

## Gentle Wind Project sues couple over Internet postings

Press Herald (ME), Sunday, January 9, 2005

By Gregory D. Kesich, Portland, Press Herald Writer

The Gentle Wind Project collected millions of dollars in donations by distributing plastic healing instruments that believers say alleviate suffering through the regeneration of human energy fields damaged by trauma.

But when two of the group's former associates went on the Internet and compared the Kittery-based nonprofit to a "mind-control cult," Gentle Wind called a lawyer.

The organization and six of its officers have filed a complex defamation lawsuit in U.S. District Court in Portland. It charges that former adherents James Bergin and Judy Garvey, a married couple from Blue Hill, made false accusations of financial and sexual exploitation that damaged the organization's reputation and slowed the flow of donations, its only income.

According to court documents, Bergin wrote that he and Garvey had been "obedient followers" of Gentle Wind for 17 years, allowing the organization to influence his family in "very destructive ways." He said his wife had participated in sexual rituals with members of the Gentle Wind inner circle. Bergin said after leaving the group he studied "cults and high-control groups" and was struck with "their universal similarity of these groups to Gentle Wind."

But Gentle Wind is not a cult, said Mary Miller, a director and spokeswoman for the 21-year-old organization, and the group is ready to fight to prove it.

"We want our reputation back," Miller said in a recent interview. "When someone says lies about the organization, it might be possible to believe that these things are true. We want to let people know that they are not true."

Gentle Wind is suing for unspecified damages, including punitive damages. To win its case, the organization must prove that the statements are false and Bergin and Garvey were negligent by publishing them. To get punitive damages, they will have to prove that Bergin and Garvey knew the statements were false and made them to intentionally hurt the organization.

The couple say they have a legal right to tell their life stories and call the lawsuit an attempt to intimidate them. They have already spent \$12,000 defending themselves and could pay more before the case runs its course.

"They are simply expressing their views," said Jerrol Crouter of Drummond Woodsum and MacMahon, the couple's lawyer. "They have suffered a significant personal toll of being accused of substantial wrongdoing, and it's a completely unfounded claim."

Bergin and Garvey's allegations were made public in online articles published on their own Web site, [www.windsofchange.org](http://www.windsofchange.org), and later repeated on other sites.

According to the lawsuit, the couple alleged in their articles that Gentle Wind is a cult-like organization run by John "Tubby" Miller. They described Miller as a charismatic former psychotherapist who manipulates naive people around the world, allowing him and his inner circle to live a life of luxury.

John Miller would not be interviewed for this story, said Mary Miller, Gentle Wind's spokeswoman. She said Gentle Wind does not have a leader.

### **THREE INTERNET SITES SETTLE**

In their articles, which are quoted in the lawsuit, Bergin and Garvey charge that over a 17-year period, Gentle Wind's control of their lives led them to sell a profitable publishing business in Massachusetts and donate tens of thousands of dollars to the organization.

According to court records, Garvey also claims that for a period of time she took part in group sexual rituals that she believed were necessary to provide the energy needed to make the healing instruments the organization distributes.

In addition to Bergin and Garvey, the lawsuit names as defendants several operators of Internet sites that published the couple's work. Three of the operators have settled the claims against them by removing the material from their Web sites, and one has published an apology.

But one Web site operator, Rick Ross, a New Jersey consultant who studies cults and similar groups and sometimes testifies about them in court, has refused to remove the material he has collected on Gentle Wind and remains a defendant in the case.

At stake is an "alternative and complimentary healing" program operated out of houses in Kittery and Durham, N.H., which, before the controversy, collected more than \$1 million a year in donations, Miller said.

Donations fell by \$587,000 over an 18-month period ending in August, according to court records. The organization has cut its paid staff from 12 to seven.

Gentle Wind's legal fight had cost \$113,103 when a September report was issued, and the case is far from resolution. Bergin and Garvey have asked that the case be dismissed from federal court, but even if they are successful, Gentle Wind will continue to pursue them, said Daniel Rosenthal of Verrill Dana, Gentle Wind's lawyer.

"There's no prospect of it going away," Rosenthal said. "The only question is whether it's in state or federal court."

### **TYPICAL CONTRIBUTORS**

Bergin said he was a successful academic textbook publisher in 1983, when he and his wife began looking for parenting advice from Mary Miller, who they say was then known as Claudia Panuthos.

Bergin and Garvey were educated professionals in their mid-40s - typical of people involved in Gentle Wind, he said.

"They don't want starry-eyed bliss-ninnies," Bergin said in an interview. "They want people who have a life. We had money and skills. They wanted us. We were prime."

Bergin said their involvement began with a "soul reading" in which they sent hair samples to Mary Miller and received an audiotape. The insights were "mysterious and intriguing," Bergin said, and the speaker seemed to know them better than they knew themselves.

Over time, Garvey began visiting the Gentle Wind members in Maine, and eventually the family moved to Blue Hill, where John Miller had temporarily set up headquarters.

Bergin said nearly every decision in his life was based on advice from John Miller and Mary Miller. They dictated how he made his living, how he raised his sons and the most intimate details of his marriage. Bergin said he discovered that his wife gave Gentle Wind \$77,000 in cash contributions and advanced them \$205,000 in no-interest loans, which were repaid.

In 2000, the couple started to have second thoughts. They started researching cults and found similarities. In a section of his article quoted in court records, Bergin said he realized he had given up control of his life to benefit Gentle Wind.

He wrote that, "The process was deceptively subtle, pervasive and persistent."

But in interviews and court documents, Gentle Wind's directors adamantly deny the couple's charges.

"Gentle Wind is not a 'group,' it does not have a 'leader' and does not recruit additional staff," the lawsuit charges. "Gentle Wind does not . . . espouse an all-encompassing belief system and does not have an agenda other than developing and promoting the use of its healing instruments."

## **THE HEALING INSTRUMENTS**

The instruments include colorful plastic cards and hockey pucks that are displayed on the company's Web site, [www.gentlewindproject.org](http://www.gentlewindproject.org). The items are said to restore the "human energy field and contribute to healing."

Although the instruments are free, each is posted with a recommended donation, starting at \$250 for the Advanced Family Unity/Integrated Space Set and including \$5,850 for the Rainbow Puck, which "may solve many of the problems found in humanity."

Two products designed to work together are the City Block Sweep and Decompressor, for \$1,175, to "relieve stress from confinement and transactional and territorial disputes" in homes and offices and the New World System V - suggested donation \$7,800 - which is a handheld device to "improve emotional physical well being."

The instruments are circulated at open houses held around the country and abroad by about 7,000 people, Miller said. They have been given to soldiers returning from Iraq and will be delivered to aid tsunami victims in Asia, she said.

Miller, a former social worker, said she began using the instruments in the late 1970s when she saw their effectiveness in the emotional healing of parents who had lost children. "They showed noticeable improvement that far outpaced the normal grieving process," she said.

Although the products don't work for everyone, the organization enjoyed a good reputation among people who used them, including some health-care professionals, she said.

Miller said the trouble started when Garvey was asked to leave a volunteer position in Kittery in 2000 and began publishing her criticism of Gentle Wind. Miller would not discuss why Garvey was fired or any of the details of the suit, but she denied the couple's allegations, which she called "hurtful."

"You won't find any evidence for claims of a cult," she said. "We wouldn't be spending these kind of resources if these charges were true."

Miller would not shed any light on the relationship between the Gentle Wind staff and directors, some whom live together and receive room and board as well as salaries from the organization. She said that she and others have changed their last names to Miller but would not explain why.

"I don't want to go into that," she said. "But it has nothing to do with cult behavior, I can tell you that."

### **'PUBLIC HAS RIGHT TO KNOW'**

Defendant Ross said he is getting used to being sued by groups he writes about. As executive director of the New Jersey-based Rick A. Ross Institute for the Study of Cults, Controversial Groups and Movements, he has pending cases with groups called Pure Bride Ministries and Church of Immortal Consciousness for material he posted on his Web site, [www.rickross.com](http://www.rickross.com).

He said he has been successfully defended in other lawsuits, thanks to pro bono legal work from different law firms.

"I regard these as nothing more than harassment suits designed to get critical information off the Internet," Ross said.

On his Web site, Ross called Gentle Wind "a rather odd group." He says he could settle his part of the case by removing the critical articles, but he has refused.

"I feel the public has a right to know what information is out there, and I have a First Amendment right to tell what I know," Ross said.

U.S. District Court Judge Gene Carter has described the lawsuit as "convoluted." The original complaint, filed in May, claimed relief under federal racketeering laws. Bergin

and Garvey successfully got those charges dropped. But Gentle Wind filed a new complaint that relied on different laws.

A motion to dismiss those claims is pending. In the meantime, one defendant, a Web site operator in New Zealand, has been found in default for not responding to the complaint, and three Web site operators have settled.

Ross has asked to be dismissed from the case because he argues that he never came to Maine and could not have violated Maine law.

The role of the Web site operators is what is driving the case, said Rosenthal, Gentle Wind's lawyer.

If Bergin and Garvey had made their charges to a neighbor, Gentle Wind could still sue them, he said. But since the charges were published on the Internet, the damage to the organization has been far greater.

"These things really started to spread like wildfire," he said. "This case really shows what can happen when rumors spread in the electronic age."

*Staff Writer Gregory D. Kesich can be contacted at 791-6336 or at:*  
[gkesich@pressherald.com](mailto:gkesich@pressherald.com)

<http://pressherald.maintoday.com/news/state/050109lawsuit.shtml>