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January 7, 2005

**VIA FACSIMILE**

Honorable Mark Falk, U.S.M.J.  
United States District Court  
United States Post Office & Courthouse  
1 Federal Square, Room 457  
Newark, New Jersey 07101

**Re: Landmark Education LLC, et al. v. The Rick A. Ross  
Institute of New Jersey, et al., Civil Action No. 04-3022 (JCL)**

Dear Magistrate Judge Falk:

On behalf of plaintiffs ("Landmark") we write concerning defendants' refusal to respond to those discovery requests by Landmark which concern allegedly anonymous or pseudonymous posters of content on defendants' Internet web sites. The requests are Document Requests Nos. 2, 12-14, 16-17 and 19-21, and Interrogatories Nos. 4 and 7. Copies of the relevant portions of defendants' responses to Landmark's discovery requests, in which they refuse to respond, are annexed. The purpose of this letter is to request permission to make a motion to compel defendants to respond to the discovery requests in question.

**Background**

Landmark delivers educational programs to individuals and businesses throughout the world. Defendants operate web sites alleged to be a database of information about cults. Landmark's complaint stems from defendants' posting of disparaging materials on their web sites about Landmark's educational programs, defendants' refusal to post positive materials about Landmark's programs on their web sites and defendants' false statements about Landmark's programs published in the media.

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**The Relevance of the Requests**

Landmark's complaint alleges (at ¶¶ 20, 23 and 27) that defendants have themselves authored certain disparaging statements concerning Landmark's products and then falsely posted them as if written by others. The posts are made as anonymous or attributed to persons whose names are not stated (e.g., a March 26, 2003 post is attributed to "a Landmark graduate").

Landmark has consulted with forensic linguistics specialists who have examined certain of these allegedly anonymous or pseudonymous posts, as well as material indisputably authored by defendant Rick Ross. These experts on the subject of disputed authorship have advised Landmark that a number of the allegedly non-Ross posts were likely written by him.

Unsurprisingly under the circumstances, defendants have refused to respond to Landmark's discovery requests concerning authorship of the disparaging, allegedly non-party posts.

In anticipation of what would be a bad faith response by defendants -- that they are attempting to protect these alleged third-parties from harassment by Landmark -- Landmark has previously offered to enter into a confidentiality stipulation which would provide that only Landmark's outside attorneys, consultants, experts and general counsel would have access to this information and further that they would use the information solely for the purpose of this litigation.

**The Specific Actionable Statements**

Landmark's complaint sets forth a representative sample of some of the content posted on defendants' web sites that disparages Landmark's products. Numerous postings called "visitor comments" are designed to give readers the impression that Landmark's programs are cult-like and present risks of physical and/or mental/emotional harm to participants. These commentaries accuse Landmark of "hypnotizing" and "brainwashing" participants, attempting "cult recruitment" and "mind control" and of constituting "cultish-ness." Additional false and disparaging accusations that can be found in these "visitor comments" include:

- a. The Landmark Forum encourages participants "to cut themselves off" from people who are not associated with the program;
- b. "Most of the people [attending The Landmark Forum] were wailing and rolling around on the floor like an 'Ole South' tent revival;"
- c. Attendees at The Landmark Forum "endured days of physical and emotional discomfort . . . wrapped up in constant sales pitches, not unlike a timeshare seminar" as well as "bullying" and "humiliation;"

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- d. "Some of the testimonials within the program were plants;"
- e. The Landmark Forum "used bright fluorescent lighting with no windows, didn't allow food or drink in the room, and required such long hours;"
- f. Participants in The Landmark Forum who want to leave are met with "guilt, manipulation and implied threats" and those who do leave are thereafter continuously "harassed" by Landmark representatives seeking to convince them to return to the program;
- g. Participants in The Landmark Forum are instructed "not to take any medication" during their three-day participation;
- h. Participants in The Landmark Forum are not "allowed to be by themselves for long periods of time or deviate from the Forum rules in any manner;"
- i. Landmark representatives exhibited a "reluctance to allow toilet breaks;" and
- j. Landmark representatives lied to participants who left The Landmark Forum with respect to whether their "money would be refunded."

In addition to these so-called "visitor comments," defendants also post dozens of "personal stories." These "personal stories" carry supermarket tabloid titles such as "This cannot be healthy emotionally" and "Landmark Education destroyed my life -- from the Forum to a psych ward." Examples of the starkly false statements of fact that can be found in these "personal stories" include: (1) Landmark's programs make "a deliberate assault on your mind;" (2) participants are "deprived of daylight" and subject to total "control . . . from the moment you are in that room;" (3) Landmark's programs are "fake and unscrupulous;" (4) Landmark's programs are a "form of mind control;" (5) Landmark's programs are "downright dangerous" and "destructive;" (6) Landmark's programs are designed to make participants "vulnerable to suggestion;" (7) Landmark's programs have "cult attributes;" and (8) Landmark's programs are a form of "subtle brainwashing."

Finally, defendants' web sites also have a "forum" section where visitors may discuss Landmark's programs in on-line "chat rooms." One "chat room guest," operating under the screen name "richardcee" accuses the program of "brainwashing" while another "chat room guest," operating under the screen name "poppop," asserts that "minds are conditioned by Landmark."

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As noted above, Landmark has information that defendants have authored at least a number of these statements attributed to others.

**The Law**

Defendants erroneously base their refusal to respond to Landmark's discovery requests concerning the disparaging, allegedly non-party posts on a New Jersey case, Dendrite Int'l. Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001). (See defendants' responses to Document Requests Nos. 2, 12-14, 16-17 and 19-21, and Interrogatories Nos. 4 and 7.)

The plaintiff in Dendrite brought an action against John Doe defendants based on defamatory postings about the plaintiff made by the John Doe anonymous users of an Internet Service Provider's ("ISP") bulletin board. Id. at 140-41. The plaintiff issued a subpoena to the third-party ISP in order to discover the identities of the unknown defendants in order to name them in the case. Id. The court held that before ordering a third-party ISP to disclose the identity of anonymous Internet posters-defendants, trial courts must balance the First Amendment right of individuals to speak anonymously against the rights of plaintiffs to prosecute the actionable conduct of such defendants. Id. at 141. In particular, that court concluded that in order for such relief to be granted: (1) the plaintiff must attempt to notify the anonymous posters, who should be given a reasonable opportunity to oppose the application, (2) the plaintiff must set forth the exact actionable statements of the poster; (3) the court must determine whether plaintiff has made out a prima facie claim against the anonymous poster; and (4) the court must balance the First Amendment right of anonymous free speech against the strength of the prima facie case and the need for the disclosure of the poster's identity to allow the plaintiff to properly proceed. Id. at 141-42. Accord, Immunomedics, Inc. v. Doe, 342 N.J. Super. 160 (App. Div. 2001) (applying the Dendrite test and affirming denial of anonymous defendant's motion to quash subpoena).

In addition to never having had its reasoning adopted by any federal court within this Circuit, that case is, as set forth below, inapposite.

**Response Should Be Compelled**

The four-part Dendrite test is not controlling and defendants should therefore be required to respond to Landmark's discovery requests. Defendants' invoking of the First Amendment rights of other individuals to speak anonymously is a red herring. This case has nothing to do with a plaintiff seeking to prosecute claims against anonymous Internet posters. Rather, the issue presented is whether Landmark is entitled to the information it requires to prove its claims against -- and refute the defense of -- these named defendants, Rick Ross and The Ross Institute. In Dendrite and Immunomedics, the plaintiffs had issued subpoenas to third-party ISPs to determine the identities of "John Doe" defendants so as to be able to proceed with claims against those individuals. The New Jersey court was therefore concerned about protecting the right to

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speaking freely and anonymously on the Internet of persons who were the litigation targets of those plaintiffs. Knowing that the unknown defendants would be dragged into court upon disclosure of their identities and the potential chilling effect on Internet speech, the court was reluctant to permit such discovery in the absence of a strong showing of need by the plaintiffs in the form of satisfaction of the four conditions set out by the court.

Here, by contrast, Landmark's discovery requests are nothing more than run-of-the-mill attempts to obtain information from known defendants pertaining to the key allegations of Landmark's claims against those defendants. Unlike the subpoena-respondents in Dendrite and Immunomedics, Rick Ross and The Ross Institute, the parties to whom the discovery is directed, are the defendants in this litigation. The authors of posts to defendants' web sites, whose identities are sought by Landmark, are non-parties only. They are not the targets of this litigation and thus the First Amendment is not implicated as in Dendrite and Immunomedics.

In fact, as set forth above, Landmark does not believe that such third-parties even actually exist. According to the forensic linguists consulted by Landmark, a number of the allegedly anonymous or pseudonymous posts were likely written by Rick Ross. The discovery requests are propounded by Landmark on the defendants with the aim of supporting the conclusions of these independent experts and thus eliminating defendants' claim that they are not liable for disparaging statements made on their websites by others.<sup>1</sup> Clearly, Landmark seeks nothing more than any other party in discovery -- information from the adverse party relating to the claims and defenses asserted in the action. Such garden-variety discovery is clearly legitimate pursuant to Rule 26 of the Federal Rules of Civil Procedure.

**Conclusion**

Landmark does not wish to burden this Court with motion practice but defendants' refusal to produce has left no other option but to make this request for permission to file a motion. Landmark is of course amenable to resolving the issue without formal motion practice and we remain available at your convenience for an in-person or telephone conference. Thank you in advance for your attention to this matter.

Respectfully,



Deborah E. Lans

cc: Peter L. Skolnik, Esq.  
Paul J. Dillon, Esq.

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<sup>1</sup> As a matter of law, Landmark disputes that assertion. However, revealing Rick Ross to be the author of actionable statements would remove that issue from this action.

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 The Ross Institute and Rick Ross

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEW JERSEY**

LANDMARK EDUCATION LLC, et al.,

Plaintiff,

-v-

THE ROSS INSTITUTE, RICK ROSS, et al.,

Defendants.

Civil Action No. 04-3022 (JCL)

**DEFENDANTS' RESPONSES AND  
 OBJECTIONS TO PLAINTIFFS'  
 NOTICE TO PRODUCE  
 DOCUMENTS**

**TO:** Deborah E. Lans, Esq.  
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 New York, NY 07039

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 Bloom, Rubenstein, Karinja & Dillon, PC  
 70 South Orange Avenue, Suite 215  
 Livingston, NJ 07039

**PLEASE TAKE NOTICE** that, pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendants The Ross Institute and Rick Ross (collectively referred to herein as "Defendants") hereby respond to the First Request for the Production of Documents of Landmark Education LLC, et al. (collectively referred to herein as "Plaintiffs") as follows:

**RESPONSES TO DOCUMENT REQUESTS**

1. All communications between Landmark and either defendant.

**RESPONSE:** Defendants will produce documents in their possession, custody or control responsive to Request No. 1.

2. All communications concerning Landmark between either defendant and:  
(a) any person who maintains an Internet web site or other publicly-available list of cults or sects, including but not limited to CAN; (b) any customer or potential customer of Landmark; (c) the author or publisher of any "report" or "article" posted on the Landmark section of any of defendants' web sites; and (d) any governmental or regulatory agency.

**RESPONSE:** Defendants object to part (b) of this request on the grounds that it is overbroad, unduly burdensome and otherwise impossible to determine who is a "potential" Landmark customer. Defendants further object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark. Subject to these objections, Defendants will produce any documents in their possession, custody or control responsive to Request No. 2.

3. Agreements between or among either defendant and any: (a) Internet Service Provider; (b) host; (c) webmaster; and (d) Internet search engine, concerning the creation or maintenance of defendants' web sites.

**RESPONSE:** Defendants will produce documents in their possession, custody or control responsive to Request No. 3.

purported to have been authored by Ross:

- (a) Letter to Priscilla dated July 30, 1987;
- (b) Letter to Ms. Priscilla Coats dated April 28, 1988;
- (c) Letter to Judge David Foscue dated February 20, 1994; and
- (d) Letter to Art Schreiber dated February 8, 1999.

**RESPONSE:** Defendants object to this request on the grounds that, with the exception of the letter identified in subpart (d), these letters have nothing to do with Plaintiffs and are not relevant to any issue in this case. Defendants also object to this request on the grounds that the phrase "concerning the authorship" is vague and ambiguous. Notwithstanding this objection, Defendants will produce any source materials used in the preparation of the letter identified in subpart (d), if any, that are in Defendants' possession, custody or control.

12. All documents concerning the author(s) of "visitor comments" posted on the Landmark section of any of defendants' web sites, including but not limited to the "visitor comments" annexed hereto as Exhibit A.

**RESPONSE:** Defendants object to producing responsive documents on the grounds they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.

13. All documents concerning any editing by either defendant of "visitor comments" posted on the Landmark section of any of defendants' web sites; your production should include the "visitor comment" before editing, any intermediate version(s) and as finally edited and posted.



**RESPONSE:** Defendants object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark. Subject to these objections, Defendants will produce documents in their possession, custody or control responsive to Request No. 13.

14. All documents concerning your contention that the allegations set forth in ¶18 of the complaint "are either true, are quoted out of context, are not disparaging or defamatory, or are expressions of the opinions of anonymous visitors to defendants' websites" [answer ¶ 19].

**RESPONSE:** Defendants object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark. Subject to these objections, Defendants will produce documents in their possession, custody or control responsive to Request No. 14.

Defendants further note that there are documents within Plaintiffs' own possession, custody or control establishing the truth of the statements complained about.

15. All documents concerning the editorial controls and/or policies used by any defendant concerning the posting of "visitor comments" [answer ¶ 21].

**RESPONSE: Defendants will produce any documents in their possession, custody or control responsive to Request No. 15.**

16. All documents concerning the author(s) of "personal stories" posted on the Landmark section of any of defendants' web sites, including but not limited to the following "personal stories:"

- (a) "Landmark Forum is a Very Aggressive and Selfish Program" (1998);
- (b) "I'm Glad I Did Research Before I Got Sucked Into This Thing" (January 1998);
- (c) "The High Pressure Sales Pitch" (July 23, 1998);
- (d) "My Experience With Landmark Education" (September 16, 1998);
- (e) "A 'Quick Fix' (January 20, 1999);
- (f) "Big Brother Was Indeed Watching" (February 9, 1999);
- (g) "Not Interested in People -- But Only Money" (May 25, 1999);
- (h) "The People Seem So Sincere and Really Believe What They Are Saying" (May 25, 1999);
- (i) "Landmark Education Destroyed My Life - From The Forum to a Psych Ward" (July 1999);
- (j) "The Guilt-Pitch" (August 1999);
- (k) "I Felt Awful For Ages!" (November 1999);
- (l) "Emotionally Hooked to a Never Ending Process of Introspection and Self-Analysis" (November 1999);
- (m) "Almost Sucked Into Going to an Introductory Meeting" (December 1999);
- (n) "Nothing Has Changed" (December 1999);
- (o) "Walked Out of a 'Forum' During Its Second Day (August 2000);
- (p) "Landmark is Not Education" (August 22, 2000);

- (q) "From The Forum to the Hospital" (August 2000);
- (r) "Hard Sales Pitch" (August 2000); 10
- (s) "Landmark Education Won't Be Seeing Me or My Money Again" (August 2000);
- (t) "Out of Control?" (December 23, 2000);
- (u) "Landmark Ruined a Good Friend" (January 2001);
- (v) "A Large Room Full of 'Gold Tags' (January 2001);
- (w) "I am Firing You as My Coach For Empowerment" (January 13, 2001);
- (x) "My Friends Like I, Are the Target Audience" (February 8, 2001);
- (y) "Landmark Itself is a Racket" (February 21, 2001);
- (z) "I Hate Landmark For Taking My Best Friend" (July 2001);
- (aa) "I 'GOT IT.' How Many Times Do You Have to 'GET IT'?" (August 2001)
- (bb) "Is It Possible to Have a Relationship With Someone in Landmark?" (October 2001);
- (cc) "I Remain Baffled" (November 2001);
- (dd) "This Cannot Be Healthy Emotionally" (November 2001);
- (ce) "I Lost My Best Friend" (November 2001);
- (ff) "Thank Goodness, My Family Did Not Wait" (March 2002); (gg) "I Simply Moved On" (June 2002);
- (gg) "I Simply Moved On" (June 2002);
- (hh) "A Sunday Dropout" (January 2003); and
- (ii) "I Just Want Others to Know There is Risk Involved" (March 26, 2003).

**RESPONSE:** Defendants object to producing responsive documents on the grounds they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such

**users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.**

17. All documents concerning any editing by either defendant of "personal stories" posted on the Landmark section of any of defendants' web sites; your production should include the "personal story" before editing, any intermediate version(s) and as finally edited and posted.

**RESPONSE: Defendants object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark. Subject to these objections, Defendants will produce documents in their possession, custody or control responsive to Request No. 17.**

18. All documents concerning the editorial controls and/or policies used by any defendant concerning the posting of "personal stories" [answer ¶ 24].

**RESPONSE: Defendants will produce any documents in their possession, custody or control responsive to Request No. 18.**

19. All documents that defendants believe support the allegations made about Landmark in the "personal stories" posted on the Landmark section of any of defendants' web sites, including but not limited to those allegations identified in ¶ 22 of the complaint.

**RESPONSE: Defendants object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants' websites on the**

grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.

Defendants further object to this request on the grounds that Defendants have no personal, first-hand knowledge of any of the specific incidents involving Landmark reported by website users who have contributed personal stories. Notwithstanding these objections, Defendants will produce representative documents in their possession, custody or control that relate to Landmark, including those which further document Landmark's use of controversial methods similar to those contained in the personal stories on Defendants websites, and state that additional documents responsive to this request are publicly available on Defendants' websites and may be as easily identified by Plaintiffs as by Defendants.

Defendants further note that there are documents within Plaintiffs' own possession, custody and control establishing the truth of the allegations in the "personal stories" posted on Defendants' websites.

20. All documents concerning the author(s) of any "chat room" discussion thread concerning Landmark posted on the "open forum" section of any of defendants' web sites, including but not limited to; (a) the identity of "richardcee," "poppop" and "karmal64;" and (b) the discussion thread posts annexed hereto as Exhibit B.

**RESPONSE:** Defendants object to producing responsive documents on the grounds they can be used to identify the real names of anonymous users of Defendants' websites on the grounds that providing such information would violate such users' First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.

21. All documents concerning your claim that “the only posts Ross has personally authored are clearly attributed to ‘rrmoderator’; Ross has never posted under any other name” [answer ¶ 27].

**RESPONSE:** Defendants object to producing responsive documents to the extent they can be used to identify the real names of anonymous users of Defendants’ websites on the grounds that providing such information would violate such users’ First Amendment and New Jersey State constitutional rights to speak anonymously, that such information may properly be withheld pursuant to the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001), and that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark. Subject to these objections, Defendants will produce documents in their possession, custody or control responsive to Request No. 21.

22. All documents that defendants believe support the allegations made about Landmark by “richardcee” and “poppop,” set forth in ¶ 26 of the complaint.

**RESPONSE:** Defendants object to this request on the grounds that the excerpts contained in ¶ 26 of Plaintiffs’ Complaint are wholly inadequate to understand or put into context the specific allegations posted by the identified users of Defendants’ websites, or even to identify the website messages that Plaintiffs are referring to. Defendants further object to this request on the grounds that Defendants have no personal, first-hand knowledge of any specific incident involving Landmark reported by the identified website users. Notwithstanding these objections, Defendants will produce representative documents in their possession, custody or control that discuss Landmark’s use of certain controversial methods that are likened by some people to the terms identified in ¶ 26 of the Plaintiffs’ complaint; Defendants state that additional documents of this kind are publicly available on Defendants’ websites and may be as easily identified by Plaintiffs as by Defendants.

Defendants further note that there are documents within Plaintiffs’ own possession, custody and control establishing Plaintiffs’ use of these controversial methods.

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 The Ross Institute and Rick Ross

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEW JERSEY**

LANDMARK EDUCATION LLC, et al.,

Plaintiff,

-v-

THE ROSS INSTITUTE, RICK ROSS, et al.,

Defendants.

Civil Action No. 04-3022 (JCL)

**DEFENDANTS' ANSWERS AND  
 OBJECTIONS TO PLAINTIFFS'  
 FIRST SET OF INTERROGATORIES**

**TO:** Deborah E. Lans, Esq.  
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Paul J. Dillon, Esq.  
 Bloom, Rubenstein, Karinja & Dillon, PC  
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 Livingston, NJ 07039

**PLEASE TAKE NOTICE** that, pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendants The Ross Institute and Rick Ross (collectively referred to herein as "Defendants") hereby respond to the First Set of Interrogatories of Landmark Education LLC, et al. (collectively referred to herein as "Plaintiffs") as follows:

3. State the dates on which: (a) you first began posting content concerning Landmark on each of defendants' web sites; and (b) a "disclaimer" (as referred to in your answer at ¶¶ 17 and 29) was first posted on each of defendants' web sites.

**ANSWER:**

**(a) Since the inception of the website and its initial launch in 1996.**

**(b) Since the inception of the website and its initial launch in 1996; however, the disclaimer has been modified and expanded, and its language has been changed several times over the years**

4. Identify the author of each "anonymous" posting on defendants' web sites concerning Landmark.

**ANSWER: Defendants object to this interrogatory on the grounds that it seeks to uncover the identities of anonymous users of Defendants' websites in violation of such users' First Amendment and New Jersey State constitutional rights to speak anonymously, and is violative of the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001). Defendants further object to this interrogatory on the grounds that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.**



Confidentiality), which guidelines are strictly observed by Defendants. Defendants further object to this interrogatory on the grounds that it calls for information irrelevant to the allegations set forth in the complaint, information not likely to lead to the discovery of admissible evidence, and information that would cause third-parties to be harassed. Notwithstanding these objections, Defendants state that Rick Ross performed one intervention in May 2001 for a woman who was concerned about her husband's involvement with Landmark Education. Defendants further state that in September 2004, Rick Ross performed another intervention concerning a man who had once been involved with Landmark Education; however, the intervention was primarily focused upon the man's recent involvement with other human potential programs. Defendants object to providing further discovery with respect to these two interventions to the extent Plaintiffs call for the production of any information regarding or permitting personal identification of the individuals involved.

7. Identify all persons with whom either defendant has had communications concerning participation in any Landmark program.

**ANSWER:** To the extent this interrogatory seeks information non-repetitive of the information sought by Interrogatory #6, Defendants object to this interrogatory on the grounds that it seeks to uncover the identities of anonymous users of Defendants' websites in violation of such users' First Amendment and New Jersey State constitutional rights to speak anonymously, and is violative of the principles set forth in Dendrite International, Inc. v. Doe, 342 N.J. Super. 134 (App. Div. 2001). Defendants further object to this interrogatory on the grounds that Plaintiffs could use this information for the purpose of harassing third-parties who exercise their constitutional right to speak out against Landmark.