

Rebuttal of NY District Communication dated Aug. 12, 2010

Sent to NY District Credential Holders By Rev. Duane Durst Regarding Rev. Mark Gregori

The following is a rebuttal of misinformation promulgated amongst the over 300 credentialed ministers of the New York District of the Assemblies of God concerning the facts surrounding and leading to the dismissal of Rev. Mark Gregori. This letter specifically addresses the communication dated August 12, 2010 on N.Y. District letterhead, signed by Dr. Duane P. Durst, Superintendent.

Re: Rev. Mark Gregori,

Assemblies of God Ordained Minister – 36 Years

District Appointed Home Missionary - 1976

Nationally Approved Urban Project – 1976

Nationally Appointed U.S. Missionary – 1989

NY District Sectional Presbyter, BMW Section since 1994

Senior Pastor of Crossway Christian Center, NYC, since 1977

PREPARED FOR THE MINISTERS OF THE NY DISTRICT OF THE ASSEMBLIES OF GOD

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Basis of this Public Rebuttal

Whereas all Christians, as living epistles "known and read of all men" (2 Cor. 3:2), are morally obliged to live a life of integrity, how much more should those who have been given the charge of shepherding God's flock maintain a high level of transparency to the public in their dealings regarding Kingdom business? The health of any ecclesiastical organization depends to a large degree on the responsibility of all ministers not only to guard carefully their own integrity, but also to guard carefully the integrity of their fellow ministers. In light of this, the callous, deceptive and inflammatory communication incessantly issuing from the office of the present New York District Superintendent, Duane Durst, even from the onset of what essentially amounted to an "inquisition" is not merely regrettable; it is inexcusable.

Why would any Christian leader cavalierly disregard the injurious effects that publicizing dishonorable (*and false*) information about a fellow minister would have not only on that minister and his family, but also on every individual whose life has ever been impacted by that minister's witness—especially when such character-smearing information is entirely unsubstantiated? A horribly misinformed and manipulated public has a right to know the truth that no care was ever granted to me or to my family in this debacle of justice.

Lest the reader misinterpret this document, or any documents I have set forth in defense of my personal integrity and ministry, as "sour grapes," I will object that this is not simply, or even primarily, about Mark Gregori. Mark Gregori has already been wrongly cut off from the fellowship of the Assemblies of God. This is about how God expects ecclesiastical organizations to treat fellow ministers in the body of Christ. People can be discarded; principles remain whether *anyone* likes it or not. The question for all of us is: "On which side of the principles will we stand?"

Those honest and caring enough to read on will soon discover in this and many other documents I have previously made available on this case and have referenced herein, that Mr. Durst has masterfully orchestrated a campaign of deception utilizing the inherent flaws in the Assemblies of God's adjudicatory system to cause egregious harm to my family, my ministry, and the church I have had the privilege of both founding and pastoring for over 32 years (Crossway Christian Center, NYC). Anyone who would do such a damaging deed is neither compassionate nor honorable. Nevertheless, equally culpable are any who silently tolerate a system in which this kind of chicanery prevails. God is still calling His people to take a stand against injustice, while upholding holiness and truth.

The fact is, rumor mongering and the use of misinformation/misdirection have been the unwavering policy of the NY District Superintendent throughout my entire appellate process in his relentless efforts to malign my character to ALL those involved in the process, and many who have not been directly involved as well. The false information and impressions peddled by the Superintendent in his effort to 'save face' have borne a devastating blow to my family's economic health, as they have had a highly negative impact on the way in which I was characterized to those adjudicating my case. The mischaracterization/misrepresentation of my character, the character of certain of my accusers, and the facts in this case, have irrevocably marred the impression that the New York District Presbytery, the Credentials Committee, the National Executive Presbyters, and lastly our General Presbytery have of me, a mischaracterization that no doubt weighed heavily in the unfair and erroneous decisions universally made in my case.

Emboldened by the blind allegiance categorically demonstrated by the adjudicating bodies of the Assemblies of God in these matters, notwithstanding overwhelming and incontrovertible evidence exonerating me, evidence shockingly ignored primarily in

favor of the word of a convicted criminal, Mr. Durst has now unilaterally decided to continue to spread pejorative misinformation to the uninformed in an effort to defend the indefensible, even AFTER HE HAS ALREADY SUCCEEDED in manipulating the SORELY INADEQUATE appellate system of the Assemblies of God to unjustly remove my credentials and destroy my reputation both within and without the Assemblies of God. Rather than "protecting my back" he thrust a dagger into it; and dissatisfied still, he continues to twist it. As a result of many inquiries I have received from recipients of Mr. Durst's referenced communication, I now find it necessary to point out the deceptive and factual inaccuracies contained therein by presenting this detailed rebuttal point by point. Please examine the rebuttal below to see if Mr. Durst's actions should be seen in any light other than what I have described.

The reader should be aware of several important factors before reviewing the rebuttal presented herein. For the sake of clarity and emotional neutrality I sometimes refer to myself in the third person.

Accused Ministers in the Assemblies of God Presently Have No Rights

The Assemblies of God's adjudicatory system is **inherently inquisitorial**. An accused minister is **TYPICALLY** denied the following due process rights, common in any civilized democratic system:

1. The minister is NOT GIVEN the opportunity to examine any evidence against him (*actual physical evidence, or verbal/written statements*).
2. The minister is NOT ALLOWED to either face or cross-examine any witnesses against him, a provision which is ironically required by Scripture:

Deuteronomy 19:16-18

"16. If a malicious witness takes the stand to accuse a man of a crime, 17 the two men involved in the dispute must stand in the presence of the LORD before the priests and the judges who are in office at the time. 18 The judges must make a thorough investigation, and if the witness proves to be a liar, giving false testimony against his brother, then do to him as he intended to do to his brother. You must purge the evil from among you."

3. The minister is NOT GIVEN the opportunity to address those making the decision that will inevitably devastate his ministry and family. This would include:
 - a. **The Credentials Committee** – This body actually takes the accused minister's credential away,
 - b. **The Executive Committee** - This is the body to which a

minister's first appeal is submitted. Whether the individuals comprising this committee actually "read" a minister's appeal document is somewhat uncertain. A special 3-member subcommittee was assigned to investigate my case (I was told this was extremely rare) and when questioned, two of the three admitted not having "fully read" the appeal document. If such a special subcommittee did not fully read an appeal document, it is highly uncertain whether the general executive committee actually read the document—in its entirety and with due care and diligence,

- c. **The General Council** – This is the final body to which an appeal goes. From what I understand, they NEVER ACTUALLY GET THE APPEAL DOCUMENT SUBMITTED BY THE ACCUSED MINISTER. This body simply hears the accusers take on the matter without ever hearing opposing testimony by the accused, or others in his/her defense.

*[Note: For the record, a District Presbytery can only make a **recommendation** concerning a minister's credential. The actual "action" regarding the credential must be taken at a national level. Hence, any appeal of a Presbytery's decision must be made at a national level. In practice, once the District Superintendent submits his Presbytery's recommendation, the Assemblies of God national office is hard-pressed to overturn that district's recommendation, as such an action is seen as affronting the Superintendent's authority. Recommendations, as such, are typically rubber stamped throughout the appeal process.]*

- 4. A minister is NOT PROVIDED a neutral investigator to lead the team looking into the accusations against him, as the investigator or investigative team is typically known to the District Superintendent and may very well have a financial or emotional interest in "pleasing" said Superintendent.

*[Case in point: The principal investigator of the team sent by the Executive Presbyters to review my case received financial remuneration for services rendered by the NY District DURING THE INVESTIGATIVE PERIOD for speaking at the NY District Council, a clear conflict of interest and a blatant violation of anyone's **Due Process** rights.]*

Additionally, contrary to the **Biblical mandate in 1 Timothy 5:19** not to, **"...entertain an accusation against an elder unless it is brought by two or three witnesses,"** not one of the three accusers heard by the NY District and national officers have corroborating witnesses to their testimony, a requirement

in the proper Biblical hearing of any case.

My rebuttal of facts presented by Rev. Durst in his referenced letter is supported by the following documents found online at <http://www.crosslead.1-element.com/>. For a full understanding of this case, I strongly suggest that the readers review these documents:

- 1) Second Full Appeal Document with Supporting Attachments
- 2) Third and Final Appeal Document with Supporting Attachments
- 3) Pastor Mark Gregori's Letter to the Executive Presbyters Concerning the Final Appeal to the General Presbytery
- 4) Pastor Mark Gregori's Heartfelt Appeal Letter to the General Presbyters Prior to Their Decision
- 5) General Council's Response to Pastor Mark's Third and Final Appeal Presented to the General Presbytery
- 6) Open Letter from AG Ordained Minister on Behalf of Mark Gregori Outlining Major Flaws in Process
- 7) Mark Gregori's Final Letter to New York District Executive Presbyters

Only excerpts and attachments deemed absolutely necessary to support the statements made in this rebuttal are included herein for your convenience.

Rebuttal of Duane Durst's letter to District Credential Holders – Rebuttals, statements, explanations, or clarifications are in blue. [FULL TEXT BELOW]

August 12, 2010
Privileged and Confidential

Dear New York District family:

I trust you have had time to be refreshed this summer. If not yet, you owe it to yourself and your family for a little down time to renew your mind, body and spirit.

"I have delayed writing to you regarding the matters at Crossway Christian Center of the Assemblies of God until there was some closure regarding issues we have been dealing with regard to the pastor and the church. Normally, you would not receive correspondence like this but the matter has been so public, with so much confidential information disclosed, there isn't much that isn't known except the context and rationale in the decisions made."

Rebuttal #1

Who determines what information is confidential? This matter directly impacted my ministry and life, AND MINE ALONE. Not Duane Durst's, not the Presbyters, not even the accusers. The "accusers" in this matter continue to live their unaltered lives unimpaired.

I, on the other hand, have suffered immense harm and my church and community have been devastated.

Everything that has been disclosed has been disclosed in an effort to present my **innocence** and to restore my untarnished reputation of 36 years. Other than the one primary witness, herself a disgruntled ex-employee whose false and malicious accusations started this entire investigation and who **just one month prior to her tirade was asking to be reinstated as an employee working for me**, a witness who has just recently plea bargained to avoid possible conviction on 52 felony counts for crimes against our church, the characters of the other two witnesses against me (who essentially accused me of “thought crimes”) have never been impugned by anything that has been publically presented and/or discussed. One of the other two alleged “witnesses” was influenced by her friend (the criminal referenced above) to testify to something she thought to be true, and the other witness testifying to something that in her mind occurred over 10 years ago (the District employee), had apparently also voiced similar allegations against a former executive at the New York District office; a minister whose testimony to this day remains unblemished and unquestioned despite her impressions of him. What is and should be embarrassing is how this case was processed. In this sense, I can understand Duane’s concerns about the divulging of confidential (embarrassing) information.

“As you know there were serious allegations made regarding Mark Gregori's conduct. As I shared with the Crossway congregation in June, neither friendship, influence nor position gives anyone a free pass.”

Rebuttal #2

Allegations, and allegations alone are exactly what this entire case was based on. Everyone should know that I was never accused of propositioning, or “hitting” on someone, touching anyone, or anything of the sort. The accusations made by all of the accusers, were not of **overt actions and or statements**, but of **emotional “thought crimes”** on my part concerning alleged conversations, or the individual accuser’s “feelings” concerning what would otherwise have been considered generally acceptable or inane actions toward the particular accusers. *(Reference Gregori Appeal to the Executive Credentials Committee, dated April 28, 2010, Page 8, paragraph 3; Page 16, questions 12 and 14 directed to Rev. Mark Gregori as personally derived by Duane Durst from Lucilla Serrano’s VSA (voice stress analysis) exam; and Page 23, paragraph 2. Reference www.crosslead.1-Element.com for all referenced documents)*

Regarding Duane Durst continuous diversionary allusion suggesting that Rev. Gregori was ever seeking “a free pass” from friends or as a result of his perceived or actual “influence,” nothing could be further from the truth. Duane’s use of language here suggests inappropriate requests that were NEVER MADE nor suggested. Aggressively seeking for the truth to be known cannot be interpreted as requesting, “a free pass.”

“After two independent investigations, one by the New York District Executive Presbytery and a second by a committee of General Council Non-Resident Executive Presbyters, Mark was dismissed as an Assemblies of God minister.”

Rebuttal #3

The alleged “independent investigation” conducted by **the New York District Executive Presbyters** essentially involved the questioning of accusers using inadequate and unprofessional questions personally developed by Duane Durst. The Polygraphist, hired to question Rev. Gregori by an independent Assemblies of God officer to insure the integrity of the examination, made the following comment regarding the questions developed by Duane Durst, subsequently administered to the accusers [Reference *Gregori Appeal to the Executive Credentials Committee, dated April 28, 2010, Page 20, paragraphs 4-7 and Attachment C, Polygraph Examination – Fred Meyer M.E.P., A.C.P., D.A.B.F.E. administered to Pastor Mark Gregori.*] (See www.crosslead.1-Element.com for referenced documents):

“There is no accepted and recognized polygraph technique which uses more than four (4) relevant questions. In reviewing the questions themselves, many are improper, poorly worded and totally unacceptable. No properly trained and Certified Polygraphist would conduct an examination as set forth in the information provided... [referencing questions presented]”

Regarding use of the 40 questions in stress analysis testing, which we now know was administered to both the **primary accuser**, Lucilla Serrano, and the **District employee**, Mr. Meyer said (See **Attachment C** referenced above which is **also found in** www.crosslead.1-Element.com):

“Voice stress analysis has been proven unreliable and lacks any scientific validity or reliability...To summarize, the likelihood of scientific results from using a voice stress machine [provides] as good a chance at arriving at the truth as flipping a coin.”

The alleged “independent investigation” conducted by **the General Council Non-Resident Executive Presbyter Committee** assigned was a catastrophe. The investigative team assigned by the Executive Presbytery bungled their investigation and as a result created the false impression that Rev. Gregori had not submitted the report of his polygraph exam and other **CRITICAL** appeal information to the Investigative Committee prior to meeting with them. As such, the impression brought back to the Credentials Committee created strong bias against Rev. Gregori’s integrity, as evidenced by the General Secretary’s statement that circumstantial evidence indicated that Rev. Gregori had “hidden the information regarding his polygraph test because he wasn’t sure if he had passed it, and would not have conveyed the polygraph results if he had failed the test.” [Reference *Rev. Mark Gregori’s Third Appeal of Dismissal to the General Presbytery of the Assemblies of God, dated July 12, 2010, Page 3, “A Bungled*

Investigation, ” paragraphs 3 through 6, and in particular Attachment C-2 of same. See www.crosslead.1-Element.com for referenced document]

In a further violation of his rights, additional allegations, some of which have been instigated and orchestrated by those connected to the primary accuser involving “*other women*,” continue to be ‘unofficially’ raised against Rev. Gregori by the Superintendent, and were in-fact provided to the investigative team by Rev. Durst himself, negatively and unduly prejudicing the team against Rev. Gregori DURING the investigation. As Rev. Gregori had not been given the opportunity to see, let alone rebut any such accusations against him, the evidence was ipso facto inadmissible and the provision of the same a blatant violation of Rev. Gregori’s due process rights. Here is what our General Council Bylaws require of our District Officials when they receive complaints against a minister, as found in Article X, Section 5, a, (2):

*(2) Interview with accused minister. **The accused minister shall be given an opportunity to be interviewed to discuss the complaints received** in the hope that the matter can be resolved.*

Notwithstanding, in response to Rev. Gregori’s concerns regarding his suspicion of the unethical use of inadmissible additional evidence, Rev. Bradford quoted the investigative team leader, Dr. Rhoden, as having stated,

“...no new information or evidence brought into the investigation of his committee.”

To say that this committee’s “**independent** examination” was inadequate is quite frankly a great understatement. When I discovered the conflict of interest involving the team leader, I was honestly shocked. A neutral Executive Presbyter from another part of the country should have been utilized in order to avoid any appearance of impropriety.

“He was given opportunity for rehabilitation but denied all charges and refused. The procedure followed *relied on personal testimony not the lie detector tests.*”

Rebuttal #4

The statement, “The procedure followed relied on personal testimony not the lie detector tests” is a flat out lie. Rev. Durst should be embarrassed to make such a preposterous statement, in light of the documented evidence already presented and on record (as well as on tape). The fact of the matter is that the NY District Presbytery had based their initial recommendation for dismissal **TOTALLY** on a series of lie detection examinations repeatedly mischaracterized to everyone involved in this process as polygraph exams by Duane Durst. As previously stated, these examinations (2-Voice Stress analysis exams & 1-Polygraph) were administered to three women relating to their individual and separate perceptions of Rev. Gregori’s words and actions over a span of eleven (11) years. The following is an excerpt [**VERBATIM**] from Rev. Mark

Gregori's Third Appeal of Dismissal to the General Presbytery of the Assemblies of God, dated July 12, 2010, pages 6 & 7 (See www.crosslead.1-Element.com for referenced documents):

[BEGINNING OF EXCERPT]

Though the NY District Superintendent stated that he had checked with Rev. George Wood and Richard Hammer regarding the acceptability of Polygraph examinations and was told that the results of these exams constituted "clear and convincing evidence" of guilt, **only one of the three accusers actually received a polygraph examination, namely the one whose testimony was essentially immaterial** (see above). The other two witnesses, whose testimony was more significant, received voice stress analysis (VSA) exams that the NY District Superintendent wrongly represented as being 94% accurate to both the church board and the NY Presbytery, this adversely influenced their decision against Rev. Gregori. As a result of the Superintendent's erroneous claims, the exams were wrongfully perceived by all parties as representing incontrovertible scientific proof of Rev. Gregori's guilt. (Reference Attachment C-3, page 4) In delivering the unanimous verdict of the NY District Executive Presbytery, the Superintendent stated:

"It's the unanimous opinion of this body that given "clear and convincing evidence," (alluding to the lie detector tests) there has been documented proof that there has been failure of a moral or ethical nature, non-sexual as far as not sexual contact...these statements have been validated and proven true."

Speaking on the exclusivity of the NY District Executive Presbytery's SOLE dependence on the lie detector tests administered in reaching their verdict, rather than on the [testimony or] character of any of the accusers, Rev. Durst, the District Superintendent said to Rev. Gregori,

"The testimonies have been proven valid. If there was somebody who was a drug addict on the street, Mark, who would not lie and spoke truth on a lie detector test, the stature, respect, reputation of the individual does not come into play on the lie detector test... The decision has been made on these testimonies and their validity. We believe it. Consequently we've made our decision."

Immediately following the Superintendent's statements, another Presbyter interjected his rationale to Rev. Gregori:

"I believe that Brother Durst let you know earlier that this has been confirmed with national headquarters that a polygraph test is sufficient

*and is believed, not just on this level, but on the level of the national office. I mean, it's just not just the men sitting around this table. **It's the policy and procedure that we have to follow that makes it so difficult. We have to rely on what the professionals tell us is the truth.***"

Yet, another Presbyterian highlights the sole basis of the committee's ultimate decision in Mark's case:

"We made the decision Mark not based upon whether we like you or we don't like you. We do like..., we love you. It's not made on how well you've done before or have not done. It's none of those things. We have this. We have to deal with this. **And the only dividing factor we have is that these individual's testimonies have been confirmed by lie detector tests.**"

[END OF EXCERPT FROM JULY 12, 2010 APPEAL DOCUMENT]

As is made ABSOLUTELY CLEAR here by their own testimony, absent the lie detector exams misrepresented by Duane Durst as both "scientifically accurate," and as actually addressing the core issues in each instance,

THIS CASE WOULD HAVE NEVER MADE IT TO CREDENTIALS COMMITTEE IN THE FIRST PLACE!

The recommendation to dismiss, by their own admittance, (as shown above) **WAS BASED COMPLETELY ON LIE DETECTOR TESTS.** *[All quotes contained herein are literal transcripts of recordings taken during the interrogation process.]*

As such, Duane Durst's statement that "**the procedure followed relied on personal testimony not lie detector tests,**" skirts the **OBVIOUS FACT** that **THE CASE WOULD NEVER HAVE MADE IT TO MISSOURI IN THE FIRST PLACE** absent the ***"poorly worded and totally unacceptable" TESTS!!*** *[Professional opinion of the Polygraphist]*

"They were simply to make sure we weren't giving a friend a pass or rushing to judgment. Although Mark was asked to answer with yes or no answers in December he was given all the time he wanted in November and was given some liberties in December."

Rebuttal #5

I was given time to do exactly what? After being asked a series of shocking questions such as "are you a sexual pervert?" by the EPs during a meeting in November 2009, I was given some time to present the facts from my perspective. The EPs seemed uninterested and generally dismissive of my statements, giving me the sense that I needed to just stop talking. In no way was I ever made to feel that I had, "all the time I

wanted or needed” to defend myself. The December meeting was not investigative in nature. It was a flat out interrogation minus the lamp in my face. Mr. Durst saw to it that the interrogation “moved along.” Any liberties were limited by the reminder that, “a decision has been made.” This is clearly evident in the recordings. In truth, it became readily apparent rather quickly that the Presbyters had already been poisoned by Duane Durst’s factual inaccuracies regarding the purported “scientific merit” of the exams before I ever stepped in the room. I was never given an opportunity to rebut the testimony because it was **presented as scientifically incontrovertible**. Hence Durst’s infamous comments during said interrogation:

[Alluding to the lie detector tests] “... There has been documented proof that there has been failure of a moral or ethical nature, non-sexual as far as not sexual contact...these statements have been validated and proven true.”

And

“The decision has been made on these testimonies and their validity. We believe it. Consequently we’ve made our decision.”

In making this statement, Duane Durst is clearly attempting to mask his Machiavellian tactics by giving the false impressions that I had been processed in a “seemingly democratic” manner. The statement is quite sad and untrue at its core. Democracy, generosity and sympathy were non-existent throughout this process. Offering ‘rehabilitation’ **to an innocent minister** who would nevertheless lose his beloved church and income, is not a generous or moral gesture by any stretch of the imagination. It is a slap in the face.

Rev. Durst’s seemingly irrational personal involvement and apparent bias in this case is clearly delineated in the appeal documents provided for your examination. (*Reference Gregori Appeal to the Executive Credentials Committee, dated April 28, 2010, Pages 4 through 7. See www.crosslead.1-Element.com for referenced documents*)

“We simply wanted the questions asked in the same format they were asked of his accusers. I will not go into further detail except to say there were inconsistencies in the discussions with Mark.”

Rebuttal #6

The motivation behind making a mistake does not negate the fact that **a mistake was made**. In fact, **SEVERAL ‘mistakes’ were made** regarding the wording of the questions presented.

Firstly, it was highly inappropriate for Rev. Durst to have personally derived the questions to be asked of the accusers by presumed “professionals,” as he is not an expert in these types of forensic interrogations. When administering a lie detection examination, the questions must follow an acceptable format based on the specific scientific protocol developed for the particular exam. Questions **MUST** be made

establishing baselines, and many other stringent rules need to be adhered to when developing the questions. Durst's personal interjection of himself in this investigatory process, and his use of "friends" or "acquaintances" to conduct these examinations, unduly and unnecessarily marred the process and seriously call into question both the qualifications and/or motivations of the examiners, the integrity of the exams themselves, as well as Durst's own personal motivation in taking such an "active" role in a process he had no business involving himself in. Any exams administered and conclusions derived by the examiners chosen by Rev. Durst in this case are ipso facto prejudicial because of their friendship with Rev. Durst, **himself a personal friend and long time employer of one of the accusers**. This is clearly a conflict of interest.

Of the questions developed by Rev. Durst referenced in his letter, *Fred Meyer M.E.P., A.C.P, D.A.B.F.E., a forensic expert in the interrogation of sexual abusers, having done work for many law enforcement agencies and the Catholic Church for decades, said [verbatim (highlight added)]:*

*"In reviewing the questions themselves, many are improper, poorly worded and totally unacceptable. **No properly trained and Certified Polygraphist would conduct an examination as set forth in the information provided.**"*

Making the statement, "We simply wanted the questions asked in the same format they were asked of his accusers," does not give Rev. Durst a "free pass" to trample upon Rev. Mark Gregori's due process rights and personally FORCE through a recommendation to dismiss to a Presbytery whom he had personally led to believe the unprofessional exams he concocted were both *professionally administered* and *scientifically reliable*. Nevertheless, this is exactly what Durst did. As such, a legitimate and logical argument can now be raised that the examiners chosen were prima facie prejudicial and the resulting conclusions derived from the examinations they administered, inadmissible.

In the case of the ***properly conducted*** and ***scientifically sound*** polygraph exams administered to Rev. Mark Gregori **which unequivocally exonerated him of all charges made against him**, the results of these exams were given to the Executive Committee initially assigned to investigate this matter during their visit with Rev. Gregori. Notwithstanding, Dr. Bob Rhoden, the team leader for the Executive Presbytery committee assigned, in what he later claimed to be an error (an error which sentenced Rev. Mark Gregori to his ministerial death in the AG), **falsely denied receiving the results of these exams when he met with Rev. Gregori in his testimony to the Executive Presbytery during their hearing to dismiss Rev. Mark Gregori**. The Executive Presbytery, this false information fresh in their minds, subsequently decided to dismiss Rev. Gregori. When confronted about the apparent false testimony by Dr. Jim Bradford, Dr. Rhoden recants the testimony (ONLY TO DR. JIM BRADFORD) by giving him the following statement which Rev. Bradford quotes in his letter to Rev. mark Gregori of July 6, 2010, reference attachment C-9 of the July 12th Gregori Appeal. Also reference Attachment B, page 46, paragraph 3 attached hereto [verbatim excerpt]:

“The team acknowledges its oversight and confusion on the timing of the presentation of the Polygraph information by Mark Gregori and offers sincere apology to Mark Gregori and the Executive Presbytery.”

It is important for the reader to note that this apology is being given **AFTER** the Executive Presbytery had **ALREADY RENDERED THEIR VERDICT AGAINST Rev. Gregori**. This is tantamount to executing someone and then saying, “Oops, my bad!” to the dead man’s relatives. The information, so far as we know, has never subsequently been made available to the Executive Presbyters in order for them to weigh it in the possible overturning of their **ill-informed initial decision**. This is really unbelievable to me. How can someone be “wrongly convicted,” based on false testimony and then absolutely nothing is done to redress the mistake? Should not the Executive Presbyters have made it their business to hear the case again so they could at least hear the “corrected facts?” In our secular court system, such a case would unquestionably have been reheard, if not appealed and overturned.

Sadly, Bob Rhoden’s false testimony was initially discovered because of a letter that Jim Bradford sent to Mark Gregori, dated June 22, 2010 (Reference Gregori Appeal dated July 12, 2010, Attachment C, page 14. Also see Attachment B, page 38) where he essentially rebukes Mark over what seemed to be an evident attempt at deception. Here is Bradford’s exact statement [verbatim] (Reference Attachment B, page 38, paragraph 4 of this document):

*“According to our records you did not submit your polygraph evidence until after the investigating committee’s visit. The investigating committee, in fact, **EXPRESSED SURPRISE** that you had already taken the polygraph exam before the visit **BUT HAD WITHHELD THAT INFORMATION FROM THEM**. A fair conclusion to your **hiding this information** is that **you were not sure you had passed the polygraph and had you failed it you would not have disclosed that information**. Furthermore, the questions on your exam were not formulated by an outside third party ... **[Emphasis – bold and caps are my own.]”***

It is evident by this letter given **AFTER THE DECISION AGAINST MARK HAD BEEN MADE**, that *much discussion had taken place on the matter* and that opinions were shared (“Expressed surprise”), and judgments made (“had withheld information from them,” and, “had you failed it you would not have disclosed that information...”) on my character.

I responded to this letter completely refuting the allegations made against me in my letter to Dr. Bradford, dated June 28, 2010 (Reference Gregori Appeal dated July 12, 2010, Attachment C, pages 14 through 20, see www.crosslead.1-Element.com for referenced documents. Also see Attachment B, pages 39 through 45 attached hereto). To his merit, in an act that confirms his integrity, Dr. Bradford then apparently speaks with

the parties involved, discovers the false testimony, and then sends me a letter of apology dated July 6, 2010 (*Reference the July 12th Appeal, Attachment C, page 21. Provided on Attachment B attached hereto as well, page 46*). Dr. Rhoden's statement of apology quoted above is extracted from Rev. Bradford's letter referenced. But listen to what Bob Rhoden goes on to say right after his apology addressing **his ministry crushing faux pas** (Reference Attachment B, page 46, paragraph 3):

*"However, **we declare unequivocally that Mark Gregori was not penalized by the timing issue because we [did] not use any polygraph information in arriving at our recommendation. We recommend to the Executive Presbytery that the question about Mark's timing on the presentation of his Polygraph information be withdrawn from our report. That being said, we firmly stand by our recommendation that the appeal of Mark Gregori be denied.**"*

What is fascinating here is that Dr. Rhoden **declares unequivocally** that Mark Gregori was "not penalized by the timing issue" in the Executive Presbytery's decision to recommend dismissal **after the fact**, as if he could somehow speak to **what was inside of the individual minds of each of the members of the Executive Presbytery** when they were weighing their decision to dismiss. Notwithstanding, this issue for which Rev. Gregori "was not penalized," was so impacting in somehow implicating Rev. Gregori of an attempt to deceive, that Rev. Jim Bradford, a person who has proven himself neutral in this case, felt it necessary to chastise Mark for his apparent attempt at deception referencing **THIS SPECIFIC POINT**, even after the recommendation to dismiss had already been made.

Regarding Dr. Bradford's statement in his initial chastising letter to Mark where he says, "Furthermore, the questions on your exam were not formulated by an outside third party..." it should be noted that the Polygraphist for Rev. Gregori's exams was chosen by an objective third party, and administered in a totally controlled environment, free from any involvement on the part of Rev. Gregori. Unlike the exams arranged by Durst, care was taken to maintain the highest level of professionalism and special arrangements made to specifically avoid the appearance of collusion in arranging the examination. Specifically, in order to maintain the utmost integrity in the examination process, an ordained minister of the Assemblies of God, himself an officer of the Assemblies of God, performed the following tasks on behalf of Rev. Gregori:

1. He independently found the polygraphist, an expert in administering tests in sex related cases and contracted for his service.
2. He arranged the tests for April 7, 2010 with the polygraphist. (Investigative Committee meeting was April 12)
3. He drove Rev. Gregori to the polygraphist's office.
4. He was present at the exams and insisted on receiving the verbal results for all three exams at the same time as they were given to Mark. (The written report was received by April 10, 2010, and then included in my appeal to the Investigative Committee for the April 12th meeting.)

5. He drove Mark back from the exam after leaving the office.

Any apparent “inconsistency” in any statement I may have made was clarified in my Appeal to the General Presbytery of the Assemblies of God dated July 12, 2010, page 9, where I stated the following (See www.crosslead.1-Element.com for referenced documents):

“On a final note, it has been noted that there appears to have been conflicting testimony on various minor, immaterial, and superfluous details concerning this case on the part of Rev. Gregori during certain interviews conducted by the NY District officary. It would be unfair not to address these allegations before concluding this presentation. As a direct result of the inhumane emotional burden borne by Rev. Gregori during these proceedings, as well as many other stressful factors, not the least of which has been the total financial devastation brought upon the Gregori family by their total loss of Mark’s income and their expenses associated in defending their honor against these false allegations. It is conceivable that certain misstatements have been made regarding certain minor and irrelevant details. Notwithstanding, any apparent inconsistencies in his testimony were wholly unintentional and innocent. Upon careful examination of the details questioned, it should be noted that none of the ‘questioned’ testimony addresses the matter of Rev. Gregori’s guilt in this case.”

“Mark was found to be worthy of dismissal by the New York District Executive Presbytery on December 11, 2009 (which Mark has admitted secretly recording),”

Rebuttal #7

As established in Rebuttal #4 above, the New York District Presbytery’s regrettable decision to recommend dismissal was wholly based, by their own admission, on their misconception of the scientific veracity and procedural imperative to accept what they believed to be admissible evidence based on what was told to them to be a national policy specifically approved by Revs. George Wood and Richard Hammar. When presented with what they thought to be a mandate to accept administered lie detection exams as determinative of guilt, based upon the recommendation of their Superintendent whom they implicitly trusted, **they collectively thought that they had no choice** but to recommend Rev. Mark Gregori’s dismissal.

Regarding the “secret recording,” I decided to do this only after my wife was denied access to the interrogation and I suspected something was terribly wrong. Thank God I did, as this decision has allowed me to defend myself against the abuses that would have no doubt been denied by the Superintendent, absent the undeniable objective proof provided by the physical recordings. As a result of the recordings, every statement quoted in any of the appeal documents made and referenced herein are available to the reader, and are direct verbatim quotations. Statements made are not simply “my

recollection” of what was said and/or done, which would have been the case absent the recordings.

“...the General Council Executive Presbytery in January 2010 and again after their investigation committee report was given in June 2010”

Rebuttal #8

The General Council Executive Presbytery relies strongly, if not completely on the recommendation they receive from a District Presbytery when arriving at decisions concerning ministerial discipline. This generally makes sense in that this administrative body would be “closest” to the ground, so to speak, and as such would be thought of as being more capable of determining truth in these cases, having a more intimate knowledge of the individuals and facts surrounding a dispute.

Though the present system works relatively well when there is compelling objective evidence proving an accused ministers guilt beyond reasonable doubt, *it appears to fall apart* when the evidence presented is circumstantial at best, and objectionably questionable at worst, as evidenced in this case. It is utterly useless when an accused minister, believed to be guilty by the Superintendent, is in fact innocent. The problem in the system optimally manifests itself in a scenario where the District Superintendent uses undue influence to sway the opinion of a Presbytery to his liking. The discretionary power wielded by a District Superintendent, and/or a District Presbytery wrongly convinced for that matter, is absolutely overwhelming. THIS IS A GRAVE PROBLEM IN OUR PROCESS.

In the case of Rev. Mark Gregori, the District Superintendent, apparently believing himself unable to convincingly prove Rev. Gregori’s guilt to the New York District Presbytery by normal means, sought to do so by introducing the contrived results of unprofessionally administered lie detection exams which essentially addressed the **various accuser’s opinions** of Mark’s behavior and/or alleged statements rather than the objective facts of the case. The faulty results of the exams were then introduced to the New York Presbytery as both incontrovertible and scientifically reliable “proof of his guilt.”

[For a transcript of the ridiculous questions conjured up by Mr. Durst to presumably “prove” Rev. Gregori’s guilt, please reference Gregori Second Appeal Document dated April 28, 2010, prepared for the Executive Credentials Committee, pages 10 through 17. See www.crosslead.1-Element.com for full text of referenced documents]

The flawed recommendation for dismissal was then forwarded to the Executive Credentials Committee, who then basically “**rubber stamped**” the recommendation to dismiss. The Executive Presbytery went a little further and assigned a sub-committee to investigate the allegations. This committee bungled the investigation (*Reference the Gregori Appeal document dated July 12, pages 3-4, “A Bungled Investigation,” including*

Attachment C, see www.crosslead.1-Element.com for full text of referenced documents) and submitted patently false information (subsequently recanted to the Executive Secretary after the dismissal) to the Executive Presbytery along with their recommendation to deny Pastor Gregori's appeal. The Executive Presbytery, many of whom were totally ignorant of the specifics of this case, chose to rely on the prejudiced recommendation of the subcommittee they appointed, and voted to support the recommendation to dismiss. [Please additionally reference Rebuttals 3, 4, 6 & 7 contained herein, and all documents therein referenced for more detail.]

"...and by the General Council General Presbytery in session upon recommendation of the Ministerial Relations Committee in response to Mark's final appeal on August 9, 2010. I can tell you that this has been heartrending for all of your Executive Presbyters and DLT"

Rebuttal #9

There was much discussion in General Council regarding this case, and the decision to dismiss was NOT UNANIMOUS. In truth, as should be evident to the reader by this juncture, in order to properly untangle the contrived case against Rev. Gregori, Rev. Gregori would have needed an advocate to present all of the pertinent facts in this case. In the Assembly of God's flawed inquisitional system, the right to professional counsel or the right to speak on one's own behalf, for that matter, is strictly prohibited. Only the condemning body is given the right to address the General Council. As shocking as this may seem, ***crack addicts are given more rights in our secular court system than is given seasoned and long-standing ministers in the Assemblies of God flawed disciplinary system.*** The General Presbyters ***do not ACTUALLY receive the appeal documents*** prepared by the accused for their review, but rather must solely rely on the recommendations of the Ministerial Relations Committee in session and the testimony of the accusing body before they vote.

"Regarding the issues of ten years ago:

1. There is no statute of limitations in the General Council Constitution and Bylaws. Article X, section 3 of the General Council Bylaws specifies that "when more than 7 years have elapsed from an occurrence that is cause for disciplinary action, a district credentials committee *may* recommend to the General Council Credentials Committee that no discipline be administered when, in view all the circumstances, it would appear that such discipline would serve only as punitive in nature rather than rehabilitative." Note that this provision is discretionary, not mandatory.
2. The minutes and copy of the letter sent from the District Secretary in 2000 indicated the investigation was "inconclusive and the matter left to God."

Rebuttal #10

This one is really sad. In order for the General Council Constitution and Bylaws, Article X, Section 3, clause to apply, inclusive the **discretionary** aspects of the clause (“may”) so clearly elucidated by Rev. Durst in his statement noted above, the occurrence dating back beyond the 7 year threshold **must first have been determined “actionable,”** (The clause says: “that **IS** cause for disciplinary action,” and NOT, “That **MAY** be cause”) in order for discipline to **THEN** be sought. Once guilt has been established, **AND ONLY THEN**, can discipline then be sought ‘**at the Discretion**’ of the District Credentials Committee.

Even under these circumstances however, an admonition is **ADDITIONALLY** given that the discipline sought should **NOT** be “punitive,” in nature. As is apparent to any intelligent person reading this case, a “**recommendation to dismiss**” is **not** in any manner **rehabilitative**, but **inherently punitive** in nature, as **RESTORATION IS NOT THE GOAL** of a recommendation **to DISMISS**. As such, the referenced clause is not legally applicable in this case. And even it were (which it isn’t), Rev. Gregori was **not found guilty** of an “**actionable**” offense ten years ago. On the contrary, **he was, “cleared of all charges”** and allowed to remain in his Presbytery position overseeing the AG ministers and churches of the Bronx, Westchester County, and Manhattan, a position that he held until they were stripped from him as a result of the Duane Durst’s orchestrated campaign against him. This stands in sharp contrast to statement number 2 noted above. In light of all of this, Duane Durst’s decision to illegally and immorally include the testimony of a case dealt with and dismissed by the New York District Executive Presbytery ten years ago is determinative proof of Mr. Durst’s punitive and malevolent intent.

Rev. Saied Adour was the New York District Superintendent ten years ago. Rev. Adour personally headed up the initial investigation of this matter when all the facts **were fresh in the minds of the Presbyters**. Here is Rev. Adour’s opinion of Rev. Duane Durst’s actions against Rev. Mark Gregori in this regard [Taken from Rev. Adour’s open letter to the brethren, dated July 12, 2010, and included in the Gregori Appeal also dated July 12, 2010 as Attachment B, see www.crosslead.1-Element.com for full text of referenced documents. The letter is also provided herewith as Attachment A, page 36, for your convenience]:

*“It is important for you to know that I was serving as District Superintendent when charges were leveled against Mark Gregori by Terry LaRocca. A meeting was called by the Presbytery to meet with Mark and Joanne, his wife. This meeting was held in New York City. After much discussion **Mark was cleared of all charges against him**. He, of course, was allowed to remain on the Presbytery serving Bronx and Manhattan. This matter should not have [been] brought against him again. May God give you grace and wisdom in determining Mark’s future. In Jesus Name, AMEN.”*

Many ministers in our fellowship, including various members of our national Executive

Presbytery that have heard of Mr. Durst's decision to include this 10 year old testimony, have privately expressed both shock and disappointment over his ill-advised and evidently merciless actions against Rev. Gregori. The matter should have, as Rev. Durst claims, "been left to God," and not have been reintroduced in order to establish a pattern of behavior that did not exist in order to appease a Superintendent's apparent fixation against a brother. Enough said.

"After declaring the pulpit open in December, an interim pastor was assigned to Crossway. Subsequent to the first decision by the General Council EP two petitions were given to the Crossway trustees **demanding** Mark's reinstatement as pastor..."

Rebuttal #11

Two petitions were in fact circulated, signed, submitted and received by Manuel Concepcion (then church board secretary), on February 3rd, 2010. The first petition referenced by Duane Durst allegedly, "**demanding** Mark's reinstatement as pastor," was actually worded as follows:

Petition in Support of Pastor Mark Gregori

We the undersigned, official members in good standing of Crossway Christian Center, being in full knowledge of the nature of the unjust allegations raised against our pastor, hereby declare our support of Rev. Mark Gregori with regard to his integrity demonstrated over thirty four (34) years of dedicated, sacrificial service to the members of Crossway, and the constancy of his Christian character and testimony over the same period of time. We further declare our desire for his continued leadership of Crossway Christian Center and request that our church board take all steps necessary, in conformance with Constitution and Bylaws, to guarantee the continuance of said leadership. Should the board be unwilling to do so, we hereby exercise our rights as stipulated in our church Bylaws, Article III, "Elections and Vacancies," Section 5, "Vacancies," (a) "The Pastor," 2, and call for an immediate vote of confidence on behalf our Pastor, due notice to be given in conformance with our Constitution and Bylaws forthwith.

It is critical for the reader to note that, at this juncture, Crossway Christian Center had **NOT YET COME UNDER DISTRICT SUPERVISION**. This petition **DOES NOT demand** Rev. Mark Gregori's reinstatement as pastor, as falsely alleged by Mr. Durst. But rather it simply provided a means by which the members of Crossway could, for the first time in this entire situation, publically declare their support for Rev. Gregori. It simply officially **REQUESTED** (note the careful wording) the church board's assistance in asking that they "**take all steps necessary to guarantee the continuance of his leadership,**" and then immediately and explicitly **qualifies the request** by stating that any such action taken, "**be in conformance with the church's Constitution and Bylaws.**" It was not an "illegal request," nor was it submitted in a spirit of rebellion. Should the church's Constitution & Bylaws have prohibited this action, a simple statement to this effect would have sufficed, as was in fact the case in a members meeting summarily called and directed by

Manuel Concepcion. The meeting was held after the Sunday morning service on February 7th, 2010. In this meeting, Mr. Concepcion declared that his hands were tied concerning the request referencing Rev. Gregori's pastorate, as such a request would not be entertained by Mr. Durst. Regrettably, the church board also refused to schedule a meeting wherein church members could cast their vote of confidence in support of their pastor of 34 years.

"... and demanding a meeting be called to change the incorporation of the church. The change was to remove any reference to the Assemblies of God in the reversionary clause, should the church choose to withdraw from the AG or if the pastor was dismissed."

Rebuttal #12

Regarding the second petition mentioned by Durst, which specifically dealt with calling a meeting to vote for the potential changing of the church's Articles of Incorporation, a meeting that I might add was legally requested in compliance with the church's Constitution and Bylaws, Article IX "*Meetings*," Section 4, "*Right of Initiative*," Mr. Concepcion, then standing official church secretary, addressed this petition in the same meeting of the membership which he spontaneously called on February 7th, 2010 (*noted above*) and stated that he had called Rev. Duane Durst concerning the petition, but that Mr. Durst had not yet, "Gotten back to him." The congregation then properly informed Mr. Concepcion, that **as a sovereign Assemblies of God church** at the time, they did not have to wait to "hear back" from the District Superintendent.

In light of this, it was declared that the meeting was in fact to convene on February 21st, 2010, as stipulated on the initial petition legally submitted by the then sovereign church. **Never was it even ever alleged that such a meeting would be illegal**, as the church was still sovereign at the time of its initial announcement, contrary to Mr. Durst's consequent false allegations that the meeting was initially illegally called.

The second petition demanded that a special business be convened, and was worded as follows (Reference Attachment C, page 48 attached hereto) [verbatim]:

Petition for a Special Business Meeting on February 21, 2010

The meeting is being called simply to correct our Articles of Incorporation to reflect what is already contained in our other corporate documents, thus establishing congruity with regard the nature of ownership and disposition of Crossway Christian Center property under various scenarios. We have attached the proposed verbiage for the change being proposed. (*Reference Attachment "A"*)

The signed petitions were given to Manuel Concepcion, Church Council Secretary for his signature with the following cover page that he signed [verbatim]:

Petition for a Special Business Meeting on February 21, 2010

We the undersigned, official members in good standing of Crossway Christian Center, hereby demand, in accordance with our Constitution, Article IX "Meetings," Section 4, "Right of Initiative," which reads:

"Special business meetings may also be called by petition, having been signed by not less than one fourth of the voting membership of the assembly, the petition to be placed in the hands of the Pastor or the Secretary and announcement made on the two Sundays prior to the date of the meeting,"

that a Special Business Meeting be called, and that necessary announcements begin to be made this Sunday, February 7th, 2010, for a meeting to be *convened* on February 21st, 2010, in accordance with same.

The meeting is being called simply to correct our Articles of Incorporation to reflect what is already contained in our other corporate documents, thus establishing congruity with regard to the nature of ownership and disposition of Crossway Christian Center property under various scenarios. We have attached the proposed verbiage for the change being proposed. (*Reference Attachment C, pages 52 through 54 attached hereto*)

Attached please find a signed petition demonstrating that the necessary number of members have been secured to officially make this request, in accordance with our Constitution.

This petition has been received by:
Dated: 2/3/10

[This petition was signed and received on the same date by Manual Concepcion. Attachment "A" referenced above is included herewith for further clarification to the reader of this document. Reference Attachment C, attached hereto.]

Concerning Durst's false allegations regarding the intent of the changes to the Articles of Incorporation, here is the wording of proposed changes regarding the revisionary language, both before and after the proposed change in wording:

ORIGINAL WORDING of Crossway Christian Center's Articles of Incorporation, filed and recorded on January 12, 1983 (*See Attachment C, pages 49 through 51*):

"10...In order to fully effectuate cooperation with the above named NEW YORK DISTRICT OF THE ASSEMBLIES OF GOD, and to comply with its doctrines, teachings, purposes, usages and practices, this ~~new~~ church corporation acknowledges that it is connected and affiliated with the above named Religious Corporation, and with the GENERAL COUNCIL OF THE ASSEMBLIES OF GOD, ~~and~~ to satisfy the requirements of the Internal Revenue Service regarding the disposition of property in the event that this ~~church~~ ceases to operate as a church according to the statement of faith in its Constitution and Bylaws, or in the event of failure of continued relationship with the GENERAL COUNCIL OF THE

~~ASSEMBLIES OF GOD, and/or the NEW YORK DISTRICT OF THE ASSEMBLIES OF GOD, then the church property, real and personal, shall revert to and/or become the property of the said NEW YORK DISTRICT OF THE ASSEMBLIES OF GOD, as they shall determine. In the event that said church corporation may happen to be divided over doctrinal differences, said church property, both real and personal, shall remain in the possession and belong to the members holding the original tenets of faith of the Assemblies of God (1965) regardless of majority."~~

[Strikeouts simply show what verbiage was removed in the new wording.]

NEW PROPOSED WORDING [verbatim] approved by a majority of members of Crossway Christian Center, receiving 56 of 71 possible votes present, the measure to amend the Articles of Incorporation ***passed by an overwhelming 78.87% majority of members***, on the duly called meeting (***meeting called prior to supervision***) subsequently held on February 21st, 2010, as stipulated on the legally submitted petition noted above, specifically affecting clause number 10 (See Attachment C, pages 52 through 54 attached hereto):

"10...In order to fully effectuate cooperation with the above named New York District of the Assemblies of God, and to comply with its doctrines, teachings, purposes, usages and practices, this church corporation acknowledges that it is connected and affiliated with the above named Religious Corporation, and with the General Council of the Assemblies of God. To satisfy the requirements of the Internal Revenue Service regarding the disposition of property In the event that this Corporation ceases to operate as a church all remaining assets and property, real and personal, after paying or making provision for the payment of all the liabilities of the Corporation and for the necessary expenses thereof, shall become the property of the New York District of the Assemblies of God, a religious not-for-profit corporation. The latter shall have full authority to use or dispose of the property at its discretion in the furtherance of the gospel of Christ. In the event of failure of continued relationship with the General Council of the Assemblies of God, and/or the New York District of the Assemblies of God, the Corporation shall be deemed to hold title and retain ownership of all corporate property, both real and personal, for the use and benefit of the Corporation and its membership. In the event that said church corporation divides over doctrinal differences, said church property, both real and personal, shall remain in the possession of and belong to the majority of the members holding the Statement of Fundamental Truths in the Corporation's Constitution."

As is evident in the new wording provided above, Durst's charge that the changes were "to **remove any reference** to the Assemblies of God in the reversionary clause," is **patently false**. Both the second and third sentences **clearly revert** the property and all assets to the NEW YORK DISTRICT OF THE ASSEMBLIES OF GOD, should the church cease to function as a church. An exception is only taken "*in the event of failure of continued*

relationship with the General Council of the Assemblies of God, and/or the New York District of the Assemblies of God..." Under such conditions, the property and all assets would remain with the only party having an equitable interest in the same, namely, the corporation, or Crossway Christian Center.

Durst's second false statement that the new wording sought to revert the property from the NEW YORK DISTRICT to CROSSWAY CHRISTIAN CENTER, "... if the pastor was dismissed," is again clearly demonstrated in the wording above (submitted to the court) to be a total fabrication on the part of Mr. Durst.

The fact of the matter is that ***there was no wording in the ORIGINAL Articles of Incorporation addressing the disposition of any property in the eventuality that the church's pastor is dismissed.*** Hence, there was never a need to remove such non-existent wording in the first place. An additional minor change was made to clause 9, simply to correct a typographical error on the original Articles of Incorporation, amending the church's street address from 2763 Bruckner Boulevard (stated on original document) to the correct address, 2730 Bruckner Boulevard, Bronx, New York 10465.

"The clause that was focused on was the one that said the church would stay with "Assemblies of God members regardless of percentage." The church leadership was concerned that this was the first step to prepare the church for leaving the AG and they were opposed to that."

Rebuttal #13

Regarding Durst's statement, "*The clause that was focused on was the one that said the church would stay with " Assemblies of God members regardless of percentage,"*" is an attempt at distraction; a rabbit trail. The specific clause he is referring to in the ORIGINAL WORDING of the church Articles of Incorporation having anything to do with percentage, reads as follows:

"In the event that said church corporation may happen to be divided over doctrinal differences, said church property, both real and personal, shall remain in the possession and belong to the members holding the original tenets of faith of the Assemblies of God (1965) regardless of majority."

First of all, this clause would **only come into effect should the church divide over "doctrinal differences."** Such is not the case here and the clause referenced would simply not apply. On the contrary, the church's commitment to the Assemblies of God tenets of faith is memorialized in the alternate NEW wording proposed:

"[Property]... shall remain in the possession of and belong to the majority of the members holding the Statement of Fundamental Truths in the Corporation's Constitution."

In the new scenario, **the majority** of those holding to the Statement of Fundamental Truths, as stated presently in the church's Constitution, remain in control of the property, which just makes common sense.

Regarding Durst's statement, *"The church leadership was concerned that this was the first step to prepare the church for leaving the AG and they were opposed to that," this again is a false statement.*

Based on the testimony of various Christian lawyers, and **the testimony of an Assemblies of God officer present at a special meeting called by the Crossway Christian Center board at his office**, the board sought the removal of reversionary language in the churches articles of incorporation ***because they were concerned about a hostile takeover of the church by the New York District of the AG and the removal and/or replacement of their board.*** They felt that this would hinder their ability to choose their own leadership, being careful to state that the new pastor may very well not be Rev. Mark Gregori depending on what they would find out in the weeks and months to come. The board was reassured by the AG officer that this is typically not the intent of a District in these types of matters and that they should not be overly concerned, so long as they cooperated with the NY District. Durst's comment here is based on false testimony he has received from board members looking to justify their actions to the New York District. Notwithstanding, ***Durst's statement here is again just simply untrue.***

"They felt they were in over their heads and asked by majority vote of the board that the church be reverted from General Council status to District Affiliated status and placed under district supervision. (General Council Bylaws, Article VI, section 4, paragraph c.) A petition signed by almost a third of the membership requested the same."

Rebuttal #14

The petition referenced by Durst was signed by 21 people. One of the signatories, M. S. (*Initials are used for the sake of discretion*), was not a member of the church, though his wife was. Another signatory on the District's petition, C. B., had asked for his name to be removed from the District's petition prior to their submission to the court. He claims that he was deceived by church board members who lied to him concerning the district's petition in an effort to dishonestly obtain his signature. His name was not removed and was included anyway. Additionally, as unbelievable as this may sound, C.B. has now further claimed that his signature was forged on a second document submitted to the court by the District claiming that he wanted his signature removed from the petition to conduct the special election for the revision of the church's Articles of Incorporation. A third member, L.C., now claims that the petition was not properly presented to him by the church board members which gave him a misunderstanding of their intent. Regrettably, he had not read the petition nor was it read to him. He was basically deceived by board members and stated that he would not have signed the

petition had he understood what it was about. Unfortunately, since he did not ask for his name to be removed, his name remains in the District's final tally of signatories, namely **a total of 19 (reduced from 21 which they claimed)**. This represents a little over 1/5 of qualified members, or **only 22.09% of the total number of members at the time** (a potential total of 86). This is A FAR CRY from Durst's **false statement** that they had garnered, "*A petition signed by almost a third of the membership...*"

"Such was done by the General Council and New York District the second week of February. Under district supervision there is no right of initiative or elections until the church comes out from under supervision."

Rebuttal #15

As previously stated, the petition was submitted and the announcement for the election made prior to the church being "under supervision," in a meeting called by Manuel Conception on February 7, 2010. Notwithstanding, even if the District choose to first revert Crossway Christian Center from it's sovereign status to District Affiliated status, a required step prior to establishing "District Supervision," regardless of who, or how the call for "Organizational Assistance" was made, the church would still have a legal right to appeal such a decision, nullifying the District's help until the matter could be heard at a national. This is the right of any member sovereign church in the New York District Council. According to the New York District's own Bylaws, addressing sovereign churches, Article VII, "Local Assemblies," Section 1, "General Council Affiliated Assemblies," C, "Prerogatives & Privileges," 5., "Appeal," B., "To General Council Executive Presbytery," sovereign churches are given:

"The right to appeal a decision by the district official to the General Council Executive Presbytery of the Assemblies of God when there is a question whether or not the assembly has received the proper help from the district."

It is clear that the District acted hastily to strong-arm this congregation by summarily revoking it's sovereign status, and reverting it to District affiliated supervised status, despite the fact that 80% of its membership voted in favor of the change to the church's Articles of Incorporation, as noted herein. The District acted in clear opposition to the will of the people simply because they assumed that the change sought to the Articles of Incorporation signaled the beginning of a move to disaffiliate.

An Assemblies of God District cannot summarily act against a sovereign church simply because it is led to believe by a disgruntled church board that the church is "en route to disaffiliation." An act to altar a church's Articles of Incorporation does not, in itself, establish a move to disaffiliate. Notwithstanding, even if it did (which it doesn't), the act of disaffiliation itself is explicitly sanctioned by the General Council of the Assemblies of God, as a procedure has been established to address such an action. General Council Bylaws, Article VI. ASSEMBLIES, Section 4. Relationships Between Churches, District Councils, and the General Council, d. Preservation of affiliation, page 109 addressing this

scenario reads:

d. Preservation of affiliation. In the event the termination of affiliation with The General Council of the Assemblies of God is under consideration by an affiliated assembly, the pastor or board shall invite the district officers to participate in a specially called business meeting where such matters will be discussed and voted upon for the express purpose of giving the district officers the opportunity to present the case for continued General Council affiliation. A decision to disaffiliate shall require a two-thirds vote of the membership, or a more restrictive rule prescribed by the governing documents of the church or district.

In the case of Crossway Christian Center, the District's intervention attempting to block a simple vote to change its Articles of Incorporation based on its "suspicions", an action supported by 80% of its official members, the New York District acted inappropriately to interfere in Crossway's free exercise of its sovereign rights guaranteed by the General Council Constitution and Bylaws. Article XI, Local Assemblies, Section 1, General Council Affiliated Assemblies, C. Right of Self-Government (sovereign rights) reads:

c. Right of self-government (sovereign rights). Each General Council affiliated assembly has the right of self-government under Jesus Christ, its living Head, and shall have the power to choose or call its pastor, elect its official board, and transact all other business pertaining to its life as a local unit. It shall have the right to administer discipline to its members according to the Scriptures and its constitution or bylaws. It shall have the right to acquire and hold title to property, either through trustees or in its corporate name as a self-governing unit. The fact it is affiliated with The General Council of the Assemblies of God shall in no way destroy its rights as above stated or interfere with its sovereignty.

Rev. Duane Durst believes the verbiage in General Council Bylaws Article VI., ASSEMBLIES, Section 4. Relationships Between Churches, District Councils, and the General Council, paragraph c., Organizational Assistance, to be his "ace in the whole," sanctioning his usurping of this church's sovereign rights at the discretion of the New York District Council. This is a very *slippery slope* that will no doubt be a major part of a forthcoming General Council no doubt reversing the now infamous "Resolution 12."

The fact of the matter is that, even when invoking this clause, the sovereignty of a General Council Affiliated church must be respected and cannot be capriciously ignored or revoked. Using this clause in the manner used by Rev. Duane Durst in this instance, totally nullifies a sovereign church's right to self-government, a right guaranteed to every General Council Church that signed on as part of our "cooperative fellowship," a designation that differentiates Assemblies of God churches from other denominational churches, denominationalism being repugnant to our founding fathers.

The continued existence, or stability of this church was never in question. The Church Board simply disagreed with a majority of the congregants (80%) and chose rather to run to "mama," rather than give their fellow members the respect they deserved. Notwithstanding, heeding godly advice, the church and its board, up to the point of

supervision, acted in total cooperation with the New York District. Disagreement by a few board members and 16 of their cronies to a simple request by over ¾ (three quarters) of the church ***to conduct a legal election to amend its Articles of Incorporation*** is insufficient grounds for requesting the surrendering of Crossway Christian Center's rights to self-government and hard-earned designation as a General Council Affiliated sovereign church. Rev. Durst's invocation of this clause, despite the evident will of the people, to summarily remove the church's sovereign status for no good reason is a clear abuse of power and a violation of the church's sovereign rights.

"On the two Sundays prior to February 21st members stood to shout an announcement that there would be a vote on the 21st to revise the Articles of Incorporation. On each occasion the congregation was informed there would be no meeting and that any meeting would not be sanctioned under supervision."

Rebuttal #16

Sounds like a disorderly scenario doesn't it? The truth is that the well of Mr. Durst's fantasies is bottomless. Please note that most of what is stated here is on video tape and can be independently verified as factual. Here is what actually happened (chronologically):

Sunday, February 7, 2010

Having received the signed petitions noted herein, Manuel Concepcion (the church board secretary) called for a meeting of all church members immediately after the Sunday morning worship service. This is where he decided to address the announcement for the meeting to be held on February 21st, 2010, as requested.

During the meeting he disclosed to the general membership that he had officially received two (2) petitions as follows:

1. The first petition addressed the coordinated return of Pastor Gregori, or conducting a meeting to take a vote of confidence on behalf of Rev. Gregori. Mr. Concepcion verbalized that he felt this would not be allowed by Durst and the NY District.
2. The second petition called for an election to amend the church's Articles of Incorporation to be held on February 21st, 2010. Mr. Concepcion stated that he had attempted to contact Rev. Durst on this, but that he had not returned his call. The congregation rightly stated that they did not need the Superintendent's approval to hold an election in this matter as a sovereign church, and that as such the meeting date would stand.

As Mr. Concepcion ultimately refused to make the legally required announcement, Ms. Maria Gomez made the announcement during the meeting. Notwithstanding this fact, nothing was ever said by Mr. Manuel Concepcion that either the requesting or ultimate

holding of an election would be illegal. It obviously would not have been. As we now know that a phone conference was consequently conducted on February 8th, 2010, where it was **INITIALLY** suggested **by Durst** that the church request “District Supervision.” This suggestion was made so that the District could intervene and prevent the legally called meeting already scheduled for February 21st, 2010, to consider amending the church’s Articles of Incorporation. Not because the church was in any danger whatsoever. It was an attempt at interrupting what they perceived to be a step toward disaffiliation, an act which itself is permissible by AG national regulations, granted certain administrative restrictions.

Sunday, February 14th, 2010

The second announcement was made during the service by Maria Gomez, as required by the church’s Constitution & Bylaws. Mr. Victor Rubianes attempted to stop her and called for the ushers to take her out. The ushers refused to obey him and the people demanded that he let her speak. Contrary to Durst’s assertions, Larry Frank, Durst’s Adm. Assistant, Rev. Tim Adour, and Rev. David Hernquist all witnessed what happened and not one of them ever mentioned that the announcement was being made for what would be “an illegal meeting,” as alleged by Durst. Once again, members were asked to meet after the morning’s church service. Manuel Concepcion, Larry Frank being present, gave an update where he first made mention about the fact the church was now under “District Supervision.” Larry Frank, however, then took the opportunity to publically make mention that another alleged victim” had surfaced, despite Durst’s continued assertions that this matter would not be “tried in the public arena.” The reader should know that no one has ever officially mentioned the existence of another supposed victim to Rev. Gregori to this very day. It was an immoral example of public rumormongering and defamation of character at its worst! This is an action for which both Rev. Duane Durst and Larry Frank should have been sanctioned, as it was a clear violation of Rev. Gregori’s rights guaranteed by our General Council Constitution and Bylaws.

Sunday, February 21st, 2010 – Meeting Day

Prior to the meeting, Glenda Shearn, a Crossway member of 30 years and a respected Lt. Colonel in the U.S. Army, asked Manuel Concepcion, "Are you chairing the meeting?" Manuel replied, "Why would I chair it?" Glenda responded by saying, "You are the church Secretary Manny." Manny then asked her, "If you called the meeting why would you come unprepared?" Glenda answered by saying, "Manny, I am only trying to follow proper protocol in deference to the church’s Constitution and Bylaws guidelines." Manny then said, "I’ve got to go to the bathroom," and proceeded to enter the men’s room. When he came back, she asked him again and he said, "No, I won’t chair the meeting." Glenda requested that he please inform the congregation that he has refused to chair the meeting. Manny then asked her, "What will you do?" Glenda responded that she would chair the meeting under these unfortunate circumstances. Ironically, members of the church council and their families voted in this alleged “illegal meeting,” and the resolution nonetheless passed by 80% margin. Glenda made

reference to the presence of the official church council in the meeting. Church Council members, Manuel Concepcion and Victor Rubianes, helped point out the membership of the church to the congregation.

On Sunday February 21st, and then again on Monday, February 22nd, in light of the overwhelming support received by the measure, Manuel Concepcion was asked repeatedly if he would sign the document, and he agreed to do so. On that Tuesday, February 23rd, contrary to his promise, Manuel Concepcion refused to sign the overwhelmingly approved resolution because, in his words, "I am no longer the secretary." He then told Glenda that Durst, Hernquist, and Adour were the ones to talk to. When she called Rev. David Hernquist, he claimed not to know anything about it and referred her to Larry Frank. He further stated that Manuel Concepcion was the church Secretary as to day-to-day matters, but could not execute legal documents. He stated that the Board had not elected a Secretary yet, but that Duane Durst was Board Chairman. When Glenda talked to Rev. Tim Adour, he said that "Nothing was happening now that needed anyone's legal attention," and concurred with Rev. David Hernquist that they had not picked a secretary yet. He claimed that they would be meeting in a few weeks.

"On February 21st an individual stood to announce there would be a meeting of the membership at the conclusion of the service. We had a New York District EP present who informed the church there was no meeting. At the conclusion of the service a member came to the front and "chaired" an illegal meeting."

Rebuttal #17

At the end of the February 21st, 2010 Sunday service, where the election was held, the District Executive Presbyter, Gary Pignaloso, simply said, "I know you're having a meeting after church," NEVER mentioning there would not be a meeting. He then went on to state that, at least in the eyes of the New York District (from their perspective), this would be an illegal meeting, although he simply encouraged everyone to be respectful as they proceeded to HAVE their meeting. In fact, he and his wife Dianna remained for the meeting and Dianna told Glenda (who chaired the meeting), "What a good meeting." Gary joined his wife in agreeing with her assertion regarding the well-conducted meeting.

As should be obvious by now, it would seem that Mr. Durst's assertions regarding the actions of others are beyond irresponsible and misleading. I really do not believe that he has "bothered" to actually talk to anyone concerning what actually happened during these meetings. He appears to be making "blind" assertions based on what "he thought" took place. For the record, we have recordings that prove the contrary.

The truth of the matter is that on February 17, 2010, just days prior to the scheduled meeting, Durst sent a letter to Crossway's membership stating that his unilateral demotion of the church from General Council Affiliated status to District Supervised status, meant that the meeting scheduled for February 21, 2010, "would have no legal binding effect." His

claim *in this letter* was that the planned meeting would essentially be legally impotent, and as such should not take place. The congregants respectfully begged to differ with his opinion, and proceeded to have the meeting, *called by a sovereign church prior to its supervision*, as scheduled. As previously stated, the church has a right, even now, to appeal the District's action regarding its change in status.

"We have been sued by two women from the church twice since to force us to amend the certificate of incorporation of the church. We have refused! We had never sued the church nor taken them to court, contrary to e-mails and blogs you may have received.

The first action against us was improperly filed and should never been heard by the Bronx Supreme Court. The judge, for whatever reason, proceeded to hear the case. Rather than have the plaintiffs make their case we were immediately put on the stand to testify in the April hearing. I was on the stand for over an hour. One of the former board members and Dave Hernquist were also on the stand (you've seen the courtroom on "Law & Order"). The judge indicated we had followed our church Constitution and Bylaws, the New York District Constitution and Bylaws and those of the General Council. Subsequently on the Monday before District Council, the judge indicated she didn't care what the Constitutions and Bylaws said nor the incorporation, only what the people said and ordered the church to vote to disaffiliate from the Assemblies of God. To that point no one had asked for disaffiliation, in fact they denied they wanted that."

Rebuttal #18

What is curious here is that Mr. Durst admits that "they" (meaning the church) denied they wanted to disaffiliate which is ironically why the NY District intervened in the first place. Mr. Durst's actions are contradictory. Another obvious question here is, "Why not sign a change to the Articles of Incorporation approved by over three-quarters of the congregation, if the District is *not interested in taking the church's property* as Durst alleges?" Then again, a lot of what Mr. Durst alleges is meaningless, as should be evident by now.

"To comply with the court while we filed for appeal a conditional announcement was made. When our attorney went to the Appellate Court for a stay, he was told that there was no signed order by the lower court judge there could be no appellate review. It was the week before the aforesaid meeting that Mark's supporters distributed the transcript of the December 11 NYDAG EP meeting with Mark's explanation. Many of you have also received that information, as have many non-affiliated pastors in the Metro New York area."

Rebuttal #19

What the Superintendent neglects to mention is the immoral rumor mongering that he

has engaged in, defaming Rev. Gregori with alleged testimony that he never had the decency to present to him for his response. He has spoken to people both in and out of our District fellowship at all levels, spreading lies that have been extremely damaging to Rev. Gregori and his family. Many of his nefarious statements have made their way to Rev. Gregori's ears. His malicious attacks, clouded by his assertion that "no one is given a free pass," thereby implying that Rev. Gregori was attempting to somehow "get away" with something rather than affirming that Rev. Gregori has wholeheartedly and steadfastly **denied** all of the allegations of impropriety, is par for the course in Mr. Durst's web of slanderous deceit.

"It was at that point, knowing the risk of contempt of court, the decision was made that this was bigger than Crossway or the New York District but was precedent setting since a judge was basically taking over a church and telling them they had to vote on disaffiliation. It is amazing that the courts' rule there must be a separation of church and state and then this court tries to take control of the church! The advisory trustees, church advisors and I decided to close the church on May 31, based on what happened in February and a concern over the possibility of Violence, and chain the gates to prevent any unlawful entry."

Rebuttal #20

Mr. Durst's allegations of "the possibility of violence" is both ludicrous and inflammatory. Furthermore, his actions, in clear violation of the law of the land, were both illegal and nonsensical in light of the fact that, if his claims are true, he could have simply asked that any vote taken be nullified **ONCE IT WAS ESTABLISHED** that the vote was in fact, **"illegal" in the first place**. Clearly he feared that the vote would be found to be legal, and any decision made by the court as a result would be enforceable. ***Forcing congregants to worship in the street is an unfathomable act of irreverence and disrespect, regardless of any legal maneuver he claimed to have been more important than a congregation's worship of their God.*** This action was reprehensible of an Assembly of God minister under any conditions.

"As you know the NYC CBS affiliate was invited to bring their cameras as a second illegal meeting was held on the sidewalk. That broadcast has been shared all over the U.S. as have the many newspaper articles quoting Mark or his supporters."

Rebuttal #21

The meeting was **COURT ORDERED**. As such, the meeting was only ILLEGAL in the very warped mind of Mr. Durst. Unsurprisingly, CBS News thought Duane Durst's act of locking the congregation out of their own church building on Memorial Day, reprehensible as well, particularly in light of the fact that congregants would undoubtedly be coming to church to pray for their loved ones and all of our servicemen presently at war overseas. The decision was disgusting of a Pentecostal minister in the eyes of everyone who witnessed Duane's heartlessness. To correct Duane yet again, the

broadcast is being shared all around **THE WORLD** and *the Assemblies of God is being given a black eye* by Duane's insensitivity and shockingly poor decisions in the handling of this case. These poor decisions continue, as evidenced by the very necessity of this rebuttal letter.

"At the fourth hearing we were ordered to appear at the next hearing to face contempt of court charges. At the fifth hearing, after explaining the contempt charges the judge dismissed the charges and then agreed with our contention that she did not have jurisdiction in the case and dismissed the case. The same church members then brought a subsequent action against us that was dismissed the last week of July by another Supreme Court Judge."

Rebuttal #22

What Duane does not tell you is that this "second action" is presently being appealed. The New York District would be wise to seriously question its motivation and actions thus far exhibited in this case, in light of the preponderance of evidence presented exonerating Rev. Gregori of all guilt in this matter. The truth will ultimately prevail, albeit in secular courts of law. How sad that this would be the only venue where God's people, the members of Crossway Christian Center who have been supportive of the Assemblies of God fellowship since their formation, can get justice.

"So where are we now? Crossway Christian Center of the Assemblies of God is an AG church under district supervision and will continue so until five of the six trustees and advisors agree that it is stable and ready to reestablish sovereignty in its governance. I hope to be appointing a permanent pastor in the fall. To date we have spent between \$40,000 and \$50,000 defending Crossway's right to ask for help to remain as an Assemblies of God church. Much could be said about the behind the scenes actions that contributed to the actions filed against us, the disruptions in public services at the church that required the hiring of security and the installation of security cameras"

Rebuttal #23

Nothing was done to necessitate the "hiring of security," or the "installation of security cameras." These actions were wholly unnecessary. These and many other actions were the reactionary and impulsive reactions of a Superintendent that has clearly lost the objective control of his faculties in this case because of his own personal relationships, involvement and agenda - a Superintendent who frankly appears to have, "run amuck."

"... and the reprehensible actions of re-victimizing the women in e-mails, Facebook, newspaper articles and other media."

Rebuttal #24

What the Superintendent fails to present here is the inflammatory and coarse (vulgar) language used by the supposed "victims" against both the church board and Rev. Mark

Gregori for all to see. (*Reference Gregori Appeal, dated April 28, 2010, Attachment F. See www.crosslead.1-Element.com for full text of referenced documents*) Formal complaints cutting and pasting this vile language was sent to his office, the office of Rev. George Wood, Rev. Jim Bradford, and every Executive Presbyter in AG headquarters. Again, the primary accuser (a “victim” according to Mr. Durst) has now plea bargained to avoid being found guilty of 52 felony counts for stealing from Crossway Christian Center, and forging Joanne Gregori’s signature. That being said, Mr. Durst has a very interesting way of choosing the individuals he refers to as, “victims.”

The real victims here are the vast majority of the members of Crossway and the Gregori family. Because of the callous actions and lack of professionalism exhibited by the Superintendent of the New York District catalogued on the various appeals and other documents made available to the public in this case, it can also be argued that the Assemblies of God itself is a “victim” in this case. Many young and old pastors alike will read what has happened here and will unfortunately needlessly question the reputation of our fellowship and the character and integrity of its executives.

“You do need to know that your District leadership-Team, Executive-Presbyters and sectional presbyters have been united in our opinion that we have acted fairly in all matters.”

Rebuttal #25

As is made evident in all of the documents provided and referenced herein, this entire process has lacked “**fairness.**” The fact that the case was submitted to the Credentials Committee and everyone else wholly on the basis of faulty and inappropriate lie detector tests, a fact then denied by Mr. Durst and the committee appointed by the Executive Presbyters in Missouri, despite the transcribed testimony of the very Presbyters who made the decision to recommend dismissal in the first place proving otherwise, attests to the unfairness of every aspect of this inquisition. When you read the transcribed evidence recorded during the interrogation, you will clearly see that District officials thought they had an obligation to receive the presented tests as scientifically reliable proof of guilt as a result of established “national policy.” When Rev. Mark attempted to introduce character witnesses and testimonies, etc., during his interrogation, his attempts were contemptuously received by Mr. Durst as, in his words, “expected.” **The truth of the matter is that Rev. Gregori was found guilty before he ever stepped into the interrogation.** Meetings coordinated by the District were less orchestrated to “fact find” as they were to simply communicate conclusions already made to Rev. Gregori. When Glenda Shern questioned Rev. David Hernquist about the District’s actions in relation to Crossway he stated, “We will do whatever it takes - Pastor Mark cannot come back!” Little did Hernquist know that the “whatever” he alluded to here would include perjury, slander, the locking out a congregation during a Sunday Memorial day service, the serving of trespass notices on longstanding members of the church in good standing, contempt of court, and a host of other immoral and irreverent infractions on the part of Duane Durst and/or those he had appointed.

"Please pray for Crossway, the Gregori family and those affected by the negative press and internet news. We have determined that this matter would not be played out or tried on our part in the court of public opinion. That remains our position."

Rebuttal #26

This statement is both false and simply laughable. The very fact that, after Rev. Gregori's dismissal, Rev. Durst felt it necessary to send out a letter to every credential holder in the state of New York further impugning his character and hurting his family, is proof of his hypocrisy and obsession. Who does this? Why not just let the matter die? As one respected New York District credentialed leader from upstate New York stated, "***the Superintendent did not need to send this letter out!***"

The sad truth is that Rev. Durst should have sincerely **taken this position** regarding "**not trying this matter in the court of public opinion**" before he embarked on his vicious campaign to malign Rev. Gregori by trumping up a case initially characterizing inappropriately framed and administered lie detector tests as "scientific clear and compelling evidence" of his guilt to the New York District Presbytery, the Crossway Christian Center church board, the Crossway congregation, the General Council Credentials Committee, the national Executive Presbytery, and finally the General Presbytery itself. Not only so, but in the interim, he continued to immorally present additional unsubstantiated testimony from "other victims" (rumor mongering) to both the investigative team and other ministers and officers in an effort to further impugn Rev. Gregori's character and undergird his flimsy allegations against him, testimony that he did not have the decency to present to Rev. Gregori for rebuttal, as required by common decency as well our national Constitution and Bylaws. When properly conducted polygraph tests are then professionally administered to Rev. Mark Gregori proving his innocence beyond reasonable doubt, the entire alleged policy of accepting such tests as "clear and compelling evidence," is abandoned and decisions are then based on the now credible testimony of either inadmissible, immoral or irrelevant testimony, or the testimony of an individual who took a misdemeanor "***plea bargain***," rather than be ***found guilty on 52 felony counts for crimes against an Assembly of God church***. This testimony is accepted as truthful against the testimony of a 36-year veteran, many character witnesses, and nine (9) conclusive polygraph tests that established Rev. Gregori's innocence beyond reasonable doubt.

"This correspondence is simply to present the side you have not heard now that the matter is settled with the General Council."

Rebuttal #27

The correspondence referenced here, sent to every AG credential holder in the state of New York and who knows who else, is an interesting way of demonstrating Duane Durst's stated COMMITMENT that "***this matter would not be played out or tried on our***

part in the court of public opinion.” The hypocrisy demonstrated by Duane Durst’s statement here is quite frankly, dumbfounding, yet again par for the course that he has constructed.

Concluding Remarks

In conclusion, the General Presbytery was not uniform in terms of its decision regarding Rev. Gregori’s guilt. Rev. Gregori was found guilty in a split decision of the General Presbytery.

Additionally, it should also be noted that, despite the documented vote to the contrary, several EPs privately disclosed their disagreement with the accusations made against Rev. Gregori and were hoping the matter could be addressed by the General Presbytery where they thought he would surely be exonerated by the evidence. They have since expressed their disappointment regarding the General Presbytery’s regrettable decision and their deep sadness concerning the entire ordeal. As a result of this, and other similar cases, the General Presbytery has now commissioned a committee to reform our extremely flawed and undemocratic adjudicatory system. It is hoped that the concept of **“due process”** will find its way into the Assemblies of God’s ministerial investigatory and disciplinary procedures.

On a final note, I would like to express my deepest appreciation to all of **my Assembly of God colleagues** who have reached out to my wife and I during this trying time of in our lives and ministry. I would like to thank those who have spent countless hours orchestrating my defense and both counseling and praying with me. I would like to personally thank those who have courageously disclosed their efforts on my behalf to AG officary at the risk of personal retaliation against them by the New York Presbytery, and Rev. Duane Durst specifically. May the Lord richly bless each and every one of you and reward both your courage and compassion for a fellow servant of Christ.

I end my efforts in this regard by humbly submitting this prayer to our Lord and Savior Jesus Christ on your behalf:

May the LORD bless thee, and keep thee:

May he make his face shine upon thee, and be gracious unto thee:

May the LORD lift up his countenance upon thee, and give thee peace.

Numbers 6:24-26

With all of our love and appreciation,
Your servants in Christ,

Rev. Mark and Joanne Gregori,
Lead Pastors, Crossway Christian Center

Saied Adour
112 Rowena Dr.
Camillus, NY 13031

Dear Brethren,

It is important for you to know that I was serving as District Superintendent when charges were leveled against Mark Gregori by Terry LaRocca. A meeting was called by the presbytery to meet with Mark and Joanne, his wife. This meeting was held in New York City. After much discussion Mark was cleared of all charges against him. He, of course, was allowed to remain on the presbytery serving Bronx and Manhattan. This matter should not have brought up against him again.

May God give you grace and wisdom in determining Mark's future. In Jesus Name, AMEN.



Saied Adour

From : crosslead@comcast.net

Fri Jun 18 2010 16:20:29

Subject : Mark Gregori, Bronx, NY

To : James Bradford <JBradford@ag.org>

Cc : Generalsuperintendent@ag.org, rhammar@ag.org, legal@ag.org

Dear Dr. Bradford,

Thank you for your response. I did receive the certified letter today from you and I do have a few questions:

1. On what basis was the decision of the Executive Presbytery and the General Council Credentials Committee made against me?
2. What, if anything, validated any charge against me?
3. I had submitted to Bro. Rhoden, along with Bro. Griswold and Sis. Grant incontrovertible proof of my innocence (expert supervised polygraph evidence) during their visit with me. Was this proof introduced and discussed by the Executive Presbytery prior to rendering this final decision in my case?

Can you please forward me the exact procedure to be followed in order to appeal this case to the General Presbytery? Please make sure to advise me of the pertinent deadline details. Thank you.

Sincerely yours,
Mark T. Gregori

SmartZone Communications Center

crosslead@comcast.net

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RE: Mark Gregori, Bronx, NY**From :** James Bradford <JBradford@ag.org>

Tue Jun 22 2010 21:18:56

Subject : RE: Mark Gregori, Bronx, NY**To :** crosslead@comcast.net**Cc :** George O Wood <GWood@ag.org>, Duane P. Durst <dpdurst@nydag.org>

Mark,

Thank you for acknowledging receipt of my letter to you this past week. This has been a difficult time for everyone involved.

In answer to your questions, the decision by the Credentials Committee to deny your appeal was based on the recommendation of three of our Executive Presbyters (Bob Rhoden, Beth Grant and Larry Griswold) who conducted interviews individually with you and three ladies who have accused you of sexual harassment. They also interviewed three former board members (now advisors) of Crossway Christian Center, the Metro Region Executive Presbyter and the New York district officers.

It is highly unusual that an independent investigation would be made by the General Council Credentials Committee itself, but this was an attempt to ensure that you were given a fair hearing and that the facts were accurately established. The three members of the investigating committee entered their assignment with a totally open posture and bathed it in prayer – before, during and after their meetings that day. In spite of hoping to find you innocent, the consistent, independent testimonies of your accusers concerning your alleged behavior resulted in the visiting committee's unanimous recommendation that your appeal be denied.

According to our records you did not submit your polygraph evidence until after the investigating committee's visit. The investigating committee, in fact, expressed surprise that you had already taken the polygraph exam before their visit but had withheld that information from them. A fair conclusion to your hiding this information is that you were not sure you had passed the polygraph and had you failed it you would not have disclosed that information. Furthermore, the questions on your exam were not formulated by an outside third party directly familiar with the testimony of your accusers.

As an aside, some of your accusers also took polygraph tests which showed them to be telling the truth as well. When you became aware of the results you asserted that polygraphs were unreliable. We are now well aware that you are touting the polygraph examination as evidence of your innocence, but you make no mention of the fact that earlier your accusers also passed a polygraph examination that had been independently arranged (unlike your polygraph). In short, the committee's recommendation was not based on polygraph evidence of any kind.

The Credentials Committee discussed the investigating committee's report in an extended and prayerful manner before coming to a final conclusion. The investigating committee members were questioned at length and the recommendation to deny your appeal was examined from every possible point of view. Both the investigating committee and the General Council Credentials Committee found that there was clear and convincing evidence that you are not telling the truth and are guilty of the accusations against you.

Although this was not the basis of the Credential Committee's decision, the escalating conflict at Crossway Christian Center and your ongoing relationship with certain members there have served to corroborate a belief that you have not been ethically forthright and honest in your dealings with the New York District or the General Council. Unfortunately, great damage to the cause of Christ continues to take place. The Executive Presbytery carries grave concern over your behavior and the ongoing events at the church and in the courts since your departure as pastor.

The procedure for filing an appeal to the General Presbytery is for you to submit a written appeal to General Superintendent George O. Wood by Wednesday, July 14th, 2010. The guidelines for the content of your appeal are specifically spelled out in the General Council Bylaws Article X, Section 10, paragraph c. Right of appeal to the General Presbytery, which reads as follows:

"The appeal is to be sent to the office of the general superintendent, and should include any new or exculpatory information not previously considered, with copies sent to the superintendent of the minister's district of affiliation and any other districts involved. The decision of the General Presbytery shall be final."

May the Lord help all of us as we move forward. Thank you again for your note and questions.

In Christ,
Jim Bradford

June 28, 2010

Dear Dr. Bradford,

I would initially like to thank you not only for your response to my concerns, but also for the specificity of your response. Clearly you could have dismissed my questions and given me a generic answer which would have arguably been a "safer" way to handle this. Instead, you went out of your way to be as forthright and as transparent as possible. For this I am truly grateful beyond words.

That being said, your honest and detailed response has made it evident to me that you have not been properly informed on this case. As frustrating and hurtful as this is to me, I cannot honestly comment as to any motivation for the misrepresentation of facts to you because, quite frankly, it makes no sense to me. The appointed committee would seem to have had nothing to gain by misrepresenting facts to you. Notwithstanding, for reasons unknown, this is exactly what was done.

As such, it is now incumbent upon me to once again point out the extremely impacting factual inaccuracies communicated to you that have apparently borne a direct and highly negative impact on the way in which I have been characterized to those individuals adjudicating my case, as well as to you. This mischaracterization of me has obviously marred the committee's view of my character, and has no doubt and understandably weighed heavily on their decision in this case, to my and my family's detriment.

I humbly ask that you hypothetically assume my innocence one more time, despite what you have heard, and prayerfully read through the following correction of assertions contained in your email to me dated June 22, 2010. Regardless of how I may sound, as I am sure my emotions will be evident at times, please know that I mean no disrespect to you. On the contrary, I am placing my faith in your unscathed reputation as a fair and godly man.

Incorrect Assertion #1: *"According to our records you did not submit your polygraph evidence until after the investigating committee's visit."*

Here is the truth ...

On Sunday, April 11, 2010, I called Bro. Rhoden to find out the time his flight was arriving in New York so that I could give him the document **(this document, "the Appeal," included the full polygraph)** for the committee to read before our meeting on Monday, April 12. It was at that time that he stated he would not be in New York until after 7:00 p.m. that evening. He then told me that Beth Grant was in town because her husband, David, was speaking at Harvest Church in Greenwich, Ct. and she would be more likely to receive the information sooner. He then gave me her cell number to give her a call. I called Beth and explained to her that I had a document for the Investigative Committee that I would leave at the hotel and asked her if she could kindly make sure that it got delivered to the other committee members that evening when they arrived. Beth told me that she would be at the hotel at 5:00 p.m. and that she would gladly make sure the other committee members received the document. I took the document (copy

attached) to the Hotel and left it for her to pick up at the front desk. Inasmuch as the committee's review of the document containing the new polygraph evidence was so critically important, I later called her to make sure that she had picked up the documents at the front desk and she told me that she had in fact picked them up and would make sure that the other committee members received the copies that I had left for them. She said that it would not be a problem, as she would be having dinner with them later that evening.

On Friday, April 9, I had spoken to Bob Rhoden to let him know that I had been subpoenaed to court by an attorney for Monday and that the time would need to be changed. He graciously set our time from 10:00 am. to 1:30 pm. On Monday, April 12, the court, after being in session, continued throughout the afternoon and I had to call Bro. Rhoden once again to change the time and he graciously did for 7:00 p.m. that evening. When we arrived at Calvary AG and sat down with the committee, we inquired as to whether they had a chance to read the document that was delivered to them at the Hotel. Beth Grant said that she had read it in its entirety, but Bro. Griswold said he had only read some of it, and Bro. Rhoden said that he had "looked through it," from what we recall. The fact is that he made it clear that he had not read it completely.

Again, please see the attachment copy of the document prepared for the committee on April 10, 2010 (the original appeal document, prior to the final edits) which was dropped off the night before our meeting. I ask that you make note of the fact that the front cover clearly indicates that my Polygraph examination was contained therein. It read as follows:

***Fred Meyer Analysis – Polygraph Examination of Rev. Mark Gregori Page 17
Final Observations***

As the cover letter of the edited appeal sent to Dr. Rhoden on April 30th contained the statement, "Enclosed please find additional information," (see Attachments I, J, K), along with my edited appeal," it is quite possible that Dr. Rhoden mistakenly believed that this was the first time the polygraph report for the polygraph tests I had taken were submitted to him and the investigative team, as he admitted not having thoroughly read the entire appeal document prior to meeting with me on April 12.

The April 30, 2010 submitted copy was an edited final version of the first document for clarity of reading, and included other additional attachments. Dr. Rhoden may have mistakenly referenced this document when he spoke before the committee. This second document had been sent on separate cover to the investigative committee with a letter highlighting the changes made and clearly indicating that it was an edited appeal copy. This revised document was also sent with a separate cover letter to each of our Executive Presbyters on April 30, 2010.

In short, Rev. Rhoden and the others had my Polygraph results (see attached document) the DAY BEFORE our interview, contrary to what may have been testified before the Executive Presbyters and repeated on your email. I believe that Beth Grant will independently attest to this fact. I ask, in light of the damage caused by mistakenly ignoring of properly submitted exculpatory evidence, that you kindly confer with Beth Grant and verify the truth of my statements here.

Incorrect Assertion #2: *“A fair conclusion to your hiding this information is that you were not sure you had passed the polygraph and had you failed it you would not have disclosed that information.”*

The truth...

We have established (above) that I was not “hiding information.” But for some unknown reason, the fact that I had already submitted this report to Beth for distribution to the other committee members the day before our meeting (and actually called her and verified its receipt) was somehow “hidden” from both the Executive Presbyters, and from you but that unfortunate miscue was beyond my control.

The following is an excerpt from the report I submitted to the committee on April 10, 2010:

After consulting with various ministers, and considering their counsel in this matter, it was thought, although repugnant to me, absolutely necessary that I voluntarily submit myself to a Polygraph examination concerning all charges against me.

I consider use of such devices incongruent with the teachings of scripture in adjudicating matters between brethren where truth should be established before witnesses whose testimony is weighed against the content of their character, with the guidance of the Holy Spirit.

When the ministers helping me in this appeal process suggested that I take a polygraph test, I initially hesitated. I did so, not because I felt guilty, but because I was upset and feared that my highly emotional state might register as deceit. Notwithstanding, when told that I had no other choice in order to prove my innocence “beyond reasonable doubt,” I agreed to do so.

The Assemblies of God minister assisting me advised me that, unless the test was administered under extremely controlled conditions, it could be received as having been contrived. As such, the minister insisted on, and made sure that the following procedure was followed:

1. He independently found the polygraphist, an expert in measuring testimony in sex related cases.
2. He arranged the tests, April 7, with the polygraphist. (Investigative Committee meeting was April 12)
3. He drove me to the polygraphist’s office.
4. He was present at the beginning of the exam.
5. He was present at the end of the exams and insisted on receiving the verbal results for all three exams at the same time as they were given to me. (The written report was received by April 10 and then included in my appeal to the Investigative Committee for the April 12th meeting.)
6. He drove me back.

It should be noted that I took the risk of being found to be lying in front of a fellow AG minister who would have been morally obligated to reveal this fact. The control conditions noted above invalidate your assertion that “**...had you failed it you would not have disclosed that information.**”

It should further be noted that the Pastor (a presbyter) arranging the exams had asked the polygraphist to use the exact same questions developed by Rev. Durst, but the polygraphist refused to do so, arguing that the questions, as such, were wholly inappropriate, and that “no respectable, licensed polygraphist in the state of NJ, would conduct such an exam.” (see his attached report for more detail).

The polygraphist instead administered questions **that he developed**, after reviewing the testimony against me. The questions were engineered to get to “the heart of the matter,” and to establish my intentions in the matter of alleged inappropriate conversations with one of the women. Ironically, this control condition was established at the suggestion of the polygraphist in order to prevent the possibility of the assertion that you nonetheless went on to make, namely “**...the questions on your exam were not formulated by an outside third party directly familiar with the testimony of your accusers.**”

Incorrect Assertion #3: “*...some of your accusers also took polygraph tests which showed them to be **telling the truth** as well.*”

The truth...

Only Cynthia Gomez received a polygraph exam. Both Lucilla Serrano and Terri LaRocca were administered unreliable voice stress analysis exams which Rev. Durst incorrectly and repeatedly represented as being 94% accurate when attempting to convince the church board of my guilt. No law enforcement agency relies on voice stress analysis as reliable proof of truth. Polygraphs are typically used, as they are much more reliable. To say that a VSA is 94% accurate is absolutely ridiculous. Nevertheless, use of the term “**some**,” when referring to the polygraph test administered to the witnesses in this case is inaccurate. “**A single**” polygraph test was administered, **not some**. Ironically, the single polygraph test was administered to the one witness whose testimony was totally inane (please read the actual questions asked of this witness). She testified only to what she “**believed to be my intent**” regarding certain perceived observations of my general behavior and casual statements that could easily be misconstrued. **The test only suggested that she believed what she was saying was true, not that I was guilty of any wrongdoing** (please read the exams administered carefully).

The polygraph administered to me, on the other hand, specifically addressed the propriety of my “intent” when making any statements or actions toward this witness. Had I been found to be lying, it would have demonstrated that my motivations were less than pure when addressing this, and all of the other witnesses.

Incorrect Assertion #4: “*When you became aware of the results you asserted that polygraphs were unreliable.*”

Dr. Bradford, when I became aware of the results, I simultaneously became aware of the fact that **any polygraph test had been administered in the first place!** Why would I randomly assert polygraphs to be “unreliable” if the subject of the existence of truth examinations had not yet been introduced in conversation? Do you see how this statement is illogical? I asserted that polygraphs were unreliable only after I had been made aware that they (or actually one) had been administered in the first place, results notwithstanding.

I later stated that polygraphs could be unreliable because my attorney informed me that any polygraph test could possibly misrepresent the facts, depending on the emotional stability of the person, their personality type, etc. My attorney advised not take any test arranged by the District at that time, but that I consider taking an independent polygraph examination when I was in a better emotional state. I took his advice when prompted by other ministers and submitted the answers in my appeal document prior to my interview with the investigative team.

Incorrect Assertion #5: *“We are now well aware that you are touting the polygraph examination as evidence of your innocence, but you make no mention of the fact that earlier your accusers also passed a polygraph examination that had been independently arranged...”*

Again, **“my accusers” DID NOT take polygraphs.** Only one of the three witnesses (Cynthia Gomez) did. I urge you to ask Rev. Durst. Should he deny this fact, I will gladly “jog” his memory and provide you with incontrovertible evidence that he is lying.

Incorrect Assertion #6: *“...but you make no mention of the fact that earlier your accusers also passed a polygraph examination that had been independently arranged (unlike your polygraph).”*

Please refer to details revealed to substantiate **“Incorrect Fact #2,”** above. A fellow minister and presbyter, for my protection and precisely to avoid this baseless allegation, independently arranged my exam. He will testify to this fact and has told me that he would volunteer to take a polygraph examination himself (should one be necessary) in order to establish that all care was taken to make sure that appropriate control conditions were maintained and that undue influence or coercion was not a factor in the arrangement and conducting of this exam. He physically received the results of the exam at the same time that I did, or once the tests had been completed at the polygraphist’s office.

Incorrect Assertion #7: *“In short, the committee’s recommendation was not based on polygraph evidence of any kind.”*

The truth...

On the one hand you speak of the **“independence”** and **“accuracy”** of the polygraph exams administered, but then fail to consider that:

1. The exams misrepresented as “polygraphs,” weren’t all polygraphs. Only one

was.

2. The exams were represented **TO EVERYONE** as having been “truthful,” but never is it clarified that *the exams only revealed* (weakly, as 2 of the 3 were VSA tests) *what the witness “believed to be true,”* based on inappropriate questions asked that in no way addressed the matter of my guilt. Never once am I represented as overtly “propositioning” any of the three witnesses, or otherwise inappropriately touching any of the witnesses in a manner than could clearly and objectively be established as undeniably inappropriate.
3. The *inappropriate* and *misrepresented exams* were used by Rev. Durst as his “slam dunk” to prove my guilt as revealed in both his statements to the NY Executive Presbytery, “We have all the proof we need,” and as expressed to the church board, the executive presbyter, and yourself. This reminds me of the TV shows where a witness shouts out something wholly inappropriate and then the judge instructs the jury to *“ignore what was said.”*

Your statement (referenced above) that “the committee's recommendation was not based on polygraph evidence of any kind” is at least partially incorrect, since it is clear to any objective person exposed to all of the documented **facts in this case** that Rev. Durst’s entire argument for my guilt is predicated on exams misrepresented as scientifically reliable to the presbyters, my church board, the executive presbytery, and yourself. I do however at least partially agree with your assertion here in the sense that the committee’s decision could not have been “*based on polygraph evidence of any kind,*” for two reasons:

1. The majority of the exams were in fact **voice stress analysis exams and NOT POLYGRAPHS**. In this sense, your statement here is totally accurate.
2. The three polygraph exams conducted to actually **challenge the veracity of my statements concerning my innocence of all allegations made against me**, were summarily ignored. Again, the decision reached was clearly not based on the properly conducted exculpatory polygraph evidence submitted to the team. Sadly, your statement in this sense is very much true.

Rev. Bradford, in all honesty, it was **ABSOLUTELY CRITICAL** and morally required that the independent polygraph evidence submitted to the team *prior to meeting with me* be fairly presented and considered by the executive presbytery prior to coming to a decision in my case. Rev. Durst himself stated that, in his questioning of both Rev. Wood and Rev. Hammar, they considered “polygraph examinations” determinative as “clear and convincing” evidence of truth. Yet, he used VSA examinations and then misrepresented them to you and all others as “polygraphs.” On the other hand, *the actual polygraph evidence* I submitted was dismissed on a **false administrative technicality** (that it was not “handed in on time”?) and then further disqualified for not having been “independently conducted,” when in fact they were, as attested to by one of our own who stood nothing to gain and everything to lose by mercifully extending his love and assistance to me when I was too emotionally challenged to even think straight, let alone defend myself against this onslaught of false accusations.

The findings of both the investigating committee and the General Council Credentials Committee represented in your letter, where they allege to have found “clear and convincing evidence,” that I am being deceptive, is based on a series of misrepresented

facts that are legally provable as such. The unilateral dismissal of the one piece of evidence that exonerates me of all culpability in this matter is ethically questionable and not representative of the fellowship that I have faithfully represented for 34 years. It is morally imperative that people are made to understand that the testimony presented against me was introduced as scientifically reliable, when in fact it wasn't. On the other hand, the evidence of my innocence, which was scientifically reliable, was not even considered. Clearly justice has been denied to me, as I have objectively proved my innocence. Which brings me to my last point.

Regarding your statements alluding to the "escalating conflict at Crossway Christian Center," and my being less than "forthright and honest" in my dealings with the New York District and the General Council, I find these statements unjustified and unfair. It has never been my desire for Crossway to disaffiliate from the Assemblies of God. I have been an advocate for our fellowship for over 34 years, and I am still desperately seeking the reinstatement of my credentials in the hope that I could justly return to the pulpit from which I was unjustly removed. I believe my incessant and passionate fight for the return of my credentials is proof of my sincerity in this regard. I could have just walked away.

I would once again like to express my sincere appreciation to you for taking the time to address my previous letter, as well as taking the time to read this admittedly tedious letter. Many of our ministers have shown me love and support during this difficult time. I don't think I could have made it without them. At this point, I wish to continue this appeals process until the very end, as I am surely innocent of any wrongdoing. I humbly ask for your prayer that God would give me the strength to continue to fight for truth, for my family, and for my church.

Resting in Him,
Rev. Mark Gregori

SmartZone Communications Center**crosslead@comcast.net**

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RE: Attached Document Failure**From :** James Bradford <JBradford@ag.org>

Tue Jul 06 2010 08:41:10

Subject : RE: Attached Document Failure**To :** crosslead@comcast.net

Dear Mark,

Thank you for your response to my most recent letter to you. I received the hard copy version last week just before leaving town on a ministry trip. Thank you also for your kind words and for allowing me to reflect as accurately as I could the viewpoint of the Credentials Committee.

I do apologize for the confusion regarding when you notified the visiting team concerning your polygraph examination and results. You did, indeed, submit that material the night before Bob Rhoden's team interviewed you. Bob Rhoden has asked that the following be communicated to you:

"The team acknowledges its oversight and confusion on the timing of the presentation of the Polygraph information by Mark Gregori and offers sincere apology to Mark Gregori and the Executive Presbytery. However, we declare unequivocally that Mark Gregori was not penalized by the timing issue because we did not use any polygraph information in arriving at our recommendation. We recommend to the Executive Presbytery that the question about Mark's timing on the presentation of his Polygraph information be withdrawn from our report. That being said, we firmly stand by our recommendation that the appeal of Mark Gregori be denied."

You are also correct that voice stress examinations were used on the part of some of your accusers. We were already aware of that fact. In my letter I was simply using 'verbal shorthand' when I used polygraph language, although technically I could have been more precise. I took the risk of trying to answer your questions as respectfully and honestly as possible, but written responses like that do lend themselves to analysis and legitimate criticism over terminology. I do believe, however, that the substance my letter to you accurately represented the convictions and perspectives of the Credentials Committee.

We are all seeking the Lord for the right resolution to this matter. Thank you again for the materials you sent and may the Lord clearly guide you and all of us.

In Christ,
Jim Bradford
General Secretary

From: crosslead@comcast.net [mailto:crosslead@comcast.net]**Sent:** Monday, June 28, 2010 3:31 PM**To:** Bradford, James**Subject:** Attached Document Failure

Dr. Bradford,

The email I sent to you this morning with a letter in response to your email of June 22, 2010 also contained an attachment document. The attachment was too large for your email address to receive it. Therefore, I am sending you a hard copy of the document that was attached to your email. You should be receiving it sometime this week.

Thank you again for your prompt attention.

Sincerely,
Mark Gregori

SmartZone Communications Center

crosslead@comcast.net[±](#) Font size [-](#)

FW: Mark Gregori Appeal June 8, 2010

From : James Bradford <JBradford@ag.org>
Subject : FW: Mark Gregori Appeal June 8, 2010
To : crosslead@comcast.net

Fri Jun 04 2010 4:22:03 PM EDT

Dear Mark,

Thank you for your note today. I have checked with Bob Rhoden and he says that there was no new information or evidence brought into the investigation of his committee. I am not sure where you heard this information, but it is incorrect. Your appeal seems to address all the issues we know of and the committee's recommendation will be made on the basis of their own investigation of those issues.

Thank you – I know that this is a hard time for you personally. We are praying that what is right will be done.

In Christ,
Jim Bradford

From: crosslead@comcast.net [mailto:crosslead@comcast.net]
Sent: Fri 6/4/2010 8:03 AM
To: Bradford, James
Subject: Mark Gregori Appeal June 8, 2010

Dear Dr. Bradford,

May His grace strengthen you today. It has been brought to my attention that there may be additional "conclusive evidence" not addressed in my Appeal that has not been shared with me by the New York District. This would be another violation of my ministerial rights.

Could you please let me know if there is additional information that has not been shared and will it be made available to me before you meet next week with the Credentials Committee so that I can properly respond to them?

Thank you again for your assistance in this matter. I appreciate your help.

Sincerely,
Mark Gregori

Petition for a Special Business Meeting on February 21, 2010

We the undersigned, official members in good standing of Crossway Christian Center, hereby demand, in accordance with our Constitution, Article IX "Meetings," Section 4, "Right of Initiative," which reads:

"Special business meetings may also be called by petition, having been signed by not less than one-fourth of the voting membership of the assembly, the petition to be placed in the hands of the Pastor or the Secretary and announcement made on the two Sundays prior to the date of the meeting,"

that a Special Business Meeting be called, and that necessary announcements begin to be made this Sunday, February 7th, 2010, for a meeting to be convened on February 21st, 2010, in accordance with same.

The meeting is being called simply to correct our Articles of Incorporation to reflect what is already contained in our other corporate documents, thus establishing congruity with regard to the nature of ownership and disposition of Crossway Christian Center property under various scenarios. We have attached the proposed verbiage for the change being proposed. (Reference Attachment "A")

Attached please find a signed petition demonstrating that the necessary number of members have been secured to officially make this request, in accordance with our Constitution.

This petition has been received by:

Dated: 2/3/10

Manuel Concepcion
Manuel Concepcion
Council of Trustees, Chairman
Crossway Christian Center
Assemblies of God
2730 Bruckner Boulevard
Bronx, New York 10465

James M. McPherson
Council of Trustees, Secretary
Crossways Christian Center
Assemblies of God
2730 Bruckner Boulevard
Bronx, New York 10465

CERTIFICATE OF AMENDMENT
of the
CERTIFICATE OF INCORPORATION
OF
BRONX CHRISTIAN CENTER
OF THE ASSEMBLIES OF GOD (File No. 2340)

We, the undersigned, all being persons of full age, at least two-thirds of whom are citizens of the United States, and at least one a resident of the State of New York, for the purpose of changing the name of a Church incorporated pursuant to Article TEN of the Religious Corporation Law of the State of New York, hereby certify as follows:

1. The name of this corporation is:
BRONX CHRISTIAN CENTER OF THE ASSEMBLIES OF GOD.
2. The certificate of Incorporation was filed in the office of the County Clerk of Bronx County, on the 18th day of December, 1982, file no. 2340.
3. A meeting of the Church was held in conformity with Article TEN of the Religious Corporation Law of the State of New York on the 13th day of October, 1982 at which meeting a majority of the duly qualified voters of the Church being twenty in number were present in person.
4. At this meeting it was decided by a majority vote that the name of the Church be changed to: CROSSWAY CHRISTIAN CENTER, ASSEMBLIES of GOD.

5. At this meeting, Rev. Mark T. Gregori, presided, and with Albert Cortez, and Joseph Holt were authorized to execute and file the certificate to change the Church's name.

6. The name of BRONX CHRISTIAN CENTER OF THE ASSEMBLIES OF GOD is hereby changed to:

CROSSWAY CHRISTIAN CENTER ASSEMBLIES OF GOD.

IN WITNESS WHEREOF, the undersigned have made, subscribed and acknowledged this certificate this day of
1982.

Mark T. Gregori
REV. MARK T. GREGORI

Albert Cortez
ALBERT CORTEZ

Joseph Holt
JOSEPH HOLT

STATE OF NEW YORK)
)
 COUNTY OF *Bronx*) SS. :

On this the *5* day of *January*, 198*8*^{*3*}, before me personally came the subscribers REV. MARK T. GREGORI, ALBERT CORTEZ and JOSEPH HOLT to me known and known to me to be the persons described in and who executed the foregoing Certificate of Amendment to the Certificate of Incorporation and they duly acknowledged to me that they executed the foregoing instrument.

[Signature]
 Notary Public

JOHN J. TYRRELL
 NOTARY PUBLIC, State of New York
 No. 03-9406775
 Qualified in Bronx County
 Commission Expires March 30, 198*8*

State of New York, {
 County of Bronx, } SS. :

Nº 65765

I, LEO LEVY, County Clerk and Clerk of the Supreme Court, Bronx County,
 Do CERTIFY, that I have compared the preceding with the original

Amended

 CERTIFICATE OF INCORPORATION

on file in my office, and that the same is a correct transcript therefrom, and of the whole of such original.

Indorsed Filed. **RECORDED** JAN 12 1983

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official

seal, this *JAN 12 1983* day of

[Signature]

 County Clerk and Clerk of the Supreme Court, Bronx County

FEE PAID \$4.00

CERTIFICATE OF AMENDMENT
of the
CERTIFICATE OF INCORPORATION
of
CROSSWAY CHRISTIAN CENTER OF THE ASSEMBLIES OF GOD
(File No. 2340)

1. The corporation was incorporated under the name Bronx Christian Center of the Assemblies of God.
2. The Certificate of Incorporation was filed in the office of the County Clerk of Bronx County, on the 18th day of December, 1982, File No. 2340.
3. The name of the corporation was changed to Crossway Christian Center of the Assemblies of God.
4. A Certificate of Amendment of the Certificate of Incorporation evidencing the changed name was filed in the office of the County Clerk of Bronx County on January 12, 1983.
5. The Corporation was formed under Article 10 of the Religious Corporation Law of the State of New York.
6. A meeting of the Corporation was held in conformity with Article 10 of the Religious Corporation Law of the State of New York on the 21st day of February, 2010 at which meeting a majority of the duly qualified voters of the Corporation being seventy-one (71) in number were present in person.
7. Paragraph 10 of the Certificate of Incorporation filed December 18, 1982 would be amended to read in its entirety as follows:

Said Corporation is organized for the purpose of promoting the cause of the Christian religion, to provide for its members a place of worship, to receive, hold and disburse gifts, bequests, devises and other funds for said purpose, and to do all things necessary and incident thereto all in accordance with the rules and laws of the New York District of the Assemblies of God, or its successors, it being a Religious Corporation organized under the

laws of the State of New York, and having its principal place of business at 677 West Onondaga Street, in the City of Syracuse, Onondaga County, New York, with which corporation this new church corporation is affiliated and connected.

In order to fully effectuate cooperation with the above named New York District of the Assemblies of God, and to comply with its doctrines, teachings, purposes, usages and practices, this church corporation acknowledges that it is connected and affiliated with the above named Religious Corporation, and with the General Council of the Assemblies of God.

To satisfy the requirements of the Internal Revenue Service regarding the disposition of property, in the event that this Corporation ceases to operate as a church, all remaining assets and property, real and personal, after paying or making provision for the payment of all the liabilities of the Corporation and for the necessary expenses thereof, shall become the property of the New York District of the Assemblies of God, a religious not-for-profit corporation. The latter shall have full authority to use or dispose of the property at its discretion in the furtherance of the gospel of Christ.

In the event of failure of continued relationship with the General Council of the Assemblies of God, and/or the New York District of the Assemblies of God, the Corporation shall be deemed to hold title and retain ownership of all corporate property, both real and personal, for the use and benefit of the Corporation and its membership.

In the event that said church corporation divides over doctrinal differences, said church property, both real and personal, shall remain in the possession of and belong to the majority of the members holding the Statement of Fundamental Truths in the Corporation's Constitution.

8. This Amendment to the Certificate of Incorporation of Crossway Christian Center of the Assemblies of God was authorized by a vote on February 21, 2010 of a majority of the members eligible to vote, the affirmative vote of which constituted a quorum.
9. The Secretary of State is hereby designated as agent of the Corporation upon whom process against the Corporation may be served. The post office address to which the Secretary of State shall

mail a copy of any process against the Corporation served upon the Secretary is 2730 Bruckner Boulevard, Bronx, New York 10465.

Duane Durst
Council of Trustees, Chairman
Crossway Christian Center of the
Assemblies of God
2730 Bruckner Boulevard
Bronx, New York 10465

Council of Trustees, Secretary
Crossway Christian Center of the
Assemblies of God
2730 Bruckner Boulevard
Bronx, New York 10465

2/21/10

Tellers' Report for Motion**Motion:** Amend Its Certificate of Incorporation

Number of Votes Cast 71
 Necessary for Adoption (Majority) ~~71~~ 52 48
 Votes for Motion 56
 Votes Against Motion 14

Illegal votes (unintelligible ballots, etc.)*

Illegal Ballots 1 blank

** Illegal votes cast by legal voters are taken into account in determining the number of votes cast for purposes of computing the majority (or other vote) necessary for adoption. See RONR (10th Ed.) § 45 (p. 401-403).*

Alustine Rodriguez
Evelyn Rivera
 Tellers' Chairman