

1  EXPEDITE

2  No hearing is set

3  Hearing is set:

4 Date: May 10, 2013

5 Time: 9:00 a.m.

6 Judge/Calendar: Gary Tabor

7 SUPERIOR COURT OF THE STATE OF WASHINGTON  
8 FOR THURSTON COUNTY

9 JZK, INC., a Washington corporation

10 Plaintiff,

11 v.

12 VIRGINIA COVERDALE; JOHN DOES 1-20;  
13 and JANE DOES 1-20, also known as  
14 ENLIGHTEN ME FREE,

15 Defendants.

NO. 12-2-02241-8

DECLARATION OF MIKE WRIGHT IN SUP-  
PORT OF PLAINTIFF'S OPPOSITION TO  
SPECIAL MOTION TO STRIKE PURSUANT  
TO RCW 4.24.525 OF DAVID McCARTHY

16 I, John Michael Wright declare as follows:

17 1. I am the Manager of Product Sales and Services for Ramtha's School of En-  
18 lightenment ("RSE"), which is a division of JZK, Inc., a Washington corporation located in  
19 Yelm, Washington.

20 2. I have been aware of a web site that refers to itself as Enlighten Me Free  
21 (EMF) since early 2008 when it was first published after migrating to a new web site from  
22 its previous home as a Bravenet.com message board and a Factnet.net board prior to  
23 that. Enlighten Me Free users post comments on their message board about JZ Knight,  
24 JKZ, Inc., and RSE, sometimes under their own names, but often under aliases. Typically,  
25 individuals who post commentary on Enlighten Me Free make largely critical and often  
26

1 inflammatory comments about RSE, JZK, Inc., and JZ Knight. The web site and message  
2 board is viewable by anyone. Posters on this message board make no efforts to hide their  
3 comments. From time to time RSE staff members go to the message board to view these  
4 comments and follow the debate. RSE staff members have regularly monitored the EMF  
5 message board and its Bravenet/Factnet predecessors.

6  
7 3. JZK, Inc. has never brought a lawsuit against Enlighten Me Free or any of  
8 its individual posters based on their statements or commentary and did not do so in this  
9 case. In fact, the opposite is true. While JZK, Inc. often disagrees with the comments  
10 posted on the Enlighten Me Free message board, it strongly supports the individuals' right  
11 to comment and debate.

12 4. David McCarthy has enjoyed a good deal of media coverage for his out-  
13 spoken stance against RSE. Since 2006, he has been interviewed numerous times for  
14 the local weekly paper *The Nisqually Valley News*, for *The Olympian*, on a variety of  
15 anticult web blogs and video blogs such as Rick Ross and James Randi, and by Television  
16 France (TF1), a major broadcast network in France. He catalogues his media appearanc-  
17 es with rigor on the Enlighten Me Free web site and message board. JZK, Inc. has never  
18 brought a lawsuit against Mr. McCarthy based on his commentary or his stance and is not  
19 doing so now.

20  
21 5. At the time JZK, Inc. filed its Complaint in this case I was aware that the  
22 materials at issue involved video content from March 2011 and February 2012 RSE in-  
23 ternet streaming events. These events could have only been accessed by a student who  
24 had signed a 2007 version of the Conditions of Participation (CoP) agreement. This is  
25 because eligibility to register for streamed events is controlled by our web staff and our  
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1 Registrar's student database. Ineligible individuals are not even able to see the registra-  
2 tion information for streams for which they do not qualify. The March 2011 and February  
3 2012 events were required events to maintain current student status and were only open  
4 to current students – those who had attended or streamed a required Follow-up the pre-  
5 vious year. Students would have to have a current CoP on file in order to attend or stream  
6 any required event.

7  
8 6. JZK, Inc. brought a lawsuit in this case because its contract had been  
9 breached when Virginia Coverdale, who had signed both the 2006 and the more recent  
10 2007 Conditions of Participation posted RSE private streamed video without the permis-  
11 sion of RSE, in violation of her promise in the Conditions not to do so.

12 7. I have searched JZK, Inc.'s records and we do not have any record of  
13 McCarthy signing the 2007 Conditions. I do not believe he did so because he was no  
14 longer attending RSE or signing up for any events after 1996. In addition, JZK, Inc. has no  
15 record of McCarthy creating a streaming account or attempting to sign up for any of the  
16 RSE private live streaming events in 2011 or 2012.

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8. Although JZK, Inc. has successfully brought suit to enforce its 2006 Conditions of Participation, to my knowledge, it has not ever brought a lawsuit in Washington based on the 1993 version of the Conditions.<sup>1</sup>

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 29<sup>th</sup> day of April, 2013 at Yelm, Thurston County, Washington.

  
\_\_\_\_\_  
John Michael Wright

<sup>1</sup> On February 19, 2013, JZK, Inc. filed a lawsuit against David McCarthy in New Zealand claiming, in part, violation of the 1993 Conditions. Ex. I to McCarthy Decl.