

EXHIBIT A

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Attorneys for Plaintiff

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

KELY JOHANA SUAREZ MOYA, an individual; and LUZ MIRIAM MOYA SOLANO,

Plaintiffs,

v.

TIMOTHY BALLARD, et al.;

Defendants.

DECLARATION OF RYAN FISHER

I, Ryan Fisher, declare as follows:

1. I have personal knowledge of the facts stated herein.
2. I met Tim Ballard (“Ballard”) at a FIRM Foundation conference in 2011, as we both were authors of Book of Mormon theories and took great interest in a view of United States history, that was referred to as a covenant land in the Book of Mormon and Ballard called it “The American Covenant” in his Book and presentation of that title.
3. Ballard was still with the Department of Homeland Security at that time, based out of El Centro, California.
4. Ballard had written a book entitled *The American Covenant*.
5. I was a freelance investigative journalist and film maker and TV producer and National Geographic photographer at the time.
6. I began investigating the “Heartland Model” of the Book of Mormon geography, which claims that the Book of Mormon occurred in the east and Midwest portions of the United States of America.
7. At the time, I had created a TV show called “Nephite Explorer” which subsequently aired on KJZZ Channel 14 in Salt Lake City every Sunday night, and it frequently discussed The American Covenant among other related topics.
8. I also had a tour business called “The American Covenant Tour,” where I would take tourists to both Mormon and US History sites on the east coast and explain how the American Covenant fit into these historical stories and places.
9. I began having Ballard on my television show to discuss The American Covenant.
10. At this time, Elder M. Russell Ballard (“Elder Ballard”), an apostle and member

of the First Quorum of the Twelve of The Church of Jesus Christ of Latter-day Saints (“Mormon Church” or “LDS”), reached out to Ballard and asked for his help in locating Mardy Gardy, an LDS boy in Haiti who was kidnapped.

11. It is my understanding that Ballard arranged a search in Haiti for Mardy, based upon Elder Ballard’s request.

12. The search was unsuccessful, and Mardy remains missing today.

13. Ballard and I became de facto business partners in The American Covenant Tour, and I believed that we had become friends.

14. I paid Ballard to come on my tours and Ballard would accompany me on my tours that were about the American Covenant.

15. Elder Ballard, a great-great nephew of the Mormon Church’s founder, Joseph Smith, and a great-great grandson of Joseph Smith’s brother Hyrum Smith, was enamored by Tim Ballard’s book, *The American Covenant*.

16. At the time, both Ballard and I both shared an interest in the book *Visions of Glory* that was published in November of 2012, and I became aware that Tim Ballard was getting counsel from the author of *Visions of Glory*, Thom Harrison.

17. Ballard told me that Thom Harrison was advising him on how to prepare for the imminent destruction of society and the second coming of Jesus Christ.

18. Part of his counsel was to prepare an organization for taking in thousands of children who would be survivors after their captors were destroyed in doomsday calamities that were imminent.

19. Ballard planned on using OUR resources to prepare for this doomsday event and hired Thom Harrison to secretly make these preparations.

20. It was my understanding that Thom Harrison was officially an after-care specialist for OUR but his real purpose was preparing for the destructions of the Last Days and the influx of refugee children who had been liberated from sex slavery when many of the wicked people were destroyed.

21. Ballard received counsel from both Thom Harrison and Elder Ballard both of whom he considered to be prophets.

22. Elder Ballard would have regular meetings with Ballard and discuss how to bring Mormonism into American Evangelical homes without Evangelicals realizing such.

23. I was in meetings with general authorities of the LDS church, including Elder Ballard and I had many discussions with Ballard in which he relayed various plans Elder Ballard and the church formulated to use Ballard and his message to infiltrate Evangelical American culture in an effort to influence their perception of the Mormon church.

24. To accomplish this, they proposed “scrubbing the internet” of Ballard’s Mormon beliefs and background and publish a non-Mormon version of his book.

25. Elder Ballard and the Mormon Church also created a plan to make Tim a celebrity and American hero by helping him launch a non-profit called Operation Underground Railroad (OUR).

26. Elder Ballard issued requests to various wealthy and influential Mormon individuals and organizations asking them to fund and help launch OUR.

27. One of these contacts was Glenn Beck who was propositioned on hiring Ballard to work for his company Blaze TV full time to provide Ballard an income while he transitioned from quitting DHS and launching his own organization.

28. Elder Ballard and the Mormon Church were primarily interested in building Ballard into an American Hero so they could take advantage of the fact that later, it would reflect well on the Mormon Church and help their long term goal of being assimilated into the family of American evangelical churches.

29. The Mormon Church however has stated consistently that Elder Ballard's interest in helping Tim was a shared interest in helping vulnerable children and people around the world who have been trafficked, which was not the primary focus of Ballard's career or the Mormon Church's involvement from my perspective.

30. The primary focus was to make Ballard into a celebrity and American hero in the wider Non-Mormon American culture.

31. To accomplish this, The Mormon Church, Ballard and OUR needed Ballard to be perceived as a savior of children.

32. The purpose of all the film projects Ballard engaged in was to accomplish this perception, persuade others to donate money to Ballard's organizations, and ultimately accomplish the public relation goals of the Mormon church.

33. To my knowledge this plan was never made known to OUR's donors or to those who donated to other organizations Ballard oversaw.

34. Once Ballard was a household name in Evangelical homes, it would be revealed that he was a Mormon and he would help bring Evangelicals, who likewise believe in

American exceptionalism, into the Mormon church accepting the Mormon church as a Christian church.

35. Elder Ballard also made arrangements so that Deseret Book would market and sell Tim Ballard's book *The Lincoln Hypothesis*, and raised Ballard's royalties beyond the normal royalties paid to first time Deseret Book authors.

36. It is believed that Tim Ballard is the highest earning author in Deseret Book history.

37. Elder Ballard also planned for Tim Ballard to be featured in other Mormon media forums, including BYU TV and others.

38. Once Elder Ballard had made all the arrangements for OUR to be organized and funded, Tim Ballard left his job at DHS and moved to Utah.

39. Elder Ballard brought in Mormon Glenn Beck to help plan how to get Tim Ballard into Evangelical homes.

40. Glenn Beck donated significant amounts of money for Ballard to create Operation Underground Railroad and invited Tim to host one of his programs on Blaze TV.

41. I created a TV show concept called "*The Abolitionist*" in 2012 which would feature Ballard and his team setting up sting operations and saving kids

42. Ballard and I pitched National Geographic channel on the concept, and they loved it and wanted to air it through their international network distribution which reached many of the countries where human trafficking of kids is a major problem.

43. It wouldn't necessarily be aired in the United States initially.

44. Ballard's plan was to leave DHS in the near future.

45. National Geographic channel wanted to produce and air the tv series as soon as Ballard left DHS.

46. Ballard backed out of the project because he wouldn't get paid a lot of money for his participation and might not get the fame in the United States he and the Mormon Church sought.

47. It was apparent to me that while it was Elder Ballard's wish to get Ballard into Evangelical homes, Ballard's interest in making "*The Abolitionists*," was primarily to make money and gain fame, not to save kids or combat human trafficking.

48. Ballard stole "*The Abolitionists*" show concept and made the show in an attempt to raise millions of dollars for himself through his own for-profit production company.

49. Elder Ballard's association and support was frequently discussed by Ballard to potential supporters or donors and gave him credibility whenever he was seeking support or money for his endeavors.

50. Without Elder Ballard's support, Ballard likely would not have accomplished celebrity status, and OUR likely would not have been launched or become successful.

51. Elder Ballard helped Tim Ballard in obtaining donors for this documentary TV series and OUR under the pretext that they were helping to rescue child sex slaves in Colombia.

52. However, once donors were lined up to pledge money for the production of "*The Abolitionists*," Ballard cut me out of the project and simply pocketed the money and never made anything besides a fundraising movie, which was a flop at the box office and never did anything significant to raise awareness domestically or internationally about the problems of child sex slavery and human trafficking.

53. After *The Abolitionists* movie was circulated, other reputable human trafficking organizations denounced OUR's techniques as reckless, dangerous and counterproductive because they were creating a market for child exploitation wherever they went and trying to solicit children with the promise of a big payday for participants, taking advantage of desperate people in desperate situations.

54. OUR's own employees raised concerns about these tactics as well as misappropriation of funds, but no action was taken to correct these things at the time.

55. Given the failure of "*The Abolitionists*," Elder Ballard brought in others to help get Tim Ballard into evangelical homes across the United States.

56. In 2016, Ballard invited me to a private meeting with Elder Ballard, Tim Ballard, and President of OUR, John Moreland, in Elder Ballard's private office where Ballard and I were given an assignment or an unofficial calling to make a different TV show that would reach a national audience and accomplish these goals for the church.

57. This show was to be based on Tim's research and have no Mormon references in another attempt to be appealing to Evangelical Christians.

58. Elder Ballard issued assignments or callings to others to help in the effort to get Ballard celebrity status in the wider evangelical culture.

59. This included Ken Krogue, who was another friend of Elder Ballard's and who was in charge of the Mormon Church's social media campaigns.

60. Ballard met with Elder Ballard on a very regular basis.

61. Ballard was obsessed with feelings of guilt, questioning whether his work in child sex slavery, at DHS and at OUR made him morally "unclean".

62. As Ballard's business adviser and religious leader, Ballard went to Elder Ballard about his concerns.

63. Ballard told me that Elder Ballard had given him special blessings, which took away any concerns he had about whether he was "morally clean" and assured him that he would not be sinning or be held accountable before the Mormon Church and God for immoral things he engaged in while in the effort to save children from sex slavery.

64. Given that Ballard's concerns about his "moral cleanliness" were removed, Tim became emboldened in his approach to everyone and everything after receiving these blessings.

65. It is my belief that Ballard likely received a secret temple ordinance from Elder Ballard called "The Second Anointing."

66. Elder Ballard's great-great uncle taught that "The Second Anointing" served to ensure and guarantee salvation, guaranteed exaltation, and conferred godhood and that one could not fall from these blessings even if one sinned.

67. Elder Ballard is known to have been fond of extending this ordinance to his friends, including Tom Phillips and Elder Hans Mattsson, who like Tim Ballard, are no longer part of the Mormon Church.

68. Tim Ballard continued to author books that Church-owned Deseret Book and Covenant Book sold.

69. At this point in time, after becoming angry at OUR, Deseret Book and anyone who was profiting off of what he called "his message" and his calling as "the prophet of the American Covenant", a calling he believed came from God and was supported and echoed by

Elder Ballard, Ballard demanded that I pay him more money than what was already agreed upon for his participation in my tour business.

70. When I refused because I didn't have more money, he angrily demanded that I turn over my tour company documents under the guise that he wanted to "audit me."

71. He also angrily demanded I give him all the money I had in my bank account threatening me by saying, "you know I can find out anything I want." Implying to me that he can take me down if I don't comply with his demands.

72. Fearing his threats and anger, I turned over my tour vendor contacts, my financials, my budget and gave him all the money in my bank account including my marketing money set aside to market the next year's tour.

73. Ballard used all of this to create his own American Covenant tour by the same name, building off years of branding my company built, following the same itinerary, and took my marketing money to market his own tour behind my back.

74. During the summer of 2019, Elder Ballard accompanied Ballard and his family on the American Covenant Tour.

75. In December of 2019, Elder Ballard mentioned Ballard in his commencement address to BYU and proclaimed Ballard to be an expert on Nephi's vision and the Pilgrims, right before Tim Ballard released his new book in May of 2020, *The Pilgrim Hypothesis*, with a foreword by Glenn Beck.

76. These actions by Elder Ballard were very upsetting to me because Ballard had stolen my company from me and an Apostle of the Church was giving Ballard credibility, of which he was undeserving.

77. I had no further dealings with Ballard, until he was under investigation from the Davis County Attorney.

78. At that point in time, Ballard contacted me and offered to send me his new book and had the audacity to act as if nothing happened between us.

79. I responded by accusing him of stealing my business to which he replied that if he took something that wasn't his, he wanted to make it right.

80. Still fearing and not trusting him I simply asked him to leave me alone.

81. I believe that Tim contacted me and tried to give me his book in hopes I would remain silent with regard to being a witness in the Davis County fraud Investigation against him and OUR.

82. I never heard from or spoke to Tim Ballard again.

83. I had been warned by multiple friends who were former OUR employees, that Ballard threatened them in an attempt to keep them silent both from publicly speaking out against him and participating in the Davis County investigation.

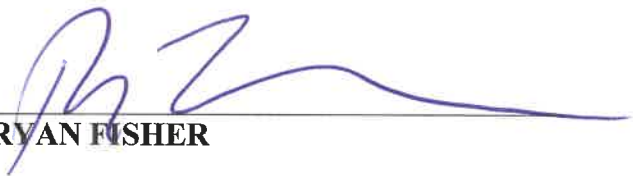
84. What I want this Court and jury to understand is that the raid in Cartagena was a well-staged cosplay fraud, fictional situation, performed by actors, funded by wealthy members of the Mormon Church enlisted by Elder Ballard with the primary intention to provide Tim Ballard "a sizzle reel" or the perception of saving children so he could gain money and fame so that a movie could be made and Tim Ballard would be presented into evangelical homes across the country as an American hero as envisioned by Elder M. Russel Ballard.

85. While that plan came to fruition with the release of *The Sound of Freedom*, it is my understanding that it has come at the expense of innocent bystanders like Kely Suarez, the

children who were lured to the island party and who were scared to death, not understanding what was occurring given that they had not been previously sex trafficked, and the donors across the world who thought they were trying to deter childhood sex slavery, were in fact funding Ballard's personal ambitions seeking wealth, fame and future political office along with delusions of grandeur as God's chosen prophet, in conjunction with a sophisticated, multi-faceted, extensive public relations campaign for the Mormon Church.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED this 4 day of June, 2024.


RYAN FISHER