

University of Hawai'i at Mānoa
Library — Archives



January 17, 1994

Mr. Muin Bernard Spitz, President
Zen Studies Society
223 East 67th Street
New York, NY 10021-6087

Dear Muin,

We have received your letter of December 20, 1993 and wish to thank you and the Board of Directors of the Zen Studies Society for officially responding to us and offering "to help heal the situation". We feel your letter is a positive expression of your concern for us. However, at this time we do not feel that a meeting with Eido or any representatives of the Zen Studies Society would be of benefit to us in our healing process.

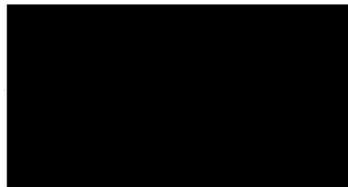
About a week before your letter arrived, we had the realization that using threats and fear was unkind and wrong action from a Buddhist perspective. We also realized that taking legal action against you, even if we prevailed, would only increase the amount of pain and suffering that exists for us, you, and the planet. We realized that to hurt another because they hurt us, even though such actions are enticing, compelling, and culturally acceptable would truly not heal our wounds and stop our suffering. Such an action would only create more karma for us to work through. Thus we have decided to drop all legal actions against you and have chosen to put this entire matter behind us.

Responding to your statements about our grounds for legal action and potential fines to us, we would like you to know that our attorney and personal friend, Berkley Freeman, has had considerable experience with Breach of Fiduciary Duty by members of the clergy. He was, and still is, extremely confident with our legal position in this matter. He has been a student and disciple of Swami Jyoti for many years. He is also the attorney for Sacred Mountain Ashram, Swami Jyoti's center here in the USA. Over the past two years, Berkley has settled six cases brought against the Ashram as a result of Swami Jyoti's sexual misconduct and breach of fiduciary duty. You can be sure that Berkley knows this area of the law from both the plaintiff's and the defendant's side.

The body of case law on this subject throughout the nation, including New York, is extensive and growing by leaps and bounds these days. Berkley has provided us with considerable legal research and material on Breach of Fiduciary Duty. We would like to assure you that your legal position is extremely weak and you have enormous exposure and liability. Robert Greene's suggestion that this sort of litigation could be viewed as frivolous is either a lawyer's posturing or a gross miscalculation that is not rooted in reality.

It is our sincere hope that by removing the threat of legal action and potential loss of your assets, image, and reputation you will be better able to help those that have been hurt by Eido's actions. Perhaps without legal coercion, you will find your compassion and love and voluntarily take appropriate action both within the Zen Studies Society and with those people that have been directly hurt.

Sincerely,



cc: Min Spitz, Home Address