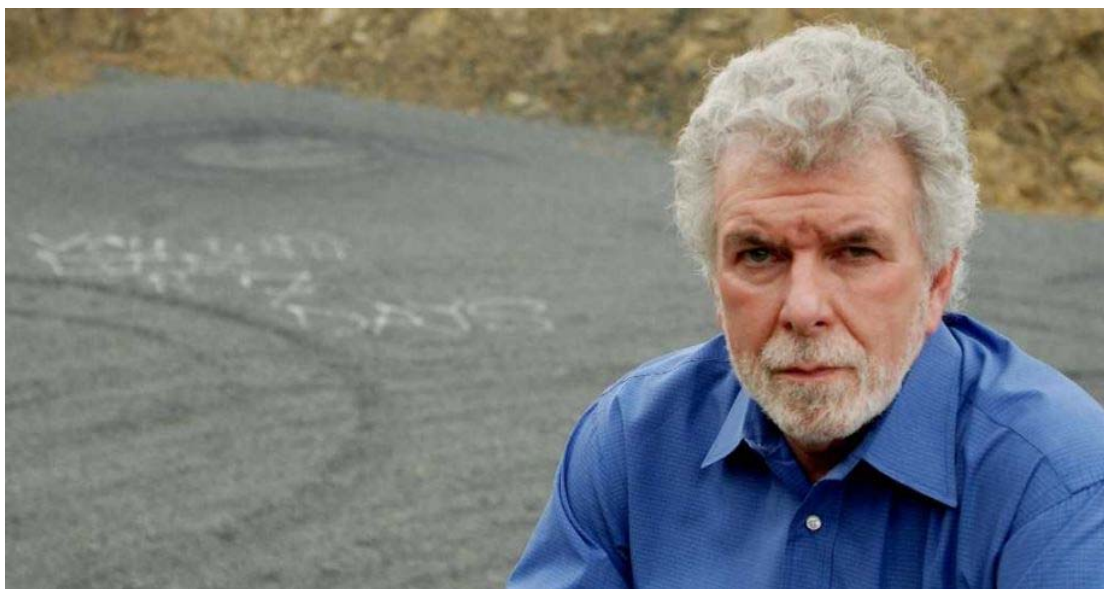


<http://www.timesunion.com/local/article/Ex-NXIVM-aide-takes-NXIVM-to-federal-court-3334303.php>

## Ex-NXIVM aide takes NXIVM to federal court

By James M. Odato Updated 7:47 am, Thursday, February 16, 2012



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In 2006, Joseph O'Hara, a former consultant to NXIVM, found the words "You will die in 7 days" spray-painted on property he owns. He said he dissolved his association with NXIVM, a company that sells what it calls "Executive Success Programs," when he discovered that NXIVM used business practices of which he did not condone. (Luanne Ferris / Times Union)

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ALBANY — NXIVM punishes whistleblowers and outspoken former associates by illegally using lawyers and litigation in conspiracies that violate civil rights, a new **suit** filed last week by one-time NXIVM business consultant Joseph J. O'Hara alleges.

O'Hara claims in a U.S. District Court case filed Feb. 9 in Albany that his constitutional rights have been repeatedly violated by NXIVM in a legal barrage fueled in part by \$150 million in funds expended by the wealthy Bronfman sisters to finance NXIVM-related people and businesses. The suit names, among others, NXIVM's leaders Keith Raniere and Nancy Salzman; its legal liaison, Kristin Keffe; its two major boosters Clare and Sara Bronfman; and a host of lawyers who have worked with the self-improvement business based in Colonie, or its followers, over the years.

### More Information

O'Hara, a 63-year-old Colonie attorney used by NXIVM as a consultant from October 2003 until he quit in January 2005, said he was the target of a conspiracy to hurt him, violating his right to privacy — through retaliatory strikes because he had become a whistleblower to federal and state agencies. The illegal acts he alleges include a conspiracy among defendants to have criminal charges brought against him in various jurisdictions. Those attempts, as well as several "baseless lawsuits" and other actions O'Hara said were an abuse of the legal system, cost him time and money. He seeks more than \$10 million from the group. His suit is unusual as he accuses lawyers of doing more than advising and coaching clients, but of possibly assisting in unlawful acts, including conspiracy.

He makes allegations about NXIVM's tax practices: "Based upon information and belief, the NXIVM/ESP-related business entities also do not issue W-2 Forms and/or 1099 Forms with respect to the various commissions and salaries that they pay to their respective staff — and/or with respect

to the various nonbusiness related expenditures that they make on behalf of Raniere/Vanguard."

Among the 15 lawyers sued are Stephen Coffey and Pamela Nichols of O'Connell and Aronowitz in Albany; John Bartolomei of Niagara Falls; and Scott Harshbarger of the Proskauer Rose law firm. Albany County District Attorney David Soares and Albany County are also sued for allegedly allowing Keffe to set up as a legal intern to develop a criminal case against O'Hara.

None of the lawyers or representatives of defendants had a comment on the litigation, although Bartolomei said he thought the Bronfmans, his

clients, were well-meaning. "Clare said she was given wealth in order to do good in the world with it," Bartolomei recalled.

O'Hara said defendants may not have been served yet as that is being done by the U.S. Marshal's Service. He noted in his filing that he may amend his action to include civil claims under the Racketeer Influence and Corrupt Organization (RICO) Act because he believes NXIVM engaged in a "criminal enterprise." In his court complaint, he alleges that NXIVM is operated as a Ponzi scheme. He also alleges Keffe obtained evidence about him gathered by Soares' office or a grand jury and furnished it to Proskauer Rose, which inserted it in a suit against him.

O'Hara said Raniere, also known as Vanguard, "masterminded" the acts that were coordinated by Keffe and funded by the Bronfman sisters. He claimed acts of conspiracy against him include illegal copying of confidential material from Soares' office, hiring of private investigators to gather confidential material, illegal surveillance, illegally obtaining text messages and telephone conversations and spray-painting of the words "you will die in 7 days" at a New Baltimore construction site owned by O'Hara. Others facing similar harassment through litigation, O'Hara said, are former Raniere associates Barbara J. Bouchey; Toni F. Natalie; Frank Parlato Jr. and Yuri Plyam as well as cult-tracker Rick Ross.

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