

International Raelian Movement

Dr. Jonathan Levy
Corporate Counsel for the International Raelian Movement*
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Tel/Fax 202-318-2406

March 15, 2007

Via Certified Mail

IUPUI
Office of the University Counsel
318 Fessler Hall
1120 South Dr.
Indianapolis, Indiana 46202

IUPUI
Office of Risk Management
400 E. 7th Street Room 705
Bloomington, IN 47405

Notice of Tort Claims pursuant to Indiana Code 34-13-3 et seq.

Dear Sir/Madame:

I am corporate counsel for the International Raelian Movement and in that capacity represent Rael, the Raelian Movement (United States and International), and its officers and membership for the purposes of filing this notice.

Notice is hereby given pursuant to Indiana Code 34-13-3 et seq. of multiple tort claims arising from the following set of facts:

In May 2005, IUPUI student researcher Abdullah Hashem personally and through his assistant Joseph McGowen¹ affirmatively represented to the Raelian Movement that he was an IUPUI researcher² making a documentary film project on behalf of IUPUI and supported in part by IUPUI.³ The subject of the film was purported by Hashem to the Raelian Movement to be a fair and balanced investigative documentary about the Raelian

www.rael.org

* Member California and District of Columbia Bar Associations – not a licensed attorney in South Carolina or Nevada.

Movement, Rael, and its members. On May 18, 2005, Hashem's associate, Joseph McGowen, with the knowledge and assent of Hashem signed a contract with the Raelian Movement which stated in whole:

It is understood the documentary film and all footage remains the sole property of the Raelian Movement. Any use and exhibition shall be allowed only with the prior approval of the Raelian Movement according to the terms agreed upon through prior negotiation.

Relying on this contract and Hashem's connection to IUPUI, the Raelian Movement granted Hashem complete access to film and interview Rael and officers and members of the Raelian Movement. The active participation obtained from Rael and Raelian Movement officers and members was contingent on the agreement signed by McGowen on behalf of Hashem and IUPUI and the representations made about the purpose of the film by Hashem including his connection to IUPUI.

In August 2005, instead of submitting the film to the Raelian Movement, Hashem and McGowen deliberately incited contempt and outrage against Rael, the Raelian Movement and its members through their filmmaking activities.

Hashem and McGowen demanded that in exchange for not releasing the film:

- 1. The Raelians stop all activities within the United States and Egypt first hand.*
- 2. Rael steps down as leader and admits his lies before he is exposed and is thrown off his throne by his own people.*
- 3. Rael gives a public apology to all and gives back all Raelian donations and funds.*

Hashem noted his affiliation with IUPUI in statements to the press and in subsequent and ongoing conversations and representation to the media and potential investors including an attempt to sell film rights on eBay™ and raise money for the related enterprises called Dragonslayer Productions and Hashem Films.

Beginning in September 2005 Hashem created websites entitled Raelexposed.com, Falseprophetbusters.com and a blog www.raelexposed.blogspot.com and two companies Dragonslayer Production and Hashem Films to further promote the project – now called “*Little Claudy*,” a derisive reference to Rael. The website contained defamatory materials and incited religious hatred and ridicule towards the claimants as well as seeking monetary support. Hashem additionally has utilized YouTube™, MySpace™, YahooGroups™ and other websites and blogs as vehicles for exhibition of outtakes of *Little Claudy* and attacks upon the claimants.

Hashem has stated: “Raelian Movement members are brainwashed and sex is used as coercive tool to gain access to the finances of those in the group.” Hashem also falsely claimed the Raelian Movement had offered him money to prevent the release of movie.

Hashem and his agents have accused the claimants of being involved in criminal child molestation. In yet another statement, Hashem said. "I contacted Rael and all the Raelian bishops and told them they had a choice. I didn't have to release it if they would return all the money and give a public apology."⁴ "They tried to offer us money and compensation, but we don't want their money, we want them done."⁵

Claimants believe the finished version of the film exhibited by IUPUI contain additional false allegations of mind control and criminal activity.

In October 2006, Hashem reached an agreement with representatives of the IUPUI Department of Religious Studies to premier the completed film now called *Little Claudy*. IUPUI was by then well aware of Hashem and McGowen's malice and profit motive. By that time *Little Claudy* had been mentioned in numerous press releases and had its own website on the internet, *RaelExposed*. Outtakes of the film were exhibited on YouTubeTM and Fox NewsTM. IUPUI Religious Studies Department personnel including Professors Kelly Hayes and David Craig were aware of the sensational and biased nature of the film *Little Claudy* but nonetheless did not exercise their mandated oversight powers to halt the exhibition.

Hashem then emailed a press release about IUPUI's decision to screen the film at Lilly Auditorium which was received by the various employees of IUPUI including the Sociology and Religious Studies Departments. In his press release Hashem continued to sensationalize and castigate the claimants:

Subject: Movie Premiere!

Hey everyone,

My documentary on the UFO sex cult the Raelians is going to be shown on Nov. 2, 2006 at 6pm at IUPUI in the Lilly Auditorium. It is FREE and this is the premiere showing of the film. There will also be food and drinks provided. The Religious Studies Student Association on campus is sponsoring the event. I would be very honored to have each and every one of you show up to check it out and support me. As you may or may not know, last year I infiltrated the Raelian cult (see www.rael.org) posing as a Raelian member and obtained all kinds of footage that was never obtained or seen before. So rare of footage that the FOX show A CURRENT AFFAIR bought some of the footage for a story during sweepstakes. WIRED magazine did a story on us and I was featured on several radio shows because of it. This is the movie now all done. Come check it out, it's free and it's something to do Thursday Nov. 2nd. Mark your calendars and thanks so much! Email me or call if you have any questions or need directions!

*Abdullah Hashem
317-366-1596*

www.rael.org

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Nonetheless, IUPUI Department of Religious Studies and specifically Professors David Craig and Kelly Hayes approved the film for release at the IUPUI venue after receiving the email indicating deception (infiltration) was used in obtaining the footage. On November 2, 2006, the film was exhibited:

The Raelian Movement through its counsel on January 12, 2007 requested IUPUI cease and desist its activities in promoting *Little Claudy*, return the film footage and enter into dialog, this request was received by Dr. Thomas J. Davis of the IUPUI Religious Studies Department and then forwarded to IUPUI Administration but no response was received by claimants. A similar cease and desist letter was honored by YouTube™ which removed the offensive material from its website. To date IUPUI has indicated no willingness to cooperate with the claimants or mitigate its conduct.

In December 2006, Hashem and McGowen exploited a disabled man in Las Vegas named Prophet Yahweh and used edited clips of *Little Claudy* to incite Prophet Yahweh into making threats of violence against the claimants and specifically Rael on film. Hashem then exhibited this film including material owned by claimants on YouTube™ until it was removed due to copyright violations. The threats were reported to the FBI.

Actual Claims Against IUPUI and its employees and agents:

42 U.S.C. § 1983 Violation of Civil Rights

IUPUI has provided tangible support to Hashem's virulent hate campaign against the Raelian Movement including but not limited to a venue for the screening of the film *Little Claudy*. Additionally, by supporting the attack on the Raelian Movement, IUPUI is directly supporting the unconstitutional establishment of and/or interference with religion by condemning the Raelian Movement and exposing its members and officers to ridicule and censure. The continued support of IUPUI for the Hashem project and use of Lilly Auditorium despite ample warning the film violated ethical research guidelines indicates IUPUI acted with reckless and/or intentional disregard for the civil rights of the claimants.

Extortion

Hashem, McGowen, and other agents of IUPUI have engaged in an ongoing course of conduct to extort funds and cause the claimants to cease functioning as a religious organization due to their beliefs. This conduct includes false allegations of criminal conduct in the film *Little Claudy*, exhibition of the film, and inciting the disabled man, Prophet Yahweh, to make threats of violence against the claimants based upon material in the film.

Breach of Contract

Hashem bound IUPUI as its agent to the non exhibition clause in the contract – IUPUI violated this clause when the film *Little Claudy* was exhibited at IUPUI. IUPUI upon being made aware of the breach refused to take measures to mitigate the breach or comply with the terms of contract.

Replevin

IUPUI must take all reasonable steps to return the film footage which is the property of the claimants.

Conversion

IUPUI intentionally displayed film footage belong to the Raelian Movement without the consent of Raelian Movement.

Gross Negligence

IUPUI was grossly negligent in not following its own and federal guidelines for projects involving human subjects. As a result of lack of oversight, the human subjects utilized in Hashem's investigations have suffered emotional distress and loss of income. The Raelian Movement has incurred direct costs related to Hashem project including providing counseling for its members affected, loss of income, and interference in its ability to carry out its religious mandates.

False Light Invasion of Privacy

Hashem obtained the film footage through his affiliation with IUPUI, edited the footage to portray the Raelian Movement, Rael, and its members and officers in a false light. Hashem's intent was malicious. IUPUI then despite foreknowledge of the film's hate filled content provided a venue for its exhibition. Claimants have suffered emotional and other damages as a result.

Defamation

The film *Little Claudy* grossly, maliciously and intentionally distorts the teachings of the Raelian Movement and was designed as a vehicle to extort funds and interfere with the Raelian Movement's operation and as such its exhibition constitutes defamation. Additionally false claims of criminal activity, child molestation and brainwashing have been leveled in the film and by Hashem and McGowen against the claimants.

Tortuous Interference in Business Affairs

Hashem, McGowen and those involved in the production and exhibition of the film *Little Claudy* intentionally and falsely maligned the Raelian Movement and Rael with the avowed purpose of disrupting the claimants' ability to recruit and retain members.

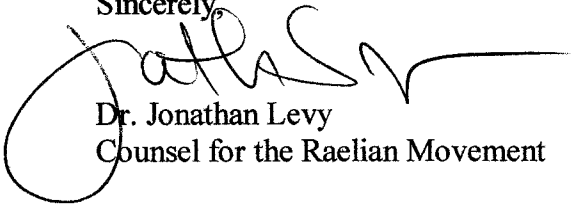
Damages

Rael is a citizen and resident of Canada. Claimant the United States Raelian Movement is a non profit corporation based in Las Vegas, NV and the International Raelian Movement is based in Switzerland. The known employees or agents of IUPUI responsible for the following damages are: Abdullah Hashem, Joseph McGowen, Catherine Crouch⁶, Dragonslayer Productions, Hashem Films, Mariah White⁷, Brandon Javella⁸, Professors: David Craig, Kelly Hayes, and Thomas J. Davis and the IUPUI Religious Studies Student Association.

The resulting damages to the claimants exceed \$1,000,000 and include pain and suffering, mental humiliation, lost income and expenses incurred as a result of the matters complained about.

Should IUPUI wish to amicably settle this matter please contact me at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Levy', with a long horizontal flourish extending to the right.

Dr. Jonathan Levy
Counsel for the Raelian Movement

Attachments:

Contract

Emails

Cease & Desist Letter to IUPUI Department of Religious Studies

¹ According to McGowen: “This [Little Claudy] was Abdullah’s project and he orchestrated every aspect from the set-up and editing to promotion for the movie.” See Hashem’s statement at: [http://www.falseprophetbusters.com/jmbio.htm] Last visited February 26, 2007.

² The Federal HHS regulations at 45 CFR part 46 use the term “investigator” to refer to an individual performing various tasks related to the conduct of human subjects research activities, such as obtaining informed consent from subjects, interacting with subjects, and communicating with the IRB (Institutional Review Board). For the purposes of the HHS regulations, OHRP (Office for Human Research Protections) interprets an “investigator” to be any individual who is involved in conducting human subjects research studies. Hashem for the purposes of this notice is an “investigator” and covered under applicable IUPUI and HHS rules regarding the ethical treatment of human subjects by researchers and investigators.

³ “During his senior year at the university [IUPUI], Hashem did an extensive independent research study on the Raelian Movement.” [http://www.falseprophetbusters.com/ahbio.htm] Last visited February 27, 2007.

⁴ Kristen Philipkoskie, “Some Sex With Your Clone Perhaps?” *Wired News*, August 31, 2005. [http://www.wvrn.org/article.php?id=18560&sec=42&cont=all] Last visited March 7, 2007.

⁵ Brian Culp, Mooresville filmmaker documents ‘UFO cult, *Mooresville-Decatur Times*, August 10, 2005. [http://www.md-times.com/?module=displaystory&story_id=9722&format=html] Last visited March 7, 2007.

⁶ “Hashem studied Filmmaking under Writer/Director Catherine Crouch (HBO’s *Stranger Inside*, *Stray Dogs*) for two years; Crouch also served as an advisor on *Little Claudy*.” [http://community.thelot.com/profiles/profile.aspx?un=AbdullahKHashem] Last visited March 7, 2007.

⁷ Dragonslayer Productions.

⁸ Dragonslayer Productions.

Dr. Jonathan H. Levy

37 Royal Pointe Dr.

Hilton Head Island, SC 29926

United States

Tel/Fax 202-318-2406

Email jonlevy@hargray.com

Dr. Thomas J. Davis

Professor and Chair of the Department of Religious Studies

IUPUI School of Liberal Arts: Department of Religious Studies

425 University Boulevard, Cavanaugh Hall 335

Indianapolis, IN 46202-5140

Via Email and Postal Mail

January 12, 2007

Re: Cease & Desist Demand, Notice of Contractual Breach, Demand for Restitution

Dear Professor Davis:

I represent the Raelian Movement.

I am notifying the Department of Religious Studies and its agents (Abdullah Hashem, Dr. Kelly Hayes and Dr. David Craig, and associates) that they are in breach of their contractual obligation to the Raelian Movement by releasing and publicly exhibiting the film, "Little Claudy: Life as a Raelian," at an IUPUI venue on or about November 2, 2006.

Further, I am requesting the Department and the above named individuals immediately cease and desist from exhibiting portions of the film on the Internet, to the public and to the news media.

Finally, I am requesting the Department enter into discussions as to how to repair the misinformation and calumnies about the Raelian Movement, a well established new religion, that have been made by the above named individuals and for the return of our film footage in total.

The operative facts involve a written contractual obligation entered into by Hashem and his associate McGowen on or about May 18, 2005 with the Raelian Movement in which they were granted the limited right to film members of the Raelian Movement specifically for an IUPUI project subject to the following operative conditions:

Member: International Criminal Bar, California and District of Columbia Bars

*Not a member of the State of South Carolina Bar Association

“It is understood the documentary film and all footage remains the sole property of the Raelian Movement. Any use of exhibition shall be allowed only with the prior approval of the Raelian Movement...”

The exhibition on November 2, 2006 at an IUPUI venue violated that agreement. Likewise the continued use and retention of the film footage by IUPUI and Hashem is an ongoing violation of the contract.

I find it hard to believe that a religious studies department would intentionally denigrate the beliefs of well meaning individuals like the Raelian Movement simply because they are different from the mainstream however this is what has in fact happened. Hashem’s recent statements to Fox News and to other media outlets indicate a malevolent intent to harm the Raelian Movement’s members and are not the objective scholarship we expected from IUPUI.

The Raelian Movement, despite the falsehoods being perpetrated by Hashem and IUPUI faculty, is not a vengeful organization. The Raelian Movement seeks accommodation, understanding, and reconciliation with our critics and welcomes constructive dialog. Likewise this is not about silencing critics of the Raelian Movement but rather contractual rights and academic ethics.

Hashem and IUPUI faculty are free to criticize, satirize, caricature, or hold the Raelians in contempt if they so choose subject to the laws of defamation. However I am sure you agree that subterfuge, fraud, and unethical behavior to obtain film footage under false pretenses cannot be condoned. IUPUI cannot disregard its contractual obligations undertaken by Hashem on its behalf. The public screening of the film and circus like atmosphere promoted by Hashem and IUPUI are not just contractual violations but an insult to all Raelians.

Furthermore, it is not understandable how this occurred at a leading religious studies department where exhibitions and projects involving human subjects would have been subject to rigorous review and advisement by faculty per IUPUI’s own guidelines.

I am requesting a response within 20 days of IUPUI’s intentions in this matter and hope that we can constructively work together to repair the damage that has been done.

Respectfully yours.

**Dr. Jonathan Levy
Corporate Counsel for the Raelian Movement**

cc: Raelian Movement

Member: International Criminal Bar, California and District of Columbia Bars

***Not a member of the State of South Carolina Bar Association**

From: AbdullahKHashem@aol.com [mailto:AbdullahKHashem@aol.com]

Sent: Saturday, October 14, 2006 1:10 AM

To: cute_sweet_lady@hotmail.com; cutterba@iupui.edu; dabombaj18@hotmail.com; Daelong@iupui.edu; danablackone@yahoo.com; dandavidson@poopybutthead.com; danielpmajors@hotmail.com; DarwinsNewYear@yahoo.com; Dave.Harben@target.com; David_Jordan@Dell.com; dblackone1970@yahoo.com; dbonny@iupui.edu; DCrigs48@aol.com; DCsugarbaby05@aol.com; ddiab@iupui.edu; deadwinter@hotmail.com; deborah.robb@iflyata.com; dedmond@iupui.edu; dennis@ufolab.info; desala26@hotmail.com; dhowery03@yahoo.com; DontReadMuch@aol.com; donnajn@bellsouth.net; Drew1204@comcast.net; drlee@indo.net.id; dsiebert@sagewisdom.org; dueceonthex@yahoo.com; Dwilson@wibc.emmis.com; earlyshow@cbs.com; edge@radionow931.com; ehennig1@gmail.com; ehovee@indiana.edu; ehovee@iupui.edu; Elvis328@aol.com; eric.mettert@gmail.com; Esa923@aol.com; ESCAPE666@webtv.net; exoticangel1003@yahoo.com; eyeoftheprophet7@aim.com; fasaeed@iupui.edu; flyinglimerick@hotmail.com; FoxyGirl13469@aol.com; funnyguy610@yahoo.com; future0light@yahoo.co.nz; Gail.Perkins@indiatimes.com; GaryConner@BestMotivationalSpeakers.com; george@coasttocoastam.com; gggone1@yahoo.com; GigglesClubs@cs.com; gmcullen@gmail.com; Go2LAFFS@aol.com; gothikdecadence@yahoo.com; gustavern@yahoo.com; halloweenhost@hotmail.com; harris.faulkner@acurrentaffair.com; Hastingsjewelry@webtv.net; HeatherCM2001@aol.com; heritage@apartmentsbloomington.com; HisLilGirl82@aol.com; hissxydream@hotmail.com; Kehopkin@yahoo.com; host@kevinsmithshow.com; how_tweet@hotmail.com; hr@finishline.com; hralph@iupui.edu; hralph@iupui.edu; lexis132006@yahoo.com; counts18@hotmail.com; sausages696@yahoo.com; jhilde88@yahoo.com; wwick@iupui.edu; IamDb@jdigitalproduction.com; ietips@kingworld.com; indhu13@yahoo.com; indymgr1@kerasotes.com; indystandup@indystandup.com; info@1abcstore.com; info@alienobserver.com; info@arabfilm.com; info@bezoarstones.com; info@intakeweekly.com; info@rickross.com; info@tryfreemasonry.com; isshinryu213@yahoo.com; its_a_one@yahoo.com; iuchica38@hotmail.com; j_sizzle01@yahoo.com; jack@cybercityradio.com

Subject: Movie Premiere!

Hey everyone,

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several radio shows because of it. This is the movie now all done. Come check it out, it's free and it's something to do Thursday Nov. 2nd. Mark your calendars and thanks so much! Email me or call if you have any questions or need directions!

Abdullah Hashem

317-366-1596

It is understood that the documentary film + all footage remains the sole property of the Gaelian Movement. Any use or exhibition shall be allowed only with the prior approval of the Gaelian Movement according to the terms agreed upon through prior negotiation.



102 318-2406