

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND – BALTIMORE DIVISION

ALBERT SNYDER,

Plaintiff,

vs.

Case No. 06-cv-1389-RDB

FRED W. PHELPS, SR.;  
SHIRLEY L. PHELPS-ROPER;  
REBEKAH A. PHELPS-DAVIS; and,  
WESTBORO BAPTIST CHURCH, INC.,  
Defendants.

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

OCT 19 2007

CLERK'S OFFICE  
AT BALTIMORE

BY \_\_\_\_\_ DEPUTY

**DEFENDANTS PHELPS-DAVIS & PHELPS-ROPER'S**  
**MOTION TO CLARIFY**  
**& RENEWED MOTION FOR SUMMARY JUDGMENT**  
**BY DEFENDANT PHELPS-DAVIS**  
**& MOTION TO CLARIFY BY BOTH DEFENDANTS**

Rebekah A. Phelps-Davis and Shirley L. Phelps-Roper, as pro se defendants herein, move the Court for reconsideration of its rulings on October 15, 2007, as outlined below; and without waiving their objections to rulings as raised herein, move for clarification as outlined below. Further, defendant Phelps-Davis renews her motion for summary judgment.

Points below regarding the October 15 hearing are based upon defendants' best memory, except to the extent the transcript is available upon this writing. Defendants have a transcript of 60 pages of the hearing, picking up after defamation and invasion of privacy through publication of private facts was resolved, where the discussion began about intrusion upon seclusion. This is as much as could be completed before this

document is being written. Thus, citations are made to those 60 pages when applicable, and otherwise defendants are relying on their best memory.

Motion to Clarify

1. The most important clarifications are these:
  - a. What signs are actionable **specifically**?
  - b. What words in the epic are actionable **specifically**?
  - c. What words spoken in the media by defendants are actionable **specifically**?
2. The signs held by the defendants were as follows (these facts are not in dispute):
  - a. Phelps: Don't Pray for the USA and God Hates Fags (Phelps-Roper deposition, 79; Phelps-Davis deposition, 124-125);
  - b. Phelps-Roper: God Hates You and God Hates America (Phelps-Roper deposition, 73-74); and,
  - c. Phelps-Davis: God's View/Not Blessed Just Cursed & Semper Fi Fags (Phelps-Roper deposition, 76-77; Phelps-Davis deposition, 117-118).

The signs held by other WBC members, not parties in this case (these facts are not in dispute), were:

- d. Isaiah Phelps-Roper: Pope in Hell and God Hates the USA/Thank God for 911 (back side of sign) (Phelps-Roper deposition, 75-76; Phelps-Davis deposition, 115-116);
  - e. Zacharias Phelps-Roper: You are Going to Hell and Fag Troops (Phelps-Roper deposition, 74-75; Phelps-Davis deposition, 113-114);
  - f. Grace Phelps-Roper: Thank God for Dead Soldiers and Thank God for IEDs (Phelps-Roper deposition, 68-70);
  - g. Gabriel Phelps-Roper: Priests Rape Boys (Phelps-Roper deposition, 66).
3. On October 15, 2007, the Court said three signs were actionable, to wit, You're Going to Hell, God Hates You and God Hates Fags (Tr., 10/15/07, at 47, 51, 53, 54, 56). This was based upon the Court's *suggestion* that the plaintiff *might* have construed those signs as applying to his deceased son. There is nothing in this entire record that suggests plaintiff thought this; and he has the burden of proof. To the contrary, all of the evidence shows he didn't see the signs; and he didn't have any thoughts about them during the funeral; further, when he learned of the *general message* after the funeral, he was angry at the message overall.
4. On October 15, 2007, the Court said two signs were not actionable, to wit, Don't Pray for the USA (Tr., 10/15/07, at 52-53) and Pope in Hell (to our

best memory). (Interestingly, apparently plaintiff is plenty piqued about the Pope in Hell sign given how much his attorneys dwelt on it during deposition questions.)

5. Since the Court has *for the first time* told plaintiff they can pursue a new theory of their case, *which was directly provided to them by the Court* (not through a single filing by plaintiff in this case *ever*), to wit, that the unreasonable intrusion on seclusion and intentional infliction of emotional distress arises by virtue of the *content* of some (three) of the signs, because the plaintiff could *possibly interpret* them to refer to his son – thus making this a trial about content of defendants’ religious speech – it is important to have the record crystal clear about each and every word that the Court is allowing a jury to review in order to determine liability. The record should clearly reflect at every stage the specific content that is the basis for liability. (Defendant Phelps-Roper tried once with a rhetorical question to determine what the scope of this new claim might be, and the Court became angry. “Ms. Phelps-Roper: Judge, are you saying that you may not say in this country that someone is in hell?” The Court: Ms. Phelps-Roper, I’ll tell you how it works. You answer my questions. I don’t answer yours.” Tr., 10/15/07, at 59.)

### Renewed Motion for Summary Judgment by Phelps-Davis

Without waiving any argument by any defendant that the things for which the Court is letting this case go to a jury are completely wrong and contrary to the First Amendment, including lots of well-settled law about how far the government can go in limiting (by any fashion, whether criminal statutes, civil liability, or otherwise) speech on issues of public importance and speech about public events and issues, defendant Phelps-Davis renews her motion for summary judgment. The new parameters which the Court set on October 15, 2007, show that even by the new reasoning and new claim, defendant Phelps-Davis can not be found liable. She did not hold one of the actionable signs. She did not write the epic. She did not talk to the media. There is not a single shred of evidence that defendant Phelps-Davis did the things which the Court has now announced are actionable. Thus, why is Phelps-Davis in this case? (That is a rhetorical question stated for purposes of making an argument.) Phelps-Davis is entitled to summary judgment as a matter of law on the new claims.

### Motion to Reconsider

6. The Court has set a new framework for this case, and for that defendants seek reconsideration of all prior and overruled motions to dismiss and for summary judgment. The Court has agreed that there are no disputed facts in this case. The Court has found that the mere holding of signs a thousand feet away can constitute intrusion upon seclusion and intentional infliction

of emotional distress. In doing so the Court has taken a sweeping, new, established-on-the-spot approach to what time, place and manner restrictions can be placed on speech.

7. The Court specifically stated in the hearing that it is not a matter of distance or location; thus defendants could have been standing *anywhere* and if plaintiff heard about the words they uttered by any source he is allowed to seek a verdict based on defendants' utterance of religious words.
8. The Court started out saying words said within a day or two after the funeral could be actionable (Tr., 10/15/07, at 55). Yet when defendant Phelps-Roper pointed out that the epic had been written weeks after the funeral, the Court *on the spot and instantly* changed the time limit to when the epic was written. This is exactly like a law that allows a police officer on the ground to arbitrarily change the distance within which a person can picket. (The Eighth Circuit heard arguments on the Missouri law that allows this, on 10/15/07. The Kansas case discussed in this record found that a statute with such broad language in Kansas could only be saved by a narrowing interpretation, to "before and about." The law is too well-settled at this hour for anyone to fail to recognize that a rule of law that is this open-ended is unduly vague and broad when it comes to the First Amendment.)

9. It is beyond murky at this hour what the Court would possibly tell a jury in this case about the First Amendment. The Court is obligated to act as a gatekeeper and not send the jury a question that allows them to punish through civil liability protected speech. The only way the Court has divined to remove what is clearly statements of religious opinion on public issues from the protective barrier of the First Amendment is by saying a) if plaintiff interpreted the signs to mean they were about his son, that *equals* highly offensive for purposes of intrusion upon seclusion and *equals* extreme and outrageous conduct for purposes of intentional infliction of emotional distress; and b) Matthew Snyder was not a public figure so this speech has no protection.
10. In spite of the fact that plaintiff has *never* said he interpreted the signs that way, is there really any mystery about what he is going to tell the jury next week? The Court has told the plaintiff how to present the case to the jury in a way that a verdict against defendants is guaranteed.
11. Further, defendants have testified – before the Court made this new claim for this case – what the signs mean. See attached hereto excerpts from the depositions of Timothy B. Phelps, Fred W. Phelps, Sr., Shirley L. Phelps-Roper and Rebekah A. Phelps-Davis. Under questioning by plaintiff's

counsel, twelve of the signs were explained.<sup>1</sup> More than one of the defendants testified specifically about “God Hates You,” and *all* said, with explanation and exposition, that it meant most of mankind, no one in particular and everyone in particular.<sup>2</sup> “God Hates You” is a theological statement to the whole world that is the centerpiece of what these defendants believe! And the warp and woof of the belief *includes* publishing in timely, topical, effective ways, when the hearts and minds are focused on eternity. It is unbelievably wrong to permit the question of whether those words are actionable to go to a jury – particularly in an environment that plainly reflects that most of this country hates those words! The same is true of “You’re Going to Hell,” and “God Hates Fags.” Center pieces, that on the face have nothing to do with a person who is already gone, and you have no expectation will see the sign. If defendants were going to deliver the message that plaintiff’s son was in hell, they would have said “He’s in hell,” or “He’s gone to hell.” Clearly that is not

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<sup>1</sup> One or more of the defendants explained the meaning of Fag Troops, Don’t Pray for the USA, God Hates You, Semper Fi Fags, Thank God for Dead Soldiers, Pope in Hell, Priests Rape Boys, Maryland Taliban, You’re Going to Hell, God’s View, Thank God for IEDs and Fags Doom Nations. The answers all demonstrate that the signs are religious in nature, the publication of them is a religious practice, and the purpose is to obey the Scriptural mandate to warn people not to incur the wrath of God and behave in a way that will land them in hell. Defendants have been about that ministry for over 17 years; it’s a little late in the game for plaintiff or the Court to question whether this is what the signs really mean and what defendants’ purpose really is.

<sup>2</sup> The only time and way Matthew Snyder’s name came up in connection with this sign was when plaintiff’s counsel *asked* defendant Phelps-Davis if she believed the 99.9% of mankind covered by God’s hate included Matthew Snyder. He – not she – brought it up. She had told him it applied to anyone who didn’t have grace, and everyone who didn’t have grace.



what the signs say. *Anyone* could claim to *interpret* the sign to make them mad and try to get a verdict against the speaker.

12. Further, throughout this case plaintiff has complained about the Web site [www.signmovies.net](http://www.signmovies.net). During defendant Phelps' deposition he was asked about the Web page, and he specifically testified that the Web site had video vignettes about specific or individual signs. (See Phelps deposition at 103-104, excerpt attached.) What the signs mean and what Scriptures supports them is readily available to all of mankind on that Web site. For the Court to announce in open Court that defendants have made up what the signs mean for the first time because of this lawsuit – patently untrue and unsupported by the evidence – is prejudicial, and without any foundation in this record.
13. The Court kept insisting that the issue was whether plaintiff's son was a public figure. That's not the issue nor is it the claim. But this appears to be one of only two possible reasons the Court keeps insisting that the speech at issue here was about a private matter. The first reason is the mistaken notion that "privacy" is so sweeping that it can fold up and eat protected speech. That appears to be based on *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.*, 472 U.S. 749, 105 S.Ct. 2939, 86 L.Ed.2d 593 (1985). But that case was about purely private speech of a commercial nature. And the

only thing the Court ruled was that the speech had “reduced constitutional value,” not zero. And that was only because it was speech on “matters of purely private concern, as opposed to speech on matters of public concern.” See 105 S.Ct. at 2943-2946. That case has no application here.

14. No one is disputing that there are potential privacy interests in funerals. The facts in this case do not support that conclusion, any more than the facts did in the *Showler* case. (This case was provided to the Court on October 15, and has been provided multiple times in filings by these defendants. It is worrisome that the Court said to defendants at the hearing that this case was being introduced for the first time. It is a critical case, directly on point, and the most on-point case about funerals on the books.)
15. The other reason the Court keeps acting like this case is about private speech appears to be the notion that all funerals are per se private. Plaintiff continues to argue cases about funerals – the few that are published – that have no application. The Tenth Circuit distinguished *Favish* in *Showler*, because that case was a request for a photograph of a dead man under the federal Freedom of Information Act, which had more broad and specific privacy protections than does the tort of invasion of privacy. The Kansas case involved an analysis of a statute and ordinance, which resulted in the court putting very narrow limits on funeral picketing, in spite of the privacy

interest described in that opinion. More important, other than *Showler*, there is no opinion that anyone in this case has found or produced that addressed the very public affairs made of the funerals of the soldiers being killed in Iraq and Afghanistan.

16. The law and facts lead to the conclusion that not all funerals are private, and that this one was not. Thus, to say that “privacy” can be intruded upon *simply because* a funeral was involved (in only part of the time frame the Court has carved out), defies the law and facts.
17. But even if the funeral was absolutely private, the privacy rights of individuals *must be balanced against – not allowed to totally swallow up via the tool of civil liability –* the rights of people to speak on public issues. Who is going to deny that the fact and reasons for the dying soldiers is public? Who is going to argue that how God is dealing with this nation is not a public issue? “God bless America,” rings all over the land, *particularly* in connection with these soldiers’ funerals. That is one religious view; the contrary religious view is that God is cursing the land. It’s not the Court’s or jury’s prerogative to say which one can be said. The right to say that under the First Amendment has to be balanced against any privacy right that may exist here. See, e.g., *Bartnicki v. Vopper*, 532 U.S. 514, 121 S.Ct. 1753, 149 L.Ed.2d 787 (2001) (First Amendment protected

the disclosure of intercepted cell phone call on matter of public importance); *The Florida Star v. B.J.F.*, 491 U.S. 524, 109 S.Ct. 2603, 105 L.Ed.2d 443 (1989) (First Amendment prohibited imposing damages for invasion of privacy where newspaper published identify of sexual assault victim even though it was contrary to a Florida statute, and even though there were privacy interests involved in protecting the victims).<sup>3</sup> Also see *Reuber v. Food Chemical News, Inc.*, 925 F.2d 703, 719-720 (4<sup>th</sup> Cir. 1991) (to recover for invasion of privacy for publication of private facts, party must show that article publicized private facts in highly offensive manner about issue not of public concern). Also see additional authorities filed with the Court the morning of 10/15/07, including authorities that the First Amendment protections are fully applicable in civil actions.

18. The Court went through the motions of granting summary judgment on the defamation claims, which only pertained to a few sentences of the epic. Then, the Court completely undid that ruling, and opened up the entire epic as a basis for liability under unreasonable intrusion upon seclusion and intentional infliction of emotional distress. In so doing, the Court committed two reversible errors:

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<sup>3</sup> Defendants do not waive their position that by talking to the media, talking to his Congressman, and then becoming an activist, plaintiff – *not his son* – became a limited purpose public figure. For this additional reason the finding that this is a purely private matter cannot stand.

- a. The Court shifted the burden of proof to defendants. Under Maryland law, the plaintiff is required to prove falsity; now by the Court saying the epic goes in, in full, and defendants can argue its truthfulness, the Court has shifted the burden of proof wrongfully to defendants. Besides Maryland law previously provided to the Court on this point, see also *Philadelphia Newspapers, Inc. v. Hepps*, 475 U.S. 767, 106 S.Ct. 1558, 89 L.Ed.2d 783 (1986) (private figure plaintiff cannot recover damages without also showing that the statements at issue are false).
- b. The Court broadened the time, place and manner restriction *arbitrarily*, and *on the spot* so that it mangles any notion of a *reasonable* and *tailored* time, place and manner restriction on speech. (As discussed further below, it is well settled in the law that a tort action that seeks to impose liability for speech on public topics invokes the First Amendment.). The record shows that first the Court said the time period for *words* by defendants within a few days after the funeral would be actionable; then when defendant Phelps-Roper pointed out that the epic was written outside that time period, the Court instantly broadened the time period to several weeks. This makes the arena for actionable words entirely too broad and vague to satisfy the First Amendment.

19. The Court has made a series of rulings on October 15, 2007, that has allowed this case to go to the jury in a condition that permits the jury to find defendants liable simply because plaintiff – or *they* – disagree with the words published by defendants as part of their religious activity. By the simple device of saying “I think that sign, no matter when I actually saw or heard of it, so long as it’s within the time period by the date the epic was written, might have been about my son,” plaintiff can bypass the First Amendment. This is unheard of in American jurisprudence; flings to the four corners any notion of reasonable time, place and manner restriction; and flies in the teeth of the fact that this record shows that the funeral, and the subject of the soldiers’ deaths and funerals, are extremely public, and therefore a matter on which people are afforded the right to freely comment.

Respectfully submitted,



Rebekah A. Phelps-Davis, Defendant Pro Se



Shirley L. Phelps-Roper, Defendant Pro Se

**CERTIFICATE OF SERVICE**

We hereby certify that the foregoing motion was served on October 18, 2007, as follows:

Original + 2 copies, with 2-hole punch, by express mail, attached for the Court, to:

U S District Court Clerk  
101 W. Lombard Street, 4<sup>th</sup> Floor  
Baltimore, MD 21201

Copy by e-mail to the Court and counsel:

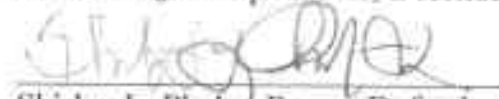
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Rebekah A. Phelps-Davis, Defendant Pro Se



Shirley L. Phelps-Roper, Defendant Pro Se



Fred Phelps Deposition of April 16, 2007, 55-59:

Q. Let's take a look at Exhibit 4. Do you see the sign that says, Semper FI fags?

A. Yes.

Q. Did you know that Matthew Snyder was a Marine?

A. No.

Q. Why would you take a Semper FI fags sign to picket unless someone knew that Matthew Snyder was a Marine?

MR. KATZ: Objection of form. Go ahead and answer.

A. Well, we've got signs for all the Service branches, and in one degree or another we try to carry all of them to all of the pickets, of course, that's not possible, and then we -- and we also have a lot of other signs, preaching, scriptural signs, that portray in some degree or other our message to this nation about the apostasy that's bringing the wrath of God down on it, as at Iraq, and we do that because we love this nation, and we expect that it is the only way we are going to be delivered from this present impasse. So the fact that this happens to be the Marine one, it could have -- could as well have been for the Army, for the Navy, for the Air Force, for the Coast Guard.

BY MR. SUMMERS:

Q. There, in the Semper FI fags sign, for example, there are some stick figures in that picture; do you see that?

A. Would you repeat that?

Q. Sure. The Semper FI fags sign that we just discussed -

A. Yes.

Q. -- there are some stick figures in that sign; do you see that?

A. Well, I see immediately below that the U.S. Navy with stick figures.

Q. Correct.

A. Yes.

Q. All right. What do those stick figures represent?

A. It is a -- a sterile attempt to get this nation to pay attention to what homosexuals do. They have anal sex, and it is the curse of God because it is the abomination that brings desolation, and we intend to convey that message in sensible, reasonable ways, but we are intent upon conveying that message because we love this country. This country is not going to prosper or succeed, and is going to go from bad to worse, in our humble opinion, looking at things from the Bible out unless we do something about the immorality.

Q. And the Semper Parati fags, and as you pointed out, the U.S. Navy pictures with the stick figures, the stick figures, anyway, represent homosexuals having anal intercourse.

A. Yes. That the Services are riddled with them, and the curse of God is upon the nation and the Services because of it.

Q. In the bottom right-hand corner of that same picture, there's a sign that says, Fag troops -

A. Yes.

Q. -- do you see that?

A. Yes.

Q. Is it fair to -- and then another one at the top left says, Thank God for dead soldiers; do you see that sign?

A. Yes.

Q. Is it fair to say that you only take the, Thank God for dead soldiers, to a military funeral?

A. No, that's not fair.

Q. Okay.

A. We've got this message about the trouble with the military as an integral part of the trouble with the government, and as an integral part of the trouble with the nation as a whole that's keeping this nation from prospering, and it will never prosper again until they arrive at that conclusion and repent. If you can't get anybody to repent any other way, you preach the truth to them, Counsel.

Pages 62-63:

Q. Do you know when these signs -- just approximately, when these signs were created, the Thank God for dead soldiers, for example?

A. We began it probably eight, ten years ago.

Q. And what made you begin it?

A. Because we attempted on numerous occasions to get the clout of the groups such as the American Legion and the Veterans of Foreign Wars, several of those groups that have political clout, to get them to assist us or to just generally, call it assisting us or not, use their political influence to stop the influx of these practicing homosexuals into these Service branches. Because in the first place, it's against the law, and the second place, nothing is more calculated to bring down the wrath of God than that, that the Lord God Almighty who says, thou shalt not lie with mankind as with womankind, it is abomination, said a few verses later that, If you do that, I'm going to destroy you as a nation. That's all found in Leviticus 18.

Q. Sir, have any -

A. That's when we started it, when we saw that not only were the Services becoming filled, in spite of the law, because of such silly doctrines as, Don't ask, don't tell, these are matters that the Church of the Lord Jesus Christ ought to address.

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Pages 74-76:

Q. Do you know if the Priests rape boys sign was taken to Westminster, Maryland in March of 2006?

A. No, I don't know that.

Q. The Pope in hell sign is directed towards the Catholic religion, correct?

A. Yes.

Q. Likewise, the Priests rape boys sign is directed towards the Catholic religion?

A. Yes. Wonderful preaching, desperately needed.

Q. Do you take the Pope in hell or the Priests rape boys signs just to Catholic churches or do you take them to all the pickets?

A. Indiscriminately.

Q. Could you look at Exhibit 8, sir? Is that Shirley Phelps-Roper?

A. Yes, sir.

Q. And she's holding a sign that says, America is doomed, and then another sign that says, God hates you, correct?

A. Yes.

**Q. Who is the you she's referring to? If you know.**

**A. All and sundry**, that the message has got to be delivered that there is a heaven and there is a hell, you going to hell, and you need to be preached to, and they laid their hands on my head,

Counsel, when I was 17 years old and charged me in my ordination with, Cry aloud, spare not, lift up thy voice like a trumpet and show my people -

Q. Please don't fold those, sir. Those are for the court reporter later.

A. -- and show my people their transgression. That's a duty of a Bible preacher. I have been faithful to that charge and intend to keep it up.

**Q. So the you is everyone but Fred Phelps, Sr.?**

**A. No. Not what it says at all. If you are worried about it, it's talking to you; if you're not worried about it, who cares? That's the message. You are going to hell. Got some way of showing that God is angry with you for not repenting of your sins and preparing to meet thy God.** That's the duty of a Bible preacher, and it's also the first order of love.

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Pages 103-104:

Q. And this is a printout actually from thesignofthetimes.net. And I think that's -- you said that's one of the websites that you're familiar with, correct?

A. I'm familiar with -- with certain of the parts of it. This is a unique website, if it's the one -- they've showed me excerpts from, and each one of these little signs is given special attention and a color video, and if that's what this is, then I am familiar with it to that extent.

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Pages 135-138:

Q: You keep mentioning -- I think you're mentioning homosexuals in the military.

A: Yeah.

Q: What leads you to believe that there is a particular amount of homosexuals in the military?

A: Homosexuals and homosexual sympathizers. We deal one-on-one with these issues every day. In fact, just the other day I heard the head of the Human Rights Campaign, the largest group of homosexuals, I believe, in the world, and the new -- and the president said that from half or more of those stationed in Iraq now are homosexuals. I'm not saying that, but that's what he said. And furthermore, they've got groups organized, I could get the names of some of those groups, to assert gay rights in the military, and give them -- give them legal representation. And furthermore, we've had personal dealings with them on the streets. We had a group of them come and simulate anal copulation right in the midst of our picket, and attempted to vandalize our signs, and to start roughing us up, Marines, in uniform. And the post commander, or used to be, the guy named Tom Rost, R-O-S-T, who is a young -- who is a lawyer, not young now, but he was in law school with me, who kind of runs it, and he took some remedial action, but only because it was a personal matter. Innumerable reasons why we have concluded. Individual

cases. There's one sergeant in -- stationed at Ft. Bragg, and we went and picketed Ft. Bragg over it, and we've got it documented well that he was a homosexual, and he didn't want to go to Vietnam -- or to Iraq, so he told his commander, Look, don't ask, don't tell, phooey, I'm telling, I'm a homosexual, throw me out. He wanted out. And the commander, in effect, said, We don't care, there's that -- don't-ask-don't-tell policy is for the birds, something like that, cavalier fashion. That's the kind of evidence we've got that leads us to believe that at least we ought to warn the nation about it and preach about it because nothing is more calculated, in our humble opinion, and I believe in the opinion of anybody that believes the Bible and credits it that nothing brings the wrath of God down quick on any generation or any nation than giving in to homosexual agenda. And I'll give you just one Bible verse to support what I'm saying, and I can assure you there are many more, and this is -- am I talking too fast? This one is at Luke 17:28-30, Where as it was -- it was the Lord Jesus Christ talking. As it was in the days of Lot, they ate, they drank, they bought, they sold, they planted, they builded, but the same day that Lot went out of Sodom it rained fire and brimstone from God out of heaven and destroyed them all. Next verse says, the Lord Jesus still talking, Even thus shall it be in the day when the son of man is revealed, that is, the second coming of Christ. That word translated revealed there is apocalypso, where we get our word apocalypse. So we've got abundant evidence, solid evidence that the military and many, if not most, of its branches and units is catering to homosexuals, and we certainly have a lot of Bible to show what cure it is for the -- we believe that that's what's causing America to be in the biggest mess maybe that America has ever been in since it became a nation. Talking about Iraq. For goodness sake, we have got what we believe to be the only hope and cure for America. Politicians don't have it. And we've got it -- if I may suggest one more little thing, that John Kennedy, who believed in the 1611 edition, incidentally, and spoke from the King James version of the Bible when he was president, the day he was shot in Dallas, earlier that day at Fort Worth, he spoke to the Chamber of Commerce, a group of successful, you know, Chamber of Commerce businessmen, and he took his-- he took his text for his message out of a Southern Baptist King

James Bible, although he was a Catholic, out of Psalm 127:1, Except the Lord build the house, they labor in vain that build it, and except the Lord guard the city or the nation, the watchman wakes but in vain. It's plain to see. It was plain to President Kennedy, it's plain to any rational person that we have got to get God on our side or there is no solution to the present mess we are in. Thank you, sir.

64

11 Q. Have you seen the document marked as  
12 Phelps-Davis No. 3 before?

13 A. Yes. This was a -- out of a newspaper  
14 after the event, probably the next day or so.

15 Q. There are what appears to be three  
16 children in the front of the picture. Do you  
17 see the three children?

18 A. I do see them.

19 Q. And the one on the left is who?

20 A. The one on my --

21 Q. As you're facing it?

22 A. Yes. The one on my left is Isaiah.

65

1 Q. And what do the signs say that Isaiah  
2 is holding?

3 A. What -- God hates the U.S.A., and Pope  
4 in hell with a picture of Pope John Paul.

5 Q. And prior to traveling to Maryland,  
6 March of 2006, did you know that St. John's  
7 Catholic Church was actually a Catholic  
8 Church?

9 A. Well, I assumed since it was called  
10 St. John's Catholic Church, that it was a  
11 Catholic Church.

12 Q. Okay. And there's a child in the  
13 middle, in front of a police officer. Do you  
14 see that child?

15 A. I do see him.

16 Q. And before we move on to the child in  
17 middle, the one on the left is your son,  
18 correct?

19 A. Yes.

20 Q. And you see the child in the middle?

21 A. Yes.

22 Q. Who is that?

66

1 A. That is little Gabriel.

2 Q. And he's your child?

3 A. He is.

4 Q. And I know you can't see the entire  
5 sign, but do you know what that sign says that



6 he's holding?

7 A. That sign says Priests Rape Boys.

8 Q. And what's the purpose of that sign?

9 Or that slogan, whatever you want to call it?

10 A. That is a theological statement. And  
11 the point of that statement is, if you go into  
12 a Catholic -- I don't know what to call it --  
13 if you go -- if you involve yourself with the  
14 largest pedophile machine in the whole world,  
15 called the Catholic Church, euphemistically  
16 called the Catholic Church, then you are going  
17 to find yourself personally responsible, when  
18 you stand before the Lord your God, for every  
19 child or woman, or otherwise, that was raped  
20 by one of those Catholic priests.

21 If you give a dime to that pedophile  
22 machine, you have paid -- money is fungible.

67

1 you are helping to pay the salary of those  
2 pedophile priests.

3 Not only -- not only, you are -- you  
4 are responsible for the fiduciary duty that  
5 that priest had, to every last child, who used  
6 that fiduciary relationship to worm their way  
7 into that family, and then execute their  
8 filthy perverse will upon that little child.  
9 You are personally responsible.

10 Priests Rape Boys, that is a  
11 theological statement. And when you wrap your  
12 mind around the totality of it, you know that  
13 you are going to be in a lot of trouble with  
14 the Lord your God if you lend your support in  
15 any regard, to that monstrosity.

16 Q. Do you know any priests?

17 A. I do know some priests.

18 Q. Personally?

19 A. Well, you mean as an acquaintance and  
20 a friend? That way?

21 Q. Do you have any friends that are  
22 priests?

68

1 A. No, I don't have any friends that are  
2 priests. I know some, but they're not my  
3 friends.

4 Q. And who is the child on the right of  
5 the picture, as you look at it?  
6 A. That's little miss Grace.  
7 Q. And is Grace your daughter?  
8 A. She is.  
9 Q. And what is the sign Grace is holding  
10 in her right hand?  
11 A. Her right hand says Thank God For  
12 IEDs.  
13 Q. And what is an IED?  
14 A. It's an improvised explosive device,  
15 It is the thing that this nation used, on us,  
16 in a day when people didn't even know what an  
17 IED was.  
18 It is the thing now, that God,  
19 according to his promise, his promise, is now  
20 using to execute judgment upon this nation,  
21 for what they did to his people, for no  
22 reason, except that we stood on the public

69

1 rights of way, not at a soldier's funeral,  
2 There were no soldiers' funeral in 1995, but  
3 standing on these streets with our hat in our  
4 hand, begging our fellow countrymen, please do  
5 not go the way of Sodom and Gomorrah. If you  
6 do that, you will suffer her fate.  
7 Q. And just, in general, IEDs are  
8 roadside bombs that are killing soldiers in  
9 Iraq--  
10 A. They are the number one killer of the  
11 youth of this nation in Iraq and Afghanistan.  
12 Q. Please let me finish the question.  
13 A. Oh, excuse me. I'm sorry.  
14 Q. That way she's not trying to type both  
15 of us at the same time.  
16 A. Sorry, I thought you were.  
17 Q. In general, IEDs are roadside bombs  
18 that are killing these soldiers in Iraq and  
19 Afghanistan, correct?  
20 A. Not just killing them. They're the  
21 number one killer of the youths of this  
22 nation, in Iraq and Afghanistan. Number one.

70

1 And these last few months have had some of the

2 highest percentages, not only of dead  
3 soldiers, but killed by IEDs.

4 Q. And what is the sign -- what does the  
5 sign say in Grace's left hand?

6 A. Thank God For Dead Soldiers.

7 Q. There were -- without getting into the  
8 legal definition of adultery, the adultery  
9 word has been used in documents found on your  
10 web page.

11 And my question is very simple: Do  
12 you have any facts, on March 10th of 2006,  
13 let's just say just in March of 2006, were you  
14 aware of any facts that led you to believe  
15 that Al Snyder had sex with someone who was  
16 not his spouse?

17 A. Are you asking me about my epic?

18 Q. No. I'm just asking you a very simple  
19 question. In March --

20 A. Well, you started it -- okay. Then  
21 please rephrase it because you broadened it  
22 out beyond just what you ended with.

71

1 Q. In March 2006, did you have any facts  
2 that led you to believe that Al Snyder had  
3 sexual relations with someone who was not his  
4 spouse?

5 A. Not only did I not have any facts, I  
6 didn't suggest I had any facts. And I didn't  
7 report that I had any facts. And I didn't  
8 accuse him of that.

9 Q. Okay. Is the answer no, you don't  
10 have any facts to lead you to believe --

11 A. My answer is exactly what I said.

12 Q. Now, the opposite of that is, in March  
13 of 2006, did you have any facts that lead you  
14 to believe that Al Snyder had sexual  
15 relationships with someone else that was  
16 married?

17 A. Well, those are the same. I suppose  
18 he had sex with his wife, and he was married  
19 to her.

20 Q. Okay. But, other than her, for  
21 example, another married woman, did you have  
22 any facts that lead you to believe that Al

1 Snyder --

2 A. Well, I think your question -- I'm  
3 sorry.

4 Q. -- had sexual relations with another  
5 married person?

6 A. Okay. It sounds like the same  
7 question to me and the answer is the same.

8 Q. Okay. It wasn't. And let me give you  
9 an example just so -- I think your answer is  
10 going to be the same, but just so we are on  
11 the same page.

12 A single person could have sexual  
13 relations with a married person, and some  
14 people would call that adultery?

15 A. Well, I would call that adultery,  
16 and -- but Albert Snyder is not a single  
17 person.

18 Q. Okay. So, are you aware of Mr. Snyder  
19 having sexual relationships with anyone, other  
20 than his wife?

21 A. Okay. Well, again, it sounds like the  
22 same question. And the answer is exactly the

1 same.

2 Q. All right. After you -- approximately  
3 assuming the funeral of Matthew Snyder started  
4 at 10:15, approximately what time did you  
5 leave the vicinity of St. John's Catholic  
6 Church?

7 A. If that time is accurate, then we  
8 would have left the vicinity, we -- we would  
9 have left that place where the police put us  
10 inside this orange fence at 10:15.

11 Q. And where did you go after you left,  
12 inside the orange fence?

13 A. To the car and to the airport.

14 Q. And then did you fly back to Kansas  
15 City?

16 A. Yes.

17 Q. I want to go over some of the pictures  
18 now.

19 Could you take a look at Phelps-Davis  
20 5, please.

21 A. (Witness complies.) Yes.

22 Q. Who is in that picture?

74

1 A. That is me.

2 Q. And what does the sign say in your  
3 right hand?

4 A. In my right hand it says America is  
5 doomed.

6 Q. Okay.

7 A. I'm sorry.

8 Q. That's all right.

9 A. In my right hand, it says God hates

6 Q. Okay.

7 A. I'm sorry.

8 Q. That's all right.

9 A. In my right hand, it says God hates  
10 you.

11 Q. So, as you face the picture, what is  
12 on the right sign?

13 A. As I face the picture on the right  
14 sign is America is doomed.

15 Q. And on the left side, what does the  
16 other sign say?

17 A. God hates you.

18 Q. And did you take those two signs to  
19 Westminster, Maryland, in March 2006?

20 A. Yes.

21 Q. The next exhibit I want you to look at  
22 is Phelps-Davis No. 6. First, who are the two

74

75

1 individuals depicted in Phelps-Davis 6?

2 A. The one on the left, as you look at  
3 the picture, is little Zac, and the one on the  
4 right is Isaiah.

5 Q. And what does the sign say that Zac is  
6 holding?

7 A. Zac's sign says You're Going to Hell.  
8 And it also has a Bible verse cited there,  
9 which I can't make out.

10 Q. Is that --

11 A. And the bottom one says fag troops,  
12 with that little ribbon idol thing in the  
13 middle.

14 Q. And did you, or the other WBC members,  
15 take those two signs to Westminster, Maryland,

16 in March 2006?  
17 A. Yes.  
18 Q. And the young man to the right, as you  
19 look at it, what was his name again?  
20 A. Isaiah.  
21 Q. Isaiah. What are the signs that  
22 Isaiah is holding?

76

1 A. God hates the U.S.A., and Pope in hell  
2 with a picture of Pope John Paul.  
3 Q. And did you or the other WBC members  
4 that traveled to Maryland in March of 2006,  
5 take those two signs to Westminster, Maryland,  
6 as well?  
7 A. Yes.  
8 Q. The next exhibit I want you to look at  
9 is Phelps-Davis No. 7?  
10 A. Okay.  
11 Q. Do you recognize the individual in  
12 Phelps-Davis 7?  
13 A. That would be Rebekah Phelps-Davis.  
14 Q. And as you look at the picture, there  
15 is a sign to the -- on the left-hand side, do  
16 you see that?  
17 A. Yes.  
18 Q. Was that sign taken to Westminster,  
19 Maryland, in March of 2006?  
20 A. Yes.  
21 Q. And as you look at the picture,  
22 there's a sign to the right, do you see that

77

1 sign?  
2 A. Yes, I do.  
3 Q. And what does it say?  
4 A. Semper Fi fags and it has a pair of  
5 anatomically incorrect stick figures, on the  
6 picture.  
7 Q. And why do you say it is anatomically  
8 incorrect?  
9 A. Because you don't see any private  
10 parts, that is anatomically incorrect.  
11 Q. And what are those two stick figures  
12 doing?  
13 A. They are helping you remember that

14 thing that you're promoting when you say it's  
15 okay to be gay, is nothing more and nothing  
16 less than this filthy sex act, that God calls  
17 an abomination. That's my sincerely held  
18 religious belief.

19 Q. And is what you're referring to, is  
20 the stick figures supposed to be demonstrating  
21 two men having anal sexual intercourse?

22 A. It's a -- and the key parts of that

78

1 which your question is, is yes. And the key  
2 components are that they are two men, and that  
3 they're having sex.

4 Q. But that is what the picture is  
5 depicting?

6 A. That is the abomination of America.

7 Q. And those signs in Phelps-Davis No. 7,  
8 were taken to Westminster, Maryland, in  
9 March of 2006?

10 A. That's correct.

11 Q. Next exhibit I want to show you is  
12 Phelps-Davis 8.

13 A. All right.

14 Q. Do you recognize the gentleman in that  
15 picture?

16 A. That is my dad.

17 Q. And your father is one of the seven  
18 that traveled with you to Westminster,  
19 Maryland, in March of 2006, correct?

20 A. That is correct.

21 Q. And your father appears to be holding  
22 two signs, correct?

79

1 A. Yes.

2 Q. What is he holding in his right hand  
3 which is to your left as you face him?

4 A. Don't pray for the U.S.A., and it has  
5 again a Bible verse cited and I can't make it  
6 out.

7 Q. And he has in his left-hand to the  
8 right as you face it?

9 A. God hates fags.

10 Q. And did you or one of the other WBC  
11 members bring those signs to Westminster,

12 Maryland, in March of 2006?  
13 A. Yes, we did.  
14 Q. Okay. The next picture I want to show  
15 you is Phelps-Davis 9.  
16 A. Okay.  
17 Q. Now, the lady on the right, is that  
18 you?  
19 A. Yes.  
20 Q. And let's go from left to right.  
21 There appears to be two children on  
22 the left side. Do you see that?

80

1 A. Yes, I do.  
2 Q. Who is in the front, the smaller one?  
3 A. The little guy with the not blessed,  
4 just cursed sign is Gabriel and then behind  
5 him is little Grace with thank God for dead  
6 soldiers.  
7 Q. And Gabriel and Grace are your  
8 children?  
9 A. Yes.  
10 Q. And there is a little bit older of a  
11 boy in the middle, correct?  
12 A. That's Isaiah, yes.  
13 Q. And he's your son?  
14 A. Yes, he is.  
15 Q. And he appears to be holding two  
16 signs, correct?  
17 A. That is correct.  
18 Q. And what does the top one say?  
19 A. Semper Fi fags with those same  
20 anatomically incorrect figures we already  
21 addressed and below that is U.S. Navy, with  
22 those same stick figures.

81

1 Q. And the stick figures in both  
2 pictures, both signs, are --  
3 A. It's the same graphic.  
4 Q. -- two men having sexual anal  
5 intercourse, correct?  
6 A. That is correct.  
7 Q. Did you know that Matthew Snyder was a  
8 marine prior to traveling to Maryland in March  
9 of 2006?



10 A. I knew that was reported in the news  
11 articles, I did know that.  
12 Q. And did you know that the Naval  
13 Academy by its very name is part of the Navy,  
14 correct?  
15 A. The Navy, yes.  
16 Q. And I didn't see any signs related to  
17 the Army or Air Force. Is it fair to say that  
18 you took the Marines, and the Navy signs that  
19 you were going to two events that were kind of  
20 linked to the Marine Corp and they --  
21 A. Well, the more accurate way to tell  
22 you that is to say, because of the number of

82

1 people, and the necessity to get as many parts  
2 of this message in this trip, would be the  
3 reason we didn't bring the Army, and the  
4 other. We have to be choosy when you have a  
5 limited number of people, to hold the message.  
6 Q. So you do have an Army sign?  
7 A. Oh, yes.  
8 Q. What does the Army sign say?  
9 A. U.S. Army with the same stick figures,  
10 it's just like the U.S. Navy. We have it for  
11 the Air Force, Coast Guard, and Marines.  
12 Q. There are eight signs in Phelps-Davis  
13 No. 9, did all those signs travel with you and  
14 your group to Westminster, Maryland, in  
15 March of 2006?  
16 A. Yes.  
17 Q. The next Exhibit I want to show you  
18 has been marked as Phelps-Davis No. 10.  
19 A. And some flags, by the way, on that.  
20 Q. And the flags in Phelps-Davis 9?  
21 A. There are two flags in Phelps-Davis 9.  
22 Q. Traveled with you?

83

1 A. Yes.  
2 Q. To Maryland in March of 2006?  
3 A. That's correct.  
4 Q. All right. Back to Phelps-Davis No.  
5 10. There appears to be two individuals in  
6 Phelps-Davis No. 10. The one on right is your  
7 father, correct?

8 A. That's correct.  
9 Q. And when I say right, I'm talking  
10 about as you look at it?  
11 A. Yes, that's correct.  
12 Q. And to be clear, it's the gentleman in  
13 a red, white and blue coat?  
14 A. That's right.  
15 Q. And the one on the left is one of your  
16 children?  
17 A. Zacharias.  
18 Q. And what is the sign that Zacharias is  
19 holding in his right hand, which is the left  
20 as you look at it?  
21 A. Don't pray for the U.S.A. and it has a  
22 Bible verse quoted. And I can't make it out.

84

1 Q. And I can't tell if it -- who is  
2 holding the sign at the top middle --  
3 A. Well --  
4 Q. -- behind your father's head. It  
5 appears to be your son?  
6 A. Yes.  
7 Q. In any event, what does that sign say?  
8 A. Yes, it's Zac holding that, and it  
9 says thank God for 911.  
10 Q. Your father is holding two signs, what  
11 is your father -- the sign your father is  
12 holding in his left hand?  
13 A. In his left-hand is God hates fags.  
14 Q. And what about his right hand?  
15 A. God is your enemy.  
16 Q. And did all those signs accompany you,  
17 or other WBC members to Westminster, Maryland,  
18 in March of 2006?  
19 A. Yes, they did.  
20 Q. Are these pictures posted on the  
21 godhatesfags.com website?  
22 A. You mean all these exhibits? That

85

1 have pictures that you handed me here today?  
2 Q. Yes.  
3 A. Except for Phelps-Davis Exhibit No. 3,  
4 which is from a newspaper article, that  
5 wouldn't be posted on our website because we

6 don't own that.  
7 Q. But the rest --  
8 A. But the rest of them all, all, I  
9 believe are depicted.  
10 Q. Do you know who posted the pictures on  
11 the godhatesfags.com website?  
12 A. I don't know that.  
13 Q. Do you know who took the pictures?  
14 A. I have some -- I can make some  
15 educated guesses. I believe the pictures were  
16 mostly taken by Isaiah.  
17 Q. All right. The next exhibit I want to  
18 show you is Phelps-Davis 11.  
19 A. Yes.  
20 Q. Now, the lady on the left is that --  
21 that's you, correct?  
22 A. Yes, that's me.

86

1 Q. And there is -- appears to be your  
2 father kind of off in a distance, correct?  
3 A. That's correct.  
4 Q. But next to you, close up, is who?  
5 A. Close up is Gracie.  
6 Q. And the sign she's holding is what?  
7 A. Thank God for dead soldiers.  
8 Q. And who is the boy behind her?  
9 A. She has a flag, and the boy behind her  
10 is Zacharias.  
11 Q. What sign is he holding?  
12 A. Don't pray for the U.S.A. with a Bible  
13 verse cited.  
14 Q. And there appears to be little boy in  
15 the bottom right?  
16 A. That would be Gabriel and he has two  
17 signs.  
18 Q. What is the one close up, the sign  
19 close up?  
20 A. Close up is Maryland Taliban.  
21 Q. Now, I understand you were in  
22 Maryland, so, that's how the Maryland part of

87

1 the sign relates to going to Maryland, I  
2 guess, but what is the Taliban refer to?  
3 A. The Taliban is a way of helping a

4 perspective, a perspective is this, we're  
5 people, we have no governmental power, we have  
6 nothing except the word of God to offer to  
7 anyone. So, and that in truth, being faithful  
8 to the written word, so we're standing on the  
9 public streets and rights of way in this  
10 nation, every day, for going now into our 17th  
11 year. And suddenly, we have these  
12 legislate -- these legislative bodies all over  
13 the country, today more than 40, of the  
14 states, and the federal government, three  
15 times, have put their hand to passing measures  
16 that whittle away at, infringe upon, give  
17 away, First Amendment rights, all because of  
18 the words on the signs on a public right of  
19 way.

20 Q. Is the --

21 A. Oh, I'm sorry, but the Taliban part to  
22 connect that finally. The point is --

88

1 Q. Is that directed towards someone?

2 A. It's directed toward these bodies,  
3 look that's what the tali -- we've -- we've  
4 been thoroughly educated by the leaders of  
5 America, that the Taliban in Afghanistan hates  
6 us for our freedoms, they don't want you to  
7 have any right to speak, and so on and so on.

8 All the things that we say about the  
9 Taliban, how are these legislative bodies any  
10 different than the Taliban?

11 Q. And were all the signs depicted in  
12 Phelps-Davis No. 11 taken to Westminster,  
13 Maryland, in March of 2006?

14 A. Yes.

(Emphasis added.)

108

- 16 Q. And I'm just trying to focus on the  
17 Maryland trip --  
18 A. Okay.  
19 Q. -- of March 10, 2006 now.  
20 A. Okay.  
21 Q. Who did you discuss the signs with,  
22 just for the Maryland trip?

109

- 1 A. It would have been the members of the  
2 church and specifically Shirley and -- and my  
3 father.  
4 Q. Okay. Do you remember talking with  
5 anyone, other than Shirley and your father,  
6 concerning what signs you were going to take  
7 to Maryland in March 2006?  
8 A. I don't recall specifically.  
9 Q. But the typical protocol is to come up  
10 with a collective agreement concerning what  
11 signs to take to whichever picket you're going  
12 to go to?  
13 A. Yes.  
14 Q. And the picture in Phelps-Davis No. 2?  
15 A. Number 2?  
16 Q. Or I apologize, No. 5?  
17 A. Five, okay.  
18 Q. Shirley is holding two signs, correct?  
19 A. Yes.  
20 Q. And the one on the left says what?  
21 A. God hates you.  
22 Q. Who is the "you" that that signs

110

- 1 refers to?  
2 A. It's 99.9 percent of mankind.  
3 Q. Well, let's -- since it's probably  
4 easier to describe the point one percent. Who  
5 is the point one percent that is not --  
6 A. The elect of God.  
7 Q. The what God?  
8 A. The elect of God. Those --  
9 Q. The elect of God?  
10 A. Yes.

11 Q. And who is the elect of God?  
12 A. Those that have been called by God and  
13 given saving grace, and have a hope that  
14 they're going to go to heaven.  
15 Q. Can you give me an example of one  
16 person?  
17 A. Well, I hope I'm one of those people.  
18 Q. Who decides that?  
19 A. God.  
20 Q. Was Matthew Snyder one of the  
21 99.9 percent?  
22 A. There's every indication that he is,

111

1 yes.  
2 Q. And you had never met Matthew Snyder,  
3 right?  
4 A. Absolutely not.  
5 Q. So what leads you to believe -- what  
6 fact leads you to believe that Matthew Snyder  
7 was one of the "yous" that God hates?  
8 A. Because he voluntarily joined a army  
9 that fights for a nation who has rejected the  
10 Lord their God, and put himself in the cross  
11 hairs of an angry God. And God killed him,  
12 cut him off, early in his life, so that he did  
13 not -- he was not able to live his life.  
14 Q. Other than the fact that Matthew  
15 Snyder joined the military, is there any other  
16 facts that lead -- lead you to believe that  
17 Matthew Snyder is one of the people referred  
18 to in "God hates you?"  
19 A. He was raised in the Catholic church.  
20 Q. Other than the military and the  
21 Catholic church, anything else?  
22 A. Those are pretty big. I think that's

112

1 enough.  
2 Q. I'm just trying to make sure that we  
3 cover everything.  
4 A. Not that I know specifically at this  
5 time. Those two were dead ringers.  
6 Q. Okay. And speaking of the Catholic  
7 church, before you traveled to Westminster,  
8 Maryland, in March of 2006, you did know that

9 St. John's Catholic Church was actually a  
10 Catholic church, correct?  
11 A. Yes.  
12 Q. The next picture I want to hand you is  
13 marked Phelps-Davis Number 6. And let's go  
14 from left to right in Phelps-Davis No. 6.  
15 A. Okay.  
16 Q. There appears to be two children  
17 wearing either blue or aqua shirts. Do you  
18 see that?  
19 A. Yes.  
20 Q. And who is the boy to the left?  
21 A. Zacharias.  
22 Q. And what about the one on the right?

113

1 A. Isaiah.  
2 Q. And do you see the gentleman behind  
3 them in the red, white and blue coat, with the  
4 cowboy hat?  
5 A. Yes.  
6 Q. Is that your father?  
7 A. Yes.  
8 Q. And your father being Fred Phelps?  
9 A. Yes.  
10 Q. And each one of the boys is -- each  
11 one is holding two signs, correct?  
12 A. Yes.  
13 Q. And you said Zacharias is the one on  
14 the left?  
15 A. Yes.  
16 Q. What are the signs that Zacharias is  
17 holding?  
18 A. You're going to hell, fag troops.  
19 Q. Is the "you're" in the sign, the same  
20 as the "you" in Phelps-Davis No. 5?  
21 A. Yes.  
22 Q. Now, what is the bottom sign Zacharias

114

1 is holding?  
2 A. Fag troops.  
3 Q. Who -- who is -- who does that sign  
4 refer to? Who are the fag troops?  
5 A. That was referring to any person that  
6 joins the military of this country,

7 Q. Do you -- is, in your mind, is fag  
8 synonymous with a homosexual?  
9 A. No, it's not just synonymous. That --  
10 that message on that sign, is a -- a larger  
11 message than just talking about those that are  
12 homosexual.  
13 It's also talking about those that are  
14 fighting for a nation who condones  
15 homosexuality, and knows that there is, in the  
16 military, homosexuals. And they're top heavy  
17 with homosexuals. And knows that there is a  
18 "don't ask don't tell" policy, and does  
19 nothing about it. And continues to stay to  
20 fight for a country who has rejected the Lord  
21 their God.  
22 Q. And I understand that's the sub plot

115

1 to what you're saying, the sign is?  
2 A. I'm just saying that's what that signs  
3 stands for.  
4 Q. Okay. And I just had a few other  
5 questions, and I'll have a few other ones  
6 after this. So I'm trying to figure out if I  
7 understand the slang fag term to be synonymous  
8 with homosexuals.  
9 I wanted to under -- wanted to know if  
10 you understand that, as well, or if you have a  
11 different definition?  
12 A. Okay, I understand your question.  
13 And, yes.  
14 Q. And Isaiah is on the right, correct?  
15 A. Yes.  
16 Q. And what is the sign Isaiah is holding  
17 in his right hand? What does it say?  
18 A. That's on my left, right? God hates  
19 the U.S.A.  
20 Q. And what is the sign Isaiah is holding  
21 in his left hand?  
22 A. Pope in hell.

116

1 Q. And there's also a picture in the Pope  
2 in hell sign isn't there?  
3 A. Yes.  
4 Q. Who is the picture of?



5 A. That is the Pope, that was before the  
6 present Pope. I can't remember his name.  
7 John Paul.  
8 Q. And the Pope in hell sign was one of  
9 the signs that was taken to St. John's  
10 Catholic church on March 10, 2006, correct?  
11 A. Yes.  
12 Q. Is it fair to say that the Pope in  
13 hell sign was taken, maybe among other  
14 reasons, because it was a Catholic church?  
15 A. Yes.  
16 Q. If you went to a different religion,  
17 you might choose a different religious type  
18 sign?  
19 A. If we were going to a different  
20 religion --  
21 Q. Different denomination?  
22 A. -- church, yes, um-hmm.

117

1 But that -- but the Pope in hell sign  
2 is also held at other functions that we do  
3 religious demonstrations at.  
4 Q. The next exhibit I want to show you is  
5 Phelps-Davis No. 7. Do you recognize the  
6 individual in Phelps-Davis No. 7?  
7 A. Yes.  
8 Q. Who is that?  
9 A. Me.  
10 Q. And you were holding two signs,  
11 correct?  
12 A. Yes.  
13 Q. One in the right hand, right?  
14 A. Yes.  
15 Q. And what does that say?  
16 A. God's view.  
17 Q. And what does the picture depict?  
18 A. Uncle Sam with -- inside the scope.  
19 Q. Cross hairs?  
20 A. Um-hmm. Cross hairs, yes.  
21 Q. And why are the cross hairs under or  
22 over the top of Uncle Sam?

118

1 A. Because that sign is to give the  
2 message to this country that they are in the

3 cross hairs of an angry God, and the  
4 destruction that is coming down upon their  
5 heads is because of their perversions and  
6 their rejection of the word of God and their  
7 refusal, absolute refusal to obey the  
8 commandments of God.  
9 And so he has become the number one  
10 enemy. And he's not fighting for them. He is  
11 fighting against them.  
12 And being -- having Uncle Sam in the  
13 cross hairs is a -- draws you directly to the  
14 depiction that God is fighting against you.  
15 Q. When you say "you"?  
16 A. This country. This nation.  
17 Q. The -- in your left hand, there's  
18 another sign, correct?  
19 A. Yes.  
20 Q. What does that sign say?  
21 A. Semper Fi fags.  
22 Q. And did you know that Matthew Snyder

119

1 was a marine?  
2 A. Yes.  
3 Q. Do you recall how you learned that  
4 Matthew Snyder was a marine?  
5 A. I do not recall specifically, no.  
6 Q. And there are stick figures in the  
7 sign in your left hand, correct?  
8 A. Yes.  
9 Q. What do those stick figures depict?  
10 A. They're anatomically incorrect stick  
11 figures, that draw your attention to what the  
12 sin of homosexuality is.  
13 Q. And why are they anatomically  
14 incorrect?  
15 A. Because that's what is appropriate.  
16 To draw your attention to that sin.  
17 Q. Are you saying it's incorrect because  
18 they're not touching?  
19 A. I'm --  
20 Q. It's -- is it --  
21 A. They're anatomically incorrect, I'm  
22 just saying, I -- not because they're not

120

1 touching. Because they're just stick figures.  
2 There's no --  
3 Q. Let me ask a different question. I'm  
4 probably not communicating it accurately.  
5 A. Okay. Okay.  
6 Q. These stick figures are of two men,  
7 correct?  
8 A. Yes.  
9 Q. And what are the two stick figures  
10 depicting?  
11 A. They're supposed to be simulating the  
12 homosexual act, sexual act --  
13 Q. And what is --  
14 A. -- of the homosexual.  
15 Q. What is the homosexual act?  
16 A. To -- I don't want to be crude -- to  
17 have sex up the rump.  
18 Q. And why does it -- what's the Semper  
19 Fi fag sign mean?  
20 A. Always faithful to the fags. They, as  
21 being an arm of the military, are faithful to  
22 the fags.

121

1 And this is their -- this is their  
2 saying, Semper Fi. And so, it draws your  
3 attention to the message that they are always  
4 faithful to the fags.  
5 They're not faithful to the Lord their  
6 God. They're faithful to the fags. And that  
7 is the reason that the wrath of God is pouring  
8 out upon them.  
9 Q. Other than Matthew Snyder, did you see  
10 any other marines or service members at  
11 Matthew Snyder's funeral?  
12 A. No. I didn't see Matthew Snyder  
13 either.  
14 Q. But the answer is you didn't see any  
15 service members at the funeral?  
16 A. Correct.  
17 Q. Do you know if Matthew Snyder agreed  
18 with your position, and your message about  
19 being always faithful to the fags?  
20 A. I do not know what he thought.  
21 I do know that he fought in a  
22 military, in the marines, for a country that

1 condones homosexuality and has given over to  
2 the homosexual agenda, and he felt that it was  
3 fine to fight for that country.

4 So, if he's going to fight for the  
5 country, I can assume he's going to agree with  
6 the tenets of that country that he's fighting  
7 for, and what they stand for. And that's what  
8 this country stands for.

9 Q. And I believe when we started, you  
10 rattled off the ages of your children.  
11 They're all minors, correct?

12 A. Yes.

13 Q. So it's fair to assume that none of  
14 your children are in the military?

15 A. Correct.

16 Q. What about your husband, was he ever  
17 in the military?

18 A. No.

19 Q. Do you have any siblings that were in  
20 the military?

21 A. No.

22 Q. Do you have any relatives, whatsoever,

1 that were, or are in the military?

2 A. My father-in-law and my mother-in-law  
3 were in the military.

4 Q. Father-in-law and mother-in-law?

5 A. Were in the military before they died.

6 Q. Do you know approximately when they  
7 were in the military?

8 A. It was so long ago, so long ago. They  
9 died in the '70s, so it was before that.

10 Q. Any other relatives that were in the  
11 military?

12 A. No.

13 Q. And father-in-law and mother-in-law  
14 passed away in the '70s?

15 A. Yes.

16 Q. And I'm not trying to embarrass you,  
17 but refresh my memory. How old are you?

18 A. How old am I?

19 Q. Yeah.

20 A. Forty-six.

21 Q. Forty-six. So, in the '70s, you would  
22 have been roughly ten years of age or so, so

124

1 it's fair to say you weren't married at that  
2 time?

3 A. Correct.

4 Q. So they weren't your -- while they  
5 were alive, you weren't married?

6 A. Correct.

7 Q. Was one of the reasons that the Semper  
8 Fi fags sign was chosen to take to Maryland  
9 was because Matthew Snyder was a marine?

10 A. Yes.

11 Q. I want to show you what has been  
12 marked as Phelps-Davis 8. Do you recognize  
13 the person in that picture?

14 A. Yes.

15 Q. And who would that be?

16 A. Fred Phelps, Sr.

17 Q. And Fred Phelps, Sr. was one of the  
18 folks present with you at Matthew Snyder's  
19 funeral?

20 A. Yes.

21 Q. And there is two signs in this  
22 picture, correct?

125

1 A. Yes.

2 Q. What does the one on the left say?

3 A. Don't pray for the U.S.A.

4 Q. And what does the one on the right  
5 say?

6 A. God hates fags.

7 Q. Were these signs taken to Westminster,  
8 Maryland, in March 2006?

9 A. Yes.

10 Q. Do you know how many signs were taken?

11 A. I do not.

12 Q. Is there like a standard procedure?

13 It appears each person has two. Is that  
14 typical, each person takes two?

15 A. Well, it's whatever you can handle,  
16 given the weather, the -- it was very, very  
17 windy that day, very windy. So, you know, you  
18 just decide what you can handle as you stand

19 there.  
20 Q. But you wouldn't know what the weather  
21 was going to be like when you -- you probably  
22 wouldn't know what specifically the weather

126

1 was going to be like when you left Kansas,  
2 right?  
3 A. Well, we try to have a good idea.  
4 Q. Okay. Do you -- your brother brought  
5 I guess to your father's funeral almost like a  
6 suitcase thing that signs fit in.  
7 A. You mean at my father's depo?  
8 Q. At your father's deposition, right.  
9 A. Okay.  
10 Q. Are you familiar with that? Sort of  
11 like a suitcase that holds signs?  
12 A. Oh, yes. That we take the signs in,  
13 yes.  
14 Q. Do you -- I'm just trying to find out  
15 how many signs you typically take to a  
16 funeral?  
17 A. Depending on how many people are  
18 going, and assuming that they could hold up to  
19 two signs each.  
20 Q. So typically about two signs each?  
21 A. Yeah.  
22 Q. The next exhibit I want to show you is

127

1 Phelps-Davis 9.  
2 A. Okay.  
3 Q. You have that in front of you, ma'am?  
4 A. Yes.  
5 Q. Now, this one is going to take a  
6 little bit more time because there's more  
7 people in it.  
8 A. Okay.  
9 Q. If you look on the left, as you're  
10 facing the picture.  
11 A. Yes.  
12 Q. There appears to be two children. Do  
13 you see what I'm referring to?  
14 A. Yes.  
15 Q. And smaller one in front of a little  
16 one -- a title bit bigger one?

17 A. Yes.  
18 Q. Who is the one in the bottom left, the  
19 smallest one?  
20 A. Gabriel.  
21 Q. And there appears to be a child right  
22 behind Gabriel?

128

1 A. That's Grace.  
2 Q. Okay. Grace.  
3 And to the right, as you're facing at  
4 those two -- as you're facing the picture to  
5 the right of the two children?  
6 A. Yes.  
7 Q. There is what appears to be a boy or  
8 young man, a little bit bigger than them?  
9 A. Yes.  
10 Q. Who is that?  
11 A. Isaiah.  
12 Q. And off to the right, there's an  
13 individual holding four signs. Do you see  
14 that person?  
15 A. Yes.  
16 Q. Who is that?  
17 A. That's Shirley. She always tries to  
18 break the mold and hold more than two signs.  
19 Do you see how she does that?  
20 Q. I do see that.  
21 A. Okay.  
22 Q. Who took this picture?

129

1 A. I don't know -- umm -- I don't know.  
2 Q. Do you know where this picture was  
3 taken?  
4 A. I believe it was at the -- the naval  
5 base.  
6 Q. Did you have the same signs at the  
7 naval base that you also subsequently took to  
8 Westminster, Maryland?  
9 A. Yes.  
10 Q. And Isaiah is the middle one, right?  
11 A. Yes.  
12 Q. And he is holding two signs, correct?  
13 A. Yes.  
14 Q. What does the top one say?

15 A. Semper Fi fags.  
16 Q. And that is similar, or if not the  
17 same, as in Phelps-Davis number --  
18 A. Seven.  
19 Q. Seven?  
20 A. Yes.  
21 Q. Then he -- then he has -- Isaiah has  
22 another sign in this picture, correct?

130

1 A. Yes.  
2 Q. What is the other sign?  
3 A. It says U.S. Navy, and it has the --  
4 the anatomically incorrect figures -- stick  
5 figures in the middle.  
6 Q. And are they performing anal sex? Is  
7 that what that's supposed to depict?  
8 A. Yes.  
9 Q. And the girl on the left, top left is  
10 it Grace or Gracie?  
11 A. Well, we call her Gracie.  
12 Q. I just want to pronounce it correct.  
13 Tell me how to pronounce it.  
14 A. Grace.  
15 Q. Grace.  
16 A. Grace Elizabeth.  
17 Q. Gracie or Grace?  
18 A. Grace.  
19 Q. Grace. And what does the sign say  
20 that Grace is holding?  
21 A. Thank God for dead soldiers.  
22 Q. And was that sign taken to

131

1 Westminster, Maryland, as well?  
2 A. Yes.  
3 Q. The next exhibit I want to show you  
4 has been marked as Phelps-Davis 10.  
5 A. Um-hmm.  
6 Q. Do you have that in front of you?  
7 A. Yep.  
8 Q. And there appears to be two people in  
9 this picture. Do you recognize the gentleman  
10 to the right?  
11 A. Yes.  
12 Q. Is that Fred Phelps, Sr.?



13 A. Yes.  
14 Q. And the boy to the left?  
15 A. Is Zacharias.  
16 Q. Do you know who took this picture?  
17 A. No, I don't.  
18 Q. Were these the same signs that were  
19 taken to Westminster, Maryland, on March 10,  
20 2006?  
21 A. Yes.  
22 Q. I want to show you what has been

132

1 marked as Phelps-Davis No. 11. Do you know  
2 who took the picture that's in Phelps-Davis  
3 11?  
4 A. No, I don't.  
5 Q. If -- other than you or your sister, I  
6 think it's -- well, let's just go through  
7 them.  
8 To the left, as you're facing the  
9 picture, is Shirley Phelps-Roper, correct?  
10 A. Yes.  
11 Q. And then to the right, there's four  
12 children, correct?  
13 A. Umm --  
14 Q. Well, that's -- we'll break it down  
15 here.  
16 There's -- to the right of Shirley  
17 Phelps-Roper, there is a child in front that  
18 has a sign that says, Thank God for dead  
19 soldiers --  
20 A. Yes.  
21 Q. -- do you see that?  
22 A. Yes.

133

1 Q. And behind that child, it appears to  
2 be another child that has a sign that says,  
3 Don't Pray for the U.S.A., do you see that  
4 child?  
5 A. Yes.  
6 Q. And then to the right, bottom right,  
7 there is the smallest child in the picture, do  
8 you see that child?  
9 A. Yes.  
10 Q. And he appears to be holding at least

11 one sign, correct?  
12 A. Yes.  
13 Q. And what does that sign say?  
14 A. Maryland Taliban.  
15 Q. And we'll go back to the sign in a  
16 second, but behind that child, there appears  
17 to be another child which is a little bit  
18 bigger, holding two signs.  
19 A. Well, I appreciate you calling me a  
20 child, but that's me.  
21 Q. Okay. So that is you there?  
22 A. Yes.

134

1 Q. Who are we missing from this picture?  
2 A. It looks like Isaiah.  
3 Q. Roughly how old is Isaiah?  
4 A. Oh.  
5 Q. Teenager?  
6 A. Yeah, he's a teenager.  
7 Q. Old enough to operate a camera?  
8 A. Yes.  
9 Q. Now, at the bottom right, there is a  
10 sign that is yellow with black letters, that  
11 has florescent orange around the outside, and  
12 that sign says what?  
13 A. Maryland Taliban.  
14 Q. Is it fair to say the Maryland Taliban  
15 sign was chosen to bring along because you're  
16 going to Maryland?  
17 A. Because we were going to the state  
18 house.  
19 Q. In Maryland?  
20 A. Yes.  
21 Q. So, you wouldn't take the Maryland  
22 Taliban signs to California, correct?

135

1 A. Correct. Unless there was something  
2 going on where there were performers from  
3 Maryland, or something of that nature, we  
4 would.  
5 Q. Right. Something related to Maryland?  
6 A. Yes.  
7 Q. And in this case, you were traveling  
8 to Maryland for three reasons, if I understand

9 you correctly, one, to picket the house, the  
10 state house?  
11 A. Yes.  
12 Q. One, to picket at or around Annapolis,  
13 and one to picket at or around Westminster,  
14 Maryland, correct?  
15 A. It was to picket the state house, the  
16 naval base, and the funeral.  
17 Q. Okay. But everything was within  
18 Maryland, correct?  
19 A. Yes.  
20 Q. At the top right which appears to be  
21 you holding a sign?  
22 A. Um-hmm.

136

1 Q. What does that sign say?  
2 A. In my right hand is, Thank God for  
3 IED. In my left hand is, fags doom nations.  
4 Q. What is IED?  
5 A. Improvised explosive device.  
6 Q. And are you referring to IEDs that are  
7 in Iraq and Afghanistan?  
8 A. Yes.  
9 Q. Like the roadside bombing, that type  
10 of thing?  
11 A. Yes.  
12 Q. The roadside bombs that kill service  
13 members?  
14 A. Yes. And you're supposed to thank God  
15 for that, because that's -- every time that  
16 happens, that's a judgment from God.  
17 Q. So --  
18 A. And all of his judgments are righteous  
19 and perfect. And you're supposed to thank God  
20 for all of his judgement. That's the purpose  
21 of that sign.  
22 Q. So the Thank God is like the sign

137

1 below it, that states Thank God for dead  
2 soldiers?  
3 A. Yes.  
4 Q. And the sign in your other hand, the  
5 black and orange sign says what?  
6 A. Fags doom nations.

7 Q. And what does that mean?  
8 A. Well, if you -- have you ever read  
9 about Sodom and Gomorrah in the bible?  
10 Q. I get to ask the questions.  
11 A. Okay. That's what it's referring --  
12 that's -- what is happening in this nation, at  
13 this hour, is exactly what was happening in  
14 Sodom and Gomorrah when the Lord, our God,  
15 destroyed Sodom and Gomorrah with fire and  
16 brimstone. And destroyed it to where it still  
17 is to this day. Nothing but the dead sea and  
18 will never grow -- never have and inhabit  
19 there again.  
20 This nation is headed in that same  
21 direction. Utter destruction by the hand of  
22 their God, because they have given over to the

138

1 fag agenda. That's what that means.  
2 Q. When you say "they have," are you  
3 referring to our government?  
4 A. The nation.  
5 Q. The nation?  
6 A. The nation as a whole. Not just the  
7 government, the people that live in this  
8 nation. This couldn't be happening if people  
9 were obeying the commandments of God that live  
10 in this nation.  
11

(Emphasis added.)

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

ALBERT SNYDER,

Plaintiff

Vs.

FRED W. PHELPS, SR.,

Civil Action

JOHN DOEs, and

No: 06-CV-1389 RDB

WESTBORO BAPTIST

CHURCH, INC.,

Defendants



-----  
Friday, April 20th, 2007

Silver Spring, Maryland

The Deposition of:

TIMOTHY B. PHELPS,

Taken at the Law Offices of Marks & Katz, LLC,

1400 Spring Street, Suite 410, Silver Spring,

Maryland, scheduled to begin at 9:00 a.m.,

before Chris Fox, Notary Public, when were

present on behalf of the respective parties.

BRADFORD ASSOCIATES  
TIMOTHY B. PHELPS

Page 62

- 1 It's Grace Phelps-Roper, then Gabriel  
2 Phelps-Roper in front of her, Isaiah  
3 Phelps-Roper in the middle, and then Shirley  
4 Phelps-Roper on the right.  
5 **Q. And at the top, there's a picture that**  
6 **says Semper Fi fags, correct?**  
7 A. Yes, sir.  
8 **Q. And there's a stick picture in there,**  
9 **correct?**  
10 A. Yes, sir.  
11 **Q. And what are those stick people doing?**  
12 A. It is an anatomically incorrect symbol  
13 for sodomy.  
14 **Q. Is it incorrect because they're not**  
15 **touching at the hips?**  
16 A. Correct.  
17 **Q. And, if you look below that picture,**  
18 **there's a U.S. Navy sign, do you see that?**  
19 A. Yes, sir.  
20 **Q. And it appears there's a similar stick**  
21 **figure, correct?**  
22 A. Yes, sir.

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TIMOTHY B. PHELPS

Page 64

- 1 in that picture?  
2 A. Yes, sir.  
3 **Q. And that sign, on the left hand side**  
4 **of the picture, says don't pray for the**  
5 **U.S.A.?**  
6 ~~A. Correct.~~  
7 **Q. Is it WBC's message that other folks**  
8 **should not pray for the U.S.A.?**  
9 ~~A. Yes, sir.~~  
10 **Q. Now, if I understand the family tree,**  
11 **as it relates to Matthew Snyder's funeral,**  
12 **Fred Phelps is your father, correct?**  
13 A. Yes.  
14 **Q. Shirley and Rebekah Phelps are your**  
15 **sisters?**  
16 A. Correct.  
17 **Q. And there were four other children**  
18 **there, and they were all Shirley Phelps's**  
19 **children?**  
20 A. Shirley Phelps-Roper's children.  
21 **Q. Shirley Phelps-Roper's children.**  
22 A. Um-hmm.

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Page 63

- 1 **Q. And, again these are all signs owned**  
2 **and controlled by WBC members, correct?**  
3 A. Yes, sir.  
4 **Q. Still, on that same picture. At the**  
5 **bottom right, as you look at it, there is a**  
6 **sign -- is that Shirley Phelps-Roper there?**  
7 A. Yes, sir.  
8 ~~**Q. It looks like it says fag troops. Do**~~  
9 ~~**you see that?**~~  
10 ~~A. Yes, I do.~~  
11 ~~**Q. Is there any particular troop that**~~  
12 ~~**she's referring to there? In other words, who**~~  
13 ~~**is she calling a fag?**~~  
14 ~~**A. She's calling the military troops.**~~  
15 ~~**sign, because that's what they represent.**~~  
16 ~~**Q. Collectively?**~~  
17 ~~**A. Collectively, yes.**~~  
18 (Deposition Exhibit No. 6 marked.)  
19 **Q. Exhibit 6 is next in front of you. Do**  
20 **you have Tim Phelps Deposition Exhibit 6, sir?**  
21 A. Yes, sir.  
22 **Q. And is that Fred Phelps, your father,**

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Page 65

- 1 **Q. That's correct?**  
2 A. Yes, sir.  
3 **Q. Who -- do you know how those folks,**  
4 **those seven folks traveled to Maryland in**  
5 **March of 2006?**  
6 A. I don't actually know, but I would  
7 assume by car and by plane.  
8 **Q. Did someone tell you?**  
9 A. No, sir.  
10 **Q. Did you, after this lawsuit was**  
11 **initiated, did you make any inquiries to see**  
12 **how those seven folks traveled to Maryland?**  
13 A. Not specifically, other than what I  
14 learned in the process of preparing the  
15 responses to interrogatories, which was that  
16 they -- and also in the deposition on  
17 Monday -- that they traveled by plane and by  
18 car.  
19 **Q. Do you know how the -- well, just so**  
20 **we're clear, I think you'd agree that your**  
21 **father testified that they -- the seven folks**  
22 **flew to Maryland, and then rented a car after**

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Page 78

- 1 something like that on WBC?  
2 A. Yes, sir. Most Hated Family in  
3 America is the name of it.  
4 Q. Was WBC paid for that documentary?  
5 A. No, sir.  
6 Q. What about Fred Phelps?  
7 A. Nobody got a dime, and never will get  
8 a dime out of anything we do.  
9 (Deposition Exhibit No. 8 marked.)  
10 Q. Do you have deposition -- Tim Phelps  
11 Deposition 8 in front of you, sir?  
12 A. Yes, sir.  
13 Q. And who's in that picture?  
14 A. That's on the left is Zechariah  
15 Phelps-Roper, and on the right is Isaiah  
16 Phelps-Roper.  
17 MR. KATZ: I don't have number eight,  
18 so I need to look at it first.  
19 (Recess taken.)  
20 MR. KATZ: Now we're ready.  
21 BY MR. SUMMERS:  
22 Q. Okay. The -- what does the sign on

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Page 80

- 1 ~~A. Everyone in particular.~~  
2 ~~Q. So?~~  
3 ~~A. Except those that God loves.~~  
4 ~~Q. And how does WBC decide who God loves?~~  
5 ~~A. WBC does not decide who God loves.~~  
6 ~~The default position, it is our~~  
7 ~~inherently held religious belief is that God~~  
8 ~~hates the vast majority of mankind. And only~~  
9 ~~if he gives you grace and therefore you repent~~  
10 ~~from your sins, can you have any hope of the~~  
11 ~~love of God?~~  
12 ~~Q. All right.~~  
13 ~~A. And it's all something that is~~  
14 ~~determined in the council halls of eternity.~~  
15 ~~We don't own salvation, and we don't pretend~~  
16 ~~to own salvation.~~  
17 ~~Q. Does --~~  
18 ~~A. But you can tell by people's works~~  
19 ~~whether they have any evidence of grace.~~  
20 ~~Q. What is works? What does that mean?~~  
21 ~~A. How they live their lives, what they~~  
22 ~~do in their lives and what they say out of~~

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Page 79

- 1 the right, as you're looking at it, say?  
2 A. Pope in hell.  
3 Q. The WBC members, in March of 2006,  
4 knew that Matthew Snyder's funeral was going  
5 to be at a Catholic church, correct?  
6 A. Well, I don't know that all WBC  
7 members knew that, but if, in fact, it was at  
8 a Catholic church, then we probably knew that.  
9 Q. In advance, prior to traveling to  
10 Maryland?  
11 A. Yes, sir.  
12 (Deposition Exhibit Nos. 9-15 marked.)  
13 Q. Next, I'd like you to look at  
14 Deposition Exhibit 9. Is that a picture of  
15 Shirley Phelps-Roper?  
16 A. Yes, it is.  
17 Q. Do you see the sign on the left?  
18 A. Yes, sir.  
19 Q. What does that say?  
20 ~~A. God hates you.~~  
21 ~~Q. Who is the "you" that is referred to~~  
22 ~~there? Anyone in particular?~~

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Page 81

- 1 ~~their mouths. That's what the standard of~~  
2 ~~scripture is. By the words though are~~  
3 ~~justified and by the words though are~~  
4 ~~condemned.~~  
5 Q. Prior to March of 2006, do you have  
6 any -- are you aware of any facts that lead  
7 you to believe that any WBC member knew Albert  
8 Snyder?  
9 A. Yes, sir.  
10 Knew that he existed?  
11 Q. Correct.  
12 A. Well, I guess if you can rely on press  
13 reports, that they're quoting him, that we  
14 would know that he existed.  
15 Q. Are you aware of any press reports,  
16 prior to Matthew Snyder's death, quoting  
17 Albert Snyder?  
18 A. I'm not personally aware of any right  
19 now.  
20 Q. All right. Are you aware of Albert  
21 Snyder being in the news, press, media, at  
22 all, prior to his son's death?

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Page 82

1 A. I personally am not, no.  
2 **Q. Has anyone told you that they're aware**  
3 **of Albert Snyder being in the news, media or**  
4 **any other type of forum, prior to his son's**  
5 **death?**

6 A. I have some recollection of having a  
7 discussion, and the time line is escaping me  
8 right now, so I'm going to say that it's  
9 possible.

10 But if I did have it, it was in the  
11 response to the interrogatories.

12 If he made any comments about the war,  
13 prior to his son's death. But outside of that  
14 I wouldn't have any information.

15 **Q. The -- when I asked you the questions**  
16 **on the God hates you, you said something like**  
17 **-- and you may have to help me out here --**  
18 **"you" means you can tell by who God hates by**  
19 **their works. Is that what you said?**

20 A. I said, that the default position is  
21 that God hates you, because the overwhelming  
22 majority of mankind abides under the wrath of

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Page 84

1 about what we knew about Albert Snyder prior  
2 to the funeral of his son.

3 **Q. You're not aware of any WBC member**  
4 **that considered Albert Snyder a friend, prior**  
5 **to, or at any point in time?**

6 A. No, sir.

7 **Q. And no WBC members knew where Al**  
8 **Snyder worked, correct?**

9 A. Correct.

10 **Q. No WBC members knew where, or if Al**  
11 **Snyder went to church, correct? Prior to the**  
12 **funeral, of course?**

13 A. Prior to the funeral, I think we did.

14 **Q. Prior to his son's death?**

15 A. I don't know of anybody knowing  
16 anything, no.

17 MR. KATZ: I'm going to need to take a  
18 short break within the next two minutes. You  
19 decide when you want to stop during that time.

20 MR. SUMMERS: This is fine. We can  
21 take a break.

22 MR. KATZ: I just need ten minutes.

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Page 83

1 ~~God~~  
2 ~~If there is -- if you are an example~~  
3 ~~to that default position, then you show that~~  
4 ~~you have the grace of God on you by your~~  
5 ~~works, how you live your life, what you do,~~  
6 ~~what you say. That's what I believe?~~  
7 ~~testified?~~

8 **Q. And, if, other than knowing Albert**  
9 **Snyder existed, from I think you said the**  
10 **press reports or something like that, did**  
11 **anyone have any other knowledge or familiarity**  
12 **with Al Snyder prior to March of 2006?**

13 A. Well, that was a pretty broad question  
14 because you said did anybody or anyone.

15 **Q. Well --**

16 A. And I'm assuming you mean did any  
17 member of WBC have any specific information.

18 **Q. And your assumption is correct.**

19 A. I cannot speak for what they happen to  
20 have known, any individual member of Westboro  
21 Baptist Church, but I do know what has been  
22 reported in response to the interrogatories.

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Page 85

1 (Recess taken.)

2 BY MR. SUMMERS:

3 **Q. Mr. Phelps, we're back from our break.**  
4 **Did the -- prior to conducting, for**  
5 **example, in this case, a protest at a military**  
6 **funeral, do WBC members call the deceased**  
7 **family in advance, to talk to them?**

8 A. No, sir.

9 **Q. Prior to protesting, for example in**  
10 **this case, a military funeral, is there any**  
11 **communication by a WBC member to the deceased**  
12 **family?**

13 A. Not that anyone of us would initiate.

14 **Q. What about during, or after the**  
15 **funeral, is there any type of communication**  
16 **made to the deceased family, by a WBC member?**

17 A. Not that any member of WBC would  
18 initiate.

19 **Q. So when you -- your distinction there,**  
20 **initiate, are you suggesting that if a family**  
21 **member would call WBC, they would take the**  
22 **call?**

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