

# Attempt to Settle Out of Court Unsuccessful

## Executive Council Turns Down the Plaintiffs' Compromise Offer Without Discussion

Writ Being Submitted to Court on December 1, 2006

Several members registered legal complaints regarding the refusal of the April 8, 2006 General Members' Meeting to hear to hear their motions, and regarding the approval of the financial report without possibility of prior discussion. After an unsuccessful attempt to settle out of court on July 11, the Dorneck-Thierstein District Court, where the meeting was held, ordered that the case be rested until September 30, 2006, to allow the parties additional time to discuss and settle their differences (See the short report on this meeting under "Current Events" on 888GOYA.org). The plaintiffs had offered to retract the suit if certain conditions could be met. On August 22, the plaintiffs sent their proposal for such a settlement to the Executive Council's lawyer, Dr. Christian Brückner. It requested:

- 1) that the events leading up to the lawsuit and the demands of the plaintiffs be published in *Anthroposophie Weltweit*;
- 2) that (according to the suggestion of Head District Judge Markus Christ) the Council return a portion of the past lawsuit's legal expenses to the General Anthroposophical Society. The Council had paid these fees with Society funds even though the court judgment made clear the six individual Council members were to pay them.<sup>1</sup>
- 3) The plaintiffs asked the Executive Council to assure members that in future in would treat member motions to general members' meetings fairly, and as legally prescribed.

On September 22, 2006, Professor Brückner wrote to the plaintiffs' lawyer, Dr. Paul Thaler, presenting the Executive Council's position on the September 27 proposal for settling out of court: Not only does the Council find it impossible to meet any of these three conditions, but it makes no proposals in return, and states that it sees no reason to rest the case any longer.

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<sup>1</sup> This lawsuit had been brought to establish the nonexistence of the Executive Council's claimed society, the General Anthroposophical Society (Christmas Conference) with which the Council had set out to replace our existing society.

Thus, without seeking dialogue, the Executive Council turned down the possibility of a peaceable, out-of-court settlement, and the suit will now run its course.

On October 2, Dr. Thaler let head district judge Markus Christ know that the parties had not been able to come to an agreement, the case was reactivated on October 5<sup>th</sup>, and the plaintiffs were asked to hand in the details of their case by December 1<sup>st</sup>. Then the court will set a date by which the Executive Council must respond. The court will then give each of the parties another opportunity to present their positions, and then there will probably be a hearing before the court hands down its judgment. Dr. Thaler's as well as the plaintiffs' statements may also be read, as separate documents, on 888GOYA.org.

The editors of GELEBTE WEIHNACHTSTAGUNG