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7 Attorneys for **Plaintiffs**

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF ORANGE**

Assigned for All Purposes  
Judge Walter Schwarm

11 CAROL WIMBER, STEVE BRAY, NANCY  
BRAY, STEPHANIE RUPPE, DAVID  
12 EDMONDSON, LANCE PITTLUCK, DON  
SALLADIN, JOE GILLENLINE, JAMES  
13 GILLENLINE, each individually and  
derivatively on behalf of VINEYARD  
14 CHRISTIAN FELLOWSHIP OF ANAHEIM,  
INC., dba DWELLING PLACE ANAHEIM, a  
15 California Nonprofit Religious corporation

Case No. 30-2022-01291272-CU-FR-CJC

**COMPLAINT FOR:**

- 1. **Fraud**
- 2. **Negligent Misrepresentation**
- 3. **Breach of Fiduciary Duty –**  
**Derivative**
- 4. **Declaratory Relief**
- 5. **Permanent Injunction**

16 Plaintiffs,

17 v.

**(UNLIMITED JURISDICTION)**

18 ALAN SCOTT, an individual, KATHRYN  
SCOTT, an individual, JEREMY RIDDLE, an  
19 individual, KATIE RIDDLE, an individual,  
GREGORY SCHERER, an individual,  
20 BANNING LEIBSCHER, an individual,  
JULIAN ADAMS, an individual, and DOES  
21 1-50, inclusive,

22 Defendants.

23 VINEYARD CHRISTIAN FELLOWSHIP OF  
ANAHEIM, INC., dba DWELLING PLACE  
24 ANAHEIM, a California Nonprofit Religious  
corporation

25 Nominal Defendant  
26

27  
28

1 Plaintiffs Carol Wimber, Steve Bray, Nancy Bray, Stephanie Ruppe, David Edmondson,  
2 Lance Pittluck, Don Salladin, Joe Gillentine, and James Gillentine (collectively “Plaintiffs”) bring  
3 this action in their individual capacity and also derivatively on behalf of Vineyard Christian  
4 Fellowship of Anaheim dba Dwelling Place Anaheim, a California Nonprofit Religious corporation  
5 (“Anaheim Vineyard”). Plaintiffs are informed and believe, and based thereon, allege as follows.

## 6 INTRODUCTION

7 1. This civil action arises from a secular and nonecclesiastical dispute involving, among  
8 other persons similarly situated, Plaintiffs Carol Wimber, widow of Anaheim Vineyard co-founder  
9 John Wimber, and co-founder of Anaheim Vineyard; Anaheim Vineyard Associate Members David  
10 Edmondson, Steve Bray, Nancy Bray, and Stephanie Ruppe; former Anaheim Vineyard Board  
11 Members Lance Pittluck, Don Salladin, Joe Gillentine, and James Gillentine; and other interested  
12 members and persons, whose names and capacities may be added to this action as necessary and  
13 appropriate, regarding fraud perpetrated on Plaintiffs and other interested members resulting in the  
14 abandonment of the Anaheim Vineyard of its affiliation with the Vineyard Movement and the  
15 Association of Vineyard Churches (“Vineyard USA”) and secular and nonecclesiastical issues and  
16 matters, including, but not limited to, the misappropriation of nearly \$62,000,000 in combined real  
17 property and bank deposit assets by the Defendants.

## 18 THE PARTIES

19 2. Plaintiff Carol Wimber is an individual resident of the County of Orange and co-  
20 founder with her late husband, John Wimber, of the Anaheim Vineyard, located at 5340 East La  
21 Palma Avenue, Anaheim, CA 92907, located within the County of Orange. At all times relevant to  
22 this action, Carol Wimber has been an active and tithing member of the Anaheim Vineyard. The  
23 current Anaheim Vineyard website maintained by the Defendants describes the Wimbbers as follows:

24 “Under the leadership of our founders, John and Carol Wimber, the church grew  
25 rapidly and moved to the city of Anaheim. Soon churches from around the globe  
26 came to visit. Conferences were started, churches were planted, and a movement  
27 was born. Yet none of it came out of a desire for influence, just people pursuing  
28 His presence – just a family trying to keep in step with the Spirit.”

1           3.       Plaintiff Stephanie Ruppe is an individual and resident of the County of Orange, and  
2 has been at all times relevant hereto, an active associate and tithing member of the Anaheim  
3 Vineyard. Plaintiff Stephanie Ruppe is the daughter of John Wimber and Carol Wimber.

4           4.       Plaintiff Steve Bray is an individual and resident of the County of Orange, and has  
5 been at all times relevant hereto, an active associate and tithing member of the Anaheim Vineyard  
6 since 1981.

7           5.       Plaintiff Nancy Bray is an individual and resident of the County of Orange, and has  
8 been at all times relevant hereto, an active associate and tithing member of the Anaheim Vineyard.

9           6.       Plaintiff David Edmondson is an individual and resident of the County of Orange,  
10 and has been at all times relevant hereto, an active associate and tithing member of the Anaheim  
11 Vineyard since 1983.

12          7.       Plaintiff Lance Pittluck is an individual and resident of the County of Orange and at  
13 all relevant times was a member of the board of directors of Anaheim Vineyard and a former senior  
14 pastor. Further, Plaintiff Lance Pittluck voted to approve the hiring of Defendant Alan Scott based  
15 on representations he made that have proved to be false.

16          8.       Plaintiff Don Salladin is an individual and resident of County of Orange and at all  
17 relevant times was a member of the board of directors of Anaheim Vineyard. Further, Plaintiff Don  
18 Salladin voted to approve the hiring of Defendant Alan Scott based on representations he made that  
19 have proved to be false.

20          9.       Plaintiff Joe Gillentine is an individual and resident of the County of Orange and at  
21 all relevant times was a member of the board of directors of Anaheim Vineyard. Further, Plaintiff  
22 Joe Gillentine voted to approve the hiring of Defendant Alan Scott based on representations he made  
23 that have proved to be false.

24          10.      Plaintiff James Gillentine is an individual and resident of the state of Montana. At all  
25 relevant times, Plaintiff James Gillentine was a member of the board of directors of Anaheim  
26 Vineyard. Further, Plaintiff James Gillentine voted to approve the hiring of Defendant Alan Scott  
27 based on representations he made that have proved to be false.

28          11.      Collectively, Plaintiffs Lance Pittluck, Don Salladin, Joe Gillentine, and James

1 Gillentine, constituted a majority of the board of directors that hired the Scott Defendants.

2 12. Nominal Defendant Anaheim Vineyard is a California Nonprofit Religious  
3 corporation, a local church, and is named in this action as a nominal defendant in its derivative  
4 capacity, and Plaintiffs bring some of their claims on its behalf. Anaheim Vineyard is headquartered  
5 and conducts its business in the City of Anaheim, County of Orange. Anaheim Vineyard was duly  
6 incorporated under the laws of the State of California and is authorized to do business in the State  
7 of California.

8 13. Defendant Alan Scott is an individual and resident of the County of Orange and the  
9 senior pastor and chairman of the board of directors of the Anaheim Vineyard. He is the husband of  
10 defendant Kathryn Scott. Prior to becoming senior pastor of the Anaheim Vineyard, Alan Scott was  
11 co-pastor with Kathryn Scott of the Causeway Coast Vineyard on the east coast of Northern Ireland.

12 14. Defendant Kathryn Scott is an individual and resident of the County of Orange and  
13 the co-senior pastor and a member of the board of directors of the Anaheim Vineyard.

14 15. Defendant Jeremy Riddle is an individual and resident of the County of Orange and  
15 a member of the board of directors of the Anaheim Vineyard. Plaintiffs allege that Defendant Jeremy  
16 Riddle approved of and/or ratified all acts of the Defendants as alleged herein.

17 16. Defendant Katie Riddle is an individual and resident of the County of Orange and a  
18 member of the board of directors of the Anaheim Vineyard. Plaintiffs allege that Defendant Katie  
19 Riddle approved of and/or ratified all acts of the Defendants as alleged herein.

20 17. Defendant Greg Scherer is an individual and resident of the County of Los Angeles,  
21 the chief financial officer, and member of the board of directors of the Anaheim Vineyard. Plaintiffs  
22 allege that Defendant Scherer approved of and/or ratified all acts of the Defendants as alleged herein.

23 18. Defendant Banning Leibscher is an individual and resident in the County of  
24 Sacramento and a member of the board of directors of the Anaheim Vineyard. Plaintiffs allege that  
25 Defendant Leibscher approved of and/or ratified all acts of the Defendants as alleged herein.

26 19. Defendant Julian Adams is an individual and resident of the state of Massachusetts  
27 and a member of the board of directors of Anaheim Vineyard. Plaintiffs allege that Defendant  
28 Adams approved of and/or ratified all acts of the Defendants as alleged herein.



1 called a “crossroads” of American Christianity and culture. The “Jesus People” movement of the  
2 1960s was a spiritual awakening within hippie culture in the United States, as thousands of young  
3 people found themselves on a desperate search to experience God. By 1982, there were at least  
4 seven “Vineyards” in a loose-knit fellowship of churches including Vineyard Anaheim. John  
5 Wimber was quickly recognized as the leading pastor of the Vineyard Movement.

6         26.       The Vineyard Movement has grown into a national association of churches known  
7 as Vineyard USA and further into a global family of over 2400 Vineyard churches whose numbers  
8 are growing every day in ninety-five (95) countries. Vineyard USA describes itself on its website  
9 as “planting churches by the hundreds around the world and establishing ‘outposts of the kingdom  
10 of God’ – where the poor are cared for, the sick are healed, God is experienced in worship, and  
11 Christians are called to ‘do the stuff’ that Jesus did.”

12         27.       John Wimber’s influences profoundly shaped the theology and practice of Vineyard  
13 churches, from their earliest days until his death in November 1997. When John was conscripted by  
14 God in the mid-60s, he was, in the words of Christianity Today, a “beer-guzzling, drug- abusing  
15 pop musician, who was converted at the age of 29 while chain-smoking his way through a Quaker-  
16 led Bible study.” His desire was to keep the Vineyard Movement living in the tension of the “radical  
17 middle,” embracing both the gifts of the Evangelical tradition and the gifts of the  
18 Pentecostal/Charismatic traditions.

19         28.       Through the pastoral teaching of John and Carol Wimber, Vineyard churches  
20 developed these unique distinctives from all other evangelical and pentecostal/charismatic churches  
21 within Christianity. Some of those distinctives are more fully described on Vineyard USA’s website  
22 at <https://vineyardusa.org/about/vineyard-distinctives/>.

23         29.       As the flagship church, Anaheim Vineyard was the site of numerous Vineyard  
24 Movement conferences and has occupied a particular significance in the charismatic Christian world  
25 well beyond its own membership and local community activities.

26         30.       In December 2017 the Anaheim Vineyard was required to recruit a new senior pastor  
27 following the resignation of its prior senior pastor, Lance Pittluck, who had served more than twenty  
28 years following the untimely passing of Vineyard co-founder, and Plaintiff Carol Wimber’s

1 husband, John Wimber.

2 31. As part of that pastoral search process, the Anaheim Vineyard formed a Search  
3 Committee made up of five staff members, five board members, and two lay members of the church  
4 (Search Committee). The purpose of the Search Committee was to interview, investigate, and  
5 choose a new senior pastor. The Search Committee investigated multiple potential candidates from  
6 approximately mid-December 2017 to mid-January 2018, narrowed its candidates, and interviewed  
7 a select few candidates.

8 32. The Scott Defendants became candidates for the position of Senior Pastor(s) in  
9 approximately December 2017 following the resignation of Pastor Lance Pittluck. Plaintiffs contend  
10 based on Defendant Alan Scott's prior representations that Defendant Scotts sought the position as  
11 Senior Pastors of Vineyard Anaheim with the deceitful motive of controlling tens of millions of  
12 dollars of assets and disassociating with Vineyard USA. The Scott Defendants had previously served  
13 as pastors of a Vineyard church in Northern Ireland for many years before resigning from that church  
14 in approximately March 2017. Kathryn Scott obtained a visa from the United States in  
15 approximately April 2017. Based on that visa, the Scott Defendants and their family moved to  
16 Orange County with the intent of obtaining a larger platform to further Kathryn Scott's music career.

17 33. The Scott Defendants often socialized with Mike and Liz Safford when visiting  
18 Southern California over many years. Mike Safford was the Senior Associate Pastor of Vineyard  
19 Anaheim at the time of Senior Pastor Lance Pittluck's resignation in December 2017. Many persons  
20 thought Mike Safford would be the next in line to assume the role as Senior Pastor.

21 34. The Scott Defendants and the Saffords often spoke about the future of Anaheim  
22 Vineyard in 2017 as they anticipated that Pastor Lance Pittluck would soon retire. Mike Safford  
23 asked Defendant Alan Scott in early 2017 whether he would be interested in becoming the Senior  
24 Pastor of Anaheim Vineyard once Pastor Lance Pittluck retired. Defendant Alan Scott unequivocally  
25 said, "no, that is your ship to right." Defendant Alan Scott expressed his dissatisfaction with the  
26 Vineyard Movement and Vineyard USA. On multiple occasions, Defendant Alan Scott represented  
27 to Mike Safford that he had no intent to continue affiliating with Vineyard USA and the Vineyard  
28 Movement following his resignation from the Vineyard church in Northern Ireland due to his

1 dissatisfaction with the organization. Defendant Alan Scott expressed his belief that he needed to  
2 launch a new Christian church that did not involve affiliation with Vineyard USA.

3 35. In April 2017, The Scott Defendants were visiting the Saffords at their home in Yorba  
4 Linda. While the couples were sitting on the patio, Defendant Alan Scott began questioning Mike  
5 Safford about the assets owned by Vineyard Anaheim. Mike Safford shared with the Defendant  
6 Scotts that the church had in excess of \$55 million in real property and at least \$19 million<sup>1</sup> in the  
7 bank. At the time, Mike Safford initially thought the conversation was merely “shop talk” but Liz  
8 Safford discerned that the conversation was very concerning as though Defendant Alan Scott had  
9 an ulterior motive.

10 36. Defendant Alan Scott met with Vineyard USA’s then existing National Director, Phil  
11 Strout in approximately May 2017, wherein they discussed Defendant Alan Scott’s intent to  
12 disassociate with the Vineyard Movement and Vineyard USA. Defendant Alan Scott provided Phil  
13 Strout a letter dated May 10, 2017, expressing his dissatisfaction with the Vineyard Movement and  
14 Vineyard USA wherein he stated,

15 *As I mentioned when we were together, we love each of the leaders, we just wished*  
16 *they loved each other well. Since that isn't the story at the moment, it's not an*  
17 *environment where we would want to plant our lives or raise our girls. And so after*  
18 *29 years of connection with the tribe, we have arrived at the painful conclusion that*  
19 *we won't be part of a local vineyard church in the next part of our journey.*

20 37. On August 9, 2017, Defendant Alan Scott met again with Mike Safford and  
21 reaffirmed to Mike Safford that he had no desire to become the pastor. During this meeting,  
22 Defendant Alan Scott was fully aware that Mike Safford would likely be suggested for the senior  
23 position, however, Defendant Alan Scott insisted that Mike Safford was not fit for the position, and  
24 instead encouraged Mike Safford to be an associate pastor, a position that Defendant Alan Scott

25  
26  
27 <sup>1</sup> Plaintiffs are informed and believe that the \$19 million figure was reduced to approximately \$7  
28 million by the time Defendant Alan Scott was hired due to Anaheim Vineyard paying off the  
mortgage for its current building.

1 would later offer Mike Safford.

2           38.     Despite his clear dissatisfaction with Vineyard USA and the Vineyard Movement,  
3 Defendant Alan Scott applied to serve as the senior pastor of Anaheim Vineyard after Pastor Lance  
4 Pittluck informed the board of Anaheim Vineyard in December 2017 that he would retire. Soon  
5 thereafter, the Scott Defendants met with the Search Committee, which ultimately resulted in them  
6 being selected as the Senior Pastors of Anaheim Vineyard.

7           39.     After Anaheim Vineyard offered the Senior Pastor positions to the Scott Defendants,  
8 the Scott Defendants visited the Saffords at their home in Yorba Linda. The Saffords recall the  
9 Scotts stating that they would “never take Vineyard Anaheim out of the Vineyard Movement”, that  
10 they would “honor the history and Carol Wimber by making sure this church [Anaheim Vineyard]  
11 remained a vineyard church,” and that “if they came to a place of disagreement with Vineyard USA,  
12 then they would leave the church [Anaheim Vineyard] to the Vineyard [Movement] and go start  
13 their own new church.”

14           40.     When the Search Committee investigated and interviewed the Scott Defendants,  
15 neither the Board of Directors nor the Search Committee of Vineyard Anaheim were aware of the  
16 fact that Defendant Alan Scott had previously expressed his clear dissatisfaction with Vineyard USA  
17 and the Vineyard Movement, nor that he had effectively disassociated with the same following his  
18 resignation from the Vineyard church in Northern Ireland. Neither Phil Strout nor Pastor Mike  
19 Safford informed the Board or the Search Committee and neither were involved in the Board or the  
20 Search Committee.

21           41.     Notwithstanding its lack of knowledge of the Scott Defendants dissatisfaction and  
22 disassociation with Vineyard USA and the Vineyard Movement, the Search Committee and the  
23 Board were very concerned with ensuring that the person(s) hired to pastor Vineyard Anaheim  
24 would be absolutely committed Vineyard USA and the Vineyard Movement and its distinctives  
25 because the then existing bylaws gave the Senior Pastor(s) significant decision-making authority  
26 over the ministry operations and control of the Board of Directors.

27           42.     Numerous other religious movements had emerged in popularity over the years and  
28 the Search Committee, and the Board wanted to ensure that the new Senior Pastor would continue

1 the legacy of John Wimber by being a leader of the Vineyard Movement and continue Vineyard  
2 Anaheim’s role as the flagship church of Vineyard USA. Therefore, the Search Committee  
3 questioned candidates on their commitment to continue in the Vineyard distinctives and their  
4 commitment to remaining in close affiliation with Vineyard USA and the Vineyard Movement as  
5 the flagship church.

6 43. During their interview, the Scott Defendants explicitly promised to the Search  
7 Committee and the Board that they were committed to Vineyard USA and the Vineyard Movement.  
8 Penny Fulton, a member of the Search Committee, recalls Defendant Alan Scott making the promise  
9 that he was “Vineyard through and through,” after being questioned about how much another  
10 church’s theology influenced him. The statement “Vineyard through and through” was regularly  
11 used by members and teachers within the Vineyard Movement to describe persons committed to the  
12 Vineyard Movement to the exclusion of other Christian movements. This unique meaning and use  
13 of this statement was well known by the Scott Defendants.

14 44. Cheryl Jackson, another member of the Search Committee, stated that she was  
15 concerned with the Scott Defendants’ commitment to Vineyard USA and the Vineyard Movement  
16 because she knew that the Scott Defendants spent some time with another ministry outside of the  
17 Vineyard Movement. During their interview for the position, Ms. Jackson likewise recalls  
18 Defendant Alan Scott stating, “I am Vineyard through and through” when questioned about his  
19 commitment to keeping Vineyard Anaheim as a member church of Vineyard USA. Cheryl Jackson  
20 further recalls Defendant Scott stating during the interview, “Due to the historical nature of this  
21 church and out of honor to John and the Wimber family, I would never take this house out of the  
22 Vineyard Movement.”

23 45. The Search Committee also expressed to the Scott Defendants that they intended that  
24 this position was a lifetime appointment at Anaheim Vineyard. In response, Defendant Alan Scott  
25 said, “I would consider it to be the rest of my life.”

26 46. Plaintiff Joe Gillentine was a board member of Anaheim Vineyard and Co-Chairman  
27 of the Search Committee. He affirmed that the Scott Defendants were specifically questioned about  
28 their affiliation with other churches and questioned about their intentions regarding whether they

1 would desire to take Anaheim Vineyard in the direction of another church movement outside of the  
2 Vineyard Movement. Joe Gillentine recalls Defendant Alan Scott representing that John Wimber’s  
3 teaching and ministry were formational to his growth as a pastor and that John Wimber was like a  
4 spiritual father and mentor to he and Kathryn Scott. Joe Gillentine recalls that the search committee  
5 was convinced, based on the Scott Defendants' representations that if hired as the Senior Pastors,  
6 “leaving the Vineyard was never even a question.” Joe Gillentine stated that if the Scott Defendants  
7 had ever represented that they would leave the Vineyard Movement, the Board and Search  
8 Committee would never have hired the Scott Defendants.

9 47. Throughout the entire interview process, the Scott Defendants made it clear that they  
10 would keep the Anaheim Vineyard in the Vineyard Movement worldwide and in the Vineyard USA.  
11 The Scott Defendants made these representations knowing the representations were false. The false  
12 representations were material and relied upon by the Search Committee and the Anaheim Vineyard  
13 Board. Had the representations of the Scott Defendants not been made the Scotts would not have  
14 been hired and given the authority over the nonprofit corporation.

15 48. Furthermore, the Scott Defendants failed to disclose to the Search Committee and  
16 the Board that they were truly dissatisfied with the Vineyard Movement and the Vineyard USA.  
17 Rather, they concealed these facts. The Scott Defendants concealed their true intentions and  
18 previous statements made to Pastor Mike Safford and National director Phil Strout. Had the  
19 concealment of the true facts by the Scott Defendants not occurred, the Scott Defendants would not  
20 have been hired and given the authority over the nonprofit corporation.

21 49. In addition, in so promising and basing the employment and hiring on said promises,  
22 Defendants waived any provision of the Anaheim Vineyard corporate bylaws which would have  
23 provided them the unrestricted power, authority or discretion to do the acts complained of this  
24 action.

25 50. Shortly after being hired in or around late January 2018, the then current board of  
26 Anaheim Vineyard discussed the prospect of amending the bylaws to balance the authority between  
27 the senior pastor and the board of directors. Defendant Alan Scott indicated his support of the idea  
28 to various board members but asked that the amendment process wait a few months while he got up

1 to speed in his new role.

2 51. New bylaws were never adopted and Defendant Alan Scott slowly and methodically  
3 persuaded board members that did not blindly support him to resign from their position and/or  
4 refrain from nominating themselves for a new term.

5 52. From 2019 to 2021, Defendant Alan Scott reconstituted Anaheim Vineyard's board  
6 so that it was full of directors that would not challenge his actions or take any steps to reduce his  
7 authority over the corporation.

8 53. Defendant Alan Scott has sought to avoid any financial accountability to Anaheim  
9 Vineyard members for his decisions. He has implemented a campaign to exert spiritual manipulation  
10 and deception over staff and its members in contradiction to those "distinctives" of Vineyard USA.  
11 As an example of his spiritual manipulation and deception, Defendant Alan Scott publicly stated on  
12 or about March 25, 2022, that "We really don't know why" we left the worldwide Vineyard  
13 Movement and the Vineyard USA. Instead, he simply asserts that he uniquely hears from God and  
14 that he is told to leave the Vineyard Movement and Vineyard USA with its millions of dollars in  
15 assets.

16 54. On or about February 25, 2022, Defendant Alan Scott made the first public act to  
17 disaffiliate from the worldwide Vineyard Movement. Defendant Alan Scott planned and  
18 maneuvered for several years prior to publicly declaring on or about February 25, 2022, that  
19 Anaheim Vineyard was leaving the worldwide Vineyard Movement and the Vineyard USA and  
20 taking the approximately \$62,000,000 of assets of the Anaheim Vineyard to start and fund a new  
21 movement. This decision was not disclosed to representatives of the Vineyard USA prior to the  
22 public announcement. There was no prior disclosure to, consultation with, or participation in said  
23 decision of the Anaheim Vineyard Board of Directors, Plaintiffs, or anyone else in the Anaheim  
24 Vineyard congregation, or anyone at the Vineyard USA, or in the worldwide Vineyard Movement,  
25 or anyone else at all, except perhaps outside advisers and counsel, whose names and capacities are  
26 currently unknown. However, Plaintiffs are informed and believe that the current Anaheim Vineyard  
27 Board of Directors ratified the decision of Defendant Alan Scott.

28 55. Plaintiffs allege that the Scott Defendants always intended to remove Anaheim

1 Vineyard and its \$62,000,000 in assets from the worldwide Vineyard Movement. They had no  
2 intention of applying for the vacant senior pastor position until learning of Anaheim Vineyard's  
3 substantial assets and knew that keeping Anaheim Vineyard in the worldwide Vineyard Movement  
4 was a material term of being hired as the senior pastors. They misled the Anaheim Vineyard Search  
5 Committee and board of directors during the hiring process by falsely stating they would never  
6 remove Anaheim Vineyard from the Vineyard Movement. They began enacting their plan after  
7 being hired by removing any internal resistance they might face from the board of directors to leave  
8 the Vineyard Movement. However, the Scotts took the final step in their preconceived plan when  
9 they announced their intention to take Anaheim Vineyard and leave the Vineyard Movement on or  
10 about February 25, 2022 and have confirmed that decision in subsequent public comments. This is  
11 the first time Plaintiffs learned of Defendants' intent to disaffiliate with Vineyard USA and the fraud  
12 perpetrated on Plaintiffs.

13         56.     The Board of Directors of Anaheim Vineyard have breached their fiduciary duty to  
14 Anaheim Vineyard by not attempting to block these efforts to remove Anaheim Vineyard from the  
15 Vineyard Movement. Anaheim Vineyard is the flagship church of the worldwide Vineyard  
16 Movement. Allowing it to cease serving as a Vineyard church directly contradicts the entire purpose  
17 for which it was formed.

18         57.     Since the Scotts announced Anaheim Vineyard's departure, attendance at Anaheim  
19 Vineyard has dramatically decreased. By changing the purpose of Anaheim Vineyard, the  
20 Defendants are breaching their fiduciary duty to Anaheim Vineyard and it is resulting in loss of  
21 tithes and membership. In addition, Plaintiffs, and other similarly situated individuals have lost their  
22 church home. Lastly, Plaintiffs, and other similarly situated individuals have been financially  
23 supporting Anaheim Vineyard under false pretenses as they were blindsided by Anaheim Vineyard's  
24 unexpected announcement to leave the Vineyard Movement.

25                 **COMPLIANCE WITH DERIVATIVE ACTION PREFILING REQUIREMENTS**

26         58.     Plaintiffs are members, former members, and/or former directors of Anaheim  
27 Vineyard.

28         59.     Prior to the filing of this action, Plaintiffs presented a copy of this complaint to

1 Anaheim Vineyard's current board of directors, asking them to reverse course and keep Anaheim  
2 Vineyard within the worldwide Vineyard Movement.

3 60. On multiple occasions during July and August of 2022 some of the Plaintiffs,  
4 Defendants, other related Vineyard USA representatives, and counsel met to discuss Anaheim  
5 Vineyard's disassociation from the worldwide Vineyard Movement to see if a resolution could be  
6 reached.

7 61. The Anaheim Vineyard board of directors declined to take up this action on behalf  
8 of Anaheim Vineyard.

9 62. At all times subsequent prior and to February 25, 2022, and up to the date of the  
10 filing of this action, Defendants, either individually, or collectively, or through counsel, have failed  
11 to engage in meaningful communications to seek any a resolution regarding the issues raised by  
12 their actions as alleged herein, despite Plaintiffs' requests to do so.

13 63. Plaintiffs allege they have satisfied their obligations to present their claims to the  
14 Anaheim Vineyard board of directors and secure action that would resolve this dispute. The  
15 Anaheim Vineyard board failed to act in a manner that satisfies Plaintiffs' concerns. Accordingly,  
16 Plaintiffs' have brought this action, which includes both derivative claims on behalf of Anaheim  
17 Vineyard and claims in their individual capacity.

#### 18 **CORPORATE RECORD DEMANDS**

19 64. Prior to the filing of this action, Plaintiffs, by and through counsel, made multiple  
20 unsuccessful efforts to address with Defendants, and each of them, the issues presented by this action  
21 informally, including, but not limited to, requests for personal meetings and documents and  
22 information, including the following, based on good and reasonable cause:

23 65. The Anaheim Vineyard Corporate Minute Book for the period January 1, 2012, to  
24 the present, including, but not limited to, all formal minutes, informal notes, or other records made

25 66. All audited or unaudited Financial Statements, Reports, Compilations, Plans, or  
26 Projections for the period January 1, 2017, to the present; and

27 67. All proposed and actual operating budgets for Anaheim Vineyard for the period  
28 January 1, 2017, to the present; and

1           68.     The immigration files for Alan Scott and Kathryn Scott, including, but not limited  
2 to, Mr. Scott's status as of the commencement of his service at Anaheim Vineyard; and

3           69.     The employment files for Alan Scott, Kathryn Scott, Jeremy Riddle and Katie  
4 Riddle, with all social security number information redacted; and

5           70.     All writings re any non-employee compensation paid to any Board member for the  
6 period January 1, 2017, to the present; and

7           71.     All writings regarding business activities conducted or engaged in by Board  
8 members employed by the Anaheim Vineyard outside of the scope of their employment with  
9 Anaheim Vineyard, including, but not limited to, Watershed Music Group; and

10          72.     All appraisals, assessments or evaluations of real property held by the Anaheim  
11 Vineyard, and improvements thereon, which are dated or were created from January 1, 2017, to the  
12 present; and

13          73.     All writings between and among any Board member and any consultant, adviser, or  
14 counsel regarding the pending disassociation. If you contend that any such writings constitute  
15 privileged attorney-client communications, please identify the parties to the communications, that  
16 is, the name of Board member(s) and the name of the attorneys involved, and the dates of the  
17 correspondence; and

18          74.     All writings between and among any Board members regarding the pending  
19 disassociation; and

20          75.     All writings between and among any Board members and any representative of any  
21 other church, ministry, religious association, denomination or organization, regarding any possible  
22 future affiliation of or with Anaheim Vineyard; and

23          76.     All writings received by the Board from any third parties regarding the pending  
24 disassociation.

25          77.     In response through counsel, Defendants produced none of the documents and  
26 information requested, they initially agreed to meet but subsequently revoked that agreement  
27 without explanation thus making this action necessary and appropriate.

28 ///

1 **FIRST CAUSE OF ACTION**

2 **(Fraud)**

3 **(Against Alan Scott, Kathryn Scott)**

4 **(Individually and derivatively on behalf of Vineyard Anaheim)**

5 78. Plaintiffs reallege and incorporate by reference paragraphs 1 through 77, above, as  
6 though fully set forth herein.

7 79. Plaintiffs are members, former members, and/or former directors of Anaheim  
8 Vineyard.

9 80. In December 2017 the Anaheim Vineyard was required to recruit a new senior pastor  
10 following the resignation of its prior senior pastor, Lance Pittluck, who had served more than twenty  
11 years following the untimely passing of Vineyard co-founder, and Plaintiff Carol Wimber's  
12 husband, John Wimber.

13 81. As part of that pastoral search process, the Anaheim Vineyard formed a Search  
14 Committee made up of five staff members, five board members, and two lay members of the church  
15 (Search Committee). The purpose of the Search Committee was to interview, investigate, and  
16 choose a new senior pastor. The Search Committee investigated multiple potential candidates from  
17 approximately mid-December 2017 to mid-January 2018, narrowed its candidates, and interviewed  
18 a select few candidates.

19 82. The Scott Defendants became candidates for the position of Senior Pastor(s) in  
20 approximately December 2017 following the resignation of Pastor Lance Pittluck. Plaintiffs contend  
21 based on Defendant Alan Scott's prior representations that Defendant Scotts sought the position as  
22 Senior Pastors of Vineyard Anaheim with the deceitful motive of controlling tens of millions of  
23 dollars of assets and disassociating with Vineyard USA. The Scott Defendants had previously  
24 served as pastors of a Vineyard church in Northern Ireland for many years before resigning from  
25 that church in approximately March 2017. Kathryn Scott obtained a visa from the United States in  
26 approximately April 2017. Based on that visa, the Scott Defendants and their family moved to  
27 Orange County with the intent of obtaining a larger platform to further Kathryn Scott's music career.

28 83. The Scott Defendants often socialized with Mike and Liz Safford when visiting

1 Southern California over many years. Mike Safford was the Senior Associate Pastor of Vineyard  
2 Anaheim at the time of Senior Pastor Lance Pittluck’s resignation in December 2017. Many persons  
3 thought Mike Safford would be the next in line to assume the role as Senior Pastor.

4 84. The Scott Defendants and the Saffords often spoke about the future of Anaheim  
5 Vineyard in 2017 as they anticipated that Pastor Lance Pittluck would soon retire. Mike Safford  
6 asked Defendant Alan Scott in early 2017 whether he would be interested in becoming the Senior  
7 Pastor of Anaheim Vineyard once Pastor Lance Pittluck retired. Defendant Alan Scott unequivocally  
8 said, “no, that is your ship to right.” Defendant Alan Scott expressed his dissatisfaction with the  
9 Vineyard Movement and Vineyard USA. On multiple occasions, Defendant Alan Scott represented  
10 to Mike Safford that he had no intent to continue affiliating with Vineyard USA and the Vineyard  
11 Movement following his resignation from the Vineyard church in Northern Ireland due to his  
12 dissatisfaction with the organization. Defendant Alan Scott expressed his belief that he needed to  
13 launch a new Christian church that did not involve affiliation with Vineyard USA.

14 85. In April 2017, The Scott Defendants were visiting the Saffords at their home in Yorba  
15 Linda. While the couples were sitting on the patio, Defendant Alan Scott began questioning Mike  
16 Safford about the assets owned by Vineyard Anaheim. Mike Safford shared with the Defendant  
17 Scotts that the church had in excess of \$55 million in real property and at least \$19 million in the  
18 bank. At the time, Mike Safford initially thought the conversation was merely “shop talk” but Liz  
19 Safford discerned that the conversation was very concerning as though Defendant Alan Scott had  
20 an ulterior motive.

21 86. Defendant Alan Scott met with Vineyard USA’s then existing National Director, Phil  
22 Strout in approximately May 2017, wherein they discussed Defendant Alan Scott’s intent to  
23 disassociate with the Vineyard Movement and Vineyard USA. Defendant Alan Scott provided Phil  
24 Strout a letter dated May 10, 2017, expressing his dissatisfaction with the Vineyard Movement and  
25 Vineyard USA wherein he stated,

26 *As I mentioned when we were together, we love each of the leaders, we just wished*  
27 *they loved each other well. Since that isn't the story at the moment, it's not an*  
28 *environment where we would want to plant our lives or raise our girls. And so after*

1            *29 years of connection with the tribe, we have arrived at the painful conclusion that*  
2            *we won't be part of a local vineyard church in the next part of our journey.*

3            87.     On August 9, 2017, Defendant Alan Scott met again with Mike Safford and  
4 reaffirmed to Mike Safford that he had no desire to become the pastor. During this meeting,  
5 Defendant Alan Scott was fully aware that Mike Safford would likely be suggested for the senior  
6 position, however, Defendant Alan Scott insisted that Mike Safford was not fit for the position, and  
7 instead encouraged Mike Safford to be an associate pastor, a position that Defendant Alan Scott  
8 would later offer Mike Safford.

9            88.     Despite his clear dissatisfaction with Vineyard USA and the Vineyard Movement,  
10 Defendant Alan Scott applied to serve as the senior pastor of Anaheim Vineyard after Pastor Lance  
11 Pittluck informed the board of Anaheim Vineyard in December 2017 that he would retire. Soon  
12 thereafter, the Scott Defendants met with the Search Committee, which ultimately resulted in them  
13 being selected as the Senior Pastors of Anaheim Vineyard.

14           89.     When the Search Committee investigated and interviewed the Scott Defendants,  
15 neither the Board of Directors or the Search Committee of Vineyard Anaheim were aware of the  
16 fact that Defendant Alan Scott had previously expressed his clear dissatisfaction with Vineyard USA  
17 and the Vineyard Movement, nor that he had effectively disassociated with the same following his  
18 resignation from the Vineyard church in Northern Ireland. Neither Phil Strout nor Pastor Mike  
19 Safford informed the Board or the Search Committee and neither were involved in the Board or the  
20 Search Committee.

21           90.     Notwithstanding its lack of knowledge of the Scott Defendants dissatisfaction and  
22 disassociation with Vineyard USA and the Vineyard Movement, the Search Committee and the  
23 Board were very concerned with ensuring that the person(s) hired to pastor Vineyard Anaheim  
24 would be absolutely committed Vineyard USA and the Vineyard Movement and its distinctives  
25 because the then existing bylaws gave the Senior Pastor(s) significant decision-making authority  
26 over the ministry operations and control of the Board of Directors.

27           91.     Numerous other religious movements had emerged in popularity over the years and  
28 the Search Committee, and the Board wanted to ensure that the new Senior Pastor would continue

1 the legacy of John Wimber by being a leader of the Vineyard Movement and continue Vineyard  
2 Anaheim's role as the flagship church of Vineyard USA. Therefore, the Search Committee  
3 questioned candidates on their commitment to continue in the Vineyard distinctives and their  
4 commitment to remaining in close affiliation with Vineyard USA and the Vineyard Movement as  
5 the flagship church.

6 92. During their interview, the Scott Defendants explicitly promised to the Search  
7 Committee and the Board that they were committed to Vineyard USA and the Vineyard Movement.  
8 Penny Fulton, a member of the Search Committee, recalls Defendant Alan Scott making the promise  
9 that he was "Vineyard through and through," after being questioned about how much another  
10 church's theology influenced him. The statement "Vineyard through and through" was regularly  
11 used by members and teachers within the Vineyard Movement to describe persons committed to the  
12 Vineyard Movement to the exclusion of other Christian movements. This unique meaning and use  
13 of this statement was well known by the Scott Defendants.

14 93. Cheryl Jackson, another member of the Search Committee, stated that she was  
15 concerned with the Scott Defendants' commitment to Vineyard USA and the Vineyard Movement  
16 because she knew that the Scott Defendants spent some time with another ministry outside of the  
17 Vineyard Movement. During their interview for the position, Ms. Jackson likewise recalls  
18 Defendant Alan Scott stating, "I am Vineyard through and through" when questioned about his  
19 commitment to keeping Vineyard Anaheim as a member church of Vineyard USA. Cheryl Jackson  
20 further recalls Defendant Scott stating during the interview, "Due to the historical nature of this  
21 church and out of honor to John and the Wimber family, I would never take this house out of the  
22 Vineyard Movement."

23 94. The Search Committee also expressed to the Scott Defendants that they intended that  
24 this position was a lifetime appointment at Anaheim Vineyard. In response, Defendant Alan Scott  
25 said, "I would consider it to be the rest of my life."

26 95. Plaintiff Joe Gillentine was a board member of Anaheim Vineyard and Co-Chairman  
27 of the Search Committee. He affirmed that the Scott Defendants were specifically questioned about  
28 their affiliation with other churches and questioned about their intentions regarding whether they

1 would desire to take Anaheim Vineyard in the direction of another church movement outside of the  
2 Vineyard Movement. Joe Gillentine recalls Defendant Alan Scott representing that John Wimber’s  
3 teaching and ministry were formational to his growth as a pastor and that John Wimber was like a  
4 spiritual father and mentor to he and Kathryn Scott. Joe Gillentine recalls that the search committee  
5 was convinced, based on the Scott Defendants' representations that if hired as the Senior Pastors,  
6 “leaving the Vineyard was never even a question.” Joe Gillentine stated that if the Scott Defendants  
7 had ever represented that they would leave the Vineyard Movement, the Board and Search  
8 Committee would never have hired the Scott Defendants.

9 96. Throughout the entire interview process, the Scott Defendants made it clear that they  
10 would keep the Anaheim Vineyard in the Vineyard Movement worldwide and in the Vineyard USA.  
11 However, the Scotts took the final step in their preconceived plan when they announced their  
12 intention to take Anaheim Vineyard and leave the Vineyard Movement on or about February 25,  
13 2022. This is the first time Plaintiffs learned of Defendants’ intent to disaffiliate with Vineyard USA  
14 and the fraud perpetrated on Plaintiffs.

15 97. The Scott Defendants made the representations above knowing the representations  
16 were false. The false representations were material and relied upon by the Search Committee and  
17 the Anaheim Vineyard Board. Had the representations of the Scott Defendants not been made the  
18 Scotts would not have been hired and given the authority over the nonprofit corporation.

19 98. Furthermore, the Scott Defendants failed to disclose to the Search Committee and  
20 the Board that they were truly dissatisfied with the Vineyard Movement and the Vineyard USA.  
21 Rather, they concealed these facts. The Scott Defendants concealed their true intentions and  
22 previous statements made to Pastor Mike Safford and National director Phil Strout. Had the  
23 concealment of the true facts by the Scott Defendants not occurred, the Scott Defendants would not  
24 have been hired and given the authority over the nonprofit corporation.

25 99. In addition, in so promising and basing the employment and hiring on said promises,  
26 Defendants waived any provision of the Anaheim Vineyard corporate bylaws which would have  
27 provided them the unrestricted power, authority or discretion to do the acts complained of this  
28 action.

1           100. Plaintiffs, as part of their religious practice, have historically made financial  
2 contributions to Anaheim Vineyard in the form of tithes. Plaintiffs continued tithing after the Scott  
3 Defendants were hired with the expectation that Anaheim Vineyard would continue to be a part of  
4 the worldwide Vineyard movement.

5           101. Had Plaintiffs known the Scott Defendants intended to remove Anaheim Vineyard  
6 from the Vineyard movement, despite their promises to the contrary, Plaintiffs would not have  
7 continued tithing to Anaheim Vineyard.

8           102. The amount of tithes contributed to Anaheim Vineyard by the named Plaintiffs since  
9 the Scott Defendants were hired is estimated to be in excess of \$200,000, with the exact amount to  
10 be proven at trial.

11           103. Plaintiffs have also been harmed because Anaheim Vineyard's decision to abandon  
12 its religious purpose has deprived Plaintiffs of a church they have long called home, and in the case  
13 of Plaintiff Wimber, founded. This has caused great emotional and spiritual distress for the  
14 Plaintiffs, all of which was directly caused by the Scott Defendants' misrepresentations of their  
15 intentions with Anaheim Vineyard.

16           104. In addition, Plaintiffs Lance Pittluck, Don Salladin, Joe Gillentine, and James  
17 Gillentine constituted a majority of the board of directors that hired the Scott Defendants. The Scott  
18 Defendants were hired by Anaheim Vineyard based on their representations that Anaheim Vineyard  
19 would remain part of the Vineyard Movement and Vineyard USA.

20           105. If the board member plaintiffs knew about the Scott Defendants' dissatisfaction with  
21 the Vineyard Movement and Vineyard USA at the time the decision to hire them was made, they  
22 would not have offered the positions to the Scott Defendants and continued their search.

23           106. As a result, Anaheim Vineyard has been damaged by virtue of paying salary and  
24 providing other employment related benefits for 4+ years to the Scott Defendants despite deviating  
25 from a core promise they made to Anaheim Vineyard, to wit, that Anaheim Vineyard would remain  
26 part of the Vineyard Movement and Vineyard USA.

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1 **SECOND CAUSE OF ACTION**

2 **(Negligent Misrepresentation)**

3 **(Against Alan Scott, Kathryn Scott)**

4 **(Individually and derivatively on behalf of Anaheim Vineyard)**

5 107. Plaintiffs reallege and incorporate by reference paragraphs 1 through 106, above, as  
6 though fully set forth herein.

7 108. Plaintiffs are members, former members, and/or former directors of Anaheim  
8 Vineyard.

9 109. In December 2017 the Anaheim Vineyard was required to recruit a new senior pastor  
10 following the resignation of its prior senior pastor, Lance Pittluck, who had served more than twenty  
11 years following the untimely passing of Vineyard co-founder, and Plaintiff Carol Wimber's  
12 husband, John Wimber.

13 110. As part of that pastoral search process, the Anaheim Vineyard formed a Search  
14 Committee made up of five staff members, five board members, and two lay members of the church  
15 (Search Committee). The purpose of the Search Committee was to interview, investigate, and  
16 choose a new senior pastor. The Search Committee investigated multiple potential candidates from  
17 approximately mid-December 2017 to mid-January 2018, narrowed its candidates, and interviewed  
18 a select few candidates.

19 111. The Scott Defendants became candidates for the position of Senior Pastor(s) in  
20 approximately December 2017 following the resignation of Pastor Lance Pittluck. Plaintiffs contend  
21 based on Defendant Alan Scott's prior representations that Defendant Scotts sought the position as  
22 Senior Pastors of Vineyard Anaheim with the deceitful motive of controlling tens of millions of  
23 dollars of assets and disassociating with Vineyard USA. The Scott Defendants had previously  
24 served as pastors of a Vineyard church in Northern Ireland for many years before resigning from  
25 that church in approximately March 2017. Kathryn Scott obtained a visa from the United States in  
26 approximately April 2017. Based on that visa, the Scott Defendants and their family moved to  
27 Orange County with the intent of obtaining a larger platform to further Kathryn Scott's music career.

28 112. The Scott Defendants often socialized with Mike and Liz Safford when visiting

1 Southern California over many years. Mike Safford was the Senior Associate Pastor of Vineyard  
2 Anaheim at the time of Senior Pastor Lance Pittluck’s resignation in December 2017. Many persons  
3 thought Mike Safford would be the next in line to assume the role as Senior Pastor.

4 113. The Scott Defendants and the Saffords often spoke about the future of Anaheim  
5 Vineyard in 2017 as they anticipated that Pastor Lance Pittluck would soon retire. Mike Safford  
6 asked Defendant Alan Scott in early 2017 whether he would be interested in becoming the Senior  
7 Pastor of Anaheim Vineyard once Pastor Lance Pittluck retired. Defendant Alan Scott unequivocally  
8 said, “no, that is your ship to right.” Defendant Alan Scott expressed his dissatisfaction with the  
9 Vineyard Movement and Vineyard USA. On multiple occasions, Defendant Alan Scott represented  
10 to Mike Safford that he had no intent to continue affiliating with Vineyard USA and the Vineyard  
11 Movement following his resignation from the Vineyard church in Northern Ireland due to his  
12 dissatisfaction with the organization. Defendant Alan Scott expressed his belief that he needed to  
13 launch a new Christian church that did not involve affiliation with Vineyard USA.

14 114. In April 2017, The Scott Defendants were visiting the Saffords at their home in Yorba  
15 Linda. While the couples were sitting on the patio, Defendant Alan Scott began questioning Mike  
16 Safford about the assets owned by Vineyard Anaheim. Mike Safford shared with the Defendant  
17 Scotts that the church had in excess of \$55 million in real property and at least \$19 million in the  
18 bank. At the time, Mike Safford initially thought the conversation was merely “shop talk” but Liz  
19 Safford discerned that the conversation was very concerning as though Defendant Alan Scott had  
20 an ulterior motive.

21 115. Defendant Alan Scott met with Vineyard USA’s then existing National Director, Phil  
22 Strout in approximately May 2017, wherein they discussed Defendant Alan Scott’s intent to  
23 disassociate with the Vineyard Movement and Vineyard USA. Defendant Alan Scott provided Phil  
24 Strout a letter dated May 10, 2017, expressing his dissatisfaction with the Vineyard Movement and  
25 Vineyard USA wherein he stated,

26 *As I mentioned when we were together, we love each of the leaders, we just wished*  
27 *they loved each other well. Since that isn't the story at the moment, it's not an*  
28 *environment where we would want to plant our lives or raise our girls. And so after*

1            *29 years of connection with the tribe, we have arrived at the painful conclusion that*  
2            *we won't be part of a local vineyard church in the next part of our journey.*

3            116. On August 9, 2017, Defendant Alan Scott met again with Mike Safford and  
4 reaffirmed to Mike Safford that he had no desire to become the pastor. During this meeting,  
5 Defendant Alan Scott was fully aware that Mike Safford would likely be suggested for the senior  
6 position, however, Defendant Alan Scott insisted that Mike Safford was not fit for the position, and  
7 instead encouraged Mike Safford to be an associate pastor, a position that Defendant Alan Scott  
8 would later offer Mike Safford.

9            117. Despite his clear dissatisfaction with Vineyard USA and the Vineyard Movement,  
10 Defendant Alan Scott applied to serve as the senior pastor of Anaheim Vineyard after Pastor Lance  
11 Pittluck informed the board of Anaheim Vineyard in December 2017 that he would retire. Soon  
12 thereafter, the Scott Defendants met with the Search Committee, which ultimately resulted in them  
13 being selected as the Senior Pastors of Anaheim Vineyard.

14            118. When the Search Committee investigated and interviewed the Scott Defendants,  
15 neither the Board of Directors or the Search Committee of Vineyard Anaheim were aware of the  
16 fact that Defendant Alan Scott had previously expressed his clear dissatisfaction with Vineyard USA  
17 and the Vineyard Movement, nor that he had effectively disassociated with the same following his  
18 resignation from the Vineyard church in Northern Ireland. Neither Phil Strout nor Pastor Mike  
19 Safford informed the Board or the Search Committee and neither were involved in the Board or the  
20 Search Committee.

21            119. Notwithstanding its lack of knowledge of the Scott Defendants dissatisfaction and  
22 disassociation with Vineyard USA and the Vineyard Movement, the Search Committee and the  
23 Board were very concerned with ensuring that the person(s) hired to pastor Vineyard Anaheim  
24 would be absolutely committed Vineyard USA and the Vineyard Movement and its distinctives  
25 because the then existing bylaws gave the Senior Pastor(s) significant decision-making authority  
26 over the ministry operations and control of the Board of Directors.

27            120. Numerous other religious movements had emerged in popularity over the years and  
28 the Search Committee, and the Board wanted to ensure that the new Senior Pastor would continue

1 the legacy of John Wimber by being a leader of the Vineyard Movement and continue Vineyard  
2 Anaheim's role as the flagship church of Vineyard USA. Therefore, the Search Committee  
3 questioned candidates on their commitment to continue in the Vineyard distinctives and their  
4 commitment to remaining in close affiliation with Vineyard USA and the Vineyard Movement as  
5 the flagship church.

6 121. During their interview, the Scott Defendants explicitly promised to the Search  
7 Committee and the Board that they were committed to Vineyard USA and the Vineyard Movement.  
8 Penny Fulton, a member of the Search Committee, recalls Defendant Alan Scott making the promise  
9 that he was "Vineyard through and through," after being questioned about how much another  
10 church's theology influenced him. The statement "Vineyard through and through" was regularly  
11 used by members and teachers within the Vineyard Movement to describe persons committed to the  
12 Vineyard Movement to the exclusion of other Christian movements. This unique meaning and use  
13 of this statement was well known by the Scott Defendants.

14 122. Cheryl Jackson, another member of the Search Committee, stated that she was  
15 concerned with the Scott Defendants' commitment to Vineyard USA and the Vineyard Movement  
16 because she knew that the Scott Defendants spent some time with another ministry outside of the  
17 Vineyard Movement. During their interview for the position, Ms. Jackson likewise recalls  
18 Defendant Alan Scott stating, "I am Vineyard through and through" when questioned about his  
19 commitment to keeping Vineyard Anaheim as a member church of Vineyard USA. Cheryl Jackson  
20 further recalls Defendant Scott stating during the interview, "Due to the historical nature of this  
21 church and out of honor to John and the Wimber family, I would never take this house out of the  
22 Vineyard Movement."

23 123. The Search Committee also expressed to the Scott Defendants that they intended that  
24 this position was a lifetime appointment at Anaheim Vineyard. In response, Defendant Alan Scott  
25 said, "I would consider it to be the rest of my life."

26 124. Plaintiff Joe Gillentine was a board member of Anaheim Vineyard and Co-Chairman  
27 of the Search Committee. He affirmed that the Scott Defendants were specifically questioned about  
28 their affiliation with other churches and questioned about their intentions regarding whether they

1 would desire to take Anaheim Vineyard in the direction of another church movement outside of the  
2 Vineyard Movement. Joe Gillentine recalls Defendant Alan Scott representing that John Wimber’s  
3 teaching and ministry were formational to his growth as a pastor and that John Wimber was like a  
4 spiritual father and mentor to he and Kathryn Scott. Joe Gillentine recalls that the search committee  
5 was convinced, based on the Scott Defendants' representations that if hired as the Senior Pastors,  
6 “leaving the Vineyard was never even a question.” Joe Gillentine stated that if the Scott Defendants  
7 had ever represented that they would leave the Vineyard Movement, the Board and Search  
8 Committee would never have hired the Scott Defendants.

9       125. Throughout the entire interview process, the Scott Defendants made it clear that they  
10 would keep the Anaheim Vineyard in the Vineyard Movement worldwide and in the Vineyard USA.  
11 However, the Scotts took the final step in their preconceived plan when they announced their  
12 intention to take Anaheim Vineyard and leave the Vineyard Movement on or about February 25,  
13 2022.

14       126. The Scott Defendants made the above representations knowing the representations  
15 were false. The false representations were material and relied upon by the Search Committee and  
16 the Anaheim Vineyard Board. Had the representations of the Scott Defendants not been made the  
17 Scotts would not have been hired and given the authority over the nonprofit corporation.

18       127. Furthermore, the Scott Defendants failed to disclose to the Search Committee and  
19 the Board that they were truly dissatisfied with the Vineyard Movement and the Vineyard USA.  
20 Rather, they concealed these facts. The Scott Defendants concealed their true intentions and  
21 previous statements made to Pastor Mike Safford and National director Phil Strout. Had the  
22 concealment of the true facts by the Scott Defendants not occurred, the Scott Defendants would not  
23 have been hired and given the authority over the nonprofit corporation.

24       128. In addition, in so promising and basing the employment and hiring on said promises,  
25 Defendants waived any provision of the Anaheim Vineyard corporate bylaws which would have  
26 provided them the unrestricted power, authority or discretion to do the acts complained of this  
27 action.

28       129. At the time Scott Defendants made these representations, they did not so without any

1 reasonable grounds for believing the representations to be true. The Scott Defendants made these  
2 representations to the Search Committee and the Anaheim Vineyard Board with the intent to induce  
3 the Search Committee and the Anaheim Vineyard Board to act in reliance on these representations.

4 130. At the time these representations were made by the Scott Defendants and at the time  
5 the Scott Defendants took actions herein alleged, the Search Committee and the Anaheim Vineyard  
6 Board were ignorant of the falsity of the Scott Defendants' representations and believed them to be  
7 true.

8 131. Plaintiffs, as part of their religious practice, have historically made financial  
9 contributions to Anaheim Vineyard in the form of tithes. Plaintiffs continued tithing after the Scott  
10 Defendants were hired with the expectation that Anaheim Vineyard would continue to be a part of  
11 the worldwide Vineyard movement.

12 132. Had Plaintiffs known the Scott Defendants intended to remove Anaheim Vineyard  
13 from the Vineyard movement, despite their promises to the contrary, Plaintiffs would not have  
14 continued tithing to Anaheim Vineyard.

15 133. The amount of tithes contributed to Anaheim Vineyard by the named Plaintiffs since  
16 the Scott Defendants were hired is estimated to be in excess of \$200,000, with the exact amount to  
17 be proven at trial.

18 134. Plaintiffs have also been harmed because Anaheim Vineyard's decision to abandon  
19 its religious purpose has deprived Plaintiffs of a church they have long called home, and in the case  
20 of Plaintiff Wimber, founded. This has caused great emotional and spiritual distress for the  
21 Plaintiffs, all of which was directly caused by the Scott Defendants' misrepresentations of their  
22 intentions with Anaheim Vineyard.

23 135. In addition, Plaintiffs Lance Pittluck, Don Salladin, Joe Gillentine, and James  
24 Gillentine constituted a majority of the board of directors that hired the Scott Defendants. The Scott  
25 Defendants were hired by Anaheim Vineyard based on their representations that Anaheim Vineyard  
26 would remain part of the Vineyard Movement and Vineyard USA.

27 136. If the board member plaintiffs knew about the Scott Defendants' dissatisfaction with  
28 the Vineyard Movement and Vineyard USA at the time the decision to hire them was made, they

1 would not have offered the positions to the Scott Defendants and continued their search.

2 137. As a result, Anaheim Vineyard has been damaged by virtue of paying salary and  
3 providing other employment related benefits for 4+ years to the Scott Defendants despite deviating  
4 from a core promise they made to Anaheim Vineyard, to wit, that Anaheim Vineyard would remain  
5 part of the Vineyard Movement and Vineyard USA.

6 **THIRD CAUSE OF ACTION**

7 **(Breach of Fiduciary Duty – Derivatively On Behalf of Anaheim Vineyard)**

8 **(Against All Defendants)**

9 138. Plaintiffs reallege and incorporate by reference paragraphs 1 through 137, above, as  
10 though fully set forth herein.

11 139. Plaintiffs are members, former members, and/or former directors of Anaheim  
12 Vineyard.

13 140. Prior to the filing of this action, Plaintiffs presented a copy of this complaint to  
14 Anaheim Vineyard’s board of directors, asking them to reverse course and keep Anaheim Vineyard  
15 within the worldwide Vineyard Movement.

16 141. As of January 2018, the Anaheim Vineyard was the flagship church of the  
17 Association of Vineyard Churches, aka “The Vineyard,” a worldwide association of charismatic  
18 Protestant churches, noted for, among other things, its pioneering role in the development of modern  
19 worship music and John Wimber’s endorsement of congregational participation, described  
20 colloquially as “Doin’ The Stuff,” and the presence of “signs and wonders.” As of 2020, the  
21 Vineyard had approximately 2,400 churches in ninety-six (96) countries.

22 142. Anaheim Vineyard was the site of numerous conferences and occupied a particular  
23 significance in the charismatic Christian world well beyond its own membership and local  
24 community activities.

25 143. At all times subsequent to February 25, 2022, and up to the date of the filing of this  
26 action, Defendants, either individually, or collectively, or through counsel, have failed and refused  
27 to engage in meaningful communications or meet with Plaintiffs to discuss, explain, mediate, or  
28 seek any form of resolution regarding the issues raised by their actions as alleged herein. Instead,

1 Defendant Alan Scott publicly stated on or about March 25, 2022 that “We really don’t know why”  
2 Defendants were leaving the worldwide Vineyard Movement and the Vineyard USA and the  
3 congregation, and Plaintiffs, and taking with them the \$62,000,000 in assets without good reason,  
4 or indeed, any reason at all, and without due care, or reasonable inquiry, or considerations of loyalty,  
5 as required by their promises, agreements, and California law, including, but not limited to, Sections  
6 5120, 5231, 7210, 9210, 9240 et seq, of the Corporations Code.

7         144. Plaintiffs allege that the Scott Defendants always intended to remove Anaheim  
8 Vineyard and its \$62,000,000 in assets from the worldwide Vineyard Movement. They had no  
9 intention of applying for the vacant senior pastor position until learning of Anaheim Vineyard’s  
10 substantial assets and knew that keeping Anaheim Vineyard in the worldwide Vineyard Movement  
11 was a material term of being hired as the senior pastors. They misled the Anaheim Vineyard Search  
12 Committee and board of directors during the hiring process by falsely stating they would never  
13 remove Anaheim Vineyard from the Vineyard Movement. They began enacting their plan after  
14 being hired by removing any internal resistance they might face from the board of directors to leave  
15 the Vineyard Movement. They took the final step in their plan when they announced Anaheim  
16 Vineyard’s intention to leave the Vineyard Movement on or about February 25, 2022, and have  
17 confirmed that decision in subsequent public comments.

18         145. The director defendants have breached their fiduciary duty to Anaheim Vineyard by  
19 not attempting to block these efforts to remove Anaheim Vineyard from the Vineyard Movement.  
20 The director defendants are also supporting a substantial deviation from Anaheim Vineyard’s  
21 purpose. Anaheim Vineyard is the flagship church of the worldwide Vineyard Movement. Allowing  
22 it to cease serving as a Vineyard church directly contradicts the Vineyard distinctives. The Vineyard  
23 distinctives were the driving force behind the original formation and purpose of Vineyard Anaheim.

24         146. Since the Scotts announced Anaheim Vineyard’s departure, attendance at Anaheim  
25 Vineyard has dramatically decreased. By changing the purpose of Anaheim Vineyard, the  
26 Defendants are breaching their fiduciary duty to Anaheim Vineyard, and it is resulting in loss of  
27 tithes and membership. In addition, Plaintiffs, and other similarly situated individuals have lost their  
28 church home. Lastly, Plaintiffs, and other similarly situated individuals have been financially

1 supporting Anaheim Vineyard under false pretenses as they were blindsided by Anaheim Vineyard's  
2 unexpected announcement to leave the Vineyard Movement.

3 147. In addition, Plaintiffs Lance Pittluck, Don Salladin, Joe Gillentine, and James  
4 Gillentine constituted a majority of the board of directors that hired the Scott Defendants. The Scott  
5 Defendants were hired by Anaheim Vineyard based on their representations that Anaheim Vineyard  
6 would remain part of the Vineyard Movement and Vineyard USA.

7 148. If the board member plaintiffs knew about the Scott Defendants' dissatisfaction with  
8 the Vineyard Movement and Vineyard USA at the time the decision to hire them was made, they  
9 would not have offered the positions to the Scott Defendants and continued their search.

10 149. The decision to remove Anaheim Vineyard from the Vineyard movement and  
11 Vineyard USA is a breach of the duty entrusted to the Scott Defendants when they were offered  
12 their positions with Anaheim Vineyard. Moreover, all members of the board of directors, past and  
13 present that have willingly gone along with this decision are likewise in breach of the fiduciary  
14 obligations to ensure Anaheim Vineyard continues its primary purpose.

15 150. As a result, Anaheim Vineyard has been damaged by virtue of paying salary and  
16 providing other employment related benefits for 4+ years to the Scott Defendants despite deviating  
17 from a core promise they made to Anaheim Vineyard, to wit, that Anaheim Vineyard would remain  
18 part of the Vineyard Movement and Vineyard USA.

19 **FOURTH CAUSE OF ACTION**

20 **(Declaratory Relief)**

21 **(Against All Defendants)**

22 151. Plaintiffs reallege and incorporate by reference paragraphs 1 through 150, above, as  
23 though fully set forth herein.

24 152. An actual and justiciable controversy now exists between and among the Plaintiffs  
25 and Defendants in that Plaintiffs contend, and Defendants deny, that they are entitled to access to,  
26 and inspection of the documents and information requested above pursuant to the pertinent  
27 provisions of the California Corporations Code, including as alleged above.

28 153. A further controversy now exists in that the plaintiff board members contend that the

1 offer to hire the Scott Defendants was based on false representations and that the board that hired  
2 the Scott Defendants she be reconstituted to govern the assets and operations of the corporation.  
3 Said contention is denied by the Defendants.

4 154. Based on the foregoing, a judicial declaration and determination in favor of Plaintiffs,  
5 and against Defendants, is necessary. Plaintiffs are entitled to immediate access to the documents  
6 and information requested on or about April 12, 2022. Plaintiffs are also entitled to have the board  
7 reconstituted to its makeup immediately prior to when the Scott Defendants were offered their  
8 positions so that the reconstituted board can return the corporation to the status quo that existed  
9 immediately prior to the hiring of the Scott Defendants.

10 **FIFTH CAUSE OF ACTION**

11 **(Permanent Injunction)**

12 **(Against All Defendants)**

13 155. Plaintiffs reallege and incorporate by reference paragraphs 1 through 154, above, as  
14 though fully set forth herein.

15 156. As indicated in the incorporated paragraphs, the Scott Defendants have announced  
16 Anaheim Vineyard's departure. By changing the purpose of Anaheim Vineyard, the Scott  
17 Defendants are breaching their fiduciary duty to Anaheim Vineyard, and it is resulting in loss of  
18 tithes and membership. In addition, Plaintiffs, and other similarly situated individuals have lost their  
19 church home. Lastly, Plaintiffs, and other similarly situated individuals have been financially  
20 supporting Anaheim Vineyard under false pretenses as they were blindsided by Anaheim Vineyard's  
21 unexpected announcement to leave the Vineyard Movement.

22 157. If an injunction is not granted, Plaintiffs will incur great and irreparable injury.

23 158. To prevent said injury and harm, Plaintiffs seek to restrain and enjoin the Scott  
24 Defendants from completing their outrageous act of changing the purpose of Anaheim Vineyard.

25 159. Further, on the grounds that the board member plaintiffs constituted a majority of the  
26 board of directors that approved hiring the Scott Defendants and due to the fraudulent  
27 representations of the Scott Defendants, Plaintiffs seek to restrain and enjoin the existing board of  
28 Vineyard Anaheim and that the board that hired the Scott Defendants she be reconstituted to govern

1 the assets and operations of the corporation. The board member plaintiffs unanimously agree they  
2 would not have offered the Scott Defendants their position if they knew the Scott Defendants were  
3 going to take steps to cause Anaheim Vineyard to leave the Vineyard Movement and Vineyard USA.

4 160. To restrain the Scott Defendants, Plaintiffs seek that this Court issue a preliminary  
5 injunction, and thereafter permanent injunction barring such actions pending resolution of this  
6 action, and thereafter permanent injunction barring such actions.

7 **PRAYER FOR JUDGMENT**

8 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as follows:

9 1. A judicial determination that the board member plaintiffs constituted the majority of  
10 the board of directors at the time the Scott Defendants were offered employment by Anaheim  
11 Vineyard;

12 2. A judicial determination that the Scott Defendants procured job offers from Anaheim  
13 Vineyard as the result of material misrepresentations to the Search Committee and the Board;

14 3. A judicial order reconstituting the Anaheim Vineyard board of directors as it existed  
15 on or about the date the Scott Defendants were offered employment, which is believed to be January  
16 18, 2018, to govern the assets and operations of the corporation, including the appointment of a  
17 Senior Pastor;

18 4. A judicial determination regarding the respective rights of the parties finding that  
19 Plaintiffs are entitled to immediate access to the documents and information requested on or about  
20 April 12, 2022;

21 5. Monetary Damages in an amount to be proven at trial, but at least in the amount of  
22 \$62,000,000;

23 6. Costs of suit incurred herein; and

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7. All other such relief as the court deems appropriate.

DATED: November 10, 2022

TYLER & BURSCH, LLP

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