

RECEIVED AUG 28 1999

James E.T. Lange
10221 Menlo Ave.
Silver Spring, MD 20910-1057
August, 23, 1999

Dear Hearings Committee Member,

I hereby formally register a complaint of acts inimical to Mensa committed by Alan J. Truelove of 7920 Peyton Forest Trail, Annndale, VA, 22003.

Such acts consist of:

1.) The filling of a lawsuit, Truelove, *et al* v. Mensa International Limited. *et al*, Civil Action Number PJM97-3463, in the United States District Court for the Southern Division of Maryland. This suit was finally dismissed on June 15, 1999. The suit was frivolous, and merely reiterated his 20-year-old grievances against Mensa and repeated the derogatory remarks he has made about many of Mensa's former officers over the years. Mr. Truelove had not exhausted his remedies within Mensa when he filed his lawsuit.

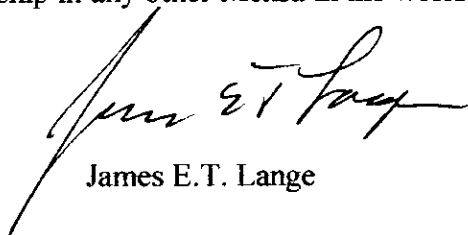
2.) Mr. Truelove posted his entire complaint on the Internet including the derogatory remarks about former officers. His reason for filing the lawsuit may have been the ability to post the complaint as a court document, insulating him from the laws of defamation.

3.) During the pendency of this lawsuit Mr. Truelove continually bragged on Internet newsgroups how much his lawsuit was costing Mensa. This seems to indicate that one of his purposes was to cost Mensa money.

4.) Mr. Truelove had previously filed an unsuccessful lawsuit against Mensa in the 1970's.

5.) Truelove has previously been banned from American Mensa for a term. Unfortunately, he was not banned from all Mensas, and learned nothing by the experience.

I ask that Mr. Truelove be expelled from membership in American Mensa because of these acts. I further request that, if permitted by the Constitution and By-laws of Mensa, he be banned from membership in any other Mensa in the world, forever.



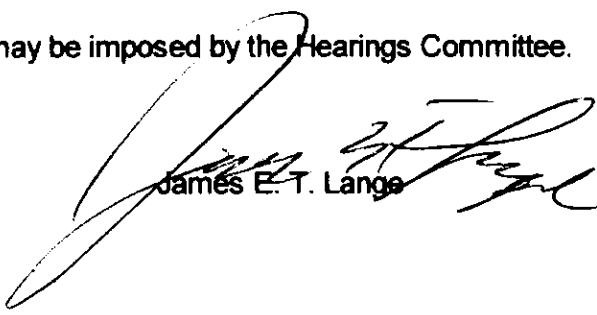
James E.T. Lange

RECEIVED SEP 3 1999

Hearings Committee Member,

Please add to Complaint against Alan Truelove.

I acknowledge, that I understand, that deliberately making a false or misleading oral or written statement to the Hearings Committee, with regard to a proceeding before it, is an act inimical to Mensa for which sanctions may be imposed by the Hearings Committee.



James E. T. Lange



American Mensa Hearings Committee
Richard Amyx, Chairman and Liaison
994 North Second Street
San Jose, CA 95112
408-297-4438
ramyx@slip.net

November 17, 1999

Mr. James E.T. Lange
10221 Menlo Avenue
Silver Spring, MD 20910-1057

Re: Complaint of acts inimical to Mensa against Alan J. Truelove

Dear Mr. Lange:

The Hearings Committee of American Mensa, Ltd. has considered the complaint of acts inimical to Mensa that you filed against Alan J. Truelove, and, after due deliberation, has determined that sufficient facts have been alleged to warrant holding a hearing on the following charge:

That Truelove filed a lawsuit; namely, Truelove, *et al* v. Mensa International Limited, *et al*, Civil action Number PJM97-3463, in the United States District Court for the Southern Division of Maryland, without having first exhausted all avenues of settlement and redress within the Society as prescribed by Section III.D. of the Constitution of Mensa.

The Committee has decided that it would not be appropriate to hear the other items in your complaint.

The purpose of the hearing is to receive evidence in support of and in defense against the charge. The Hearings Committee will then judge whether or not the preponderance of evidence presented shows Truelove to have committed the act alleged and what sanctions, if any, as set forth in the Bylaws of American Mensa, Ltd., should be imposed.

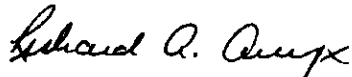
It is the responsibility of the complainant to present evidence in support of the charge, and it is the responsibility of the accused to present evidence in defense against or in refutation of the charge. Evidence may be presented in the form of documents or testimony of witnesses. If a witness cannot, for good reason, be present at the hearing, the testimony of such witness may be presented as a written statement.

Enclosed, for your reference, is a copy of the current Policies and Rules Governing the Conduct of Hearings.

Pursuant to these Policies and Rules, you are hereby further advised as follows:

1. The hearing on the charge will take place on Saturday, January 22, 2000, beginning at 9:00 a.m. The hearing will be continued to Sunday, January 19, 2000, if required. The hearing will *not* be continued after Sunday, January 19, 2000. Please plan your presentation accordingly.
2. In consideration of the residence addresses of both the complainant and the accused, the hearing will take place in the general Washington, DC area. A specific location has not yet been selected; you will be further advised as to location.
3. The liaison between the parties and the Committee is Richard Amyx, 994 North Second Street, San Jose, California 95112, 408-297-4438; email ramyx@slip.net. Any further communication to the Committee should be addressed to him.
4. The names of the members of the Hearings Committee as originally constituted are Richard Amyx, Chairman, Darlene Criss, and Dave Remine. Please note that any party wishing to challenge a member of the Hearings Committee as originally constituted must do so by notice in writing to the Hearings Committee chairman, Richard Amyx, within fifteen (15) days after receipt of this letter. Such challenge shall state the name of the member being challenged and the reasons for the challenge. The next three individuals who are eligible to serve on the Committee are, in order, Sallie Banko, Fred (Bear) Berg, and Rose Lee B. Crutcher.
5. The hearing shall be open to current Mensa members, subject to appropriate conduct, but shall be closed to nonmembers unless acceptable reasons for their presence are given. The name and status of any proposed nonmember attendee must be received by the Committee Liaison not later than 5:00 p.m. (PST) on the last Wednesday prior to the hearing.

Yours truly,



Hearings Committee, American Mensa, Ltd.
Richard Amyx, Chairman and Liaison

enclosure

cc: Darlene Criss
Dave Remine
Robert Beatty, Chairman, AMC
Allen G. Neuner, Ombudsman
Sam Samsil, Interpretive Counsel
Steve Slepner, RVC2



American Mensa Hearings Committee
Richard Amyx, Chairman and Liaison
994 North Second Street
San Jose, CA 95112
408-297-4438
ramyx@slip.net

November 17, 1999

Mr. Alan J. Truelove
7920 Peyton Forest Tr.
Annandale, VA 22003

Re: Complaint of acts inimical to Mensa against Alan J. Truelove

Dear Mr. Truelove:

You are hereby notified that the Hearings Committee of American Mensa, Ltd. has received from James E.T. Lange a complaint of acts inimical to Mensa against you, and, after due deliberation, has determined that sufficient facts have been alleged to warrant holding a hearing on the following charge:

That Truelove filed a lawsuit; namely, Truelove, *et al* v. Mensa International Limited, *et al*, Civil action Number PJM97-3463, in the United States District Court for the Southern Division of Maryland, without having first exhausted all avenues of settlement and redress within the Society as prescribed by Section III.D. of the Constitution of Mensa.

The hearing on the charge will take place on Saturday, January 22, 2000, beginning at 9:00 a.m. The hearing will be continued to Sunday, January 19, 2000, if required. The hearing will *not* be continued after Sunday, January 19, 2000. Please plan your presentation accordingly.

In consideration of the residence addresses of both the complainant and the accused, the hearing will take place in the general Washington, DC area. A specific location has not yet been selected; you will be further advised as to location.

The purpose of the hearing is to receive evidence in support of and in defense against the charges. The Committee will then judge whether or not the preponderance of evidence presented shows you to have committed the act alleged and what sanctions, if any, as set forth in the Bylaws of American Mensa, Ltd., should be imposed. The Hearings Committee will base its decision *only* on the evidence presented at the hearing.

It is the responsibility of the complainant to present evidence in support of the charge, and it is the responsibility of the accused to present evidence in defense against or in refutation of the charge. Evidence may be presented in the form of documents or testimony of witnesses. If a witness cannot, for good reason, be present at the hearing, the testimony of such witness may be presented as a written statement.

Enclosed, for your reference, is a copy of the current Policies and Rules Governing the Conduct of Hearings.

Pursuant to these Policies and Rules, you are hereby further advised as follows:

1. The liaison between the parties and the Committee is Richard Amyx, 994 North Second Street, San Jose, California 95112, 408-297-4438; email ramyx@slip.net. Any further communication to the Committee should be addressed to him.
2. The names of the members of the Hearings Committee as originally constituted are Richard Amyx, Chairman, Darlene Criss, and Dave Remine. Please note that any party wishing to challenge a member of the Hearings Committee as originally constituted must do so by notice in writing to the Hearings Committee chairman, Richard Amyx, within fifteen (15) days after receipt of this letter. Such challenge shall state the name of the member being challenged and the reasons for the challenge. The next three individuals who are eligible to serve on the Committee are, in order, Sallie Banko, Fred (Bear) Berg, and Rose Lee B. Crutcher.
3. The hearing shall be open to current Mensa members, subject to appropriate conduct, but shall be closed to nonmembers unless acceptable reasons for their presence are given. The name and status of any proposed nonmember attendee must be received by the Committee Liaison not later than 5:00 p.m. (PST) on the last Wednesday prior to the hearing.

The Committee emphasizes to all parties that only evidence that is relevant to the charge being heard is to be presented at the hearing. Evidence in support of or in refutation of any matter that is not before the Committee at the time of the hearing will not be entertained.

Finally, the Committee reminds all parties that this is not a judicial proceeding subject to any formal rules of jurisprudence but a hearing guided by the provisions of the Constitution of Mensa, the Bylaws of American Mensa, and the "Policies and Rules Governing the Conduct of Hearings" (as adopted by the American Mensa Committee November 29, 1980, and amended March 30, 1985).

Yours truly,



Hearings Committee, American Mensa, Ltd.
Richard Amyx, Chairman and Liaison

enclosure

cc: Darlene Criss
Dave Remine
Sallie Banko
Fred (Bear) Berg
Rose Lee B. Crutcher
James E.T. Lange
Robert Beatty, Chairman, AMC
Allen G. Neuner, Ombudsman
Sam Samsil, Interpretive Counsel
Steve Slepner, RVC2

Alan J. Truelove,
5599 San Felipe, Suite 400,
Houston, TX 77056-2720

713-203-2457 (home & office), 703-513-3237 (Fax)

Hearings Committee, American Mensa Ltd.,
Attn Richard Amyx, Chairman
994 North Second Street
San Jose, CA 95112
408-297-4438
ramyx@slip.net

RECEIVED DEC 14 1999

Dear Richard,

Re: Your letter Nov. 17, 1999

I challenge the following members of the Hearings Committee:

(1) Darlene Criss. In a Web site with which it is well known I am associated,
www.crosslink.net/~quantum/hiq.html
or accessed directly at www.crosslink.net/~quantum/hiqcr.html
a true and complete copy of a court document relating to Ms Criss appears.
In it, the Judge makes the following evaluation of testimony voluntarily proffered by Ms Criss:

"Her [Criss's] testimony, in my judgment, clearly contains the poisonous seeds of prejudice."

Truelove has made frequent reference to this over the past 4 years in Mensa newsgroups, etc. It can be concluded that Ms Criss could not be an unbiased judge.

(2) Dave Remine:

The Complaint in the suit on which Lange bases his fraudulent and stale 'complaint' contains the following

55. Ted Elzinga is and has been an appointee (Publishing Agent) of the defendant Mensa International Inc.

56. Ted Elzinga also publishes, privately, a magazine called Excavator dealing with Mensa matters.

57. In the April 1994 edition of the above Magazine, Ted Elzinga published an open letter written by him, stating that he had read the SEC report cited above in paragraph 34, and further stated:

"It appears that Mr. Werba has drained the American Mensa treasury to the tune of \$750,000. Questions arise as to whether the money was honestly but ineptly spent, .. or whether this is a frank case of embezzlement of funds."

It is not disputed that Remine was the Treasurer of American Mensa during all or part of the period of the above referenced events. Truelove has made frequent reference in Mensa newsgroups, etc. over the past 5 years, to

- (a) the above evaluation of Werba by an appointee of Mensa [International], and to the supervisory role of Remine in the disappearing of \$750,000 of Mensa's Treasury. At no time during this six year draining did Remine say one word about the massive cash flow, or appalling results of the supposed PR expenditure (1/3 membership was lost). This only came to light on change of Chairman, by which time it was too late.

Plaintiff Exhibit P-2 p. 2 of 2

(b) Remine's multiple bankruptcies, while repeatedly claiming in Election Statements to be a successful businessman.

Finally, Remine has appointed Werba – an admitted and convicted stock swindler- to the International Board of Directors, where he is in charge of the licensing of Mensa's logo.

Further, Remine inserted gratuitous criticism of Truelove in his Official Chairman's Editorial in the American Mensa magazine, to which Truelove was given no opportunity to reply.

It would be laughable to think that Remine could be an unbiased Judge..

Mensa was specifically criticized by Chief Judge Bryant, in the (older) Federal Suit referred to (sec 4) by Lange. Mensa had appointed an Art Gardner , a political opponent of Truelove, to 'prosecute'. Judge Bryant stated " I would have expected better of a Society supposedly devoted to the Highly Intelligent".

You, Richard, and/or The Hearings Committee can, of course, again act maliciously and improperly, in defiance of the above advice, as you are already Tampering with a Federal Witness (on grossly false and stale charges.)

With best wishes,

Alan Truelove.

A handwritten signature in black ink, appearing to be 'Alan Truelove', with a long horizontal stroke extending to the right.

Dave Remine, 03:18 PM 12/16/99, Fwd: Re: Alan Truelove-Hearing

Date: Thu, 16 Dec 1999 15:18:21 -0500
From: Dave Remine <DaveRemine@compuserve.com>
Subject: Fwd: Re: Alan Truelove-Hearings
Sender: Dave Remine <DaveRemine@compuserve.com>
To: "INTERNET:ramyx@slip.net" <ramyx@slip.net>

After much serious thought I hereby recuse myself from the Truelove hearing. While I am absolutely sure I could render a fair decision in such a clear cut single matter hearing, I recognize that some members may see my long confrontational acquaintance with Mr. Truelove as possibly instilling in me a predjudice against Mr. Truelove. It is impertative that the hearing be seen by all as fair and impartial. It is for that reason and that reason alone that I step down from serving at his hearing. I have confidence that those serving under your leadership will carry out justice as provided for in the hearings process. I will support whatever verdict the Hearings Committee reaches as if it was my own.

I am not naive enough to believe that my stepping aside will make any less likely Mr. Truelove's claims of unfair treatment but I do believe that it will make less likely the acceptance of such claims by the membership.



American Mensa Hearings Committee
Richard Amyx, Chairman and Liaison
994 North Second Street
San Jose, CA 95112
408-297-4438
ramyx@slip.net

December 27, 1999

Mr. Alan J. Truelove
7920 Peyton Forest Tr.
Annandale, VA 22003

Dear Mr. Truelove:

This is in response to your letter of December 2, in which you challenged the positions of Darlene Criss and Dave Remine on the Hearings Committee.

According to Section IX(5)(a) of the American Mensa Bylaws, "In the event that one or more of the three most recent Past Chairmen be unavailable--or incapacitated, in the judgment of the remainder of the Hearings Committee, following a challenge by any of the parties involved--vacancies, using the same criteria, shall be filled, in order, from the three most recent First Vice-Chairmen who are not currently serving on the American Mensa Committee...."

Being the remainder of the Hearings Committee after its other two members were challenged, I elected not to honor your challenge of Mrs. Criss's position. The highly abridged "court document" you cite dates from 1971, before Mrs. Criss joined Mensa. It relates to Mrs. Criss only insofar as she was a witness at the trial to which it pertains, it is the opinion of the one dissenting judge in the case, and it is wholly irrelevant to Mensa in any regard. A copy of the document in question is enclosed with this letter.

After careful consideration of your challenge, Dave Remine elected to recuse himself from this Hearings Committee, saying, "While I am absolutely sure I could render a fair decision in such a clear cut single matter hearing, I recognize that some members may see my long confrontational acquaintance with Mr. Truelove as possibly instilling in me a prejudice against Mr. Truelove. It is imperative that the hearing be seen by all as fair and impartial. It is for that reason and that reason alone that I step down from serving at his hearing." I have accepted Mr. Remine's resignation from this committee. I would, however, like to make clear that Mr. Remine's stepping down in no way serves to validate any of the statements made about him or others in your challenge. A copy of Mr. Remine's resignation from this committee is being forwarded to you separately.

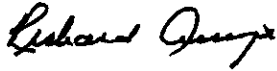
The three most recent past First Vice Chairmen not currently serving on the AMC are Sallie Banko, Fred (Bear) Berg, and Rose Lee B. Crutcher. Sallie Banko, who would ordinarily fill the position vacated by Dave Remine, will not be able to serve on this com-

mittee because she will be presenting testimony at the hearing. I have communicated with Fred Berg; he is both willing and able to serve on this Hearings Committee.

The Hearings Committee for your hearing therefore now consists of Richard Amyx, Chairman; Darlene Criss; and Fred Berg.

The hearing is currently scheduled to take place on Saturday, February 5, 2000, in the metropolitan Washington, DC, area. You will be notified of a specific site as soon as one is found.

Yours truly,



Richard Amyx
Chairman and Liaison
Hearings Committee, AML

cc: Darlene Criss
Dave Remine
Fred Berg
Sallie Banko
Rose Lee B. Crutcher
James E.T. Lange
Robert Beatty, Chairman, AMC
Allen G. Neuner, Ombudsman
Sam Samsil, Interpretive Counsel
Steve Slepner, RVC2

Quantum Hi-IQ Interest Group - Darlene Criss

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.

[Return to Mensa Info.](#)

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(Cite as: 208 Kan. 19, 490 P.2d 584)

STATE of Kansas, Appellee,

v.

Vernon S. PIERCE et al., Appellants.

Nos. 45745-45752.

Supreme Court of Kansas.

Nov. 6, 1971.

Syllabus by the Court

The record in a criminal prosecution in which appellants were convicted of robbery in the first degree (K.S.A. 21-527) and robbery in the third degree (K.S.A. 21-529) is examined, and it is held, prejudicial error does not appear in any of the particulars urged.

Chester I. Lewis, Wichita, and Charles Scott, Topeka, argued the cause and were on the briefs for the appellants.

Keith Sanborn, County Atty., argued the cause, Vern Miller, Atty. Gen., and Stephen M. Joseph, County Atty. Legal Intern, were with him on the brief for the appellee.

HARMAN, Commissioner:

This appeal arises from convictions by a jury of Vernon S. Pierce, Richard Alexander, Henry Davis, Noel D. Newsom, Fred M. Johnson, John H. Manning, Leonard Harrison and Samuel Harvis Hunt of varying degrees of robbery.

By way of background we may state that as a result of certain events occurring at a Wichita motel on October 17, 1968, appellants and Harold Cole were charged with certain criminal offenses. All nine persons were initially charged with two counts of kidnapping, one count of conspiracy to kidnap, two counts of extortion and two counts of assault with intent to commit extortion, the alleged victims of these offenses being Frank Carpenter and Jaddy Blake. During the preliminary examination upon these charges, two additional ones were added—one count of robbery in the first degree and one count of extortion—the alleged victims of the added charges being Andrew P. Gutierrez and William P. Howard. At the conclusion of the preliminary hearing the examining magistrate dismissed the three kidnapping counts and held all defendants for trial in district court upon the remaining six counts. The state then filed an information in district court accordingly, charging the defendants jointly. In advance of trial the district court quashed the two counts of assault to commit extortion and upon the state's appeal this ruling was upheld (State v. Pierce et al., 205 Kan. 433, 469 P.2d 308).

Trial by jury was eventually had upon the remaining four counts, resulting in complete acquittal of

defendant Harold Cole and acquittal of the eight appellants upon all except the robbery charge. Alexander, Davis, Newsom, Johnson, Manning and Harrison were convicted of robbery in the first degree; Pierce and Hunt were convicted of the lesser included offense of robbery in the third degree. Statutory sentences were imposed and this appeal ensued.

Appellants' specifications of error will be dealt with in the order in which they have been presented and briefed on appeal.

.....

[Unofficial note: This is a very lengthy decision, most of which does not have much relevance to Mensa. Several pages are devoted to describing how some of the defendants extorted and swindled an enormous sum of money out of a non-profit corporation called Joint Action Community Service (JACS), which was affiliated with the Job Corps, and this was accomplished in part by luring the JACS officials to a remote meeting place where they were threatened by a crowd, calling itself the Black Guard, that seems to resemble a large urban street gang, and subsequently threatening these same officials even after the Washington DC HQ of the JACS had rejected the Black Guard's demands. It is the next portion that should interest Mensa members, especially since the woman mentioned is identified by name only in a dissenting opinion.]

.....

A more serious question is the admission in rebuttal of a woman's testimony concerning statements in her presence by one of several appellants present in an elevator in the courthouse immediately after the preliminary examination, as follows:

'*** and one of the defendants said, 'What about that little Mex? I was just beginning to like that little Mex.' And one of the defendants turned and said, 'What that little Mex needs was to have his throat slit.'

The witness was unable to identify which appellants made these statements other than to say neither Mr. Hunt nor Mr. Harrison was on the elevator. At trial it was shown the complaining witness, Mr. Gutierrez, was of Mexican-American extraction. The making of this statement scarcely constitutes a fact showing a consciousness of guilt so as to render it admissible and we are of opinion it was erroneous to have permitted it into evidence.

However, the statement on its face amounts to no more than sheer after-the-fact hyperbole, which any juror would recognize and treat accordingly. The testimony should not have been allowed but we do not believe its reception could have had prejudicial effect upon appellants' substantial rights.

.....

[Unofficial note: There was also an objection to the testimony of two Philadelphia policemen that an organization called the Black Guard is a violent African-American revolutionary faction.]

.....

We have examined other complaints in derogation of the conviction, including an alleged illegal search and seizure of certain articles of clothing and uniforms and final arguments of the prosecution wherein allegedly racism was injected, but find nothing to warrant disturbing the judgment and it is affirmed.

Approved by the court.

=====

.....

FONTRON, Justice (dissenting):

This dissent must necessarily be brief, for time is at a premium. My disagreement with the majority opinion stems from a conviction on my part that prejudicial error occurred in the admission of rebuttal evidence. I refer primarily to the testimony of Darlene Criss and two Philadelphia police officers, George Fencil and Joseph Casson.

Mrs. Criss testified that following the preliminary examination she heard one of the defendants, whom she could not identify, make this statement: 'What that little Mex (Gutierrez) needs was to have his throat slit.' The majority of the court correctly concedes this testimony was inadmissible, but they shrug it off as 'sheer after-the-fact-hyperbole.'

I am far from certain what this high flown expression is intended to imply. However, I harbor no illusion that the state intended to favor the defendants by calling Mrs. Criss to the witness stand. Her testimony, in my judgment, clearly contains the poisonous seeds of prejudice.

.....

For the reasons expressed herein, it is my opinion the defendants did not receive a fair trial. I would reverse the judgment and remand this case with directions to grant a new trial.

== (end of abridged document) ===

alan truelove, 09:06 PM 1/23/00 , Truelove Hearing

X-Originating-IP: [207.172.117.112]
 From: "alan truelove" <atruelove@hotmail.com>
 To: ramyx@slip.net
 Subject: Truelove Hearing
 Date: Sun, 23 Jan 2000 21:06:23 PST

Alan J. Truelove,
 7920 Peyton Forest Trail
 Annandale, Va. 22003, USA
 703-989-9103 (cell), 703-783-0401(fax),
 quantum@crosslink.net

X

Sunday, January 23, 2000

Hearings Committee, American Mensa Ltd.
 Attn: Richard Amyx, Chairman
 994 North Second Street
 San Jose, CA 95112
 408-297-4438
 ramyx@slip.net

Dear Richard,

Re Proposed Hearing, Feb 5, 2000 - (a) The charge is fraudulent (b) Darlene Criss

(a) I gather that my lock-out from the Mensa Compuserve Forum in 1994, and the fraudulent claim that I did not follow internal procedures before bringing suit on this disciplinary matter against American Mensa Ltd. in US District Court, Md., is the sole basis of the bogus complaint against me. If you will examine the Docket of this suit - which of course is your sole responsibility - you will find sworn submissions by American Mensa Ltd. which render the charge - as stated - totally false. In short you are wasting Mensa's time and money by holding this Hearing, and also causing me inconvenience.

This has been pointed out to me by a lawyer who is thoroughly familiar with Mensa's Constitution and By-laws.

My accuser, a James E.T. Lange is I believe an attorney practicing in Maryland. He too has a duty to examine the court docket. His willful failure to detect that Mensa's submissions renders the sole charge (on which you have proceeded) false, raises questions about Mr. Lange which could well be brought to the attention of the Maryland Bar.

(b) I have received your communication insisting on keeping Darlene Criss as a 'judge', despite the evaluation of 'prejudiced' given her by the judge in a recorded case.

I have now received further information on Ms Criss - and I am promptly notifying you - which further indicates she would be biased.

In the course of postings to the above Forum, I referred repeatedly to three main items:

(i) That Gabe Werba was an admitted and convicted stock swindler (citing the SEC Report that disciplined him) , and that his dissipation of \$750,000 of Mensa's money for purported PR should be looked into.

(ii) That Henry Noble, former chair of American Mensa, had been disbarred, NOT suspended for 90 days as my accuser, Jim Lange falsely claimed (and has never corrected).

(iii) That a Mensa Elected Officer, Judy Dosse had been submitted by your Committee to a weekend long star chamber proceeding which was unfair to her, and physically stressful; her 'crime; in part was asking to 'see the books' on the Werba PR matter above.

It turns out - and I now have before me what I believe are true and complete copies of e-mails to Mensa members in December 1993 from Darlene Criss, bearing her Compuserve Number, date and time - in which Ms Criss vigorously took the part of Werba, and Noble, and defended Judy Dosse's victimization at the hands of your committee. Criss disputes the facts stated about the Dosse inquisition; which were summarized in an independent report by a long term member, Teresa Fisher:

alan truelove, 09:06 PM 1/23/00 , Truelove Hearing

"Effects were certainly felt beyond her local group and region. The name Judy Dosse has become synonymous, to many members and former members, with one who is destroyed by the blatant misuse of power by those who would use the system for their own purposes. I have heard several people say to the politically aspiring, "Be careful or they will get you like they got Judy Dosse."

Ms Criss goes on to say that the information [stated] about Werba and Noble is "incorrect, too". (Without giving any details of what she thinks is incorrect). Her intent in these e-mails is clearly to convince Mensa members (active on the Forum) that the evidence against Werba and Noble (true and complete copies of Official documents), could be ignored. This occurred 7 years ago, and is certainly fresh in everyone's memory. To have Ms Criss as a "Judge" is similar to appointing Art Gardner - a Political opponent who had run, and been defeated, against me for the Office of Treasurer, as "Prosecutor" in our last go-around in 1974-75. At that time, Chief Judge Bryant was severely critical of Mensa, for precisely that reason
"I would have expected better of a society supposedly devoted to the highly intelligent".
Mensa got away with around four figures in costs/sanctions at that time (for lying to the court). They may not be so lucky this time.

Alan Truelove

Get Your Private, Free Email at <http://www.hotmail.com>



American Mensa Hearings Committee
Richard Amyx, Chairman and Liaison
994 North Second Street
San Jose, CA 95112
408-297-4438
ramyx@slip.net

January 24, 2000

Mr. Alan J. Truelove
7920 Peyton Forest Tr.
Annandale, VA 22003

Mr. James E. T. Lange
10221 Menlo Avenue
Silver Spring, MD 20910-1057

Re: Hearing of charges of acts inimical to Mensa against Alan J. Truelove

Gentlemen:

This is to inform you that the subject hearing will be held at

The Embassy Suites Tyson's Corner
8517 Leesburg Pike
Tyson's Corner, VA 22182
Phone: 703-883-0707

The hearing will commence at 9:00 a.m. on Saturday, February 5, 2000. It will be conducted in approximately 90-minute segments, with 15-minute breaks between segments. The hearing will recess for lunch at 12:15 p.m. and reconvene at 1:30 p.m.. If the hearing has not concluded by 7:15 p.m., which will represent approximately eight hours in session, it will be recessed. The hearing will then reconvene at 9:00 a.m. Sunday, February 6, continue until 12:15 p.m., and be adjourned.

The hearing will *not* be continued after 12:15 p.m. on Sunday, February 6, 2000. The Hearings Committee respectfully requests that you plan your presentations accordingly.

All parties should be thoroughly familiar with the "Policies and Rules Governing the Conduct of Hearings" ("Policies"), a copy of which was furnished to you previously.

The complainant and the accused may appear in person or a duly authorized representative may appear on their behalf. Neither party is required to appear.

The single charge that will be heard is that set forth in the Hearings Committee's letter to you of November 17, 1999. Evidence pertinent only to that charge may be presented.

You are reminded that this hearing is not a court of law; thus, there will be no judicial rules of procedure in force. Your responsibility will be to present your evidence to the committee in a clear, concise, logical, and commonsense manner. The complainant will

be asked to make a brief statement of his charge. The accused may likewise speak briefly in response to the charge. Following this, the complainant will be asked to present his first item of evidence to the Hearings Committee. The complainant will continue to present each individual item of his evidence to the Hearings Committee. The accused will be given the opportunity to respond to each item of evidence after it is presented. Subsequently, the accused will be asked to present each item of his evidence to the Hearings Committee. The complainant will be given the opportunity to respond to each item of evidence as it is presented by the accused.

All members present (including parties and witnesses) must behave courteously at all times. The Hearings Committee will, after warning, expel rude or disorderly persons from the hearing room.

The proceedings will be recorded on audiotape in accordance with Rule 10 I. of the Policies. A copy of the tapes of the proceedings will be provided to both the complainant and the accused.

In order to avoid the appearance that one party may have some advantage over the other, all parties are reminded that they may not communicate privately with the Hearings Committee as a whole or with its separate members. This restriction on communication includes both written and oral communication, and will continue throughout the hearing and until the Hearings Committee has published its decision on the charge.

Thank you for your attention to these matters.

Yours truly,



Richard Amyx
Chairman and Liaison
Hearings Committee, AML

cc: Darlene Criss
Fred Berg
Sallie Banko
Robert Beatty, Chairman, AMC
Allen G. Neuner, Ombudsman
Sam Samsil, Interpretive Counsel
Steve Slepner, RVC2

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Southern Division)

ORIGINAL

Alan J. Truelove,
Plaintiff pro se
7920 Peyton Forest Trail
Annandale, Virginia 22003
(703) 598-0702 (cell., 24 hrs)
quantum@crosslink.net

v.

Case No.

Mensa International, Ltd.
c/o Mr Vince Bonzagi, Officer & Archivist,
4737 Parkman Court
Annandale Virginia 22003-5046
703-354-4659 (res.)

L-Soft International Inc.
8401 Corporate Drive, Suite 510
Landover, Maryland 20785
301-731-0440, 301-731-6302 (fax.)

COMPLAINT FOR BREACH OF CONTRACT, AND LIBEL

In this action for declaratory and injunctive relief and damages, jurisdiction of the Court is invoked pursuant to 28 USC § 1332, based on diversity of citizenship of the Parties, and is discussed below.

Venue is founded upon 28 USC § 1391.

The parties to this suit are:

Plaintiff, pro se: Alan J. Truelove, Ph.D. ("Truelove"), a resident of the State of Virginia, and a United States Citizen.

Defendants:

(1) **International Mensa, Ltd.** ("Mensa"), is a membership Association incorporated in the United Kingdom, with Trade Mark and Service mark registered in the United States.

Mensa operates subsidiaries in various Countries, including the United Kingdom ("British Mensa") (where Mensa was founded in 1946), and the United States, American Mensa Ltd. (AML). The latter is incorporated as a New York State not-for-profit corporation, with main offices at 201 Main St., Suite 1101, Fort Worth, Texas 76102; 817/332-2600; AmericanMensa@compuserve.com

(2) **L-Soft International Inc.**, is a Company incorporated in the State of Maryland, with head office at 8401 Corporate Drive, Suite 510. Landover, Maryland 20785; 301-731-440; 301-731-6302 (fax.)

Jurisdiction

Jurisdiction in this case is based on diversity of Citizenship. The amount in question exceeds \$25,000.

The defendant **Mensa** is to be found in Maryland.¹

The defendant **L-Soft International Inc.** is incorporated in Maryland, and has its main place of business in Laurel, Maryland.

Mensa, in the person of a volunteer Mensa member who has been authorized to use the trademarked and service-marked name Mensa, and to act as agent for Mensa, for this precise purpose, has contracted with the defendant **L-Soft International Inc.** Under this contract, L-Soft International Inc. provides a physical Computer platform host, and relevant Computer Software, all located physically in Laurel, Maryland

One of the acts complained of - the termination of plaintiff Truelove from membership of the **L-Soft List** [defined below], and subsequent libel of Truelove on that List - took place on a Computer platform located on L-Soft International Inc. premises in

¹ A similar determination, that **Mensa** is to be found in the District of Columbia, was made in US District Court, DC in a similar case with the same Plaintiff, and, as defendant, American Mensa Ltd., in 1977, by United States Magistrate Jean Dwyer. Jurisdiction was vigorously disputed for over a year by Mensa; Truelove prevailed, and was assessed sanctions of approximately \$1,000 against Mensa. Mensa presence in Maryland may be demonstrated on the same basis as in the previous case. Regional Gatherings of American Mensa are regularly held in Maryland. Mensa regularly advertises and holds "testing sessions" in Maryland which are attended by members of the public (who are charged) seeking admission. Mensa also holds 20-30 meetings per month within Maryland, nominally limited to members and guests.

Laurel, and owned by L-Soft International Inc.

Factual Allegations

Note: The footnotes to the Factual allegations are not intended to form a part of them.

1. Truelove qualified to join Mensa in 1962, after reading an advertisement in an English newspaper and receiving a Brochure from England.
2. The brochure claimed that all members were equal, and that 'Mensa' (Latin for table) symbolized a round table, and the equality of members around it.
3. Truelove has maintained membership in Mensa continuously since 1962, with the exception of the period 1976-82.
4. The Constitution of Mensa states: Sec III B: Place of Membership: Persons eligible for membership shall be offered membership in the national Mensa of the country where they reside.
5. The Constitution of Mensa also provides that persons may, with Mensa International Ltd. permission, join the National Mensa of a country where they do not reside, if they are a citizen of that country.
6. In practice, such permission is given automatically by default; and in practice no check is made of citizenship
7. It is quite common for members primarily resident in one country to belong to a National Mensa of another country.
8. Some Mensa members fall into the class of those who are legally regarded as being resident in more than one country.
9. Some Mensa members hold dual citizenship.
10. From 1962 until 1976, Truelove was a member of American Mensa; he was appointed as the first occupant of the Western Vice-Chairman seat (and a Director), on the National committee (terms are two years). Subsequently he was elected to three terms as National Treasurer, in each case defeating the candidate proposed by the Nominating Committee.
11. From 1982 until the present, Truelove was a paid-up member of British Mensa.

12. In 1996, Truelove wrote to American Mensa, asking that his membership be transferred from British to American Mensa.²
13. From 1996 up to the present, Truelove has received Membership cards, and Dues bills, which he paid, from American Mensa,
14. For reasons of which he is not aware, from 1996 up to the present, Truelove continued to receive membership cards, and Dues bills, which he paid, from British Mensa.
15. Truelove neglected to bring the above anomaly to the attention of Mensa.³
16. Truelove referred frequently to this anomaly in Messages on Internet Newsgroups and Lists.
17. An Internet newsgroup consists of an Internet site on which those admitted ("subscribers") may 'post' messages, called in fact 'posts', which all can then retrieve and read.⁴
18. An Internet 'List' is similar, except that members of it ("subscribers") may opt to have all messages in sequence sent to them by e-mail (usually on a daily basis).
19. In some cases, subscribers post messages direct to the Newsgroup or List, where they appear almost instantly without human intervention. The messages can subsequently be removed by the List Administrator.
20. In other cases, such messages are screened by an Administrator first, before being posted.
21. Both **Inside Mensa** and the **L-Soft List** allow messages to be posted without screening.
22. The nature of these messages is not ephemeral. All are preserved, either in a formal 'archive', or by a Commercial service such as 'Deja Vu', for a period of time.

² Truelove asserts that the sole reason for the above was to qualify to put a Biographical entry on an Internet web page maintained by Greater Washington Mensa. Truelove did this solely for political reasons, as he felt that vital matters of finance and propriety of concern to American Members were being willfully suppressed and censored by the American Mensa Committee and other officials.

³ Truelove asserts that the reason for this was that he wished to get the British Mensa magazine in any case, and the cost of this was approximately equal to the dues; in addition, admission to events in England may be cheaper for British members

⁴ Public Newsgroups also exist which are accessible to anyone without restriction

23. The set of all messages ever posted on any newsgroup or List containing, for example, the name of a particular person, can readily be retrieved.
24. The persons in charge of newsgroups and lists go by the title of 'SysOps', 'Moderators' and the like. They have the ability to 'lockout' any person from access, in which case the person locked out cannot post messages, nor can he see what others have posted.
25. Access to both Newsgroups and Lists may be restricted to members of an Association, for example, using various techniques.
26. Virtually all of the internal Politics of Mensa, both International and National, is, and has been since 1993, conducted through two specific major discussion forums, described below.⁵
27. The first of the two groups is: '**Inside Mensa**' (the original name). This is a 'Section' (essentially a Newsgroup) which is part of the Mensa 'Forum' offered on the Commercial Service CompuServe, physically located on one or more Computers located within the United States, and administered by American Mensa. Membership in **Inside Mensa** offered to all members of Mensa worldwide.
28. Robin Garr, in May 1966, was a politically active member of American Mensa.
29. On May 16, 1996 at 12:56 pm, Robin Garr posted msg #638977 to **Inside Mensa**, saying in part:

"AMC [American Mensa Committee] has chosen the Mensa Forum on CompuServe as its online home. While this condition persists, anyone who wants to play a significant role in Mensa activities ought to be here, simply in order to be in touch and to have the most effective window for looking in. It's nuts to ... ignore the online environment where the largest number of M's [Mensa members] gather.
30. At the time relevant to this complaint, the whole CompuServe Mensa Forum, including the political '**Inside Mensa**' section, was available to all members of the

⁵ The reason for this is that political matters, electioneering (with exception of formal election statements), and in fact Financial accounting and other matters, are, as a matter of practice, never discussed, and are routinely censored and suppressed, in Mensa 'official' Magazines and newsletters, that is those printed and distributed at Mensa's expense. A partial exception to this, an American Magazine "Interloc", is read by few members. To contact the 100,000 members of Mensa by mail, or by individual e-mail, would be impossible for any member by himself.

public, and in fact was widely advertised by CompuServe as an inducement to subscribe to that service.

31. Shortly after the time relevant to this complaint, in 1994, only Mensa members were admitted to the '**Inside Mensa**' Section. Truelove continued to be barred from the Mensa Forum as a whole. His daughter, Alison H. Truelove who is a Mensa member in good standing has also, without explanation, been refused admission to **Inside Mensa**.
32. Mensa is fully responsible for '**Inside Mensa**', and its contents.
33. Gabe Werba held the following offices in American Mensa:
Ombudsman; Chairman; he was then placed in effective charge of Public Relations for a period of 8 years, nominally under supervision of successive Chairmen; head of the Hearings Committee, for disciplining members; during a period of several years; he was a member of the International Board of Directors of Mensa International Ltd.; he is currently, or has been, the International Mensa officer for Logo and Licensing; and is or has been a member of the American Mensa Committee supervising Employee Pensions.
34. Gabriel Werba is the person identified in *In the Matter of Merrill Lynch, Pierce, Fenner & Smith, Inc.* SEC Act of 1934 Release 14149 November 9, 1977, published in 13 SEC Docket 646, at 656 col 1, paragraph (3), and Federal Securities Law Reporter ¶81365 pages 88723-88734.
35. In the foregoing case, Gabriel Werba admitted to conspiring in violations of the anti-fraud provisions of the federal securities laws, and was suspended from the securities industry.
36. In the same case, Gabriel Werba received the second most severe punishment of the approximately 28 individuals who were suspended or censured.
37. In its Annual Report for 1978, the SEC listed the above case among the "Significant Enforcement Cases". The case is also mentioned in current texts on stock fraud such as *Fundamentals of Securities Regulations* (1988) p. 830, *Abuse on Wall Street: A 20th Century Fund Report* (1980), p. 486, and *Securities Regulations* (3d edition, 1989) vol. 8, p. 3841.
38. During the several campaigns of Gabriel Werba for American Mensa and International Mensa offices, and at all times up to the present, neither Gabe Werba

nor anyone else has ever mentioned Werba's admitted stock fraud, in print in any Mensa publication.

39. Gabriel Werba was placed in charge of American Mensa's Public Relations affairs, and spent \$750,000 over a 6-year period.
40. During the above 6 year period, American Mensa membership declined by one third.
41. Henry Noble was a member of the Bar of the State of Maryland.
42. Starting in approximately 1980, Henry Noble has held a number of Mensa Offices, including Treasurer, Chairman, head of the Mensa charity MERF, a member of the Hearings Committee, and a member of the International Board of Directors.
43. In **Attorney Grievance Commission of Maryland vs. Henry Scholfield Noble**, 324 Md. 42, 595 A.2d 468 at 468, the Court of Appeals of Maryland noted a Circuit Court recommendation that

“[Noble] be indefinitely suspended from the practice of law with a right to petition the Court for reinstatement after a period of ninety days”, and ordered that “.. Henry S. Noble be .. placed on inactive status from the practice of law”.
44. Essentially the same language - and approximately the same elapsed period for the right to petition - set forth in the above paragraph has been used in the vast majority of reported disbarment cases in the State of Maryland for the last 15 years.
45. In the Circuit Court case above, Noble admitted actions which may truthfully be summarized as swindling his client.
46. Up to the present time, no mention of Henry Noble's admitted swindling of his client has appeared in any Mensa official publication anywhere in the world.
47. For the above Public Relations operation, no detailed financial accounts, showing monies paid to individual Advertising Agencies for Advertising space and services, have ever been published in any official Mensa publication or Web site.
48. In November 1993,, Truelove posted several long messages on **Inside Mensa**.
49. Truelove's messages above, consisted in large part of accounts of Gabriel Werba's and Henry Noble's misdeeds, the cover-up of same, their subsequent or concurrent career in Mensa, and financial irregularities in Mensa.

50. A statement from Mensa counsel James E. T. Lange, an attorney practicing in Maryland, was posted as Msg 182380 on December 7, 1993 at 11:00:13 pm on **Inside Mensa**.
51. The message stated in part
- “the message from this yellow coward swinoid [Truelove] is not merely a tissue of lies, it is a 12 ounce denim banana. As to Gabe Werba .. [t]he referred to suspension was for 90 days, and Mr. Werba went right back into the securities business after the suspension ..”
52. The above statement by Mensa counsel James Lange is false.
53. The Lange statement continues.. “a close reading of the action [against Noble] will .. disclose that in reality this was a 90 day suspension”.
54. The above statement by Mensa counsel James Lange is false.
55. Ted Elzinga is and has been an appointee (Publishing Agent) of the defendant Mensa International Inc.
56. Ted Elzinga also publishes, privately, a magazine called Excavator dealing with Mensa matters.
57. In the April 1994 edition of the above Magazine, Ted Elzinga published an open letter written by him, stating that he had read the SEC report cited above in paragraph 34, and further stated:
- “It appears that Mr. Werba has drained the American Mensa treasury to the tune of \$750,000. Questions arise as to whether the money was honestly but ineptly spent, .. or whether this is a frank case of embezzlement of funds.
58. Sander Rubin formerly held office as Treasurer, and Chairman, of American Mensa, and a Member of the International Board of Directors.
59. In early 1997, Sander Rubin stated (on a web-site maintained by him)
- “[American Mensa] growth ended in 1982 ... In a failed effort to reverse the downward trend, AMC made a decision .. to spend huge sums of money on public relations and recruitment.. Mensa almost went bankrupt in the process”.
60. In 1994, a few days after posting the messages referred to in paragraph 48, Truelove was permanently removed from the whole Mensa Forum, including the **‘Inside Mensa’** section, and has been refused readmission ever since.

61. American Mensa has also taken expensive and strenuous efforts to intimidate and suppress protest against Officers, and their actions, by Members other than Truelove.
62. The efforts above include expulsion proceedings against an American Mensa Regional Chairman, Judy Dosse, who was subsequently punished.
63. Teresa Fisher is a former Local Officer of American Mensa.
64. In November 1996, Teresa Fisher wrote and published a Letter to the Responsibility and Accountability Committee of American Mensa, in response to their request for comments of the Judy Dosse hearings and punishment.
65. Ms Fisher stated

“.. the National Hearings process was used by politically ambitious Mensans to ruin Judy Dosse. Judy was not the candidate that certain AMC [American Mensa Committee] members had wanted to win the position of [Regional Vice Chairman for region 7]. *[Ms. Dosse] then asked questions about our disappearing treasury.* When a vote of censure was put on the ANC agenda - she found that the main charge related to a letter she had not written until after the date had been set for the vote of censure! When I heard that, I detected a smell of rodent. .. At the hearing [starting on a Saturday] the accusers filibustered from 9 am until midnight, detailing her crimes. She was .. not allowed to answer the charges as each one was presented. The wording of a [main charge] was changed so a guilty plea could be entered .. some of the charges had been replaced with new, unexpected charges. Who could stand up under the pressure of 15 hours of relentless accusations? The supposedly unbiased observer, and reporter for an Official Mensa magazine whose expenses had been paid by the AMC, characterized Ms Dosse's defenders as “her quaint little band of muddled munchkins.. who continued their gibbering, squeaking and flopping about.” No balancing rebuttals were allowed to be printed. I never want to hear again that my Mensa dues have been used for the disgraceful political persecution of a member as was done to Judy Dosse. “
66. In the above trial of, or hearing for, Ms Dosse, Gabriel Werba assumed the roles of both Prosecutor and Judge (and was assisted by others, including Henry Noble, with similar dual status).
67. Teresa Fisher, was threatened with expulsion from **Inside Mensa**.
68. The second of the two major relevant Mensa discussion groups is a 'List' [called here the '**LSoft List**'], physically situated on a Computer, which is owned by defendant **L-Soft International, Inc.**, and is located in Laurel, Maryland.
69. The **LSoft List** is currently managed by a Mensa member in Australia

70. The **LSoft List** concerns itself in large part with International Mensa, British Mensa and American Mensa political issues and politics.
71. The **Lsoft List** is nominally restricted to British Mensa members.
72. British Members include some Members who are resident outside of the UK.
73. The **LSoft List** membership includes some members of other National Mensas..
74. The use of the word 'Mensa' in services and business, as related to high intelligence, or services popularly associated with high intelligence such as Computer services, or in Internet Website URL's and e-mail addresses, has been strictly controlled by Mensa since 1962.
75. No Website - other than those with official Mensa permission - is allowed to use the word Mensa in its title (URL).
76. No person is allowed to use the word Mensa as part of an e-mail address; any person who does so immediately receives an inquiry from a Mensa official asking the source of their permission.
77. The **LSoft List** uses the word Mensa in its full title.
78. Details of joining the **LSoft List** are given in the [British] Mensa Magazine for October 1997, p. 8, in an article dealing with all Mensa-related Web sites, Newsgroups and Lists.
79. The **LSoft List** is catalogued on the official Internet British Mensa Home Page, with a direct Link, which Link facilitates the application procedure for **LSoft List** membership.
80. The defendants **Mensa**, and **L-Soft International Inc.**, are jointly fully responsible for the administration and management of the **LSoft List**.⁶
81. In May 1997, Truelove joined the **LSoft List**, and posted several messages expressing the same above concerns about Financial Accountability in Mensa.
82. In 1997, in these same messages, Truelove frequently cited a Link to a Web Site www.crosslink.net/~quantum/hiq.html

⁶ For this management function, the term 'Moderator' will therefore be used below for convenience

83. The website www.crosslink.net/~quantum/hiq.html contained at that time, inter alia, true and complete copies of the Security and Exchange Commission official report finding Gabe Werba guilty of stock fraud.
84. The website www.crosslink.net/~quantum/hiq.html contained, and contains today, other material highly critical of Mensa, some of which carried the names of Mensa members as author, and some of which are anonymous.
85. The website www.crosslink.net/~quantum/hiq.html contained, and contains today, an article by Teresa Fisher entitled "Judy Dosse" concerning the disciplinary hearing which punished Judy Dosse, a part of which is given in paragraph 65.
86. **On September 28, 1997, the Moderator permanently removed Truelove from the LSoft List.**
87. Since September 28, 1997, Truelove has, by e-mail, repeatedly requested the Moderator to tell him why he was removed from the **LSoft List**.
88. The Moderator has not replied to the above requests.
89. Since September 28, 1997, the Moderator and his representatives have corresponded privately with other Mensa members, regarding Truelove's termination from the **Lsoft List**.
90. The sole pretext alleged by the Moderator for terminating Truelove from the **LSoft List** was that Truelove had 'stated his intention' of copying other people's posts from the **Lsoft List** to external media.
91. This allegation by the Moderator was, in all respects, totally false.
92. Truelove at no time expressed , or caused anyone to express on his behalf, any such intention as in paragraph 90, by message posted on the Internet to Public or private Newsgroups or Lists, by e-mail, by mail, by inclusion in any Web-site under his control, or orally, to anyone.
93. In May 1997, on first becoming active on the **LSoft List**, Truelove posted a message which the Moderator purported to find objectionable. .
94. In May 1997, at the time of the purported objectionable posting, the Moderator issued, on the **LSoft List** itself, a 'warning' to Truelove.

95. This warning consisted of the allegation that the message was 'not polite' to unspecified members on the **LSoft List**.
96. This warning stated that any criticism by Truelove of the **LSoft List** Moderator and his decisions or actions would result in termination.
97. Following the above incident, in the period prior to June 5, 1997 Truelove posted a few messages on Public newsgroups with respect to Mensa criticizing Censorship, the inappropriate dictatorial posture of the **LSoft List** Moderator, and advocating Freedom-of-speech.
98. In addition, these messages briefly summarized and paraphrased material posted by members of the **LSoft List** on these subjects.
99. With regard to these messages, the Moderator, on the **LSoft List**, in June, 1997, objected to this purported 'use' of List material.
100. A period of some weeks followed without any further complaint or action against Truelove by the Moderator regarding the **LSoft List**.
101. From June 27 to September 27th, 1997, Truelove occasionally took material he had written in Public Newsgroups on general subjects, not directly concerned with Mensa, and mostly in his fields of expertise [Statistics, in which he has a Ph.D; Racial differences in IQ and Crime Rate] and interest [Academic Freedom and Censorship; Immigration; Affirmative Action] , and posted part of the material in messages on the **LSoft List**.
102. Since this material was authored by Truelove, copyright or confidentiality was not in question.
103. In September 1997, a member of the **LSoft list**, Byron, posted a message asking Truelove's opinion and attitudes on certain subjects.
104. In September 1997, Truelove posted a brief reply to Byron.
105. On or about on September 24, 1997 , a member of the **LSoft List**, Ms Chris Hill, went to her local police station in Kendal, Cumbria, England and filed a criminal complaint against Truelove, purportedly based on the message referred to in the preceding paragraph.

106. Truelove posted a short comment on this matter in several Public Newsgroups, without specifically identifying the **LSoft List**, and identifying Ms Hill only as 'a Fem (female Mensa member) from Kendal, Cumbria'.
107. With the exception of the items described in paragraph 93, and 97, and with respect to material written by others on the **LSoft List**, or actions by others on the **LSoft List**, at no time from June 4 to September 27 did Truelove communicate, or cause to be communicated, such material, by message posted on the Internet to Public or private Newsgroups or Lists, by e-mail, by mail, by inclusion in any Web-site under his control, or orally, to anyone..
108. In the period October 1 to the present, members of the **LSoft List** have repeatedly requested the **Lsoft List Moderator** to supply proof of the allegation regarding Truelove in paragraph 90.
109. Up to the present time, no such proof has been produced by the **LSoft List** administration.
110. When filing her complaint against Truelove, and at the request of the police, Ms Chris Hill admitted producing a virtually complete printed copy of several days of **LSoft List** postings to someone external to the List, namely the CID Inspector.
111. Ms Hill's action is precisely the violation which the Moderator falsely accused Truelove of merely *stating his intention* to do, and for which he was permanently terminated from the **LSoft List**.
112. The Moderator promptly punished Ms Hill with a few days 'suspension' from the **LSoft List**, and then restored her to that List.
113. Ms Hill's return to the **LSoft List** was accompanied by commendatory and exculpatory statements from the Moderator..
114. As the reason for restoring Ms Hill, the Moderator stated that since Truelove has been permanently terminated from the **LSoft List**, there was no possibility that Ms Hill would ever violate the rules again.
115. With respect to both terminations, from **Inside Mensa**, and the **LSoft List**, Truelove pursued internal methods of redress as required by the Mensa constitution.

116. For the **Inside Mensa** termination, Truelove promptly followed the instructions of various levels of Ombudsmen, without redress.
117. For the **LSoft List** termination, Truelove, on **October 1, 1997** wrote a letter of complaint to the International Mensa Chairman stating that he was complying with the 'Internal redress' rule, and would bring this Federal suit on October 21, 1997. .He has received no direct official response.
118. British Mensa sent Truelove an e-mail on **October 8, 1997** stating solely that the latest charge to his Credit Card (for British Membership) had been made "in error" and was being returned.
119. Truelove telephoned Ms. Francesca Quint, British Mensa 'Complaints Monitor' on **Thursday, October 9th, 1997**, on another matter. She informed him, without any explanation, that he was not a British member. She refused to discuss the reasons for this claim.
120. Mensa, de facto, is widely regarded as constituting a very effective U.S. Interstate, and International, network for the solicitation of contracts and business (some U.S. Government), and hiring (some U.S. Government, and in most part across State lines).
121. Truelove has been, and is, in the computer, Internet Web Page and database development, and Statistics consulting business, in part for the U.S. Government, for 38 years.
122. Truelove has personally obtained contracts and jobs solely as a result, in the first place, of personal contacts made through Mensa.
123. In 1974, Truelove, solely as a result of personally meeting a U.S. Law Enforcement Assistance Administration employee at a Mensa party in Maryland, obtained a \$250,000 contract with the LEAA for his employer, Andrulis Research Corporation.
124. Many of Truelove's clients and associates have been, and are, members or past Members, or frequent guests, at Mensa meetings and events.
125. Truelove is active as a consultant and businessman in the UK and Europe, and is owner of an incorporated UK business, Quantum Software Systems Ltd., UK Registered Number 3395601.

126. Mensa events include many - at Hotels and Convention Centers - at which sit-down meals are served, and where attendees stay overnight.

127. Following Truelove's termination from the **LSoft List**, the following statements and phrases were made by Members of the **LSoft List** regarding Truelove, in the knowledge that these statements could not be seen, or responded to, by him. They contain libelous, and libelous per se, material, reflecting Truelove's professional competence and reputation, and demonstrate the willful desire to perpetrate a sham, by concealing and operating an officially Mensa sponsored and approved List under the guise of a private conversation. and avoid legal responsibility. Some statements also show a purpose to conspire to evade the jurisdiction of this Court.

128. The following was posted-- "[Truelove is] insufferable slime"

129. The following was posted-- "[Truelove] has done some appalling and frightening things to Mensa and Mensans over 30 years"

130. The following was posted-- "we could get [Truelove] banned from British Mensa as an undesirable"

131. The following was posted-- "[we should] prevaricate until the cows come home on everything which will absorb the time and attention of Mr. Truelove's legal advisers."

132. The following was posted--

"Truelove'll be yelling martyr, but [in my humble opinion] those who'll believe this call would swallow his brand of crap anyway"

133. The following was posted--

"[Truelove has] a history of causing mayhem in American Mensa"

134. The following was posted--

"The more this [**Lsoft List**] is referred to, the more persuasive the **Alien T's** arguments [that it is an official organ of Mensa] become, and the more complicated our own. I suggest this [**Lsoft List**] is referred to as a 'private conversation' " (emphasis added)

135. The following was posted-- "[Truelove's postings are] the ravings of a lunatic"

136. The following was posted--

"I just had rather a nasty thought. Where is the SERV [the Computer platform housing the Server for **LSoft List**], geographically? Could it be that the machine is in Washington, DC, and that's why Truelove's using that court? "

137. The following was posted-- "LISTSERV is somewhere in the USA and I think it is in the area which uses Atlantic Standard Time."

138. The following was posted--

"Let [Truelove] try to sue me and anyone else. He'll have his hands full. He won't even try this. He has no knowledge of who we are nor what our resources are. He won't do it."

139. The following was posted--

"Protection from Harassment Act 1997: Section 2: a person who engages in a course of conduct which causes harassment to another .. commits an offence. Maximum penalty: 6 months/ GBP5000. This is arrestable. Wouldn't this apply to Mr T. and his e-mails?"

140. The following was posted--

"Truelove is barking mad. He has such a pathological hatred of Mensa .. his frenzied and inarticulate rage .. his need for a fix makes him feel that he has finally become omnipotent "

141. On or about September 27, Chris Hill posted a message on the **LSoft List** recounting her trip to the Police Station, inviting any and all members of the list to telephone her, and giving her number.

142. Truelove posted to the **LSoft List** stating his intention to call both Ms Hill and the Kendal Police Station.

143. The following was posted--

"Truelove's recent intimation of intention to inflict a clearly unwanted telephone call on Chris Hill was menacing."

144. The word 'Inimical' is used in Mensa rules, when specifying acts which could result in suspension or expulsion.

145. The following was posted -- "Truelove is clearly acting inimically. He's threatening legal action over being kicked off [the **Lsoft List**]. "

146. The following was posted--

"[I allege that] Truelove posted the following [in a public newsgroup]:
 '[The **LSoft List**] appears to be populated with Politically Correct Candy Asses and (at least one) police informer. This twerp apparently went to the

Police over someone mentioning "tinted persons" and attempting to discuss racial issues. You have been warned.' "

147. The above claim that Truelove posted the above included statement is totally false.

148. Brian J. Ford has been an elected member of the British Mensa Committee for a number of years, and received the top number of votes in the recent British Mensa election.

149. Brian J. Ford posted the following on October 4, 1997 on the **LSoft List**:

"Mensa has been run on corruption for over a decade. Senior Mensans have used Mensa to send out their mail-shots (paid for by Mensa); to fund their business associates; to pay overseas removal expenses; to buy goods and services for themselves; and have creamed off money without our knowledge. That's a regime of petty corruption, which it was my responsibility to investigate. Harold Gale⁷ declined to pay invoices for ____'s (name of British Mensa officer) private purchases. Mensa has lost over 100,000 British pounds through their wantonness. This tiny group of individuals have brought us close to ruin. "

150. The real reason that Mensa locked out Truelove as detailed in paragraphs 60 and 86 was to intimidate him, and silence his factual accounts of fraudulent and other improper acts of Mensa officers and employees, to suppress the content of Truelove's messages, and to deprive him of membership rights as a Member of Mensa, and for no lawful purpose.

151. In twice locking out Truelove, and publicly announcing this act, Mensa's real purpose was to serve notice on the respective members of **Inside Mensa** and the **LSoft List** that they could libel Truelove with impunity, knowing not only that Truelove could not reply in the same forum, but that he could not even personally read what had been posted.

COUNT 1

152. Truelove hereby incorporates by reference the allegations of paragraphs 1-151 with the same force and effect as if realleged in full.

⁷ Harold Gale was the chief British Mensa employee for a period of many years, and recently was killed in a single-car accident, which car he was driving, leaving a suicide note blaming harassment from Mensa's Chairman, a Sir Clive Sinclair.

153. As a direct result of the actions of Mensa in paragraphs **60 and 86** above the contractual relationship between Plaintiff and defendant Mensa has been breached.
154. The abrogation of Truelove's privileges as a member of Mensa took place without any due process, as required by the Constitution of Mensa, and by law.,
155. The actions in paragraph **118 and 119** above are an attempt by Mensa to tamper with him (a Federal witness), after he had announced to International Mensa's Chairman that he would be bringing suit in Federal court.
156. The comments in Paragraphs **128-140, 143, 145 and 146** are libelous and/or libelous *per se*, and permitted and encouraged by defendants **Mensa and L-Soft International Inc.** in this officially Mensa-sponsored and endorsed **Lsoft List**.
157. **L-Soft International Inc.** has negligently, knowingly and willfully permitted Mensa to operate the L-soft software in a way that permits them to remove Truelove from use of the List, and allow users of that Software to libel Truelove, under circumstances where he could not read the libelous statements, and was forever barred from responding to libelous acts.
158. As a result of the actions of **Mensa and L-Soft International Inc.**, Truelove has suffered professional damage to his reputation, and emotional distress.

WHEREFORE, plaintiff Truelove respectfully prays this Court to:

- a. Enter a declaratory judgment that Defendants Mensa and L-Soft International Inc.'s conduct violated and continues to violate the rights of Plaintiff Truelove
- b. Enter a permanent injunction enjoining that **Mensa** not interfere with Truelove's rights, and to treat him equally with other members, on any Newsgroup, List or other Internet or electronic medium facility, over which they have control, including, but not limited to, those facilities which contain the service-marked word 'Mensa' in their name, and/or are advertised in Mensa print media and official Mensa Internet sites, irrespective of whether they are designated 'official'.
- c. Order **Mensa** to classify access to any newsgroup, List or other Internet facility over which they have control, including any such facility containing the word "Mensa" which is advertised or listed in any Official Mensa publication or Website,

as a Membership Right and Benefit; and enjoin Mensa from denying such Right to a Member, without a full hearing, with right of appeal, such as is specified in current Mensa rules.

d. Order that **L-Soft International Inc.**, with regard to Lists supplied or maintained or managed by them, which lists are officially owned or publicized by Mensa, and/or which contain the word Mensa, and for which Truelove is or becomes a member, shall reasonably preserve Truelove's right to see and respond to all messages.

e. Order that Defendants Mensa and L-Soft International Inc pay to plaintiff Truelove sums of money which will make him whole for damaged reputation and loss of membership privileges

f. Order such other relief as this Court deems just and proper be awarded to plaintiff Truelove.

AND WHEREFORE, plaintiff Truelove respectfully prays this Court to order defendants to pay him the following amounts:

a. In respect of loss of reputation and loss of membership privileges, the sum of \$25,001.00 (Twenty-Five thousand dollars) in actual damages.

b. In respect of punitive damages for the above, the sum of \$25,001.00.

c. That **Mensa and L-Soft International Inc.** be jointly and severally ordered to pay Truelove the costs of this suit.

Alan J. Truelove
Plaintiff pro se.

7920 Peyton Forest Trail,
Annandale, Virginia 22003
703-598-0702 (24 hrs.)
quantum@crosslink.net

CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing complaint were mailed, postage prepaid, certified return receipt requested this 16th day of October 1997 to **Mensa International**

Truelove v. Mensa International Ltd. and L-Soft International Inc. Complaint. 10/16/97

**Ltd. c/o Mr Vince Bonzagi, Officer & Archivist, 4737 Parkman Court, Annandale
Virginia 22003-5046; 703-354-4659 (res.) and to L-Soft International Inc. 8401
Corporate Drive, Suite 510, Landover, Maryland 20785; 301-731-0440; 301-731-6302
(fax.).**

Alan J. Truelove

7920 Peyton Forest Trail,
Annandale, Virginia 22003
703-598-0702 (24 hrs.)
quantum@crosslink.net

3326 Elm Terrace
Falls Church, Va. 22042

(703) 218-7577(beeper).(Type your number, then #)

4/28/94 -2:41 pm

Allen G. Neuner,
Ombudsman,
American Mensa,
13 Lorraine Terr
Boonton, NJ 07005

Attachment: 7 pp.

cc CompuServe
Barbara Ploegstra
Richard Amyx

Dear Allen,

The attached draft will be self-explanatory. This letter does not imply that I concur with any regulation to the effect that legal disputes must first be submitted to the Ombudsman, and I regard such as against public policy or otherwise unlawful.

I am writing to you as the (International) service complained of apparently is licensed to American Mensa.

Feel free to call me at any hour. In any case, I expect to hear from you by May 15, 1994.

With best wishes,

Alan Truelove

Alan J. Truelove

DM7154 M.
0004902
exp. 1/04/95

15
4A
4A
✓

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ALAN J. TRUELOVE

Plaintiff pro se

v.

AMERICAN MENSA LTD.

COMPUSERVE INC.

BARBARA PLOEGSTRA

Defendants

Civil Action No. 94-

COMPLAINT FOR LIBEL AND BREACH OF CONTRACT

Jurisdiction:

1. In this action for declaratory and injunctive relief and damages, jurisdiction of the Court is invoked pursuant to -----
2. Jurisdiction is based on diversity of citizenship of the parties.

Parties:

3. Plaintiff Alan J. Truelove ("Truelove") is a citizen of the United Kingdom of Great Britain and Northern Ireland, who resides in Fairfax, Virginia.

4. Defendant American Mensa Limited ("Mensa") is a New York State not-for-profit Corporation with Head Office in Brooklyn, New York. Mensa does business and is to be found in the District of Columbia.¹

5. Compuserve Incorporated ("Compuserve") is a Corporation with head United States Office in Columbus, Ohio, and does business and is to be found in the District of Columbia.

6. Barbara Ploegstra ("Ploegstra") is an agent of American Mensa Limited in the management of Mensa's Forum on the Compuserve service.

Factual Allegations:

1. Truelove joined American Mensa in 1962, and was an elected Officer

¹ This was established by a finding of U.S. Magistrate Jean Dwyer in a previous case in this court between Plaintiff and American Mensa Ltd.. Mensa disputed this fact, and had to pay substantial costs to Plaintiff.

(Western Vice-Chairman, and then Treasurer) and Director of that Corporation for a total of eight years.

2. Truelove was suspended from American Mensa (and therefore from membership in the Mensa organization of all countries) for a period of six years from 1976 through 1982.

3. In 1982, Truelove joined British Mensa, and has remained a member in good standing since that time until the present.

4. According to the International Mensa Constitution, which governs the activities of American Mensa Ltd., a member of any National Mensa organization may participate in all Mensa activities world-wide on an equal standing. The exceptions consist of such activities as voting in elections, attending business meetings, holding office, or (at local option) officially hosting meetings, in countries other than the one in which he holds membership.

5. On approximately November 12, 1993, Truelove became a member of Compuserve Incorporated ("Compuserve"). Compuserve is an International computer-based information and "bulletin board" service.

6. With the exception of a few days interruption, Truelove has remained a member of Compuserve up to the present.

7. Compuserve offers Special Interest group Forums, among them a "Mensa" forum.

8. The Mensa Forum - with exceptions noted in the following paragraph - allows any Compuserve member to read messages that have been "posted" by members, and which are generally available for approximately six days before removal, and also to read or "download" (copy to another medium) certain "Library" files of text. A Compuserve member who has "joined" the Mensa Forum may also post messages.

9. As an exception to the above paragraph, certain private sections and Forums exist on Compuserve.

10. Prior to February 12th, 1994, and as regards the allegations in this complaint, no private sections existed in the Mensa Forum.

11. After February 13, 1994, one section in the Mensa Forum was designated 'private', for members of International Mensa, but this fact has no relevance to this complaint.

12. Truelove joined the Mensa Forum on approximately November 12, 1993.



AMERICAN
mensa

LTD a not-for-profit corporation of new york state

ATTACHMENT M

2
u1

please reply to:

13 Lorraine Terrace
Boonton, NJ 07005-1239
05/13/1994

Alan Truelove
3326 Elm Terrace
Falls Church, Virginia 22042

Dear Mr. Truelove:

I have received your letter dated April 28 with the attached draft. I have several comments to make regarding both your letter and the draft:

1. There is no regulation in American Mensa stating that "legal disputes must first be submitted to the Ombudsman". The Constitution of Mensa, which governs Mensa International, does state (Article III, section D): "Members having a dispute with Mensa, with any national Mensa or subdivision thereof, or with another member arising out of Mensa-related activities shall exhaust all avenues of settlement and redress within the Society before taking the dispute to external authorities. Failure to do so may be considered an act inimical to Mensa." The provisions of the Constitution are binding on all members of Mensa as a condition of their membership (Article III, section C.1.a). In American Mensa, it has been held that criminal charges do not fall under Article III, section D of the Constitution, but that civil charges do.

2. A submission to the Ombudsman involves a formal request for the Ombudsman's intervention in a particular dispute. Your letter to me is not considered a submission of a dispute to the Ombudsman.

3. Your draft states that you are a member of British Mensa. The Ombudsman of American Mensa has no jurisdiction in any matter involving members of other national Mensas, except as directed by the International Ombudsman.

4. The person with whom you should discuss this matter is the International Ombudsman, Rod Vickers. His address is 11613 W. 51st Terrace, Shawnee, Kansas 66203, and his phone number is 913-631-5127.

Yours,

Allen Neuner
Allen Neuner
Ombudsman



american
mensa

ltd a not-for-profit corporation of new york state

ATTACHMENT N

3

please reply to

13 Lorraine Terrace
Boonton, NJ 07005-1239
05/21/1994

Alan Truelove
3326 Elm Terrace
Falls Church, Virginia 22042

Dear Mr. Truelove:

I have received your letter dated May 13 with the attached revised draft. I appreciate your keeping me informed of the progress of your complaint. However, this letter, like the previous one, still does not meet the requirements of a submission to the Ombudsman. The comments I made in my letter to you dated May 13 still apply. To repeat them briefly:

1. There is no regulation in American Mensa stating that "legal disputes must first be submitted to the Ombudsman". The Constitution of Mensa, which is binding on all Mensa members as a condition of membership, does mandate exhausting all internal Mensa channels prior to taking a dispute to outside authorities.

2. A submission to the Ombudsman involves asking for the Ombudsman's intervention in a dispute.

3. The Ombudsman of American Mensa has no jurisdiction over members of British Mensa.

4. The International Ombudsman is the person with jurisdiction over disputes between members of two different national Mensas.

Yours,

Allen Neuner
Ombudsman
American Mensa

BRITISH
MENSA
LTD



REGISTERED OFFICE: MENSA HOUSE, ST. JOHN'S SQUARE, WOLVERHAMPTON, WV2 4AH
Reg. No. 971683 England TEL: 0902 772771 FAX: 0902 22327

Date: 12-6-96

Dear Mr. Truelove

Please would you complete a new credit card mandate form as we have been informed by Access/Visa that this account is now closed. The payment we asked for has been refused but your renewal label has been forwarded to you already. A new form is enclosed together with a pre-paid envelope for return.

Due Date: 1-4-96

Membership Number: 4902

Yours sincerely

E. Southan

Eileen southan
MEMBERSHIP SECRETARY

BRITISH
MENSA
LTD



REGISTERED OFFICE: MENSA HOUSE, ST. JOHN'S SQUARE, WOLVERHAMPTON. WV2 4AH
Reg. No. 971663 England TEL. 0902 772771 FAX: 0902 22327

Mr A J Truelove
3326 Elm Terrace
Falls Church
VA 22042

U.S.A.

Dear Member,

Please find enclosed your renewal label for the coming year. Please replace the old label on the gold plastic card with this one.

Yours sincerely

Mr A J Truelove
0004902 01/04/97

E. Southan.

Eileen Southan
Membership Secretary.

3326 Elm Terrace
Falls Church, Va. 22042

(301)-608-2032(off); (703) 218-7577(beeper).(Type your number, then #)
FAX: (301)-565-2018 5/21/94 -3:50 pm

Rod Vickers,
International Ombudsman,
11613 W. 51st Terr, Shawnee, KS 66203

Dear Mr Vickers,

Re Complaint to International Ombudsman
Please regard this letter and its attachments as a formal complaint.

I attach

- (1) A letter 5/13/93 to the American Mensa Ombudsman, regarding the American Mensa fraudulent and discriminatory management of the "CompuServe" Mensa Forum, which purports to serve all M's.
- (2) Reply from Allen Neuner
- (3) Some extracts from the current issue of "Excavator" a private newsletter published by the IGC officially appointed Publishing Agent, Ted Elzinga.

My British Membership number is 4902.

The matter referred to will certainly lead to a Civil charge (as Neuner puts it) by me (and possibly others) against American Mensa, in the US District Court, DC. As I have received no reply from American Mensa Chair Amyx, and only the attached reply from Neuner, I feel that this concludes my attempt to settle with American Mensa.

To repeat my statement to Neuner, this correspondence does not admit that Article III, section D of the International Constitution is lawful - indeed that clause is clearly unlawful and against public policy, and easily demonstrated to be such, under US law; in addition my membership (October 1962) predates the above clause, and therefore it has no application to me.

Please feel free to call me at any time.

Sincerely

Alan J. Truelove

mensa



INTERNATIONAL

Registered Office:

15 The Ivories

6-8 Northampton Street

London N1 2HY England

Tel: 071-226 6891

Fax: 071-226 7059

Reg No. 848100

Director Administration: Neil Goulder (UK)

Chairman: Valma Jeremiah (USA)

Director Development: Udo Schultz (Germany)

Treasurer: Godwin Zwaneburg (Netherlands)

Rod Vickers

International Ombudsman

11613 W. 51st Terr.

Shawnee, KS 66203, USA

Tel: 1-813-631-5127

June 1, 1994

Mr. Alan J. Truelove
3326 Elm Terrace
Falls Church, VA 22042 USA

Dear Mr. Truelove:

I have read and studied your letter to me dated 5/21/94 -3:50 PM, together with the enclosures. I thank you for the completeness of the communication including your letter to Mr. Neuner, American Mensa Ltd. Ombudsman; his letter to you; the photocopy of the pages represented by you to be from a private publication called *Excavator*, published and edited, according to your information, by Mr. Ted Elzinga; and the copy of an apparent Civil Action No. 94-(no further number) initiated by you as Plaintiff pro se in the United States District Court for the District of Columbia v. American Mensa Ltd. and Compuserve Inc., Defendants, as a COMPLAINT FOR LIBEL AND BREACH OF CONTRACT.

You mentioned a letter sent to Mr. Amyx, Chairman of American Mensa, Ltd., but did not include a copy of the letter, so I am at a disadvantage regarding your exchange with him.

Your letter begins "Re Complaint to International Ombudsman" and asks me to "Please regard this letter and its attachments as a formal complaint." However, it did not state specifically what action you would like for me to take in the matter. Would you clarify your request for me, please?

Also, I would not want to act in such a way as to prejudice your case in the U.S. District Court. (Has your suit been filed? And if so, who has been served?) It may be that in filing a suit you have tied my hands until the disposition of that suit.

My role is defined first as a mediator or arbitrator and as such I must remain a disinterested party to

Honorary Vice Presidents:

Jean M Auel (USA)

Donald E Petersen (USA)

Honorary President: Victor Berebnikoff (GB)

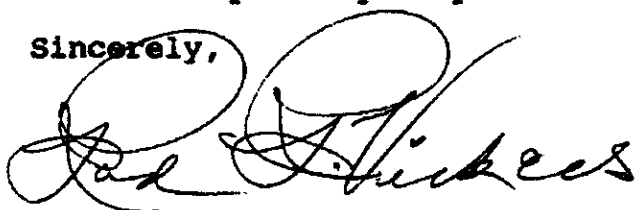
Fons et Origo: Dr. L.L. Wiers OBE (GB)

any dispute. If we are all to remain in Mensa we must face the fact that we will still be associating within our beloved Mensa in the future. Therefore, if requested I will act to gather statements from all parties to a dispute, eliciting dispassionate factual statements in specific detail. From this aggregation of information I will attempt to find areas of agreement. Further, I will attempt to dissuade each party from rash actions and inflammatory language.

In the end, if all else fails and the parties to a dispute cannot be reconciled in a mutual agreement, I may make a finding, or judgment, based on the facts as I am able to determine them. My findings carry authority only within Mensa.

~~With all the preceding in mind, again I ask: How may I help you? If you have not filed suit in court, are you willing to discuss your differences with any parties whom you feel have offended you? I would be glad to perform my duties as outlined above if you care to request my help.~~

Sincerely,



Rod R. Vickers
Ombudsman, Mensa International

Copies: Mr. Neuner
Mr. Elzinga
Mr. Anyx
Ms. Velma Jeremiah, Mensa Intl. Chairman

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

ALAN J. TRUELOVE, et al.

Plaintiffs

v.

MENSA INTERNATIONAL, LTD., et al.

Defendants

Civil Action No. PJM 97-3463

AFFIDAVIT OF DAVID REMINE

1. My name is David Remine.
2. I am over the age of twenty-one (21) and I am competent to give this Affidavit.
3. I give this Affidavit based upon personal knowledge of the facts set forth herein.
4. I am the Chairman of American Mensa, Ltd.
5. American Mensa, Ltd. is a not-for-profit corporation incorporated in New York state. American Mensa, Ltd. is a private membership group for members of Mensa who reside in the United States.
6. American Mensa, Ltd. is part of "Mensa" which is an not-for-profit international society composed of numerous national Mensa organizations throughout the world and direct international members. Mensa's purposes are to identify and foster human intelligence for the benefit of humanity; to encourage research in the nature, characteristics, and uses of intelligence; and to provide a stimulating intellectual and social environment for its members. Persons who attain a score within the upper two percent of the general population on an intelligence test that

J:\78639\MOTION\AFFVDRM.DOC

EXHIBIT

ALL-STATE® INTERNATIONAL

has been approved by the International Supervisory Psychologists and that has been properly administered and supervised are eligible for membership.

7 I am also a member of the Board of Directors of Mensa International, Ltd.

8. Mensa International, Ltd. is a membership organization for Mensa members who live in countries which do not have a national Mensa organization. It maintains an International Board of Directors composed of the National Representatives of certain national Mensas and the international elected officers.

9. Mensa International, Ltd. does not in any manner direct, control or otherwise supervise the day-to-day operation of American Mensa, Ltd. Additionally, American Mensa, Ltd. does not in any manner, direct, control or otherwise supervise the day-to-day operation of Mensa International, Ltd.

10. Neither American Mensa, Ltd. or Mensa International, Ltd. owns, operates, controls or in any other manner is involved in the L-Soft List newsgroup.

11. Alan J. Truelove was terminated from authorized use of the Inside Mensa section of the Mensa Forum operated by American Mensa, Ltd. on the CompuServe computer network. The termination occurred on December 20, 1993.


David Remine

CLOSED

U.S. District Court
District of Maryland (Greenbelt)

CIVIL DOCKET FOR CASE #: 97-CV-3463

Truelove v. Mensa International, et al
Assigned to: Judge Peter J. Messitte
Demand: \$25,000
Lead Docket: None
Dkt# in other court: None

Filed: 10/16/97

Nature of Suit: 190
Jurisdiction: Diversity

Cause: 28:1332 Diversity-Breach of Contract

ALAN J. TRUELOVE
plaintiff

Alan J. Truelove
[NTC] [PRO SE]
7920 Peyton Forest Trail
Annadale, VA 22003
703/598-0702

v.

MENSA INTERNATIONAL, LTD.
defendant

S. (Sidney) Todd Willson
4107520611
[COR LD NTC]
Eccleston and Wolf
729 E. Pratt Street
7th Floor, Scarlett Place
Baltimore, MD 21202-4460
City
410-752-7474

Mark Anthony Kozlowski
4107520611
[COR]
Eccleston & Wolf
729 East Pratt Street
Suite - 7th Floor - Scarlett
Place
Baltimore, MD 21202
City
1/410/752-7474

L-SOFT INTERNATIONAL INC.
defendant
[term 02/12/99]

Emily M. Yinger
[term 02/12/99]
17036106200
[COR LD NTC]
Hogan and Hartson, LLP
8300 Greensboro Drive
Suite 1100

I hereby attest and certify on 1-27-2000
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

FELICIA C. CANNON
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

By Quanta Fincher Deputy

Proceedings include all events.

8:97cv3463 Truelove v. Mensa International, et al

5.2

CLOSED

McLean, VA 22102
703-610-6100

COMPUSERVE, INC.
movant
[term 04/30/98]

Mary Jane Saunders
[term 04/30/98]
12029628300
[COR LD NTC]
Venable, Baetjer, Howard &
Civiletti
1201 New York Avenue, N. W.
Suite 1000
Washington, DC 20005
none
1202/216-8108

AMERICAN MENSA, LTD.
movant
[term 04/30/98]

S. (Sidney) Todd Willson
[term 04/30/98]
(See above)
[COR LD NTC]

Mark Anthony Kozlowski
[term 04/30/98]
(See above)
[COR]

=====

AMERICAN MENSA LTD.
defendant

S. (Sidney) Todd Willson
4107520611
[COR LD NTC]
Eccleston and Wolf
729 E. Pratt Street
7th Floor, Scarlett Place
Baltimore, MD 21202-4460
City
410-752-7474

Mark Anthony Kozlowski
4107520611
[COR]
Eccleston & Wolf
729 East Pratt Street
Suite - 7th Floor - Scarlett
Place
Baltimore, MD 21202
City
1/410/752-7474

Proceedings include all events.

0:97cv3463 Truelove v. Mensa International, et al

CLOSED

COMPUSERVE
defendant

Proceedings include all events.

8:97cv3463 Truelove v. Mensa International, et al

CLOSED

10/16/97 1 COMPLAINT filed; FILING FEE \$ 150.00 RECEIPT # G126105 (sls)

10/16/97 2 SUMMONS(ES) (20) days issued for Mensa International and L-Soft International (sls)

10/16/97 3 Local Rule 103.3 Statement of plaintiff (sls)

11/5/97 4 NOTICE of attorney appearance for L-Soft International by Emily M. Yinger (se) [Entry date 11/06/97]

11/5/97 5 CONSENT MOTION by L-Soft International for Extension of Time to Respond to Complaint to 12/1/97 (c/s) (se) [Entry date 11/06/97]

11/12/97 6 RETURN OF SERVICE executed as to L-Soft International 10/17/97; Answer due on 11/6/97 for L-Soft International (c/s) (se)

11/12/97 6 RETURN OF SERVICE executed as to Mensa International 11/6/97; Answer due on 11/26/97 for Mensa International (c/s) (se)

11/13/97 7 ORDER Granting [5-1] Motion of L-Soft International for Extension of Time to Respond to Complaint to 12/1/97; Reset Answer deadline to 12/1/97 for L-Soft International (signed by Judge Peter J. Messitte 11/10/97). (c/m 11/13/97 bb) (jb) [Entry date 11/14/97]

11/20/97 8 Return of service unexecuted as to Mensa International. (c/s) (jb) [Entry date 11/21/97]

11/20/97 9 MOTION by Alan J. Truelove for Leave to File Amended Complaint, and proposed First Amended Complaint (clean and red-lined version). (c/s) (jb) [Entry date 11/21/97]

11/26/97 10 MOTION by L-Soft International to Extend Time to Respond to First Amended Complaint, until 12/12/97. (c/s) (jb) [Entry date 12/01/97]

12/1/97 11 REVISED MOTION by Alan J. Truelove to Amend [1-1] Complaint referring to: [9-1] Motion for Leave to File Amended Complaint by Alan J. Truelove. (c/s) (jb) [Entry date 12/02/97]

12/3/97 12 RETURN OF SERVICE executed as to Mensa International 12/1/97 Answer due on 12/21/97 for Mensa International (jb) [Entry date 12/04/97]

12/12/97 13 MOTION with memorandum in support by L-Soft International to Dismiss First Amended Complaint. (c/s) (jb) [Entry date 12/15/97]

12/15/97 14 Rule 12/56 Letter mailed to parties. (jb)

Proceedings include all events.

8:97cv3463 Truelove v. Mensa International, et al

CLOSED

12/15/97 15 CORRESPONDENCE (copy) from Mensa International, Ltd., returning documents to Alan J. Truelove. (jb) [Entry date 12/16/97]

12/16/97 16 MOTION by Mensa International, L-Soft International to Extend Time to Respond, to and including 1/15/98. (c/s for sign.) (jb) [Entry date 12/18/97]

12/19/97 17 RESPONSE by L-Soft International in opposition to [11-1] Motion for Leave to File Second Amended Complaint Alan J. Truelove (c/s) (lad) [Entry date 12/23/97]

12/22/97 18 RESPONSE by Alan J. Truelove in opposition to [13-1] motion to Dismiss First Amended Complaint by L-Soft International (c/s) (lad) [Entry date 12/23/97]

12/22/97 19 MOTION by Alan J. Truelove for Leave to File Second Amended Complaint, and proposed Second Amended Complaint (red-lined) (c/s) (jb) [Entry date 12/29/97] [Edit date 04/30/98]

12/30/97 20 ORDER Granting [16-1] Motion of Mensa International and American Mensa to Extend Time to Respond, to and including 1/15/98 (signed by Judge Peter J. Messitte 12/24/97) (c/m 12/28/97 bb) (jb)

12/31/97 21 THIRD RESPONSE by Alan J. Truelove to [13-1] Motion to Dismiss First Amended Complaint by L-Soft International. (c/s) (jb) [Entry date 01/05/98]

1/5/98 22 FOURTH RESPONSE by Alan J. Truelove to [13-1] Motion to Dismiss First Amended Complaint by L-Soft International, and Attachment 1 (c/s) (jb) [Entry date 01/06/98]

1/5/98 23 Praecipe of Defendant noting that L-soft will file a combined reply (to oppositions of Plaintiff to Motion to Dismiss), on or before 1/9/98 (c/s) (jb) [Entry date 01/06/98]

1/6/98 24 MOTION by Alan J. Truelove to Seal Exhibit P-1, and said Exhibit P-1. (not sealed, pursuant to [55-1]) (jb) [Entry date 01/07/98] [Edit date 09/29/98]

1/7/98 25 MOTION by Alan J. Truelove to Seal Exhibits P-2, P-3, and P-4, and said Exhibits (TEMPORARILY SEALED-Filed Separately) (jb) [Entry date 01/08/98]

1/9/98 26 REPLY by L-Soft International in Support of [13-1] Motion to Dismiss First Amended Complaint by L-Soft International. (c/s) (jb) [Entry date 01/12/98]

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- 1/15/98 27 Stipulated Motion of CompuServe to "EXTEND" time to Respond to Second Amended Complaint, to and including 1/15/98, and "APPROVAL" (signed by Judge Peter J. Messitte 1/9/98). (c/m 1/14/98 bb) (jb) [Entry date 01/16/98]
- 1/15/98 28 MOTION with memorandum in support by CompuServe, Inc. to Dismiss Second Amended Complaint, and Notice. (c/s) (jb) [Entry date 01/16/98]
- 1/16/98 29 Rule 12/56 Letter mailed to parties. (jb)
- 1/16/98 30 MOTION by Alan J. Truelove to Seal P-1 through P-8, and Submission of Exhibits P-5 and P-8. (not sealed-pursuant to [56]) (jb) [Entry date 01/20/98] [Edit date 09/29/98]
- 1/28/98 31 CONSENT MOTION and ORDER "GRANTING" an Extension of Time for Mensa International to Respond to Complaint, and reset Answer deadline to 1/30/98 for Mensa International (signed by Judge Peter J. Messitte, 1/27/98) (c/m ras) (se) [Entry date 01/29/98]
- 1/30/98 32 CONSENT MOTION by Mensa International for Extension of Time for Defendant to Respond to the Complaint, to and including 2/27/98 (c/s) (se)
- 2/5/98 33 RESPONSE by Alan J. Truelove in opposition to [28-1] Motion to Dismiss Second Amended Complaint by CompuServe, Inc.. (c/s) (jb) [Entry date 02/06/98]
- 2/10/98 34 ORDER Granting [32-1] Motion of Defendant for Extension of Time for Defendant to Respond to the Complaint, to and including 2/27/98; Reset Answer deadline to 2/27/98 for Mensa International, for L-Soft International (signed by Judge Peter J. Messitte 2/10/98). (c/m ras) (jb)
- 2/17/98 35 MOTION by Alan J. Truelove for Leave to File Surreply, Submission of Exhibit P-9, Affidavit, Notice to the Court, and proposed Consolidated Opposition to L'Soft International's Motion to Dismiss. (c/s) (jb) [Entry date 02/18/98]
- 2/18/98 36 MOTION by Alan J. Truelove for Leave to File Addendum to Surreply, and proposed Addendum to Surreply, with Praecipe. (c/s) (jb)
- 2/18/98 37 REPLY by CompuServe, Inc. to Opposition of Plaintiffs to [28-1] Motion to Dismiss Second Amended Complaint by CompuServe, Inc.. (c/s) (jb)
- 2/27/98 38 MOTION with memorandum in support by Mensa International to Dismiss, or, in the alternative, for Summary Judgment, and Exhibit 1. (c/s) (jb) [Entry date 03/03/98]

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- 2/27/98 39 MOTION with memorandum in support by American Mensa, Ltd. to Dismiss, or, in the alternative, for Summary Judgment , and Exhibit 1. (c/s) (jb) [Entry date 03/03/98]
- 3/3/98 40 Rule 12/56 Letter mailed to parties. (jb)
- 3/3/98 41 Rule 12/56 Letter mailed to parties (re: American Mensa, Ltd.) (jb)
- 3/25/98 42 RESPONSE by Alan J. Truelove in opposition to [38-1] motion to Dismiss by Mensa International, Attachment, Affidavit, and Exhibits 10 & 11 (c/s) (se) [Entry date 03/26/98]
- 4/6/98 43 REPLY MEMORANDUM by American Mensa, Ltd. to Opposition of Plaintiff to [39-1] motion to Dismiss by American Mensa, Ltd., [39-2] motion for Summary Judgment by American Mensa, Ltd.. (c/s) (jb) [Entry date 04/08/98]
- 4/6/98 44 REPLY MEMORANDUM by Mensa International Opposition of Plaintiff to [38-1] Motion to Dismiss by Mensa International, [38-2] motion for Summary Judgment by Mensa International. (c/s) (jb) [Entry date 04/08/98]
- 4/9/98 45 MOTION by Alan J. Truelove to Strike p.3, Sec. II of [42-1] opposition response by Alan J. Truelove, and to Amend [24-1] motion to Seal Exhibit P-1 by Alan J. Truelove (c/s) (jb) [Entry date 04/13/98]
- 4/13/98 46 MOTION by Alan J. Truelove for Leave to File Surreply, and proposed Surreply. (c/s) (jb) [Entry date 04/14/98]
- 4/24/98 47 MOTION by Alan J. Truelove for Leave to File Surreply, and proposed Surreply (c/s) (jb)
- 4/30/98 48 ORDER Granting [19-1] motion of Plaintiff for Leave to File Second Amended Complaint (signed by Judge Peter J. Messitte 4/28/98) (c/m 4/29/98 esp) (jb)
- 4/30/98 49 SECOND AMENDED COMPLAINT by Alan J. Truelove , (Answer due 5/10/98 for Mensa International, for L-Soft International) amending [1-1] complaint against American Mensa Ltd., CompuServe. (jb)
- 5/14/98 50 Praeipce of L-soft International, and attachment. (c/s) (jb) [Entry date 05/15/98]
- 5/14/98 51 RESPONSE by L-Soft International in opposition to [47-1] Motion for Leave to File Second Surreply by Alan J. Truelove. (c/s) (jb) [Entry date 05/15/98]
- 5/27/98 52 REPLY by Alan J. Truelove to Opposition of L-Soft International to [47-1] Motion for Leave to File Surreply by Alan J. Truelove, and Submission of Exhibit P-11. (c/s)

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(jb) [Entry date 05/28/98]

- 8/27/98 53 Praeipce of Alan J. Truelove, and attachment. (c/s) (jb)
- 9/15/98 54 MEMORANDUM/ORDER to Pro Se Plaintiffs/Counsel "DENYING" all pending motions; "ORDERING" that the Defendants may file a motion to dismiss and/or for summary judgment with regard to the Second Amended Complaint, as therein set forth; "ORDERING" that any supplemental motion to dismiss or for summary judgment be filed within the next 20 days, as therein set forth; and "ORDERING" that pending the Court's ruling on Defendant's Supplemental Motion to Dismiss and for Summary Judgment, the parties shall file no further pleadings (signed by Judge Peter J. Messitte 9/9/98) (c/m 9/14/98i bb) (jb)
- 9/28/98 55 MARGINAL ORDER denying [24-1] Motion to Seal Exhibit P-1 (signed by Judge Peter J. Messitte 9/2/98) (c/m 9/28/98 esp) (see #24 for same) (jb)
- 9/28/98 56 MARGINAL ORDER Denying [30-1] Motion to Seal P-1 through P-8 (signed by Judge Peter J. Messitte 9/25/98) (c/m 9/28/98 esp) (see #30 for same) (jb)
- 9/29/98 57 MOTION with memorandum in support by L-Soft International to Dismiss Second Amended Complaint (1 c/s) (jb) [Entry date 09/30/98]
- 9/30/98 58 Rule 12/56 Letter mailed to parties. (jb)
- 10/15/98 59 RESPONSE by Alan J. Truelove in opposition to [57-1] motion to Dismiss Second Amended Complaint by L-Soft International and Attachments 1 and 2 (c/s) (rk) [Entry date 10/16/98]
- 10/28/98 60 Reply by L-Soft International in support of [57-1] motion to Dismiss Second Amended Complaint by L-Soft International (c/s) (rk) [Entry date 10/30/98]
- 11/16/98 61 MOTION by Alan J. Truelove for Leave to File Surreply and Proposed Surreply (c/s) (rk) [Entry date 11/18/98]
- 1/7/99 62 MEMORANDUM to counsel "DIRECTING" that if Defendant wishes to revive an earlier Motion to Dismiss the Court should be advised within 15 days (signed by Judge Peter J. Messitte 12/30/98) (c/m ras) (jb)
- 2/12/99 63 OPINION (signed by Judge Peter J. Messitte 2/10/99) (2/11/99 esp) (td)

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- 2/12/99 64 FINAL ORDER "GRANTING" [57-1] motion by L-Soft to Dismiss Second Amended Complaint; "DENYING" Motion by Defendant for Attorney's Fees; and "ENTERING" Judgment in favor of L-Soft and against Plaintiffs (signed by Judge Peter J. Messitte 2/10/99) (c/m 2/11/99 esp) (microfilmed 2/12/99) (td)
- 2/12/99 65 ORDER "DENYING" [61-1] motion by Plaintiff for Leave to File Surreply (signed by Judge Peter J. Messitte 2/11/99) (c/m 2/12/99 esp) (td)
- 2/22/99 66 RENEWED MOTION with memorandum in support by CompuServe to Dismiss Plaintiff's Second Amended Complaint (c/s) (jb) [Entry date 02/23/99]
- 3/3/99 67 RESPONSE by Alan J. Truelove in opposition to [66-1] motion to Dismiss Plaintiff's Second Amended Complaint by CompuServe, and attachment. (1 c/s) (jb) [Entry date 03/04/99]
- 3/4/99 68 MOTION with memorandum in support by American Mensa Ltd. to Dismiss, or, in the alternative, for Summary Judgment, and Exhibit 1. (c/s) (jb) [Entry date 03/05/99]
- 3/4/99 69 MOTION with memorandum in support by Mensa International to Dismiss Second Amended Complaint, or in the alternative for Summary Judgment, and Exhibit 1. (c/s) (jb) [Entry date 03/05/99]
- 3/5/99 70 Rule 12/56 Letter mailed to parties, as to Motion for Summary Judgment by Mensa International. (jb)
- 3/5/99 71 Rule 12/56 Letter mailed to parties. (jb)
- 3/22/99 72 RESPONSE by Alan J. Truelove in opposition to [69-1] Motion to Dismiss Second Amended Complaint by Mensa International. (1 c/s) (jb) [Entry date 03/23/99]
- 3/26/99 73 MEMORANDUM/ORDER granting [66-1] motion to Dismiss Plaintiff's Second Amended Complaint; granting [69-1] motion to Dismiss Second Amended Complaint, "DIRECTING" that the Court treat said documents as the operative documents, and that plaintiff file an opposition as therein set forth (signed by Judge Peter J. Messitte 3/23/99) (cm ras) (c/m ras) (jb)
- 3/30/99 74 REPLY MEMORANDUM by American Mensa Ltd. to Plaintiff's opposition to its [68-1] motion to Dismiss the Second Amended Complaint or, in the alternative, [68-2] motion for Summary Judgment (c/s) (td) [Entry date 03/31/99]
- 3/30/99 75 REPLY MEMORANDUM by Mensa International to Plaintiff's opposition to its [69-1] motion to Dismiss Second Amended Complaint or, in the alternative, [69-2] motion for Summary Judgment (c/s) (td) [Entry date 03/31/99]

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6/15/99 76 MEMORANDUM OPINION (signed by Judge Peter J. Messitte
6/10/99) (c/m 6/14/99 esp) (jb)

6/15/99 77 ORDER granting [69-1] Motion of Mensa International, Ltd.
to Dismiss Second Amended Complaint, granting [68-1] Motion
of American Mensa, Ltd. to Dismiss, Granting [66-1] Motion
of Compuserve to Dismiss Plaintiff's Second Amended
Complaint; mootng [69-2] motion of Mensa International,
Ltd. for Summary Judgment, mootng [68-2] Motion of
American Mensa, Ltd. for Summary Judgment; "ENTERING" Final
Judgment in Favor of Mensa International, Ltd., American
Mensa, Ltd., and Compuserve, Inc. Against Plaintiffs Alan
J. Truelove and Alison H. Truelove; and "ORDERING" that the
Clerk "CLOSE" this case (signed by Judge Peter J. Messitte
6/10/99) (c/m 6/14/99 esp) (microfilmed) (jb)

6/15/99 -- Case closed. (jb) [Entry date 06/16/99]

ATTACHMENT T

Observers at the Hearing

Name	Local Group
TJ Lundeen	Central Oklahoma
Margot McGann	Metropolitan Washington
Judy Tuchman	Metropolitan Washington
Mike Tuchman	Central Florida
Nancy Vogel	Metropolitan Washington
Bill Webster	Metropolitan Washington