

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT  
STATE OF HAWAII

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PAUL J. SULLA, JR., an )  
individual, and PAUL J. )  
SULLA, III, an )  
individual, )

Plaintiffs, )

vs. )

LEONARD G. HOROWITZ, an )  
individual; SHERRI KANE, )  
an individual; et al., )

Defendants, )

and )

LEONARD G. HOROWITZ, an )  
individual; SHERRI KANE, )  
an individual, )

Defendants/  
Counterclaimants, )

vs. )

PAUL J. SULLA, JR.; )  
PAUL J. SULLA, III; )  
HERBERT M. RITKE, an )  
individual; et al., )

Counterclaim )  
Defendants/Third- )  
Party Defendants. )

CIVIL NO. 12-1-417

PARTIAL TRANSCRIPT OF  
PROCEEDINGS HELD ON  
JANUARY 4, 2013

TESTIMONY OF  
PAUL J. SULLA III

1 JANUARY 4, 2013 - PARTIAL TRANSCRIPT

2 (The prior proceedings were reported  
3 but were not transcribed herein.)

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5 MR. HOROWITZ: I would like to call as  
6 my first witness Paul Sulla III.

7 MS. KANE: And then I will ask him  
8 questions.

9 THE COURT: Mr. Sulla III, please step  
10 forward, stand next to the witness box, raise your  
11 right hand, prepare to take the oath to answer  
12 truthfully questions that are asked of you.

13 MR. SULLA III: Where am I standing?

14 THE COURT: Up here.

15 MR. SULLA III: Right here?

16 THE COURT: Please raise your right hand.

17 PAUL J. SULLA III

18 called as a witness by and on behalf of the  
19 Defendants/Counterclaimants, having been first duly  
20 sworn to tell the truth, the whole truth, and  
21 nothing but the truth, was examined and testified  
22 as follows:

23 THE CLERK: Thank you. You may be seated.

24 THE COURT: Please be seated.

25 Mr. Horowitz.

1 they're mixed-up identities. It's very clear.

2 THE COURT: But you've laid no foundation  
3 regarding that document or the import of that  
4 document. And anybody can find anything on the  
5 internet or pay for a lot of things on the internet.  
6 And this Court's not going to attribute value to a  
7 source of a document that you haven't established as  
8 having value.

9 Q. (By Mr. Horowitz) Paul, do you have a  
10 practice in clinical psychology?

11 A. No.

12 Q. Do you advertise your practice anywhere?

13 A. Do I advertise what?

14 Q. Do you advertise your clinical practice of  
15 psychology anywhere?

16 A. No, not at this time.

17 Q. And have you read the complaint that you  
18 filed?

19 A. I did, yes.

20 Q. You did? Did you sign -- is that your  
21 signatures on those complaints?

22 A. Yes, that's my signature. I signed it.

23 Q. So you signed that you were a clinical  
24 psychologist; is that right?

25 A. No, I didn't sign that I was a clinical

1 psychologist. I signed under my name, that I'm  
2 Paul J. Sulla III.

3 Q. Well, the allegation in that complaint is  
4 that you are a practicing clinical psychologist.

5 MR. SULLA: Objection, your Honor. He's  
6 arguing something from the complaint, but he hasn't  
7 pointed out where that is in the complaint.

8 THE COURT: Which paragraph of the  
9 complaint? Other than -- if there's something more  
10 than paragraph 2, if you would note that for the --

11 MR. SULLA: Paragraph 2, I guess it is.

12 MS. KANE: Is this the one?

13 MR. HOROWITZ: Yes.

14 MS. KANE: Here. Here.

15 MR. HOROWITZ: Thank you.

16 Your Honor, paragraph 2. So it says,  
17 quote, Sulla III has obtained two master's degrees  
18 in psychology and is working as a clinical psycholo-  
19 gist.

20 Q. (By Mr. Horowitz). So, Paul, if you're --  
21 are you working as a clinical psychologist, as it  
22 states here?

23 A. I'm trying to elaborate on that, what I  
24 actually do. Do you wanna know my profession, is  
25 that what you're asking?

1 Q. No. I'm asking you what it states here in  
2 the complaint, that you're working as a clinical  
3 psychologist.

4 A. I'm working in the field of clinical  
5 psychology. I'm working in the field of clinical  
6 psychology.

7 MS. KANE: What about this one?

8 Q. (By Mr. Horowitz) So would you say that  
9 this is an accurate statement, that you're working  
10 as a clinical psychologist?

11 A. I would say that there -- it is not  
12 phrased completely correctly, probably.

13 Q. What's wrong with it?

14 A. I'm a marriage and family therapist, so  
15 it's in the field of clinical psychology. I have a  
16 master's degree in clinical counseling. Right?

17 Q. Are you aware of any laws in the state of  
18 Hawaii with regard to making a statement that you're  
19 a clinical psychologist, working as a clinical  
20 psychologist?

21 A. Yes.

22 Q. And what are those laws?

23 A. I do not have anything to cite at this  
24 time of any laws. I don't know if --

25 Q. Is it legal or is it illegal at this time

1 for you, without a license, to be claiming that  
2 you're working as a clinical psychologist?

3 MR. SULLA: Objection, your Honor. I  
4 don't know if he would know that answer.

5 THE COURT: Legal versus illegal.  
6 Sustained.

7 THE WITNESS: All right.

8 Q. (By Mr. Horowitz) Well, if you can --  
9 well, you've already established that you are not  
10 working as a clinical psychologist and that that is  
11 an inaccuracy in the filing.

12 A. I don't see how it's relevant to any of  
13 what's inside the filing.

14 MR. HOROWITZ: Your Honor, I -- relevance  
15 with regard to omitting, neglecting, deceiving.

16 THE COURT: I think you can move on.  
17 You've established that the witness is not a  
18 clinical psychologist, and the witness has provided  
19 an explanation for what he does.

20 MR. HOROWITZ: Well, this is -- you've  
21 seen that before, I'm sure.

22 MR. SULLA: I don't -- you know, there's  
23 no list here, so I don't really know what he's going  
24 to come up with next, your Honor. But I object to  
25 this report also as -- the basis that there's no

1 foundation for this --

2 THE COURT: What is the document --

3 MR. SULLA: -- next exhibit he's intending  
4 to use.

5 MR. HOROWITZ: This is a document  
6 entitled, "Identifying Spiritual Content in Reports  
7 from Ayahuasca Sessions," coauthored by --

8 Q. (By Mr. Horowitz) Do you also go by the  
9 name of Joseph Sulla?

10 A. That's my middle name.

11 Q. Do you recognize the title of this  
12 article?

13 THE WITNESS: Are we submitting this  
14 article? Am I answering this or -- I'm just  
15 wondering.

16 THE COURT: The witness will answer the  
17 question.

18 THE WITNESS: Okay. Thank you.

19 A. Yes. That article I coauthored with  
20 Stanley Krippner in -- what year was that? It was a  
21 long time ago. In the nineties, I believe. Right?

22 Q. (By Mr. Horowitz) That's correct.

23 MR. HOROWITZ: So, your Honor, I'd like to  
24 submit this as evidence of what type of clinical  
25 psychology practice Paul Sulla engages in.

1 MR. SULLA: Objection, your Honor. The  
2 relevance of this matter, of a writing that was done  
3 maybe ten years ago, does not have any bearing on  
4 the intention of what he's intending to have it  
5 submitted for.

6 THE COURT: What's the relevance?

7 MR. HOROWITZ: Oh, the relevance is  
8 because of the extent of the clinical practice of  
9 working in the field of family therapy or  
10 psychology, as he stated, has intimate connections  
11 to the use of pharmaceutical psychotropic drugs.  
12 And I'd like to establish the fact that he has, you  
13 know, coauthored with the most esteemed researcher  
14 in the field in that area.

15 MR. SULLA: Your Honor, again, object for  
16 relevance. This is a matter of defamation. He's  
17 using this article to defame and not to assert any  
18 truth in this matter. It has no bearing on any  
19 crime or anything that supports any of the claims  
20 that he's made here in his web page.

21 MR. HOROWITZ: Your Honor, if I might make  
22 a comment on that.

23 THE COURT: Well, what paragraph of the  
24 complaint -- Mr. Sulla has listed in the complaint a  
25 whole list of alleged defamatory statements --



1 MR. HOROWITZ: That's correct, your Honor,  
2 and there are none.

3 THE COURT: Let me finish.

4 MR. HOROWITZ: Oh, sorry.

5 THE COURT: You're claiming that there is  
6 relevance to that article. Which paragraph and  
7 allegation does the article go to?

8 MR. HOROWITZ: This has a relevance to,  
9 certainly, the one connecting to the Central  
10 Intelligence Agency.

11 THE COURT: That would be paragraphs 27  
12 and 28?

13 MR. HOROWITZ: And let me -- and that with  
14 regard to the aspect of the defamation, alleged  
15 defamation, it has to do with the commercial  
16 operations of an ayahuasca church in North Hilo.  
17 It deals specifically with much of the alleged  
18 defamation. In our defense, we're simply telling  
19 the truth with regard to what type of clinical  
20 psychology practice Mr. Sulla engages in.

21 THE COURT: I'm looking, Mr. Sulla, at the  
22 complaint. I don't see what the specific allega-  
23 tions of defamation are against Paul Sulla III.

24 MR. SULLA: Well, your Honor, if you  
25 follow the web page, it gets confusing as to -- he