

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

THE GENTLE WIND PROJECT,)
MARY MILLER, SHELLY MILLER,)
CAROL MILLER, JOAN CARREIRO,)
PAM RANHEIM, and JOHN MILLER)

Plaintiffs,)

v.)

Civil Action Docket No.

JUDY GARVEY, JAMES F. BERGIN,)
J.F. BERGIN COMPANY,)
STEVE GAMBLE, EQUILIBRA,)
IVAN FRASER, THE TRUTH CAMPAIGN,)
STEVEN ALLAN HASSAN, FREEDOM)
OF MIND RESOURCE CENTER, INC.,)
RICK A. ROSS, RICK A. ROSS INSTITUTE)
FOR THE STUDY OF DESTRUCTIVE CULTS,)
CONTROVERSIAL GROUPS AND)
MOVEMENTS, and IAN MANDER,)

Defendants.)

**COMPLAINT AND JURY DEMAND
INJUNCTIVE RELIEF REQUESTED**

The Plaintiffs The Gentle Wind Project, Mary Miller, Shelly Miller, Carol Miller, Joan Carreiro, Pam Ranheim and John Miller (“Plaintiffs”) complain against Defendants Judy Garvey, James F. Bergin, J.F. Bergin Company, Steve Gamble, Equilibra, Ivan Fraser, The Truth Campaign, Steven Allan Hassan, Freedom of Mind Resource Center, Inc., Rick A. Ross, Rick A. Ross Institute for the Study of Destructive Cults, Controversial Groups and Movements, and Ian Mander (“Defendants”) as follows:

NATURE OF THE ACTION

1. This action is brought by The Gentle Wind Project, a Maine nonprofit corporation dedicated to emotional and physical healing and well-being, as well as members of

Gentle Wind's staff, alleging that Defendants engaged (and continue to engage) in a smear campaign to destroy Gentle Wind's reputation and ruin its ability to conduct its activities. Defendants have publicly accused Gentle Wind of being a mind-control cult whose products are "snake oil" at best, dangerous at worst; and have publicly accused the individual Plaintiffs of: being members and/or leaders of a cult; engaging in, subjecting others to, and/or themselves being subject to mind control; engaging in, subjecting others to, and/or themselves being subject to voluntary or involuntary group sexual rituals; engaging in, subjecting others to, and/or themselves being subject to extortion and/or coercion of individuals to donate money or things of value; engaging in or causing the abuse and/or neglect of children; misrepresenting the nature and/or effectiveness of Gentle Wind products for material gain; and engaging in or causing the misappropriation of Gentle Wind funds. These wild, scurrilous and utterly unfounded allegations have been published and viewed in Maine and have harmed Gentle Wind and the individual Plaintiffs in Maine, and Plaintiffs hereby seek compensatory, presumed and punitive damages and injunctive relief to remedy such harm and prevent further harm.

PARTIES

2. Plaintiff The Gentle Wind Project ("Gentle Wind") is a Maine nonprofit corporation with a place of business in Kittery, Maine.
3. Plaintiff Mary Miller is a resident and citizen of Durham, New Hampshire. Mary Miller lived in Maine from 1984 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.

4. Plaintiff Shelly Miller is a resident and citizen of Durham, New Hampshire. Shelly Miller lived in Maine from 1983 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.
5. Plaintiff Carol Miller is a resident and citizen of Durham, New Hampshire. Carol Miller lived in Maine from 1983 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.
6. Plaintiff Joan Carreiro is a resident and citizen of Durham, New Hampshire. Joan Carreiro lived in Maine from 1983 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.
7. Plaintiff Pam Ranheim is a resident and citizen of Durham, New Hampshire. Pam Ranheim lived in Maine from 1983 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.
8. Plaintiff John Miller is a resident and citizen of Durham, New Hampshire. John Miller lived in Maine from 1983 to 1999, continues to have many friends and acquaintances in Maine, and travels to Maine frequently.
9. Defendant Judy Garvey (“Garvey”) is a resident and citizen of Blue Hill, Maine.
10. Defendant James F. Bergin (“Bergin”) is a resident and citizen of Blue Hill, Maine.
11. Upon information and belief, Defendant J.F. Bergin Company (“JFB”) is an unincorporated entity owned or controlled by Bergin and having a place of business in Blue Hill, Maine.
12. Upon information and belief, Defendant Steve Gamble (“Gamble”) is a resident and citizen of Billingham, Cleveland, United Kingdom.

13. Defendant Equilibra (“Equilibra”) is a corporation or other entity with a place of business in Billingham, Cleveland, United Kingdom. Upon information and belief, Gamble directs, controls and/or manages the activities of Equilibra.
14. Defendant Ivan Fraser (“Fraser”) is a resident and citizen of North Shields, Tyne and Wear, United Kingdom.
15. Defendant The Truth Campaign (the “Truth Campaign”) is a corporation or other entity with a place of business in North Shields, Tyne and Wear, United Kingdom. Upon information and belief, Fraser, directs, controls and/or manages the activities of The Truth Campaign. The Truth Campaign operates and maintains a web site and quarterly magazine that are created, controlled and edited, in whole or in part, by Defendant Fraser.
16. Defendant Steven Allan Hassan (“Hassan”) is a resident and citizen of Somerville, Massachusetts.
17. Defendant Freedom of Mind Resource Center, Inc. (“FOM”) is a Massachusetts corporation with a place of business in Somerville, Massachusetts. Hassan is the President and Treasurer of FOM, and upon information and belief is its sole or controlling shareholder.
18. Defendant Rick A. Ross (“Ross”) is a resident and citizen of Jersey City, New Jersey.
19. Defendant the Rick A. Ross Institute for the Study of Destructive Cults, Controversial Groups and Movements of New Jersey (the “Institute”) is a New Jersey nonprofit corporation with a place of business in Jersey City, New Jersey. Ross is the Executive Director of the Institute and upon information and belief is its sole or controlling officer and/or director.

20. Upon information and belief, Defendant Ian Mander (“Mander”) is a resident and citizen of New Zealand.

JURISDICTION AND VENUE

21. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1331, as a civil action arising under the laws of the United States. See also 15 U.S.C. § 1121(a).

22. Venue is proper in this Court because a substantial part of the events giving rise to Plaintiffs’ claims occurred in the District of Maine, or in the alternative because Defendants Garvey and Bergin are located in Maine. 28 U.S.C. § 1391(b)(2)-(3). In addition, venue is proper in this Court pursuant to 18 U.S.C. § 1965.

GENERAL ALLEGATIONS

PLAINTIFFS

23. Plaintiff Gentle Wind is a nonprofit corporation dedicated to education and research aimed at alleviating human suffering and trauma. Gentle Wind pursues these goals by researching, developing and distributing healing instruments that it believes restore and regenerate the human energy field and contribute to human healing.

24. In connection with these activities, Gentle Wind maintains a web site, www.gentlewindproject.org, and conducts seminars throughout the world at which its principles and healing instruments are discussed.

25. Gentle Wind does not sell its healing instruments. Instead, the instruments are given free of charge to individuals who request them, while a suggested donation is requested.

Gentle Wind’s income comes entirely from donations.

26. Gentle Wind has never publicly advertised its products.

27. Gentle Wind has a staff of individuals who research and develop healing instruments; run an Internet web site; process requests for instruments; process donations; field inquiries about Gentle Wind; and otherwise engage in Gentle Wind's day-to-day activities. Gentle Wind is not a "group," does not have "members," does not have a "leader," and does not recruit additional staff.
28. Gentle Wind does not consist of or espouse an all-encompassing belief system and does not have an agenda other than developing and promoting the use of its healing instruments.
29. Plaintiffs Mary Miller, Shelly Miller, Carol Miller, John Miller, Joan Carreiro and Pam Ranheim (the "Individual Plaintiffs") are, variously, employees, staff and/or directors of Gentle Wind.

GARVEY AND BERGIN

30. For many years, Garvey and Bergin were involved with Gentle Wind in varying degrees. Among other things, Garvey made certain loans to Gentle Wind. All involvement by Garvey and Bergin with Gentle Wind was at the election of Garvey and Bergin and not at the request of Gentle Wind or the Individual Plaintiffs.
31. In or about the autumn of 1999, Garvey asked to volunteer at the Kittery office of Gentle Wind. The arrangement was unsuccessful. Garvey was informed that the arrangement was not working and was asked to leave the Kittery location.
32. Subsequently, Garvey demanded immediate repayment of outstanding loans to Gentle Wind. By early summer of 2003 Gentle Wind had repaid all loans.
33. Around the same time that Garvey demanded immediate repayment, she made the false and defamatory statement in an October 16, 2002 electronic mail message to a third party

named Cece Freeman that she and Bergin had been subject to an “elaborate mind control project” run by Gentle Wind, Plaintiff John Miller and Plaintiff Mary Miller. In that e-mail, Garvey also referred to her and Bergin’s Gentle Wind experience as being difficult on her sons, “as it is for other kids raised under the influence of such groups.”

34. In or about November 2003, Garvey authored, contributed to and/or edited a lengthy document (the “Garvey Report”) containing specific and repeated false and defamatory statements that Gentle Wind and the Individual Plaintiffs engaged in mind-control, group sexual rituals, and abuse and neglect of children. The Garvey Report is attached as Exhibit A and is incorporated by reference herein.

35. The Garvey Report labels John Miller as “group founder,” John and Mary Miller as “group leaders”, and Plaintiffs Shelly Miller, Carol Miller, Joan Carreiro, and Pam Ranheim as “co-leaders”.

36. The Garvey Report contains, for purposes of illustration only, the following false and defamatory statements:

- “[T]he people, mostly women, in this group, take all commands from John Miller and the women living with him, responding to any request without question. If anything is questioned, the member doing this would be chastised, receiving information that they are causing chaos, that the ‘energy is negative,’ that their very presence is disruptive.”
- “In the experience of former members, the members are influenced by all of the usual cult tactics: fear of rejection, fear of loss of spiritual evolution, watching what happens to other members in the way of rewards and punishments, selection of friends, influencing of relationships outside the cult, easing people away from friends and family, spending time almost exclusively with other members, and so on.
- “As in many cults, the sexual rituals were primarily used to enforce the power and control of the cult leader over the participants. By having members perform sexual acts that they normally wouldn’t do, and were contrary to their sense of self, the cult leader thereby assumed the ultimate control of the women’s minds and bodies. Power and control were the intent behind these rituals, not affection,

love, or spiritual evolution, as they were represented. In this light, former members of the cult now can see that the leader perverted the sexual energy of the participants to his own abusive purposes.”

- “After counseling from therapists who work with former cult members and victims of sexual abuse and domestic violence, these members were able to tell their partners about what had happened in the cult, and then they began to understand the abuse that had been perpetrated by the cult leaders.”
- “In typical fashion, it seems that members were kicked out of the group, then were shunned after being rejected by the cult, then invited back in, and so on, in a continuous cycle. Thus, people became increasingly fearful about going against the norms.”
- “Members of Gentle Wind are fearful of expressing an opinion that differs from the cult leaders. If they are too independent, they can be kicked out of the cult.”
- “Personalities became suppressed as group members lost their individuality in order to conform to the norms of the group that were subtly put forth by the leaders and reinforced by each member.”
- “Members would quickly step over other members to move closer to the presumed benefits of proximity to the leaders.”
- “Some children raised by parents in the Gentle Wind group have reportedly suffered greatly in their development, after enduring a form of neglect while their parents were involved in the group’s work. Children of members have often undergone a rocky transition into young adulthood, leaving home early by choice or being turned out, and experimenting with drugs and alcohol. One mother lived in great fear that she would receive ‘spiritual information’ from the group leaders requiring her to give up her children, as others had already been advised to do this with their own children.”
- “The group leaders claim to be in constant contact with the ‘spirit world,’ and therefore can often give new ‘readings’ to members, ranging from comments on world affairs to what kind of car to purchase to how members should raise their children. When these readings are happening, people’s minds feel blank and they gratefully take in the information. The information received by former members was often devastating and very critical of members’ behavior. Many times former members were given audiotapes of the channeled reading and they then listened over and over to the tapes. . . . This information was not subject to critical thinking by the members, and constructive criticism was simply not practiced or allowed.”
- “Former members report that each couple that originally entered the group together was broken up by the leaders; parents were often separated from their

children”

37. The Garvey Report specifically references the State of Maine and states that Gentle Wind conducts activities in Maine, has its legal address in Maine, owns property in Maine and formerly owned other property in Maine. Likewise, the Garvey Report indicates that much if not all of the conduct that Garvey describes occurred in Maine.

38. Likewise, Bergin authored a lengthy document (the “Bergin Report”) containing specific and repeated false and defamatory statements that Gentle Wind and the Individual plaintiffs engaged in mind-control, group sexual rituals, abuse and neglect of children, and improper solicitation and acceptance of financial contributions. The Bergin Report is attached as Exhibit B and is incorporated by reference herein.

39. The Bergin Report contains, for purposes of illustration only, the following false and defamatory statements:

- Gentle Wind “members will attempt to control this information . . . since, of necessity, they must always protect their many secrets in order to maintain the *mystical manipulation* that takes place for followers and potential recruits.” (Emphasis original).
- “Had someone asked me early on whether I would submit to handing over a large part of my income and life’s savings, give up a nurturing and valued relationship with my wife, take a back seat to seeing and parenting my children, sell the business I loved, and live in greatly reduced circumstances, I would have laughed at the idea. But, as I will describe here, the process was deceptively subtle, pervasive, and persistent.”
- “After years of being an obedient follower, I began researching some of the literature about thought control . . . and also attended a conference . . . about cults and high-control groups around the world. What struck me was the universal similarity of these groups to Gentle Wind.”
- “[I]n an attempt to prove they are ‘not a cult,’ the [Gentle Wind] leaders compare themselves to the Jimmy Fund, Red Cross and many other reputable nonprofit groups. So, what is the difference between a high-control group or cult that distinguishes it from those types of organizations? For a start, in my experience, the Jimmy Fund is a nonprofit organization employing a staff, but, unlike GW, I

don't recall that they gave me 'soul readings,' or had sexual relations with my wife, in return for my contributions.”

- “In my seventeen years in GW, I never saw anyone question, or otherwise interrogate the information flowing from ‘Moe’ [Plaintiff Mary Miller] or ‘Tubby’ [Plaintiff John Miller]. If anyone even indicated dissent or challenge of the ideas, they could risk being ‘furloughed’ from the group temporarily, or permanently. . . . [I]t wasn’t until my recovery from nearly two decades of this devastating experience that I learned the true depths of the leader’s control, after my wife was finally able to tell me about the secret sexual rituals ‘engineered’ by John Miller and the women in his inner circle; passed off as the ‘energy’ to produce new ‘healing instruments.’”
- “Since my wife and I were both members of GW, one of the techniques used by high-control groups or cults to maintain influence over members was known to me: *controlling information*. . . . From my observation, the form this took in GW was to inoculate us from outside sources of information by consistently citing GW as the sole source of ‘correct’ information about the nature of reality.” (Emphasis original)
- “Years later, after leaving the GW group, my wife was recovered enough to tell me that during this time she was asked to participate in so-called ‘energy work’ -- a euphemism for the sexual rituals with ‘Tubby’ [Plaintiff John Miller] and the women followers surrounding him. She was told that the ‘spirit world’ expected to gain ‘new healing instruments’ as a result of her participation in the ‘energy work,’ and that participants should not have sexual relations with anyone outside of the group. For my wife, now fully converted, there was no self-discernible choice but to follow this ‘higher’ calling to assist in the project’s goals.”
- “The separation from spouses, friends, family, and identity is one of the most destructive manipulation tools used by high-control groups and cults. During my experience, I witnessed ties to families and friends broken -- whether completely or partially through innuendos, or by direct suggestions from ‘readings’ about the negative effects of being around family or other non-GW people.”
- “The extent of the group’s thought adjustment on me is now very apparent when I consider that, until that point, my wife and I had always put the well being of our children first, and had provided a safe, loving environment for them. However, after nearly three years of involvement in the activities of the group, I my perceptions were so greatly influenced by my GW-blurred vision, I could not see that my young children and wife were living in chaotic conditions, surrounded by bizarre behavior with people ‘channeling soul readings’ on a daily basis from the ‘spirit world,’ holding strange little pieces of plastic that were supposed to bring in ‘healing energy’ for various conditions.”

- “As part of the ‘honor’ of being part of the secret circle involved in the ‘energy work,’ the women, including my wife, were told not to have sexual relations outside of the group, and to ‘never tell anyone about this, since the world would not understand.’”
- “If my wife could have communicated to me about what ‘energy work’ was, it would have immediately become apparent to me that what was really being done to her, and the other women members of the group, was a ‘spiritual’ excuse to gain control over their sexuality and indoctrinate them, through elaborate and powerful rituals, deeper into the group, not to mention satisfying the sexual fantasies of the leader -- who was the centerpiece of these sexual rituals.”
- Bergin’s wife was “under the psychological domination and *mystical manipulation* of the group leaders. I was later to learn that this type of sexual exploitation is extremely common among these kinds of groups and ‘is seen as the final step in objectification of the cult member by the authoritarian leader who is able to satisfy his needs through psychological manipulation leading to sexual exploitation.’” (Emphasis original).
- “[T]wo loans -- totaling \$205,000 -- were made to GW leaders by my wife . . . at the height of her complete subservience to the leaders. . . . My wife was under the spell of the GW belief system to the extent that she was completely reluctant to ask for the return of this money, and when she did, was overly cautious about being assertive with the leaders.”
- “Ex-members of Gentle Wind, at least at the beginning of their recovery, often have persistent misgivings that some drastic fate will befall them, or that the leaders of Gentle Wind are aware of what they are doing or thinking”
- “Children under the influence of parents that are controlled by such a group are doubly exposed to potential developmental difficulties. My children faithfully stood by me as I ‘allowed’ them to be taken into harm’s wayMy largest single regret about or involvement with the GW group is that we both exposed our children to a strange and gripping belief system that affected their father’s ability to fully participate in their growth and development”
- “In reading Robert J. Lifton’s landmark study of thought reform and the psychology of totalism . . . I began to understand the dynamics in all such groups that are used to control the way people think. . . . Lifton identifies features common to . . . expressions of mind control. What astonished me was how these criteria applied to the very special group (or so I had thought) that I had been part of -- the Gentle Wind Project.”
- “[T]he ‘healing instruments’ were . . . a form of ‘snake oil.’”

- “[T]he liquidation of our personal assets made us very popular with the group leaders, who, unbeknownst to me, had started to make more requests of my generous wife for money to purchase a second home”
- “Later there were other solicitations for our money, including, eventually, a request to purchase yet another house -- a winter home in Florida. When my wife said no to this last request, we received a ‘reading’ together, reflecting on our attempts at that time to rebuild our relationship. We were informed that our thoughts about this were foolish and impossible, since ‘one-to-one relationships were energetically doomed to failure.’ We were also told that because of our ‘destructive’ relationship and parenting practices our children would eventually be ‘cycled back into animal life forms.’ This was, naturally, very devastating and, as usual, we blamed ourselves.”
- Garvey “continued to make substantial donations to the group each month, which the leaders used to help maintain their very comfortable lifestyle, purchase of the latest technology, furnishings, constantly updated computer and hobby equipment, and, combined with other ‘donations,’ Corvettes, BMW’s, and SUV’s. When the flow of our cash started to wane, so, it seemed, did the interest of our leaders.”
- “I began to realize that our personal resources were being drained off by continuous solicitations for money from my wife . . . and that the group might be exploiting us for our time and money.”

40. The Bergin Report specifically references the State of Maine and states that Gentle Wind conducts activities in Maine, has its “headquarters” in Maine, has its legal address in Maine, owns property in Maine and formerly owned other property in Maine. Likewise, the Bergin Report indicates that much if not all of the conduct that Bergin describes occurred in Maine.

41. Garvey and Bergin provided and published the Garvey Report and the Bergin Report to third parties including without limitation Defendants Gamble, Equilibra, Fraser, Truth Campaign, Hassan and FOM, with the intent that those third parties read the Garvey Report and the Bergin Report, and with the additional intent that the other Defendants further provide and publish such information to additional third parties.

42. Garvey and Bergin created, and presently operate and maintain, an Internet web site called www.windofchanges.org (the “Garvey/Bergin Web Site”). Printouts of selected relevant portions of the Garvey/Bergin Web Site are attached as Exhibit C, and are incorporated by reference herein.
43. The Garvey/Bergin Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed the Garvey/Bergin Web Site in Maine.
44. The Garvey/Bergin Web Site includes an electronic-mail address by which readers are invited to interact with Garvey and Bergin, who “invite you to send comments, signed or anonymous, about your own experiences with . . .” Gentle Wind.
45. The home page for the Garvey/Bergin Web Site states, “Welcome to Wind of Changes, Former Members’ Stories of Recovery from the Gentle Wind Project.” That home page identifies Garvey and Bergin as authors of the material on the site.
46. The content on the Garvey/Bergin Web Site includes, but is not limited to, the following false and defamatory statement: “Here you will find highly personal accounts combined with vivid examples from 17-year members, former ‘instrument keepers,’ and former Board Members of GWP. These insiders conscientiously describe how they were skillfully manipulated by GWP leaders who claimed to have exclusive connections with the ‘spirit world.’”
47. The content on the Garvey/Bergin Web Site includes, but is not limited to, updated versions of the Garvey Report and the Bergin Report.
48. The Garvey/Bergin Web Site contains “links” by which a person viewing the web site may click on the name of another web site and be directed to that web site. The links on

the Garvey/Bergin Web Site include a list of “[w]ebsites with critical information about Gentle Wind Project leaders and Resources about high-control groups and cults.” These web sites include those of Defendants Gamble, Equilibra, Fraser, Truth Campaign, Hassan, FOM, Ross, Institute, and Mander.

49. In mid-April, 2004, Garvey and Bergin posted on the Garvey/Bergin Web Site a document created by an individual purportedly named Steve James. See Exhibit C. That document contains the following false and defamatory statements:

- “[T]he leaders of the GWP have been telling us lies.” (Emphasis original).
- “[P]eople’s donations are being used to help pay for the private medical care of somebody we don’t know and have never heard of.”
- “[T]hese amounts paid towards ‘medical care’ were just enough to reduce the profits of the GWP down to a level where their charitable status would be preserved. And to a brother of two of the directors too who has nothing himself to do with the GWP!”
- “It was at this point that I decided I would look at these Federal Statements more closely. What I found shocked me to the core. If I were an IK I would have felt cheated, used, sickened, and appalled by what was in front of my eyes. If I wanted to seriously help people and had felt that in the GWP I had found an appropriate outlet, then I would have been sadly mistaken.”
- “In 2002 the GWP spent \$50,233 on FOOD! In 1998 it was \$63,437! This is more than most people earn in a year to live on, never mind the squandering of this amount of public donated money – your money – just to allow the directors of GWP to eat (and as I later found out, live) like royalty.”
- “I also found references to purchases of shares in various companies, such as Milacron Inc. (2750 bought in 2001), again all funded by your donations. Yet in 1998, the GWP sold 25,000 shares in this same company at a loss of \$12,878 – again, in my opinion, misappropriation of public money.”
- “The honest truth is that it is the GWP leaders who are telling the lies here.”
- “Money, given freely by people to help what is being promoted as, and publicly considered to be, a good humanitarian cause. Public money that has been deliberately squandered – and lost - on property and shares at the whim of the

directors. Seems we were all wrong about this group after all.”

- “[I]t makes me feel sick to the pit that people are being duped and that everybody’s money/donations and trust has been used and abused in this way.”
- “It would appear, and this is only my opinion based on the reports submitted by the GWP, that these people – the directors of the GWP - have been living a life of riley at the expense of gullible people, having everything paid for from their recreation, to their living quarters, boats, cars, food, music - not to mention the \$7-10,000 spent on golf per year as per the FS - to their Royal and exquisite eating and entertainment tastes.I thought this group of people wanted to genuinely help and change the world, but it appears they only desire our donated money (for donated read purchase) to feed their addiction to the high life they have become accustomed to, all courtesy of your kind donations and those of a gullible and desperate public!”
- “In my opinion, based on what I have discovered from the GWP’s own submitted accounts, and after now reading other people’s accounts of this organisation with an open mind, plus a very good gut reaction, I feel ALL the IK’s involved in the GWP have been well and truly duped and sh*t upon. I feel the public are merely being used for their monetary worth.”
- “Personally, I don’t want anything to do with this group, and neither should any of you by now. I’m shocked and disappointed by how easily people have been duped by these ‘faceless’ people. They appear to play on the goodwill and emotions of genuine people, the IK’s, the general public, expecting them to do the promotional work for them, not to mention playing on the emotional needs of the sick and needy, then they bleed them all dry of donated monies in order they can live like kings and queens.”
- “To me, this organisation appears to be a complete con and somebody should report them. It is the IK’s and the general public who are doing the real work here and who are also funding the GWP’s lavish and, what would appear to be, greed-driven lifestyle.”

50. On or about April 18, 2004, Garvey and Bergin posted on the Garvey/Bergin Web Site an April 17, 2004 electronic-mail message from Defendant Ivan Fraser to nine users of Gentle Wind products, as described below at paragraph 99. A copy of that e-mail message is attached as part of Exhibit D, and is incorporated by reference herein. As described below, that electronic-mail message contains false and defamatory statements.

51. On or about April 18, 2004, Garvey and Bergin posted on the Garvey/Bergin Web Site an April 17, 2004 posting that Fraser attempted to make on the Gentle Wind internet message board, as described below at paragraph 100. See Exhibit D. As described below, that posting contains false and defamatory statements.
52. Garvey and/or Bergin caused the Garvey/Bergin Web Site to be listed as a “sponsor” appearing at the top of the screen when “Gentle Wind Project” was entered as a query on the internet search engines www.google.com and www.yahoo.com. This caused the Garvey/Bergin Web Site listing to appear on the screen before the real Gentle Wind web site.
53. On or about November 1, 2003, Garvey sent an electronic mail message to a third party named Susan Peak. A copy of that e-mail message is attached as Exhibit E and is incorporated by reference herein. That message contains the false and defamatory statement that “[i]n our case, it’s much easier to see the devastation resulting from our time with [Gentle Wind] because it split up Jim and me and also caused us to seriously neglect the boys in ways that were not noticeable to those of us in the group at the time, gave them huge problems with their self-development and perception of their place in the world, cut them (and us) off from relatives and friends, and also caused us financial hardships and much more.”
54. In addition, Garvey stated in the November 1, 2003 e-mail that “Gentle Wind is now listed on www.freedomofmind.com, by the way. Some of us collaborated on the description. If you look at this website, you can go to ‘Resources’ on the home page, and then ‘Groups.’ At the end of that description is a link to another website as well.”

55. On or about December 18, 2003, Garvey sent an electronic mail message to a third party named Steve Palys, at the address "stevegwp45@aol.com." A copy of that e-mail is attached as Exhibit F and is incorporated by reference herein. The message was also sent to "ivanfraser@blueyonder.co.uk", which is an e-mail address that Defendant Fraser uses. The message contains the following false and defamatory statements regarding Gentle Wind:

- "As mentioned before, gwp has many people on their website that have 'endorsed' the products. The first one, a doctor, has been dead for two years. Almost all others are recognizable cult members names."
- "The second endorser's comments are below. This woman came along for them in the past four years because I didn't know her. The endorsement is from 2001 so she may have dropped out already, but they still carry her 'preliminary findings.' This is how they do it -- take control of some nice woman and then use her for her title."

56. Later on the same day, Garvey sent another electronic mail message to Steve Palys, stating that she had intended the first message to be sent to someone else. A copy of that e-mail is attached as Exhibit G and is incorporated by reference herein. Garvey stated, "my address book is set up alphabetically by first names." Upon information and belief, the intended recipient was Defendant Steve Gamble.

57. Bergin was recently listed as a "presenter" at a conference on "cults and new religious movements." Bergin was described as "President, J.F. Bergin Company, Blue Hill, ME; Co-facilitator, Maine Cult Information Network."

58. Upon information and belief, Bergin is engaged in commerce with respect to "cults and new religious movements," including but not limited to engaging in such commerce through J.F. Bergin Company and the Maine Cult Information Network. Upon

information and belief, Bergin's business would benefit from public attention to his and Garvey's claims regarding Gentle Wind and the Individual Plaintiffs.

59. Garvey engages in commerce as a hypno-therapist. In a classified advertisement viewable on the Internet at www.penobscotbaypress.com/classifieds/business.html, Garvey promotes her ability to help "[i]mprove: memory, confidence, addictions, weight, depression, phobias, anxiety, pain, insomnia, pre/post surgery." Upon information and belief, Garvey's business would benefit from public attention to her and Bergin's claims regarding Gentle Wind and the Individual Plaintiffs.

GAMBLE AND EQUILIBRA

60. Defendant Gamble is the individual solely or primarily responsible for the business and affairs of Defendant Equilibra, and for the content contained at the web site www.equilibra.uk.com (the "Equilibra Web Site"). Printouts of selected relevant portions of the Equilibra Web Site are attached as Exhibit H and are incorporated by reference herein.

61. The Equilibra Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed the Equilibra Web Site in the State of Maine.

62. Defendant Equilibra offers for sale a variety of "energy products." The products that Equilibra offers for sale are in competition with products produced by Gentle Wind.

63. Equilibra offers these products for sale on the Equilibra Web Site. The products may be purchased through the web site by filling out on-line forms with information such as address and credit card number.

64. The first statement that may be seen on the Equilibra Web Site is, “Welcome to Equilibra -- The Search for Truth.” Another of the first statements that may be seen on the Equilibra Web Site is, “Site Updated March 2004 - The Gentle Wind Project Part 4, Another ‘Ex Member’s Account of This Organisation.”
65. The Equilibra Web Site contains a page titled “Articles.” That page contains hyperlinks by which several articles regarding Gentle Wind may be viewed.
66. One article that may be viewed from the Articles page is described in a hyperlink titled, “The Gentle Wind Project (Gentle Wind Retreat).” Clicking on that hyperlink directs the viewer to a web page (the “Gentle Wind Page”) by which an article co-authored by Defendants Gamble and Fraser may be viewed. The content of this article is discussed below. In addition, the Gentle Wind Page contains descriptions of “Gentle Wind Project -- Part Three” and “Gentle Wind Project Part Four,” as well as hyperlinks to those articles, the content of which is discussed below.
67. The Gamble/Fraser Article was jointly authored by Gamble and Defendant Ivan Fraser, with portions authored jointly and portions authored separately. The Equilibra Web Site is listed immediately beneath Gamble’s name on the byline. Defendant Fraser is listed as “Editor of The Truth Campaign magazine” on the byline, and the web site for Defendant Truth Campaign” is listed immediately beneath Defendant Fraser’s name.
68. The Gamble/Fraser Article re-prints an electronic-mail from a former user of Gentle Wind’s products, reflecting negatively on Gentle Wind’s products while praising those of Defendant Equilibra.
69. The portion of the Gamble/Fraser Article authored jointly contains the following false and defamatory statement regarding Gentle Wind: “We believe that not only are Gentle

Wind's products potentially extremely dangerous, but they are also misinforming people and charging vulnerable people hundreds and thousands of dollars in the process."

70. The portion of the Gamble/Fraser Article authored by Gamble contains, for purposes of illustration only, the following false and defamatory statements regarding Gentle Wind:

- "Basically, [Gentle Wind's] products deny us spiritual freedom. I was shown this very dramatically and very clearly. The energies from these products block the communication between our inner light and our conscious mind, they prevent access to the higher aspect of our self."
- Gentle Wind's "products will "have a detrimental affect in the long term on not only our spiritual freedom, but on our physical and mental health too."
- Users of Gentle Wind's products "are having the wool pulled over our eyes. We are not getting what we believe we are paying for."
- Gentle Wind "must be making a huge amount of money from gullible people all over the world. Exactly why these people are desperate for our money is beyond my spiritual comprehension; their actions are more akin to the greed mentality of the large pharmaceutical companies than a company working from the basis of unconditional love and light."
- "Personally, I find [Gentle Wind's] products -- from an energy point of view -- to be quite dangerous, both from a spiritual perspective and a long-term physical health perspective. They offer no benefits towards bringing the external disease in consciousness we have created back into balance. In fact, they actually contribute towards it and like so much in the world today, deny us our divine right to experience the spiritual aspect of our existence in this physical reality."

71. The Gamble/Fraser Article as contained on the Equilibra Web Site contains a section authored after the article was first published. In that section, Gamble alleges that he received harassing phone calls from "members" of Gentle Wind. Gamble then makes the following false and defamatory statement: "This type of behaviour is exactly what we would expect and be able to observe in a 'cult' environment where the mentality of the devotees is conditioned only to accept the words of the Guru and to totally dismiss as heretical those words offered by people in opposition to the Grand Plan."

72. “Gentle Wind Project -- Part Three” is the Garvey Report. Upon information and belief, Defendants Equilibra and Gamble authored, contributed to, and/or edited the Garvey Report.

73. Defendants Gamble and Equilibra describe the Garvey Report on the Gentle Wind Page in the following false and defamatory statement: “An explosive expose by ex-members. Read the inside information the GW do not want you to know about.”

74. Clicking on the hyperlink on the Gentle Wind Page for “Part Three” (the Garvey Report) directs the viewer to a web page containing another hyperlink by which the Garvey Report may be viewed. On that “introductory” page, Gamble and Equilibra make the following false and defamatory statements in reference to the Garvey Report:

- “What emerges from their story is a gradual unmasking of the Gentle Wind Project and the people behind it. These personal accounts portray acts of exploitation, power dynamics, **and coercive manipulation that are universally recognised in similar mind-control groups or cults throughout the world.** Former members of the GWP describe how they were gradually recruited through **'soul readings', seminars, and psychological mind-control techniques** to become devoted followers who willingly gave up their sense of self, family, friends, and marriages to become **'mindless'** followers. Ex-members feel they were **influenced by countless hidden coercions**, which gradually **programmed them** into becoming selfless member-devotees (drones) caught up in a web of **pseudo-spiritual sex rituals** with their GWP leaders.” (Emphasis original)
- “Like many successful cultic groups, whose leaders live in great material comfort in contrast to their followers, it appears to be no different in the GWP. Ex-members describe how the **GW leaders live a life of luxury, where their homes, their living expenses, recreation, transportation, and clothing, as well as their salaries, are paid for by 'donations' for 'healing instruments' and 'seminars' as well as through contributions from members.**” (Emphasis original).
- “The GW hierarchy tell people that the knowledge of how to make the 'healing instruments' comes from the 'Spirit World'. However, the 'ex-members' story explains that **"...there are many other rituals practised by the group, including sexual rituals - so-called 'Energy Work'.** Members report that they believed the 'energy' for the 'healing instruments' came from the sexual energy from these rituals. **New instruments were often produced after an effective group sexual ritual. New inductees...are advised never to tell anyone, since**

'people in the world wouldn't understand'...' (Emphasis original).

75. In addition to being accessible through the Gentle Wind Page, the Garvey Report may be viewed via a hyperlink from the Articles page. On the Articles page, Gamble and Equilibra describe the Garvey Report in the following false and defamatory statements:

- “***Read the information that the Gentle Wind hierarchy don't want the public to know about!***
- **Read what ex-members of the Gentle Wind Project have to say** about their experiences whilst involved with this group of 'spiritual saviours'. Read *their accounts* of what *really does go on behind closed doors in the inner sanctum of the group founders/leaders*. Where does the money 'donated' for the healing instruments go, and how is it spent? **How 'members' are mind-controlled** through various means, one of those being allowed participation or not in **group sex rituals**, or what the founders refer to as - Energy Work. +++++ Click on the above title for more information. **PLEASE NOTE THAT THIS ARTICLE HAS BEEN EXTENDED WITH EVEN MORE INFORMATION FROM EX-MEMBERS ON 13/12/2003.**” (Emphasis original).

76. In addition to their involvement in creating the Garvey Report and their repeated false and defamatory statements related to the Garvey Report, upon information and belief Equilibra and Gamble are specifically responsible for the following false and defamatory statements that appear at the top of the Garvey Report:

- “The following details about the Gentle Wind Project are presented ‘as is’, exactly as it was presented to us. This information has not been edited in any way. Judy Garvey, in collaboration with several other former long-term members of the Gentle Wind Project, have decided to share their personal experiences of their time involved with Gentle Wind and how mind control was, and is, used to brainwash and control the people involved with this project. . . . Judy and her family have been in recovery from the effects of this mind-control for almost four years.”
- “For more information about high-control groups, cults, or mind-control, go to www.freedomofmind.com, where additional information about the Gentle Wind Project is also available, or www.csj.org.”

See Exhibit A.

77. “Gentle Wind Project Part Four” as referenced on the Gentle Wind Page is the Bergin Report. The Bergin Report may also be accessed via a hyperlink on the Articles page. The Articles page contains substantial text and commentary accompanying the hyperlink by which the Bergin Report may be viewed. In an introduction to the Bergin Report, Gamble and Equilibra make the following false and defamatory statement:

“Another ex-member of the Gentle Wind Project with seventeen years (17yrs) involvement speaks out about his, and his family's time spent involved with this GW group, and how, now being free of what he refers to as 'their mind-control', he recognises that the GW hierarchy and their various 'activities' fitted the description and *modus operandi* of mind-control groups, often referred to as 'cults'. Read about why the GW Hierarchy are threatening these ex-members (and those who publish their accounts) with legal action for speaking out about *their personal experiences whilst involved in this organization.*” (Emphasis original)

78. Neither Gamble nor any other representative of Equilibra contacted Gentle Wind or any other Plaintiff for review of, or response to, any of the above-described false and defamatory statements before posting them on the Equilibra Web Site.

79. The Equilibra Web Site allows a viewer to purchase, among other items, the Truth Campaign magazine that is produced by Defendants Fraser and Truth Campaign and discussed below.

80. The Equilibra Web Site contains links by which a person viewing the web site may click on the name of another web site and be directed to that web site. The web sites that may be accessed from the Equilibra Web Site include those of Defendants Fraser, Truth Campaign, Hassan and FOM.

81. When the phrase “Gentle Wind Project” is used in the “Google” Internet search engine (www.google.com), the first listing is for Gentle Wind’s web site. A printout of the results of such a “Google” search is attached as Exhibit I and is incorporated by reference

herein. The second listing is for the Equilibra Web Site, accompanied by the following text: “**Gentle Wind Project** - ex-members share their harrowing experiences, how group sex rituals often lead to new energy products, and with other mind-control ...” (Emphasis original). Immediately beneath that listing is a sub-listing for another portion of the Equilibra Web Site, accompanied by the following text: “**DO THE GENTLE WIND PROJECT & PRODUCTS HELP HEAL THE EMOTIONAL HURTS OF THE WORLD, OR IS THE REALITY SOMEWHAT DIFFERENT TO THE PACKAGING? JUDGE FOR YOURSELF.... ...**” (Emphasis original).

82. The third such listing directs the viewer to the Gamble/Fraser Article, which may be found at a web site called www.phact.org.

83. Upon information and belief, Gamble, Equilibra, Fraser and/or Truth Campaign intentionally manipulated the Equilibra Web Site and www.phact.org so that when individuals including users and/or potential users of Gentle Wind products perform searches for “Gentle Wind Project” on Google, the Equilibra Web Site and the www.phact.org web site, and their accompanying false and defamatory descriptive text, would appear on the computer screen close to Gentle Wind’s site. Such individuals would thereby be directed to the Equilibra Web Site and its competing products as well as the Gamble/Fraser Article and thereby the Truth Campaign Web Site and its products as described below.

FRASER AND THE TRUTH CAMPAIGN

84. Defendant Fraser is the individual solely or primarily responsible for the business and affairs of Defendant Truth Campaign, and for the content contained at the web site <http://www.truthcampaign.ukf.net> (the “Truth Campaign Web Site”). Printouts of

selected relevant portions of the Truth Campaign Web Site are attached as Exhibit J and are incorporated by reference herein.

85. The Truth Campaign Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed The Truth Campaign Web Site in the State of Maine.

86. Defendant Truth Campaign offers for sale a quarterly magazine. The magazine may be purchased through the web site by filling out on-line forms with information such as address and credit card number. When a viewer clicks on the on-line purchase link, the viewer is directed to the Equilibra Web Site.

87. Additional items may be purchased on the Truth Campaign Web Site through electronic mail by submitting similar information.

88. The Truth Campaign Web Site contains a hyperlink by which summaries of the content of the quarterly Truth Campaign magazines may be viewed. Certain editions of the magazine may be viewed in their entirety via additional hyperlinks.

89. A description of the Autumn 2003 edition of the Truth Campaign magazine contains the following false and defamatory statements by Fraser and Truth Campaign: “Exposing the Gentle Wind Cult. A damning testimony by former inside members of the Gentle Wind organization. Sexual rituals, abuse and brainwashing uncovered in this follow-up to former articles on this issue.”

90. Clicking on the hyperlink to view the “Exposing the Gentle Wind Cult” story directs the viewer to the web page on the Equilibra Web Site described above in paragraph 74.

91. Upon information and belief, Defendants Truth Campaign and Fraser authored, contributed to, and/or edited the Garvey Report.

92. In addition, the description of the Autumn 2002 edition of the Truth Campaign magazine contains the following false and defamatory statements by Fraser and Truth Campaign regarding Gentle Wind:

[THE GENTLE WIND PROJECT](#)

A hugely popular healing group offers 'healing tools' which have been found to be potentially dangerous. Independent examinations and testimonies.”

93. Clicking on the “Gentle Wind Project” hyperlink in the description of the Autumn 2002 edition of the Truth Campaign magazine directs the viewer to a page on the Equilibra Web Site that allows for the viewing of the Gamble/Fraser Article, the Garvey Report, and the Bergin Report, and that characterizes the Garvey Report as “[a]n explosive expose by ex-members. Read the inside information the GW do not want you to know about.”

94. The Truth Campaign Web Site allows the viewer to download the entire Autumn 2002 edition of the Truth Campaign magazine. That edition prints the Gamble/Fraser Article. It also contains the following false and defamatory statements of Fraser and Truth Campaign regarding Gentle Wind:

- “There are numerous sinister ideas being promoted through New Age books, magazines and websites today, the majority of which are being accepted and networked innocently by readers and followers who are simply unaware of the origins and motivations behind such things. Amongst these ideas are an increasing number of groups and individuals offering ‘healing devices’ and modalities that promise enlightenment, and spiritual healing. However, not all are what they would seem. There is a lot of money to be made by exploiting people’s weaknesses, ignorance and fears, especially when those people have emotional or physical illnesses and are desperate to find an answer. One dubious organization is known as Gentle Wind and offers its own brand of ‘healing tools’ in return for large amounts of money, carefully disguised as ‘contributions’.”

95. Neither Fraser nor any other representative of Truth Campaign contacted Gentle Wind or any other Plaintiff for review of, or response to, any of the above-described false and defamatory statements before posting them on the Truth Campaign Web Site.

96. The Truth Campaign Web Site contains a page in which Fraser and Truth Campaign solicit donations from viewers. The Truth Campaign Web Site also contains an electronic-mail address by which readers are invited to interact with Fraser.

97. Fraser has recently engaged in a campaign of electronic communications directed at users of Gentle Wind's products.

98. Fraser has posted messages to an electronic message board used by such individuals. On or about April 7, 2004, Fraser made the following false and defamatory statements in one such posting:

- "I tell you now, these instruments DO NOT HEAL!"
- "You would be far better off using and promoting . . . thereapeutic devices that restores BALANCE, and does not reprogramme the individual personality/energy field into a homogenized happy clappy or highly unstable time-bomb."
- "The operation works because it creates devotees by the way it restructures the energy field, and that same mindset is also ideal for creating highly effective marketters (sic)."
- "I was shocked to see, after all the self-righteous and FALSE claims by GWP to recent allegations that they do not 'sell' their products, to read only a week ago an [instrument keeper] promoting 'referrals' because it was psychologically engineering a sale. You guys can't even see what to the outside world is sheer hypocrisy and crazed pure cult mentality."
- "Non-questioning, blind obedience, even in the face of overwhelming evidence is the hallmark of cult mentality. The vast majority of what has been written in response to the Bergin Garvey reports is political rhetoric and outright shameless lies. But you don't know this, and you don't question. You CHOOSE to believe. You're a religious cult and you don't even know it."

- “How will you feel about the people that took millions of bucks from ill and desperate and genuinely sincere people to house, feed, and luxuriate themselves?”
- “If you can’t see that you are in the middle of a fraud and delusional reality given the information available, then God help you.”
- “[Y]ou dear people are not supposed to see through it – your minds and opinions are being farmed by reasonably clever (to the uninitiated) dialectic waffle spin and rhetoric and pathetically condescending psycho-babble.”
- “Listen to me and those other genuine critics, or listen to those whose very luxurious lifestyle relies on selling you more and more bs, and keeping funds coming in to produce more channeled blueprints for mind control devices that turn people into devotees of GWP and shameless marketers of same.”
- “If you don’t take stock of what is really going on, and do something about it, then you will find that others with far more integrity in their little fingers than Tubby [John Miller] has in his entire body will not sit by whilst thousands of people get sucked into a cult to line the pockets and massage the gonads and egos of deeply sick individuals.”
- “By the way, this issue is NOT in the hands of the law courts. They have only told you that to scam more donations. They have not taken ANY legal action, and have not responded in due legal manner to challenges made against a pathetically improper single lawyer’s letter asking certain websites to withdraw certain material. No legal challenge has been made -- only a semblance of a request that’s about as legal as the back of a Kellogg’s box. GWP KNOWS it stands not a cat in hell’s chance in court and this will NEVER go to court, because they know they will be exposed and finished if it does.”

A copy of this posting is attached as part of Exhibit D and is incorporated by reference herein.

99. On or about April 17, 2004, Fraser sent an unsolicited electronic-mail message to nine participants in the above-described message board. See Exhibit D. Those individuals are users of Gentle Wind products. In the April 17, 2004 message, Fraser commented upon his messages on the above-described message board and responses posted by Gentle Wind product users. The April 17, 2004 message includes the false and defamatory statement that “one side of the debate is being open and honest and accurate, whilst the

other is being manipulative, deceitful and closeted about some extremely important questions that need answers (that is, accurate answers, rather than the fabrications heretofore afforded by the directors of GWP).”

100. In addition, Fraser in the April 17, 2004 message forwarded to the recipients a posting that he attempted to make on the message board. See Exhibit D. That posting includes the following false and defamatory statements by Fraser and Truth Campaign:

- Gentle Wind’s web site responses to Fraser, among others, are “typical political rhetoric and lies designed to keep the faithful faithful.”
- “GWP used reverse psychology and lies to defame ourselves and make us appear ignorant charlatans. That’s exactly what ignorant charlatans do. Guys, you are believing easily verifiable lies!”
- “The responses are actually getting more outrageous. The latest addition that justifies spending huge amounts on luxury items by claiming that they were research materials, well I’m surprised that even you in your altered states of consciousness can’t see how blatantly ridiculous that is. Then again, it would be an enormous shock to the system to realize how blatantly you are being shafted. It’s a defence mechanism to just believe these things rather than allow yourselves to open up to the reality that the GWP is a cult grooming selected personality types for indoctrination to foist upon them a means to channel money to the inner organization, and to spread a memetic psychic virus as far and wide around the world as possible.”
- “GWP are channeling wolves in sheep’s clothing. And they have been PLAYING WITH FIRE! You good folks are the victims.”
- “These people are clever mind manipulators and amateur occultists.”
- “Fact is, these instruments and their affects ARE known to those who have the ability to tune into these energies. And those that can, know how dangerous they are.”
- Gentle Wind products “control[] your mind and emotions, [and] you become the marionettes for their desires and you have no idea that it’s happening.”
- “You are GOOD people with loving intent who have been caught up in something that has manipulated you into being something you’re not.”

- “If John Miller et al were who they claim to be they would NOT be performing occult rituals to psychically assault me, my partner and Steve.”

HASSAN AND FREEDOM OF MIND

101. Defendant Hassan controls and/or directs the affairs of Defendant FOM. FOM operates and maintains the web site www.freedomofmind.com (the “FOM Web Site”). Printouts of selected relevant portions of the Freedom of Mind Web Site are attached as Exhibit K and are incorporated by reference herein.
102. The FOM Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed the Freedom of Mind Web Site in the State of Maine.
103. The FOM Web Site describes Hassan as a “cult counselor,” refers repeatedly to “help[ing] loved ones rescue cult mind control victims,” and re-prints media articles referring to Hassan’s “war on cults.” The FOM Web Site also discusses Hassan’s “BITE Model” (Behavior control, Information Control, Thought control, Emotional control) for analyzing mind control.
104. The FOM Web Site offers a number of products and services for sale. These items include books authored by Hassan; Hassan’s services as a speaker; customized research reports; and Hassan’s services in assisting former cult members or the families of cult members. The FOM Web Site contains detailed pricing information for these items and order forms that may be accessed, completed and submitted electronically through the FOM Web Site using information such as address and credit card number.
105. The FOM Web Site also invites viewers to place an FOM banner on their own web sites; offers e-mail software; contains a “press kit” about Hassan, a biography of

Hassan, a list of Hassan's past media appearances, and generalized advice on obtaining help for others; and hosts a discussion group about cults.

106. The FOM Web Site also solicits information regarding cults and other groups, which may be submitted via forms that may be accessed, completed and submitted electronically through the FOM Web Site. Similarly, the FOM Web Site contains a "Case Evaluation Form" by which a viewer may, through the web site, submit responses to questions regarding the viewer's own experience with a cult. The FOM Web Site also contains an e-mail address by which readers are invited to interact with Hassan.
107. The FOM Web Site contains a list of "cults and other groups of interest." That list includes Gentle Wind.
108. When a viewer clicks on the hyperlink for Gentle Wind under the list of "cults and other groups of interest," the viewer is directed to the Garvey Report.
109. Upon information and belief, Defendants FOM and Hassan authored, contributed to, and/or edited the Garvey Report, including but not limited to the section of the Garvey Report applying Hassan's "BITE Model" to Gentle Wind.
110. Neither Hassan nor any other representative of FOM contacted Gentle Wind or any other Plaintiff for review of, or response to, any of the above-described false and defamatory statements before posting them on the FOM Web Site.
111. The Garvey Report as listed on the FOM Web Site contains links to the Garvey/Bergin Web Site and the Equilibra Web Site. The Garvey Report as listed on the FOM Web Site also contains a link to the Bergin Report.

112. In or about March 2004, an individual made a telephone call to FOM and left a message with her telephone number requesting a return call not from Hassan, but instead from Defendant Bergin. Bergin not only received the message but returned the call.

ROSS AND THE INSTITUTE

113. Defendant Ross controls and/or directs the affairs of Defendant Institute. Institute operates and maintains the web site www.rickross.com (the “Ross Web Site”).

Printouts of selected relevant portions of The Ross Web Site are attached as Exhibit L and are incorporated by reference herein.

114. The Ross Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed the Ross Web Site in the State of Maine.

115. The Ross Web Site uses the word “cult” *seriatim*, states that Ross has “personally assisted thousands of families in an effort to help the victims of destructive cults, groups and movements,” and describes Ross as “one of the most readily recognized experts offering analysis about destructive cults, controversial groups and movements in the world today.”

116. The Ross Web Site offers a number of products and services for sale. These items include books; Ross’s services as a speaker; Ross’s services as an expert witness; and Ross’s services in assisting former cult members or the families of current cult members. The Ross Web Site contains detailed pricing information for these items and order forms that may be accessed, completed and submitted electronically through the Ross Web Site using information such as address and credit card number.

117. The Ross Web Site contains a page in which Ross and the Institute solicit donations from viewers. Donations may be made through the web site by submitting information such as a credit card number. The Ross Web Site also contains an e-mail address by which readers are invited to interact with Ross.
118. The Ross Web Site also contains substantial information about Ross such as a biography, a list of Ross's past media appearances, generalized advice on obtaining help for others; and an "open forum" discussion group about cults.
119. The Ross Web Site contains a web page described as "flaming websites." On this page are listed various web sites critical of Ross. One of the web sites included is that of Gentle Wind.
120. On the "flaming websites" page, Ross and/or the Institute characterize Gentle Wind as a "rather odd group," and make the following false and defamatory statements regarding Gentle Wind:
- "This purported 'cult' is run by John and Mary Miller. They hawk so-called 'instruments,' which includes everything from a wallet sized 'healing card' ('requested donation \$450') to a 'Healing Bar Ver 1.3' ('requested donation \$8,600'). But don't expect any objective peer-reviewed scientific evidence published about their pucker in the pages of JAMA. Interestingly, since being called a 'cult' the Millers have decided to offer free 'cult deprogramming,' though probably not to dissuade anyone from making more 'requested donation[s]' to them."
121. The Ross Web Site contains a link by which the viewer may be taken to the Equilibra Web Site, the Mander Web Site, and the Garvey/Bergin Web Site.
122. Neither Ross nor any other representative of the Institute contacted Gentle Wind or any other Plaintiff for review of, or response to, any of the above-described false and defamatory statements before posting them on the Ross Web Site.

MANDER

123. Defendant Ian Mander (“Mander”) is the editor of the web site www.cults.co.nz (the “Mander Web Site”). Printouts of selected relevant portions of the Mander Website are attached as Exhibit M and are incorporated by reference herein.
124. The Mander Web Site may be viewed, and allows readers in the State of Maine to read its content, twenty-four hours a day, seven days a week. Upon information and belief, third parties have viewed the Mander Web Site in the State of Maine.
125. The Mander Web Site purports to provide information about “New Zealand Cults, Sects, Religions, Christian Organizations, and other groups.”
126. On the Mander Web Site, Mander includes Gentle Wind in a list of groups. Mander marks Gentle Wind’s name with a red blaze and text stating “Danger.” Elsewhere on the Mander Web Site, the “danger” designation is explained to mean that “[t]he group/person or belief/practice is considered dangerous due to mind control or particularly bad doctrine. These groups (or people) have a strong tendency to damage their members/followers.”
127. The Mander Web Site includes a search feature, an electronic-mail address by which readers are invited to interact with Mander, and an online survey for readers to fill out. In addition, the Mander Web Site includes Gentle Wind on a list of groups as to which the Mander Web Site seeks information and requests submissions from readers.
128. On the Mander Web Site, Mander describes Gentle Wind as a “[n]ew Age cult/scam.” That description is a false and defamatory statement.
129. On the Mander Web Site, Mander makes the following additional false and defamatory statement:

“GWP charges/requests thousands of dollars for the healing instruments, which do absolutely NOTHING for the well-being of the user apart from that caused by the [placebo effect](#). Being large and brightly coloured the "healing instruments" should make really great placebos - just don't take them orally. **Caveat emptor** ("let the buyer beware" - although if you misinterpret that Latin as meaning "the buyer has an empty head" you might not be far off).”

130. Neither Mander nor any other representative of the Mander Web Site contacted Gentle Wind or any other Plaintiff for review of, or response to, any of the above-described false and defamatory statements before posting them on the Mander Web Site.
131. The Mander Web Site contains links to the Garvey/Bergin Web Site and the Equilibra Web Site.

COUNT I: RICO, 18 U.S.C. § 1962(c)
((DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN, FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER))

132. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.
133. The conduct of Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the “Count I Defendants”) as described above, to wit, the posting of the above-described statements on internet web sites and the transmission of electronic messages via internet message boards and electronic mail, constitutes multiple violations of 18 U.S.C. § 1343.
134. The Count I Defendants conspired together, were organized and associated in fact and acted as an enterprise as defined by 18 U.S.C. § 1961(4) when they violated 18 U.S.C. § 1343.
135. The enterprise formed by the Count I Defendants affected interstate commerce in that it involved the transmission of communications and the sale of goods and/or services in

interstate commerce via the use of paid internet hosting and electronic-mail services and the transportation of products and funds across state lines.

136. The Count I Defendants conducted, and/or participated directly or indirectly, in the affairs of the above-described enterprise through a pattern of racketeering activity as defined by 18 U.S.C. § 1961.
137. In their conduct of the enterprise, the Count I Defendants committed multiple violations of 18 U.S.C. § 1343, all of which had the same or similar purposes, results, participants, victims and/or methods of commission.
138. In their conduct of the enterprise, the Count I Defendants committed multiple violations of 18 U.S.C. § 1343, all of which occurred after the effective date of the statute and within the last ten years. In addition, the Count I Defendants' conduct has continued up to the date of filing of this Complaint and by its nature projects into the future with a threat of repetition. Each time one of the Count I Defendants' web sites, e-mails or electronic postings is viewed, another violation of 18 U.S.C. § 1343 occurs. In addition, as described above Defendant Fraser indicated his belief that this matter would not be pursued in the courts, implying that he did not intend to cease his conduct.
139. Plaintiffs have suffered injury in their business or property by reason of the Count I Defendants' violation of 18 U.S.C. § 1962(c).

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of Plaintiffs and against the Count I Defendants, jointly and severally, award Plaintiffs triple their damages in an amount to be determined by the Court, award Plaintiffs their costs and attorneys' fees pursuant to 18 U.S.C. § 1964(c), enjoin the Count I Defendants from further racketeering activities, and award Plaintiffs such other relief as the Court deems appropriate.

COUNT II: LANTHAM ACT, 15 U.S.C. § 1125(a)(1)(B)
(DEFENDANTS GARVEY, BERGIN, J.F. BERGIN COMPANY, EQUILIBRA,
GAMBLE, TRUTH CAMPAIGN, FRASER, HASSAN, FOM, ROSS, and INSTITUTE)

140. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.
141. Defendants Garvey, Bergin, J.F. Bergin Company, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross and Institute (the “Count II Defendants”) made the above-described statements in connection with goods or services.
142. The above-described statements of the Count II Defendants constitute the use in commerce of words, terms, names, false or misleading descriptions of fact, and/or false or misleading representations of fact.
143. The Count II Defendants made the above-described statements in commercial advertising or promotion.
144. The above-described statements of the Count II Defendants constitute a misrepresentation of the nature, characteristics, and/or qualities of Gentle Wind’s goods, services and/or commercial activities.
145. The Count II Defendants’ above-described misrepresentations of the nature, characteristics, and/or qualities of Gentle Wind’s goods, services and/or commercial activities were made with knowledge of the falsity of such representations or with reckless disregard for whether they were true or false, and with the intent to harm Gentle Wind.
146. Gentle Wind has been, and is likely to continue to be, damaged by the conduct of the Count II Defendants.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of Gentle Wind and against the Count II Defendants, jointly and severally, award Gentle Wind damages in an amount to be determined by the Court, award Gentle Wind its costs and attorneys' fees, enjoin the Count II Defendants from further violations of 15 U.S.C. § 1125(a)(1)(A), and award Gentle Wind such other relief as the Court deems appropriate.

COUNT III: DEFAMATION
(DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN,
FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER)

147. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.
148. The above-described statements of Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the "Count III Defendants") regarding Plaintiffs were false and defamatory.
149. The Count III Defendants published to third parties, including without limitation third parties in the State of Maine, the above-described false and defamatory statements regarding Plaintiffs in the manner and to the extent described above.
150. The Count III Defendants' above-described false and defamatory statements regarding Plaintiffs were not privileged.
151. The above-described false and defamatory statements of the Count III Defendants regarding Plaintiffs constituted, in whole or in part, commercial speech.
152. The Count III Defendants' publication of the above-described false and defamatory statements was done with fault amounting at least to negligence.

153. The Count III Defendants' publication of the above-described false and defamatory statements was done with knowledge of the falsity of such statements or with reckless disregard for whether they were true or false.
154. The Count III Defendants' publication of the above-described false and defamatory statements was done with the intent to harm Plaintiffs, including without limitation the intent to cause injury to Plaintiffs in the State of Maine.
155. Plaintiffs have been damaged by the conduct of the Count III Defendants, including without limitation harm to their reputations in the State of Maine.
156. The Count III Defendants were motivated by ill will toward Plaintiffs, and/or their conduct was so outrageous that malice may be implied.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of Plaintiffs and against the Count III Defendants, jointly and severally, award Plaintiffs damages including punitive damages in an amount to be determined by the Court, award Plaintiffs their costs and attorneys' fees, enjoin the Count III Defendants from continuing to post on the Internet or otherwise make available to third parties false and defamatory statements regarding Plaintiffs and from making further false and defamatory statements regarding Plaintiffs, and award Plaintiffs such other relief as the Court deems appropriate.

**COUNT IV: TORTIOUS INTERFERENCE WITH
ADVANTAGEOUS RELATIONSHIPS
(DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN,
FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER)**

157. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.

158. Gentle Wind had a prospective economic advantage in its relationships with actual and prospective users of its products and/or with actual and prospective donors to Gentle Wind. Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the “Count IV Defendants”) interfered with the above-described prospective economic advantage.
159. The Count IV Defendants’ interference was accomplished through fraud. The above-described statements of the Count IV Defendants regarding Gentle Wind constituted fraudulent misrepresentations.
160. The Count IV Defendants’ fraudulent misrepresentations were made for the purpose of inducing third parties, including but not limited to actual and/or prospective donors to Gentle Wind and actual and/or prospective users of Gentle Wind products, to rely upon such misrepresentations and act and/or refrain from acting by, e.g., requesting refunds of donations; declining to make additional donations; ceasing the use of Gentle Wind products; declining to obtain new Gentle Wind products; and ceasing the positive description to others of Gentle Wind products and Gentle Wind generally.
161. The Count IV Defendants’ interference was done with the intent to cause harm to Gentle Wind and to interfere with its prospective economic advantages.
162. The Count IV Defendants’ interference has proximately caused damage to Gentle Wind. Some donors have already requested refunds of donations after reading the Count IV Defendants’ fraudulent misrepresentations. Some users of Gentle Wind products have communicated their intention not to use these products after reading the Count IV Defendants’ fraudulent misrepresentations. Gentle Wind’s revenues have

dropped substantially since the Count IV Defendants began making their fraudulent misrepresentations.

163. The Count IV Defendants were motivated by ill will toward Gentle Wind, and/or their conduct was so outrageous that malice may be implied.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of Gentle Wind and against the Count IV Defendants, jointly and severally, award Gentle Wind damages including punitive damages in an amount to be determined by the Court, award Gentle Wind its costs and attorneys' fees, enjoin the Count IV Defendants from further interfering with Gentle Wind's prospective economic advantages, and award Gentle Wind such other relief as the Court deems appropriate.

COUNT V: INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
(DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN,
FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER)

164. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.

165. Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the "Count V Defendants"), through the above-described conduct, intentionally and/or recklessly inflicted serious emotional distress upon the Individual Plaintiffs and/or were certain or substantially certain that such emotional distress would result from their conduct.

166. The Count V Defendants' conduct in publicly accusing the Individual Plaintiffs of being members and/or leaders of a cult; engaging in, subjecting others to, and/or themselves being subject to mind control; engaging in, subjecting others to, and/or themselves being subject to voluntary or involuntary group sexual rituals; engaging in,

subjecting others to, and/or themselves being subject to extortion and/or coercion of individuals to donate money or things of value; engaging in or causing the abuse and/or neglect of children; misrepresenting the nature and/or effectiveness of Gentle Wind products for material gain; and engaging in or causing the misappropriation of Gentle Wind funds, was so extreme and outrageous as to exceed all possible bounds of decency, and must be regarded as atrocious and utterly intolerable in a civilized society.

167. The Count V Defendants' publication of the above-described false and defamatory statements was done with knowledge of the falsity of such statements or with reckless disregard for whether they were true or false.

168. As a result of the actions of the Count V Defendants, the Individual Plaintiffs suffered emotional distress so severe that no reasonable person could be expected to endure it.

169. The Count V Defendants were motivated by ill will toward the Individual Plaintiffs, and/or their conduct was so outrageous that malice may be implied.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of the Individual Plaintiffs and against the Count V Defendants, jointly and severally, award the Individual Plaintiffs damages including punitive damages in an amount to be determined by the Court, award the Individual Plaintiffs their costs and attorneys' fees, enjoin the Count V Defendants from further intentional infliction of emotional distress, and award the Individual Plaintiffs such other relief as the Court deems appropriate.

COUNT VI: NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS
(DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN,
FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER)

170. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.

171. Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the “Count VI Defendants”) were negligent in making the above-described false statements to third parties. The Count VI Defendants could have discovered those statements to be false through the exercise of reasonable care.
172. As a result of the actions of the Count VI Defendants, the Individual Plaintiffs suffered emotional distress so severe that no reasonable person could be expected to endure it.
173. The Individual Plaintiffs’ severe emotional distress was the foreseeable result of the Count VI Defendants’ negligence.
174. The Count VI Defendants were motivated by ill will toward the Individual Plaintiffs, and/or their conduct was so outrageous that malice may be implied.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of the Individual Plaintiffs and against the Count VI Defendants, jointly and severally, award the Individual Plaintiffs damages including punitive damages in an amount to be determined by the Court, award the Individual Plaintiffs their costs and attorneys’ fees, and award the Individual Plaintiffs such other relief as the Court deems appropriate.

COUNT VII: FALSE LIGHT INVASION OF PRIVACY
DEFENDANTS GARVEY, BERGIN, EQUILIBRA, GAMBLE, TRUTH CAMPAIGN,
FRASER, HASSAN, FOM, ROSS, INSTITUTE and MANDER)

175. Plaintiffs hereby repeat and reallege the preceding paragraphs of this Complaint as if fully set forth herein.
176. Through their above-described conduct, Defendants Garvey, Bergin, Equilibra, Gamble, Truth Campaign, Fraser, Hassan, FOM, Ross, Institute and Mander (the “Count VII Defendants”) gave publicity to matters concerning Plaintiffs that places Plaintiffs in a false light.

177. The false light in which Plaintiffs have been placed would be highly offensive to a reasonable person.

178. The Count VII Defendants knew of the falsity of the publicized matter and the false light in which Plaintiffs would be placed, and/or acted with reckless disregard for the truth or falsity of the publicized matter and the false light in which Plaintiffs would be placed.

179. The Count VII Defendants were motivated by ill will toward Plaintiffs, and/or their conduct was so outrageous that malice may be implied.

Plaintiffs have been damaged by the conduct of the Count VII Defendants.

WHEREFORE, Plaintiffs respectfully request that this Court grant judgment in favor of Plaintiffs and against the Count VII Defendants, jointly and severally, award Plaintiffs damages including punitive damages in an amount to be determined by the Court, award Plaintiffs their costs and attorneys' fees, enjoin the Count VII Defendants from further false light invasion of privacy, and award the Individual Plaintiffs such other relief as the Court deems appropriate.

JURY DEMAND

Plaintiffs request trial by jury on all counts so triable.

Dated: May 18, 2004

/s/ James G. Goggin
James G. Goggin
Daniel L. Rosenthal
Attorneys for Plaintiffs

VERRILL & DANA, LLP
One Portland Square
P.O. Box 586
Portland, ME 04112-0586
(207) 774-4000

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