

EXHIBIT G

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

CASE NO.: 1:17cv080-GHD-DAS

WILL McRANEY,
Plaintiff,

vs.

THE NORTH AMERICAN MISSION
BOARD OF THE SOUTHERN
BAPTIST CONVENTION, INC.,
Defendant.

_____ /

VIDEOCONFERENCE

DEPOSITION OF: DANNY DE ARMAS
DATE: THURSDAY, FEBRUARY 16, 2023
TIME: 10:15 A.M. - 4:46 P.M.
PLACE: VIA VIDEOCONFERENCING TECHNOLOGY
STENOGRAPHICALLY
REPORTED BY: JAZZMIN A. MUSRATI, RPR, CRR
Registered Professional Reporter
Certified Realtime Reporter

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1 one time or another. I don't know which one came first.
 2 Q. Okay. And when you heard it from -- from someone
 3 at NAMB that a photo of Dr. McRaney had been posted at
 4 the security desk at headquarters, do you believe it was
 5 at a trustee meeting, or you're not sure?
 6 A. I'm not sure. I don't believe it was at a
 7 meeting when I first heard of it, but -- but I'm not
 8 positive.
 9 Q. Okay. I said that because I thought you said
 10 that you thought it was at a meeting, but -- so is it
 11 fair to say you just don't remember -- strike that.
 12 Is it fair to say you're certain that someone at
 13 NAMB made you aware that a photograph of Dr. McRaney had
 14 been posted at the security desk at its headquarters,
 15 but you're not sure who told you or the context of how
 16 it was communicated to you; is that -- is that right?
 17 A. Yes, that's correct.
 18 Q. Okay. Do you remember what else, if anything,
 19 was communicated to you about the posting of the photo
 20 by someone at NAMB?
 21 A. The -- as I recall, the context of the
 22 conversation was in light of the fact that something was
 23 being made of it; that it was wrong for them to do that.
 24 And it was being reported -- yeah -- that we put a
 25 picture there so they'd know if he came and -- and, you

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1 know, he found out about it and he's really upset about
 2 it and making something of it.
 3 Q. You understand that NAMB personnel posted the
 4 photo of Dr. McRaney at the security desk for the
 5 purpose of ensuring that he would not enter the
 6 building, right?
 7 A. That is not correct. That's not my
 8 understanding.
 9 MR. GANT: Okay. Let's bring up Tab 5 and mark
 10 that as Exhibit 4.
 11 (Whereupon, Plaintiff Exhibit 4 was marked for
 12 identification.)
 13 BY MR. GANT:
 14 Q. And while we're bringing that up, that will be
 15 Bates-labeled NAMB 5237.
 16 Was it your decision to post the photo of
 17 Dr. McRaney?
 18 A. No.
 19 Q. Were you consulted about it at the time?
 20 A. No.
 21 Q. Did the NAMB board of trustees -- strike that.
 22 Was the NAMB board, of which you were a member at
 23 the time, involved in the decision to post the photo of
 24 Dr. McRaney at the NAMB security desk?
 25 A. I don't -- not to my knowledge.

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1 Q. Okay. Do you have firsthand knowledge of -- of
 2 what the reasoning was for posting it, given that you
 3 weren't consulted?
 4 A. I do not.
 5 Q. Okay. This -- this is a document that was
 6 produced to us by NAMB. As I mentioned, it's
 7 Bates-labeled NAMB 5237.
 8 Do you know who Tom Wigginton is?
 9 A. Yes, I do.
 10 Q. Who -- who is he?
 11 A. He's one of the employees at NAMB.
 12 Q. Do you know what his role was in February 2016?
 13 A. I -- I do not know precisely. I believe in the
 14 operations area. Facilities operations. Something like
 15 that.
 16 Q. Okay. And you see at the bottom of the text of
 17 this exhibit, which is Exhibit 4, it says, "Owner
 18 Tom" -- "Tom Wigginton"? Do you see that?
 19 A. I do see that.
 20 Q. And do you see that there's a due date and a date
 21 completed, which are both Friday, February 5, 2016? Do
 22 you see that?
 23 A. I do see that.
 24 Q. You see it says, "Status of the task"? Do you
 25 see that?

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1 A. Yes, I do see that.
 2 Q. And it says, "Completed," correct?
 3 A. Yes, it does say, "Completed."
 4 Q. Okay. And what is the subject of that task for
 5 Mr. Wigginton from February 5th, 2016? Can you read
 6 that into the record, please.
 7 A. Sure.
 8 The subject says, "Will McRaney picture to lobby
 9 desk -- no entry in building."
 10 Q. Okay. And I'll represent to you we've already
 11 deposed Mr. Wigginton and discussed this with him.
 12 Do you have any firsthand knowledge that would
 13 enable you to contradict the testimony of Tom Wigginton
 14 about the purpose of posting the photo of Dr. McRaney?
 15 MR. RAJAVUORI: Object to form.
 16 A. I do not.
 17 BY MR. GANT:
 18 Q. Okay. And do you have any firsthand knowledge
 19 that would provide a basis for you to assert that this
 20 document produced by NAMB is inaccurate in any way?
 21 MR. RAJAVUORI: Object to form.
 22 A. No, sir.
 23 BY MR. GANT:
 24 Q. And let's -- just keep this date in mind,
 25 February 5th, 2016, when this task was completed. And

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1 let's flip back to Exhibit 3.
 2 THE VIDEOGRAPHER: Just one moment. Sorry.
 3 I'm having a technical difficulty here.
 4 BY MR. GANT:
 5 Q. While we're waiting for that to get pulled up, I
 6 saw you just write down something. Were you writing
 7 down the date I asked you to keep in mind or something
 8 else?
 9 A. Just the date.
 10 MR. GANT: Okay. And if we could make it
 11 smaller, I want to look at the bottom right -- the
 12 bottom right-hand corner. Can you blow that up a
 13 little bit. I'd like Mr. de Armas to see the date
 14 of -- on this document.
 15 BY MR. GANT:
 16 Q. It's a little cut off, but do you see on the
 17 bottom right-hand corner, 2/5/2016?
 18 A. Yes, I do.
 19 Q. Okay. That's the same date associated with Tom
 20 Wigginton's task of Will McRaney picture at lobby desk,
 21 no entry in building, correct?
 22 A. Yes, it is.
 23 MR. GANT: If you could take that down, please.
 24 BY MR. GANT:
 25 Q. When's the last time you saw that photograph of

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1 Dr. McRaney?
 2 A. I don't have recollection of seeing that
 3 photograph until just now.
 4 Q. Okay. And before I just showed it to you, had
 5 you previously seen what was marked as Exhibit 4, which
 6 was Tom Wigginton's task of posting Dr. McRaney's
 7 picture into the lobby for no entry in building?
 8 A. I'm sorry. Would you repeat the question.
 9 Q. Yes.
 10 Before I just showed you Exhibit 4, which was the
 11 Tom Wigginton task of Will McRaney picture to lobby, no
 12 entry in building, had you seen that exhibit before I
 13 showed it to you?
 14 A. I had not seen it.
 15 Q. Who is R. David de Armas?
 16 A. My older brother.
 17 Q. Is he an attorney?
 18 A. He is.
 19 Q. And do you know what, if any, relationship he has
 20 with Dr. McRaney or had with Dr. McRaney?
 21 A. I'm sorry.
 22 Q. Do you know what relationship, if any, he had or
 23 has with Dr. McRaney?
 24 A. I do not know the full extent of that
 25 relationship, but I do know he has represented Will.

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1 Q. Okay. Including any connection with issues
 2 related to Dr. McRaney's termination by NAMB --
 3 excuse me -- by BCMD, correct?
 4 A. Yes.
 5 Q. Are you on good terms with your brother?
 6 A. Yes.
 7 Q. I take it you're very familiar with him, being
 8 your brother; is that fair?
 9 A. That's fair.
 10 Q. Okay. Do you consider your brother to be an
 11 honest person?
 12 A. Yes.
 13 Q. Do you believe he would lie?
 14 A. No.
 15 Q. Do you believe he would lie under oath?
 16 A. No.
 17 Q. So if your brother, R. David de Armas, swore to
 18 something in an affidavit, you would expect that the
 19 information was true and accurate, correct?
 20 MR. RAJAVUORI: Object to form.
 21 A. Yes. Yes.
 22 MR. GANT: All right. Let's bring up Tab 29,
 23 please, and mark that as the next exhibit, which I
 24 believe is Exhibit 5. For the record, this is
 25 Bates-labeled WM48 through 49.

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1 (Whereupon, Plaintiff Exhibit 5 was marked for
 2 identification.)
 3 BY MR. GANT:
 4 Q. As always, I said at the beginning, you can
 5 always review as much of any exhibit you like as -- at
 6 whatever pace you would like and make it bigger or
 7 smaller. If I ask you a question and you need more time
 8 to review, please let me know.
 9 Just based on the first page of this exhibit, do
 10 you believe you've seen it before?
 11 A. I believe I have. Yes, I believe I have.
 12 Q. When did you last see it?
 13 A. I do not recall. It's not been recently.
 14 Q. Okay.
 15 A. May I have a minute to read it?
 16 Q. Absolutely. Just you can -- the court reporting
 17 staff -- tell them bigger, smaller, up, down, and then
 18 let me know when you're ready for a question.
 19 A. Well, I can actually adjust the size on my own
 20 screen.
 21 Q. You can? Okay. Great.
 22 A. Yeah.
 23 Q. But you probably can't scroll to the next page.
 24 So if you need to do that, let us know.
 25 A. Thank you. I will in just a minute.

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1 Next page, please.
 2 Okay. I have read the document.
 3 Q. Okay. This is an affidavit signed by your
 4 brother, correct?
 5 A. Yes.
 6 Q. And are you familiar with his handwriting? His
 7 signature?
 8 A. Actually, no.
 9 Q. Okay. Do you have any reason to doubt that that
 10 is your brother's signature on the second page of the
 11 exhibit?
 12 A. I have no reason to doubt that.
 13 Q. Okay. And as we discussed earlier, is your -- is
 14 your answer different to my earlier question? Would
 15 your brother swear to something under oath that he
 16 believes to be untrue?
 17 A. No, he would not.
 18 Q. Okay. Have you ever told your brother that you
 19 believed that Dr. McRaney was a physical threat to
 20 anybody?
 21 A. I'm not sure if I discussed that with David or
 22 not.
 23 Q. Well, discuss -- when you say "discussed that,"
 24 what are you referring to?
 25 A. That I discussed the -- the incident that

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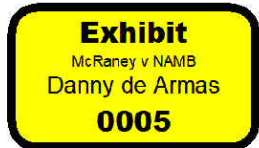
1 happened, the conversation we had, and the way it made
 2 me feel and the concern that I had. I'm not sure that I
 3 ever had a conversation with him about that. To my
 4 knowledge, I didn't, but if -- if he has said that I
 5 did, then I would --
 6 Q. I'm not trying -- I'm at no point trying to trick
 7 you, and I'm not suggesting he did say that. To the
 8 contrary, I am not -- I'll represent to you I'm unaware
 9 of any such communication, but I'm just trying to find
 10 out the facts.
 11 So is it fair to say that you do not have a
 12 recollection of ever telling your brother, David, that
 13 you considered Dr. McRaney a physical threat? Is that
 14 accurate? Is that right or fair?
 15 A. That is -- yes, that is right.
 16 Q. Okay. Did you ever -- strike that.
 17 And you don't have any recollection of ever
 18 telling your brother that you felt threatened,
 19 physically or otherwise, by Dr. McRaney, correct?
 20 A. I do not have recollection of that.
 21 Q. Okay. If you thought your brother was in any
 22 danger from Dr. McRaney, you would've let your brother
 23 know to protect him, correct?
 24 A. Certainly, yes, I would have.
 25 Q. Okay. Did you ever express any concerns to your

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1 brother, David, about his representation of Dr. McRaney?
 2 A. I think I did.
 3 Q. What do you think you said?
 4 A. I think I -- I -- let me recall. It's been a
 5 while, but I think I said something like, "I think
 6 there's more to this than you understand, and it's way
 7 more complicated. But I understand what you did and
 8 what you had to do. And I just want you to be aware" --
 9 at the time, he was not aware that I was a trustee. To
 10 my -- at least that's the best of my knowledge. He
 11 didn't know until I just explained to him that I was
 12 and -- "just making sure you're aware. I don't think
 13 you know about the way the system works, but it is what
 14 it is."
 15 And that was the end of the conversation. Very
 16 friendly. We're on really good terms. And so it was
 17 just more of a -- "I want to make sure you're aware."
 18 Q. Did you provide him any specific information?
 19 A. I did not.
 20 Q. Do you recall approximately when this
 21 conversation occurred?
 22 A. I do not, but my -- I believe it would've been,
 23 you know, within a reasonable amount of time or a
 24 logical amount of time after this had been -- and I
 25 don't know what it was -- I don't know how it was

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1 delivered or made public or whatever, but, you know, it
 2 was -- when I heard about it, I -- I called him.
 3 Q. When you say "it," what are you referring to?
 4 A. The document. The affidavit.
 5 Q. Okay. So you read the affidavit, and then you
 6 contacted your brother about it?
 7 A. I heard about the affidavit and contacted my
 8 brother about it.
 9 Q. How did you hear about it -- strike that.
 10 How did you hear about the affidavit that your
 11 brother had executed?
 12 A. I don't recall.
 13 Q. Okay. And when do you think you first saw the
 14 affidavit?
 15 A. Shortly after -- I believe the order was: I
 16 heard, I talked to my brother, and then I saw a copy of
 17 it, all within a short amount of time. Probably within
 18 30 days of each other. And I would expect it would have
 19 been shortly after he provided it.
 20 Q. Your brother provided you with a copy of the
 21 affidavit?
 22 A. No. I --
 23 Q. I'm sorry. When you say he provided it, you mean
 24 he -- he wrote and signed it?
 25 A. Correct.



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

WILL McRANEY

PLAINTIFF

V.

No. 1:17cv080-GHD-DAS

THE NORTH AMERICAN MISSION BOARD
OF THE SOUTHERN BAPTIST CONVENTION, INC.

DEFENDANT

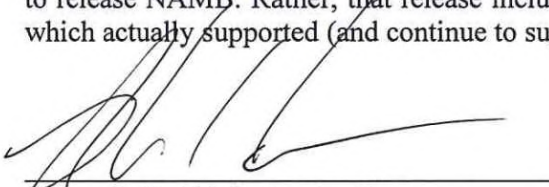
AFFIDAVIT OF R. DAVID DE ARMAS, ESQ.

STATE OF FLORIDA
COUNTY OF ORANGE

I, R. David de Armas, do hereby affirm under penalty of perjury, that the matters set forth below are true:

1. I am over the age of eighteen (18) and am competent to execute this affidavit, the substance of which is based on my personal knowledge as former counsel for Will McRaney.
2. I am an attorney licensed to practice in Florida as a member of The Florida Bar, and have been so licensed since 1985. I represented Dr. McRaney during the process of his leaving the employ of the Baptist Convention of Maryland/Delaware, Inc. ("BCMD") in 2015.
3. I personally reviewed and approved the Separation Agreement and Release signed by Dr. McRaney as part of the settlement with BCMD.
4. As part of the process of advising Dr. McRaney, I confirmed that BCMD annually sent substantially more money to the North American Mission Board ("NAMB") than the NAMB sent to BCMD.
5. Thus, it was obvious that the NAMB was not a supporting organization of the BCMD. Indeed, it is BCMD which supported (and likely continues to support) the NAMB, not the other way around. Assertions to the contrary are misleading, at best.
6. Before executing the Separation Agreement and Release in favor the BCMD, Dr. McRaney specifically asked me whether the Separation Agreement and Release would preclude claims against the NAMB. Based on the records provided to me showing that NAMB was clearly not a supporting organization of the BCMD, I advised Dr. McRaney that he could execute the Separation Agreement and Release and maintain his claims against the NAMB.

7. At no time did Dr. McRaney intend that his settlement with BCMD would release the NAMB for the harm caused by the NAMB, nor did the release executed by Dr. McRaney serve to release NAMB. Rather, that release included only those churches in Maryland and Delaware which actually supported (and continue to support) the BCMD.



R. David de Armas, Esq.

SWORN TO AND SUBSCRIBED BEFORE ME, this 21st day of November, 2018.



NOTARY PUBLIC

My Commission Expires:

(SEAL)

