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**To:** [doug@process.org](mailto:doug@process.org)  
**Cc:** ["Ferguson, Nathan" <nferguson@examiner.com>](mailto:nferguson@examiner.com)  
**Subject:** FW: Retraction of Defamatory Article  
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Dear Doug,

I received the email below regarding your recent article regarding transcendental meditation and the David Lynch Foundation. As you should be aware, the Examiner.com Terms of Use and the click-through Examiners Independent Contractor Agreement and License (which you entered into with Examiner.com) prohibit the posting of content that is defamatory or factually inaccurate, as has been alleged here. Accordingly, we have temporarily removed the article from our site pending further investigation and/or modification of the article by you.

Please be aware that because you are an independent contractor and your articles are selected, written, posted or controlled solely by you, you alone would be liable should either of the organizations listed below decide to bring a lawsuit for defamation or otherwise. Accordingly, we strongly encourage you to consider modifying the article (for example, by including the fact that the \$138,000 judgment you mentioned was overturned on appeal, if that is in fact true, correcting other inaccuracies, and removing defamatory statements). If you need a primer on defamation law, there are some good sources available on the web, such as this by the EFF: <http://www.eff.org/issues/bloggers/legal/liability/defamation>

If you choose to modify the article to comply with the requirements of our Terms of Use and Examiner Agreement (including removal of statements that could be considered defamatory under applicable laws, and correction of factual inaccuracies), we may in our sole discretion consider allowing you to re-post the article to our site at that time.

Best regards,

Deborah Shinbein

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-----Original Message-----

Date: Tue, 13 Oct 2009 17:37:00 -0500

To: webmaster@examiner.com , abuse@examiner.com, contactus@examiner.com

From: William Goldstein <bgoldstein@mum.edu>

Subject: Retraction of Defamatory Article

Dear Examiner Editor in Chief

I write this letter as General Counsel for Maharishi University of Management and the David Lynch Foundation for Consciousness Based Education and World Peace concerning the article in your online publication: [http://www.examiner.com/x-20682-Boston-Underground-Examiner\\_y2009m10d5-Transcendental-Meditation-in-schools-the-David-Lynch-program](http://www.examiner.com/x-20682-Boston-Underground-Examiner_y2009m10d5-Transcendental-Meditation-in-schools-the-David-Lynch-program)

I will not comment on the inappropriate statements on the scientific research conducted on the TM program contained in Mr. Mesner's article. Dr. Orme Johnson's comments you have received reply more expertly than I could on that subject and I incorporate them. But there are other false, defamatory and/or misleading statements which need to be identified as such and retracted. The failure to do so continues to damage the reputation of my client organizations which teach and promote these programs, and the individuals involved in those activities.

One court case, over thirty years ago, found a curriculum in the Science of Creative Intelligence which included the TM program to have religious overtones violative of the First Amendment. That "Malnak" case has been mischaracterized and its scope overstated by Mr. Mesner. No court at any time has ever ruled that teaching the TM program alone is impermissible, nor that the student is "assigned the name of a Hindu God to chant".

What is even more relevant is the fact that, largely in light of the extensive research that has been done over the last thirty years on the Transcendental Meditation programs benefits in removing stress, several thousand at risk students in public schools across the United States have decided voluntarily to learn the TM program. Through sponsorships from the David Lynch Foundation, they have learned the technique in voluntary Quiet Time programs without any legal interference. The Supreme Court's 1985 decision in Wallace v. Jaffree, 472 US 38 and its progeny have now made it clear that secular or non-secular meditation is permissible under the First Amendment in such circumstances.

Mr. Mesner then goes on to paste the horrific label of a "cult" on the TM program. Al Gore, Jerry Seinfeld and Paul McCartney would find it remarkable to be told they are members of a cult, but that does not mitigate the serious damages that such thoughtless labeling can have on the organizations which teach these programs to the public. And while Jerry may laugh at such a characterization, Al Gore may not have as well developed a sense of humor.

John Knapp, who claims to be a licensed counselor, is quoted by Mr. Mesner as saying he was lied to and harassed by the TM organization. But this is not factually supported. However, what is a fact is that Mr. Knapp has developed a niche in the field of counseling for victims of cults which he actively promotes on his websites. He has created a straw man, and now he is selling expensive medicine to him. Mr. Knapp's professional ethical conflict of interest seems much more worthy of note than his unsupported claims of lies and harassment.

Further, Messrs.. Knapp and Mesner attempt to attribute the symptoms of mental illness to the practice of the TM program without scientific basis. This may be of great support to his cult counseling practice, but is not supported by the several hundred studies. No one claims that every

person who practices the TM technique will be promptly freed of any mental distress. People who practice the TM program may indeed coincidentally suffer from such problems.

What the research shows conclusively, however, is that they get noticeably and materially better through this practice -- they do not get worse. If Mr. Knapp really and honestly feels otherwise, why has he not undertaken a controlled scientific study which has been published in a peer reviewed journal? In fact, all such studies of the TM program have shown that it only produces beneficial effects. Mr. Knapp's self serving, conflict ridden unscientific anecdotes are not the evidence recognized as credible by science or his profession and claiming such is unethical and irresponsible. It is also damaging to those who teach and practice those programs and he should be held accountable for such damage. In any event, it should not be published and promoted by this publication or you are participating in this damaging process.

Mr. Mesner's misrepresentations continue by his claim that Kropinski received a \$138,000 jury verdict for claimed injuries from the TM program. What he omits to mention is that it was reversed on appeal. Kropinski v. WPEC, 853 F.2d 948 ( 1988) .

These falsehoods, defamations and omissions compel me to ask you to remove this article from your newspaper to put an end to the continuing damage its publication causes to my client.

Thank you very much for your anticipated co-operation.

William Goldstein  
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