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Anaheim Japanese Free Methodist Church
10 And Debra Chiya

11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF ORANGE**
14 **NORTH JUSTICE CENTER**

15
16 ANAHEIM JAPANESE FREE
METHODIST CHURCH, a California
17 Nonprofit Religious Corporation, DEBRA
CHIYA, member, board member and
18 corporate treasurer;

19 Plaintiffs,

20 vs.

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

26 Defendants.

CASE NO. 30-2023-01322048-CU-PP-
NJC

**DECLARATION OF DAVID HINO IN
SUPPORT OF APPLICATION FOR
TEMPORARY RESTRAINING
ORDER**

1 I, DAVID HINO, declare as follows:

2 1. I am an adult and I have personal knowledge of the facts set forth herein, and
3 if called as a witness, I could and would competently testify thereto, as to those facts which
4 I declare on information and belief, I believe them to be true.

5 2. I was the duly elected Superintendent of the Pacific Coast Japanese
6 Conference of the Free Methodist Church of North America, a California Nonprofit
7 Religious Corporation, also known as "PCJC" from the year 2000 to the year 2006. I
8 make this declaration in support of the Plaintiffs' Application for Temporary Restraining
9 Order.

10 3. In the 6 years, as the Superintendent of PCJC, I became knowledgeable of
11 the contents of the Book of Discipline of the Free Methodist Church USA, I was
12 responsible for its interpretation and application to the PCJC.

13 4. I joined the Free Methodist Church USA (FMC USA) denomination in 1985,
14 ordained as a Free Methodist in 1986. I started The Light Christian Fellowship in 2007
15 and was part of the Pacific Coast Japanese Conference and the Free Methodist Church of
16 North America. When I left the denomination in 2010, the church also left the Free
17 Methodist denomination. I continue as pastor of The Light Christian Fellowship, located
18 in Long Beach, California.

19 5. On April 29, 2023, attorney for Plaintiffs, James K. Kawahara gave me a
20 copy of the letter he received from attorney, Brad Greenman, from the law firm, Tyler Law
21 LLP ("Tyler Letter") (attached as Exhibit 1), and I have read its contents and provide this
22 declaration to aid the court in understanding some of the more important applications and
23 interpretations about the authority of the PCJC over a "connected" church like the
24 Anaheim Japanese Free Methodist Church ("Anaheim Free Methodist Church"). I also
25 wish to correct some obvious mistakes.

26 6. The Tyler Letter uses the concept of "Connectional" but does not define the
27 term. While not defined in the Tyler Letter-- it definitely does not mean hierarchy. Free
28

1 Methodist have always maintained a Connectional system. However, a hierarchy system
2 in which each level is subordinate to the one above has never been part of the Free
3 Methodist system. Instead, the Free Methodist have always maintained a Connectional
4 system. Connectional is a relational connection rather than a system based on superior
5 unilateral decision making to inferior churches. Connectional means a conference and
6 churches work together.

7 7. A Free Methodist conference gives support, vision, direction, but this is not
8 done in a unilateral hierarchal style. The Catholic system is a hierarchal form of
9 government. The Free Methodist have a bit of a hybrid between a Baptist system and
10 Catholic system. The Free Methodist principles allow and empower churches to create
11 their church vision statements, develop ministries and oversee those ministries. In the past
12 few years, though the Book of Discipline requires the name “Free Methodist” to appear on
13 the churches, the Free Methodist Denomination has allowed local churches to adopt names
14 for their churches without any reference to “Free Methodist” and form leadership boards
15 that don’t always fit the Book of Discipline. These are some examples where the Book of
16 Discipline is ignored.

17 8. A more meaningful definition of the Free Methodist “connectional” concept
18 would reinforce a finding that the Pacific Coast Japanese Conference has violated this
19 “connectional” relationship. The conference over-stepped their powers in the current
20 actions already taken and those announced to take effect this week.

21 9. On page 2, second paragraph of the Tyler Letter, the attorney states
22 “societies hold assets and property in trust.” The local church holds their own assets and
23 property and not the Conference. Only when a Free Methodist church decides not to be
24 Free Methodist does the trust take in effect. There is a mistaken belief that the conference
25 owns the assets and property. The Conference does not. Since Anaheim Free Methodist
26 Church did not renounce its Free Methodist identity, the Conference cannot unilaterally
27 take over assets and property.

28

1 10. On page 2, second paragraph of the Tyler Letter, the lawyer believes that
2 Book of ¶5200(G), page 100 is “clear, when it becomes necessary to change authority” and
3 therefore grant the Pacific Coast Japanese Conference authority over the Anaheim Free
4 Methodist Church Board. This is not what the Book of Discipline states or implies.

5 11. Book of Discipline ¶5200 G says, “In the event a change in pastoral
6 leadership becomes necessary between annual conferences, the committee shall have
7 authority to make appointments. Delegates of churches involved shall be consulted, but
8 final authority rests with the Ministerial Appointments Committee.”

9 12. Book of Discipline ¶5200 is specifically about appointment of pastors
10 between annual conferences and does not grant or imply that the conference has additional
11 authority over the local church. In Pastor Taka’s appointment and Pastor Wong’s
12 termination, there was no delegate involvement. “Delegates of the churches shall be
13 consulted.” “Shall” seems like a mandate not an option. I believe the lawyer is overstating
14 the meaning of the Book of Discipline ¶5220 and he is probably unaware of the violation
15 over the lack of delegate participation. (See my March 25, 2023, letter that sets out my
16 assessment of the situation; it is attached as Exhibit 2 hereto.)

17 13. Historically, the Pacific Coast Japanese Conference board has never operated
18 as the governing authority unilaterally making decisions for the local church and
19 dismissing the church board’s authority. Every local church creates articles of
20 incorporation and by-laws and operates as a separate corporation with a separate local
21 church board of directors.

22 14. On page 3, numbered paragraph 2, of the Tyler Letter, the lawyer asserts:
23 ‘Therefore, because the role of a “treasurer” under paragraphs 6200–6250 of the Book of
24 Discipline is duly limited, and because the PCJC and its relevant governing bodies possess
25 the authority to appoint treasurers functioning under the Book of Discipline, paragraphs
26 6700–6720 et seq, Pastor Iguchi is not bound to seek the LAB’s [local administrative
27 board] approval in appointing a new AFMC treasurer.’ This interpretation is incorrect.

28

1 The treasurer is elected by the local church membership and under the direction of the
2 local church Board. There is no mention that the church treasurer is under the conference.
3 This section of the Book of Discipline, ¶¶6700-6720 is about ministry pastoral staff and
4 not administrative staff such as secretaries or treasurers. The lawyer mistakenly believes
5 that “Pastoral Staff Assistants” include treasurers. Treasurers are not “Pastoral Staff
6 Assistants.” See the Book of Discipline ¶6700 below:

7 15. Book of Discipline ¶6700 says, “These guidelines apply to part-time or full-
8 time paid local church pastoral staff, ordained, consecrated deacons or lay, such as
9 associate/assistant pastors, ministers of visitation and outreach, ministers/directors of
10 music, ministers/directors of Christian education, and ministers/directors of youth.”

11 The lawyer’s premise is flawed and therefore his conclusion is wrong.

12 16. On page 4, numbered paragraph 9, of the Tyler Letter, the lawyer asserts:
13 “under Book of Discipline, paragraph 6420, the closing or merger of a society is at the sole
14 discretion of the PCJC. To those ends, Pastor Iguchi does not need the approval of the
15 LAB as to renaming or removing the sign from AFMC’s building.”

16 17. The lawyer is using the Book of Discipline ¶6420, regarding mergers as an
17 argument for these actions. However, as I stated in my March 25, 2023 letter,(Exhibit 2),
18 the Pacific Coast Japanese Conference disregarded and violated the policy regarding
19 mergers. The lawyer erroneously uses these same policies of mergers to justify the actions
20 of the Pacific Coast Japanese Conference. To ignore the rules on mergers and now use the
21 same rules in his legal argument is upsetting, confusing and nonsensical.

22 18. Only a few people at Anaheim Free Methodist Church heard the news about
23 the change to Voice Church 5 or 6 days before the March 12 Annual Society Meeting.
24 Most church members learned the news on Sunday, March 12. There was no prior dialogue
25 with the church delegates or church board prior to the change in the church's pastoral
26 appointment, which is a hierarchical act that violates the Free Methodist Church’s
27 “Connectional” system of governance, as I described above.

28

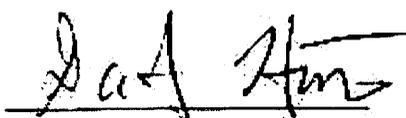
1 19. The Free Methodist Church only uses the language of church "merger." It
2 does not use the language of "rebranding" or "restructuring." The Free Methodist Church
3 Denomination has standards and procedures for mergers (see Book of Discipline,
4 Par.6420). However, it is silent as to this situation facing the Anaheim Free Methodist,
5 which is a forced merger or hostile takeover. The PCJC leadership violated both the Book
6 of Discipline standards for church mergers and in the procedures presented in the "Church
7 Merger Information Sheet for Conference Offices" published by the Free Methodist World
8 Headquarters (a copy was obtained from the FMC USA website and is attached as Exhibit
9 3). These Denominational procedures call for both participating local church Boards of
10 Administration to mutually agree upon a proposed merger. Anaheim Free Methodist
11 Church had no knowledge of the proposed merger, while Voice Church leaders were fully
12 aware and had agreed to the merger

13 20. On page 5, first un-numbered paragraph, of the Tyler Letter, the attorney
14 states: "societies are bound to seek approval from the FMC before initiating any
15 litigation." (Id., ¶6430 at p. 137.)"

16 21. The Book of Discipline does not use the phrase "any litigation." Rather it
17 says, "A society may not initiate litigation without first receiving approval from the Board
18 of Directors of the Free Methodist Church – USA." I believe the intent is that when a
19 church would like to seek litigation against an individual, a business or another non- Free
20 Methodist church then it should seek the denomination for direction before proceeding. I
21 don't believe that statement really encompassed the idea of litigation toward the
22 denomination itself.

23 I declare under penalty of perjury that the foregoing is true and correct.

24 Executed on this 30th day of April, 2023 in Cypress, California.

25
26 

27 David Hino

Exhibit “1”

REPLY TO:

Riverside County Office:
25026 Las Brisas Road
Murrieta, California 92562
Telephone: (951) 600-2733
Facsimile: (951) 600-4996



Orange County Office:
Telephone: (714) 978-2060
Arkansas Office:
Telephone: (479) 377-2059

April 28, 2023

Via Electronic Mail Only

Email: james@kawaharalaw.com

James K. Kawahara, Esq.
Howard Hughes Center
6080 Center D., 6th Floor #1
Los Angeles, CA 90045

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

Dear Mr. Kawahara:

This firm represents the Pacific Coast Japanese Conference (or “PCJC”) in reference to the matters discussed herein. Please direct all communications to the undersigned.

The PCJC is the regional governing body of the Free Methodist Church (“FMC”) denomination which oversees the societies (or “Churches”) throughout California which are members of the denomination. One of those Churches, the Anaheim Free Methodist Church (or “AFMC”) is one of the approximately twenty-one societies within the PCJC’s jurisdiction.

This letter is in response to your letter dated April 19, 2023, delivered to Pastor Taka Iguchi (“Pastor Iguchi”) of AFMC, (the “Letter”). Before addressing the individual demands of the Letter and why they have no merit in AFMC’s guiding document, namely the Book of Discipline, it is important to point out a conceptual error within the letter that informs most, if not all, of the wrongly levied demands. Each individual demand, and the Letter as a whole, assumes a mistaken view as to where power to make decisions concerning AFMC’s governance and assets resides. The Letter relies on the false assumption that AFMC, and the governance of FMC generally, resembles a “congregational” model of church polity. Within congregationalism, common among the Baptist traditions, each local church is independent and ecclesiastically sovereign or autonomous. This means within the congregational model, the church usually maintains power and authority over church property, church assets, and church governance. Indeed, if this were the structure of the FMC, the Letter would have merit, however, AFMC follows no such model—nor has it ever. A brief examination of the history of the FMC tradition and the Book of Discipline reveals the FMC operates under a model of church government known as “connectionalism.” Further, once this assumption is removed, it negates most of the demands in the Letter.

This “connectional” model of church government is that which the FMC, PCJC, and AFMC are all bound to follow under the Book of Discipline. Within the FMC requirements, the “normative” regional authority is vested in the Annual Conference. (Book of Discipline, ¶200(A) at p. 23.) Above the Annual Conferences are the General Conferences which serve as the “governing bodies of the [FMC].” (*Id.*, ¶200(B).)

What is relevant to the dispute, is the fact that decisions as to who pastors a society, what the name of a society is, who controls a society’s assets, etc., are all determinations that are made at the Annual Conference level—not the society or local church level. (*See* Book of Discipline, ¶5220(D), at p. 100 [giving the Ministerial Appointments Committee (“MAC”) the authority to appoint pastors at societies]; *Id.*, ¶6400(D) at p. 134 [noting the **societies hold assets and property in trust** for the FMC]; *Id.*, ¶6700(B)(4) at pp. 141–42 [outlining ultimate authority to make personnel appointments lies with the Annual Conference and the MAC]; *Id.*, ¶6420 at p. 136 [noting the power to make decisions regarding church mergers and closings belong to the Annual Conference and its committees].) Importantly, the MAC is a committee that is controlled and appointed by the Annual Conference—not the local societies. (Book of Discipline, ¶5220(A) at p. 99.) Further, the Book of Discipline is clear, where it becomes necessary to change pastors, “final authority rests with the [MAC].” (Book of Discipline, ¶5220(G) at p. 100.) Here, this means that the authority to engage in the conduct the Letter claims lies with AFMC actually lies with PCJC as the Annual Conference to which AFMC belongs.

With these general principles in mind, each demand in the Letter can be dealt with in turn. Although the Letter is addressed to Pastor Iguchi and calls his actions “unilateral[,]” in fact, all conduct he has engaged in has been in conjunction with the PCJC and in full compliance with the Book of Discipline. The claim that Pastor Iguchi’s actions have violated the California Corporations code is baseless. Citing the Corporations Code, section 9210, the Letter asserts ““all corporate powers shall be exercised by or under the direction of the board.”” The Letter seems to imply the Local Board of Administration (“LBA”) of AFMC is *the* “board of directors” for the purposes of the statute. Reading the statute in its full context, however, it begins with the clause: “Subject to the provisions of this part and **any provisions in the articles or bylaws.**” (Corp. Code, § 9210 (emphasis added).) This means that the powers of the LBA are subject to the governing documents of AFMC, which in this case, is the Book of Discipline. Just because the LBA has “board” in its name does not therefore confer upon it the powers of a board of directors under the statute irrespective of the formative and governing documents of the organization. As discussed herein, the authority of each demand lies not with the AFMC as a society, but with the PCJC as the governing body or “board of directors” the AFMC is subject to.

Addressing each of the demands in turn, we are hopeful that your review will lead to a quick and amicable resolution of this unfortunate dispute within the body.

1. Dismissing the current AFMC treasurer. To the extent the treasurer position is a function under the Book of Discipline, paragraphs 6200–6250, AFMC may appoint a treasurer. The duties of this type of treasurer, however, are restricted to, “keep[ing] a record of all monies raised and of the manner in which they are expended. The treasurer shall provide a detailed monthly financial statement in writing to the Finance Committee and the local Board of Administration, with a full report to the annual society meeting.” (Book of Discipline, ¶

6300(G) at p. 128. While the LBA does work with the pastor in “partnership[,]” nothing in the Book of Discipline requires the LBA’s approval before terminating the current treasurer of a Society Meeting under the Book of Discipline, paragraphs 6200–6250.

To the extent the treasurer embodies a position governed by Book of Discipline, paragraphs 6700–6720, the final authority of appointment and termination of pastoral staff and personnel lies with the PCJC and its Superintendent. (*See id.*, ¶6710(A) at p. 141 [the Superintendent shall be “consulted” before any appointment]; *id.*, ¶6710(B) [selecting personnel must involve the Ministerial Education and Guidance Board (a body of the Annual Conference) and the MAC]; *id.*, ¶6720 *et seq* [ultimate authority to terminate personnel lies with the PCJC and its relevant boards and committees].)

Therefore, the termination of AMFC’s treasurer was/is in full compliance with the Book of Discipline and applicable California law and Pastor Iguchi does not need the approval of the LAB to terminate such position.

2. Appointment of a new AFMC treasurer. To the extent “AFMC treasurer” refers to a treasurer of the Society Meeting under the Book of Discipline, paragraphs 6200–6250, AFMC through the LBA “may elect a treasurer[.]” (*Id.*, ¶6250(J).) The duties of this type of treasurer, however, are restricted to, “keep[ing] a record of all monies raised and of the manner in which they are expended. The treasurer shall provide a detailed monthly financial statement in writing to the Finance Committee and the local Board of Administration, with a full report to the annual society meeting.” (Book of Discipline, ¶ 6300(G) at p. 128.

To the extent the treasurer embodies a position governed by Book of Discipline, paragraphs 6700–6720, the final authority of appointment and termination of pastoral staff and personnel lies with the PCJC and its Superintendent. (*See id.*, ¶6710(A) at p. 141 [the Superintendent shall be “consulted” before any appointment]; *id.*, ¶6710(B) [selecting personnel must involve the Ministerial Education and Guidance Board (a body of the Annual Conference) (the “MEGB”) and the MAC]; *id.*, ¶6710(B)(1) [the pastor has the sole “privilege” of determining who to nominate for this type of treasurer]; *id.*, ¶6710(B)(3) [the MEGB will review and recommend the applicant]; *id.*, ¶6710(B)(4) [the MAC has final jurisdiction to approve the appointment].)

Therefore, because the role of a “treasurer” under paragraphs 6200–6250 of the Book of Discipline is duly limited, and because the PCJC and its relevant governing bodies possess the authority to appoint treasurers functioning under the Book of Discipline, paragraphs 6700–6720 *et seq*, Pastor Iguchi is not bound to seek the LAB’s approval in appointing a new AFMC treasurer.

3. Seeking to transfer control of the AFMC bank accounts, including access to passwords or changes in signature authority. “[A]ny and all property committed” to a society is held in trust by that society for the FMC. (*Id.*, ¶6400(B) at p. 133.) This means any property, real or personal (such as bank accounts and the monies therein, furniture, etc.) are not the Society’s.

Therefore, PCJC does not and will not seek the approval of the LBA in changing account passwords or changing signature authority. Further, the AFMC, its treasurer, or any other persons preventing such transfers are liable for any breach of their fiduciary duty to the FMC and its governing bodies.

4. Termination of AFMC personnel. Pursuant to Book of Discipline, paragraphs 6700–6720, the final authority of appointment and termination of pastoral staff and personnel lies with the PCJC, its committees, the Pastor of the society, and the Superintendent of the conference. (*See id.*, ¶6710(A) at p. 141 [the Superintendent shall be “consulted” before any appointment]; *id.*, ¶6710(B) [selecting personnel must involve the MEG and the MAC]; *id.*, ¶6720 *et seq* [placing ultimate authority to terminate personnel with the PCJC and its relevant boards and committees].)

Therefore, Pastor Iguchi does not need LAB approval concerning firing of church personnel.

5. Hiring new AFMC personnel. Pursuant to Book of Discipline, paragraph 6700 *et seq*, the final authority of appointment and termination of pastoral staff and personnel lies with the PCJC and its Superintendent. (*See id.*, ¶6700(A) at p. 141 [the Superintendent shall be “consulted” before any appointment]; *id.*, ¶6710(B) [selecting personnel must involve the Ministerial Education and Guidance Board (a body of the Annual Conference) and the MAC]; *id.*, ¶6720 *et seq* [ultimate authority to terminate personnel lies with the PCJC and its relevant boards and committees].) Therefore, Pastor Iguchi does not need LAB approval before hiring church personnel.
6. Using any AFMC funds for the benefit of third parties (including VCT). *See* response to cease and desist demand three. As the funds are not AFMC’s funds, Pastor Iguchi does not need the approval of the LAB as to their use.
7. Entering into any contracts that obligate AFMC for payment. *See* response to cease and desist demands three and six. Seeing as the funds held by AFMC do not belong to AFMC, Pastor Iguchi does not need the approval of the LAB as to incurring obligations related to any funds.
8. Closing or altering AFMC’s online presence (e.g., website, social media, Google Maps, Yelp. *See* response to cease and desist demands three, six, and seven. As AFMC’s website does not belong to AFMC, Pastor Iguchi does not need the approval of the LAB as to closing or altering AFMC’s online presence.
9. Removing the name of AFMC from the church building. *See* response to cease and desist demands three, six, seven, and eight. Additionally, under Book of Discipline, paragraph 6420, the closing or merger of a society is at the sole discretion of the PCJC. To those ends, Pastor Iguchi does not need the approval of the LAB as to renaming or removing the sign from AFMC’s building. Likewise, the PSJC does not need the permission of the AFMC to close it as a society or to merge it with another society within the conference.

10. Removing furniture, kitchen equipment or other property from AFMC buildings. See response to cease and desist demand three, six, seven, eight, and nine *supra*. Seeing as AFMC's website does not belong to AFMC, Pastor Iguchi does not need the approval of the LAB as to closing or altering AFMC's online presence.
11. Renaming the AFMC. See response to cease and desist demand nine *supra*.
12. Installing VCT or "Voice" affiliated marketing/informational material within AFMC buildings. See response to cease and desists demands three, six, seven, eight, nine (particularly the discussion of closure and merger), and ten.

In conclusion, it is also important to note two things: First, societies are bound to seek approval from the FMC before initiating any litigation. (*Id.*, ¶6430 at p. 137.) To the extent the society is considering initiating litigation in this matter, they must first seek approval of the FMC. Second, to the extent the former pastor of AFMC is involved in the issues herein, he has agreed to "withdrawal from the life of the society" upon the conclusion of his appointment as pastor and to not "re-engage" with that society absent approval from the Superintendent. (*Id.*, Book of Discipline ¶5220(M).) This includes, "communication with staff, constituents or the larger community regarding the society's leadership, practices, or health." (*Ibid.*) PCJC hereby requests that AFMC and its former pastor comply with these provisions in good faith, as they are obligated to do so.

Bearing this in mind and given the strength of our Client's arguments in this case, we request that the lay members and LAB refrain from obstructing the ongoing transitions at AFMC. Please have them confirm their agreement to abide by the Book of Discipline, to refrain from litigating matters discussed herein and/or in the Letter as such matters have no legal merit, and to withdrawal the lawsuit that was filed before this response to the Letter was delivered.

Our Client bears in mind that there are faithful brothers and sisters in Christ on the other side of the Letter. Additionally, PCJC recognizes the long and fruitful contribution AFMC has made in its more than 100-year history. In that spirit, the PCJC submits this letter with respect and with an eye toward amicable resolution.

Sincerely,

TYLER LAW, LLP



Bradley R. Greenman, Esq.
Attorney

Exhibit “2”

David Hino
david.hino@lightcf.org

March 25, 2023

Bishop Matthew Whitehead
Superintendent Keith Tanita
PCJC Board of Ministerial Education
PCJC Board of Administration

Re: Anaheim Free Methodist Church

I am greatly grieved by the recent decisions regarding Anaheim Free Methodist Church and its takeover by Voice Church. I believe there are major issues regarding in the process that was followed, which seems to be a continuing pattern in the Pacific Coast Japanese Conference (PCJC).

The first issue is how the Anaheim FM Church pastoral staff members were dismissed.

It seems like one of the primary reasons Superintendent Keith Tanita dismissed Pastor Kevin Wong was because of tensions within the church's pastoral staff. The staff asked the Conference for help in resolving tensions within the staff and started to meet with a mediation group. However, Supt. Keith unilaterally stopped the process with the mediation group and asked for the resignation of Pastor Kevin. If Pastor Kevin's lack of experience or his skill set was causing problems, why were these issues not adequately addressed? Furthermore, why did the issue of instituting a change in pastors also involve the more drastic process of instituting a hostile takeover of the church?

There were some disconcerting processes in how Pastor Kevin was removed. Delegates were not involved or aware of any process to terminate Pastor Kevin until the decision was already made. Why was the "normal" Annual Conference appointment process and timeframe not followed? At the same time, the Japanese-speaking pastor, Pastor Kazuhiro Enomoto was terminated for confidential reasons and this firing was non-negotiable. However, Voice Church Lead Pastor Taka Inouye later reversed this decision and rehired Pastor Kaz. Associate Pastor Kristin Oh was also forced to resign and was not rehired by Voice Church. Later, Voice Church reversed this decision and offered a position to Pastor Kristin. Pastor Kristin had been so offended by the process that she turned down the offer.

The second issue is the hostile takeover of Anaheim FM Church by Voice Church.

At the Anaheim Annual Society Meeting on March 12, 2023, Superintendent Keith Tanita announced the changes that were being made and took questions from the church members (transcripts from the Society Meeting are available). Anaheim FM Church delegates and leaders had not been given any opportunity to be involved in the decision-making process prior to March 12, 2023. At the Society Meeting, the church was informed that it would be immediately taken over by Voice Church. On the surface, the change was presented as a termination of one pastor, Kevin Wong, and an appointment of another pastor, Taka Iguchi of Voice Church. I heard that the superintendent's description was that of "two churches and one pastor." In reality, it was a takeover by Voice Church without any process involving Anaheim FM Church.

I listened to Pastor Taka's Sunday morning message delivered to Voice Church on March 12, 2023. His message was given at almost the same time that Pastor Kevin was telling Anaheim FM Church that he had been forced to resign. Pastor Taka said he would incorporate the DNA of Voice Church in the Anaheim FM Church. He announced that a Good Friday Service of the Voice Church would be held at the Anaheim campus and invited his church members to attend this service. This was planned without any discussion with or consent by the Anaheim FM Church. When meeting with the Anaheim FM Church on March 19, Pastor Taka shared with the Anaheim church that he did not create this mess and also expressed his surprise in being a part of a "corporate takeover".

During the March 12, 2023 Society Meeting, while Superintendent Tanita was meeting with Anaheim FM church, some of Anaheim Church's social media pages were being taken down and the new name "Voice North Orange County" was being published. Also, during the time of the Society Meeting, Voice Church posted a new page and video on its website announcing the new satellite church called "Voice North Orange County". A week later, on March 19, 2023, Pastor Taka explained to the Anaheim FM Church that the Anaheim Board and church financial accounts would be eliminated at some point. The combined Voice Church would have one Board and one budget. This is not "two churches under one pastor" but one church in two locations. This is a church takeover.

The third issue is that the rules and guidelines of the Free Methodist Church USA have been violated.

It seems that the Superintendent was the only evaluator of the health of Anaheim FM Church. There was no discussion between PCJC leaders and Anaheim Church leaders about the church's health or strategies for growth prior to the decision to have Anaheim Church be taken over by Voice Church. The voice of the church was minimized or ignored, as if their past work and current opinion had no value. Instead of working with the church, the Superintendent forced his method of "fixing" Anaheim FM Church on the church and its members.

This takeover of Anaheim FM Church seems to be part of a systematic pattern and policy of the PCJC for the past few years. There is a belief that takeovers are necessary as "good stewardship" of church properties to be used for the kingdom. I do not know all the issues at East Bay Free Methodist Church and Orange Coast Free Methodist Church (currently Rise OC Church) but there was a similar impact of people being hurt, violated and disregarded. Recently, I heard there might be some serious questions of the legality or ethics on how New Life Church property was sold.

The value of the Anaheim FM Church property seems to be an underlying factor in the takeover of the church. If the Anaheim Church did not own such a significant property, I doubt the Conference would have instituted a takeover of the church. The sacrifices and giving to build Anaheim FM Church and the recent \$2 million upgrade of the church's facilities is a deep expression of the love and sacrifice of the people of the Anaheim congregation. To give away the church to an outside group, Voice Church, is a not just a shock but slap to the face of Anaheim FM Church members. The people at Anaheim feel that the church has been stolen from them.

Discussion of this change between PCJC leadership and Voice Church started months ago without involvement of Anaheim FM church. This process was conducted in secret (from Anaheim Church's point of view). The resulting secret agreement between the PCJC and Voice Church violates the principle of secret societies (Book of Discipline, Par.3132) and a position paper by the Free Methodist Church USA entitled "Above Board", which outlines the Biblical and psychological damage done when secret agreements are made. In the case of Anaheim FM Church, much psychological damage was done when the secret agreement was revealed to the church on March 12, 2023.

Only a few people at Anaheim FM Church heard the news about the change to Voice Church 5 or 6 days before the March 12 Annual Society Meeting. Most church members learned the news on Sunday, March 12. There was no prior dialogue with the church delegates or church board prior to the change in the church's pastoral appointment, which violates Free Methodist Church protocol.

The Free Methodist Church uses only the language of church "merger". The Anaheim FM Church's situation is actually a forced merger or hostile merger. The FMC has standards and guidelines for mergers (see Book of Discipline, Par.6420). The PCJC leadership violated both the Book of Discipline guidelines and the guidelines for church mergers presented in the "Church Merger Information Sheet for Conference Offices" published by the Free Methodist World Headquarters. These guidelines call for both participating local church Boards of Administration to mutually agree on a proposed merger. Anaheim FM Church had no knowledge of the proposed merger, while Voice Church leaders were fully aware and had agreed to the merger.

I am very unclear on the role of the PCJC Board of Administration (BOA) and the Board of Ministerial Education and Guidance (MEG). Usually, the Board of Administration oversees the churches, while the MEG Board oversees the pastors.

- Did these two Boards have any formal evaluation of Anaheim FM Church prior to this decision to arrange the takeover of Anaheim FM Church?
- Did the Boards explore other ways to help Anaheim FM Church besides a takeover?
- Was this a decision by the Superintendent only? Was there any other special committee or persons outside the BOA, MEG Board and Ministerial Appointments Committee that influenced this decision?
- Did the Board of Administration and/or the MEG Board discuss and vote on the decision to have Voice Church take over Anaheim FM Church?
- Was any discussion or vote regarding Anaheim FM Church recorded in the official minutes of either the BOA or MEG Board? If so, the appropriate portion of these minutes (redacted if necessary) should be shared with Anaheim FM Church.

The fourth issue is that Biblical standards of how to treat Christians have been violated.

There was a thorough lack of honoring of the people of Anaheim FM Church. They feel dishonored. They do not feel loved through this process, they feel bullied.

We are called to treat each other as family. The people at Anaheim did not have a voice. It seems it is the unanimous feeling of the Anaheim congregation is that their voice did not matter and was not valued by the PCJC leadership. They are hurt and discouraged. They are confused. They are traumatized. They feel violated. They feel devalued. Many have announced they are leaving the church.

The Book of Discipline, Chapter 7 speaks to these concerns, with calls for churches to be a "healthy biblical communities of holy people ...", to "avoid adversarial patterns ...", to be "humble, gentle, patient ..." and to make "effort to keep the unity of the Spirit in the bond of peace (Ephesians 4:1-3)."

First in the list of Free Methodist Church Core Values (see Book of Discipline, Par.6050) is that "all structures, ministries and personnel of the Church shall reflect . . . grace expressed through love".

Because the process employed is terribly flawed, the decision is terribly flawed because they included violations of the Book of Discipline, the principles of the Free Methodist Church, and Biblical standards of how to treat others.

Requests

The Book of Discipline, Par.7130A ("Responding to Disorder") gives guidance when there is disorder. It states "breakdown of communication which causes divisions (2 Corinthians 12:20) calls for an investigation." I feel the action of the PCJC caused a significant amount of disorder and therefore an investigation is needed and warranted.

1. I request that the PCJC reconsider the decision of the takeover of Anaheim FM Church by Voice Church.
2. I request that the appointment of Pastor Taka Inouye to the Anaheim FM Church be rescinded or least delayed.
3. I request that times of dialogue take place between the Anaheim FM Church and the PCJC Board of Administration and Board of Ministerial Education and Guidance about the recent decisions.
4. I request that the process involving the Anaheim FM Church and Voice Church be restarted and slowed down, so that Anaheim church leaders and members have a chance to be involved in the process with the PCJC leadership and with the Voice Church leaders and members.
5. I request that a formal review be instituted by an unbiased outside third party regarding the processes employed resulting in the takeover of Anaheim Free Methodist Church, also the shutdown of East Bay Free Methodist Church English Division, the takeover of Orange Coast Free Methodist Church and the sale of the New Life church property. The unbiased outside third party

should be selected by the Area Bishop and be agreeable to the current delegates of Anaheim FM Church and PCJC leadership. This review will need to include interviews with people directly involved in the takeovers/shutdowns, such as former delegates, former board members and key participants in these churches. Using Biblical standards of honor, love, grace and transparency, a report should be published that will include the facts of what happened, violations of Biblical standards and Free Methodist Church polity and recommendations to the PCJC and to the wider Free Methodist Church.

6. I request that the Free Methodist Church USA Board of Bishops initiate a review and make recommendations on Free Methodist local church mergers that place high value of honor, grace, love, and transparency. This review and resulting recommendations should address hostile takeovers or forced mergers. These recommendations could result in changes to the Book of Discipline and/or General Church operating procedures that guide Annual conference policies and processes.

I share these requests because I love the people who are in the Anaheim FM Church. I love the PCJC. I love the neighbors who are not yet part of the church.

I was a pastor in the Pacific Coast Japanese Conference for 25 years and served as superintendent for six years. While serving as superintendent, my family made Anaheim FM Church our home church. After serving as a superintendent, I started a PCJC church plant. I did not want to leave the Free Methodist Church but after 4 years, my church left the denomination after I felt trust was broken with individuals and I could no longer trust the system. Though my story is unrelated to the current situation at Anaheim, I feel there are similar dynamics of how the Free Methodist Church operates that have not changed.

My fear is that this decision which was supposed to "help" Anaheim has badly hurt the church and could result in a hundred or more people leaving the church. Two weeks ago a church with four young pastoral staff and many active members, now could become a very small handful of people unless something drastic happens to change the PCJC's decision. Some seniors who stay at Anaheim may only do so because they don't know where to go. Others will stay to support the seniors. The hurt and trauma in the church is not being addressed and in my opinion the incoming pastor does not seem to understand how to address it. My concern is that the hurting and wounded people in the church will be labeled "unhealthy or resisters" and will become marginalized. My observation is that there is a high level of distrust of the Pastor Taka for various reasons and one reason is that many Anaheim people believe Pastor Taka participated in this takeover by allowing it to happen and is not an innocent party.

I have tried to give you an accurate recounting and assessment of the situation at Anaheim FM Church. This letter is not confidential and the Superintendent Tanita and Bishop Whitehead are free to distribute. This letter is also addressed to the PCJC BOA and MEG Board, therefore, I request that these two Boards are given a full copy of this letter in a timely manner rather than a short synopsis of the letter.

Sincerely yours,

David Hino

Exhibit “3”

Church Merger Information Sheet for Conference Offices

To merge two congregations into one Society, there are several decisions that need to be made:

- Will Church A and Church B merge to create Church C (meaning there will be a new EIN, new name, new incorporation), or will one of the churches be absorbing the other, using their EIN, name, and incorporation?
- What will happen to unused property and assets? Will the new church retain ownership, or will the Conference?

When two churches merge into one church, the FMC-USA needs to be made aware. You can do this by filling out our Church Merger form [here](#).* (Click on the form entitled “Merged Church”)

*The FMC-USA will need:

- Local BOA Minutes approving the merger *from both churches*
- Conference BOA Minutes approving the merger
- An official date that the merger has or will become effective

Once the merger has officially happened, decisions will need to be made about any unused property:

- Will all properties between the two previous churches be utilized in some way by the new church? If so, how?
- If not, who will retain ownership of the property (the local church or the Annual Conference)? Even if this property is to be sold, you will need to know the answer to this question to determine who receives the funds from the sale. This will also determine which leadership board is represented.
- If property will be sold, please remember to apply for a [Release to Sell](#) with plenty of time before your closing date.

Helpful Hints

- The FMC-USA strongly recommends that the dissolved church(es) do not close their EIN until they are certain that no more gifts will be coming in through that entity, to ensure continued tax exemption status.
- For information on Incorporating your church, see our [Church Incorporation FAQ Sheet here](#). All Free Methodist Churches (once they reach Fellowship or Society status) must be incorporated.
- All Free Methodist Churches (once they reach Society status) must have their own church insurance. Please ensure that your new church is insured properly. For more information on the FMC-USA’s requirements for church insurance, click [here](#).

If you have any questions, please don’t hesitate to call the number at the bottom of this page!