

ATTEST

MAY 9 - 1980
J. MARCHESA

~~PRO PROTHY~~

STEINBERG, GREENSTEIN, GORELICK & PRICE

BY: WILLIAM GOLDSTEIN, Attorney for Plaintiff

ATTORNEY FOR: Plaintiff

IDENTIFICATION NO. 12532

818 WIDENER BUILDING
1339 CHESTNUT STREET
PHILADELPHIA, PA. 19107
(215) LO 4-3880

MAY 21 1980



STEVEN EISENBERG
3415 Lester Road
Philadelphia, Pa. 19154

vs.

INTERNATIONAL SOCIETY FOR KRISHNA
CONSCIOUSNESS
Allens Lane and Bryan Street
Philadelphia, Pa.

COURT OF COMMON PLEAS
TRIAL DIVISION

MAY TERM, 198

No.

1096

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERENCE SERVICE
WIDENER BUILDING, SECOND FLOOR
1339 CHESTNUT STREET
PHILADELPHIA, PENNSYLVANIA 19107
636-6638

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Usted falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiera que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL
WIDENER BUILDING, SEGUNDO PISO
1339 CHESTNUT STREET

Jury Trial Demanded.

Willie
Attorney for *Pliff*

STEINBERG, GREENSTEIN,
GORELICK & PRICE

BY: WILLIAM GOLDSTEIN, Attorney for Plaintiff

IDENTIFICATION NO. 12532
818 WIDENER BUILDING
1339 CHESTNUT STREET
PHILADELPHIA, PA. 19107
(215) LO 4-3880

STEVEN EISENBERG
3415 Lester Road
Philadelphia, Pa. 19154

vs.

INTERNATIONAL SOCIETY FOR KRISHNA
CONSCIOUSNESS
Allens Lane and Bryan Street
Philadelphia, Pa.

COURT OF COMMON PLEAS
TRIAL DIVISION

MAY TERM, 1980.

No. 80-

COMPLAINT IN TRESPASS

1. Plaintiff is an adult individual residing in Philadelphia, Pennsylvania and is a citizen of the State of Pennsylvania.

2. Defendant is a psuedo-religious organization based in Canada with various branches called "temples" in the United States and Canada, including a temple at Allens Lane and Bryan Street, Philadelphia, Pa. Defendant is a citizen of India.

3. Defendant, by and through its agents, servants, workmen and employees, acting within the course of their employment and the scope of their authority, operates its temples as a joint enterprise with a

unity of purpose and method and under the direction of an authoritarian structure.

4. Defendant solicits persons to become followers of its professed system of beliefs. Followers are called "devotees".

5. Defendant subjects its devotees to an intense indoctrination program which is designed to rapidly and radically transform the beliefs, attitudes and personalities of the devotees.

6. As part of this program, defendant intentionally and for purposes of pecuniary gain employs psychological techniques designed to weaken and eventually eliminate the free will of the devotees and make them subservient to authority figures within the organization and to deprive them of their ability to refuse to follow or carry out instructions or orders of said authority figures.

7. One of the effects of said indoctrination program, which effect is known and intended by defendant, is that devotees are deprived of volition with respect to leaving defendant's organization and deprived of the free will and ability to choose to leave defendant's organization.

8. Although defendant is fully aware of the consequences of its indoctrination program, defendant intentionally fails to warn persons it solicits of the consequences of said program and defendant deliberately and intentionally conceals its purpose of making devotees submissive to the will of the organization. Further, defendant misrepresents to the persons it solicits the nature of the life style of devotees and the freedom and ability of the said persons to pursue various activities once becoming devotees.

9. Prior to February, 1975, defendant intentionally,

deliberately and for pecuniary gain, overrode the freedoms of thought, action and choice of its devotees, deprived its devotees of their capacity to act on their own behalf or in their own interest and fully and completely impressed devotees into the service and custody of defendant.

10. As a result of the indoctrination program to which defendant subjects its devotees, said devotees, through psychological coercion, are imprisoned by defendant in defendant's service and custody in violation of the true and free will of said devotees. A consequence of such imprisonment is that devotees are compelled by defendant to do such acts as defendant commands, even though the devotee, if still possessed of the same free will he or she had before becoming a devotee, would not have done such acts.

11. In or about February of 1975, defendant solicited plaintiff to become a devotee and in the course of said solicitation misrepresented to plaintiff the consequences of becoming a devotee, as alleged in the preceding paragraphs.

12. In accordance with its usual practices, as heretofore described, and without giving any warning to him, defendant subjected plaintiff to an intensive indoctrination program, used psychological techniques to weaken and eventually deprive him of his free will, made him compliant to the wishes and dictates of the organization, deprived him of his own volition with respect to terminating his status as a devotee and leaving defendant's organization, overcame his freedom of thought, action and choice and impressed him into its own service for its pecuniary gain.

13. Beginning in 1975 and continuing to September of 1979,

plaintiff was psychologically dominated, controlled and imprisoned by defendant and was imprisoned in defendant's custody and service and exploited by defendant for defendant's pecuniary gain.

14. During his imprisonment by defendant, plaintiff was unable to pursue his own interests, act on his own behalf or employ his own services and labors for his financial benefit.

15. During and as a result of his imprisonment by defendant, plaintiff suffered severe psychological and physiological injury which required medical care, resulted in disability and inability to work, all of which may continue into the future and which included but was not limited to the following:

- a. Malnutrition;
- b. Loss of free will;
- c. Loss of ability to make voluntary decisions;
- d. Blood infections;
- e. Skin infections;
- f. Pervasive and systemic bodily injury and infection;
- g. Loss of contact with family and friends;
- h. Loss of contact with females;
- i. Severe personality distortion, disruption, disintegration and alteration;
- j. Brainwashing;
- k. Mind alteration;
- l. Mind control;
- m. False imprisonment through psychological coercion;
- n. Loss of ability to distinguish right from wrong;
- o. Inability to withstand directions or encouragement to commit unlawful acts;
- p. The commission of unlawful acts at the direction, command and psychological coercion of defendant;
- q. The commission of deceptive acts at the direction, command and psychological coercion of defendant;
- r. The commission of theft and theft by deception at the direction, command and psychological coercion of defendant.

16. Defendant, acting as aforesaid, defrauded plaintiff and misrepresented facts to plaintiff as heretofore alleged, and plaintiff relied upon said misrepresentation to his financial, physical and emotional detriment.

17. As the result of being a devotee, plaintiff suffered severe emotional and physical injuries requiring medical care and resulting in disability and inability to work, which may continue into the indefinite future. While a devotee, plaintiff was deprived of the monies in revenues derived from his conduct and activities as a devotee.

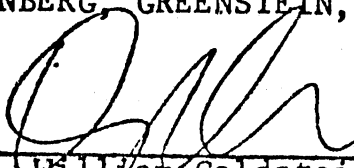
18. As a result of the consequences of being a devotee, persons acting on plaintiff's behalf were required to expend large sums of money to "de-program" plaintiff and restore to him sufficient free will to leave and remain away from the custody and services of defendant.

19. The false imprisonment and misrepresentation of defendant, as heretofore alleged, constituted outrageous conduct and conduct done with a bad and evil motive and for pecuniary gain. At all times relevant hereto, defendant acted with the intent to injure plaintiff and to cause plaintiff all of the injuries and damages heretofore alleged.

WHEREFORE, plaintiff claims damages of defendant in the amount of FIVE MILLION (\$5,000,000) DOLLARS, the same to include compensatory and punitive damages.

STEINBERG, GREENSTEIN, GORELICK & PRICE

By



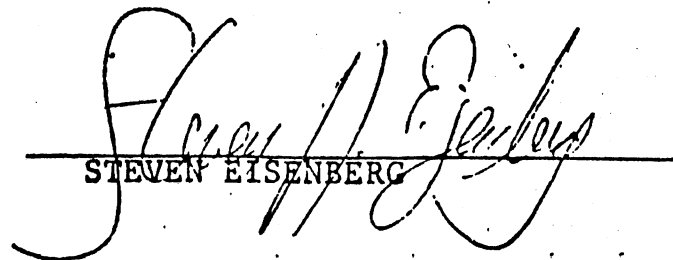
William Goldstein
Attorneys for Plaintiff

COMMONWEALTH OF PENNSYLVANIA:

: SS.

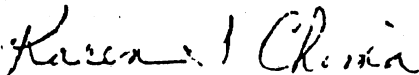
COUNTY OF PHILADELPHIA :

STEVEN EISENBERG, being duly sworn according to law, deposes and states that he is the plaintiff named in the foregoing Complaint and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.


STEVEN EISENBERG

SWORN TO AND SUBSCRIBED

before me this 28th day
of April, 1980.



NOTARY PUBLIC

KAREN I. CHIMA

Notary Public, Phila., Phila. Co.

My Commission Expires April 2, 1984

Conversation on 5/20/80

With

Makhanlal das, Office of Legal Affairs

and

Visvakarma das, President, ISKCON Toronto

RE: Steven Eisenburg v. ISKCON

M: Please tell me everything you know about Steven Eisenburg, okay?

V: Well he was playing in a band years ago and they were on a tour in Canada.

M: Years ago means some time before...

V: '75.

M: In 1975.

V: 1976. It was in '76. And he started traveling...

M: In '76. They claim that he joined in 1975...

V: He was traveling in a band across America and he was touring in Toronto. He came to the temple for a couple of days and he joined.

M: Just like that.

V: He bought a Bhagavad-gita at the airport in Alaska and had read it before that and he joined the temple. Basically he was a great devotee. He did sankirtan and he studied all the books. He was a good devotee.

M: Is his home town Philadelphia?

V: Yes. His parents are Jewish. They came by to see him a couple of times and he went down there a couple of times to visit them and then in 1979 he got sick in the summer, he was getting boils so he said he wanted to go home. His parents offered to give him free medical treatment there. There was a blood specialist there. So we sent him home....

M: Did you send him to a doctor?

V: Yeah. Many doctors here.

M: There was a problem in locating what was the...

V: ... wrong with him.

M: In other words conventional antibiotics....

V: ... didn't work.

M: ... didn't work.

V: Yeah I got a Dr. Robinson, our local temple doctor, that dealt with him.

M: This is sort of premature but you should be on deck ~~for~~^{for} getting a sworn statement from the Doctor stating that he had given medical attention to him because one of the accusations that he is making is that he had blood poisoning and skin infections. These are two of the accusations towards his 5 million dollar suit. So the point is that the testimony of the doctor in this regards would be very essential.

:(third voice) at least two doctors

M: Okay then both doctors.

V: You know both those people? (question to the third party)

V: So he went to the doctors and then he came to me and said, 'look I want to go home'.

M: He was still in the proper Krsna consciousness at that time?

V: Yeah. Oh, he got deprogrammed.

M: After he went home, before the medical...

V: Yeah, they grabbed him and they got Ted Patrick..

M: At what point did they grab him?

V: It was about September.

M: September 1979?

V: Yes. He disappeared, I was there.

M: He disappeared?

V: I never heard from him since.

M: He was grabbed while out on sankirtan?

V: No, he went home. I paid for a ticket for him or his parents sent a ticket. We sent him home to Philadelphia a few times to get this medical treatment taken care of.

M: And then they just brought the deprogrammers there to his house in other words.

V: Whatever. From there it's just been a mystery.

(third voice): I checked it out. Their phones were changed. Different things like that. At the time he went to visit his parents their phone numbers were changed. There was nobody at his house. His brother was real weird.

M: So it's pretty obvious that a deprogramming was going on.

V: Yeah for sure they did it.

M: We know that he was deprogrammed because he says that he was deprogrammed.

V: Who did it?

M: It doesn't state directly who did the deprogramming.

V: I've seen him go out of the door that day and I never saw him since. I never talked to him, I never heard from him. That was about September.

M: One of the accusations is loss of contact from family and friends.

V: That's not true. His parents came here. They visited him.

M: So it'll be necessary to document the fact that this is not... How can you document this, can you think of ways that you can document this?

V: They came here many times and visited him, used to phone

him regularly. We all know this. He went down a couple of times. We have another devotee who was his pet companion and side-kick and went down to Philadelphia with him.

M: Is this devotee still in good standing?

V: Yes. Excellent devotee.

M: So he can testify that he accompanied him.

V: No problem. Also, he played his rock music while he was in the temple. He was able to do all kinds of things that he used to do before he was a devotee.

M: He was a brahmachari the whole time.

V: He was a really good devotee.

M: The only thing besides the loss of contact with family and friends are the blood and skin infections... these are the only things other than the usual abstract things such as brainwashing, mind control, mind alteration, all these other types of accusations that are very abstract. So they really haven't got anything on us but it will be very important that you document these things.

V: O.K. We'll do it and listen I'm great on the stand. I'll go down there, there is no question, this is just outrageous.

~~:(third voice) Are you going to count it?~~

M: The other thing is malnutrition, so you should be also getting together testimony from your...whatever you have, but we have access to that type of thing down here, but what we would need is life members or friendly doctors and whatnot from your area that know the temple, specifically, who state that they know that you have, in that particular temple, a wholesome diet...

V: Yes, we have that; we had it done once...

M: I see.

V: We've got a huge Indian community and they are right behind us.

M: O.K. That sounds good so we'll need that kind of stuff. I'll just read these off to you quickly so that you can have an idea what some of the accusations are--malnutrition, loss of free will...see the abstract ones are easy to deal with, but the things like the malnutrition are where we need the most direct hard evidence to counteract this, you know.

V: O.K. No problems.

M: Their suit is put together very sloppily. They apparently have no realization of how ISKCON is structured, which is to our advantage; but they are suing the International Society for Krishna Consciousness Allen's Lane and Bryan Street in Philadelphia, Pennsylvania. So there are technically a number of holes in their suit.

V: Incidentally, I will tell you he was arrested in Canada for fraud and when his case came up he was kidnapped by them and he is wanted in Canada. That's why they don't want to do anything there.

M: Who doesn't want to do anything there?

unintelligible V: Obviously his parents, because he is wanted here,

: (third voice) Because he's up for failure to appear. They nailed him for failure to appear because his father had one of the...they called our lawyer who was going to represent him and told him not to represent him...that he had some judge or something in Philadelphia ...

M: Can you speak louder, please?

: (third voice) He had a family friend who is a judge call our lawyer and try to work it out so that he didn't have to appear. But they couldn't work it out, so the courts charged him for failure to appear and didn't try his case.

M: He was charged with fraud?

: (third voice) Yes.

M: In relation to sankirtan activities?

V: ~~(third voice)~~ Well, the thing is there were two people. The other person got off completely, but he failed to appear so his case is still pending and they want him to appear, so if he comes into Canada he will be arrested...We tried to protect his rights but they wouldn't let him come up to appear.

M: The particular case that was against him, was it a trumped up incident or was there...

V: Well actually he was misrepresenting the temple. And the other ~~devotee~~ ^{devotee} wasn't and it came out in the testimony that the judge would have found him guilty whereas he didn't find the other ~~devotee~~ ^{devotee} guilty.

M: Would it have been a misdemeanor or something like that?

V: No, it's a criminal offense.

M: I see...

V: How are they going to serve Philadelphia ISKCON?

M: There are serious holes in their strategy. However they can always re-file. *(Against Canada)*

V: They've got to sue us, ISKCON Canada...

M: In order to do...

: (third voice) I think the corporation is changing.

M: Which corporation? The Canadian corporation?...Three of your Canadian corporations are merging together?

: (third voice) They are un-merging.

M: Yeah, the sooner the better.

V: Yeah, they ^{could} file against us but I doubt it. Because he is wanted in Canada.

M: Here is a reference to..."Commission of Unlawful Acts at the Direction, Command, and Psychological Coercion of the Defendant."

V: Well, the thing is we have that whatever referred to a court case and in the court case both were forced to appear, the one that did appear won the case, so there is no fact in law that we

actually proved in court that they weren't fraudulent so that defeats their argument now.

M: Then he would have got off the hook.

V: Yeah, if he had come to the court...

M: If he had appeared in court then the matter would have been dismissed?

V: Yeah, that's right, so one of them was. He didn't show up so he is stuck with it.

M: O.K. because it says here, these are..."the commission of deceptive acts at the direction, command, and psychological...of the defendant the commission of theft and theft by deception at the direction, command and psychologic coercion of the defendant."

V: Who, where? ISKCON Philadelphia, or ISKCON Canada?

M: Well you see this is the thing, obviously he was lifted at ISKCON Toronto at the time, but he is claiming the suit is against ISKCON Philadelphia, so the whole thing can be thrown out and now the question is whether there would be difficulties in his filing a suit against ISKCON of Toronto as to whether it could be done from Philadelphia.

V: I think he's afraid to come into Canada. He is wanted. We would have him turned in immediately. Failure to appear is a major offense here in Canada.

M: I see, the failure to appear is the felony, but the theft, what did they charge him with?

V: Fraud.

M: They charged him with fraud. That would have been...

V: Both are together fairly serious now because it's like insulting the court here.

M: The fraud would have been thrown off, though, you say.

V: Yeah, but you see now the evidence is already in and actually the evidence points toward him as being fraudulent. So even if he

came up here he'd probably be convicted on a fraud charge at this point.

M: Had the temple authorities warned him about avoiding the use of that type of thing?

V: Oh yes. It came out completely that they were...[not responsible]

M: The point is to try to pin the responsibility on him if that were to become an issue.

: (third voice) There is no question, the courts completely conceded that ISKCON wasn't, as a general....

M: You have the records on that?

: (third voice) We could borrow them.

M: Right, but now the issue here...I'll clear this with Narayan first, but it sounds like we have some pretty good solid defenses here.

V: Yeah. Oh, believe me, he is not going to win.

M: We are not really worried that he is going to win, it's just that it's like a disease, you know, you have to take care of it. We can't ignore it. So I think we have enough basic information from what you are saying so far, and it's a question of our keeping in close contact with you now. O.K.?

V: Keep us closely informed; we are really concerned. He was a nice boy, you know. And really they just did him in, I think they must have done drugs on him or something. They must have really tortured him.

M: This can be brought out in the depositions. In other words, under oath he will have to...we will put him under oath and we'll have to make him describe in detail what happened to him when he underwent deprogramming.

V: I tell you, Prabhu, when I get on the stand...

M: And we will have to take statements from you regarding his character while in the organization.

V: If I have to go I'll slaughter them, I tell you...I'm so confident that the way we dealt with him was in a proper manner from an organizational point of view. There was no question of malpractice on our part.

M: Be thinking of any witnesses, any outsiders or any Sunday feast regulars, who would also sign statements that he was... verifying that he was of good character, gentle person and whatnot while a member of this society.

V: Well I'll see if I can get some professionals. We'll have to research it, I mean he didn't have that much contact...

M: O.K. But if you can remember any persons, you know, who might have known him and known that he was in good character while a devotee. Give it thought and try to come up with answers along that line. O.K.? That he wasn't a zombie, and that kind of thing...

V: Yeah, O.K., sure.

M: All right, thank you very much, Prabhu. We'll keep in close contact.

V: I was really unhappy that this happened to him. He is really just a victim of these demons. He was really a nice...

M: Who knows? It's always possible by the will of the Supreme Personality of Godhead that he will get out of the situation by undergoing this questioning and the association of devotees either through the court...because from what you're saying there was a loving relationship there.

V: Yeah, there was. He was one of our best devotees. He wasn't just an ordinary devotee, he was fantastic! I tell you, they just did him in, these demons just did him in. Now they are just trying to use the whole situation against us. When he sees us, I tell you, he is going to fall apart.

M: So the point is that we might be able to get him to see the light and he might even turn ~~back~~ ~~around~~.

V: I think he will.

M: It's always possible for him to turn ~~back~~ ~~around~~ and say "Hey, these people grabbed me and, actually I was dragged out against my will and now that it all comes back to me that actually they are the ones who brainwashed me."

V: Oh, I'm sure it will happen that way. I'm sure we'll be victorious....I'm sure of it. This boy's read all of Prabhupada's books and he is very good. He read all of Sri Caitanya Caritamrta twice, chanted his rounds wonderfully, served on sankirtan, I tell you the only reason this is happening is because they did him in period. Otherwise the boy had nothing in him like this.

M: Now one last question and that is what was his spiritual name?

V: Sthiti Karta das He was initiated by Srila Prabhupada.

M: Twice initiated?

V: Yes.

M: Sthiti Karta das how do you spell that?

V: S-t-h-i-t-i K-a-r-t-a

M: A twice-initiated disciple of Srila Prabhupada. O.K. Prabhu, I think that's it. So we'll get back to you.

V: What happened was he was taken. They just got him while he was sick.

M: So he was down, mentally because of his physical condition.

V: They just did him in. They may have done shock treatments to him, anything

M: Yes, we will bring out all of this. They have to bring out all of this in depositions....In other words if they did anything like shock treatments it's all going to have to come out in depositions, you see?

V: I think we can do them in. This will be a good case for us, I'm ready to go down there at your call...we will help you in all regards here. We're going to put all our energy into this so we can just smash these demons.

M: O.K. I'll let you know as soon as there is a new development, O.K.? Haribol!

OFFICE OF LEGAL AFFAIRS

JEROME A. PORITZ
NARAYAN D. ADHIKARY

8500 HIGUERA STREET
CULVER CITY, CALIFORNIA 90230
(213) 204-0488

WARREN C. HAVENS
VARUTHAPA D. BRAHMACHARY

May 29, 1980

MEMORANDUM

RE: STEVEN EISENBERG v. INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS
OF PHILADELPHIA

Dear GBC Legal Committee namely: His Divine Grace Srila Ramesvara Swami, His Holiness Adi Kesava Swami, His Grace Rupanuga Prabhu, and His Grace Balavanta Prabhu:

Please accept my humble obeisances. All glories to Srila Prabhupada. All glories to the guru parampara.

I think it is necessary to bring to all of your attention a case which has recently been filed in the State Court of Philadelphia, Pennsylvania, entitled Steven Eisenberg v. International Society for Krishna Consciousness. In this case an ex-devotee, Steven Eisenberg (known to us as Sthiti Karta) alleges various actions spelled out in the enclosed complaint. On page 4, item no. 15 it more specifically summarizes the causes of action where it stated, "During and as a result of his imprisonment by defendment, plaintiff suffered severe psychological and physiological injury which required medical care, resulted in disability and inability to work, all of which may continue into the future and which included but was not limited to the following:" then the complaint lists from 'a' to 'r' various actions including malnutrition, blood infections, loss of contact with family and friends, inability to withstand direction or encouragement, commit unlawful acts, etc., etc.

Although our outrage of such a ludicrous complaint, which contains a complete set of lies and may be considered a total transgression of legitimate use of the legal system, still such a case poses a complexity of problems. Of course, the greatest problem is that if such a plaintiff could ever prevail on one or all of the enclosed allegations within the complaint and receive a substantial reward for damages, whether in the thousands or hundreds of thousands, this would set a precedent and open us up for every bloomed devotee to come forward and file, in the wake of this case, a similar action.

It became apparent several months ago that cases like this would come forth and thus we are not receiving this unexpectedly. Groups such as ours which are persecuted by misrepresentation by

the media, misconstrued by the public, and considered a general nuisance or danger by the atheistic masses, are constantly susceptible to outrageous attacks, what to speak of such an off-the-wall legal action as presented in this case. Nonetheless, we have seen in another action, not necessarily similar in facts, that a series of allegations were perpetrated by an ex-Scientologist which thus reveals that organizations, such as ours (which have been categorized as cults or sects) are ultimately vulnerable. Approximately a year ago the Church of Scientology was sued by an ex-member, Julie Christofferson Titchbourne. The twenty-two year old charged that she had suffered emotional damage as a result of the Church's knowingly false promises to her in 1975 that it could help her with her college classwork, develop her creativity, and raise her IQ. She said that she was told that the Church also had a cure for neurosis, criminality, insanity, psycho-somatic illnesses, homosexuality, and drug dependence. She said she was lied to and induced to purchase assorted Scientology courses and services--which she thus spent her entire savings that she had acquired over the previous years. She then had to go to work for the Church at what was considered, by the court, to be an incredible menial wage, reduced to almost slave labor, in order for her to continue to conduct herself within the Scientology course program structure. At the trial, Miss Titchbourne's lawyers introduced a wide-range of evidence obtained through incredible allowed discovery by the court including all types of church documents and financial disclosure documentation which the court felt supported the contentions of Miss Titchbourne that the church was guilty not only of fraud but also of "outrageous conduct," a legal term for wrongful conduct that "shocks the conscience of society." Although the Church witnesses defended its courses and services as a means of providing for self-awareness and cleansing the mind; in mid-August, 79, the jury of seven women and five men returned its verdict in favor of Miss Titchbourne, finding, in effect, that the Scientology practices at issue were not religious in nature, and that its promises to her were false and that its conduct was outrageous, thus awarding Miss Titchbourne \$2,067,000.20 in damages.

I also want to bring to your attention that although the court heard in testimony that Miss Titchbourne, after spending nine months within the Church of Scientology, was removed by her parents from the cult, snapping her out of her "Zombie-like trance." Miss Titchbourne was obviously deprogrammed, manipulated and coerced by her parents and other personalities within the deprogramming sector to file this case and by her success opened up the door for similar theories by ex-members of different organizations, referred to as cults or sects, to be endangered by cases similar in nature. Thus we can understand by the history of this case filed against the Scientologists that although many or most of the facts in the presently existing Eisenberg v. ISKCON case are totally unfounded, the

potential danger and moreover the increasing threat of others following in the footsteps of Eisenberg, are at hand.

Whenever personal injury cases are filed against an ISKCON corporation, or individual members, especially those cases where large damage claims are requested, then a considerable amount of legal maneuvers and careful planning of strategy must take place. First of all, whether a case is ludicrous in nature or outrageous in terms of the alleged actions, still the legal procedure of answering this suit must be done. This case was filed on May 9th, and a response must then take place within 20 days or by June 1st. Basically it's very tricky because actually by entering a response in this case automatically may appear in the State of Pennsylvania to be entering into an admission that the respondent namely the Philadelphia corporation are proper defendants in this action. Thus, the first thing to consider is whether a response to the complaint be made or should an objection be filed first. I discussed this extensively with Barry Fisher and local attorney Joesph Tate and we have come to certain proposed maneuvers that should be done before responding to the actual complaint. Before we could actually continue in preparing any motions or objections on this case we have to first investigate exactly Steven Eisenberg position or story. According to our knowledge the Philadelphia temple claims that they had absolutely no recollection of a Steven Eisenberg ever being a member of their Philadelphia corporation and for that matter ever being a member of any corporation within the eastern zone. Thus we have to first establish exactly what is the plaintiffs position on his whereabouts with any particular corporation.

From the information in the complaint I deducted that possibly this person was situated in one of the Canadian corporations and then I had Makhanlal contact Visvakarma to find out what information he could offer. Enclosed you have a copy of the conversation on 5/20/80 with Makhanlal and Visvakarma, president of ISKCON Toronto, where we obtained a good deal of information about Steven Eisenberg, who was known to us in our movement as Sthiti Karta. It appears that actually Sthiti Karta was in the movement for approximately four and a half years, he was considered by the temple authorities to be a devotee in good standing, a steady sankirtan man, and a well-behaved devotee who followed the instructions of the temple president in cooperation with the religious principles of ISKCON. Also it is clear that Sthiti Karta was obviously sick for some time with boils. It is understood through a doctor's report that his medical problem was due to some blood disease, but up until the time of Sthiti Karta leaving the temple, it had not been cured. It then appears that Sthiti Karta left the temple to return home to his parents house for further medical treatment. At that time his parents obviously abducted him in such a way that probably would be considered to be of force and subjected him to a deprogramming. Although speculation at this time, he probably was subjected

to intense deprogramming practises during a time when he was physically very weak due to his illness and probably mentally primed, because of his physical condition, to hear the destructive attacks against our movement by deprogrammers. After, over seven month since his deprogramming he probably has been lead down the path to hell by being coerced into filing this law suit by the parents and, I would guess, in cooperation with one or several deprogramming organizations. You may take note that it is the opinion of Visvakarma that this ex-devotee could be possibly rehabilitated back to Krsna Consciousness should he be properly exposed to our movement once again. In another conversation Visvakarma told OLA that this devotee although sincere, had a tendency to be easily influenced because of weakness of mind; this being a prime target for deprogrammers.

I'd like to now present the legal options open to us at this time and in the absence, at this date, of Adi Kesava Swami I am going to have Tate's office prepare the objections outlined as follows:

(1) Personal jurisdiction--this is an objection to the court that the defendant mentioned in this action is not actually a true defendant. Of course the arguments will be made that the Philadelphia corporation has no knowledge of this person, Steven Eisenberg, ever being part of this membership, and thus they are unfairly named as the defendant in this case.

(2) Subject matter jurisdiction--this is an objection on jurisdictional grounds that the causes of action mentioned in this case in no way applies to the defendant who has been named in this action. It further defines that the causes of action are unrealistic, immaterial, inconsistent, etc.

(3) Form Non-convenience--this is an objection based on the fact that all witnesses that would be called in this litigation are situated in Canada because the plaintiff spent all his time in Canada and part of the Canadian corporation located in Toronto. For that reason the Philadelphia corporation should not be subjected for the cost and inconvenience of bringing the necessary witnesses from Canada needed to respond to this action.

A fourth objection can also be raised, but we haven't decided to actually contain this fourth objection as part of the original motion to the court or to wait for the court to respond on these first three objections and then depending upon the court's response to go forward with this fourth objection. Now I will explain the fourth objection at this time.

(4) Removal--this is a motion or request that the State


Court should, because of the nature of this case, allow this case to be filed in the Federal Court. The reason we may prefer to have this case moved from the State Court to the Federal Court is because we may find that the Federal Court can more easily comprehend matters of this nature. It is easier to make constitutional arguments in the Federal Court as opposed to the State Court, and also we should be able to get a better judge in the Federal Court who can more reasonably understand the facts in the case. Also, the appeal alternatives are more favorable, in this type of action, in the Federal Court as opposed to the State Court. A disadvantage for removal to the Federal Court rather than the State Court is that the Federal Court moves cases along much faster. We understand that if we had to fight this action, that is if we lose on all our objections and the case will continue in Philadelphia, that the State Court there is very slow, and this action will probably take three to four years before it would actually get to trial and then probably one or two more years before it would be resolved in the Appeal Court. On the other hand the Federal Courts would probably move the case along within a year, and expecting an appeal the case would be concluded within three years. One further maneuver should be done immediately. In fact if the court allows us an extra ten days to file our objections, this office suggests we should immediately take what is called an emergency deposition of Steven Eisenberg. First of all it is in great favor to take Eisenberg's deposition so that we get all the facts necessary to prepare our objections, especially the objections on jurisdictional grounds. It is obvious that we can, in a deposition, clarify that Eisenberg has spent no time (to our knowledge at this moment) at the Philadelphia temple, or has ever been part of the Philadelphia corporation. Another reason for deposition is that as already stated by Visvakarma prabhu that he feels Steven Eisenberg, Sthiti Karta, could possibly have a change of heart if subjected to some awakening of Krsna conscious reminiscences. It is possible therefore that in careful preparation of our deposition questions, we can somehow awaken Steven Eisenberg to stop being used by his parents and friends and come back to the spiritual platform and understand who his real friends actually are. Of course, it is going to be very sensitive and very difficult to utilize a deposition to show Sthiti Karta that he's beating himself down the hellish path if he continues this litigation. Somehow or other we can pray that Krsna can intervene and awaken within his heart the dormant love for the Supreme Personality of Godhead, and his appreciation for what the movement has really done for developing his Krsna consciousness.

I also want to bring to your attention that if we are ultimately successful in changing jurisdiction, this does not by any means indicate that the case will be terminated, although it does increase our hopes to end the case. If the Philadelphia corporation can be removed as a proper defendant and jurisdiction changed, then the plaintiff still has further options. He can move to cite or amend the Philadelphia complaint,

naming the Canadian corporation as a proper defendant, saying that the Philadelphia court should have proper jurisdiction over this case. Then the Canadian corporation may have to also answer the complaint and would use most of the arguments that already have been made and outlined above in order to remove themselves as a defendant within the Philadelphia courts. At that time the plaintiff could then move to file the action in Canada against the Philadelphia corporation. The problem that would exist for the defendant in filing the complaint in Canada is that although he probably can make the case a live one in Canada on jurisdictional grounds (making Toronto temple a proper defendant) he himself has an outstanding warrant against him. While a sankirtan devotee he was arrested and charged in a fraud case, and never showed up for his hearing. If you refer once again to the conversation between Makhanlal and Visvakarma you will get the detail about that matter. So we could hope that if all options open to the plaintiff fail, that is if Philadelphia corporation can be cut loose as a proper defendant and if the Canadian corporation can also maneuver its way out of the Philadelphia courts then the probability of the plaintiff continuing his case in Canada are highly improbably. Thus now you have an outline of what this case is all about, how we are currently going to respond to this case, and also the general jeopardy that may come out of any ISKCON corporation having to defend itself on the causes of action stated in the complaint.

Always begging to remain,

Your respectful servant,


Narayan das
Director
Office of Legal Affairs

ND:bd
Enclosures

cc: Srila Bhagavan Maharaja
Sriman Jagadisa prabhu
Sriman Atreya Rsi prabhu
Srila Tirtha Pada
Srila Satsvarupa Maharaja
Srila Bhaktipada
Sriman Visvakarma prabhu
Sriman Kesi Hanta prabhu