

From: Michael Horn <michael@theyfly.com>
Date: March 31, 2008 12:01:51 PM PDT
To: Derek Bartholomaus <derek@iigwest.com>
Cc: "James Underdown randi@randi.org" <jim@cfiwest.org>
Subject: Re: Formal Request for Removal of Defamatory Material

Derek,

1. You made a claim that reflected that a legal determination had been made, i.e. that we had violated your contract, when in fact you should have said that you were only stating your opinion, as no legal determination had been made. That statement by you preceded, and has no bearing upon, our "current discussion". You defamed us and, in our opinion, effectively broke the agreement to resolve differences via arbitration.

2. You told what is known as a "half-truth" and, since you knew the whole story as it was presented in the film, you chose instead to present your comments in a prejudicial and inaccurate manner. Self-defense is quite different from attack or assault and, while Meier honestly told his story and what he was imprisoned for, you left out any of the context and details that would allow anyone to consider the matter fairly, such as we do in the film.

3. Legal representative: "In its broadest sense, one who stands in place of, and represents the interests of, another."

I indeed *am* a contractually authorized, legal representative for Billy Eduard Albert Meier.

4. Please provide documentation for your claims regarding the metal sample and my alleged statements both publicly and...privately (as per your, "There were only two parties aware of what was said during that conversation, etc." from 5. below).

5. Regarding http://iigwest.com/investigations/meier/emails/02_19_03_Email.pdf I am unaware of any correction to what I quite accurately stated was said to me by Rees. Even in this from Randi:

http://iigwest.com/investigations/meier/emails/04_15_03_Email_3.pdf

"You can't seem to get off the '**duplication**' thing, can you?"

If I break a wine-glass, can you

duplicate that break exactly? No. So what value is **duplication**?"

There is no reference to "effect"...and no disputing that the challenge you accepted was indeed to duplicate the photos...*and film*.

But - most importantly - I find it completely irresponsible, inaccurate and an outright lie for you to make that claim, especially since YOU posted this: http://igwest.com/investigations/meier/emails/04_15_03_Email_4.pdf Rees

Michael,
I would like to point out a couple of things.

1. At the Consciences Expo you made it quite clear that **even if the photo's were duplicated it would not change your belief that Billy Meier had contact with beings not of this world. In other words no amount of evidence would be sufficient to change your beliefs on this matter. I suspect that even if Billy told you that he had **hoaxed** the whole thing, that you still would not be **convinced**.**

2. I told you that I could not start on this

project until we moved into our new facilities and that we had the photo lab in place. It is not in place yet because construction is not complete. You are more than welcome to come over and verify for yourself.

3. I am not obligated to disprove your claim, it is the responsibility of the claimant to prove the claim. I said that I could probably duplicate some of these but that it will not necessarily be exact. A statement to which you agreed. I would strongly suggest that before you make statements to people on this matter that you contact me first to insure that the information reflect what I actually said.

**Sincerely
Vaughn Rees**

Further, it isn't until February 11, 2004, that there is any mention of the changing of the terms of the accepted challenge, in Underdown's sleight of hand attempt clearly expressed here:

http://iigwest.com/investigations/meier/emails/02_15_04_Email.pdf

"The Independent Investigations Group would like to take you up on your challenge to the Center For Inquiry-*West* in regards to

replicating the **style** of photographs taken by Billy Meier. "

For the record, please provide me with any evidence that I ever used the word "style", at any time, regarding the challenge.

And, in complete contradiction to your after the fact changing of the terms as shown above, as well as your absolutely inaccurate statements and conclusion in 5. below, you boldly, blatantly and conclusively contradict yourself by what you have officially stated here:

http://iighttp://iigwest.com/investigations/meier/emails/02_27_04_Michael_Horn.pdf

"And, in your press release/email bulletin of December 5, 2003, you stated:

'Mr. Rees agreed to back up his claims by duplicating one of Meier's UFO photos along with the film segment.'

"So, let us be very clear. Your challenge to the Center for Inquiry-West was to duplicate one photograph and one movie. At our website, www.iigwest.com/horn.test.html, we have duplicated seven photographs. We have actually duplicated more, but we have only posted seven. In time we may decide to put more examples on the

webpage.

"...Having successfully duplicated Billy Meier photographs..."

We have engaged you here in an informal manner as we are of the opinion that, not only do you not have any legitimate legal complaints against us, you have violated the contract that would have ultimately allowed us to enter into arbitration with you, should there even be issues weighty enough to do so. Your blatantly inaccurate, misleading and absolutely untrue statements below have been refuted above - by evidence provided by you.

In fact, you have a lot of nerve to try to harass us with such outright falsehoods and lies, which are easily refuted by your own - published - comments and press releases, most of which you publicly posted on your own website.

So, please be informed now that we not only clearly state that we have violated no terms of our agreement with you, that we have provided sufficient record - in your own words - of your own breaches but that we now consider your correspondence to be a form of infantile, despicable harassment, baseless as it is factually.

Further, we do expect a complete, public retraction of, and apology for, all falsehoods, including those pointed out by us previously, and those contained within, and expressed by you, in this latest message from you.

MH

Hello Michael.

Your request is denied. The reasons for this denial are as follows:

1. I have made no false claims pertaining to our agreement. My claim that you are in violation of the terms of the contract is what we are currently discussing. Any delay in the matter is due solely to your refusal to seek legal advice to assist you in understanding the terms of our agreement.
2. I have made no derogatory or defamatory claims about yourself or Mr. Meier. Remember, it was your film that revealed that Mr. Meier had been imprisoned for

assaulting a woman. I only restated the fact that you yourself had provided.
And, for the record, "attack" is a synonym for "assault".

3. Even if I had made any derogatory or defamatory claims about Billy Meier, which I reiterate that I haven't, your opinion of the matter is irrelevant because you do not have legal standing. You are not Billy Meier, nor are you Billy Meier's legal representative, therefore you are unable to bring forth any charges of defamation against me. In fact, by making public claims that I have defamed Mr. Meier violates the "no defamatory" clause of the contract between ourselves.

4. During the first quarter of 2004 you stated that Billy Meier still possessed samples of what he claimed was metal that showed signs of extraterrestrial manufacturing and that you would be able to retrieve some for testing. You stated this privately as well as publicly to a national radio audience (the radio announcement may have happened later than Q1 2004). Because of this there is nothing to retract from the IIG website.

5. As far as I am aware there are no false statements regarding the 2001 "challenge" located on the IIG website. There were only two parties aware of what was said during that conversation, yourself and Mr. Rees. Mr. Rees said that the challenge was to "duplicate the effect". You have provided no evidence that supports another interpretation.

Sincerely,
Derek Bartholomaus

On Mar 25, 2008, at 6:05 PM, Michael Horn wrote:
Derek,

Seeing as you have been in receipt for some time (as early as January 23, 2008) of our written objections to your written defamation of Mr. Jack Gerlach, Billy Meier and me, on public, commercial internet forums, and have neither refuted nor acknowledged our objections as incorrect in anyway, we must assume that you indeed agree with our objections as being accurate and your own, referred to, comments as being defamatory and libelous.

Among the objections that we raised, the first would be the one where you falsely claimed that we were in "violation" of our Agreement with you regarding your inclusion in the Program. Since you have neither refuted nor disagreed with our position as expressed to you, we now assume that you are in agreement with us that your statements were indeed defamatory, libelous and potential damaging to our business.

You also have neither refuted nor disagreed with the fact that you published

derogatory, defamatory comments about me, made repeated false claims that Meier was some sort of a leader with "followers", made the false claim that he "attacked a woman", etc. Since these remarks of yours, and our objection to them, were brought to your attention repeatedly, and since you have not disputed making them, we now assume that you are in agreement with us that your statements were indeed deliberately defamatory and libelous.

Regarding your recently published statement, now stating that you don't retract your claims and accusations against Meier and his photographic evidence, which, in my opinion, you clearly did with your "weakest part" statement, and since those claims are in themselves defamatory in as much as you accuse him of being a hoaxer, and in as much as you have not presented conclusive evidence to substantiate those claims, even though you were given the full opportunity in the Program to do so, and in as much as you signed off on the release, you are now formally requested to present the proof for those claims or to officially, publicly retract - and apologize for - all of them.

And, since you have not acted to have these statements removed and retracted, nor have you as yet apologized for them, please consider this a formal request for you to remove, retract and publicly apologize for all of them.

I suggest that you talk with your legal representatives and proceed to fashion an apology that will be acceptable to all of us, one that we can publish, in addition to contacting the various internet forums on which you made the defamatory, untrue statements and arrange to have them removed.

I also suggest that you direct your organization, IIG, to remove any and all statements that claim that I, at any time, claimed to be in possession of metal samples, or any other physical evidence except the sound recordings, and that I ever agreed to present any such material to you, IIG, etc. for any sort of examination. You have always been free to attempt to test/duplicate the sounds and to fulfill the terms of the original challenge, i.e. to duplicate Meier's photos and films. Please also direct IIG to remove any false statements to the effect that the challenge was ever about making "similar" photos or "duplicating an effect", as is misleadingly stated and as is contradicted by you in your acknowledgment of Vaughn Rees' role in the matter.

Sincerely,

Michael Horn