

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

DISTRICT COURT
FILED

JUN - 9 2014

JOHN DOE (a pseudonym for the Plaintiff),

Plaintiff,

vs.

THE FIRST PRESBYTERIAN CHURCH U.S.A.
OF TULSA, OKLAHOMA, and JAMES D. MILLER,

Defendants.

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

CJ-2014-02210

Case No.

Judge:

DAMAN CANTRELL

PETITION

John Doe (a pseudonym for the Plaintiff) ("Plaintiff"), for his claims against the Defendants, The First Presbyterian Church U.S.A. of Tulsa, Oklahoma ("the FPC") and James D. Miller ("Dr. Miller"), states as follows:

PARTIES

1. Plaintiff is a resident of Tulsa County, Oklahoma. The Plaintiff files his Petition using a pseudonym because using his real name unnecessarily exposes him to physical harm or death.

2. The FPC is a corporation domiciled in Oklahoma and conducts church activities in Tulsa, Oklahoma.

3. Dr. Miller is, upon information and belief, a resident of Tulsa, Oklahoma. Dr. Miller is an employee and an agent of the FPC and all of his acts are imputed to the FPC.

JURISDICTION AND VENUE

4. This Court is a court of general jurisdiction and has subject matter jurisdiction over the claims asserted in this Petition.

SALLY HOWE SMITH
COURT CLERK

2014 JUN - 9 PM 1:32

5. The claims asserted herein occurred in Tulsa County, Oklahoma. Additionally, one or more of the Defendants reside in Tulsa County, Oklahoma and may be served with process in Tulsa County, Oklahoma. For that reason, venue is appropriate in Tulsa County, Oklahoma.

FACTS GIVING RISE TO PLAINTIFF'S CLAIMS

6. Plaintiff was born in the country of Syria and is of Muslim descent.

7. For most of his adult life, Plaintiff has resided in the United States and has been granted permanent resident status in the United States. Plaintiff has completed all of the requirements for United States citizenship, except for taking the citizenship oath, which he will eagerly take when scheduled to do so by the United States.

8. As a natural consequence of living in the United States, Plaintiff was exposed to faith communities other than the Islamic community. After becoming involved in the Christian faith at the FPC, Plaintiff decided that he wanted to convert from Islam to Christianity and began discussing his decision to convert to Christianity with the leadership of the FPC including, but not limited to, Dr. Miller and Dr. Gary L. and Marilyn Slick.

9. Converting from Islam carries grave consequences. Under Sharia law, one who converts from Islam is to be put to death usually, but not always, by beheading. There are no other alternative punishments for conversion from Islam other than death.

10. Because Plaintiff continued to periodically travel to Syria, he knew that any publication or dissemination of his Christian beliefs could pose a danger to his life both in Syria and in the United States. Therefore, in late 2012, Plaintiff and the Defendants repeatedly discussed the need for his prospective conversion to Christianity to remain strictly confidential. All of the Defendants were aware of the potential danger to Plaintiff and pledged strict confidentiality. In fact, on November 19, 2012, Mrs. Slick texted to Plaintiff that "I will call my

pastor today and let you know how we will PRIVATELY work this out. Nobody will find out. We will make sure that your secret is safe!!”

11. Only after receiving absolute assurance from all of the Defendants that Plaintiff could be privately baptized into the Christian faith at the FPC, he agreed to be baptized on December 30, 2012, the same date on which he had already booked a flight for travel to Syria. All Defendants were aware of Plaintiff's travel plans to Syria and of the fact that he would be put to death in Syria if his conversion became known there.

12. On December 30, 2012, Plaintiff drove to the residence of Dr. and Mrs. Slick who then drove the Plaintiff in their own car to the FPC for his private baptism at FPC. Before and after his baptism by Dr. Miller, Plaintiff was assured that his baptism and conversion to Christianity would not be publicized. After being baptized and participating in his first worship service as a Christian, Plaintiff went to the airport for his previously scheduled trip to Syria. Plaintiff then traveled to Damascus, Syria *via* Beirut, Lebanon and arrived in Damascus on January 2, 2013.

13. On January 6, 2013, despite their assurances that Plaintiff's baptism and conversion would remain private, the FPC published an announcement of his baptism complete with his name and the date of his baptism and caused such announcement to be placed on the worldwide web and the internet for distribution to and viewing by the entire world, including, but not limited to, the entire radical element of the Muslim world. The Defendants were either grossly negligent or deliberately indifferent to Plaintiff's safety by publicizing his baptism and

- conversion to Christianity.

14. On January 7, 2013, the Slicks reported that they were “horrificed” that the FPC had published the baptism announcement on the internet, expressed their appreciation of the danger to which they had exposed Plaintiff and stated that they would have the matter removed

from the internet, which they did not do. In spite of the danger posed to Plaintiff, the Defendants refused to remove the Plaintiff's baptism announcement from the internet until April, 2014, more than a year later.

15. In mid-January, 2013, Plaintiff was confronted by radical Muslims in Damascus, Syria who told Plaintiff that they had read of his Christian conversion on the internet and that they were aware that he had converted from Islam. Although Plaintiff denied that he had converted to Christianity, his accusers were undeterred because they repeatedly told him that the news of his baptism at FPC was on the internet. When Plaintiff was unable to convince them, his accusers kidnapped him, bound him and blindfolded him and informed him that they were going to carry out his death sentence resulting from his conversion from Islam.

16. For several days, Plaintiff was bound, beaten, and tortured and forced to spend up to eighteen hours a day in a 55-gallon electrified drum. Periodically, he would be taken out and his captors tortured him and informed him again that he was to be beheaded. Finally, after several days of being bound, beaten and tortured, Plaintiff was, again, taken out to be beheaded. When Plaintiff observed that video cameras had been set up to record his beheading, he knew that his death was imminent and was able to free his hands of the ropes that he loosened in the days leading up to his execution. By doing so, Plaintiff was able to forcibly take possession of a firearm that one of his captors held and turn it against his captors. In his escape, Plaintiff was forced to shoot and to kill his paternal uncle who was among his captors. For doing so, Plaintiff is now wanted for the crime of murder in Syria.

17. Although Plaintiff was able to escape from his captors, his own cousin later saw him in Damascus and attempted to kill him by stabbing him in the chest when his cousin learned that Plaintiff had shot and killed his father. Under Sharia law, it is demanded that retribution be exacted on the Plaintiff or a member of his family.

18. Facing death should he be captured and suffering from numerous debilitating injuries he received from his captors, Plaintiff was forced to clandestinely escape from Syria before returning to the United States. Since returning to the United States, Plaintiff has received numerous death threats and continues to face a death sentence that could be imposed by radical Muslims in the United States at any moment.

19. Plaintiff's capture and torture in Syria resulted in injuries that are almost too numerous to describe. Nonetheless, Plaintiff's beatings resulted in his loss of several teeth from his mouth. Having his hands tightly bound for days on end led to nerve damage in his arms and shoulders which has required multiple surgeries to attempt to mitigate the nerve damage and additional surgery will be required to treat Plaintiff's injuries. Plaintiff also suffered a gunshot wound and was stabbed by a knife numerous times in various locations on his body. And, he has suffered grave psychological injuries and now suffers from post-traumatic stress syndrome.

20. At the time of the events described above, Plaintiff owned a residence in Damascus, Syria to which he can never return nor even sell. His residence in Damascus is now a total loss. Additionally, the Plaintiff's business in Syria is a total loss as is his automobile in Syria. Moreover, the Plaintiff cannot ever visit his own son who resides in Syria.

21. Plaintiff also lives in constant fear that he will be attacked and executed in the United States by radical Muslims carrying out his death sentence under Sharia law.

22. All of the harm caused to Plaintiff has been proximately caused by the acts of the Defendants.

FIRST CLAIM FOR RELIEF - NEGLIGENCE

23. The allegations of paragraph numbers 1 through 23 are incorporated by reference.

24. The Defendants and each of them assured Plaintiff that his conversion and baptism would be kept secret and that it would not be publicized and undertook a duty to

Plaintiff to discharge their duty to him faithfully. The Defendants breached their duty to Plaintiff and proximately caused harm to him.

SECOND CLAIM FOR RELIEF—BREACH OF CONTRACT

25. The allegations of paragraph numbers 1 through 25 are incorporated by reference.

26. The Defendants and each of them offered to Plaintiff that, if he would be baptized and join the FPC, they would not publicize his baptism and conversion. Plaintiff accepted the Defendants' offer and kept his end of the bargain. The Defendants breached their word and agreement with Plaintiff. The Defendants breaches proximately caused harm to Plaintiff.

THIRD CLAIM FOR RELIEF—OUTRAGE

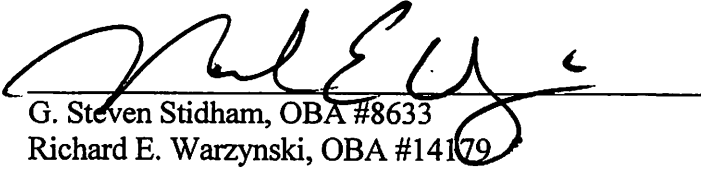
27. The allegations of paragraph numbers 1 through 27 are incorporated by reference.

28. The Defendants' actions in immediately publicizing Plaintiff's baptism and conversion on the internet and keeping it posted for nearly a year-and-a-half with the full knowledge that it subjected Plaintiff to a death sentence under Sharia law is utterly atrocious and unacceptable in a civilized society and constitutes the tort of outrage. The Defendants' outrageous acts have proximately caused extreme emotional distress and other harm to Plaintiff.

WHEREFORE, Plaintiff requests judgment against the Defendants, jointly and severally, in an amount in excess of \$75,000.00, punitive damages in an amount that will exemplify and deter the Defendants and similarly situated persons from such conduct, an award of attorney fees and costs and all other relief to which Plaintiff may be entitled.

Respectfully submitted,

SNEED LANG PC

A handwritten signature in black ink, appearing to read 'G. Stidham', is written over a horizontal line.

G. Steven Stidham, OBA #8633

Richard E. Warzynski, OBA #14179

1700 Williams Center Tower I

One West Third Street

Tulsa, Oklahoma 74103-3522

Telephone: (918) 588-1313

Facsimile: (918) 588-1314

And

Keith A. Ward, OBA #9346

Keith A. Ward, PLLC

The Riverpark Building

1874 S. Boulder Avenue

Tulsa, OK 74119

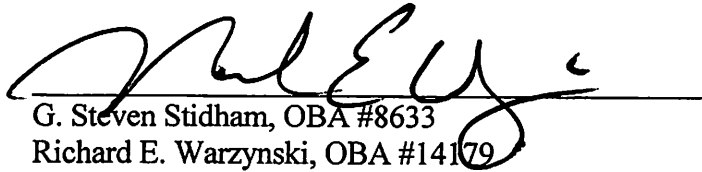
Telephone: (918) 764-9011

Facsimile: (918) 764-9384

Attorneys for Plaintiff

Respectfully submitted,

SNEED LANG PC

A handwritten signature in black ink, appearing to read 'G. Stidham', is written over a horizontal line.

G. Steven Stidham, OBA #8633

Richard E. Warzynski, OBA #14179

1700 Williams Center Tower I

One West Third Street

Tulsa, Oklahoma 74103-3522

Telephone: (918) 588-1313

Facsimile: (918) 588-1314

And

Keith A. Ward, OBA #9346

Keith A. Ward, PLLC

The Riverpark Building

1874 S. Boulder Avenue

Tulsa, OK 74119

Telephone: (918) 764-9011

Facsimile: (918) 764-9384

Attorneys for Plaintiff