

**Stephen J. Barrett et al vs. Hulda
Clark et al**

SUMMONS
(CITACION JUDICIAL)

On Cross-Complaint

**Cross-
NOTICE TO DEFENDANT: (Aviso a Acusado)**

STEPHEN J. BARRETT, M.D.; JUDITH BARRETT, M.D.; TERRY
POLEVOY, M.D.; CHRISTOPHER E. GRELL; QUACKWATCH, INC.;
QUACKWATCH.COM; LEHIGH VALLEY COMMITTEE AGAINST HEALTH
FRAUD; NATIONAL COUNCIL AGAINST HEALTH FRAUD, INC.;

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

Additional Parties Attachment for is attached

YOU ARE BEING SUED BY PLAINTIFF: Cross-Complainant
(A Ud. le está demandando)

NEW CENTURY PRESS

You have **30 CALENDAR DAYS** after this summons is served on you to file a typewritten response at this court.

A letter or phone call will not protect you; your typewritten response must be in proper legal form if you want the court to hear your case.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

Después de que le entreguen esta citación judicial usted tiene un plazo de 30 DIAS CALENDARIOS para presentar una respuesta escrita a máquina en esta corte.

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.

Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

The name and address of the court is: *(El nombre y dirección de la corte es)*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
ALAMEDA COUNTY SUPERIOR COURT
1225 Fallon Street
Oakland, CA 94612
RENE C. DAVIDSON COURTHOUSE

CASE NUMBER *(Número del Caso)*

833 021-5

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

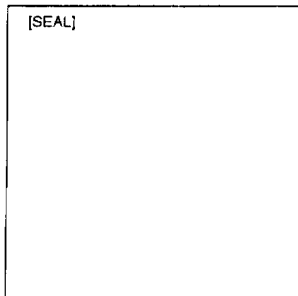
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)
(949) 493-8115

Carlos F. Negrete, Esq. # 134658
LAW OFFICES OF CARLOS F. NEGRETE
27422 Calle Arroyo
San Juan Capistrano, CA 92675-2747

Fax (949) 493-8170

DATE:
(Fecha)

Clerk, by _____, Deputy
(Actuano) (Delegado)



NOTICE TO THE PERSON SERVED: You are served

- 1. as an individual defendant.
- 2. as the person sued under the fictitious name of *(specify)*:
- 3. on behalf of *(specify)*:

- under:
- CCP 416.10 (corporation)
 - CCP 416.20 (defunct corporation)
 - CCP 416.40 (association or partnership)
 - other:
- CCP 416.60 (minor)
 - CCP 416.70 (conservatee)
 - CCP 416.90 (individual)

- 4. by personal delivery on *(date)*:



SHORT TITLE: BARRETT vs CLARK	CASE NUMBER: 833 021-5
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INSTRUCTIONS FOR USE

- ▶ This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- ▶ If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

Plaintiff Defendant Cross-Complainant Cross-Defendant

NCAHF; HEALTHWATCHER.NET; GEORGIA COUNCIL AGAINST HEALTH FRAUD, INC.; REBECCA LONG; REBEKAH JOHNSON; SCOTSOFT RESEARCH; SSR.COM; HCRC.ORG; ARON PRIMACK; PETER W. PAPPAS; JOSEPH PIZZORNO; ROBERT S. BARATZ, M.D.; WILLIAM T. JARVIS; TIM GORSKI; JOHN STONE; WILLIAM ROSS aka BILL ROSS; PETER BOWDITCH; MONICA PIGNOTTI; PAUL LEE; MICHAEL MCNEIL; PAUL HILLING; J.A. LYONS; PAUL SMITH; QUACKBUSTERSOFTHEILLUMINATI; ESTHER FIGUEROA; JOSE FIGUEROA and ROES 1 TO 500, INCLUSIVE.



1 Carlos F. Negrete, Esq. SBN # 134658
2 **HEALTH FREEDOM LEGAL DEFENSE COUNCIL**
3 **LAW OFFICES OF CARLOS F. NEGRETE**
4 27422 Calle Arroyo
5 San Juan Capistrano, CA 92675-2747
6 Telephone (949) 493-8115
7 Telefax (949) 493-8170

8 Attorney for Cross-Complainant,
9 **NEW CENTURY PRESS**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF ALAMEDA**
12 **UNLIMITED JURISDICTION**

13 STEPHEN J. BARRETT, M.D.; TERRY
14 POLEVOY, M.D.; CHRISTOPHER E.
15 GRELL,

16 Plaintiff(s),

17 vs.

18 HULDA CLARK; TIM BOLEN; JAN
19 BOLEN; JURIMED; DR. CLARK
20 RESEARCH ASSOCIATION; DAVID P.
21 AMREIN; ILENA ROSENTHAL; and
22 DOES 1 to 100,

23 Defendants.

24 NEW CENTURY PRESS,
25 Cross-Complainant,

26 vs.

27 STEPHEN J. BARRETT, M.D.; JUDITH
28 BARRETT, M.D.; TERRY POLEVOY,
M.D.; CHRISTOPHER E. GRELL;
QUACKWATCH, INC.;
QUACKWATCH.COM; LEHIGH
VALLEY COMMITTEE AGAINST
HEALTH FRAUD; NATIONAL COUNCIL
AGAINST HEALTH FRAUD, INC.;

CASE No.: 833 021-5
Case Filed: November 3, 2000
Trial Date: None

CROSS-COMPLAINT FOR:

1. **UNLAWFUL, UNFAIR AND FRAUDULENT BUSINESS PRACTICES [B & PC § 17200 et seq];**
2. **VIOLATION OF CIVIL RIGHTS**
3. **INTENTIONAL INTERFERENCE WITH PROSPECTIVE ADVANTAGE;**
4. **NEGLIGENT INTERFERENCE WITH PROSPECTIVE ADVANTAGE;**
5. **CIVIL RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS [RICO]**
6. **MALICIOUS PROSECUTION**
7. **ABUSE OF PROCESS**
8. **NEGLIGENCE;**
9. **CIVIL CONSPIRACY**
10. **INJUNCTIVE RELIEF**

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1 NCAHF; HEALTHWATCHER.NET;)
)
 2 GEORGIA COUNCIL AGAINST)
)
 3 HEALTH FRAUD, INC.; REBECCA)
)
 4 LONG; REBEKAH JOHNSON;)
)
 5 SCOTSOFT RESEARCH; SSR.COM;)
)
 6 IICRC.ORG; ARON PRIMACK, PETER)
)
 7 W. PAPPAS; JOSEPH PIZZORNO,)
)
 8 ROBERT S. BARATZ, M.D.; WILLIAM T.)
)
 9 JARVIS; TIM GORSKI; JOHN STONE;)
)
 10 WILLIAM ROSS aka BILL ROSS; PETER)
)
 11 BOWDITCH; MONICA PIGNOTTI; PAUL)
)
 12 LEE; MICHAEL MCNEIL; PAUL)
)
 13 HILLING; J.A. LYONS; PAUL SMITH;)
)
 14 QUACKBUSTERSOFTHEILLUMINATI;)
)
 15 ESTHER FIGUEROA; JOSE FIGUEROA)
)
 16 and ROES 1 TO 500, INCLUSIVE.)

17 Cross-Defendants)
 18)
 19)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

1 Cross-Complainant, NEW CENTURY PRESS, alleges as follows:

2 **PARTIES**

3 1. Cross-Complainant, NEW CENTURY PRESS (hereinafter referred to as "NCP" or
 4 "Cross-Complainant") is a publishing company that is headquartered in San Diego County, California

5 2. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
 6 STEPHEN J. BARRETT, M.D. ("BARRETT") is a resident of the State of Pennsylvania.

7 3. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
 8 JUDITH BARRETT, M.D. ("JUDY BARRETT") is a resident of the State of Pennsylvania.

9 4. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
 10 TERRY POLEVOY, M.D. ("POLEVOY") is a resident of the Country of Canada. Cross-Complainant
 11 is informed and believes and thereon alleges that POLEVOY owns and operates an internet web site

1 known as www.healthwatcher.net. Cross-Complainant is further informed and believes and thereon
2 alleges that Cross-Defendant, HEALTHWATCHER.NET, is a business entity, the form of which is yet
3 unknown to Cross-Complaint at this time, the has an internet presence throughout the world, including
4 the State of California. Cross-Complainant is further informed and believes and thereon alleges that
5 Cross-Defendant, POLEVOY, is the owner and operator of HEALTHWATCHER.NET.

6
7 5. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
8 CHRISTOPHER GRELL. ("GRELL") is a licensed California attorney at law and resident of the State
9 of California.

10
11 6. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
12 ROBERT S. BARATZ, M.D. ("BARATZ") is a resident of the State of Massachusetts and is a
13 participant in the conduct herein alleged. Cross-Complainant is informed and believes and thereon
14 alleges that BARATZ owns and operates an internet newsgroup known as "DrClarkTherapies" which,
15 along with himself, is part of QUACKBUSTERS.

16
17 7. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants,
18 LEHIGH VALLEY COMMITTEE AGAINST HEALTH FRAUD and QUACKWATCH, INC. are
19 corporations that operate an internet site known as www.quackwatch.com ("QUACKWATCH.COM"),
20 which has an internet presence throughout the world, including California. Cross-Complainant is
21 further informed and believes and thereon alleges that BARRETT is the principal shareholder of
22 QUACKWATCH, INC. and QUACKWATCH.COM. QUACKWATCH, INC, BARRETT and
23 QUACKWATCH are also known as "QUACKBUSTERS". Cross-Defendants, QUACKWATCH,
24 INC., QUACKWATCH.COM and BARRETT may be collectively referred to herein as
25 "QUACKBUSTERS."

26
27 8. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants,
28 NATIONAL COUNCIL AGAINST HEALTH FRAUD, INC. ("NCAHF") and NCAHF are

1 corporations that operate an internet site, which has an internet presence throughout the world including
2 California. Cross-Complainant is further informed and believes and thereon alleges that BARRETT is
3 the principal shareholder of NATIONAL COUNCIL AGAINST HEALTH FRAUD, INC. Cross-
4 Defendants, NCAHF and BARRETT may be collectively referred to herein as "QUACKBUSTERS "

5
6 9. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
7 REBECCA LONG. ("LONG") is a resident of the State of Georgia. Cross-Complainant is informed
8 and believes and thereon alleges that LONG owns and operates an internet web site and internet
9 discussion list known as www.herc.org and www.ssr.com . Cross-Complainant is also informed and
10 believes and thereon alleges that LONG owns and operates a internet newsgroup known as
11 "Healhfraud", which is part of the ENTERPRISE and QUACKBUSTERS.

12
13 10. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants,
14 GEORGIA COUNCIL AGAINST HEALTH FRAUD, INC. ("GCAHF") is a corporation that operates
15 an internet site known as www.herc.org ("HCRC.ORG"), which has an internet presence throughout
16 the world including California. Cross-Complainant is further informed and believes and thereon alleges
17 that LONG is the owner and principal shareholder of GEORGIA COUNCIL AGAINST HEALTH
18 FRAUD, INC. Cross-Defendants, GCAHF and LONG may be collectively referred to herein as
19 "QUACKBUSTERS."

20
21 11. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
22 SCOTSOFT RESEARCH, is a participant in the conduct herein alleged and is part of
23 QUACKBUSTERS. The true ownership and type of business entity that SCOTSOFT RESEARCH is
24 not yet known to Cross-Complainant at the time of the filing of this Cross-Complaint. Cross-
25 Complainants will amend this Cross-Complaint after discovery of the true identity of SCOTSOFT
26 RESEARCH.

27
28 12. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,

1 REBEKAH JOHNSON (“JOHNSON”), is a participant in the conduct herein alleged. The true identity
2 and residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
3 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant
4

5 13. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
6 ARON PRIMACK (“PRIMACK”), is a participant in the conduct herein alleged. The true identity and
7 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
8 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
9

10 14. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
11 PETER W. PAPPAS (“PAPPAS”), is a participant in the conduct herein alleged. The true identity and
12 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
13 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
14

15 15. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
16 JOSEPH PIZZORNO (“PIZZORNO”), is a participant in the conduct herein alleged. The true identity
17 and residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
18 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
19

20 16. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
21 WILLIAM T. JARVIS (“JARVIS”), is a participant in the conduct herein alleged. The true identity and
22 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
23 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
24

25 17. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
26 TIM GORSKI (“GORSKI”), is a participant in the conduct herein alleged. The true identity and
27 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
28 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.

1 18. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
2 JOHN STONE (“STONE”), is a participant in the conduct herein alleged. The true identity and
3 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
4 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
5

6 19. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
7 WILLIAM ROSS aka BILL ROSS (“ROSS”), is a participant in the conduct herein alleged. The true
8 identity and residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-
9 Complainant will amend this Cross-Complaint after discovery of the true identity of said Cross-
10 Defendant.
11

12 20. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
13 PETER BOWDITCH (“BOWDITCH”), is a participant in the conduct herein alleged. The true identity
14 and residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
15 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.
16

17 21. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
18 MONICA PIGNOTTI (“PIGNOTTI”), is a participant in the conduct herein alleged. The true identity
19 and residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
20 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant. Cross-
21 Complainant is informed and believes and thereon alleges that PIGNOTTI and ROES 1 to 500,
22 inclusive, owns and operates an internet newsgroup known as “Bash Hulda” and “Quackbusters of the
23 Illuminati”, which is part of QUACKBUSTERS and established for the purpose of causing damage to
24 Cross-Complainant.
25

26 22. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
27 PAUL LEE (“LEE”), is a participant in the conduct herein alleged. The true identity and residence of
28 said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will amend this Cross-

1 Complaint after discovery of the true identity of said Cross-Defendant.

2
3 23. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
4 MICHAEL MCNEIL (“MCNEIL”), is a participant in the conduct herein alleged. The true identity and
5 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
6 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.

7
8 24. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
9 PAUL HILLING (“HILLING”), is a participant in the conduct herein alleged. The true identity and
10 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
11 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.

12
13 25. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
14 J.A. LYONS (“LYONS”), is a participant in the conduct herein alleged. The true identity and residence
15 of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will amend this
16 Cross-Complaint after discovery of the true identity of said Cross-Defendant.

17
18 26. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
19 PAUL SMITH (“SMITH”), is a participant in the conduct herein alleged. The true identity and
20 residence of said Cross-Defendant is not yet known to Cross-Complainant. Cross-Complainant will
21 amend this Cross-Complaint after discovery of the true identity of said Cross-Defendant.

22
23 27. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants,
24 ESTHER FIGUEROA and JOSE FIGUEROA (hereinafter collectively referred to as “FIGUEROA”),
25 are participants in the conduct herein alleged and are residents of the State of New York..

26
27 28. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendant,
28 QUACKBUSTERS OF THE ILLUMINATI, is a business entity, the form of which is yet unknown to

1 Cross-Complainants and is part of QUACKBUSTERS. Cross-Complaint is further informed and
2 believes and thereon alleges that said Cross-Defendant is owned and operated by one or more of the
3 remaining Cross-Defendants and is a participant in the conduct herein alleged.

4
5 29. Cross-Complainant does not know the true names or capacities of the Cross-Defendants
6 sued herein under the fictitious names of ROES 1 through 200. However, Cross-Complainant is
7 informed and believes and based thereon alleges that each of the fictitiously named ROE Cross-
8 Defendants are in some way and manner responsible for the actions of the events and occurrences herein
9 alleged, and that Cross-Complainant's injuries and damages as herein alleged were proximately caused
10 by their conduct. Cross-Complainant will seek leave of court to amend this complaint by stating the
11 true names and/or capacities of such ROE named Cross-Defendants as soon as same has been
12 ascertained.

13
14 30. Cross-Complainant is informed and believes and thereon alleges that at all times herein
15 mentioned, each and every Cross-Defendant was the agent, employee, joint venture, partner, principal,
16 predecessor, or successor in interest and/or the alter ego of each of the remaining Cross-Defendants,
17 and in doing the things herein alleged, were acting, whether individually or through their duly authorized
18 agents and/or representatives, and in furtherance of the purpose, scope and course of said agencies,
19 service employment, joint ventures, partnerships, corporate structures and/or associations, whether
20 actual or ostensible, with the express and/or implied knowledge, permission, and consent of the
21 remaining Cross-Defendants, and each of them, and said Cross-Defendants ratified and approved the
22 acts of the Cross-Defendants.

23
24 31. Cross-Complainant is informed and believes and thereon alleges that the Cross-
25 Defendants, and each of them, acted as co-conspirators in furtherance of the acts and conduct herein
26 alleged.

1 **NEW CENTURY PRESS**

2
3 32. New Century Press ("NCP") is a publishing company that specializes in the publication
4 and distribution of books, videos and manuals primarily relating to alternative health therapies. NCP
5 has world wide sales. Its books are sold at virtually every bookstore and health food store in the United
6 States of America.

7
8 33. NCP publishes books and manuals written by Dr. Hulda Regehr Clark, PHD., N.D.

9
10 34. Dr. Clark has been recognized around the world as a scientific pioneer in the
11 advancement of research relating to carcinogenic catalysts. She has published her findings on the
12 dangers of mercury amalgams in tooth fillings and benzene in detergents, plastics, food container and
13 even drugs. All of this to the consternation of the medical establishment. Her findings on toxic and
14 parasitic links to certain forms of cancer have been acknowledged by thousands of alternative therapy
15 advocates as the most important revelation concerning countless illnesses that invade the body. She
16 enjoys world wide acclaim for her ongoing work and writings.

17
18 35. Without any basis or clinical research of their own, Dr. Barrett (a de-licensed
19 psychiatrist¹) and Dr. Polevoy (an acne care physician), and each of the Cross-Defendants, have
20 focused their unqualified attack on the scientific findings of Dr. Clark. Applying their obviously limited
21 scientific understanding of microbiology and parasitology, they minimize the significance of Dr. Clark's
22 work by addressing only one form of parasite that they, believe is the entirety of her findings. It is
23 almost as if they picked up one of Dr. Clark's books and read the middle page and nothing else, then
24 decided they are experts in the field of parasitology.

25
26 36. Cross-Defendants, and each of them, have used the internet as their national pulpit by
27 which they preach the exclusive validity of allopathic medicine to their cult-like followers. Their

28 _____
¹ Dr. Barrett is no longer licensed. He voluntarily abandoned his medical license in the early 1990s.

1 dogmatic medical mantras are laced with character assassinations and demagoguery to advance their
2 own personal agenda and those of other executioners for traditional medicine.

3
4 37. Frustrated with the hundreds of negative responses that the Cross-Defendants have
5 received to their internet campaign, they have now seemingly resorted to the courts as part of their
6 *blitzkrieg* assault on anyone that is in some way committed to supporting Dr. Hulda Clark.

7
8 38. Recently, countless supporters of Dr. Clark became fed up with the ongoing flood of
9 internet medical narcissism and decided to break their silence and defend the alternative point of view.
10 In essence, the alternative health community has exercised their right of free speech against the narrow-
11 minded prophecies of the QUACKBUSTERS. This, not surprisingly, has infuriated Dr. Barrett and Dr.
12 Polevoy and the many persons and/or entities that follow them. As is typical of self-deputized
13 vigilantes, Dr. Barrett and his supporters believe that the protections of the First Amendment only apply
14 to them.

15
16 **A SUMMARY OF THE PUBLIC DEBATE ON ALTERNATIVE THERAPIES**

17
18 39. Alternative Medicine refers to modalities and traditions of nutritional information,
19 disciplines and health care treatments that are not allopathic or necessarily drug based. It is a broad
20 concept that adopts various therapies that are based mostly on natural and organic methods of healing
21 and well-being by means, in several traditions, of cleansing a persons's body of toxins.

22
23 40. There has been an ongoing public debate concerning allopathic medicine versus all other
24 therapies. This discussion has been ongoing since the turn of the 20th century. Thousands of articles,
25 web pages, documentaries, reports and television programs have been devoted to the topic.

26
27 41. With the advent of the internet, the discussion has exponentially expanded to include
28 hundreds of discussion groups conveying information on both sides of the debate.

1 42. The advocates of traditional allopathic medicine are, typically, well funded and organized
2 practicing or retired physicians and dentists that see alternative therapy as a constant threat to the
3 existing medical and pharmaceutical status quo. They fear that the growing popularity, simplicity and
4 affordability of alternative medicine will erode the significant profits enjoyed by the drug and medical
5 cartels.

6
7 43. In support of their views, the traditionalists engage in constant demagoguery and scare
8 tactics to promote the notion that alternative therapies are killing people. This is ironic since statistics
9 indicate that the THIRD and FOURTH leading causes of death in the United States are medical
10 incompetence and drugs², not to mention the most expensive³.

11
12 44. The fact is that there is no statistical information which establishes that alternative health
13 therapies are directly responsible for the deaths that the QUACKBUSTERS suggest. However, with
14 respect to traditional medicine, the opposite is true. There is overwhelming evidence to suggest that
15 incompetent doctors and drugs are major causes of death in the United States (ahead of AIDS and
16 accidental injuries).

17
18 45. This is, and will certainly continue to be, the subject of much open discussion in many
19 public soap boxes, including the internet. The discussion is, at times, vigorous and lively. It will stir
20 many passions and emotions. The internet has made this ongoing discourse more accessible and robust.
21 Full consensus amongst the advocates of both philosophies seems unlikely to be achieved within our
22 lifetime. But, there will continue to be a spirited exchange casting many viewpoints. This, of course, is
23 absolutely protected by the best tradition of the First Amendment of the United States Constitution.
24 The First Amendment, however, does not protect unlawful and illegal conduct.

26 ² Doctors are the Third leading cause of death in the United States - Journal of the American Medical Association
27 (JAMA) Vol. 284, July 26, 2000; Drugs are the Fourth leading cause of death - American Family Physician - Vol
28 56, No 7, November 1, 1997.

³ U.S. Health System - Most expensive in the world - The New England Journal of Medicine, January 7, 1999;
 340:48, 70-76.

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- Filing false police reports;
- Illegal lobbying;
- Illegal influence of foreign government officials and/or agencies;
- Trespass;
- Invasion of Privacy;
- Web site tampering;
- Internet Spam;
- Investigation without license;
- Violation of Civil Rights & Free Speech;
- Interference with Right of Free Speech and Association;

49. Cross-Complainant is informed and believes and thereon alleges that said predicate acts and conduct were performed with the intent and purpose of carrying out the common plan and scheme of causing harm and damage to Cross-Complainant and alternative medicine practitioners and advocates.

CONDUCT

50. Cross-Complainants are informed and believe and thereon allege that Cross-Defendants, and each of them, have caused damage and harm to Cross-Complainant by engaging in, but not limited to, the following conduct:

- Making false claims about NCP;
- Trade Libel;
- False Advertising;
- Predatory Tactics;
- Harassment;
- Intimidation;

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- Interference with book sales;
- Interference with Prospective Advantage;
- Filing frivolous lawsuits;
- Interception of confidential communication;
- Industrial espionage;
- Trespass;
- Invasion of Privacy;
- Web site tampering;
- Vexatious litigation;
- Campaign to discredit reputation;
- Fraud;
- Internet Spam campaigns;
- Violation of Civil Rights & Free Speech;
- Business Sabotage;
- Interference with Right of Free Speech and Association;
- Subornation of perjury;
- Engaging in a campaign to discredit its primary author of books;
- *Engaging in a campaign to financially ruin its main author;*
- Engaging in a smear campaign in the country of Mexico;
- Disseminating false information to the Mexican government;
- Disseminating false and fraudulent information and documents to agencies of the United States

FIGUEROA CASE

51. In furtherance of their wrongful conduct, threats, intimidation and harassment, Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants, BARRETT, QUACKBUSTERS, GRELL, FIGUEROA and ROES 1 TO 500, inclusive caused the filing of a lawsuit

1 entitled Esther Figueroa et al vs. Hulda Regehr Clark et al San Francisco County Superior Court Case
2 No 306323 ("Figueroa Case").
3

4 52. That said Figueroa Case was filed without any reasonable basis and for the purpose of
5 causing harm and injury to Cross-Complainant.
6

7 53. That the Figueroa Case was filed for the true purpose of intimidating Cross-
8 Complainant to abandon their property and business.
9

10 54. That the filing of the Figueroa Case was performed for the purpose of interfering with
11 the civil rights of Cross-Complainant and in order to interfere with its prospective business relationship
12 and customers.
13

14 **COMMON PLAN & SCHEME**

15

16 55. Cross-Complainant are informed and believe and thereon allege that Cross-Defendants,
17 and each of them, have engaged in a common plan and scheme to discredit and cause damage to
18 practitioners and advocates of alternative medicine and specifically NCP.
19

20 56. Cross-Complainant are one of these victims that were subjected to a false and vicious
21 campaign that was intended and designed for the purpose of causing loses and damages to NCP and
22 advocates and practitioners of alternative medicine or enemies of the QUACKBUSTERS.
23

24 57. The Cross-Defendants, and each of them, and particularly the QUACKBUSTERS have
25 falsely and fraudulently held themselves out as "experts" in the scientific and business fields of Cross-
26 Complainant, its authors, supporters, advocates, customers, distributors and or affiliates. The true facts,
27 are however, that Cross-Defendants, and each of them, possess no particular expertise in the fields that
28 they so vocally criticize and are, instead, uninformed non-experts that intend only to cause harm and

1 injury to the alternative medicine community.

2
3 58. Cross-Complainants are informed and believe and thereon allege that Cross-Defendants,
4 and each of them, particularly the QUACKBUSTERS, BARRETT and POLEVOY are nothing more
5 than shells for the allopathic medical and pharmaceutical industries.

6
7 59. Cross-Complainants are informed and believe and thereon allege that Cross-Defendants,
8 and each of them, have strong ties and links with the traditional medical and pharmaceutical industries
9 and may be, either directly or indirectly, economically subsidized by them.

10
11 60. That Cross-Defendants, and each of them, knowingly acted in an intentional and
12 malicious manner in order to carry out their common plan and scheme..

13
14 61. Cross-Defendants, and each of them, used threats, intimidation and other illegal conduct,
15 as herein alleged, in order to interfere with the civil rights of NCP and prevent lawful trade practices and
16 cause injuries to Cross-Complainant.

17
18 62. That said conduct included, but was not limited to, discriminating and engaging in a
19 group boycott against Cross-Complainant.

20
21 63. As a proximate result of the above-mentioned acts of Cross-Defendants, and each of
22 them, Cross-Complainant have been deprived of the patronage of a large number of their actual and
23 potential customers and/or distributors , all to its damage in an amount according to proof.

24
25 **TARGETING OF NCP**

26
27 64. Cross-Defendants, and each of them, have singled out and targeted Cross-Complainant
28 as part of their machinations.

1 **FIRST CAUSE OF ACTION FOR UNLAWFUL,**
2 **UNFAIR AND FRAUDULENT BUSINESS PRACTICES**
3 **AGAINST ALL CROSS-DEFENDANTS**
4

5 70. Cross-Complainant realleges and incorporates by reference each and every allegation
6 contained in paragraphs 1 through 65, above, as though set forth in full herein.
7

8 71. The Cross-Defendants, and each of them, violated the law by interfering with NCP's
9 Free Speech rights guaranteed under the United States Constitution and by engaging in predatory and
10 deceptive practices designed to cause it harm and damages.
11

12 72. The Cross-Defendants, and each of them, engaged in the conduct alleged herein and
13 undertaken a worldwide campaign orchestrated by the QUACKBUSTERS for the purpose and intent to
14 discredit NCP and interfere with its business, cause loss of book sales and distributors, and other harm.
15

16 73. Cross-Defendants, and each of them, used threats, intimidation and other illegal conduct,
17 as herein alleged, in order to interfere with the business of NCP and prevent lawful trade practices and
18 cause injuries to Cross-Complainant within the meaning of the California Business & Professions Code
19 § 17200 et seq.
20

21 74. The conduct of Cross-Defendants, and each of them, as herein alleged constitutes
22 unlawful, unfair or fraudulent business acts or practices in violation of the California Unfair Competition
23 Law under the California Business & Professions Code § 17200 et seq.
24

25 75. As a proximate result of the above-mentioned acts of Cross-Defendants, and each of
26 them, Cross-Complainant has been deprived of the patronage of customers, potential customers and/or
27 distributors, all to its damage in an amount according to proof.
28

1 76 That by reason of said conduct, the damages alleged herein are trebled.

2
3 **SECOND CAUSE OF ACTION FOR INTERFERENCE OF CIVIL RIGHTS**

4 **[Civil Code Sections 51, 51.5 and 52]**

5 **AGAINST ALL CROSS-DEFENDANTS**

6
7 77. Cross-Complainant realleges and incorporate by reference each and every allegation
8 contained in paragraphs 1 through 65, above, as though set forth in full herein.

9
10 78. Cross-Complainant is informed and believes, and thereon alleges, that at all times herein
11 mentioned, Cross-Defendants, and each of them, in engaging in the conduct herein alleged, were
12 acting within the course and scope of such agency and with the permission and consent of their co-
13 Cross-Defendants.

14
15 79. Cross-Defendants, QUACKBUSTERS and ROES 1 to 500, inclusive, are business
16 establishments within the meaning of the Unruh Civil Rights Act. At all times herein mentioned, said
17 Cross-Defendants were and are an affiliate of the Cross-Defendants which owns and operate the
18 businesses under the ENTERPRISE.

19
20 80. As a proximate result of the above-described acts by Cross-Defendants, and each of
21 them, Cross-Complainant has suffered damages and losses of income to its damages in a sum according
22 to proof at trial.

23
24 81. Cross-Defendants are business establishments within the meaning of the Unruh Civil
25 Rights Act.

26
27 82. As a proximate result of the wrongful acts of Cross-Defendants, and each of them,
28 Cross-Complainant is entitled to recover statutory damages in an amount to be proven at trial but up to

1 a maximum of three times the amount of the actual damage but in no case less than \$1,000.00, plus
2 attorney's fees, as provided in Civil Code, § 52.

3
4 83. The above-mentioned conduct of the Cross-Defendants, and each of them, was willful
5 and was intended to cause injury to the Cross-Complainant. Cross-Complainant are therefore entitled
6 to an award of exemplary or punitive damages according to the trier of fact.

7
8 **THIRD CAUSE OF ACTION FOR INTENTIONAL INTERFERENCE WITH**
9 **PROSPECTIVE ADVANTAGE**
10 **AGAINST ALL CROSS-DEFENDANTS**

11
12 84. Cross-Complainant realleges and incorporate by reference each and every allegation
13 contained in paragraphs 1 through 65, above, as though set forth in full herein.

14
15 85. That business relationships and/or agreements, in writing and oral, exist between Cross-
16 Complainant and several of its customers and/or distributors.

17
18 86. That Cross-Defendants, and each of them, knew about these agreements and business
19 relationships.

20
21 87. That in doing the acts herein alleged Cross-Defendants, and each of them, intended to
22 interfere with such business relationships and agreements that Cross-Complainant possessed.

23
24 88. That said acts and conduct were made with the intent to harm Cross-Complainant
25 financially and to induce third parties to not deal with Cross-Complainant.

26
27 89. As a proximate result of the above-mentioned acts of Cross-Defendants, and each of
28 them, Cross-Complainant have been deprived of the patronage of a large number of their actual and

1 potential customers and/or distributors, all to their damage in an amount according to proof.

2
3 90. That by reason of Cross-Defendants, and each of their conduct, as herein alleged, Cross-
4 Complainant are entitled to an award of punitive damages in an amount according to the trier of fact.

5
6 **FOURTH CAUSE OF ACTION FOR NEGLIGENT INTERFERENCE WITH**
7 **PROSPECTIVE ADVANTAGE**
8 **AGAINST ALL CROSS-DEFENDANTS**
9

10 91. Cross-Complainant realleges and incorporate by reference each and every allegation
11 contained in paragraphs 1 through 65, above, as though set forth in full herein.

12
13 92. That during the times herein mentioned, Cross-Complainant had business relationships,
14 customers and solicited business that were both unique and/or necessary for the operation of the
15 business.

16
17 93. That Cross-Defendants, and each of them, knew about these agreements and business
18 relationships.

19
20 94. That in doing the acts herein alleged Cross-Defendants, and each of them, carelessly and
21 negligently interfered with such business relationships and agreements that Cross-Complainant
22 possessed.

23
24 95. That said acts and conduct were carelessly caused harm to Cross-Complainant financially
25 and caused third parties to not deal with Cross-Complainant.

26
27 96. As a proximate result of the above-mentioned acts of Cross-Defendants, and each of
28 them, Cross-Complainant have been deprived of the patronage of a large number of their actual and

1 potential customers and/or distributors, all to their damage in an amount according to proof.

2
3 **FIFTH CAUSE OF ACTION FOR CIVIL RACKETEER INFLUENCED AND**
4 **CORRUPT ORGANIZATIONS [R.I.C.O.]**
5 **AGAINST ALL CROSS-DEFENDANTS**
6

7 97. Cross-Complainant realleges and incorporates by reference each and every allegation
8 contained in paragraphs 1 through 65, above, as though set forth in full herein.
9

10 98. Cross-Complainant are informed and believe and thereon allege that Cross-Defendants,
11 and each of them, engaged in conduct, through the ENTERPRISE, through a pattern of racketeering
12 and illegal activity, and conspire to do so, and to wrongfully and unlawfully cause harm to Cross-
13 Complainant and others, all to the detriment of Cross-Complainant and others.
14

15 99. Cross-Complainant is informed and believes and thereon alleges that during the relevant
16 times herein, Cross-Defendants, and each of them, conspired with one another to cause harm to Cross-
17 Complainant, and others, by means of a complex pattern of individual transactions, threats, intimidation,
18 illegal discrimination and coercion to carry out a common plan and scheme to defraud Cross-
19 Complainant and others.
20

21 100. That Cross-Defendants, and each of them, used the ENTERPRISE, for the purpose of
22 obtaining money and profit by means of illegal activity, conduct, fraud and coercion.
23

24 101. Cross-Complainant are informed and believe and thereon allege that Cross-Defendants,
25 and each of them, have engaged in at least two incidents unlawful predicate acts, during the period
26 between January 1, 1991 to the present date, that included, but were not limited to, mail fraud and wire
27 fraud, within the meaning of 18 U.S.C.A. § 1341, in an effort to carry out the common plan and scheme
28 to destroy Cross-Complainant and cause injury. That said predicate acts consistent of conduct designed

1 to carry out the purpose of causing damages and losses to Cross-Complainant.
2

3 102. Cross-Complainant are further informed and believe that Cross-Defendants, and each of
4 them, and/or its officers and/or affiliates have engaged in other criminal and/or illegal conduct within
5 the past five years and that said Cross-Defendants are under investigation for such federal and/or state
6 criminal acts, the exact nature of which is yet to be discovered.
7

8 103. As a proximate result of the above-mentioned acts of Cross-Defendants, and each of
9 them, Cross-Complainant has been deprived of the patronage of a large number of their actual and
10 potential customers, distributors and/or supporters and has caused monetary damages to NCP all to its
11 damage in an amount according to proof.
12

13 104. That by reason of said conduct, the damages alleged herein are trebled.
14

15 **SIXTH CASE OF ACTION**
16 **FOR MALICIOUS PROSECUTION**
17 **(Against Cross-Defendants FIGUEROA, GRELL and ROES 1 to 500, inclusive)**
18

19 105. Cross-Complainant realleges and incorporates by reference each and every allegation
20 contained in paragraphs 1 through 65, above, as though set forth in full herein.
21

22 106. Cross-Complainant is informed and believes and thereon alleges that Cross-Defendants,
23 and each of them, participated and/or conspired in the filing of the Figueroa Case.
24

25 107. The Figueroa Case was filed by said Cross-Defendants for the ulterior purpose of
26 discrediting NCP and causing it losses and damages. The Figueroa Case was without lawful basis or
27 probable cause.
28

1 Complainant

2
3 114. That Cross-Defendants, and each of them, have strategically filed lawsuits in improper
4 jurisdictions and/or venues for the purpose of frustrating the victims of such lawsuits causing particular
5 losses and damages by reason of the victims' need to challenge the propriety of the improper filings.

6
7 115. Such named Cross-Defendants misused and abused the summary law unlawful detainer
8 process for their own profit and purposes and without regard to the intent and purpose of such process.
9 This use (misuse) of the legal process is not authorized or sanctioned by the controlling California code
10 sections nor by the intent of the legislature in adopting such process.

11
12 116. The various legal proceedings, including the Figueroa Case, were filed and motivated by
13 Cross-Defendants for the ulterior purpose of forcing Cross-Complainant into financial ruin and to cause
14 damages and loss of reputation without lawful basis or probable cause.

15
16 117. Further, Cross-Defendants knowingly filed such legal proceedings in order to deplete the
17 resources of Cross-Complainant and cause damage.

18
19 118. As alleged herein, as a proximate result of Cross-Defendants' conduct, Cross-
20 Complainant have suffered damages from this abuse of process in an amount to be determined at trial.

21
22 119. At all times mentioned herein, Cross-Defendants acted willfully, for Cross-Defendants'
23 own personal gain, with the wrongful intention of injuring Cross-Complainant and causing them
24 additional harm.

25
26 120. That the QUACKBUSTERS used said legal filings in order that they be posted on their
27 websites and newsgroups in a vicious campaign to discredit Cross-Complainant, its customers,
28 supporters and advocates.

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**NINTH CAUSE OF ACTION
FOR CIVIL CONSPIRACY
AGAINST ALL CROSS-DEFENDANTS**

127. Cross-Complainant realleges and incorporates by reference each and every allegation contained in paragraphs 1 through 65, above, as though set forth in full herein.

128. Cross-Complainant is informed and believes, and thereon alleges, that during the times herein mentioned, Cross-Defendants, and each of them, willfully, knowingly, and maliciously conspired and agreed among themselves to commit the above-referenced torts and to financially ruin Cross-Complainant and cause it damages and losses.

129. Cross-Defendants, and each of them, did the acts and things herein alleged pursuant to, and in furtherance of, the conspiracy and above-alleged agreement.

130. As a result of Cross-Defendants' conduct, Cross-Complainant has been damaged in an amount according to proof.

131. As a proximate result of Cross-Defendants' wrongful acts pursuant to the conspiracy alleged herein, Cross-Complainant has suffered damages and injuries in an amount according to proof.

132. As a further proximate result of Cross-Defendants' wrongful acts pursuant to the conspiracy alleged herein, Cross-Complainant has incurred additional expenses necessitated by the institution of this and other related actions.

133. Cross-Defendants, and each of them, did things herein alleged oppressively and maliciously, and Cross-Complainant is entitled to punitive or exemplary damages in an amount according to the Trier of Fact.

1 **AS TO THE FIFTH CAUSE OF ACTION:**

2
3 1. That the amounts of damages be trebled.

4
5 **AS TO THE FIRST, SECOND, THIRD, SIXTH, SEVENTH AND NINTH CAUSES OF**
6 **ACTION:**

7
8 1. For punitive and exemplary damages in an amount according to the trier of fact.

9
10 **AS TO THE TENTH CAUSE OF ACTION:**

11
12 1. For an order requiring the Cross-Defendants, and each of them, to show cause, if any,
13 why they should not be enjoined, during the pendency of this action, from engaging in the improper and
14 unlawful conduct described herein;

15
16 2. For a temporary restraining order, a preliminary injunction, and a permanent injunction,
17 all enjoining Cross-Defendants, and each of them, from engaging in the improper and unlawful conduct
18 described herein;

19
20
21 Date: July 23, 2001

LAW OFFICES OF CARLOS F. NEGRETE

22
23
24 By: _____



Carlos F. Negrete, Esq.
Attorney for Defendant/Cross-Complainant,
NEW CENTURY PRESS

(PROOF OF SERVICE - 1013a, (3) 2015.5 C.C.P.)

STATE OF CALIFORNIA]

ss.

COUNTY OF ORANGE]

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action and my business address is 27422 Calle Arroyo, San Juan Capistrano, California 92675.

On July 23, 2001, I served the foregoing document(s) described as:

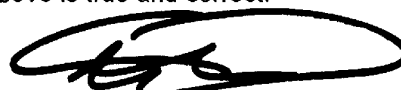
SEE ATTACHED DOCUMENT LIST

on the interested parties in this action by submitting a true and correct copy of the above described documents as follows

- (BY MAIL) I deposited the document by regular mail. I am readily familiar with this office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited, through the office's office complex postal delivery box, with the U.S. Postal Service on the same day in a sealed envelope with postage thereon fully prepaid at San Juan Capistrano, California, in the ordinary course of business to the parties listed below. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit from mailing in this declaration.
- (BY U.S. POSTAL SERVICE EXPRESS MAIL) I deposited in a post office, mailbox, sub-post office, substation, mail chute or other like facility regularly maintained by the United States Postal Service for receipt of Express Mail a copy of the above-described documents, in a sealed envelope, with Express Mail postage fully prepaid and addressed to the parties listed below.
- (BY OVERNIGHT COURIER) I deposited in a box or other facility maintained by _____ delivery service, an express service carrier, or delivered to a courier to receive documents, with delivery fees paid and addressed for delivery to the parties listed below.
- (BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED) The above-described documents were served by Certified Mail, Return Receipt requested. I am readily familiar with this office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited, through the office's office complex postal delivery box, with the U.S. Postal Service on the same day in a sealed envelope with postage thereon fully prepaid at San Juan Capistrano, California, in the ordinary course of business to the parties listed below.
- (BY FACSIMILE) I caused all of the pages of the above-entitled document to be sent to the parties listed below, pursuant to California Rules of Court, Rule 2008 and California Code of Civil Procedure, Section 1013. The facsimile machine that I used complied with Rule 2003 and no error was reported by the machine. I caused the machine to print a transmission confirmation record of the transmission, a copy of which is attached hereto and made a part hereof as though set forth in full herein. The date, time, telephone number of the party served and final status of the transmission are set forth in the confirmation record.
- (PERSONAL SERVICE) I caused a copy of the above listed document to be personally delivered to the party set forth below at the address set forth below.

SEE ATTACHED SERVICE LIST

Executed on July 23, 2001, at San Juan Capistrano, California. I declare under penalty of perjury under the laws of the State of California and the United States of America that the above is true and correct.



Carlos F. Negrete

DOCUMENT LIST

1. **CROSS-COMPLAINT**

SERVICE LIST

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