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FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
 STREET ADDRESS: 700 Civic Center Drive
 MAILING ADDRESS: 700 Civic Center Drive
 CITY AND ZIP CODE: West Santa Ana, CA 92701
 BRANCH NAME: Central Justice Center

CASE NAME:
 Anaheim Japanese Free Methodist Church, a CA Corp v. The Voice Church Orange County, Inc.

<p>CIVIL CASE COVER SHEET</p> <p><input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)</p> <p><input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)</p>	<p>Complex Case Designation</p> <p><input type="checkbox"/> Counter <input type="checkbox"/> Joinder</p> <p>Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)</p>	<p>CASE NUMBER:</p> <hr/> <p>JUDGE:</p> <p>DEPT.:</p>
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Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

<p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other PI/PD/WD (23)</p> <p>Non-PI/PD/WD (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input checked="" type="checkbox"/> Partnership and corporate governance (21)</p> <p><input type="checkbox"/> Other petition (not specified above) (43)</p>
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): 1. Dec. judg re corp governance 2. breach of fiduciary duty 3. fund diversion and 4. conversion

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: April 25, 2023
 James K. Kawahara

/JKK
 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

(TYPE OR PRINT NAME)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice–Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach–Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

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9 Attorneys for Plaintiff
Anaheim Japanese Free Methodist Church,
10 a California Nonprofit Religious Corporation
and
11 Plaintiff Debra Chiya

12
13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF ORANGE**
15 **CENTRAL JUSTICE CENTER**

16 ANAHEIM JAPANESE FREE METHODIST
17 CHURCH, a California Nonprofit Religious
Corporation, Debra Chiya, church member,
18 board member and corporate treasurer;

19 Plaintiffs,

20 vs.

21
22 THE VOICE CHURCH OF ORANGE
COUNTY, INC., a California Nonprofit
Religious Corporation, TAKA IGUCHI, as an
23 individual and officer; PACIFIC COAST
JAPANESE CONFERENCE OF THE FREE
24 METHODIST CHURCH OF NORTH
AMERICA, a California Nonprofit Religious
25 Corporation; and DOES 1 through 50,
inclusive,
26

27 Defendants.

CASE NO.

VERIFIED COMPLAINT FOR:

- (1) DECLARATORY JUDGMENT
- (2) BREACH OF FIDUCIARY DUTY
- (3) DIVERSION OF DONATED FUNDS
- (4) CONVERSION

REQUEST FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY AND PERMANENT
INJUNCTION FOR BREACH OF
CALIFORNIA CORPORATIONS CODE

1 COME NOW Plaintiff ANAHEIM JAPANESE FREE METHODIST CHURCH, a
2 California Nonprofit Religious Corporation, by and through the duly elected members of the board
3 of directors, and Plaintiff Debra Chiya, as an individual church member, and as a duly elected
4 board member and corporate treasurer for causes of action against Defendants THE VOICE
5 CHURCH OF ORANGE COUNTY, INC., a California Nonprofit Religious Corporation, acting
6 through its agents and employees, TAKA IGUCHI, an individual, and as president of THE VOICE
7 CHURCH OF ORANGE COUNTY, INC., and the PACIFIC COAST JAPANESE CONFERENCE
8 OF THE FREE METHODIST CHURCH OF NORTH AMERICA, a California Nonprofit
9 Religious Corporation, acting through its agents and employees, and alleges as follows:

10 PARTIES AND COMMON ALLEGATIONS

11 1. Plaintiff ANAHEIM JAPANESE FREE METHODIST CHURCH is a Nonprofit
12 Religious Corporation formed in 1960. (A true and correct copy of Plaintiff AFMC’s restated
13 articles of incorporation are attached as “**Exhibit A**” hereto.) The church’s history began over
14 one-hundred years ago in 1921. More than twenty years later, upon returning from incarceration
15 during World War II, the Japanese-American Christians returned to and re-settled in Orange
16 County. They met in a church in downtown Anaheim until the current site was purchased by the
17 church in 1961, buildings were constructed and they began worshiping at the current church
18 property in Anaheim. The ANAHEIM JAPANESE FREE METHODIST CHURCH conducts
19 religious services and nonprofit business under the name “Anaheim Free Methodist Church.”
20 (hereafter “AFMC”) on real estate owned in the exclusive name of AFMC at 1001 N. Mayflower
21 Street, Anaheim, CA. 92801 (“Property”). (A true and correct copy of the Grant Deed is attached
22 as “**Exhibit B**” hereto.)

23 2. Plaintiff Debra Chiya (“Plaintiff” or “Chiya”) is an adult individual residing in this
24 judicial district. Chiya is a member of AFMC. Pursuant to California law, the AFMC membership
25 elected Chiya to the position of Corporate Treasurer, and to the Board of Directors at a meeting of
26 AFMC membership, a “Society” meeting. Plaintiff Chiya has donated money to the AFMC for
27 use in its ministries, including specific purpose accounts.

1 alleges that, if DOE Defendants are liable to Plaintiffs as alleged herein each of the fictitiously
2 named defendants is jointly and severally liable for Plaintiffs' harm and damages.

3 8. Plaintiffs are informed and believe that Defendants THE VOICE CHURCH and
4 Taka Iguchi are alter egos of each other and said Defendant Taka Iguchi has completely
5 dominated and controlled the business affairs of THE VOICE CHURCH that adherence to the
6 fiction of the separate existence between Defendants THE VOICE CHURCH and Taka Iguchi
7 would sanction and promote injustice in that THE VOICE CHURCH is a mere shell,
8 instrumentality and conduit through which Defendant Taka Iguchi has pursued his business affairs
9 and that the actions alleged herein should be legally treated as though Defendant THE VOICE
10 CHURCH does not exist.

11 **JURISDICTION AND VENUE**

12 9. This Court has jurisdiction over this action pursuant to California Code of Civil
13 Procedure, Section 410.10.

14 10. Venue is appropriate in this Court because Defendants conduct business in Orange
15 County and because the events and transactions giving rise to this action took place in Orange
16 County and within this judicial district.

17 **IRREPARABLE HARM ALLEGATIONS**

18 11. Injunctive relief is urgently needed to maintain the status quo, because Defendants
19 are acting quickly to erase the unique history, identity and culture of AFMC. Defendants have
20 ignored the request to cease and desist from taking further unauthorized actions including:

- 21 a. prohibiting church members to gather at the AFMC under the name AFMC;
- 22 b. changing the name of AFMC to "VOICE CHURCH NORTH OC";
- 23 c. expressing an intent to terminate older employees such as the Plaintiff Chiya,
24 who is the Treasurer for Plaintiff AFMC by April 30, 2023;
- 25 d. seeking to obtain password and signature cards to control AFMC bank
26 accounts;
- 27 e. acting without prior authorization of the Board of Directors or church members

1 of AFMC through a called “Society” meeting.

2 12. Without immediate injunctive relief, Plaintiffs’ will lose their unique identity and
3 history, sense of community and church members; they will also lose their goodwill and reputation
4 within the community. In addition, they will lose their rights under California Corporations Code.

5 13. On April 19, 2023, through the undersigned legal counsel, Plaintiff AFMC, on
6 behalf of its Board of Directors, and on behalf of its members, Plaintiff Chiya, sent a cease and
7 desist, letter to Defendant Taka Iguchi and Defendant THE VOICE CHURCH that informed them
8 that their actions were unlawful and not authorized by Plaintiff AFMC’s members or board of
9 directors. Defendant Taka Iguchi and Defendant THE VOICE CHURCH ignored this demand
10 entirely. Attached here to as “**Exhibit C**” is a true and correct copy of the April 19, 2023 cease
11 and desist letter.

12 **GENERAL ALLEGATIONS**

13 14. Plaintiffs bring this action reluctantly, but they have no choice since the Defendants
14 are not abiding by “the neutral law principle” and are willfully ignoring the Nonprofit Religious
15 Corporation Law (California Corporate Code §§9110, et seq.).

16 15. This all began when Plaintiff AFMC’s lead pastor, Kevin Wong sought the
17 assistance of the PACIFIC COAST JAPANESE CONFERENCE to address conflict within the
18 pastoral staff in the Fall of 2022

19 16. Instead of resolving the conflict, the PACIFIC COAST JAPANESE
20 CONFERENCE, acting through its employee PCJC Superintendent Keith Tanita decided to
21 remove Kevin Wong as lead pastor and seek to appoint a new lead pastor.

22 17. Plaintiffs do not dispute that the PACIFIC COAST JAPANESE CONFERENCE
23 may appoint its lead pastor under the procedure established in the Free Methodist Church, USA,
24 2019 Book of Discipline. However, upon information and belief, for unexplained reasons, that
25 procedure was not followed here and California Law was ignored to the detriment of Plaintiffs and
26 to the benefit of Defendants.

27 18. Upon information and belief, on April 14, 2023, the PACIFIC COAST JAPANESE

1 CONFERENCE distributed by email -- undated -- correspondence to the “PCJC Family” to
2 explain “recent transitions at AFMC,” including the appointment of Defendant Taka Iguchi as lead
3 pastor at AFMC (“April 14, 2023 PCJC Letter”). A true and correct copy of the April 14 2023
4 PCJC Letter is attached as **Exhibit D**.

5 19. According to the April 14, 2023 PCJC Letter, on or before mid-January 2023, the
6 PACIFIC COAST JAPANESE CONFERENCE contacted Defendant Taka Iguchi to ask that he
7 consider a position as lead pastor of AFMC.

8 20. Upon information and belief, sometime between mid-January and March 7, 2023,
9 Defendant Taka Iguchi and Defendant THE VOICE CHURCH conspired by meeting and/or
10 exchanging messages to discuss terms and conditions under which Defendant Taka Iguchi would
11 accept the position of lead pastor of AFMC. No notice was given by the PACIFIC COAST
12 JAPANESE CONFERENCE to the AFMC Board of Directors, AFMC Delegates to the PCJC or
13 AFMC members that they intended to appoint a new lead pastor.

14 21. Upon information and belief, sometime between mid-January and March 7, 2023,
15 Defendant Taka Iguchi, and Defendant THE VOICE CHURCH accepted the position of lead
16 pastor of AFMC offered by the PACIFIC COAST JAPANESE CONFERENCE by and through its
17 employee Keith Tanita on the following terms and conditions:

- 18 a. THE VOICE CHURCH would merge AFMC into THE VOICE CHURCH as
19 one, operational entity – not two entities, including control and use of AFMC’s
20 bank accounts and real estate;
- 21 b. THE VOICE CHURCH would rename or rebrand AFMC as a subordinate
22 affiliate location called “VOICE CHURCH NORTH OC”;
- 23 c. THE VOICE CHURCH would control AFMC’s online presence (website,
24 social media, google maps, yelp)
- 25 d. THE VOICE CHURCH would have the right to terminate the employment of
26 AFMC officers and staff, including Plaintiff Chiya;
- 27 e. THE VOICE CHURCH would transfer administration and control of the books

1 of account and bank accounts of AFMC to third-party systems vendor(s) and/or
2 employees of THE VOICE CHURCH that would comingle funds of AFMC for
3 use by THE VOICE CHURCH; and,

4 f. THE VOICE CHURCH would eventually completely displace and eliminate
5 the unique identity and culture of AFMC until its culture was only that of THE
6 VOICE CHURCH.

7 22. Upon information and belief, sometime between mid-January and March 7, 2023,
8 Defendant Taka Iguchi and Defendant THE VOICE CHURCH conspired with the PACIFIC
9 COAST JAPANESE CONFERENCE to act in a coordinated effort to illegally merge with Plaintiff
10 AFMC without following the procedures applicable to California Nonprofit Religious
11 Corporations under Cal.Corp Code § 9640, including but not limited to:

- 12 a. “Principal terms of the merger shall be approved by the members” [Cal.Corp.
13 Code § 9640(c)]
- 14 b. “The board of each corporation that desires to merge shall approve an
15 agreement of merger” [Cal.Corp. Code § 9640 (d)]
- 16 c. Agreement to merge shall include but not limited to “changes [to] the name of
17 the surviving corporation.” [Cal.Corp. Code §9640(d)(2)]

18 23. Upon information and belief, on March 7, 2023, PACIFIC COAST JAPANESE
19 CONFERENCE by and through its employee Keith Tanita informed the Board of Directors of
20 AFMC that he had decided to accept the resignation of the serving lead pastor, Kevin Wong and
21 he had appointed Defendant Taka Iguchi as the lead pastor at AFMC. This was the first time that
22 members of the AFMC Board of Directors or the AFMC Delegates to the PACIFIC COAST
23 JAPANESE CONFERENCE were made aware of the appointment of Defendant Taka Iguchi. No
24 votes were taken and no approvals were sought from the AFMC Board of Directors.

25 24. The Free Methodist Church, USA has an authoritative, written rule book called
26 “The 2019 Book of Discipline.” AFMC has incorporated the Book of Discipline as its corporate
27 bylaws. Under the provision governing pastoral appointments, ¶5220 G, “Delegates of churches

1 involved shall be consulted, but final authority rests with the Ministerial Appointments
2 Committee.” AFMC has elected AFMC Delegates to represent the church with the PACIFIC
3 COAST JAPANESE CONFERENCE. No Delegate or alternate was consulted prior to the
4 appointment of Defendant Taka Iguchi. An appeal was filed by the Plaintiff AFMC to the
5 PACIFIC COAST JAPANESE CONFERENCE.

6 25. The restated articles of incorporation for AFMC expressly state that its corporate
7 bylaws and affairs would be conducted in accordance with the “then existing” Book of Discipline
8 of the Free Methodist Church, USA. (A true and correct copy of Plaintiff AFMC’s restated
9 articles of incorporation are attached as “**Exhibit A**” hereto.)

10 26. Upon information and belief, the Free Methodist Church, USA requires written
11 resolutions and minutes from each Board of Directors, if two churches decide to merge. AFMC
12 did not pass any resolutions and did not authorize any merger. No resolutions have been passed
13 by any party.

14 27. On March 12, 2023, PCJC Superintendent Keith Tanita attended a meeting of all
15 members of AFMC in a meeting called a “Society” meeting. No votes were taken and no
16 approvals were obtained from the AFMC membership. At that meeting PACIFIC COAST
17 JAPANESE CONFERENCE through its employee Keith Tanita confirmed his prior, unilateral
18 decision to ask their pastor Kevin Wong to resign, and to appoint Defendant Taka Iguchi as lead
19 pastor at AFMC. Keith Tanita confirmed the following at that Society meeting:

20 a. When asked by AFMC members to explain why he did not follow the normal
21 process to consult with the local church prior to making a pastoral appointment
22 as required in the Book of Discipline ¶15200(D): Keith Tanita said, “I also
23 became impatient with the process ... what they call a MEG process
24 [Ministerial Education and Guidance Board] and a MAC process [Ministerial
25 Appointments Committee].... I will admit, [I] circumvented the process by a
26 lot.”

27 b. Later in the meeting, Keith Tanita said, “That is why I am bringing Taka in.
28

1 ... I'm bringing in Taka, because I have the full confidence that he is going to
2 be able to minister to all the groups.”

3 c. When asked “Will you be dissolving our board also? Will it be Voice’s board
4 taking over this congregation, as well?” Keith Tanita said, “That’s to be
5 determined.”

6 28. Upon information and belief, the coordinated timing of Defendant Taka Iguchi’s
7 public announcement is evidence of the conspiracy. On the same day, March 12, 2023, Defendant
8 Taka Iguchi made a public announcement on YouTube.com, “Welcoming a historic church with a
9 deep heritage into our Voice Church Family.” Available on YouTube.com: hyperlink: Voice
10 Church Second Location, [retrieved April 22, 2023 at 7:01 p.m.] AFMC members seeking
11 information about THE VOICE CHURCH viewed that video at the same moment PCJC
12 Superintendent Keith Tanita was explaining his decision to merge the churches. Defendant Iguchi
13 made the following statements regarding his unilateral merger of AFMC into THE VOICE
14 CHURCH:

- 15 a. “How do we slowly but intentionally essentially install VOICE CHURCH
16 operating system into the historic church there.”
- 17 b. “And so, if you are part of Tustin, if you call Tustin home, will you pray for the
18 hearts in North OC, those that are *coming in to* the VOICE CHURCH family.”
- 19 c. “And if you *previously went to AFMC and you’re now part of Voice North*
20 *OC*, will you pray God, what would you ask of me?”

21 29. Upon information and belief, THE VOICE CHURCH’s associate pastor, and wife
22 to Defendant Iguchi, Natalie Iguchi made the following statements in the same YouTube.com
23 video:

- 24 a. “VOICE CHURCH is launching a second location in North OC, right off the 5
25 and the 91 Freeways.”
- 26 b. And we know that things aren’t going to change overnight. The North OC
27 location has had a deep culture for generations and generations. And so we just

1 want to be patient ... and so we know its's not going to feel like VOICE
2 CHURCH overnight.”

3 30. Upon information and belief, on the same day, March 12, 2023, Defendant Taka
4 Iguchi made public remarks at THE VOICE CHURCH in Tustin, California that were **not** live
5 streamed, and **are not** available on YouTube.com. Defendant Iguchi made the following
6 statements to the members of THE VOICE CHURCH:

- 7 a. “The news is, as of today, as of this afternoon, VOICE CHURCH has two
8 locations.”
- 9 b. AFMC just completed a remodel of its campus buildings
- 10 c. The AFMC is “actually becoming a VOICE CHURCH campus.”
- 11 d. AFMC has no debt.
- 12 e. AFMC has money in its bank accounts for use by THE VOICE CHURCH.

13 31. Upon information and belief, THE VOICE CHURCH currently publishes a
14 “Frequently Asked Question” page on its website “voice.church,” where it states the corporation
15 VOICE CHURCH OF ORANGE COUNTY, INC. has taken possession of the AFMC Property
16 that it has renamed “North OC.” This is THE VOICE CHURCH’s current public statement on its
17 website “voice.church”:

18 “Will Voice eventually move to **just North OC?**”

19 “No! From the beginning, **our full legal name has been “Voice Church of Orange**
20 **County**” because we have always felt called to create local contextual experiences instead
21 of one destination that the majority of the members leave their local communities to
22 attend.”

23 32. Upon information and belief, beginning on or about March 18, 2023, Defendant
24 Taka Iguchi and PACIFIC COAST JAPANESE CONFERENCE by and through its employee,
25 Keith Tanita made statements to individual AFMC Board members to the effect that they had
26 dissolved the AFMC Board of Directors. These false statements created confusion, anger and
27 emotional distress to the Plaintiffs, and delayed legal action by the Plaintiff AFMC acting through

1 its Board of Directors.

2 33. Upon information and belief, beginning on or about March 26, 2023, AFMC
3 members – many who have been attending AFMC for decades – arrived at the AFMC Property
4 and were confronted with a team of members from THE VOICE CHURCH “welcoming” them to
5 THE VOICE CHURCH.

6 34. Upon information and belief, beginning on or about March 26, 2023, Defendant
7 Taka Iguchi and THE VOICE CHURCH installed marketing and informational material about
8 THE VOICE CHURCH in the foyer of AFMC Property.

9 35. The coordinated actions of all Defendants to eliminate AFMC as a historic church
10 with a unique identity, culture and community, resulted in emotional distress, pain and anger of
11 AFMC members, including Plaintiff Chiya. Some members have attended AFMC for
12 approximately 60 years. AFMC will lose church members because of this uninvited takeover.

13 36. Upon information and belief, on or about March 12, 2023 to March 13, 2023,
14 Defendant Taka Iguchi directed Associate Pastor Matthew Asami to inform corporate officer
15 Debra Chiya, Treasurer and staff member, Jennie Kaihara, Administrative Assistant, that they
16 would be terminated on April 30, 2023; and upon information and belief, via text message,
17 Defendant Taka Iguchi informed Shirley Chai, Children’s Ministry Director her last day would be
18 May 31, 2023.

19 37. Upon information and belief, on or about, March 19, 2023, Defendant Taka Iguchi
20 justified his termination of Jennie Kaihara on the basis of her age, stating it was okay to terminate
21 her due to the fact that she was “close to retiring.” Jennie Kaihara has never stated she wants to
22 retire.

23 38. Upon information and belief, on March 28, 2023, Defendant Taka Iguchi informed
24 Jennie Kaihara that he had hired Kathleen Monroy as a full-time employee with the title,
25 “Strategic Systems Operations” and that Monroy would work for both “campuses” i.e., THE
26 VOICE CHURCH. Jennie Kaihara was informed that Defendant Taka Iguchi and Defendant THE
27 VOICE CHURCH had determined her last day would be April 30, 2023.

1 save its name and identity through an informal effort called “Save AFMC.”

2 45. On April 20, 2023, the AFMC Board of Directors sent a 10-day notice to the
3 church members of the AFMC that it was organizing a membership meeting (called a “Society
4 Meeting”) to consider the actions and statements of the Defendants at the Main Chapel at the
5 AFMC Property on Sunday, April 30, 2023.

6 46. On April 24, 2023, upon information and belief, Defendant Taka Iguchi directed
7 Pastor Matthew Asami to send email correspondence to AFMC Board member, David Azama to
8 object to holding the planned April 30th Society Meeting of the membership at the Property. (A
9 true and correct copy of the April 24th email correspondence is attached as **Exhibit “E”** hereto.)
10 (“April 24th Email”)

11 47. In the April 24th Email, upon information and belief, Defendant Taka Iguchi
12 directed Pastor Matthew Asami to consent to AFMC membership’s Society Meeting and “allow
13 this last meeting on site” if the following terms and conditions were met:

- 14 a. “(1) all future meetings without pastoral permission will happen offsite,”
15 b. “(2) you would allow me to communicate the following at the beginning of the
16 meeting before handing it off to you - that the decisions voted on (though
17 important as they are for getting a pulse of where the congregation stands for
18 shepherding and vision), will not have stand alone weight in deciding the
19 direction of the church.”
20 c. “That [deciding direction of church] will still rest with the Free Methodist
21 conference, PCJC governing boards and pastoral staff.”

22 48. Since 1961, Plaintiff AFMC has invested millions of dollars to maintain and
23 improve the Property and has paid the taxes and assessments owed on the Property. Plaintiff
24 AFMC’s power to use and improve the Property is a power coupled with its interest in the
25 property that is not subject to cancellation. (Civil Code §2356(a) (1))

26 ///
27 ///

FIRST CAUSE OF ACTION
[For Declaratory Relief Against All Defendants]

[Ca. Code Civil Proc. §1060 et. seq.]

1
2
3 49. Plaintiffs repeat and reallege each and every allegation contained in Paragraphs 1
4 through 48, inclusive of the Complaint and incorporates the same therein by reference as though
5 fully set forth. Plaintiffs ask for a declaratory judgment that confirms the following:

6 50. Plaintiffs currently enjoy the occupation, use and development of property located
7 on 1001 N. Mayflower Street, Anaheim, California (“Property”). The Property is used by Plaintiff
8 AFMC as the historic AFMC church for its members to congregate and worship. Title is in the
9 name of Plaintiff AFMC exclusively.

10 51. For sixty years, Plaintiff AFMC has invested significant sums to maintain and
11 improve the Property and has paid the taxes and assessments owed on the Property. Plaintiff
12 AFMC’s power to use and improve the Property is a power coupled with its interest in the
13 property that is not subject to cancellation. [Civil Code §2356(a) (1)]

14 52. Defendants have acted and continue to act in a coordinated manner to deprive
15 Plaintiffs their right to use the Property as “Anaheim Free Methodist Church.” (A true and correct
16 copy of the Grant Deed is attached as “**Exhibit B**” hereto.)

17 53. Defendants have acted and continue to act in a coordinated manner to deprive
18 Plaintiffs of their rights to conduct business as members of a California Nonprofit Religious
19 Corporation and through its Board of Directors in violation of law. [Cal.Corp. Code §9210 (“all
20 corporate powers shall be exercised by or under the direction of the board”)]. A true and correct
21 copy of Plaintiff AFMC’s restated articles of incorporation are attached as “**Exhibit A**” hereto.

22 54. A controversy exists as to rights of the members of the corporation and which
23 corporate officer has authority to conduct business for AFMC, including, amongst other items,
24 selection of its name, authority to terminate employees of AFMC, and access and control to
25 AFMC’s monetary funds held in bank accounts.

26 55. A judicial declaration is necessary and appropriate at this time under the
27 circumstances in order for Plaintiffs to ascertain their rights to continue to use and occupy the

1 Property as Anaheim Free Methodist Church, selection of its name, conduct business through its
2 board of directors, including control of its bank accounts, and determination of its administrative
3 staff. A declaration is necessary to determine Defendants’ purported ability to act without a vote
4 of Plaintiff AFMC’s membership and board of directors.

5 56. As a proximate result of Defendants’ actions to takeover AFMC, Plaintiffs have
6 been emotionally distressed and caused to suffer among other things damage to their unique
7 cultural identity, loss of church members, and loss of goodwill in the community.

8
9 **SECOND CAUSE OF ACTION**

10 **[For Breach of Fiduciary Duty Against All Defendants]**

11 57. Plaintiffs repeats and realleges each and every allegation contained in Paragraphs 1
12 through 56, inclusive of the Complaint and incorporates the same therein by reference as though
13 fully set forth

14 58. Plaintiffs have a special relationship with the PACIFIC COAST JAPANESE
15 CONFERENCE through its employee Keith Tanita, as a result of his position of leadership within
16 PCJC as the superintendent; and he has a fiduciary duty to act, at all times, in the best interest of
17 the Plaintiffs.

18 59. Plaintiffs have a special relationship with Defendant Taka Iguchi as the putative
19 lead pastor at AFMC, which created a fiduciary duty to act, at all times, in the best interest of
20 Plaintiffs. (He is the putative lead pastor because his appointment was made without prior
21 consultation with AFMC Delegates and is subject to an ecclesiastical appeal, not at issue here.)

22 60. Defendant Taka Iguchi has acted to transfer the Property and monetary funds for
23 the use and benefit of THE VOICE CHURCH and is actively seeking the best interest of himself
24 as a member, president and lead pastor of THE VOICE CHURCH to the detriment of Plaintiffs.

25 61. Defendant Taka Iguchi has acted to eliminate the name of the “Anaheim Free
26 Methodist Church” and erase the unique cultural identity and good will of Plaintiff AFMC in favor
27 of a renaming to “Voice Church North OC” for the use and benefit of THE VOICE CHURCH and

1 is actively seeking the best interest of himself as a member, president and lead pastor of THE
2 VOICE CHURCH to the detriment of Plaintiffs.

3 62. As a proximate result of Defendants' actions to takeover AFMC, Plaintiffs have
4 been emotionally distressed and caused to suffer among other things damage to their unique
5 cultural identity, loss of church members, and loss of goodwill in the community and loss of
6 church member financial support. The nature and extent of the damages cannot presently be
7 ascertained and Plaintiffs will plead and otherwise assert such damages according to proof as they
8 are determined, including punitive damages for actions taken in bad faith.

9
10 **THIRD CAUSE OF ACTION**

11 **[For Diversion of Donated Funds Against Defendants Taka Iguchi and The Voice Church]**
12 **[Ca. Corp. Code §9142-9143]**

13 63. Plaintiffs repeats and realleges each and every allegation contained in Paragraphs 1
14 through 62, inclusive of the Complaint and incorporates the same therein by reference as though
15 fully set forth

16 64. Over the past ten years, Plaintiff Chiya has made personal donations of money to
17 the AFMC for the specific use of AFMC's ministries and building fund, and they have not donated
18 money for use of THE VOICE CHURCH.

19 65. The AFMC made affirmative representations that funds donated to it would be used
20 for the benefit of specific AFMC's ministries and building fund.

21 66. Defendants Taka Iguchi and THE VOICE CHURCH even when placed on notice
22 in the cease and desist, letter dated April 19, 2023 that they may not use the funds of AFMC for
23 THE VOICE CHURCH, continue to seek control through password and bank signature cards and
24 divert funds for their use and benefit.

25 67. As a proximate result of Defendants' actions to takeover AFMC, Plaintiffs have
26 been emotionally distressed and caused to suffer among other things damage to their unique
27 cultural identity, loss of church members, loss of church member financial support, and loss of

1 goodwill in the community. The nature and extent of the damages cannot presently be ascertained
2 and Plaintiffs will plead and otherwise assert such damages according to proof as they are
3 determined, including punitive damages. Plaintiffs also ask for restitution.

4 **FOURTH CAUSE OF ACTION**

5 **[For Conversion Against Defendants Taka Iguchi and The Voice Church]**
6 **[Ca. Civ. Code §1712]**

7 68. Plaintiffs repeats and realleges each and every allegation contained in Paragraphs 1
8 through 67, inclusive of the Complaint and incorporates the same therein by reference as though
9 fully set forth.

10 69. Defendants Taka Iguchi and THE VOICE CHURCH even when placed on notice
11 in the cease and desist, letter dated April 19, 2023 that it may not use the funds of AFMC for THE
12 VOICE CHURCH, they continue to seek control through passwords and signature cards and divert
13 funds for their use and benefit.

14 70. Defendants Taka Iguchi and THE VOICE CHURCH continue seeking to
15 unlawfully extract property and funds belonging to Plaintiff AFMC without AFMC's consent, for
16 their own benefit and use, and must be ordered to restore property and funds to Plaintiff AFMC.

17 71. As a proximate result of Defendants' actions to takeover AFMC, Plaintiffs have
18 been emotionally distressed and caused to suffer among other things damage to their unique
19 cultural identity, loss of church members, loss of church member financial support and loss of
20 goodwill in the community. The nature and extent of the damages cannot presently be ascertained
21 and Plaintiffs will plead and otherwise assert such damages according to proof as they are
22 determined, including punitive damages. Plaintiffs also ask for restitution.

23 **WHEREFORE**, Plaintiffs pray for relief as follows:

24 1. For a declaration and judgment that Plaintiff AFMC is governed by the Nonprofit
25 Religious Corporation Law (California Corporate Code §§9110, et seq.) and has the right to
26 conduct business (including the "Save AFMC" effort) through its board of directors, officers and
27 membership to determine its name, determine its online presence and use of its name on the

1 internet or social media accounts, determine its board of directors and officers, dismiss or hire
2 employees, control and use of its bank accounts and funds, use of AFMC property to meet as
3 AFMC members and to consider and approve or disapprove any corporate merger of operations or
4 structure with Defendants Taka Iguchi and THE VOICE CHURCH.

5 2. For a declaration and judgment that Defendants do not have the authority or power
6 to unilaterally change the name of AFMC, alter its online presence or use of its name on the
7 internet or social media accounts, dismiss the Plaintiff AFMC’s board of directors or officers,
8 dismiss or hire employees at the Property, control and use of AFMC bank accounts and funds,
9 force a corporate merger of operations or structure with Defendants Taka Iguchi and THE VOICE
10 CHURCH, prohibit AFMC members from gathering on the AFMC Property as AFMC members,
11 including as Save AFMC, except according to law and under such conditions as the court may
12 herein declare.

13 3. For a preliminary and permanent injunction prohibiting Defendants from taking
14 any of the following actions, except according to law:

- 15 a. Changing the name of the Anaheim Japanese Free Methodist Church
16 (“AFMC”); and
- 17 b. Interfering with Plaintiffs’ use and occupation of the property as AFMC
18 members on the property on which AFMC owns and operates; and
- 19 c. Removing the board of directors and other officers of the AFMC; and
- 20 d. Controlling and accessing AFMC’s funds and bank accounts; and
- 21 e. Terminating or replacing any members of the church staff, and
- 22 f. Entering into any contracts that seek to obligate AFMC for payment; and
- 23 g. Altering AFMC’s online accounts (website, and social media); and
- 24 h. Installing “VOICE” marketing materials on AFMC property; and
- 25 i. Merging corporate operations or structure of AFMC into The Voice Church of
26 Orange County.

27 4. For restitution for any property converted or funds diverted;

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- 5. For damages according to proof;
- 6. For punitive damages according to proof;
- 7. For attorneys' fees, costs of suit according to proof; and
- 8. For such other and further relief as the court deems proper.

Dated: April 25, 2023

KAWAHARA LAW, APC

By: /s/ James K. Kawahara

James K. Kawahara

ISHIMATSU LAW GROUP, P.C.

By: /s/ Bruce L. Ishimatsu

By: Bruce L. Ishimatsu

Attorneys for Plaintiff Anaheim Japanese
Free Methodist Church, a California
Nonprofit Religious Corporation, and Plaintiff
Debra Chiya, church member and corporate
board member and treasurer.

Exhibit “A”

A476932

FILED
In the office of the Secretary of State
of the State of California

MAY 24 1996

Bill Jones
BILL JONES, Secretary of State

RESTATED

ARTICLES OF INCORPORATION

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HELEN AZAMA and DAVID AZAMA certify that:

- 1. They are the president and secretary, respectively of the ANAHEIM JAPANESE FREE METHODIST CHURCH, a California Corporation.
- 2. The articles of incorporation of this corporation are amended and restated to read as follows:

FIRST

The name of this corporation is **ANAHEIM JAPANESE FREE METHODIST CHURCH.**

SECOND

A. This corporation is a religious corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Religious Corporation Law exclusively for religious purposes.

B. The specific purpose of this corporation is to proclaim the good news of salvation by faith in Our Lord, Jesus Christ, by any suitable method or media, including the support of existing programs and organizations which have a similar evangelical purpose and dedication to presenting Christ as Savior.

THIRD

A. This corporation is organized and operated exclusively for religious purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. Notwithstanding any other provisions of these Articles, the

1 corporation shall not carry on any other activities not
2 permitted to be carried on (i) by a corporation exempt from
3 Federal Income Tax under section 501(c)(3) of the Internal
4 Revenue Code of 1954 (or the corresponding provision of any
5 future United States Internal Revenue Law or (ii) by a
6 corporation, contributions to which are deductible under
7 section 170(c)(2) of the Internal Revenue Code of 1954 (or
8 the corresponding provision of any future United States
9 Internal Revenue Law).

10 B. No substantial part of the activities of this
11 corporation shall consist of carrying on propaganda, or
12 otherwise attempting to influence legislation, and the
13 corporation shall not participate or intervene in any
14 political campaign (including the publishing or distribution
15 of statements) on behalf of any candidate for public office.

16 FOURTH

17 The property of this corporation is irrevocably
18 dedicated to religious purposes and no part of the net
19 income or assets of this corporation shall ever inure to the
20 benefit of any director, officer or member thereof or to the
21 benefit of any private person. Upon the dissolution or
22 winding up of the corporation, its assets remaining after
23 payment, or provision for payment, of all debts and
24 liabilities of this corporation shall be distributed to The
25 Free Methodist Church of North America, which is organized
26 and operated exclusively for religious purposes and which
27 has established its tax exempt status under Section
28 501(c)(3) of the Internal Revenue Code.

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FIFTH

The ecclesiastical affairs of this corporation shall be subject to the rules, regulations and BOOK OF DISCIPLINE of The Free Methodist Church of North America as from time to time adopted by the General Conference of The Free Methodist Church of North America, insofar as the same do not contravene or conflict with the laws of the State of California.

The BOOK OF DISCIPLINE, rules and regulations of the Free Methodist Church as from time to time adopted by the General Conference of the Free Methodist Church of North America shall at all times be a part of the bylaws of this corporation.

SIXTH

This corporation elects to be governed by all of the provisions of the Nonprofit Corporation Law of 1980 not otherwise applicable to it under Part 5.

3. The foregoing amendment and restatement of articles of incorporation has been duly approved by the board of directors.

4. The foregoing amendment and restatement of articles of incorporation has been duly approved by the required vote of the members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: 5/20/96

Helen Azama
HELEN AZAMA, President

David T. Azama
DAVID AZAMA, Secretary

Exhibit “B”

RECORDING REQUESTED BY

Securities Escrow Corporation

WHEN RECORDED MAIL TO

Anaheim Japanese Free Methodist Church
c/o Securities Escrow Corporation
P. O. Box 2235
Anaheim, California

RECORDED AT REQUEST OF
ORANGE COUNTY TITLE CO.
IN OFFICIAL RECORDS OF
ORANGE COUNTY, CALIF.
9 AM JUN 7 1961
RUBY McFARLAND, County Recorder

\$2.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE



\$28.60
PLACE INTERNAL REVENUE STAMPS IN



GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
ROBERT R. STEARNS AND NOXIE L. STEARNS, husband and wife and
ROBIN A. COOK AND LOIS DEE COOK, husband and wife

, do hereby

GRANT to ANAHEIM JAPANESE FREE METHODIST CHURCH, a California Corporation

the real property in the City of Anaheim County of Orange,
State of California, described as:

All that certain land situated in the City of Anaheim described
as follows:

The North 586.00 feet of the Northwest quarter of
the Northwest quarter of Section 7, Township 4
South, Range 10 West. S. B. B. & M.

EXCEPTING THEREFROM the West 846.00 feet.

ALSO EXCEPTING THEREFROM the North 369.00 feet.

794269 OW

Dated: March 2, 1961

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss

On March 13, 1961

before me, the undersigned, a Notary Public in and for said
County and State, personally appeared

Robert R. Stearns and
Noxie L. Stearns and
Robin A. Cook and
Lois Dee Cook

Robert R. Stearns
Robert R. Stearns
Noxie L. Stearns
Noxie L. Stearns
Robin A. Cook
Robin A. Cook
Lois Dee Cook
Lois Dee Cook

known to me to be the persons whose names are
subscribed to the within instrument and acknowledged that

executed the same
WITNESS my hand and official seal.
(Seal) *Joseph Matheny*
Notary Public in and for said County and State.

Order No. _____

Escrow or Loan No. 1875 AAD

Exhibit “C”

Kawahara Law

A Professional Corporation

Howard Hughes Center
6080 Center Drive, 6th Floor #1
Los Angeles, Ca. 90045
Tel: (310) 348-0070
Fax: (310) 807-9250

April 19, 2023

JAMES K. KAWAHARA
Email address: james@kawaharalaw.com

VIA EMAIL (taka@voice.church)

Pastor Taka Iguchi
Voice Church
3002 Dow Ave. Ste 140
Tustin, CA 92780-7248

Re: Cease and Desist; Request to Adhere to Lawful Procedures

Dear Pastor Taka Iguchi:

This law firm represents the volunteer, Lay Members of the Local Board of Administration of the Anaheim Free Methodist Church ("AFMC"), a non-profit religious corporation formed under the laws of the State of California. If you are represented by legal counsel this letter should be sent to your attorney immediately and have your attorney notify us of their representation.

I received a copy of the letter issued on April 14, 2023, by Bishop Matt Whitehead, Supt. Keith Tanita, et. al. ("April 14th Letter.") I am sending a copy of this letter to both men. The April 14th Letter, informed AFMC that you have been appointed lead pastor to AFMC, that AFMC is not being closed, and Voice Church Tustin ("VCT") is not relocating or merging locations with AFMC. It also acknowledged the hurt and anger of AFMC members. Although it notes a meeting of the Lay Members of the Local Board of Administration, no votes were taken and no decisions were made at the March 7th meeting; nor were votes taken or decisions made at the March 12th Society meeting.

Because AFMC is not closed and there is no intent to merge AFMC with VCT, I write to notify you that you must stop taking unilateral actions that infringe on the AFMC's corporate rights under the 1978 Nonprofit Religious Corporation Law (California Corporate Code §§9110, et seq.) Furthermore, as the appointed lead pastor of AFMC, you are obligated to seek the prior approval of the Local Board of Administration and AFMC's Society, as set out in the Free Methodist Church USA Book of Discipline and California Corporation Code §9210 ("all corporate powers shall be exercised by or under the direction of the board.")

Therefore, I write on behalf of the Lay Members of the Local Board of Administration to demand that you cease and desist from taking any of the following actions until such time as they have been approved by the Local Board of Administration and AFMC's Society:

1. Dismissing the current AFMC Treasurer.
2. Appointment of a new AFMC Treasurer.

3. Seeking to transfer control of AFMC bank accounts, including access to passwords or changes in signature authority.
4. Firing AFMC personnel.
5. Hiring new AFMC personnel.
6. Using any AFMC funds for the benefit of third parties (including VCT).
7. Entering into any contracts that obligate AFMC for payment.
8. Closing or altering AFMC's online presence (e.g., website, social media, google maps, yelp).
9. Removing the name of AFMC from the church building.
10. Removing furniture, kitchen equipment or other property from AFMC buildings.
11. Renaming the AFMC.
12. Installing VCT or "Voice" affiliated marketing/informational materials within AFMC buildings

If you continue to engage in these actions after receiving this letter, your actions will be evidence of your breach of trust and may subject you individually to legal action for diversion of funds or unauthorized contracts that you have entered into with third parties. Such acts may result in a claim for damages and other remedies pursuant to California Corporation Code §9142 and §9143, including but not limited to actions for the diversion of funds donated by individuals for use by AFMC.

The other intended changes that were announced in the April 14th Letter, including the "rebranding" or "restructuring" of AFMC must be presented in detail for the approval of the Local Board of Administrative pursuant to the Book of Discipline

*The local Board of Administration shall work in partnership with the senior pastor to implement the vision, for the church and to promote and support the church's mission. It shall seek to be guided by and strive to model the scriptural admonitions found in Matthew 28:19-20; Matthew 22: 37-39; Ephesians 4:11-16; Matthew 20:25-28 [**"But Jesus called them to him and said, You know that the rulers of the Gentiles lord it over them ... It shall not be so among you..."**]; John 17:20-21; that we may be presented to Christ in accordance with Ephesians 1:22-23; John 13:34-35; I Corinthians 14:33; Galatians 5:22-23; James 3:17; and Hebrews 12:14.*

Book of Discipline ¶16300 D.

The Board respectfully asks that you honor AFC's 100-year history, and the commitment that you made in recorded statements to the VCT congregation published on March 12, 2023 to "go slow" and "respectfully" in your plans for AFMC by agreeing to act in accordance with the protocol, rules and laws that apply to the governance of AFMC. This includes an additional detailed presentation of your proposed "rebranding" and "restructuring" of AFMC to the Society – which are the adult members of AFMC – for its consideration and approval or disapproval by vote recorded in minutes of an official meeting. The Book of Discipline establishes the actions that are to be decided by a vote of the attending members at a Society meeting. Book of Discipline ¶16250. These "restructuring" and "rebranding" decisions obviously require the vote of the membership.

Pastor Taka Iguchi

April 19 2023

Page 3

The Lay Members of the Board prayerfully ask that you maintain the unity of the body of Christ and that you honor and trust the process that the elders of AFMC have lovingly established for its governance many years ago. They look forward to receiving your commitment to cooperate and agreement to adhere to these lawful procedures. Please confirm that you agree to comply with the procedures for AFMC governance established in the Free Methodist Church USA Book of Discipline and the 1978 Nonprofit Religious Corporation Law (California Corporate Code §§9110, et seq.) by signing and returning a copy of this letter to me via Docusign.

I may be contacted at (310) 348-0070. My email address is james@kawaharalaw.com.

Sincerely,



James K. Kawahara
Attorney-at-Law

I have read this letter and agree not to take any unauthorized actions, including the 12 actions outlined above, and to follow the procedures for AFMC governance established in the Free Methodist Church USA Book of Discipline and the 1978 Nonprofit Religious Corporation Law (California Corporate Code §§9110, et seq.) to obtain approval of my vision to restructure and rebrand AFMC.

Pastor Taka Iguchi

Date: ____ day of April, 2023

cc: Keith Tanita, Superintendent, PCJC (via email Keith@pcjcfm.org)
Matt Whitehead, Bishop, PCJC (via email Matt.whitehead@fmcusa.org)

Exhibit ‘D

Dear Pacific Coast Japanese Conference family,

We are writing to share with you regarding the recent transitions at Anaheim Free Methodist Church. We have heard from many of you. We acknowledge that we have been slow to reply, and that this slowness has been received as silence. It is our heart to share with transparency, and we apologize for our delayed response.

The past several years have been very difficult for the pastoral team of the English division of AFMC (Pastor Kevin Wong, Pastor Matt Asami, Pastor Kristin Ou, and Pastor Lauren Fukuzawa Wong). Shortly after Pastor Kevin was appointed as Lead Pastor of AFMC, PCJC leadership began to hear references to the challenges the pastoral team was experiencing in serving together, but we did not realize the severity of the situation.

The AFMC pastoral team felt it was best to keep the challenges confidential and did not disclose their conflicts to the congregation. We do not believe that it was healthy to keep the challenges hidden, but we acknowledge that the pastoral team did this out of their love for the people of AFMC. We also acknowledge that the AFMC pastoral team sincerely tried to work through the challenges.

In fall of 2022, the AFMC pastoral team reached out to PCJC leadership for help. At this point, the PCJC hired Genesis Christian Mediation. The first phase of their three-phase mediation process was completed in mid-December 2022, and a report was provided to the PCJC.

In mid-January 2023, the Ministerial Education and Guidance Committee/Ministerial Appointments Committee (MEG/MAC) reviewed the proposal of Genesis Christian Mediation for the second phase of the mediation process. Around the same time, the MEG/MAC received additional information regarding how Pastor Kevin's leadership was being experienced by his pastoral team. After careful review and discussion, the MEG/MAC came to the conclusion that the mediation process would be unsuccessful in resolving the issues and that personnel changes, including an appointment change, would be necessary.

At this point, the MEG/MAC reached out to Pastor Taka Iguchi, co-pastor of Voice Church, to ask if he would pray about a possible appointment as Lead Pastor at AFMC. Pastor Taka is close geographically to AFMC, has a deep pastoral heart, and is gifted and experienced in healthy leadership that raises up staff and lay people to reach people with the Gospel. Pastor Taka is very well suited to ministry at AFMC and brings wonderful personal strengths and ministry graces that we decided make him the right pastor for this position. After praying and talking with leadership at Voice Church, Pastor Taka agreed to be considered for this appointment. In order for Pastor Taka to lead well at AFMC and Voice Church, a joining together of the ministries was necessary, since leading two separate entities would be infeasible. The ministries will be separate and unique, but joined together for one purpose under one umbrella.

On February 27, Superintendent Keith met with Pastor Kevin Wong. At the close of that meeting, Superintendent Keith believed that Pastor Kevin would resign rather than go through the MEG/MAC process of releasing him from his appointment.

On February 28, Superintendent Keith met with Pastor Matt Asami, Pastor Kristin Ou, and Pastor Lauren Fukuzawa Wong. When there is a change of appointment of the lead pastor, the other pastoral staff members are asked to submit letters of resignation so that the incoming pastor can choose his/her staff. Superintendent Keith informed them that this process would be followed.

On March 7, Superintendent Keith met with the local board of administration of AFMC.

On March 12, during the Sunday Service, Pastor Kevin shared about the transition. He shared about the challenges the pastoral team had been experiencing, and he was disappointed in the PCJC's decision to make the necessary changes to AFMC. That afternoon, AFMC held a Society Meeting at which Superintendent Keith shared with and heard from a large number of attendees as well as those who no longer attended AFMC. Throughout the afternoon meeting, there was hurt and anger expressed. We know that people were hurting, but personal attacks on Superintendent Keith Tanita were inappropriate, destructive, and were not in keeping with mature Christlike behavior.

Throughout the week following March 12, Pastor Taka Iguchi and Pastor Matt Asami met individually with as many people of AFMC as they could. There were times during the week to come together at church for prayer and worship.

On March 19, Pastor Taka, serving together with Pastor Matt Asami and Pastor Kaz Enomoto, led the worship service at Anaheim. Pastor Taka stayed that afternoon for further conversation with the people of AFMC.

On April 2, Pastor Lauren Fukuzawa Wong shared with the church that God is calling her into a season of ministry to her family and a season of caring for her physical health. She preached that morning with a refrain of "Soli Deo Gloria." After Pastor Lauren's sermon, Pastor Taka invited the people of the church to come to the platform, and many people joined in prayer for Pastor Lauren.

This has been, and is, a very difficult situation. We acknowledge that in efforts to move forward with a decision we felt was best for the health and well-being of AFMC, we did not execute this transition perfectly and we have made mistakes. Where these mistakes have caused additional pain, we ask for your forgiveness. We have already had opportunities to apologize and ask for forgiveness from some of you individually, and hope to continue restoring and reconciling relationships.

There are unfinished parts of the story of these transitions, and this letter has not addressed everything that has happened. Nevertheless, we are determined to learn from this and strive for greater openness and transparency in our procedures. Over time, we believe God will do additional redemptive work.

The changes that have been communicated are final. They are decisions that were prayed over and sensitively discussed. They were not made in haste nor made with any malicious intent, hidden agenda, or negligence. AFMC is renamed as Voice Church North OC. Structurally, AFMC will be a campus of Voice Church but will have its unique character and culture as all church bodies do! Pastor Taka is appointed as lead pastor and in time will raise up a campus pastor. We know these are significant changes and we ask for your prayers as we all navigate this transition. We are excited for the future and for what God has in store for the church.

AFMC is not being closed, but rather renamed and restructured. Voice Church Tustin is not relocating to Anaheim or merging locations. In fact, Voice Church Tustin has recently completed their own renovations and is committed to a long-term lease in Tustin.

We understand that there has been inaccurate and false information being spread regarding various aspects of this transition. We also realize that in taking time to respond clearly and intentionally, our silence contributed to incorrect assumptions being made and/or heightened the spread of false information. We hope that this letter clarifies and corrects misunderstandings, gives insight to the situation, and assures that proper protocol and processes were adhered to.

We want to sincerely thank Pastor Taka for his heart and commitment to serve the people of AFMC, now Voice Church North OC. We ask the people of AFMC to consider being open to the leadership that Pastor Taka brings, and to allow him to build trust with you over time. We are confident that you will find him to be a leader of integrity with a deep heart for people.

Bishop Matt Whitehead will be leading the PCJC Annual Conference on May 20 and will be preaching on Sunday, May 21, in Anaheim at Voice Church North OC. He is looking forward to the time with the church body and hopes to meet many people in person.

We truly believe that there is an invitation to God's goodness in the changes that have been made. Our heart is to be a unified body of Christ, seeking and worshipping our God together, and seeing many people find Jesus.

Sincerely,

Bishop Matt Whitehead, Supt. Keith Tanita, PCJC Board of Administration: Pastor Dave Fukuyama, Pastor Natalie Iguchi, Yayoi Kaneko, and Erik McBeth. PCJC Ministerial Education and Guidance Board/Ministerial Appointments Committee: Leah Serrano, Pastor Jenny Switkes, and Max Yamaguchi.

Exhibit ‘E’

From: Matthew Asami <matthew.asami@gmail.com>
Sent: Monday, April 24, 2023 5:54 PM
To: Azama Family <eccdazama@hotmail.com>
Subject: Re: 4/30 society meeting

Hi David,

thanks for the quick response. I understand that it would be difficult to change the meeting location being that the email has already gone out. In an effort to minimize confusion and further division, we will allow this last meeting on site if, (1) all future meetings without pastoral permission will happen offsite, (2) you would allow me to communicate the following at the beginning of the meeting before handing it off to you - that the decisions voted on (though important as they are for getting a pulse of where the congregation stands for shepherding and vision), will not have stand alone weight in deciding the direction of the church. That will still rest with the Free Methodist conference, PCJC governing boards and pastoral staff.

thanks for taking my call. feel free to reach out if you if you want to chat any more.
-matt

On Mon, Apr 24, 2023 at 5:18 PM Azama Family <eccdazama@hotmail.com> wrote:

Hi Pastor Matt—

Would it change your position if you and pastor Taka were invited to participate?

—David.

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From: Matthew Asami <matthew.asami@gmail.com>
Sent: Monday, April 24, 2023 5:13:41 PM
To: Azama Family <eccdazama@hotmail.com>
Subject: 4/30 society meeting

Hi David,

I just feel the need to reiterate our pastoral and conference stance in regards to the 4/30 meetings. The pastoral staff doesn't sanction this meeting, nor do we sanction the use of church property to hold the meeting on 4/30. Because of this, we hope that you would consider moving the meeting off campus.

Just for your reference, we will be communicating this in the Tuesday email as well. We hope to do so in a way which doesn't spread confusion, or create further division. I know there are fundamental disagreements which makes this difficult, but we pray that both sides can continue to seek unity amongst our disagreements, encourage people to seek the Lord's direction, and uphold the glory of Christ.

-matt

VERIFICATION

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I am a Plaintiff in this action and have read the foregoing Complaint for Declaratory Judgment regarding the corporate governance and property of the Anaheim Japanese Free Methodist Church, a California nonprofit religious corporation, for breach of fiduciary duty, diversion of funds and conversion and know its contents. The matters stated in the foregoing document are true to my own knowledge, except as to those matters which are stated on information and belief; and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 25th day of April, 2023 at Huntington Beach, California



Debra Chiya, Church Member,
Board Member, and Corporate Treasurer
Anaheim Japanese Free Methodist Church,
a California Nonprofit Religious Corporation