

Dear Mr. Galanter,

As I have considered the subpoena you served me on the 16th, several ideas have come to my mind regarding how I ought to respond. At first, I had intended to write you a letter of objection to the various materials you requested me to bring, as they most certainly are broader than any “undue burden” clause would allow.

I spent some time researching the format of this letter, when it occurred to me that I ought rather to file a motion to quash the entire subpoena on the same grounds, along with some various other ones, such as client-minister privilege in my correspondence with Pastor McGill, and my religious opposition to being party to or supportive of any proceeding that forces men – of whatever religion – to choose between their conscience and their country.

Yet my Father advised me against each of these courses of action as I brought them before Him in prayer, and that is why I am writing you this letter in their stead.

I have not spoken with you at any length, either in person or over the phone. I do not know your religious views, either on this suit or in general, however I have heard it said that “This is not a First Amendment issue; it is merely a trademark issue.”

I trust that you are at least marginally familiar with the idea of religious persecution and intolerance. As such, you no doubt know that over the course of history, rarely has persecution been called such by those doing it at the time. In Rome, the grounds for killing Christians was not a matter purely of holding their religion, but that of perversion of the people, of subverting the laws of the land by the teaching of this new religion and the disregard of the state customs of worship.

Polycarp was martyred, not for his belief in Christ, but his refusal to swear by the genius of Caesar and offer incense to that end – he could well have gone on “believing in Jesus” having done this, could he not? Daniel and his fellows were thrown into the furnace, not for their private religion, but for their disregard for the King’s order to bow to a golden statue and show him reverence in that action.

In every age that persecution has existed, it has been called, by those inflicting it, something other than religious persecution – some greater good, some neutral law that must be maintained at the cost of the rights of the minority, who, they say, could go on believing as they wish – just not while violating the laws of the land.

Yet I do not believe that you, or those you represent, are ignorant of these things – and this is not why I am writing you this letter. I am writing to you because I believe you know fully the reason behind the subpoena you have served me, and its intended end. If you will feign ignorance of who I am, what I have written, and what I believe – so much as to vainly suppose that I will comply with a demand for information to assist in the destruction of my Church – then hear plainly: I am a Creation Seventh Day Adventist.

In the event that you are unaware, our religion forbids us from assisting any organization that persecutes Christians with civil power, either directly or indirectly in that endeavor. This was the very reason for our separation from the Seventh-day Adventist denomination; we would be held corporately accountable before God should we continue to give our tithes and membership to such a sinful and abominable practice. Further, though we hold the Court in all esteem in civil matters, we do not acknowledge it to have any authority in the realm of religion – either its practice or its identity.

As a result, none of us – myself included – can conscientiously provide you with information to accomplish the very thing over which we separated from your client’s membership; namely, the persecution of people for the practice of their faith. We hold our convictions dearer than our lives or livelihood. The man whose testimony you heard during the injunction’s enforcement chose to leave his employment rather than risk wage garnishment to support the lawsuit you have been hired to advance, and this is my position as well, should such an order be issued against me. Thus, I would not have you ignorant of the fact that further proceedings can yield no funds from me.

This is the purpose of my letter, then: to inform you that I cannot assist you in any way with this discovery process, either through providing materials or answering questions. I believe you know as well as I do what may come next, and that is entirely in the hands of yourself and your clients.

You may, if you so choose, request the Court for a motion to compel discovery on such things as I have refused to give. Yet this is mere formality and showmanship, for we both know fully well that I cannot comply with that order if it is issued. You may then request the Court to command me to show why I should not be held in contempt. I will not fight you in either of these – I am as a lamb led to the slaughter. I will not resist whatever actions you seek against me.

No matter how you and your clients seek to represent this matter to the public, this is not a matter of the Court’s enactment – it is entirely in the hands of you and your clients how it will proceed from this point forward. If you file nothing further against me, nothing will happen. If you choose to persist, then you are merely going through the motions necessary to accomplish the end that we both know is the only possible one given my convictions – it will accomplish nothing but my incarceration for contempt of court, “until such a time as I recant.”

Yet we both know that I cannot, and I will not, recant – for a Christian to go against conscience is neither right nor safe. Here I stand, for I can do no other. May God help me. Amen.