

Barbara Bouchey and Kristin Keeffe
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Kristin: I don't have a lot of time so I want us to talk about your case. We can catch up about other things after we get this squared away because you have your hearing tomorrow. So what do you want to tell me? What's going on, what's the hearing for tomorrow? I have all kinds of ideas and things that I want to share with you, but you want to just catch me up?

Barbara: The email's pretty straightforward. I decided to just voluntarily hand myself in.

Kristin: Right, that part I understand.

Barbara: So, the thing is that when I was on the phone with Roger and he asked me if I logged on, I admitted that I did once in January, and I looked at the social and workshop calendar, and the testimonials. And, that's all I did. And, he confirmed that, in fact, he had activity logs in front of him and that that is all that I did, and that I didn't look at anything proprietary. And, apparently, they had gotten an affidavit from Svetlana, and Svetlana got scared when they called her. She was led to believe she couldn't give out her name and password. So, she told them that she has never logged on to the best of her recollection and doesn't remember things. And so, of course that's not true. The other thing is that the audiotape—I was a resident of Washington and Roger at the beginning of the call mentioned that he knew that I had moved out of New York State. And so, Washington is a two party state. So, I don't think Roger or the prosecutor realizes yet that the audiotape can't be used.

Kristin: Right, it's inadmissible.

Barbara: That's right. But basically, based on what my attorney says logging on to look at a social calendar is not considered proprietary and that in his opinion this is not a crime. Not to mention, I have other evidence. I have evidence from the NXIVM computer department from Svetlana and another witness. So it comes down to, I had permission in two different formats. I didn't look at anything proprietary and the tape is inadmissible. And so what they did, what the prosecutor did, is they sandwiched me in between Joe and Toni, and what happened four years ago. And, I didn't have anything to do with what happened to them four years ago. So there's lots of shenanigans, and hanky panky, for lack of a better word going on.

Kristin: Right.

Barbara: So you know, we're just taking it a step at a time. Of course, as you know that any new attorney just can't believe the shit that's going on, you know what I'm saying?

Kristin: Yeah.

Barbara: So he's getting up to speed. So basically, my decision though, it took me two months to find an attorney. When I got that arrest warrant that came out in September 17th, and I began looking for an attorney, and it took me two months to find an attorney. I hired him just before Thanksgiving, because I decided that I need to address this head on, I want to take care of it, I'd like to get done with it once and for all, and I just can't keep living this way. I know there's different ways and options of looking at this, but for me that was my decision, you know? Let the chips fall where they fall, you know what I am saying? But, I just need to take care of it.

Kristin: So let me ask you something, is Toni—my understanding is, at this point, and I don't know if you're aware of this or not, that Toni is being represented by Bill Dreyer.

Barbara: Yes, I am aware of that.

Kristin: Does Joe have an attorney? He's still in prison isn't he?

Barbara: Yeah, Joe is supposed to be. I don't talk much to Toni, and I think you know that. But, we talked once about a month ago or maybe three weeks ago, or whenever it was, she said Joe is being arraigned on the 20th and that he had no attorney, but he was going to use the public defender, and that, so he didn't have anybody when I spoke to him.

Kristin: But he's going to have a public defender?

Barbara: Yeah, exactly.

Kristin: When you say they're sandwiching you in between Joe and Toni, what do you mean by that?

Barbara: What they did is they grouped us together as co-defendants, and connected me to what they did four years ago.

Kristin: Oh I see, so they made you part of the case.

Barbara: We're going to file a motion to sever, because it was improper, and I don't belong in the middle of them. I have an isolated random event that took place four years later having absolutely no nexus or connection with them. There's all these different motions we're going to file, but basically what my attorney tells me is that tomorrow morning, I guess Albany criminal court does business the old fashion way. The criminal judges like to have the parties come in, meaning the prosecutor and the defendant's attorney, and have an informal fireside talk. He likes to get a whiff of which way the wind is blowing. So we have an opportunity tomorrow morning to

have the judge get an understanding that the big picture here is bigger than my looking at a social calendar. So there's a chance that we could get things turning in the right direction tomorrow morning, if the judge thinks this is petty nonsense, and not worth his court's time to look at my looking at a social calendar, you know?

Kristin: Now will you be appearing along with, or will your attorney be appearing along with the other attorney?

Barbara: No, you can't. It's a conference hearing, it's in chambers, and you know how that is. It's just the judge, the prosecutor, and the attorney. So they won't let anybody else attend at least from what I've been led to believe.

Kristin: Right, but will the other defendant attorneys be there?

Barbara: They can be. I don't know if they will, but my understanding is that they could be there. Now, I know that my attorney has talked to some of them. So, I get the kind of feeling that we got some pretty solid attorneys on this thing right now. William Dreyer is a pretty significant attorney. My attorney is a pretty solid attorney, and you got the Vanity Fair attorney. I mean there's good representation here, and I'm willing to bet they're all having their own fireside chats, you know?

Kristin: Now, do you know if Suzanna Andrews (Vanity Fair reporter) has been charged?

Barbara: I was told that she came up with a good argument for why she logged on five times, and they dismissed her.

Kristin: Okay.

Barbara: That's another motion we're going to file is for selective prosecution. She (Andrews) logged on with coach access, five times, wrote a story, and talked to Joe and Toni. I logged on once for fifteen minutes with student access and didn't write a story. So, what my attorney said is, "Barb they're reporters. They're the big fish. This shit goes on all the time." He thinks that there's shenanigans going on with that, too. What he told me is, she was dismissed, and he believed that Jim Odatto (Times Union reporter) did a plea bargain, but we don't yet know what the plea bargain was.

Kristin: Why do you believe that?

Barbara: That he did a plea bargain?

Kristin: Yeah.

Barbara: That's what Mark told me. Now, I have another attorney that you know I work with a little bit over the years, and they said to me that, that didn't make sense to them. So I need to double check with Mark.

Kristin: That might be his theory, but I do not believe that that's true.

Barbara: Okay. I don't know for sure, and I might have heard him wrong too, Kristin, you know?

Kristin: Especially if they dismiss Suzanna, because if they dismiss Suzanna, the case against Jim was weaker than the case against Suzanna, because it completely went outside the statute of limitations for the criminal charge. His last log on was in October of 2007. So the only way they were going to be able to bring Jim in was on a conspiracy charge. They could bring him in on computer trespass. So I don't believe that he did a plea.

Barbara: Okay, got it. So, then I might have heard him wrong.

Kristin: So you're sure that Suzanna was not charged?

Barbara: That's correct, I am.

Kristin: Okay, interesting. Okay, so, what's your attorney's last name?

Barbara: I'm not sure how to say it, Sacco, it's Italian, Sacco, Mark.

Kristin: Is he in Albany?

Barbara: He's Albany, Schenectady, New York City.

Kristin: And you're happy with how he's been handling things so far?

Barbara: Yeah. I think he's good. Listen, I get the feeling that criminal attorneys don't have great bedside manners, and they do their thing, and they're focused and, listen I'm on my thirteenth attorney, and it takes a while to get into a groove where you understand each other in how to communicate, you know what I'm saying? And honestly, Kristin, he's probably only spent four hours talking to me in total since Thanksgiving. So, he never thought that it would get this far. He said, "This is ridiculous."

Kristin: He never thought you would be charged?

Barbara: No, he never thought that they would ever do this, and he thinks that the reason they got away with it, is the lines got blurred and they didn't see the difference.

Kristin: Right. Okay, so what's your evidence that you said you have from the computer department and the evidence you have from Svetlana?

Barbara: Well, do you think it would be better if Mark was on the phone, and we discuss it all together?

Kristin: You know, I'm happy to repeat all these things to Mark.

Barbara: Okay.

Kristin: I think it's good and I want to think about it before we do the call with him to see if there's anything new I can bring. Let's talk it through first and then we can talk it through again with him, if you don't mind. That would be my preferred way of doing it. You mentioned attorney, so does Mark have like a partner and junior associate or somebody that's also on your case?

Barbara: Yes.

Kristin: Okay. So, how familiar are you with the complaint that was filed in the civil case against Toni, Joe, Suzanna, and Jim.

Barbara: Familiar in the way that I have read the complaint twice, and that I've read all of the replies and responses thoroughly, so I have a working knowledge.

Kristin: Okay. You mentioned that in your email that Joe was going to bring up Fruit of the poisonous tree or lack of clean hands.

Barbara: Yes, he filed that three weeks ago.

Kristin: But, it was in relation to the Canaprobe information that I gave you, right?

Barbara: I don't know, because Toni and I, we all don't talk. All I know is that you sent me that email on a Thursday night (See Bouchey Clayton Affidavit Exh. B). And, all I know is that out of the blue, on the previous Monday, four days later, Joe files this letter with the court and in the letter it says that he concurs with Vanity Fair and Times Union about statute of limitations and not fitting computer damages. Then the length of the letter was spelling out very clearly that he felt that NXIVM has violated the clean hands, and where did they get the emails and records, and lists all these questions that the court needs to make them explain. And, I was like, where the hell is this coming from eight months after the lawsuit was served. And, I was surprised about it on that Monday, because I had not seen your email yet. This thing came out of the blue, and the very next day the judge wrote an order, and said that he surmised that Joe was writing a motion to dismiss, and that he demanded that NXIVM respond within 30 days to the claims in Joe's letter. NXIVM responded last Tuesday, and I opened it up and read it. It was 30 pages of nothing other than talking about statute of limitations and the computer damages all over again like

they did in Vanity Fair, and they never even mentioned the clean hands violation, they completely omitted it. Now apparently, Joe has his reply, and that reply was due yesterday. I've been on Pacer, and I've yet to see the reply go up so I don't know what he plans on saying in response to NXIVM, Steve Coffey's, complete utter omission of it.

Kristin: Okay, so this was in the civil case? Those things were filed?

Barbara: Yes. So, when I saw your email come in on Friday, I didn't know. I had no idea, and I don't know who you sent that email out to. Toni doesn't know I have the email. I don't know if she has it, because we don't talk, and I've not told anybody. My attorney knows I gave it to him, but I don't really know what's going on, you know?

Kristin: What did your attorney think of the email?

Barbara: Oh, he said, his catchphrase was that, "criminal law is like playing a game of poker. You have to assess who's got the advantage and who's got the hand." He says, "It's not about the evidence it's about the perception of innocence and the evidence." He says, "In the poker game of life (he thinks) we have the royal flush in the criminal case, because it's clear malicious prosecution." But, then when I showed him that email, he was like, "Oh my god, I felt like I just got a royal flush!" So, I mean we haven't gotten into details, because we haven't really wrapped our arms around this whole thing yet. We're only gearing up and getting ready to rock and roll. Tomorrow is the first conference hearing with the judge. We have until May 1st to file all of our motions, if we need to file any of the motions. Tomorrow might result in the Judge being unhappy with the Prosecutor, or combining me with Joe and Toni and not having sufficient evidence. It might just give us orders in how to dismiss it, I don't know. Tomorrow, you know, will give a better insight and outcome to the way the wind is blowing.

Kristin: Yes. Okay.

Barbara: But, this is what he feels, based on some things that I've told him, and based on some things that they've done, these people - these attorneys - start to get a feel for how things go, patterns and trends. They understand personality types. And, what the general consensus seems to be, Kristin, right now from the attorneys here looking at this thing from Vanity Fair to my fellow, to all of them, is that they think that NXIVM has bitten off more than they can chew. They've caught themselves with some mistakes, and they firmly believe that they're going to fuck up more. They're going to get desperate, because they know maybe the gig is up and especially with your sending that email. I think their approach is, we just need to be patient, and give them a longer leash to hang themselves, because people like this will scheme, and Steve Coffey is going to scheme more. They're really feeling like this could be the end. That things are going to, or could possibly come out, and I'm sure that you could be a very pivotal - pivotal - role in this. I don't know. He asked

me what prompted you to send that email, what was going on, how were you, where were you, and of course, I told him we haven't spoken since before Thanksgiving so I'm clueless. But, I was pleased to see your email. I mean, it was just like a day to celebrate. You know? It was like, I couldn't believe it - I read it six times, because Kristin, it was so well written, subtle, crafted on all levels. I mean, it was - you were companionate but artful, you were strategic, you positioned; it was brilliant. It really was. I don't think people, like my attorney when he read it, I don't think he could appreciate why you wrote, what you wrote, where you wrote it, but I do. I had to read it a number of times to get all the innuendos. But, I thought to myself, oh my god. Then I thought, too, she's out of the country, she feels safe, and she's going to start dropping bombs on these people, and that's all I could tell him, but I didn't know anything for sure. Like I said, I don't talk to anybody. So, I'm in my own little small world so I don't know what's going on. So, I don't know. I'm sure you're not making their lives any easier —they've got to be having chaos over there in the NXIVM village.

Kristin: They must be.

Barbara: They got to be.

Kristin: Because, let me tell you something, the bombs were flying. I've sent and done a series of sayings to blow things up. But, before we get into the totality, I just want cover certain points. When did you hear that Suzanna was dismissed?

Barbara: The day that I was arraigned. I was arraigned, let's see, today is Wednesday, and not last Friday, but the Friday before, so about ten days ago I was arraigned. And, on that day was the day we learned, that the Prosecutor gave us the audiotape with Roger, and handed us over the seven felony counts where I was sandwiched right smack in between Joe and Toni. They took my passport, because the Prosecutors convinced.

Kristin: Yeah, they can do that.

Barbara: That was when he told me that he learned that Andrews was dismissed. I must have heard him wrong about Odatto, or maybe he heard wrong. So, that's when we learned it - about 10 days ago.

Kristin: Right. Let's clarify that point about Odatto, because I just want to factor that in. When you say seven felony counts, had they upped the charges? What are the seven felony counts?

Barbara: There's only one felony count for me, the one single log on.

Kristin: And it's a class E felony, right?

Barbara: Correct. Then Toni has four counts and Joe has two counts. I can go get the felony counts; I haven't really read theirs.

Kristin: Is it all four counts of class E felony against Toni? Are they all E felony counts?

Barbara: Hold on a sec - let me grab it all off my little stack.

Kristin: Okay.

Barbara: Okay, so, I am looking, and the first count is E felony, second count E felony, third count E felony, fourth count E felony. Those are all Toni's. Fifth count is mine; that's E felony. Joe, is sixth and that's E felony, seventh is E felony, they're all E felonies.

Kristin: Okay. So, here's the thing, just as an aside, but it's relevant because it's the way you've been grouped in with these people. Toni's attorney is the best attorney in the whole region.

Barbara: Yeah, I've heard that, he's got her off before.

Kristin: Yes, and not only that, but everybody's afraid of him including the NXIVM attorneys and the police.

Barbara: Oh, good.

Kristin: The fact that she got him to do this is a fucking miracle, because he's the one that they're all afraid of. And, I'm familiar with him, and he defended Joe in the civil litigation that NXIVM and everybody filed originally against Joe for the theft of the (Charity). He just is a superb, superb attorney. But, what I would like you to do, I do not want to access Pacer right now. I'm staying off the radar on Pacer for the cases just as a matter of protocol to protect myself, because I don't know if they would ever subpoena the Pacer records, or if I download. Would you send me the pleading?

Barbara: Yeah.

Kristin: Send me whatever Joe filed, and if you wouldn't mind anytime that gets updated to send me something. I could get it elsewhere, too, but if I'm going to be talking to you then let's do that.

Barbara: Kristin, what prompted him to file that letter, have you provided him with anything?

Kristin: No, I have not.

Barbara: Okay.

Kristin: So, yes, I did a whole series of things to; before I moved on sending things to attorneys, I did a series of emails to Clare (NXIVM Member, Clare Bronfman), Nancy (NXIVM President, Nancy Salzman), and Emiliano (NXVIM Member and son of previous Mexican President Carlos Salinas), and a few other people to completely rock the boat and demoralize them from the perspective of, this is what you did and this is why I left, and this is going to come out. I was warning them, and advising them from a place of compassion - like I know Keith made you do these things, but it was very methodical. So first I did that, and then I let that sit for like a week and a half, two weeks. Oh, and I even emailed Keith a couple times. And, I just dive-bombed them all to about the reality. The thing with Keith, Nancy, Emiliano, and Clare are the heart of the foundation, the money, and the operations. All three of them have done criminal acts, but none of them knew what the others had done. Clare did the stuff getting the financial records, Nancy hid the money and did the tax fraud, and Emiliano set up the scheme to get you and Toni thrown in a Mexican prison. But, none of them knew what the other two did, you follow me?

Barbara: Yeah I do.

Kristin: So, I addressed all three of them repeatedly about what all three of them did, and I cc'd all the NXIVM attorneys.

Barbara: Okay.

Kristin: And, I said, look you have to each get your own independent counsel to evaluate your own liability in this situation. Because, I also wanted to notice the attorneys, because they have a legal duty to advise them especially in receipt of that knowledge that each of them would have to get their own independent attorneys, because there's a huge conflict of interest between NXIVM, Nancy, and Clare. Then obviously also with Emiliano, because, even if they didn't know what Emiliano was doing - they're culpable for Emiliano's actions, because he's on the executive board. Then, it becomes, they're all liable for each other's actions as part of the criminal conspiracy whether they knew about them or not. So, let's go through the immediate, your specific computer trespass case first, and then we can talk about the other things. So, in NXIVM made a huge error, but I think it was an error it was just Keith doing what he does, which is committing fraud and lying, and thinking he's not going to get caught. So, remember how I said to you that they're going to file this RICO action, they're going to amend it, and they're going to do all this stuff for the conspiracy case?

Barbara: Yeah.

Kristin: Well, here's the thing, that civil case was filed approximately four months before I left. Right?

Barbara: Oh, wow, is that separate than the civil?

Kristin: No, the civil computer trespass case was filed four months before I left, under seal.

Barbara: Yes.

Kristin: I was never informed that it was filed, and I was never even shown even a draft of what was going to be filed. That was the only time that I was not cc'd on any paperwork that was being filed. Keith told me on the side, several months even before that, that what was going to be filed was a RICO action, because the RICO action would overcome this issue of statute of limitations. ***Now, the issue of statute of limitations on a civil case—and this will relate to your criminal case—so just bear with me. Is the issue with statute of limitations - here's the thing - the original trespass was discovered in early 2011.***

Barbara: That was the Mary Jane Pinto thing?

Kristin: Yes, Mary Jane Pinto was discovered in early 2011.

Barbara: Okay.

Kristin: Keith sat on this, and did nothing for almost a whole year. And then when they filed it, I went to him and I went to Nancy. And, I said to Nancy. I, first said to him, "Are you kidding me? This was the one thing you had to do all year long." I said this to him directly, and this was when I was on my way out. I barely ever spoke to him after this. I said to him in early 2012—late 2011 - early 2012 - they knew about the Mary Jane Pino login, and they were going have Ben and Steve research the instances of how people logged in, and pull up the IP addresses. And, it wasn't hot on the list because at that time they thought it was just Toni, Joe, Yuri, and Susan - everybody of which had no money.

Barbara: Exactly.

Kristin: Okay, so he did nothing. And, then he sat on it. And then like a year later, I asked him if he did anything about that and he said, "Oh you know, No, I don't know what's been done. I don't think anything has been done. I'm going to have Steve and Ben send you the instances of the login and you and the other legal assistants (at the time it was Terri Ibbitson and Lisa Derks) can start looking them up and doing some diligence." And, within one hour, I was like, obviously all of these people logged in. I said to him specifically, "You blew this, you lost this case, there's no case. You blew it on statute of limitations." Right? Then, I went to Nancy, I tried to deprogram Nancy, but I had to always go light, because I didn't want to out myself as being onto Keith. You know what I mean? I was always walking that line between trying to point these things out without outing myself completely as a dissident. So, but I went to Nancy and I said, "Look at his fucking life. He's so lazy, he can't get anything

done, all he does is spend all day long fucking around with women, walking around the neighborhood, playing fucking volleyball, and giving speeches.” I said, “This is the one fucking thing he had to do.” I said, “He’s asking us to sacrifice our lives doing this work we hate, going after his ex-girlfriends, and what the fuck is he doing? He’s doing nothing!” And, I mean there was a point when I went to Nancy and said, “It’s like being a fitness fanatic does not make a person a renunciate.” She was drinking coffee and she literally spit out the coffee laughing, she was like, “You’re right!” You know? Obviously, this was in 2012. I was like, “Obviously, this man is not enlightened!” You know? And, he’s got everything exactly the way he wants it. This is exactly how he wants his life to be. He doesn’t care about the shit. He’s not trying to succeed; he’s trying to enslave. And so, at that point, I was just like, you know, that was one of many, many things that had happened. And, I was already in the mode of, I just did what I was told, but I didn’t volunteer in anything. You know? And, I didn’t generally offer to help. And, I just did what I was told, and I was trying to pull away from everybody with my son to socially, emotionally you know distance so that when we did leave there would be no blip. So, anyway, here’s the thing. So, Keith later came back to me and said, “Oh, well, we’ve overcome that because the attorneys came up with a strategy to overcome the statute of limitations issue.” And, then went forward with filling the complaint with the police, and you know how they were going to do this whole civil case in conjunction, and it was all going to be fine, because they had a legal strategy with the conspiracy and the RICO was going to overcome the statute of limitations. Keith lied to me about that, because and they filed that thing. I never would have participated in that, because I of all people knew it was a lie, and I made a big stink about it being a lie as an example of his incompetence, and they fucking filed it anyway! I mean, understand **that civil complaint is completely, provably, perjurious, and fraudulent, and a malicious prosecution. They state in that complaint that they discovered the trespass in early 2012, when they discovered it in early and late 2011.** Now, here’s the proof; the emails were legally obtained. The way they were obtained was, after Joe O’Hara’s bankruptcy got dismissed, he got fired and the boss turned over all the emails. And, it was his right to do so, it was his company, and it was his property. Joe lost all his control and expectation of privacy on those emails, and NXIVM did not even request them. Goldberg just turned them over because he was pissed at Joe because Joe allegedly filed complaints against him for being fired for being too old. So like Joe made a bunch of regulatory agency complaints of his being fired for improper grounds, and Goldberg was pissed because it cost him fifty thousand dollars to get all the complaints that Joe filed dismissed. This is Joe.

Barbara: I know.

Kristin: You know, this is what he fucking does. However, in those emails, the original emails were sent to me, to Clare, because I knew Jack Goldberg because I had interfaced with him in Joe’s bankruptcy. The first thing he did was sent a batch of emails as he was pulling them off Joe’s email server. He forwarded them with attachments to me, Clare, Pam Nichols (NXIVM Attorney), maybe Steve Coffey (NXIVM Attorney), and Beth Bivona, and Bill Savino from Damon Morey

(represented the Bronfmans in bankruptcy). So, I had understand from 2009 through until I left in 2014, I never had any contract with Clare. I worked solely for the Bronfmans. I had no contract, no confidentiality agreements, no work contract, nothing. And, I had no duty of confidentiality, and I was always a third party on any communications that were sent. I had no agreement with the attorneys; I wasn't retained through an attorney. Anything that went through me, and my email account, is fair game, because in relation to anything to do with the Bronfmans, because there was absolutely no confidentiality. Do you know that if you have a third party consultant working on a case—attorneys got in everything that I oversaw, everything was airtight, that there would be confidentiality from any outsiders, because they had to be retained through attorneys.

Barbara: Right. Who would have every thought they never counted on you.

Kristin: In the three and a half years leading up to where I left, I was a spy. And, I went to great lengths to make them think I was going along with things with the exception of trying to deprogram Nancy and a couple of other people that I was close to that were not close to Keith. Nancy was the only person that was close to Keith that I tried to out keep to. And she never told Keith anything, things that I swore her to secrecy and she kept it. So, he was overconfident and I fed that overconfidence. When I talked to Keith I acted happy as a clam, lost in my issues, you know I did all kinds of things to just separate and make him think that I was somebody that was no threat. So, here's the thing. In the original batch of emails, Toni and Joe, and at different times Yuri and Susan Dones, they were logging onto the system and they were emailing screenshots of the coach's page.

Barbara: Oh!

Kristin: And, that was in those original forwarded emails. That's going to come out because in the civil case they—and this would be relevant in Toni and Joe's criminal case—because it shows that they were fucking emailing screenshots and they're going to be able to prove that the discovery of the original trespass happened a year before NXIVM alleged. This is why this is extremely significant. ***That is grounds for impeachment of everything NXIVM says, because it's pre-maphasha fraud and perjury in the civil case. It shows that they were willing to lie in the civil case. Now, I don't know exactly what was filed with the police. In other words, I never saw the actual complaint that was filed with the police. But, I am 99 percent certain that the complaint filed with the police mirrors the allegations in the civil case. So now you just got them completely on perjury, and if that's proven that that was a lie, no jury in the world is going to find you guys guilty.*** Because now, anything that NXIVM alleges is called into question in terms of everything to do with the security and the trade secrets, and the representations they make about how they do things.

Barbara: So, let me say this back to you in a very simple fashion to be make sure that I understood it correctly. So the cornerstone of this is the statute of limitations

expired, and Keith has got these emails, the original batch from Joe, but they received them a year later, but they're lying and saying they received it a year earlier in order to fit into the statute of limitations, is that what you're saying?

Kristin: Yes, that's correct.

Barbara: Okay, good, that's what I thought, but I was just double-checking.

Kristin: Just to make a fine distinction, we don't know if they're lying about when they received the emails, but ***they're lying about when they discovered the trespass within the emails.***

Barbara: Yup, got it.

Kristin: And, ultimately, this is going to come out, because in the emails they have the attachments, and the documents they are sending back in forth of screenshots of the system, fucking screenshots. There's no way they're going to be able to defend about that and say, "Oh, we didn't learn until a year later." Screenshots! And, they're developing a list, a customer list, based on the screenshots and based on their knowledge. Now, from that, Keith was able to ascertain with Steve and Ben that the login was being used to get those screenshots because of the dates on the emails. So, now the interesting thing about this, ***this is going to be squarely on Keith because he, this is one of the few things he directly supervised. He was the one that was supervising Ben and Steve (NXIVM forensic experts used in criminal case). So, he's not going to be able to pawn off or distance himself. And besides the fact that I know his email account that he was using and it's a yahoo account so he can't delete emails from it if it's subpoenaed, and I know the cell phone number he was using at the time. So between his emails, his cellphone, and his texts. So, now that goes to impeachment on the discovery of the evidence, and now goes to potentially, perjurious statements made in the criminal complaint regarding this. And it certainly goes to the civil complaint. Now who else is on the hook for this is, Pam Nichols. Because, Pam Nichols is an attorney of record in the civil case, and those original emails also went to Pam Nichols. She's the lead attorney in this case, and that case is filed civilly. She's going to have a real hard time arguing that she was not deliberately suborning perjury in the filing of that civil complaint, and arguably whatever was filed with the police.***

Barbara: Is she aware of that, Kristin?

Kristin: She's aware of it now.

Barbara: At the time she wasn't?

Kristin: You know what I think? She was scrambling always to study the evidence, and she had a sort of shitty associate and they relied on me, you know, and Terri, to

do everything. But, then what happened was, we did everything and gave it to Keith and gave it to pass it on. And, ***then Keith took it away from us to finalize, and then he must have got Clare. I mean, the way they constructed this is going to be so provable, and it just blows my mind how bold a fraud it is, considering how easy it was to prove.***

Barbara: Okay.

Kristin: So, now, okay, there's a second point to the cases as a whole, actually there's three points. The first is, the statute of limitations issue. Okay?

Barbara: Yeah.

Kristin: The second and third points are, the procedures for which NXIVM retires login IDs, and on what basis, the sharing of the login IDs, and the representations that NXIVM has made throughout its legal history regarding how it protects its trade secrets. This is how you get off all across the board, because the issue of the discovery of the logins impeaches and makes both the civil and the criminal filings based on how they lied. But, that's not exactly on point for the charge against you, because the charge against you have anything to do with the discovery of the Mary Jane Pino. Now, you can still use it, because it's just such a sweeping impeachment of evidence. However, here's how we get the charges specifically against you. Ready?

Barbara: Yup.

Kristin: So, first of all, NXIVM alleges in its civil case that it had a procedure for terminating passwords for students or coaches who were determined to be adversarial.

Barbara: That's not true though, is it?

Kristin: No, it's not.

Barbara: No, because in my nine years there, I'm not aware of one single person they blocked off that social webpage.

Kristin: Like, I think maybe, I know of a few people. You know like they did, Joe O'Hara, I think at one point, and a few people like that. And, then after you left they terminated you.

Barbara: Well, when we left that was the first that I became aware. Listen, I was in sales, enrollment, and field trainers stuff, and I am not aware of them ever blocking anybody.

Kristin: This is an important distinction, because first of all – bullshit - that they terminated people’s logins that were considered adversarial, because guess who they knew was adversarial - and they didn’t terminate? Svetlana.

Barbara: I know. I know.

Kristin: So this is an argument for your attorney. Now, this is how they knew specifically that Svetlana was adversarial. You had an assistant in the summer of 2009 that was leaking information to Becky who was reporting to—

Barbara: Lisa Pritchard. Lisa fucking Pritchard.

Kristin: Okay. So, Lisa was reporting that Svetlana was at your house, and those meetings you had in that summer. They knew Svetlana was adversarial in the emails from Joe, we’ll call them the Goldberg emails. In the Goldberg email there’s mention of Svetlana being against NXIVM. So, they never terminated Svetlana’s login and you can prove that they knew. The Lisa Pritchard thing will be harder to prove, because you could potentially make that allegation that you heard that from a source, and then you’d have to, you know, subpoena Lisa, subpoena Becky, but within the emails themselves it is also evidence. Ultimately in this case you’re going to be entitled to get all those emails. Into a word search “S-V-E-T” and you’re going to find all—

Barbara: I fired Lisa four months after I moved into my house, and left NXIVM, because I caught her three times meeting with Becky. Can you believe two people saw Lisa in a fucking bar with Becky and overheard her conversation?

Kristin: You’re kidding.

Barbara: No, I swear to fucking Christ. So I let Lisa go within four months, because I caught her three times. Oh my god.

Kristin: Maybe it wasn’t Lisa.

Barbara: It was. Lisa was the only one I kept. Everybody else was gone, and she was spying on me. And, Svetlana, as soon as I quit, was coming to my house. Oh my god, she showed up at my door stoop one night, and balled her eyes out, and told me everything. So, you know, oh my god.

Kristin: So, here’s the thing, and we will recap all this with your attorney. NXIVM, just because they say they had a policy that logins couldn’t be shared, there was no policy. There’s nothing in writing.

Barbara: I know.

Kristin: And, it’s not mentioned anywhere in the contracts.

Barbara: Yup, I know that.

Kristin: Okay, here's another point. In relation to the civil complaints evidence it talks about the security of the trade secrets, correct?

Barbara: Yes.

Kristin: Okay, so first of all, we have the login issue. In the complaints it attaches a contract as an exhibit that has a clause within it stating that you can't talk about other students. Look at that contract, and look at your own file of your contracts. To my knowledge, that contract was never incorporated into the program, and I never even saw it before. I know, I think that it's possible that contract didn't come out until even after you left. But, if it did come out, it certainly came out late in your tenor.

Barbara: Well, what I can tell you is that I've read that contract many times, both Susan Dones and I really scoured it, because for a while there she couldn't get her original contracts. So, I don't recall ever reading in there that you can't talk about other students, so I think you are right. Because, we became very familiar with that contract.

Kristin: Right, so, do you have access to your records?

Barbara: Yeah, mine was filed in one of the lawsuits it's an actual exhibit on Pacer, and in my library of congress on my computer.

Kristin: Alright so you want to pull up. Do you have all of your contracts that you have ever signed?

Barbara: No I don't. Listen, they never gave us any of the contracts. Nobody got copies of the contracts, so the only contract I have is the one they gave in an exhibit when I was in bankruptcy. It's the only one I have, and its date I think in 2003, or I don't know - a long time ago.

Kristin: So, if you wouldn't mind, pull that out, and email it to me. And, then we're done. This is why. This is a huge, this is how you win these cases is on these fine technical points. They are making this allegation in the civil complaint that this was a policy put in place regarding third party communications about third parties in training. And, they're using it as an example as to why Mary Jane Pino's sharing of her login would have been improper, because of this contract. She didn't sign that fucking contract! That contract wasn't existent, her contract was signed in 2003.

Barbara: Yup.

Kristin: Do you follow me?

Barbara: Yes, I do.

Kristin: Okay, so then there's a fourth point of evidence, so, in just on what I've given you so far, you'll win.

Barbara: Right.

Kristin: You'll win on this, and you'll win civilly if you ever get involved.

Barbara: And, are you ready for the other thing that I have?

Kristin: What?

Barbara: When Svetlana couldn't remember her name password. Remember the Dalai Lama, you could buy the ticket on the website?

Kristin: Yeah.

Barbara: Well, I had broken my arm before that. Remember when I broke my arm? And, I had went to Svetlana for physical therapy. Svetlana and Sergey wanted to go to the event, and so there's Svetlana as an adversary, gone for years, and she asks me to get her name and password. And, I told her I would. And, I have an email from Ben Myers saying, "Here it is. Here it is, Barb, use it, give it a try, make sure it's okay, and pass it on to Svetlana." You know, the computer penal code says, you need permission from either the owner, which would be NXIVM, the lessor which would be Svetlana, or the owner's privileged person authorized to give out the name and password, which would be Ben Myers.

Kristin: Right.

Barbara: I have fucking Ben Myers—I have that email! I've got the fucking email. So, that's another thing that I have. Then, also, Svetlana knew about it, Svetlana asked me, and she gave me permission. I got permission from Ben Myers, and then when Svetlana started coming to my house, she didn't give a shit if I kept using it. So when I came home Christmas time, I thought this was going to be a slam-dunk. I called up Svetlana and said, "I want to get together with you." I met her for seven hours and in that seven hours, I said do you remember the Dalai Lama? And, I walked her through the whole thing, and then I showed her the Ben Myers email and she like, turned white, and she got terrified. And, she looked at me and she goes, "Oh my god, I remember everything now. I remember all of it!"

Kristin: This was after she had done the affidavit?

Barbara: Right, but she hadn't told me she did the affidavit and she didn't even remember if she actually did an affidavit. What she remembers is Roger harassing

her, being scared shitless that Keith was going to torture her, and put her attorney with Roger. So at this point now she's visibly shaking. And, she says, "Oh my god, Barb, my attorney gave the trooper a statement saying to the best of my recollection that I never logged onto the social webpage nor ever gave permission to anybody to ever use it." And, now she's sitting there, and she's like, "Oh my god, that was a lie!" And, I said to her, "Did you give an affidavit?" And, she said, "I don't think so. I think we just verbally said it over the phone." I said, "It doesn't matter either way. I mean I don't even remember what I had for breakfast yesterday let alone six years ago, you know? I said, you can easily amend whatever statement you made." Then, she got terrified again, and she said, "You know that if I amend my statement that Keith is going to torture me, he's going to bring people into my business and ruin it, he's going to have spies, he's going to stalk me." She was physically, her face turned red, she was sweating, she visibly got shaken. Now, remember, she and I became very, very close when I quit. So, she became very privy to what was going on with me so she knew the capacity of what Keith could and would do, and they already had, she was afraid. They threatened that she owed them money from years before. She's like fucking terrified so she says to me, "Well, they told me it was illegal that I couldn't give out the password." I said, "Well that's a lie."

Kristin: They can tell you that after the fact. There's nothing in writing.

Barbara: She said the trooper told her that. So, I said to her, "Listen, it doesn't matter. It's all a lie. All that matters is telling the truth." And so she says to me, "Well let's have all of our attorneys meet. I'll amend my statement. I'll draw up an affidavit, and let's do all of this." She was with me for seven hours. Kathy Ethier was present so I actually have a witness to her turning red and admitting. I mean, listen, I had fucking Ben Myers email with permission, I had Svetlana giving me permission to get it, and a month later when I quit she carte blanc told me to use it whenever I want. I just never did. I didn't ever log on. I didn't give a shit, you know. So, then now what happens is that she never returns my calls for a week.

Kristin: So she backed out with wanting to do the affidavit?

Barbara: Yup, so my attorney said to me, "If she was my client, I'd be telling her to do the same thing. I would be saying to her, this thing's never going to go anywhere, they would never bring it in front of a grand jury, it's a fucking joke, let's not get involved, let's not get scared, let's not get on Keith's radar, and let's just wait and see how things go, we can always amend it later on." Well, that's what she did. But, the reality is that I had her permission, and I have a witness to it, and she knows it. So, I didn't log on without permission; I had permission from two different sources. And, I didn't see anything proprietary, and I looked at a fucking social calendar and workshop for God's sake. So, in order to make it a crime it has to be proprietary. And, so now they amended the felony count at the arraignment hearing, and we got the updated revised felony count, and they're fucking lying. They added in three words at the end of the paragraph as if I wouldn't see it. The last three words say, "Barbara logged on and looked at the social and workshop calendar," that's what it's

always said for the last five months. Well, suddenly it says, “as well as the coach and client list.”

Kristin: Wow!

Barbara: That is a fucking lie. Listen, Svetlana didn't have access to that. She, and here's the thing Kristin, the felony count clearly labels Svetlana as a student - not as a coach. Trooper Roger told me that the activity logs said the social and workshop calendar. And, I got the audiotape. And, I mean, listen, they fucking inserted those three words ten days ago because they know their ass is fucking grass. They all thought that I'd settle out a court or give them the Bronfman records. I mean, do you know that they're still asking me? Do you know that Steve Coffey tried to get my attorney and I to sit down and mediate, and hand him over the Clare Bronfman records again? Just two weeks ago.

Kristin: You're allowed to keep your own set.

Barbara: No, they want my set. You want to know why they want my set?

Kristin: Yes.

Barbara: Because, I've got the needle in the haystack.

Kristin: You know what they want? They want—Canaprobe.

Barbara: Right. We know what they're trying to do, fricking-A. And, I haven't spent five years not handing over those records to do it now. I'm not giving the records. I'll give them the records and Keith, six months from now, will be stalking me again for some other piece of bullshit. I know how this goes.

Kristin: You know what? Here's the thing, it doesn't matter, and at the end of the day you're entitled to keep the copy. They're trying to do that in a type of settlement. Why the fuck would you settle now?

Barbara: I know. Here's the thing Kristin, their mistakes are adding up. I've got Trooper Roger on an audio acknowledging what I looked at. I admitted what I looked at. Svetlana had student access. NXIVM described in detail in the lawsuit just last week, on page two, they described in detail that a student can only access basic information like the social and workshop calendar, period. That it's only at coach access that you can see the magnificent reports, the coach list, the client list, the phone tree. Listen, they already put the nail in—they're lying. So, the thing is that - I had permission. I didn't look at anything proprietary, and I did an isolated fifteen-minute logon. And, we've got evidence across the board to prove all that, and on top of that Kristin, they're lying!

Kristin: Yeah. Now, here's why, you have enough to win without even proving the fraud. However, if you can prove the fraud. What I mean by fraud is, I mean them knowingly lying to the police and to form the basis of the complaint. The prosecutor might have added that in out of incompetence. Like thinking, bah, bah, bah. Always be thoughtful that things may not be collusion or corruption, and it may be incompetence, or lack of precision. Although it could be collusion, but I doubt it. It's just incompetence. The reason why these other points that I'm giving you about the fraud are significant is because you get damages if it was a fraudulently made complaint. If they make a complaint, and it gets dismissed, because there's not strong enough evidence, you don't get damages. If you show that it was a malicious prosecution, and they filed this fraudulently, then you're entitled to damages both from the criminal in the criminal case, and then you can fucking sue in the civil court. I'm sure if it got to this point where you're able to prove that you could definitely get an attorney to do this on contingency because of the damage.

Barbara: Mark is already saying that. He says to me, listen, I just wanted to make it go away, but he said to me, "Listen, we can make this go away in a nanosecond, like a nat, but you don't make Keith Raniere go away." He says, "If we're patient, schemers scheme, and do deceitful evil things, and they're illegal, and they fuck up." He said, "They're desperate, they're all desperate right now, so let's just let them fuck up some more." He said, because right now, he believes I have serious grounds for the malicious prosecution with his criminal thing, but he thinks like what you just said. You just gave me other grounds for malicious prosecution, but he also firmly believes that they're going to do more criminal things, because they're going to get desperate. Like you just explained to me that Pam (Nichols) has cause to be concerned, which means Steve Coffey has cause to be concerned. What Mark is predicting is that Steve Coffey is going to try to bribe the Prosecutor. He said, "You mark my words." He said, "We just got to give him a little bit longer of a leash to cut the head off the snake. Not to step on the snake, we want to cut the head off once and for all."

Kristin: Good, so you're in it for the big victory not just getting off your charge.

Barbara: Well, here's...

Kristin: As long as they don't conflict.

Barbara: Well, here's the thing, Kristin, if I could wake up tomorrow morning and just simply have this be over, I want you to know I'm a happy camper. I have had people say, "Oh, you can sue the snickers off him." I've said, "You know what, I don't know if I have the emotional wherewithal to keep living with this. So, I'm not in it thinking, oh let's get the nail in the coffin so I can get the money. I'm in it to make sure we cut the head off Keith Raniere.

Kristin: Okay. So, here's the thing Barb. If we can get all this evidence out in the criminal case. This all comes out in the criminal case - Dreyer, Shultz, and Grygiel

will fucking sue the shit out of NXIVM, and you can just tag along. Seriously. The strengths of what you have that you can bring to the table that no one else can - is that I can feed you things in a way that you understand it operationally, and can prove. So, keep myself out of the case, I've given everything to Grygiel and Dreyer, but they're processing it. You know what I mean?

Barbara: Yes, I totally get it.

Kristin: But you, I can tell you once, and you fucking understand. So, when I say we can kick them back in the civil case, I already know that that's what they want to do. Suzanna and Jim Odató's careers are trashed.

Barbara: Are they?

Kristin: Yeah, Jim got fired.

Barbara: Oh?

Kristin: He got fired.

Barbara: I didn't know that! I only saw an article about a leave of absence and we all wondered what that was about.

Kristin: He was on a leave of absence, but they replaced him.

Barbara: Oh!

Kristin: And, he's not a young man, he's like 59 years old.

Barbara: I think he's even older than that, Kristin.

Kristin: His whole career, his whole legacy hinges on this. I'm sure Suzanna is persona grata, I mean this is the damage to her. She's a hot shit fucking, you know, investigative journalist. I mean, her credentials are incredible and articles written.

Barbara: So, let me understand though, it seems to me that neither Suzanna or Odató got arrested so that doesn't show up on the record and they're being sued. Is that such a blemish for Suzanna Andrews?

Kristin: Totally.

Barbara: Really?

Kristin: Oh yeah!

Barbara: Oh, I didn't know that. Okay. Alright.

Kristin: It's a huge deal for them, because...

Barbara: That doesn't happen a lot, Kristin?

Kristin: No. Arguably, Hearst is on the hook, if Jim doesn't win, and win big, then the parent companies can be brought in. That's why, it's not just about their reputation, it's about the liability for other parties. Now, if they didn't win and win big. Here's the thing, I believe Suzanna was dismissed in part because of what I did. In other words, I heard she was going to be indicted. And, they were looking for some way to prevent it going forward, and I felt I was in a secure enough position to start releasing bombs. Because I knew that once she gets indicted, because of the power of the press, and the need for the press to gang up about Keith on all this.

Barbara: Exactly.

Kristin: That would have such a chilling effect on everyone that it will be much harder for us to win. What I mean by chilling effect is - is a chilling effect on the press, and it will make Jim Odató's case much worse for him because if she's indicted then he's next. And, what not. So, you know, anyway, here's another thing I want to go over with you, this will be the death of NXIVM, what I am about to give you, and you're going to remember this, and maybe you haven't thought about it exactly.

Barbara: Hold on, my pencil just broke. I am taking notes with you saying stuff because I don't want to forget anything. Okay, I am good to go.

Kristin: Okay. Do you remember, it was in the fall of 2006? I held a meeting to go over security procedures regarding NXIVM retention of their notes and how things were tracked and put in the password protective room at the NXIVM center. The reason we had this meeting, and it was in the little window room, and you were there, and I think Wendy Rosenbrooks, and Ivy, and Nancy, and the reason for this was the NXIVM attorneys, young attorneys, the two associates that were on the case, were coming to take the course. You were going to be, you were one of the proctors. You remember Doug Renny?

Barbara: Yeah.

Kristin: You were one of the proctors and NXIVM had put into a place, a system where the notes were being numbered and all of the coach's notes, and everything was only in what became the proctor room. So, here's the thing, do you remember being told to tell the attorneys that this had all along been the procedure?

Barbara: Yeah, it was a crap of bullshit.

Kristin: Here's why that was done. The reason that was done was because in the Ross case, the trade secret claim on the Ross case hinged on demonstrating a certain

protection of the trade secrets. That policy was put into place in 2006 and it was used as a basis to say that a policy that existed at the time that Stephanie Franco had taken the training in 2001. That is complete and total fraud about how NXIVM represented its protection of its proprietary material. Now, if we can get this information to come out it will not only does it destroy the computer trespass case, because now any representation they're making with the computer trespass case about the steps they took to protect the proprietary material - is called into question, because they have a history of lying about that and a huge litigation. The second thing is, if this comes out it destroys the Ross case, which has not been settled.

Barbara: Right. Yup. Listen, I have known that. I remember learning that back when—remember when I deposed in the Ross case in the beginning (after quitting NXIVM) I was able to get everybody's depositions.

Kristin: Now, we have to be careful about that just as an FYI. You were not, I know Peter gave this to you, and you signed the confidentiality, he wasn't supposed to give those to you.

Barbara: Oh, I didn't know that.

Kristin: Yeah, I know and I don't know if it's going to matter one way or the other but do you recall Nancy testifying to that?

Barbara: What I remember is that people were lying about the security of our notes and things like that, and I'm like this is a crock of shit. So I figured that out way back then and I also think that I knew about that way before. I mean, this is something I heard just from being around that nothing was protected, and that was big in the Ross case, and I didn't realize how big it was but I knew that it was significant.

Kristin: Here's what's great about this, first of all, did you know that NXIVM didn't even have that space when, ah?

Barbara: Yeah, it was Nancy's office. The notes were out in the fucking hallway for seven years. What are you kidding, the cleaning maid could've walked away with the notes.

Kristin: In 2001, I don't even know if it was Nancy's office. It might have been before we even got that space.

Barbara: That's true. That's absolutely true. I actually have notes on all this stuff. I can find out when we took on that new space because over the years I had all the emails. Remember how I use to do all the communications before Ivy came around? I kept all that stuff. I kept the NXIVM land breaking ground announcement. I have all that stuff, you know?

Kristin: Okay, here's the thing. I cannot bring forth that information for two reasons. But first of all, the change of the notes was done by Ivy; it was not done by me. The security procedures were done by Jim Del Negro. Arguably, my hands are clean on it, although, people can state that I was in that meeting saying what needed to be done; I'm not that worried about that. But, I don't want to be brought in on any bogus claim of breaching my own confidentiality to NXIVM. Because, in the Ross case I signed mutual defense agreements with NXIVM as to what transpired in the litigation. Now, all of that is over-come-able, but I'd have to potentially overcome it. However, you were there.

Barbara: Yeah, listen, there's a lot of us. We could put a line out the door of people that could testify that those notes were not secure.

Kristin: Okay.

Barbara: A line out the door!

Kristin: The most important thing is that you were asked to lie about it, if questioned by the NXIVM attorneys. Now, here's the thing, in your case, you have your own duty of confidentiality for the contracts you signed to keep the methods and information of ESP (Executive Success Programs aka NXIVM) to be confidential. However, in your defense I'm sure that there's a way in the defense of this criminal charge that you're entitled to divulge this specific information about the misrepresentation about the notes.

Barbara: I would think so, I would agree with you on that.

Kristin: So, this is something we need to consult with your attorney on. Okay? Because, if you have a vehicle now, because you've been charged in this case to divulge this, and the fact that you've been charged in this case as a codefendant with Toni and Joe. Okay?

Barbara: So you're saying there's an advantage to my being sandwiched in between them, for me or for them?

Kristin: For this specific information, just hear me through.

Barbara: Okay, go ahead.

Kristin: Because they're codefendants, and we'll talk this through with your attorney. I believe that, you are not only able, but of course you're able to disclose this information to your attorney, but you should be able to bring this information forth in your criminal case in relation for your defense.

Barbara: For the joint agreement thing?

Kristin: Well, not even putting that aside. I don't know the specific law in this I believe your attorney will. But I believe the goal would be to get this information out in either: a) an open court where NXIVM loses its ability to maintain this specific information about what we just went through about the protection of the notes. NXIVM will no longer have a duty, or the ability to maintain that specific as confidential operation materials. Your attorney will say you have to do this in terms of your defense, BOOM. Or if NXIVM has some ability to have some confidentiality I'm certain you're going to be able to disclose it to your codefendants.

Barbara: Right.

Kristin: They can't keep you from not disclosing. They can't say, oh, your confidentiality agreement bars you from being able to defend yourself. Now, here's the thing, if we can get this information out about this it destroys everything for NXIVM, the Ross case, and then the counterclaims on the civil case are huge. It just goes to show that, that civil case they lied, egregiously, provably, not only in the civil case, but also in the Ross case. And, if they lose that Ross case, because what will happen is - if this comes out in the Ross case - they're all going to sue counterclaim on NXIVM for lying.

Barbara: Right.

Kristin: And then, they're fucking done.

Barbara: Right. You know, yup, not only that, but are you aware that Clare Bronfman signed my felony complaint?

Kristin: As a....

Barbara: As the complainant. She put herself right smack in the middle. When Mark saw that he thought, "You know what, that is the stupidest thing she ever did."

Kristin: Right, because she is totally personally liable.

Barbara: Right. Exactly. So that brings her in, now I don't know if she did that with Joe and Toni, but I'm willing to bet she did, if she did it on mine. So, what Mark said to me is, you got two for one. I mean, you got Clare and NXIVM. He asked, did Keith put her up to that, so I don't know how that happened but that was a stupid move on her part.

Kristin: Idiotic, but not only that, but the whole thing about the emails, the Goldberg emails. The Goldberg emails went to Clare, too, personally, and the contractors, me, Terri, Lisa, the people that were helping in assisting the processing of the emails, all our invoices detailing all the work that we did was sent to Clare, and Clare signed off on them.

Barbara: Yup. Got it.

Kristin: So Clare has a complete and total co-mingling of her personal finances and her role with NXIVM.

Barbara: Right. Exactly.

Kristin: She's completely on the hook for the counterclaims. Anything that's going to come down now is going to come down on Clare, and Clare has money to fucking pay. It's not like NXIVM is going to just get off and file for bankruptcy or start under another name.

Barbara: Right.

Kristin: So, now, regrouping on the security of the notes issue and specifically presented as the security of the trade secret and the proprietary materials, the similar language to what's been alleged in the complaints. Ummm, how we would want to position this is that you weren't aware at the time of the consequences of what you were being asked to do, because you didn't have knowledge about what was going on in the Ross case.

Barbara: No, and I didn't.

Kristin: Until years later, but now in retrospect you realize, holy shit.

Barbara: Yeah, and that's exactly what happened.

Kristin: Right. So, that's a really significant point. And, then what you can back up is—I'm sure I can find ten other people that can also you know attest to this that were coaches, proctors, and stuff that could attest to this.

Barbara: Absolutely.

Kristin: Because, ultimately, this is going to entitle you to discovery in the Ross case. In other words, you're absolutely—and maybe you wouldn't file it personally, maybe one of the other like Grygiel, and maybe it will only be subpoenaed in the civil case, but ultimately, the parties will be entitled to this type of discovery. So now in summary, there's the allegation of fraudulent allegations made in the civil case, which I knew for certain were fraudulent, because I saw that evidence. There's potentially identical fraudulent allegations made in the criminal complaint; the underlying criminal complaint. Then you have the proof of the lack of terminating the logins which we went through, you have the proof of NXIVM having a history of lying about how they protect their proprietary materials from the Ross case. Then you have your own technical details, which have to do with the claim against you, hinges on the fact that you were looking at proprietary information, which you were not, and you're going to have that audiotape dismissed. But, if, again, I'm going to

present all this to your attorney, and ultimately, it's going to be your attorney's decision with you about the best to go forward. But, if you want to cut off the head of the snake getting this stuff about the one thing that only you will have is the ability to open the door on the Ross case.

Barbara: Yeah, I see.

Kristin: And, it will be devastating if—I mean understand that what NXIVM doesn't realize is coming down on them, and what's coming down on Clare, is the fact that they're going to lose that case, which they spent ten million dollars on, thinking they're going to settle it and get money. Not only are they not going to settle it and get money, but now Ross can sue counterclaims saying they lied. The whole case hinged on that. Stephanie Franco can sue, the Sutton family can sue counterclaim, and even if they don't want, Ross will want to do that, Franco and Sutton may just want to be out but they're not going to have to pay any money. But, I think there's a very good chance that Ross will sue. Ross will sue for big money on that. But, it's going to be devastating to Clare and then the counterclaims in the civil case with the press defendants. That, now that's, they can sue for ten million dollars each. You have a slam-dunk on your case no matter what. If we can bring in these broader things, which I don't believe will over complicate or hurt you, it will only enhance. Now let's go into, I'd like to go into the more controversial things. Now, I think that you have a basis to introduce evidence of intimidation and threats regarding what happened with Svetlana. The fact that you have and went through this thing and the fear that witnesses have in terms of going forward. Here's the evidence of that, first of all, you have a copy of the Canaprobe invoice, which says bank sweep of Rick Ross, and a bunch of other things, you got to pull that all again.

Barbara: I have it.

Kristin: Okay, great.

Barbara: As a matter of fact it's about ten feet from me.

Kristin: Okay, so here's the thing, in the same category of getting advice from your attorney about what you can disclose in your defense and the best way to do this. This is an important defense point especially it goes to and right on target for why somebody like Svetlana would be afraid to testify, or be afraid to amend her affidavit because of Clare, under direction of Keith, obtaining personal financial information of adversaries to use to harm them and harass them, you know, to intimidate. You can bring that forward. And, here's the thing, they ultimately went ahead and got financial information on you, on Toni, on Joe, on Jim Odatto, George Hearst, Rex Smith, every Judge in every case that they were involved in. Now, when this comes out, it's going to be a shit storm. They're never going to be able to civil litigate a case ever again. Now, what we were told at the time was that because it was in Canada it was totally legal. And, if my emails were ever subpoenaed, I have records from Harris Beach saying this is totally legit. I learned later that there's no fucking way

this is totally legit. Even if it wasn't criminal, it goes to, it's certainly a civil, it's civil damages. But, from a credibility standpoint, it's the fucking death note. Because, they're getting information on fucking Judges and the press. Obviously they got information on you, too, but the thing that makes it headline worthy and completely will discredit them.

Kristin: What, what the process was - was Keith would decide what was ordered. I would call Canaprobe and tell them what they wanted. The invoices, and what they would do is fax the results, they would fax the financial information, and the invoices to the myfax account, which was also in the same email account and the same email address, in other words when you sign up for myfax, you sign up using an email.

Barbara: I have myfax, that's what I use for my office.

Kristin: They spent well over a million dollars! That first one hundred fifty thousand was just the first round.

Barbara: Oh, was that right?

Kristin: She got information on her father, Morris Sutton, the World Jewish Congress, Israel Singer, the Rabbi's, everybody that ever wrote a negative article, the fucking guy who ran the A Capella, the A Capella guy.

Barbara: You mean that Dean guy?

Kristin: Yeah, him, I mean everyone.

Barbara: Wow.

Kristin: Now, you know, Keith's whole thing was that it was a big Jewish conspiracy, which was his way, you know, of enslaving Clare. But, Pam Nichols knew all about this, and then it was Pam Nichols, it was Pam who hired another firm in New York City at one point, I don't recall their name, and they brought a private investigator who looked at all the stuff and said, I think this is bullshit. And, then Pam Nichols and Clare flew to Canada on more than one occasion to try to, you know, vet the information, to get some of the money back, it was never done through an attorney, so they have, you know, again you have a closed circle of financiers. Clare can't say, I was paying for this and I didn't know what it was. I mean, Clare went to fucking Canada!

Barbara: Oh my God. Oh, Kristin. Oh my god.

Kristin: This was going on for months!

Barbara: This is why they say people that are narcissistic and crazy like Keith that they are their own undoing because they're so narcissistic and cocky that they just don't ever think they'll get caught or that it's not going to catch up with them. You're just summarizing all this, and knowing this, his strategic move to do what he did was really, really idiotic.

Kristin: Here's the thing. Here's his fatal error in everything. He would have got away with this, but for me. Your charge would have just been, you would have gotten off your charge, you know what I mean? But, he had everyone by the fucking balls, except for me.

Barbara: But, they had, they had Clare Bronfman in early 2011 at Susan Dones' trial testifying that they knew people were logging on using the IP and putting stuff up on the blog, so they incriminated themselves.

Kristin: I know. You know what, I went to fucking Susan Dones's deposition and she was questioned about it, and you know what else? In one of the Ross depositions, which Bill McGuire excerpted in a public filing in the Ross case, there's supporting documentation, because Bob Crockett questions Ross about whether he's getting money from Jewish charities. And that's in the Ross transcripts that are public. So this is going to be an easy thing to nail down, but why it's significant for you right now, is again, the same issue. One, this goes right to witness intimidation. I mean, it's right on point to discuss, and be like look, this is why people are afraid. Like two, is, this is another, when this Canaprobe thing blows...this is...outrageous.

Barbara: It's big, Kristin.

Kristin: It's big. It's fucking big! And, so now I have a final thing, which has to do with the plot, the Mexican plot.

Barbara: I remember Toni calling me, you know, we didn't talk a lot, but once in a while, every three or four months, we'd have a little chat. But, I remember this one time calling saying, "Are you getting phone calls from this Mexican journalist?" I said, "We have gotten some, but I hadn't actually connected with the person." And, she says, "She wants me to come down. I'm not fucking going to Mexico, what are they fucking crazy?"

Kristin: So, here's thing. You and Toni—and possibly Susan was probably getting calls too cause they were after Susan and Kim as well. You can't imagine the importance of the evidence of these communications that this journalist was contacting you guys, because she was contacting you, if you recall, to go down to Mexico for an anti-cult conference, correct? Do you remember that?

Barbara: Yeah, Toni told me that part of it. I didn't hear that part of it, but Toni told me.

Kristin: It was an anti-cult conference. Here is what Keith and Emiliano did: they bribed a Judge in Mexico to issue an indictment against you, and Toni, and Susan, and Kim. They were at different times considering adding Rick Ross and Joe O'Hara but then Joe got arrested, and all these other people. Then Keith wheedled it down to just being the four of you. You were going to be lured into Mexico, and when you got to Mexico, they were going to put you in fucking prison. You should see the emails!

Barbara: Were they really? How serious were they?

Kristin: They were serious as a fucking heart attack. I saw the Judge's decision. Keith helped write it, and there were issues about Emiliano translating it. He worked on this for years. Fucking years. This was like a three plus year plot in the making.

Barbara: Wow. Wow.

Kristin: And, the only reason they didn't go forward with it was because when the journalist started contacting you guys, and Toni was the only one that responded, and there wasn't strong response - simultaneous to the lack of strong response - the police opened the probe into the computer trespass. So, Keith downgraded the plot to have you guys thrown in prison where he expected you to be raped and rot. And, he thought that the pressure would be so bad that Toni would turn on everybody and say whatever she had to, to get out. Cause he was like, "Barbara will go down with the ship" and like, "Barbara's never going to lie, but Toni will." That was his strategy, and his belief. And, they were going to put you in a miserable, horrible, violent, vile place.

Barbara: Right.

Kristin: And, the email, what happened was that Keith and Emiliano did this whole thing through a fucking Gmail account.

Kristin: Yeah, cause I think that was an email address they had just set up and what they would do was communicate by writing drafts. Like, they would both log on and communicate.

Barbara: Yeah, yeah, exactly.

Kristin: Here's the other thing, Keith didn't realize until the Edward Snowden thing came out about the NSA, what he realized later was that they save fucking everything. And, those emails are going to be in that account, even the drafts.

Barbara: So, the drafts even if you don't save the draft, and you delete them, it gets stored?

Kristin: Yes.

Barbara: Oh, I didn't know that.

Kristin: It gets stored on the Gmail server and uploaded to the government.

Barbara: Okay, got it.

Kristin: The Gmail server does the auto save.

Barbara: Yeah, that's right, it does.

Kristin: So, this is going to be harder to prove because of the complexity of getting it. But, I believe that you and Toni, and possibly even Susan (Dones) and Kim (Woolhouse), have a basis to look into this, because of the communications from the journalist. Why the fuck was this journalist contacting you?

Barbara: Right, well, I have emails.

Kristin: You have emails. Perfect.

Barbara: I mean, there were two different journalists that contacted me from Mexico. And, I mean I keep everything, Kristin, honest to God.

Kristin: Do you understand...

Barbara: Yeah.

Kristin: The plot itself, proves why, and gives a valid basis for not disclosing the source. And, at least, I believe the communications from the Mexican journalists are enough to provide a basis for it to be investigated even without having a witness to attest to it. But, here's the thing, Barbara that is why I'm in fucking hiding. I mean that is why I've had to take these extraordinary measures before I could get involved in this. Because, it's fucking black. This was serious shit.

Barbara: Right.

Kristin: I mean, this was when I was sub-rosa. I mean, in my mind, you can't imagine, you don't know how many stupid walks I did with Keith where he's saying these things and I'm saying, "oh, that's a great idea," but in my mind I'm thinking, he's a madman.

Barbara: Yeah, I know.

Kristin: You know? Because, I knew. But, I learned from experience that the way I'm going to get him is by playing along until I have so much that I could crush him.

But, even when I left, I had to protect myself first, before I could admit back. It takes time to get all this shit together.

Barbara: Do you have a prediction of what you think, how this will go down for Keith? Do you think that we'll be able to hold him accountable?

Kristin: Yes, I do. And, I think he will be thoroughly and utterly destroyed, and if he doesn't leave the country, then he's going to, ultimately going to, end up in arrest and indictments, and some serious shit for everyone, and everyone involved. Him, Nancy, Clare, and Emiliano especially.

Barbara: Right.

Kristin: And, you know what? I gave them fair fucking warning. If they're not getting their own attorneys to isolate separate themselves from Keith, then they deserve what they get. You know what I am saying?

Barbara: Right, well I heard Sarah Peters talks to somebody that I know and she said last, I think it was like May or June, that Steve Ose and a small group of people were terrified, they didn't want to stay, they were trying to figure out how to leave, but they didn't know how to. And, they were afraid. So I'm assuming that when you left that rocked the apple cart.

Kristin: They should've been scared, because when I made the allegation of illegal activity in that article, even though I didn't go on the record, and they couldn't say specifically that it was authenticated. Steve knew about the fucking Mary Jane Pino thing. You know? And, here's the other thing.

Barbara: Can he flip? I mean, is he like the kind of person? He's got a little baby, new wife, and we already knew he's terrified. He's been wanting to go. Wouldn't he be the kind of person that we could get as a witness that could be protected and share what they knew, and just throw them under the bus?

Kristin: Well, here's the thing. I think you cannot trust anybody that's on the inside unless they're fully out, but you expect that as soon this stuff starts coming out that these are the people that are gonna roll off.

Barbara: So both Steve and Ben know, or just Steve?

Kristin: Steve and Ben both know.

Barbara: Both know.

Kristin: Here's another leverage on Steve. Do you remember how NXIVM used to put in things as scholarship into the accounting system?

Barbara: Yeah.

Kristin: I don't know if you ever knew this or if I told you last summer, or whenever we were speaking, what the process was, was that Edgar Boone use to accept applications with wire transfers to his personal bank account and for Mexican trainings. And, Nancy and Loreta, and a whole bunch of people use to bring the cash over the border. And, the cash for a certain time period, I doubt it's still there, was kept in a safe in Nancy's house. I know this first hand because, a) I worked in fucking app processing and we use to put all the wire transfer applications in a scholarship.

Barbara: Oh, so no, I don't know any of this. So, let me grock my head around this. So, Edgar had a bank account he set up. The money would be wired into Edgar's bank account for the Mexico trainings. And, then the cash would come over the border, and then it would be logged on your system as a scholarship? Or, how did it...

Kristin: That's correct. It would be logged on the system as a scholarship and cash was kept in Nancy's house.

Barbara: Oh, I got it. Okay. So then there's no tax paid on any of that either?

Kristin: That's right. If Keith ever had to go into hiding it was Keith's off the grid fund. And, the last I heard about it, there was two and a half million dollars in it. Now, I'm sure it's ten times that. But, well, I don't know what it is now because they started a new procedure later. Here's where Steve Ose is on the hook: in the Ross case when everything was going down about lying about the trade secrets, NXIVM was concerned that there might be an order that came out in the Ross case asking to image the NXIVM system, and the NXIVM computers, and the server, to authenticate what NXIVM was producing in response to discovery in the Ross case. At that time, Keith had Karen Unterriener and Steve Ose wipe the whole system and change out all the hard drives.

Barbara: Wow.

Kristin: And, Karen went back in and cleaned up all the records of the scholarship to make it look like that money was received. Now, this is why Steve will be terrified, because that is serious fucking shit, criminally. I mean that's money laundering. I mean, that's a federal money laundering charge and he's complicit in destroying evidence. And, this is something that isn't going to be something to pursue from discovery standpoint in the computer trespass related case. This will go to impeachment of Steve Ose and Karen Unterriener. But, it could be proven because the bank deposits will not match the scholarships. NXIVM was at Bank of America at that time. And, arguably, what NXIVM represented was its damages in the Ross case isn't going to be accurate because of the malfeasance in the accounting practices. So, this is why in the computer trespass case NXIVM only has evidence of logins to the

system under the Mary Jane Pino going back to 2006, because that was when they changed the server.

Barbara: Oh!

Kristin: So, arguably, if it came out in the computer trespass case, which I'm sure Steve is scared shitless about, because it will be, why don't you have information prior to 2006?

Barbara: Right. Wow. I remember a period of time that Keith was all over Karen and she was one with that computer and it just looked like a clusterfuck to me. I never knew or understood what was going on I just thought, you know, she's doing some great programming. But, I do remember like it seems to me like there was some real tension with Karen. I don't know Steven because I didn't observe him, but Karen, I remember some big fucking computer project that she was pulling her hair out about.

Kristin: Right. So, let me give you some more information. There's still fucking more but not much more.

Barbara: Okay.

Kristin: Ben Myers, this is how you impeach Ben Myers. You don't get him on, well, first of all, we're just going to assume that Ben—and Steve, are not going to lie about when they heard about the Mary Jane Pinto access. I mean they'd be crazy. You have to assume they might. But, you know what's going to happen, they're going to subpoena all of their emails and texts between Keith and them. Now, Ben and Steve both have NXIVM.net addresses so arguably they can erase everything off those emails and erase them off the server. You know, the evidence. But, Keith had a fucking Yahoo account and I deliberately, I did this strategically, I didn't use my NXIVM account. I had a Gmail account because I thought there's not fucking way I'm using the NXIVM account, because they'll just destroy any proof. I am going to use a Gmail account. So, the emails back and forth between me, Keith, and Steve, and Ben clearly prove everything I've stated - plus the texts. I know Keith's phone number. It's not in his name, it's in Pam's, but I know it, the one that he was using. So, that gets to the computer trespass, but there's something else that would just go really to Ben's psychology. Ben knew about Danni Fernandez's imprisonment.

Barbara: No kidding.

Kristin: Because, Danni reached out to him more than once for help. And, he went to Keith very upset and they were, Keith was livid that Danni did this. Cause, he thought he was going to lose Ben, and that's why that was in part a large part of the reason why she got sent back to Mexico.

Barbara: Oh boy.

Kristin: When you start asking, if Ben got questioned and an attorney asked him, “Why did you go along with Danni Fernandez being locked in that room for three years, and do nothing about it?” Do you realize from like a credibility standpoint? Because what you do is show Ben and Steve will go to criminal or civil right violations and support these different things. Now, arguably you can’t trust anything that they say because you can prove they’re just complete and total liars. Or like have criminal liability or willing to go along with these horrendous schemes that involve imprisoning women. You know, they’re the key witnesses in the whole case. I would have been one too, which I’m sure Keith was banking on that I would lie for him and cover up all this shit. And, gambled this would never come out.

Barbara: Did Ben know the entire time, Kristin?

Kristin: He knew for a long time, not the entire time, but he knew for at least six months.

Barbara: Wow, unbelievable.

Kristin: I know, and now he’s married to Michelle (Michelle Salzman, NXIVM President’s daughter).

Barbara: They’re married?

Kristin: Well, they were engaged when I left.

Barbara: Holy cow.

Kristin: So, I assume they’re married by now.

Barbara: Wow. Okay. I have lots of notes here. Wow, Kristin.

Kristin: So, this is everything.

Barbara: I did get what you’re saying because, you know, knowing the inside of, I’m the only one still here standing, you know, that was on the inside to understand at least some kind of working knowledge about the social webpage, Espian.net, NXIVM.com, the proctor room, the notes, the confidentiality, lawyers coming and going, you know? Like, you know, kind of like the semantics. Cause, you know, when you start talking about this stuff to people and their heads start spinning, you know? Are you there?

Kristin: Yeah. Yeah, yeah. I am here. Yes. Agreed. Now, I want to, I want to give you, and throw out some advice, and talk through an idea.

Barbara: Okay. You know, wait, I got to grab more paper. Hold on.

Kristin: Okay, grab some more paper.

Barbara: Let me tell you where I got my attorney from.

Kristin: Where?

Barbara: I couldn't find an attorney for two months, and my girlfriend, Joyce, called me up one night and said that she had a dream. She's the one that's psychic out in San Francisco. She called me up and she said, "I just got in my dream that you're going to find your attorney from Vanity Fair. You need to call Vanity Fair's attorney, explain to them that you can't find an attorney, and I believe that they will find a referral for you."

Kristin: Oh, so Grygiel got you your attorney?

Barbara: Yes, so I had a girlfriend call Grygiel. They talked for a half hour, he was really lovely, and he said, absolutely. Oh, she actually called the woman down in New York City. There's two attorneys for Vanity Fair down in the city. There's a woman that just got added as a criminal attorney and then Grygiel. But all I know is that three days later, my phone rang, and it was Mark calling.

Kristin: That was a smart thing to do. So, let me tell you something, the culmination of Grygiel, Dreyer, and fucking David Shultz - they're going to hammer NXIVM, hammer them in that civil case - fucking hammer. Hey, you know what?

Barbara: Yeah, you got to go?

Kristin: Hey, can I call you back in just about one minute?

Kristin: My battery died. So here's one other thing I forgot to mention about impeaching Steve Ose.

Barbara: Before, before we leave the fine point, can I ask one more question?

Kristin: Oh yeah, go ahead.

Barbara: Okay, so does the fact that NXIVM added in those three little words about their proprietary information and I accessed their client coach list, which is a lie, but the fact that they entered that, does that not open up the dialog for me to speak about what is confidential and what is proprietary?

Kristin: Yes.

Barbara: So wouldn't that be the door opener for me to be able to speak about those things in my own defense?

Kristin: Yes.

Barbara: And then if there is a joint sharing agreement, I can then share that, right?

Kristin: Correct.

Barbara: So wouldn't that seem fair that that would easily solve that part?

Kristin: Yes.

Barbara: By lying and throwing those extra words on?

Kristin: I don't know if they did that or if the Prosecutor did that.

Barbara: I don't know who did it yet either but somebody—

Kristin: I think it was the Prosecutor. It doesn't matter it opens the door anyway.

Barbara: Yes, it does.

Kristin: But, just from a procedural standpoint, we want to have a really clean plan on that with your attorney.

Barbara: Yeah, I got that. I circled it and underlined it. I got it.

Kristin: So, there's going to be the issue of what can you speak of in your defense, which presumes in open court and to the Judge, and what can you speak of to a codefendant, and then what would be the avenue to speak of that with the codefendant.

Barbara: Yup.

Kristin: And, you want to be careful not to do anything with a co-defendant that disables your ability to sever the case.

Barbara: Exactly. Now, that's the tricky thing. Can I...if we sever the case then there can probably be no co-sharing, right?

Kristin: That's what we have to figure out.

Barbara: But here's the thing, we don't file the motions to dismiss until May 1st. So let me ask a question, could we not get busy and do all of our sharing over the next three weeks before I file a motion to sever, and then isn't that a way to do it?

Kristin: Yes. They were stupid to make you a co-defendant with them.

Barbara: Yeah but you know why they did that, because my isolated random logon was bullshit and it wasn't going to go anywhere. The only thing that gave this legs was to sandwich me in between Joe and Toni.

Kristin: But you know why else they do it? They do it for resources.

Barbara: No, I get that, but you know what? But, what she did was wrong. That was a bad boo boo on the Prosecutor's part.

Kristin: Well they have no fucking idea what it means in terms of now your ability to disclose all this information with the other parties.

Barbara: Okay, so I think we just figured that out. I will review that point though but I just share. I just do a lot of sharing over the next couple of weeks, that's all.

Kristin: Yeah, so we'll figure that out and then that will be really tight. So another reason why Steve Ose might be afraid is because...

Barbara: Hold on, I am going to go back to my Steve Ose folder.

Kristin: Okay. Go back to Steve Ose. Jennie Ose kept the fraudulent set of books for Rainbow Cultural Garden. There were the official set of books with people that were legal and being paid on the books, and then there was the unofficial books with the illegal aliens and people being paid cash. Or who were in the country on fraudulently obtained Visas and who could only be paid by certain parties or in certain ways. Jennie kept all of those transactions, and the email address that all the invoices and everything went through was, umm, it was Jennie's email address.

Barbara: Ummmm,..Becky (Becky Freeman, my ex-employee) used to hold a year before I quit, Becky starting holding these secret meetings in my office that I didn't know about. They started having coded minute meetings and when my computer programmer unearthed a thousand emails of Matt McMorris that he had no idea my server was capturing - up came about forty different excel spreadsheets of the minutes of meetings. In those were spreadsheets on nannies, on the illegal aliens; on who they were, I've got a whole spreadsheet on all the people whether they were with their green cards. What I'm saying is that I have a lot of emails with email addresses of a lot of different people. So, but, my question to you is, this Jennie, who is that?

Kristin: Steve's wife.

Barbara: Oh, see I don't know her. She came after me, maybe?

Kristin: Yes.

Barbara: So, how do you spell her name?

Kristin: J-E-N-N-I-E. Oh, I see. So she was hired to do bookkeeping for Rainbow?

Kristin: That's correct.

Barbara: And so there were two sets of books. One set they showed and one set behind the scenes and that's what they used to pay people who were illegal aliens, they paid them with cash. What was the thing with the green cards?

Kristin: Some people were just flat out illegal like, Cami Fernandez. And, some people were in the country on fraudulently obtained visas. This also goes to another point of impeachment for Clare, because, Clare was involved with every aspect of this. What they would do is, Clare's foundation, the Ethical Science Foundation, was obtaining visas for teachers in connection with an alleged scientific study about the language development in children in part of, Gaylen. And, the teachers were required, and had to be paid a certain amount of money in order to get the visa, and they had to kick back the money, they had to kick back a portion of the money, or they had to work it off. That was one level of fraud. The second level was, there were three different teachers where Clare paid for their school tuition, and they came in on a student visa and were going to school at SUNY Albany, or Hudson Valley. And, they weren't allowed to work in exchange for Clare paying for their tuition. They then worked at Rainbow and or worked for, or some worked for Clare personally for free. And, then Clare wrote this all off on the Ethical Science Foundation taxes as a tax reduction.

Barbara: When I quit and they came at me with such a velocity, I really didn't get it. So, I thought there's something I have. Kristin, it took me a year to read through like three thousand emails that I never saw in my computer, because I didn't read Becky's emails and everybody's emails. And, I went through those seventeen boxes and I went through the sixteen sets of books in QuickBooks that I had on the Bronfmans, and I read every single deposit, check, wire, and invoice. Cause I thought to myself, what are they doing that they don't want me to know? So, some of the things I could see was that it was funky with what they were doing with Rainbow. I mean, the nanny thing was not right because I know enough about nonprofits as an investment advisor that you can't skew it like that. They were skewing it?

Kristin: The other thing is that Matt McMorris signed those tax returns so he's on the hook. But, I don't know if we need to bring that in. But, getting back to this thing. This is Jennie and this is Clare. One other thing, Rainbow has hundreds of thousands of dollars running through it in tuition. Because, when I left there were seven kids just in Albany doing five or six languages. Paying twenty five dollars an hour for these teachers. Right? Rainbow is owned and controlled by Loreta Garza who lives in the country on a management visa for NXIVM.

Barbara: Is that kosher though?

Kristin: No, it's totally fraudulent. She's in the country on a fraudulently obtained visa, she's not a manager for NXIVM. She's the owner of fucking Rainbow but she's not claiming it. I'm sure Rainbow's never filed taxes. And, all of this goes through Clare. Clare oversees everything to do with the finances, and the personnel, and the management of Rainbow. And, then when you get into Rainbow you get into issues that play back into each other. For example, Danni Fernandez and her mother were living imprisoned in the room while illegal alien, Cami Fernandez, is downstairs teaching the children that are being paid this twenty, and twenty-five dollars an hour – in the same fucking house. I mean, it's crazy; including even Jennie Ose's kid, Steve and Jennie's kid. And, Clare and Nancy own the house. So, here's the thing, initially, when Joe was trying to get everything to go against NXIVM, he just knew that there were some nannies being paid through the foundation. What he didn't understand was that the nannies he knew about had found legitimate visas. But, what he didn't know about were the ones that were also being paid that didn't have legitimate visas, and in particular the ones that were kicking back the money. And, the whole thing, Cami Fernandez, was the head fucking teacher. Nancy's maid, who came into the country illegally, lived there illegally, and had no education except a GED that she got around eighteen years old here in the U.S. when she wasn't even supposed to be here. And, she's the head teacher and they're running classes in her house with her mother and sister locked in rooms upstairs. They use to take the kids upstairs to visit them. This is an offshoot. This likely, I don't know how far things will go in the criminal case say with Toni and Joe. I don't even know if they'll get to a point in the criminal case where there's any kind of depositions of witnesses but it will certainly come out in the civil case. Now you just have a whole criminal enterprise. There was fraud on every fucking level.

Barbara: Oh my god. Geez, geez. This is just a side bar, was Keith having a sexual relationship with Camilla?

Kristin: I believe that he did in recent years, but I don't have proof of it. She moved into Flintlock number three with Karen.

Barbara: Two months before I quit—you know, I can look back and I can recapitulate the women I didn't know about and things that you saw, and seen, and signs. And, you know, two months before I quit I saw him doing stuff with Camilla that to me was just an indication that he was grooming her. He was either already doing her or he was rooming her.

Kristin: They only reason I think he may not have is because of Marianna. Marianna wouldn't have tolerated it.

Barbara: Well, I'll tell you, Camilla had like a girl teenage crush on him and it was ridiculous. We would be at a social event and she would have red lipstick on, a red

dress, and she would be watching Keith the entire night. Going over and flirting. And, I would be like, oh my god, you gotta to be kidding? Well, that's just a side bar.

Kristin: Yeah.

Barbara: Alright. So, now, I think, well, this was pretty, you know Kristin, this was pretty succinct, I followed most of it, I took really good notes. I'm going to type them all up. I haven't heard from my attorney, which is not unusual. He seems to me to be going at a million miles a minute and like I said, I'm suspicious that the boys are doing the networking thing this week.

Kristin: What do you mean, the boys?

Barbara: I think they're all talking. I think Grygiel, my attorney, and Dreyer are all chatting. I was told that he was going to be meeting with them and be talking to other people. I kind of get the feeling like, and this is my theory. You know, what I've noticed about male attorneys, especially criminal attorneys or the ones that are more in aggressive line of work, is that they do cockfighting. You got this downtown group of men that are these cockfighting criminal attorneys and nobody likes Coffey. So, now you've got the group of us women who are being abused and victimized by Keith, a sexual predator, and psychopath. Now, you've got these savvy cockfighting male attorneys who see the gig that's going on. They totally get it, and for once it all would appear as though the evidence is now stacking up on our side, and that they all can see it. It's like a shark sniffing out blood in the water.

Kristin: Yeah, there's blood in the water.

Barbara: And so, what I believe is going on is that I think they're probably all having talks of, how far can we take this thing and can we hammer this guy and take the head off? That's what I think is going on, honestly.

Kristin: And you know what else too? I've taken it to a level where there's a big potential dollar recovery here for everyone involved. And, for an attorney, that's a big deal and it's a big deal for the clients. You know, when they start to see, "holy shit, there's a potential for damages, serious damages."

Barbara: Well, I have this one attorney who's been with me for four years and they said the other day. "Barbara, this could be my retirement" and I said, "Yeah, well, you've got to get me to the point that I would be interested in such a thing!" Because, honestly, Kristin, you know, it's been six years of this really torturous stuff. And, you know, two or three years before I wanted to quit, it was really difficult for me. So I'm like nine years of really having a lot of stress in my life.

Kristin: I'm 24 years into that.

Barbara: Yeah, I know you are. I totally, listen, one of my favorite songs, Stevie Wonders has this song called, *As the World Is Evolving*, and there's this one part of it that says, "If you ever wonder, don't, because God put you in this place and he knew where he needed you to be when he put you there."

Kristin: Yeah. My objective now is to win and win big. And, the way I'm going to win is by making sure everyone on the ground wins.

Barbara: Yeah, you sound good, Kristin, I appreciate that. You sound good. I mean, my heart, I can't tell you, I had two attorneys I was begging to let me give you money last October. I had two attorneys telling me, you're fucking crazy cause Keith will twist this and turn this. And, I really do think they were right and that's why I didn't. I had the money I would have gladly given it to you. Listen, I'm broke and each quarter I think I'm going to finally start saving money. I'm almost going to be done with my half a million legal debt this summer. And, just when I think I am done, I have a little overdraft, I have to borrow on it, and I really wanted to try to give you that money, but they were really dead fast against it. And, I was really worried about you. And, I don't know how you got over there or what you're doing but I'm really glad. So, I am really glad. Are you settled, are you good, things are good?

Kristin: You know, I mean they're not, I'm still really struggling. But, at least I'm out of the jurisdiction.

Barbara: Yeah. I know what it's like to feel safe, and not safe.

Kristin: I don't feel secure because I'm not secure. I'm still really struggling financially. But, I'm out of the jurisdiction and it becomes a cost benefit analysis. In other words, if I don't do something now when these indictments are hitting, you know, I had to take the chance and do this in order to stop these things.

Barbara: Yes. There's different types of security. What you have, I think, I perceive as you can breathe easier at night because you feel safe that you're not being stalked at the moment. But, you're not safe because you just uprooted yourself. You don't have a foundation and a community built around you yet, and that takes time to build and acclimate. I know because when I moved back to Seattle. I didn't know a freaking living soul out there outside of Kim and Susan. And, I never called them and never told them that I moved out there. You know?

Kristin: My biggest problem, don't worry I'm going to do this no matter what. But, if there ever was a chance that you could send me some money, that is my biggest problem, but if you can't.

Barbara: I will speak about it again because things might be different now. Because, you are out of the country and there are implications. I mean, listen, so I will definitely speak to them about that.

Kristin: That would be great. I could really use like a loan.

Barbara: Yeah. I'll talk to them.

Kristin: That would be great. Now, there was something I was thinking of that I wanted to circle back to. What was it? Did I cover everything?

Barbara: Well, the last thing you left off with is that we were talking about the boys, and how I think that they're all talking, and then you started talking about, then let me look at my notes, and then you were talking about Loreta - then you started talking about the nannies and how they had no education, how everything is a fraud.

Kristin: Oh, I know, so just hold on one second. Okay, so here's another thing that goes into serious impeachment of Clare, and it ties in the Danni issue. Clare hacked her father's email account. And, what she did was, she sent an email to her father that had a picture, it was from her clarewebb@aol.com account that was her old email address. And, Danni, Keith was trying to groom Danni to be a hacker and part of the reason why he convinced everyone that her ethical breach and she had to be locked in this room was, she wouldn't go through the things he wanted her to do. And, she had so much information against them about illegal conduct. Danni, put into Clare, and worked with Clare to imbed a picture of a bear, because Clare's father's nickname for her was "Clare bear." With a key logger, which is a type of virus that when you open the picture it downloads onto your computer and it records all the keystrokes, so you can get all his passwords, and everything that he's doing. Clare went so far as to send the email to her father, "Oh, look at this thing and look at this", but he never opened the picture. So, she went down to his office and met with him, and specifically said, I want to show you this picture. And, went on his email with him and downloaded the virus onto his computer herself.

Barbara: Oh my god.

Kristin: Danni then spent like a year reading all of Edgar Bronfman's emails including emails with Hillary Clinton, and involving world leaders with the World Jewish Congress. Then reporting on the contents to Keith and to Clare.

Barbara: Oh my god.

Kristin: Now, that's going to be hard to prove, but there's one thing, they found that the computer had ultimately been hacked. Clare told me that Edgar found out, and they blamed Elan Steinberg who had been the former Executive Director of the World Jewish Congress for doing it. And, Elan Steinberg died in 2012, but people at the World Jewish Congress will attest that this computer was hacked. This will be the type of thing to uncover long-term, but this is the type of shit that would come out in depositions. All one of the attorneys will have to do is make a call to the World Jewish Congress to employees that were still working there and what they

recall about this. And, then AOL could be subpoenaed for that email. It will still be on the AOL server with the fucking virus. Are you there?

Barbara: I am just taking notes.

Kristin: Now, Danni's in Mexico, but Danny's mother is also in Mexico, and is anti-NXIVM. Now, she didn't know about the hacking but Danny's mother could attest to the imprisonment. She's got like a website now, she wrote a book, and she's off doing her own thing. She could be contacted at some point. These are lesser points but you know, this goes to the bigger picture. When this shit, when the totality of this stuff comes out, do you realize like what it does? But you also have Clare also now on the hook again for doing another criminal act.

Barbara: Oh my god. You know, Kristin there aren't many people that I really, really get a bad feeling about as a person, but I always did from day one for the five years I was around her. It never changed, I always thought this girl is mean.

Kristin: She's dark hearted.

Barbara: Yeah, she's dark hearted. I mean, you could see that. Wow. Unbelievable. I'm assuming Keith is having a relationship with her?

Kristin: Yes.

Barbara: Now, when did he start that with her?

Kristin: I think in recent years.

Barbara: Yeah. Oh my god. Do you know that Svetlana told me that she thought Sara had for a brief time a relationship with Keith?

Kristin: Sarah Peters or Sara Bronfman?

Barbara: Bronfman.

Kristin: I that may or may not be true, but you know who Sara was having an affair with? Lama Tenzin.

Barbara: Well, that was obvious.

Kristin: She was sleeping with Lama Tenzin, then she was sleeping with Emiliano.

Barbara: Well, here's the thing, Sara's mother's best friend caught Sara and Tenzin in the hot tub canoodling.

Kristin: That was, what's her name, Sue White?

Barbara: Yeah, they weren't having sex, but they were in the hot tub in a hot-necking embrace. So, I mean, you could tell. I've showed up to her house a couple of times and the two of them come out of that bedroom.

Kristin: Yeah, I've seen him come out of the fucking bedroom. It wasn't even a secret. Keith use to say to her in front of other people, how's your husband?

Barbara: Yeah, I know, honestly.

Kristin: And, Nancy, you know...

Barbara: Well, but, Svetlana said there were a number of occasions that she dropped Sara off at a hotel that Keith was at waiting for her. And, she also said she was in Sara's apartment in New York City for a five day and that Svetlana said she was nosey. And, that there was a love poem written to Keith and she says it wasn't like this is my father. It was a lovesick love poem. So Svetlana really felt that they, you know.

Kristin: That would have been after Edgar Boone and before Lama Tenzin.

Barbara: Yes, and before she had gotten the town house because when she was up here, she didn't have the townhouse yet.

Kristin: Right, because that's why they would meet at a hotel.

Barbara: I know. Anyway. Okay, so let's see, Clare's been a naughty girl.

Kristin: Yeah, Clare is on the hook for all the fraud involving the computer trespass, and all the fraud involving the Canaprobe, and she's going to be in serious hot water with her family over this hacking issue. And by the way, I did already leak that to— did I leak that to the World Jewish Congress? I did, I did inform the World Jewish Congress about Clare's obtaining financial records of the World Jewish Congress, Israel, her father, Israel Singers, Steve Herbitz, through Canaprobe. Her family doesn't control it anymore but I'm sure that's going to get back to them. I imagine things are blowing up there like you would not believe. Because, I'm sure that was going to get back to Clare's family. So, it's going to be like, what the fuck?

Barbara: Could Clare serve any time for any of that?

Kristin: I don't know if Clare can serve any time for the hacking or that her family would file criminal charges. I think there could be serious liability with the getting the Judges. They got information on the patent officials that denied the Rational Inquiry patent. I mean, here's where Clare can serve time, she's going to be on the hook for everything criminal that NXIVM did because of her part in it. Even if she wasn't a part of everything that NXIVM did, she was part of enough to be on the

hook for everything. And, she completely comingled her personal expenses with the NXIVM Corporation, and First Principles, so there's going to be no corporate veil of protection. That's why she will be able to be sued individually. They won't just be able to have to sue the corporation. She's on the hook, and by proxy because Sara paid for 50% of everything that Clare did, by proxy Sara's on the hook. So, you're talking, since their father died, they have like another \$500 million dollars.

Barbara: See, I don't know that. I didn't know what happened when the father died. I knew what they had while they were all alive but not when the dad died.

Kristin: When the Dad died, they were going to come into another \$250 million dollars each.

Barbara: Oh wow. Well, I'm not surprised.

Kristin: Yup. So, the attorneys, when they understand the magnitude of Clare's involvement and by proxy Sara's. They want justice but they also want money. It's these things, the long game, and when this stuff gets converted into counterclaims and damages, the attorneys are going to want to be on contingency because they're gonna want 30 percent. They're going to get more money than what they would from their fees.

Barbara: What do you think, Kristin? Is it, I'm just so tired. I don't know. I don't know.

Kristin: What do I think? I think that my advice to you is to do everything we said with your computer trespass claim. Then when the time comes where things start heating up civilly just join in, and then just be the person who sends in the motion. Say, "I agree and attest to everything the other attorney said." You know what I mean? I don't know if you saw but that's like what Toni did with the motions to dismiss. She didn't file her own responses. That's what you can do.

Barbara: I see. Okay. Now, I thought she probably just did that to save money? Is there another reason for that?

Kristin: No, because let them carry the ball and save money.

Barbara: Okay.

Kristin: In the civil case, you're not a party. But here is the other thing, you know how I said, they're going to amend the complaint and do everything? Now, what I've set into motion, people are going to be less scared, because they're not going to be able to amend this complaint and include any other parties. I've destroyed the statute of limitations issue. Once that comes out, the statute of limitations issue, it doesn't matter who else logged on to the system. NXIVM is time-barred from bringing anyone else onto that case.

Barbara: Right.

Kristin: So, you're not even going to get brought in. I think you should wait and see what happens with the civil case. At some point you file an interceding motion where you want to be, where you add yourself in as a victim. Or you know what else we could do like a year or two from now? Because this is how long this is going to take for all this shit to come out. We file a class action suit as a group. Because, there's other things that happened after you left and it goes to civil issues. But, Keith created a whole training that is completely and totally prejudicial against women. He created a whole new JNESS training, and then he created this men's movement, and it was a training for women. And, it's the most disgusting, suppressive, and on its face completely prejudicial towards women. There's all different kinds of options we could do down the road depending how this stuff surfaces and who's carrying the ball, and how well it goes. I thought that, when all this shit blows up, I can write a book and file a class action suit. And, set up a website attracting people, it will say, they were victimized because of what they went through. Not even people that were involved in the operational were victimized because of the illegal stuff. They were victimized because of what they suffered as a result of the trainings. How the trainings harmed them, in particular, women. I would be willing to do that. You know? So, but my plan is to get all this stuff in motion on the ground so that everything blows up. Hopefully, if I can get some money together and get my own financial situation a little better than ultimately what I can do is write a book that lays this all out in glorified detail. Everything he did, all the lies he told, how he seduced people.

Barbara: Unbelievable.

Kristin: The trade secrets. How what he did in the trainings to indoctrinate people, you know? All the different things that he did. And, I believe that at the end of the day if all this blows up, first of all, four, five billion dollar Hearst, and fucking eight billion dollar advance magazines with Conde Nast. Once Suzanna and Jim are on the winning, you know, they're winning, do you know the fucking media fire storm these people are going to start? Now, nobody's writing anything because they're protecting their own liability. When those civil computer trespass claims get dismissed as being time-barred, and nobody else can be brought into this case, and then all this shit comes out about Canaprobe, bah, bah, bah, now you're going to see a fucking media frenzy. Because, all their friends are going to start, and everybody is going to start writing about this.

Barbara: Yeah, I know.

Kristin: Then, what I do is, I do a book that brings it all together, and that brings up all the damages. And, it really will go to how awful this was and evil—to enhance the confidence and the ability to get damages. And, I thought, I'll start a website.

Barbara: Right.

Kristin: And, let people who feel that they were damaged as a result of training, and what happened to their life because of taking their training, or whatever their involvement was with NXIVM. So, now you're talking, not only the NXIVM nine; but, I think when people read my fucking book they will come out of the woodwork saying all these things, "Oh my god, I got divorced, I lost my confidence, I lost my job, I lost all my money because I spent it all on these trainings. You know what I mean? I was degraded by this degradation of women." You got, you have deceptive trade practices and fraud in relation to the trainings themselves. Then you have civil rights violations in regards to the prejudice.