

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON
2 FOR THE COUNTY OF WASHINGTON

3 BEAVERTON GRACE BIBLE CHURCH,
4 an Oregon non-profit organization; and
5 CHARLES O'NEAL, an individual,

No. C121174CV

6 Plaintiffs,

SUMMONS

7 v.

8 JULIE ANNE SMITH, HANNAH SMITH,
9 KATHY STEPHENS, and JASON
10 STEPHENS, individuals;

11 Defendants

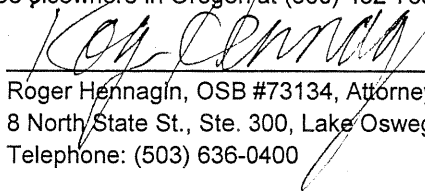
12 TO: JULIE ANNE SMITH, 39 Vienna Court, Richland, Washington 99354, **Defendant.**

13 You are hereby required to appear and defend the complaint filed against you in the above entitled action
14 within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for
15 want thereof, plaintiff will apply to the court for the relief demanded in the complaint.

16 **NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

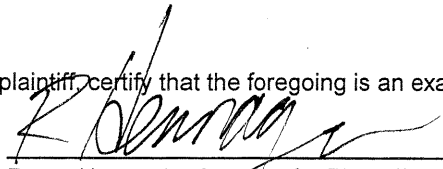
17 You must "appear" in this case or the other side will win automatically. To "appear" you must file with the
18 court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or
19 administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on
20 the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

21 If you have any questions, you should see an attorney immediately. If you need help in finding an attorney,
22 you may contact the Oregon State Bar's Lawyer Referral Service online at www.oregonstatebar.org or by calling (503)
23 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636.

24 
25 _____
26 Roger Hennagin, OSB #73134, Attorney for Plaintiff
8 North State St., Ste. 300, Lake Oswego, Oregon 97034
Telephone: (503) 636-0400

27 STATE OF OREGON)
28) ss.
29 County of Clackamas)

30 I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy
31 of the original summons in the above entitled action.

32 
33 _____
34 Roger Hennagin, Attorney for Plaintiff

35 TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy
36 of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal
entity(ies) to whom or which this summons is directed, and to make your proof of service on the page hereafter or upon
a separate similar document which you attach hereto.

37 
38 _____
39 Roger Hennagin

40 1 - SUMMONS

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

BEAVERTON GRACE BIBLE
CHURCH, an Oregon non-profit
organization; and CHARLES O'NEAL,
an individual,

Plaintiffs,

v.

JULIE ANNE SMITH, HANNAH SMITH,
KATHY STEPHENS, and JASON
STEPHENS, individuals;

Defendants.

No. CD 11740V

COMPLAINT
(Defamation)

PRAYER FOR AMOUNT:
\$500,000

\$505.00 – Filing Fee
Per Ch. 595, Sec. 15(1)(c)

NOT SUBJECT TO
MANDATORY
ARBITRATION

For their claim for relief against defendants, plaintiffs allege as follows:

JURISDICTIONAL FACTS:

1.

Beaverton Grace Bible Church is a duly registered Oregon non-profit organization.

2.

Charles O'Neal is an individual who resides in Washington County, Oregon and who, at all material times, has served as pastor of Beaverton Grace Bible Church.

3.

Julie Anne Smith is an individual who currently resides in Benton County, Washington; and who previously attended Beaverton Grace Bible Church.

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4.

Hannah Smith is an individual who currently resides in Oregon; and who previously attended Beaverton Grace Bible Church.

5.

Kathy Stephens is an individual who currently resides in Washington County, Oregon; and who previously attended Beaverton Grace Bible Church.

6.

Jason Stephens is an individual who currently resides in Washington County, Oregon; and who previously attended Beaverton Grace Bible Church.

7.

Transactions material to these claims for relief occurred in Washington County, Oregon and over the internet.

OPERATIONAL FACTS

8.

On or about 2010, defendants and each of them began posting defamatory messages on the internet defaming both Beaverton Grace Bible Church and Charles O'Neal.

9.

These messages consisted of, but were not limited to, the following:

a) April 8, 2011 – Julie Anne Smith posted a message stating that the pastor has “chosen to mislead the congregation” and “destroy relationships.” It also accuses the pastor of “narcissism in the pulpit.”

b) September 29, 2011 – Julie Anne Smith posted a message stating that the “church” uses “control tactics” and “You will be fine at this church if you never question the elders or pastor.”

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1 c) December 14, 2011 – Julie Anne Smith posted a message stating, “Something
2 creepy about this church.”

3 d) December 20, 2011 – Julie Anne Smith posted a message stating that “the
4 pastor of this church thrives on control” and that “sadly, BGBC is more about the reputation
5 of the pastor than real church” and “It is important for people to have an understanding of
6 why this church is not a healthy place and would shout from the rooftop if my review
7 prevents another family from getting sucked into the spiritual abusive environment and
8 false teaching presented by the current pastor.” It specifically targets the pastor: “To
9 Chuck: if you would have manned up and acknowledged that we were parting ways
10 because we weren’t seeing eye-to-eye on certain issues, you never would have heard from
11 us again. But for you to lie to the congregation . . .” and “I am calling you out as a Wolf for
12 lying . . .” and “we had information that would be damaging to your reputation . . .” Also
13 states “You are really brilliant, Chuck, but not so brilliant. Quite a few people can see
14 through the false teaching and self-aggrandizement.”

15 e) December 22, 2011 – Julie Anne Smith republished the same message from
16 December 20, 2011, quoted above.

17 f) December 28, 2011 – Julie Anne Smith republished the same messages from
18 December 20 and 28, 2011, quoted above.

19 g) January 4, 2012 – Julie Anne Smith posted a message stating “Leaders of cults
20 convince their people that their church is the only true place to be . . .” and “turn a blind eye
21 to known sex offenders in the church...” The message accuses the church of “spiritual
22 abuse,” and states “I am working on compiling numerous pages of notes that were taken
23 over the time we were active at this church . . . this will be posted to a website for all to see
24 . . .”

25 ///

26 ///

1 h) January 5, 2012 – Julie Anne Smith republished the message from January 4,
2 2012, adding “What we had was indoctrination . . . That is how cult leaders work. Don’t
3 waste your precious lives and relationships by being held emotionally/spiritually captive at
4 this so-called church.”

5 i) January 9, 2012 – Julie Anne Smith republished the messages from January 4
6 and 5, 2012, adding “. . . how can she forget that her own beloved pastor knew about a sex
7 offender in the church who had access to the nursery and children on a weekly basis and
8 did not have any safeguards in place.”

9 j) January 13, 2012 – Julie Anne Smith republished message from January 4, 5,
10 and 9, 2012.

11 k) January 20, 2012 – Julie Anne Smith posted a message stating that “This is a
12 very destructive and disturbing “church.” . . . The extra-Biblical legalistic teaching is wrong.
13 The gossip/slander, disclosure of what goes on in private counseling sessions, sex
14 offenders having free reign in childrens’ areas with no disclosure to parents . . . This is not
15 a safe place.”

16 l) January 10, 2012 – Jason Stephens posted a review on DEX stating “I am
17 someone this church is shunning too. A practice they use when you question or just don’t
18 agree with the pastor.”

19 m) January 12, 2012 – Jason Stephens republished on Google the above message
20 from January 10, 2012.

21 n) December 11, 2011 – Hanna Smith posted a review on Google stating “Chuck
22 micro-manages everything down to the tiniest detail, like having to have EVERY song
23 approved by him before its sung. But he ignores, or shoves under the carpet dangerous
24 activities and bullies people to get his way . . . that is no-way Biblical. Grace is the Last
25 thing you’ll find at that church.

26 ///

1 o) May 17, 2010 – Kathy Stephens posted a comment to the blog Suspicious
2 Berean (www.suspiciousberean.blogspot.com) stating that “You should be suspicious of
3 him because Chuck O’Neal is a wolf.” This comment has been published continuously from
4 May 17, 2010 and is still published.

5 p) May 19, 2010 – Kathy Stephens posted a comment to the blog Suspicious
6 Berean stating that “Yes, He’s definitely a wolf.” This comment has been published
7 continuously from May 19, 2010 and is still published.

8 q) November 2, 2010 – Kathy Stephens posted a review on Google stating “bad
9 place, don’t take yourself of your family to this hell whole [sic]” This has been published
10 continuously from November 2, 2010 and is still published.

11 10.

12 The above accusations were false.

13 11.

14 Both plaintiffs possess a substantial pecuniary interest in their good name, honor,
15 integrity, standing in the community and in avoiding the other stigma or disability that would
16 attach to and result from the defamatory statements related to their roles in the community.

17 12.

18 The above false and defamatory statements also related to O’Neal’s performance
19 of his job as pastor at Beaverton Grace Bible Church.

20 13.

21 The accusations against O’Neal were false in fact and in innuendo and imposed a
22 stigma of personal and professional misconduct upon O’Neal.

23 14.

24 Defendants acted with reckless disregard as to whether their accusations, as
25 alleged above, were truthful or not.

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15.

The allegations described above were published on the internet and widely circulated.

16.

Defendants' statements quoted above were motivated by a desire to retaliate against plaintiffs.

17.

Defendants' statements quoted above have caused plaintiffs to be held up to public ridicule.

DAMAGES

18.

As a direct result of defendants' tortious conduct as described above, Beaverton Grace Bible Church has suffered damage to its reputation to the community in an amount which the jury determines to be reasonable, not to exceed \$250,000.

19.

As a direct result of defendants' tortious conduct as described above, O'Neal has suffered damage to his personal and professional reputation and has suffered humiliation and mental, emotional and physical distress, all to his non-economic damage in an amount which a jury determines to be reasonable, not to exceed \$250,000.

20.

Plaintiffs intend to file a motion seeking permission to allege a claim for punitive damages.

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JURY TRIAL

21.

Plaintiffs demand jury trial on their claim for relief.

WHEREFORE, Beaverton Grace Bible Church prays for judgment against defendants and each of them in a sum which the jury concludes is reasonable not to exceed \$250,000 and for its costs and disbursements; and Charles O'Neal prays for judgment against defendants and each of them in a sum which the jury concludes is reasonable not to exceed \$250,000, and for his costs and disbursements.

DATED this 22nd day of February, 2012.

ROGER HENNAGIN, P.C.

Roger Hennagin, OSB #73134
Of Attorneys for Plaintiffs

VERIFICATION

I, Charles O'Neal, hereby verify that the above Complaint states facts that are true and accurate to the best of my knowledge.

Charles W. O'Neal
Charles O'Neal

02/22/12
Date