd argue that's -- because I believe that the
11 process -- in order for them to generate these highs at the
12 end, they need psychological stress for a period of, you know,
13 probably 80 percent of the training, replaced with love, joy,
14 affirmation at the end.

10:54:56AM 15 If they don't get that replacement at the end, then
16 you're just going to get people that have been through the
17 stressful parts, and they're unlikely to experience that thing
18 at the end.

19 The other thing is that typically in large group
10:55:05AM 20 awareness trainings, the recruitment is done via word of mouth.
21 So somebody has invited you to take part, often a family member
22 or friend or colleague or somebody like that.

23 And they will say to you, I can't explain this to you,
24 it's beyond explanation. It's going to feel strange. It's
10:55:21AM 25 going to be weird. You're going to feel confronted. You're

10:55:24AM 1 going to feel all these sorts of things. But trust me, just
2 stay to the end and you won't regret it.

3 So people kind of walk in with that mindset of feeling
4 like that. I mean, the trainer will often also say things
10:55:38AM 5 like, if you give up on this, this is the way that you're
6 operating in life, so you'll give up on -- you are the sort of
7 person who will give up on everything.

8 So there's the guilt of people into feeling like I
9 should stay, and then also because you can't speak to anyone
10:55:55AM 10 around you, you are looking around for social proof or social
11 evidence of what to do. It is an incredibly uncertain
12 environment.

13 So when you are in those situations, you try to figure
14 out, well, what's the right way to behave. What's the right
10:56:07AM 15 thing to do. Nobody else is getting up and leaving, and so
16 then you stay. And then something strange happens, and still,
17 nobody is doing anything, because they want to agree to the
18 rules and I'm not going to talk at the wrong time, and then you
19 stay.

10:56:20AM 20 And then the longer you stay, the more you have
21 invested in this, the more you kind of accepted that you are
22 going to be there, and it makes it more and more difficult to
23 leave, the longer you're involved.

24 Q. And you mentioned the reward or the -- in Lifespring. How
10:56:37AM 25 would these seminars end on a high note?

10:56:42AM 1 A. So typically in Lifespring, and it differs from seminar to
2 seminar, but they might stage a surprise at the end, you know,
3 but if it's lasting, for say, three days -- because they can
4 run over three days or four days or five days, generally the
10:56:58AM 5 first 80 percent is going to be something very stressful, and
6 then often a little bit of a relaxation exercise, something
7 stressful, and it kind of carries on like that for about 80
8 percent of the time.

9 And then typically on the last day, the trainer starts
10:57:12AM 10 to become a lot kinder. And the trainers will often scream and
11 shout at participants and -- over the first couple of things,
12 and then the trainer will start being more kind. The trainer
13 will start stepping down from the platform, allowing a bit more
14 sort of psychological merger with the participants.

10:57:31AM 15 There will often be dancing and more positive
16 activities on the final day. Right at the end of our seminar,
17 and I know that this happens in Lifespring as well, you
18 basically are asked to show your thumb. So you say to a
19 person, I'm going to give you a handshake or I'm going to give
10:57:55AM 20 you a thumbs-up, or I'm going to give you a hug.

21 And by the end of it, most people are really looking
22 for support and affirmation, and most people end up giving
23 hugs. So there's a huge amount of hugging each other at the
24 end, and then there's music played, and then there's a
10:58:12AM 25 graduation ceremony and everyone is wonderful and people are no

10:58:15AM 1 longer low, they are now elevated, yeah.

2 Q. Were there any use of blindfolds in any Lifespring
3 activities in your research?

4 A. Not that I remember.

10:58:27AM 5 Q. Any use of massages in your research of Lifespring?

6 A. No.

7 Q. Any research that revealed carrying a sandbag?

8 A. No.

9 Q. So the result and the reason that people kept going back or
10:58:49AM10 paying for Lifespring was this euphoric response. Can you
11 describe the process that you believe these activities -- and
12 how they get them to that point?

13 A. Yes. So as I said, my initial interest was because it
14 seemed like there were these triggers for hypomania and mania,
10:59:12AM15 and maybe just explain the difference between the two.

16 So depression is a unipolar mood disorder. So you
17 feel this really low sense of mood, and obviously it's
18 associated with suicide. But one way of thinking about it
19 maybe is that you've got this lens and you are seeing the world
10:59:29AM20 and yourself in the future through this really negative lens.

21 And somebody that's suffering with depression, for
22 example, if you look at the reality of their life, it's often
23 not nearly as negative as they believe it to be.

24 And so bipolar disorder is not just the lower pole of
10:59:53AM25 mood, but it's the elevated side as well. So as opposed to

10:59:57AM 1 experiencing the feelings of guilt and shame and worthlessness
2 and pessimism that you experience with depression, mania is the
3 opposite of that. So incredible sense of optimism and
4 confidence and joy and euphoria and energy and just the feeling
11:00:13AM 5 like everything is going to work out brilliantly, which is
6 often why you see quite impulsive and reckless behavior with
7 people that are manic.

8 Because they sense that their actions are going to
9 lead to really positive things, so they might spend money
11:00:29AM 10 without understanding that -- or they'll understand it, but
11 they -- they might make these sort of bad decisions. They
12 might say something that they wouldn't ordinarily say. You see
13 a lot of people getting divorced or those kinds of things when
14 they're manic or gambling or taking chances that they wouldn't
11:00:49AM 15 otherwise take.

16 So mania is the most elevated state in bipolar
17 disorder. And then hypomania -- not to be confused with
18 hyper -- hypo means below. So if you think of a normal range
19 of mood being this, or the saddest you might have been and the
11:01:08AM 20 happiest you might have been being like that, depression is,
21 you know, somewhere over here.

22 And then you've got hypomania sitting above the normal
23 range, and then mania, which sits on top of that.

24 So --

11:01:20AM 25 Q. And just a brief question. Based on the survey of what you

11:01:23AM 1 reviewed on Lifespring Est participants, what kind of examples
2 did you observe as far as their experiences?

3 A. So based on my research, if you look at the symptoms of
4 what's often referred to as "transformation" by these seminars,
11:01:38AM 5 which is this elevated state at the end, you see euphoria, you
6 see incredible levels of confidence, you see impulsive
7 behavior. You see increased levels of energy, increased levels
8 of productivity. Occasionally you see psychosis. And all of
9 those are established symptoms of hypomania and mania.

11:02:02AM 10 Q. And how long would they last?

11 A. In terms of a hypomanical manic episode, or in terms of
12 participation in one of these seminars?

13 Q. If someone leaves a seminar feeling euphoria, on average,
14 how long did they report feeling that way after the seminar?

11:02:20AM 15 A. So based on my reading of multiple accounts and engagement
16 with people that have taken part in these seminars, it
17 typically is several days to maybe ten days, two weeks in some
18 people. So it's transient. It doesn't last very long.

19 And in fact, the one very controlled study that was
11:02:39AM 20 done on the Forum, which was done in 1989, found that even six
21 weeks after participation they could find no real long-term --
22 no real benefits from participating. So even within four to
23 six weeks, it seems that the effects have gone.

24 Q. And as far as this process and the way people think and
11:03:03AM 25 they are in this group, can you -- have you done some research

11:03:07AM 1 and study on the -- I guess the effect on a group of these
2 activities and the thought process of the individuals such that
3 they aren't leaving and they are not questioning what they're
4 experiencing?

11:03:26AM 5 A. Well, what I would say in terms of the effects on bonding,
6 is that some of the things that happen when you put a person
7 through a lot of stress is that you produce something called
8 oxytocin and endorphins.

9 So endorphins are natural painkillers, and whether you
11:03:48AM 10 are experiencing physical pain or psychological pain, your
11 brain produces endorphins. But the other thing about
12 endorphins is that they are associated with social bonding, so
13 people feel like they're closer to each other.

14 Oxytocin is a chemical that's released -- it's often
11:04:03AM 15 associated with a woman when they're giving birth. So you
16 release oxytocin, and that allows the mothers to bond with
17 their children.

18 But if you put a person through something very
19 stressful, you also are allowing these two things to be
11:04:18AM 20 released at quite an elevated level, and that's probably going
21 to lead to people feeling like they have really bonded with the
22 group of people that they have been through the situation with.

23 Q. And what about the ability to use rational thought? What
24 happens when you are involved in these groups?

11:04:44AM 25 A. So I believe that the process that is used in LGATs or

11:04:53AM 1 large group awareness trainings really undermines critical
2 thinking. And the way that this is done is through -- the
3 model that might be best used to explain this is something
4 called the elaboration likelihood model. And I'll try to
11:05:10AM 5 explain it as simply as possible.

6 But basically if you are trying to convince somebody
7 of something, you can either use the central route or the
8 peripheral route.

9 The central route basically means that you would give
11:05:26AM 10 the person all of the information that they need. You would
11 say, here's all the details, here's all the time that you need,
12 take your time, run through it, make the decision, and the
13 decision is going to be theirs. It's going to be based on
14 reviewing the evidence, and it's going to be based on -- it's
11:05:42AM 15 going to be decision that really belongs to them.

16 The peripheral route, on the other hand, is when you
17 are persuading people using heuristics, or cognitive shortcuts.
18 So if a person doesn't have the motivation or the ability to
19 think through the information that's provided, they're far more
11:06:03AM 20 likely to rely on these cognitive shortcuts.

21 And those cognitive shortcuts might be things like,
22 I'm looking around and seeing what everyone else is doing, and
23 so I'm kind of outsourcing my thinking to the group. Or it
24 might be, I'm listening to what this person in front of me is
11:06:18AM 25 saying because they seem like an authority figure, and I am

11:06:21AM 1 going to trust them. So it's is not based on evidence. It's
2 based on some sort of shortcut.

3 And another thing that really affects peripheral route
4 persuasion is emotions. So if you are feeling really good and
11:06:35AM 5 positive when you hear a piece of information, you are far more
6 likely to agree with it than if you are feeling very negative.

7 So what tends to take place in these seminars is that
8 they spend a lot of time undermining the ability and motivation
9 of participants to think for themselves, to basically use the
11:06:57AM 10 central routes.

11 So the participants are getting very tired. They are
12 there for a long period of time. They are not allowed to write
13 anything down, so they can't really review things. They can't
14 speak to people next to them.

11:07:10AM 15 There's an enormous amount of information and jargon
16 being thrown at them, so their ability to work out what's going
17 on is very limited. They have also been told that you're never
18 going to understand this process. It's beyond your
19 understanding. You're never going to be able to work it out.
11:07:27AM 20 Just trust the process.

21 They will literally say to people, stop coming from
22 your heads, come from your hearts. So they undermine critical
23 thinking. They undermine that sort of thing. And they
24 undermine the ability to think for yourself.

11:07:43AM 25 And then at the end they trigger this incredibly

11:07:46AM 1 powerful euphoric experience which becomes associated with the
2 information that's been presented and the obligations which
3 have been presented during the seminars.

4 So under those conditions, it's far more likely that a
11:08:03AM 5 person is going to accept these heuristics as opposed to
6 thinking for themselves.

7 Q. And the connection between these activities and a euphoria,
8 I mean, what is that?

9 A. Yes. So this is what I presented in 2022. I presented my
11:08:25AM 10 research at the International Cultic Studies Association
11 Conference. And it seems like nobody had looked at this
12 before. The feedback afterwards was really positive.

13 Basically what I did was I said to myself, okay, we've
14 got these triggers for mania and we've got these symptoms of
11:08:46AM 15 hypomania and mania. What is maybe the connection between the
16 two?

17 And a very prominent theory for explaining bipolar
18 disorder is something called the dopamine hypothesis of bipolar
19 disorder. And very basically what that is is the idea that --
11:09:04AM 20 an elevated level of dopamine, which is a brain chemical.

21 And so maybe just make it something more tangible, if
22 you smoke crystal meth or if you take cocaine, it elevates
23 dopamine in the mesolimbic pathway. And so there's those
24 feelings of incredible certainty and confidence and euphoria
11:09:26AM 25 and whatever that people get from taking those drugs. A lot of

11:09:30AM 1 it has got to be with an elevation of dopamine in a particular
2 pathway.

3 And so you've got this dopamine hypothesis of bipolar
4 disorder which basically says, an elevation of dopamine
11:09:42AM 5 contributes a lot to hypomania and mania, and a depletion of
6 dopamine contributes to depression, and that's a very
7 simplistic way of looking at it, but that's basically what it
8 is.

9 So then I said, well, okay, if dopamine is involved in
11:09:56AM 10 these elevated states, is there some sort of relationship
11 between what take place in these seminars and dopamine? And so
12 this research had kind of been happening quite separately. So
13 I just went and looked, and it turns out that there are
14 numerous articles that speak about the relationship between
11:10:15AM 15 acute stress and an elevation in dopamine.

16 So one of the primary things that's happening in these
17 seminars is that people are being put through this very
18 stressful situation, and the literature shows that this can
19 cause an elevation in dopamine.

11:10:32AM 20 So that was one of the things. The other thing about
21 being in a stressful situation, what's often referred to as a
22 state of homeostatic imbalance, is that when you are in that
23 stressful situation, not only is your brain starting to produce
24 dopamine, but also your dopamine system becomes more sensitive
11:10:50AM 25 to reward.

11:10:51AM 1 And the dopamine system is really about reward. It
2 used to be known as the reward pathway or the pleasure pathway.
3 So we know that the dopamine system responds to reward.

4 So what you've got in these seminars, is you've got
11:11:05AM 5 this period of real stress, so psychological stress, which
6 according to the literature, elevates dopamine. Also you have
7 the psychological stress, which is making the dopamine system
8 very responsive or sensitive to any rewards that follow.

9 And then at the end you've got this really rewarding
11:11:24AM 10 experience. You have graduated. You are wonderful. You are
11 amazing. You are one of us, all those sorts of things.

12 So theoretically, at least, you have got this recipe
13 for an elevation in dopamine or a recipe for a hypomanic or
14 manic episode. And then when you look at the behavior of
11:11:43AM 15 people, the way that they respond to these seminars, you see
16 exactly those things; euphoria, confidence, energy, no need for
17 sleep, decisive or impulsive behavior, and then occasionally,
18 psychosis.

19 So after -- over the last 50 years, there have been
11:12:04AM 20 these claims of psychosis. Officials say that there were about
21 35 lawsuits filed against Lifespring; Hanley estimated it was
22 around about 30.

23 But they have multiple claims of psychosis. In
24 addition to the dopamine hypothesis of bipolar disorder, you
11:12:25AM 25 have got the dopamine hypothesis of schizophrenia, or the

11:12:26AM 1 dopamine hypothesis of psychosis.

2 And I think there are over 6,700 articles now that
3 speak about the relationship between dopamine and psychosis.
4 If you look at antipsychotic medications, most of them are
11:12:44AM 5 blocking dopamine activity. That's how you bring somebody away
6 from a psychotic episode. So everything seems to indicate that
7 what these seminars are doing is that they are elevating
8 dopamine.

9 For most participants, this is going to mean a
11:12:59AM 10 transformational experience, feeling amazing for a couple of
11 days or maybe a couple of weeks, and then possibly coming back
12 down to normal.

13 But then you are going to have other participants that
14 are going to respond to it in a different way, because you
11:13:13AM 15 haven't got -- the people that are participating are not
16 homogenous. You have got different individuals going through
17 this process, but the process is a one-size-fits-all process.

18 So you have got people that have got different
19 psychological makeups. You've got people that have got
11:13:31AM 20 different biological makeups. You have got people that have
21 experienced different things. So the way that they respond to
22 the conditions is going to be different.

23 To use a very simple example, if somebody is sharing
24 about a rape experience, if you have had a rape experience,
11:13:48AM 25 that's going to be more salient to you. That is going to be

11:13:51AM 1 more difficult for you to hear.

2 And so you have got these different individuals being
3 put through a very much one-size-fits-all process. Maybe a lot
4 of them will respond okay. But you might have these people
11:14:05AM 5 that have these very extreme responses, and it can be
6 problematic.

7 Q. Given what you have heard about the population at Spring
8 Ridge Academy, what's your opinion on where they would stand on
9 this spectrum of individuals, as far as potential to have an
11:14:18AM 10 adverse reaction?

11 A. Well, if you look at the disclaimer that's used by
12 Landmark, which is targeting healthy individuals, they say, if
13 you've experienced depression or psychosis or bipolar disorder,
14 if you have seen a psychologist, if you -- you know, advises --
11:14:37AM 15 strongly advise that you don't take part.

16 It seems like every person at Spring Ridge Academy
17 would not be allowed to take part in that seminar based on
18 their screening criteria.

19 Q. And that screening criteria would be based on the risk for
11:14:53AM 20 what?

21 A. Well, the cases of psychosis that have been claimed, the
22 cases of manic-like behavior that's been noted in participants.
23 There have also been claims of suicide as a result of
24 participating, depression.

11:15:09AM 25 And that's the other thing, so -- how do I try to

11:15:15AM 1 explain this? If you think of dopamine maybe a little bit like
2 sweat, it's helping you to deal with a troubling situation.

3 So if there's a chemical that your body can produce
4 that helped -- if you are in a situation where you are feeling
11:15:31AM 5 guilt, shame, inadequacy, fear, et cetera, it's useful for your
6 body or brain to produce something that does the opposite of
7 that, makes you feel like you can deal with anything. That
8 kind of keeps you in balance.

9 So it's kind of like going on a run though, and you
11:15:47AM 10 will sweat to calm yourself down, but if you carry on running
11 for too long, you are not going to have any sweat left.

12 And chronic stress or really long-term stress leads to
13 a depletion of dopamine. So if you stress the right amount for
14 the right period of time, then you might experience this
11:16:04AM 15 elevated state at the end.

16 But there have been a lot of people, it seems, that
17 they are overwhelmed by the experience, and they display
18 symptoms that align with a depletion in dopamine, so depressive
19 symptoms, a sense of anhedonia, a sense of not -- feeling like
11:16:24AM 20 life isn't worth living. Those kinds of things. So it would
21 be things like depression, psychosis, mania, those sort of
22 things that I think that would be.

23 Q. On a final note, in any of your surveys or studies, have
24 you ever seen these type of workshops used on an adolescent
11:16:42AM 25 population in a residential treatment type facility that had

11:16:46AM 1 restrictions, daily living restrictions that went on for 15 to
2 18 months?

3 A. No. I saw this taking place with healthy adults, and to me
4 it was unacceptable that it was being done to that group of
11:17:11AM 5 people. So when I found out that it's also being done on --
6 yeah, it's -- I'm very surprised, and I have never seen that
7 before.

8 Q. And how many hours of research have you done on this
9 subject?

11:17:25AM 10 A. I would say thousands over the last 14 years.

11 Q. So you have never seen it studied?

12 A. It certainly hasn't been studied in teenagers, from what I
13 understand. The research on adults is very limited, so I
14 certainly don't think there's been any research that I have
11:17:48AM 15 seen on the usefulness on teenagers.

16 Q. Have you seen any study where it has been done on
17 residential -- people who live in residential facilities?

18 A. No.

19 MS. ALLARD: No further questions.

11:18:04AM 20 THE COURT: Is there any cross-examination?

21 MR. SMITH: Yes.

22 THE COURT: Come on up, Mr. Smith.

23 MR. SMITH: Thank you.

24 THE COURT: You're welcome.

25

11:18:14AM 1

CROSS-EXAMINATION

2 BY MR. SMITH:

3 Q. Good morning, Dr. Hunter.

4 A. Hi.

11:18:20AM 5

6 Q. Let's pick up where we left off just a moment ago. I think
7 you just told the jury that there have been no studies in the
8 thousands of hours of research that you have done to try to
9 locate information about LGAT, the LGAT experience, there have
10 been no studies about the benefits of what this would do for
11 adolescents; is that right?

11 A. I haven't seen studies on the benefits for adolescents.

12 Q. And you have also not seen any studies about the harm that
13 it has done to adolescents, correct?

14 A. No.

11:18:55AM 15

16 Q. So all of the opinions you have about potential harm or
17 potential negative consequences that adolescents such as the
18 students at Spring Ridge Academy is not a probable opinion
19 based upon verified research that has been done in the
20 psychological community, correct?

11:19:21AM 20

21 A. My opinions aren't based on specific research that's been
22 done on adolescents, you are correct.

23 Q. I think at the beginning of your testimony you told us that
24 after your experience in 2010, that you turned to researching
the LGAT experience, and that led to you ultimately obtaining a
11:19:48AM 25 Ph.D. from -- and I apologize, but I don't want to try to

11:19:53AM 1 mangle the name of the university you graduated from?

2 A. University of KwaZulu-Natal, yes.

3 Q. Thank you. So you obtained that Ph.D. what year?

4 A. I submitted my Ph.D. in 2017. The graduation was 2018.

11:20:11AM 5 Q. And you have been teaching and lecturing since then?

6 A. Yes, and from a little bit before then as well.

7 Q. And you have also been continuing in the research of this
8 field?

9 A. Yes, I have -- it has always been an area of interest for
11:20:32AM 10 me, but in terms of further research, it's not an area that
11 publication is particularly easy.

12 Q. Meaning the LGAT field?

13 A. Yes.

14 Q. So your research is actually review of the available
11:20:48AM 15 publications, correct?

16 A. Yes.

17 Q. Have you ever treated a patient?

18 A. No, I am not a clinician.

19 Q. And have you ever interviewed individually, people who have
11:21:02AM 20 gone through this process?

21 A. I have spoken to people who have gone through the process,
22 yes.

23 Q. Have you gone -- have you interviewed anybody that went to
24 any of the seminars that were provided at Spring Ridge Academy?

11:21:16AM 25 A. No.

11:21:28AM 1 Q. And I don't mean to pry, but you have volunteered to this
2 jury that you were diagnosed with bipolar disorder?
3 A. Yes.
4 Q. How old were you when that happened?
11:21:37AM 5 A. I believe I was 24.
6 Q. Is it typically the case that bipolar disorder will be
7 diagnosed at some point after the age of 15 in the mid 20s?
8 A. Yes.
9 Q. And by that point, you had already obtained a degree in
11:21:55AM 10 finance?
11 A. Yes.
12 Q. And you were working in the finance industry?
13 A. Yes.
14 Q. And then at some point after your diagnosis, you were
11:22:10AM 15 required to go, by a new employer, to an LGAT training,
16 correct?
17 A. Yes.
18 Q. And that took place in 2010?
19 A. Correct.
11:22:19AM 20 Q. So you had been with your bipolar diagnosis for seven years
21 at that point?
22 A. Yes.
23 Q. Before you went to that LGAT training, was there any type
24 of evaluation done of you by a therapist to determine your --
11:22:32AM 25 A. No.

11:22:33AM 1 Q. -- suitability for the training?

2 A. No.

3 Q. Do you know what is done at Spring Ridge Academy to screen
4 people before they go to these trainings?

11:22:41AM 5 A. No.

6 Q. You have talked a little bit about the interrelationship
7 between dopamine and stress, euphoria, and I would just like to
8 explore that a little bit.

9 A. Sure.

11:23:00AM 10 Q. Are you -- is it your testimony that any event that a group
11 attends which causes elevations in dopamine is going to
12 potentially be harmful to the psychosis of -- the psychological
13 condition of some members of the group?

14 A. No.

11:23:24AM 15 Q. So like going to a rugby match or a football game or
16 something like that and rooting your team on and being jubilant
17 when they win as a group and coming out singing together,
18 that's not something that would fall into this category of
19 being potentially harmful?

11:23:40AM 20 A. No.

21 Q. But there would be elevated levels of dopamine in those
22 people?

23 A. Yes.

24 Q. And they would be probably stressed because they've just
11:23:45AM 25 been rooting for their team and screaming at the top of their

11:23:48AM 1 lungs in the stadium, right?

2 A. Yes.

3 Q. And so when we go to these different seminars that we are
4 talking about, I think you mentioned that one of the problems

11:23:58AM 5 with conducting the research is it would not be ethical,
6 knowing what you know, to have people voluntarily go to these
7 in order to experience it and then report on their experiences?

8 A. Yes.

9 Q. And in that scenario, when we have this block of not being
11:24:20AM 10 able to send people to the seminars to report back, but we also
11 have other type of group activities that will create the same
12 kind of euphoric atmosphere afterwards with the same chemical
13 reactions going on in people's bodies, at that point in time,
14 how do we differentiate between the two?

11:24:49AM 15 A. I would say that it's about the degree of what's going on.
16 So, for example, I lecture abnormal psychology, or I have in
17 the past lectured abnormal psychology. And one of the first
18 things you try to explain to the students is, you know, what is
19 normal and what is abnormal from a diagnostic perspective.

11:25:11AM 20 And the example that I provide is, you know, there's
21 some subjectivity to it, but if I had to walk up to you and
22 shake your hand, there would be physical contact. If I had to
23 walk up to you and hit you with a baseball bat, that would be
24 assault.

11:25:28AM 25 Somewhere between those two points we are crossing

11:25:31AM 1 over from, you know, normal contact to assault. It may be very
2 difficult to understand exactly where that point is, but at
3 some point it's going to be crossing over to assault. There
4 has to be some judgment placed on that.

11:25:46AM 5 So in terms of what goes on in a large group awareness
6 training, the level of stress and the level of humiliation and
7 shame and difficulty that participants go through, I would
8 equate that to getting hit with a baseball bat as opposed to
9 the level of stress that you might experience going to watch a
11:26:06AM10 sports game or something like that. So it's the extremeness of
11 the situation which plays a role.

12 Q. Thank you. Thank you. So that would also apply to the
13 different types of seminars that people go to, correct?

14 A. Certainly.

11:26:26AM15 Q. So not knowing what actually transpires in a particular
16 seminar, it's then going to be difficult to determine how
17 stress inducing that seminar's activities actually are on
18 people, correct?

19 A. Absolutely.

11:26:43AM20 Q. And in your research -- well, you wrote a report that was
21 provided in discovery in this case, correct?

22 A. Yes.

23 Q. And in that report, you cited several former students from
24 Spring Ridge Academy, Jennifer 2021, Maggie, Rearden Stata,
11:27:12AM25 Ms. Sweidy's daughter?

11:27:16AM 1 A. Yes.

2 Q. And then two others, SRA survivor 1998, and SRA survivor
3 2017. Did I leave any out, or were there others from Spring
4 Ridge?

11:27:30AM 5 A. I don't recall.

6 Q. Well, on those particular ones, when we look at your
7 references at the end, it looks like you're looking at online
8 materials that they have posted, correct?

9 A. Yes.

11:27:41AM 10 Q. Did you speak directly with Jennifer 2021, or Maggie, or
11 the SRA survivors?

12 A. No.

13 Q. Did you speak directly with Rearden Stata about her
14 participation?

11:27:55AM 15 A. No.

16 Q. One of the things that you mentioned, sir, about the
17 euphoria is that it wears off, you know, maybe very shortly or
18 up to ten days; did I hear that correctly?

19 A. Yes.

11:28:14AM 20 Q. And that's the same after like a sporting event when you go
21 to and it's -- you are euphoric, but by the time maybe you
22 drive home or something like that, it's kind of worn off,
23 correct?

24 A. Sure.

11:28:29AM 25 Q. Because the human body is not designed to continually be at

11:28:32AM 1 that level of excitement from all that dopamine rush, correct?

2 A. Sure.

3 Q. And so in the scheme of things, there are many, many things
4 that human beings engage in that cause these spikes in euphoria

11:28:51AM 5 due to dopamine rush that are -- then they wear off and then
6 life continues, correct?

7 A. Yes.

8 Q. In the case of going to a seminar, I think, if I heard
9 correctly, there is no real research that we can point to to

11:29:11AM 10 say, because of what happens in these seminars, that kind of
11 euphoria has a propensity or actually does cause these type of
12 psychological injury or increased psychological harm to the
13 participants, correct?

14 A. Yes, there's very little research on it.

11:29:44AM 15 Q. Excuse me just one moment, and I think I can -- one last
16 thing, there was a little bit of a discussion about music being
17 used in countries all around the world, the same thing, that's
18 the theme from 2001 or something like that, signaling people
19 it's time to get back into your chairs; do you remember that?

11:30:14AM 20 A. Yes, sir.

21 Q. Do you attend like plays and classical concerts that are
22 held indoors?

23 A. Occasionally, yes.

24 Q. And how do they normally get the audience to get back to
11:30:27AM 25 their chairs, back to their seats?

11:30:32AM 1 A. In South Africa it's not actually with music. There's just
2 a time and people walk back in, but yes.

3 Q. Okay. Do you ever experience the blinking of lights
4 signaling everybody, time to go get in your seats?

11:30:47AM 5 A. Yes.

6 Q. Okay. Is that something that's stress-inducing on people
7 who maybe have just gotten their drink from the bar and
8 suddenly the lights are flashing, they have got to run back to
9 their seats?

11:31:00AM 10 A. I imagine that the consequences of not getting back to your
11 seats for a play is that you might just miss some of the play.
12 That's a little bit different than the seminars.

13 Q. Or not be able to come back?

14 That's all I have. Thank you, sir.

11:31:16AM 15 THE COURT: Is there any redirect?

16 MS. ALLARD: No, Your Honor. Thank you.

17 THE COURT: Subject to re-call?

18 MS. ALLARD: No, Your Honor.

19 THE COURT: Defense?

11:31:26AM 20 MR. SMITH: No, Your Honor.

21 THE COURT: Doctor, thank you so much for coming in.

22 Have a wonderful day. Be careful stepping off the stand.

23 Next witness, please.

24 MS. ALLARD: Kimberly Sweidy.

11:31:38AM 25 **KIMBERLY R. SWEIDY, PLAINTIFF'S WITNESS, SWORN**

11:32:23AM 1 THE COURT: Ms. Sweidy, first of all, welcome to the
2 stand. I don't have to worry about you speaking up. You have
3 some items there with you. What do you have?

4 THE WITNESS: Some probably reference materials that
11:32:38AM 5 Ms. Allard will direct me to, and a visual aid, and my glasses
6 and some water -- bottled water, but I am from California so I
7 don't use single-use plastic.

8 THE COURT: What's the visual aid?

9 THE WITNESS: My phone.

11:32:57AM 10 THE COURT: For what?

11 THE WITNESS: It's going to be about -- well, there
12 was some testimony -- I'm sorry, let's do this. Good morning,
13 Your Honor.

14 THE COURT: Good morning.

11:33:08AM 15 THE WITNESS: There's going to be some testimony about
16 how I gave my daughter Rearden Sweidy Stata a cell phone. When
17 I came to visit her. And there's all kinds of speculation
18 about how I was trying to undermine Spring Ridge Academy's
19 program by giving her a cell phone. In reality --

11:33:26AM 20 THE COURT: Okay, whoa, whoa, whoa. Let's stop right
21 here. I -- Ms. Allard --

22 MS. ALLARD: Your Honor --

23 THE COURT: Ms. Allard, will absolutely take care of
24 that and ask whatever questions need to be asked.

11:33:39AM 25 Ladies and gentlemen, this is the perfect time for our

11:33:41AM 1 lunch recess. My apologies for sending you to lunch early. I
2 will see you at 1:00.

3 All rise for the jury. Court is in recess until 1:00.

4 (The jury leaves the courtroom.)

11:34:03AM 5 (Recess taken at 11:34 a.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

I, ELVA CRUZ-LAUER, do hereby certify that I am duly appointed and qualified to act as Official Court Reporter for the United States District Court for the District of Arizona.

I FURTHER CERTIFY that the foregoing pages constitute a full, true, and accurate transcript of all of that portion of the proceedings contained herein, had in the above-entitled cause on the date specified therein, and that said transcript was prepared under my direction and control.

DATED at Phoenix, Arizona, this 5th day of June, 2024.

s/Elva Cruz-Lauer
Elva Cruz-Lauer, RMR, CRR