

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF COLUMBIA**

3
4 Ms. Youming JIN
Washington, D.C. 20017
5 And

6

7 **Plaintiffs**

8 **v.**

Civil Action No.

9 The Ministry of State Security ["M.S.S.": a State
10 Instrumentality of the People's Republic of China
["P.R.C."]

11 14 East Changan Street
Beijing 100741, China

12 The Ministry of Public Security ["M.P.S.": a P.R.C.
State Instrumentality
13 14 East Changan Street
Beijing 100741, China

14 China Central Television["C.C.T.V.": a P.R.C. State
Instrumentality
15 11 Fuxing Road
Beijing 100856, China

16 serve: China Central Authority, Bureau of International
Judicial Assistance, Ministry of Justice of the People's
17 Republic of China, No. 26 , Nanheyuan, Chaowai,
Chaoyang District,
Beijing 100020, P.R.C.

18 And

19 Mr. TAN Tianxing
P.R.C. Embassy

20 2300 Connecticut Avenue, NW
Washington, D.C. 20008

And

21 Mr. John Doe Thug
c/o P.R.C. Embassy

22 2300 Connecticut Avenue, NW
Washington, D.C. 20008

And

23 Mr. John Doe Consulate #1
Consulate-General of P.R.C. in Chicago
24 100 West Erie Street
Chicago, Illinois 60610

And

25 Mr. John Doe Thug #1
c/o Consulate-General of P.R.C. in Chicago
100 West Erie Street

1 Chicago, Illinois
2 And
3 Mr. Alexander HUGH
4 Chinese American Assn. of Greater Chicago
5 2108 B. West Archer Avenue
6 Chicago, Illinois 60616
7 And
8 Mr. John Doe Consulate #2
9 Consulate-General of P.R.C. in New York
10 520 12th Avenue
11 New York, N.Y. 10036
12 And
13 Mr. John Doe Thug #2
14 c/o Consulate-General of P.R.C. in New York
15 520 12th Avenue
16 New York, N.Y. 10036
17 And
18 Mr. John Doe Consulate #3
19 Consulate-General of P.R.C. in San Francisco
20 1450 Laguna Street
21 San Francisco, California 94115
22 And
23 Mr. John Doe Thug #3
24 c/o Consulate-General of P.R.C. in San Francisco
25 1450 Laguna Street
San Francisco, California 94115
And
Mr. LAN Lijun
Consulate-General of P.R.C. in Los Angeles
443 Shatto Place
Los Angeles, California 90020
And
Mr. XUE Bin
Consulate-General of P.R.C. in Los Angeles
443 Shatto Place
Los Angeles, California 90020
And
Mr. John Doe Thug #4
c/o Consulate-General of P.R.C. in Los Angeles
443 Shatto Place
Los Angeles, California 90020
And
China Television Corp., Inc.
234 E. Colorado Boulevard
Suite 520
Pasadena, California 91101
And
Convergent Media Systems, Inc.
3490 Piedmont Road, N.E.
Atlanta, Georgia 30305

Defendants

1 **COMPLAINT FOR DEPRIVATION OF CONSTITUTIONAL RIGHTS AND PRIVILEGES BY VIRTUE**
2 **OF A RICO CRIMINAL ENTERPRISE, A CIVIL CONSPIRACY TO DEPRIVE SAID RIGHTS AND**
3 **PRIVILEGES, THE AIDING AND ABETTING OF A CIVIL CONSPIRACY, INVASION OF PRIVACY,**
4 **DEFAMATION, INTERFERENCE WITH EXISTING AND PROSPECTIVE CONTRACTUAL**
5 **RELATIONSHIPS, BREACH OF CONTRACT, THE COMMISSION OF AND THE AIDING AND**
6 **ABETTING OF BIAS-RELATED CRIMES UNDER DISTRICT OF COLUMBIA LAW**

7 This action is brought against three foreign state instrumentalities, the Ministry of State Security,
8 the Ministry of Public Security ["Defendant Ministries"], and the China Central Television ["C.C.T.V."]
9 at all relevant times herein state-owned or controlled instrumentalities operating out of the People's
10 Republic of China [P.R.C.] and here on American soil; individuals in the Ministries' employ; P.R.C.
11 Embassy/Consulate officials; various John Doe thugs; and state-owned and private sector business
12 entities to redress the active, violent and criminal campaign that the Defendants have launched in America
13 to abridge and nullify fundamental rights and liberties of the Plaintiffs, Falun Gong Practitioners.
14 Plaintiffs are desirous of being free to peacefully assemble, feel safe in their homes, talk with friends
15 without fear of having the conversations recorded, pursue their business and employment interests, and
16 otherwise conduct their lives free of physical intimidation, threats of bodily harm, even murder, should
17 they continue to practice their spiritual discipline based on adherence to principles of Truthfulness,
18 Compassion and Forbearance.

19 Come now the Plaintiffs herein, and through their attorneys hereby complain of the Defendants as
20 follows:

21 **JURISDICTION AND VENUE**

22 1. This is an action brought pursuant to the 1871 Civil Rights Act, specifically 42 U.S.C. §
23 1985(3) thereof, and the Racketeer Influenced and Corrupt Organizations Act ["RICO"], 18 U.S.C. §§
24 1961 to 1968, for injunctive and declaratory relief and for money damages to redress the various injuries
25 complained of herein, including the deprivation of Plaintiffs' rights and privileges under the United States
Constitution, the laws of the United States, and the laws of Arizona, California, Maryland, Washington,
D.C., Virginia, New York, Illinois, Pennsylvania, Massachusetts, Utah, and Washington. This Court has
jurisdiction pursuant to 28 U.S.C. §§ 1330(a), 1343(a), 1351 and 1367. Diversity jurisdiction exists

1 pursuant to 28 U.S.C. § 1332 for claims against Defendants in the Ninth, Tenth, and Eleventh causes of
2 action.

3 2. Supplemental or pendant jurisdiction is conferred upon this Court for its determination of the
4 related claims, brought under state law, including the commission of "Bias-Related Crimes" under 22
5 D.C. Code §§ 3701 to 3704, brought against the individual Defendants named herein for conspiring to
6 and actually depriving the Plaintiffs of their fundamental rights and privileges under the same case or
7 controversy principle as recited in 28 U.S.C. § 1367(a).

8 3. Subject matter jurisdiction is conferred on this Court over the P.R.C. instrumentalities named
9 herein as Defendants by virtue of the "commercial activity" exceptions to the Foreign Sovereign
10 Immunities Act of 1976, as amended, 28 U.S.C. §§ 1602 to 1611, specifically § 1605(a)(2)["FSIA"]. The
11 P.R.C. and these P.R.C. Ministries are and have been engaged in various USA-based commercial
12 activities, out of which the RICO and civil rights violations arise and the various torts pled herein.
13 Attached hereto as Exhibit A is a recital of such commercial activities.

14 4. The P.R.C. and these P.R.C. Defendant Ministries and individuals have also engaged in various
15 commercial activities abroad, pursuant to FSIA, 28 U.S.C. § 1605(a)(2), which have had a series of
16 "direct effects" in the U.S.A. Attached hereto as Exhibit B is a specific recital of such commercial
17 activities.

18 5. Subject matter jurisdiction is also conferred on this Court pursuant to FSIA, 28 U.S.C. §
19 1605(a)(5)(A), the tortious activity exception embodied in the FSIA, which allows the filing of claims for
20 injury and loss of property that are not part of the exercise of a "discretionary function."

21 6. Pursuant to 28 U.S.C. § 1391(b), venue is proper in this judicial district since the events
22 complained of herein had their origin within this district by virtue of the presence of the P.R.C.'s
23 Embassy, and by virtue of the presence of Defendant Ministries' personnel who solicited, orchestrated,
24 paid for and participated in the criminal enterprise and the civil conspiracy complained of herein, and
25 whose Washington, D.C.-based personnel, along with consulate personnel and hired thugs in New York,
Chicago, Los Angeles and San Francisco, sought to and did abridge and nullify the Plaintiffs' fundamental

1 rights and privileges that they have by virtue of U.S. citizenship or physical presence here, as permanent
2 residents or visiting Chinese nationals. In accordance with RICO § 1965(b), the ends of justice require
3 that all Defendants named in the RICO Cause of Action be brought before this Court.

4 **THE PLAINTIFFS**

5 7. One Plaintiff is domiciled in Washington, D.C.: Youming JIN (Chinese National).

6 8. Ten Plaintiffs are domiciled in Maryland: Sen and Yuchu NIEH (U.S. Citizens), Lisa TAO
7 (U.S. Citizen), Li DING (Chinese National), Jane DOE#1 (Chinese National), Ruonian WU (Chinese
8 National), Pei WANG (U.S. permanent resident of Chinese National origin), Zuwen ZHOU (U.S.
9 permanent resident of Chinese National origin), Jianmei YU (U.S. permanent resident of Chinese
10 National origin), and Haoran ZHENG (Chinese National).

11 9. Five Plaintiffs are domiciled in Virginia: Valentina BRANSBURG (U.S. Citizen), Linsha
12 FAN (U.S. Citizen), Min GE (U.S. Citizen), Wei SHI (U.S. permanent resident of Chinese National
13 origin), and Hailian ZHANG (Chinese National).

14 10. Eight Plaintiffs are domiciled in New York: Erping Zhang (U.S. Citizen), Gail Rachlin(U.S.
15 Citizen) Tracie CHAO (U.S. Citizen), Xuemei FENG (Chinese National), Rong YI (U.S. permanent
16 resident of Chinese National origin), Ming ZHAI (Chinese National), Wailing LAM (U.S. Citizen), and
17 the FRIENDS OF FALUN GONG (501(c)(3) organization, a New York corporation).

18 11. Two Plaintiffs are domiciled in New Jersey: Xuchun MARTIN (U.S. Citizen) and Susan
19 PRAGER (U.S. Citizen).

20 12. Two Plaintiffs are domiciled in Pennsylvania: Matthew KUTOLUWSKI (U.S. Citizen) and
21 Emily KUTOLOWSKI (U.S. Citizen).

22 13. One Plaintiff is domiciled in Massachusetts: Haiying HE (Chinese National).

23 14. Four Plaintiffs are domiciled in Illinois: Lin FANG (Chinese National), Zhan LIN (Chinese
24 National), Feng LU (Chinese National), and Sen YANG (Chinese National).

25 15. One Plaintiff is domiciled in North Carolina: Alvis WHITTED (U.S. Citizen).

1 16. Two Plaintiffs are domiciled in Utah: Beverly CLARK (U.S. Citizen) and Sheng MEI (U.S.
2 permanent resident of Chinese national origin).

3 17. One Plaintiff is domiciled in Arizona: Guangjun HE (Chinese National).

4 18. One Plaintiff is domiciled in Colorado: Zheng QU (U.S. permanent resident of Chinese
5 national origin).

6 19. One Plaintiff is domiciled in Nevada: Yuhua HUANG (U.S. Citizen).

7 20. Three Plaintiffs are domiciled in Texas: Yongsheng WANG (Chinese National), Jinxia WEI
8 (Chinese National), and Wu ZHENG (Chinese National).

9 21. One Plaintiff is domiciled in Florida: Fushuang CUI (Chinese National).

10 22. Nine Plaintiffs are domiciled in California: Margaret CHANG (U.S. Citizen), Alan HUANG
11 (U.S. Citizen), John LI (U.S. Citizen), Youzhi MA (U.S. Citizen), Jun PAN (U.S. permanent resident of
12 Chinese national origin), Zhiying WANG (U.S. Citizen), Lisa WENDL (U.S. Citizen), Xiaoxiao XIE
13 (Chinese National), and Lijuan ZHENG (U.S. permanent resident of Chinese national origin).

14 **THE DEFENDANTS**

15 23. Defendants Ministry of Public Security ["M.P.S"] and Ministry of State Security ["M.S.S."]
16 are the entities that the P.R.C. employs to engage in domestic and international overt and covert
17 surveillance activities of the Chinese populace and the commission of various criminal acts in China and
18 abroad.

19 24. In June 1999, both the M.P.S. and the M.S.S. ["Defendant Ministries"] were tasked by various
20 P.R.C. and Central Committee of the Chinese Communist Party ["C.C.C.C.P"] leaders, including
21 President JIANG Zemin, and Commissioner LUO Gan of the P.R.C. State Council to eradicate Falun
22 Gong, in China as well as abroad, by way of the establishment of the "610 Office," as more fully
23 described herein,

24 25. The P.R.C.'s Embassy, located in Washington, D.C., although not a named Defendant, is the
25 voice and official presence of the P.R.C. in America, and is a "RICO" "enterprise" that was victimized by
"racketeering activity." Starting in mid to late 1999, Defendant Ministries infiltrated the Embassy,

1 instructed and used various personnel in the Embassy and redirected the Embassy's mission to coordinate
2 and carry out a criminal campaign of violent repression and intimidation against the Plaintiffs, said
3 "racketeering activity" being committed on U.S. soil in various cities, as more fully described herein.

4 26. The P.R.C. has Consulates located in Chicago, New York, San Francisco, Los Angeles, and
5 Houston. Starting in mid to late 1999, Defendant Ministries similarly infiltrated, instructed and used
6 various personnel in the different Consulates to coordinate and carry out a criminal campaign of violent
7 repression and intimidation against the Plaintiffs, said "racketeering activity" being committed on U.S.
8 soil.

9 27. Defendant TAN Tianxing, at all relevant times herein, was a Consulate official based at the
10 Embassy, in Defendant Ministries' employ or subject to their direction, and worked with Defendant John
11 Doe Thug in the aiding and abetting of bias-related criminal acts in the District of Columbia, Virginia and
12 Maryland, as more fully described herein.

13 28. Defendant John Doe Thug, at all relevant times herein, was paid by the P.R.C. or the
14 Defendant Ministries and/or remunerated by them by securing cash payments, business contacts or
15 contracts with P.R.C.-based entities to orchestrate and participate in the commission of numerous bias-
16 related criminal acts in the District of Columbia, Virginia and Maryland, as more fully described herein.

17 29. Defendants John Doe Consulates #1, #2 and #3 respectively at all relevant times herein, were
18 Consulate officials in Chicago, New York and San Francisco in Defendant Ministries' employ or subject
19 to their direction, and worked with Defendant John Doe Thugs #1, #2 and #3 in aiding and abetting the
20 commission of numerous bias-related criminal acts in such metropolitan areas, as more fully described
21 herein.

22 30. Defendants John Doe Thugs #1, #2, #3, and #4 at all relevant times herein, were paid by the
23 P.R.C. or the Defendant Ministries, and/or remunerated by them by securing cash payments, business
24 contacts or contracts with P.R.C.-based entities to orchestrate and participate respectively in the
25 commission of numerous bias-related criminal acts in the greater Chicago, New York, San Francisco and
Los Angeles metropolitan areas, as more fully described herein.

1 31. Defendant Alexander HUGH, at all relevant times herein, is an official of the Chinese
2 American Association of Greater Chicago ["Chicago Association"] and worked with Defendant John Doe
3 Consulate #1 in aiding and abetting the commission of numerous bias-related criminal acts in the greater
4 Chicago metropolitan area, as more fully described herein.

5 32. Defendant HUGH and John Doe Thug #1, at all relevant times herein, were paid by the
6 P.R.C. or the Defendant Ministries, and/or remunerated by them by securing cash payments, business
7 contacts or contracts with P.R.C.-based entities to orchestrate and participate in the commission of
8 numerous bias-related criminal acts in the greater Chicago metropolitan area, as more fully described
9 herein.

10 33. Defendants LAN Lijun and XUE Bin, at all relevant times herein, were Consulate officials in
11 Los Angeles, in Defendant Ministries' employ or subject to their direction, and worked with John Doe
12 Thug #4 in aiding and abetting the commission of numerous bias-related criminal acts in the in the greater
13 Los Angeles metropolitan area and in the states of Arizona and Colorado, as more fully described herein.

14 34. Defendant China Central Television [C.C.T.V.] is the sole national broadcasting entity in
15 China, as established by the P.R.C. C.C.T.V. played a vital role in the Defendant Ministries' criminal
16 campaign of violent repression and intimidation against the Plaintiffs, by producing and disseminating
17 various hate crime material, thus inciting and encouraging the commission of bias related criminal acts on
18 U.S. soil against the Plaintiffs.

19 35. Defendant China Television Corp., Inc., ["C.T.C."] is a California corporation and is the
20 American-based presence of the C.C.T.V. Together, C.C.T.V. and C.T.C. control the entire production
21 and international distribution of all television programming originating in the P.R.C.

22 36. Defendant Convergent Media Systems, Inc. ["Convergent"] is a Georgia corporation and is a
23 business entity that offers and leases international broadband airtime via an uplink to the Pan Am satellite
24 ["Pan Am Sat"] network.

25 37. By virtue of programming rights afforded to Pan Am Sat by the P.R.C.- and due to
Convergent's uplink access to Pan Am Sat, Convergent is capable of and distributes television programs

1 throughout the United States and services at least five major markets (Washington, D.C., Chicago, Los
2 Angeles, San Francisco and New York) where there exists a sizeable Chinese national and Chinese
3 American population ["targeted markets"].

4 **BACKGROUND OF COMPLAINT**

5 **A. THE FALUN GONG [FALUN DAFA] PRACTICE**

6 38. Falun Gong (or “Falun Dafa”) is a self-improvement practice or discipline that is rooted in
7 ancient Chinese culture. Although it draws upon peaceful Buddhist and Taoist spiritual principles that
8 seek to improve the body and mind through physical exercise and meditation, it is a spiritual discipline
9 with a core set of beliefs advocating adherence to three basic principles of Truthfulness, Compassion, and
10 Forbearance. In some ways similar to Tai Chi (a form of exercise which consists of slow methodical
11 movements) Falun Gong exercises and meditation are practiced by people of all ages, fitness levels, and
12 backgrounds.

13 39. Introduced in China in 1992, it has become a very popular form of qigong (the general term
14 used to describe several different organized practices of exercise and meditation) as part of a nationwide
15 resurgence of such practices following the loosening of controls imposed by the government during the
16 ten year cultural revolution of 1966-1976. Falun Gong distinguishes itself from other such practices by
17 emphasizing not only physical growth but also development of one’s moral character by adherence to the
18 basic principles in daily living of Truthfulness, Compassion, and Forbearance. The discipline is free of
19 charge or obligation and had grown rapidly from its introduction in China in 1992 to more than 70 million
20 practitioners in China alone by 1999. Most major cities in the United States, Canada, Australia, and
21 Europe have English-speaking Falun Gong practice groups, which include virtually all ethnicities among
22 practitioners. It transcends cultural, socio-economic, and national boundaries. Today, an estimated 100
23 million persons practice Falun Gong in over 50 countries.

24 **B. THE P.R.C.’s VIOLENT CRACKDOWN ON FALUN GONG**

25 40. On its first introduction in China in 1992, Falun Gong was well received. The overall health
benefits associated with this peaceful self-improvement practice involving gentle exercise and meditation

1 were recognized by government health ministries as beneficial to the health of the general population.
2 The discipline received numerous awards and included many government officials and senior Communist
3 Party members among its practitioners.

4 41. However, over the next several years, the spectacular growth of Falun Gong as evidenced
5 visibly by the number of practitioners exercising in public parks became a matter of concern to the ruling
6 Communist Party. In China, public activity, be it peaceful or protesting, is only permitted where it is
7 under direct control of the government. As demonstrated to world opinion in the Tiananmen Square
8 demonstrations of 1989, the absence of government control of any protest or demonstration, no matter
9 how peaceful, will result in a military repression.

10 42. Falun Gong's early growth to more than 40 million practitioners worldwide resulted in
11 expressed government concern that any movement or discipline outside of state control which has so
12 many practitioners, represents a threat to state security and stability, and is logically a threat to the
13 economic development of China. The economic changes in China over the preceding decade, its efforts
14 at entry into the World Trade Organization, and the "modernization" of its economy had resulted in
15 substantial dislocation among large segments of society. A movement, which might serve as a focal or
16 rallying point for disaffected socio-economic forces to protest such changes, was a threat to Communist
17 Party rule of the country. Early efforts at control or repression had only limited success and Falun Gong
18 continued.

19 43. In early 1996, the government overtly expressed its fears by the publication of a series of
20 negative articles in state run newspapers. This was the opening effort in what had been designed by the
21 government as a more intense campaign to marginalize the group in China, and eventually to eradicate it.
22 By July of 1996, the Chinese Press and Publication Administration ("CPPA") issued a nationwide ban on
23 the printing, distribution, or possession of Falun Gong literature. (Falun Gong books have since been
24 translated into more than twenty languages.)

25 44. In early 1997, the government began using the Ministry of Public Security ("M.P.S.") as an
instrumentality of propaganda in a campaign to disseminate negative characterizations of Falun Gong in

1 an effort to undermine the positive image of the group, not only in China but also in the West. The
2 campaign involved the repeated characterization of Falun Gong as a cult (with reference to the Branch
3 Davidian movement in the United States) or a sect whose proponents advocated suicide, the killing or
4 maiming of family members, and various other more ordinary crimes such as money laundering. The
5 campaign was based upon the expectation that the labeling of Falun Gong as a cult would undermine its
6 positive image as a peaceful spiritual practice.

7 45. By early 1998, the Defendant Ministries and senior officials became impatient at their lack of
8 success in marginalizing the group. The government, through Defendant Ministries, launched a
9 nationwide effort of individual harassment and physical intimidation locally based public security bureaus
10 (“PSB”) arrested many practitioners and detained them without charges. PSBs were ordered to detain
11 practitioners attempting to travel internally to Beijing (fear of protest) or those having any contact with
12 Chinese or Western media, and to use physical violence as the principal means of intimidation.

13 46. In April 1999, Falun Gong practitioners peacefully petitioned the local Tianjing government
14 to release their unlawfully detained fellow practitioners. On April 25, 1999, a silent vigil appeared
15 outside Zhongnanhai (the compound where the Communist Party leadership lives and works in Beijing).
16 Somewhat like a candlelight vigil or a civil rights vigil in the U.S., approximately 10,000 practitioners
17 peacefully assembled in front of the compound. Premier ZHOU Rongji came out to speak with the
18 practitioners and promised to examine their grievances. The peaceful appeal ended quietly.

19 47. However, the event was an epiphany for the Communist party leadership and the response by
20 Defendant Ministries was swift and severe. The peaceful assembly outside of their living quarters was
21 viewed by senior officials, and most importantly the President JIANG Zemin, as a potential physical
22 threat. The Communist Party leadership felt that the ability of a movement to organize and mobilize such
23 a protest was a threat to the government’s stability and therefore to its efforts at modernization of China’s
24 economy.

25 48. Under direction from President JIANG Zemin, senior party officials, and the Defendant
Ministries were instructed to fully utilize the resources of the state to eradicate Falun Gong in China and

1 overseas. Support of the Falun Gong was perceived as coming from the West through the use of
2 technology such as e-mail and communication with and financial support from practitioners scattered
3 throughout Western countries. The design then was to terrorize and intimidate practitioners and
4 supporters into silence, both in China, and in the West. These efforts were to be coordinated in the
5 M.P.S. by an organization referred to as the “610 Office”, taken from the June 10 date of its inception.

6 49. President JIANG Zemin authorized the mobilization of the Chinese government’s resources
7 abroad. Its embassy staff and consulates were instructed to launch an effort (i.e., criminal enterprise) on
8 United States soil and in other western democracies which would have the effect of nullifying the
9 Constitutional liberties, privileges, and immunities enjoyed by Chinese American citizens, and overseas
10 Chinese nationals working or studying in the United States. Up through and including September 2001,
11 plaintiffs had no understanding as to the nature and ongoing duration of this campaign.

12 50. The efforts were described in a July 7, 1999 speech to the political bureau of C.C.C.C.P., by
13 President JIANG Zemin. His specific directives were reported as the need to “formulate a crackdown
14 strategy” and “be fully mobilized to break and wipe out Falun Gong” and their “core figures”, “leaders”,
15 and “organizers” throughout the world.

16 51. The campaign as implemented resulted in (a) the arrest and detention of 40,000 to 50,000
17 Falun Gong practitioners within China; (b) the torture of thousands; (c) the incarceration of practitioners
18 in “labor/reeducation camps”; (d) incarceration in mental institutions; (e) the expulsion of identified
19 practitioners from schools and universities; and (f) the discharge of all known practitioners from private
20 sector and government positions.

21 52. Based upon information and belief, plaintiffs allege that not less than 1,500 Falun Gong
22 practitioners have been murdered as a result of the campaign. The campaign orchestrated by the state’s
23 terror apparatus was chronicled as “reeducation” by a media barrage orchestrated by the state run Xinhua
24 news agency and the Ministry of Foreign Affairs.

25 **C. THE AMERICAN BASED CAMPAIGN TO ERADICATE FALUN GONG**

53. Based upon information and belief, in October, 2000, President JIANG authored a classified

1 document countersigned by the C.C.C.C.P. Central Office, declaring therein that the persecution of Falun
2 Gong was the P.R.C.'s number one priority, and ordering action towards "strengthening the campaign
3 overseas against those foreign forces, collecting more information, and preventing protests."

4 54. The government could not employ exactly the same means abroad as it did domestically. It
5 could not arrest and detain people, but other components of the domestic campaign of intimidation could
6 be implemented abroad as part of a criminal enterprise. In some countries the covert activities undertaken
7 were not so susceptible to legal redress as in the United States.

8 55. The Defendant Ministries utilized their personnel in the United States to engage in many of
9 the same tactics of threats and coercion that had been used in China. They sought to reach the substantial
10 population of overseas Chinese residents in the U.S. by mass media to disparage the Falun Gong "core
11 leaders" by portraying Falun Gong as a "cult". Negative programming was produced in China and
12 distributed throughout the U.S. major television markets as part of a propaganda campaign to vilify this
13 peaceful practice among Chinese Americans and other overseas Chinese residents. The government then
14 designed commercial acts of contractual interference to prevent the Falun Gong from having access to
15 print and television media in the same "targeted markets" having substantial overseas Chinese
16 populations. The responsible ministries used embassy and consulate officials to oversee and orchestrate a
17 nationwide conspiracy in the U.S. of disinformation and intimidation against Chinese American citizens
18 and Chinese nationals who are Falun Gong practitioners.

19 56. The criminal enterprise, conducted as a covert intelligence campaign, included the
20 authorization and commission of bias related criminal acts, i.e., assaults and batteries, destruction and
21 theft of property, breaking and entering, interfering with U.S. mail, private conversation intercepts; arson,
22 telephone taps, orchestrated efforts at influencing U.S. state and government officials to label Falun Gong
23 as a cult; characterizing practitioners as "terrorist"; and seeking to interfere with the ability of local law
24 enforcement authorities in the protection of Falun Gong practitioners and supporters from biased related
25 criminal acts.

1 **D. C.C.T.V.'S ROLE IN INFLUENCING AND INCITING**
2 **THE TARGETED-MARKET'S AUDIENCE**

3 57. The overseas conspiracy agreed upon by President JIANG Zemin and senior Communist
4 Party officials and the Defendant Ministries and C.C.C.C.P. was designed to incite public antipathy
5 through a campaign horrific in its implications. In January of 2001, a purported news story was filmed in
6 Tiananmen Square, in which several individuals set themselves on fire in the presence of police officials,
7 government photographers, and under the surveillance of security cameras. Western news people were
8 denied access just prior to the event.

9 58. This horrible, but staged news event was distributed through national media domestically, and
10 internationally into targeted markets within the United States in February 2001, and represented in
11 narration as demonstrating the self-destruction impulses of Falun Gong practitioners. None of the
12 individuals who were killed during this staged news event were known to be Falun Gong practitioners.
13 An analysis of videotape distributed worldwide reflects the staged nature of the event, and the
14 participation of security forces in its filming. One victim was clubbed to death during the event.

15 59. Along with the distribution of this horrifying television footage, were defamatory statements
16 concerning U.S. resident and readily identifiable Falun Gong practitioners in the U.S. "targeted markets"
17 along with the defamatory characterization that such practitioners were advocates of (a) suicide; (b) intra-
18 family violence; (c) the destruction of family values; and (d) cult worship.

19 60. This staged event, with its horrible consequences for the individuals involved, was
20 subsequently re-broadcast in the United States on C.C.T.V. in February 2001, re-disseminated in the
21 format of two programs produced by C.C.T.V., i.e., Focus Talk and News, 60 Minutes in the same
22 targeted markets. Copies of the event were mailed in the U.S. by the Chinese Embassy and Consulates to
23 Members of the U.S. Congress in an effort to avoid a resolution favorable in its treatment from being
24 passed.

25 61. On May 4, 2001, "more than 300" letters were sent to U.S. government officials defaming

1 Falun Gong and its practitioners at the direction of Vice-Consul Liu of the P.R.C. San Francisco
2 Consulate. The defamatory programs were again aired on October 11, 2001, and November 20, 2001, in
3 the United States, in the five largest markets having Chinese American populations.

4 62. Beginning in November 2001, the government's foreign ministry, in concert and conspiracy
5 with Defendant Ministries, via its web site, warned the U.S. Senate not to interfere in P.R.C.'s internal
6 affairs and began a publicity campaign associating the Falun Gong with "terrorists activity", in order to
7 ally itself with the U.S. government's recently declared war against terrorism. By reclassifying Falun
8 Gong practitioners as terrorists, the P.R.C. seeks to justify its own repressive measures against a domestic
9 population, and to preempt the United States government from criticizing the horrific human abuses
10 undertaken in the name of anti-terrorist activity.

11 63. On December 16, 2001, in the same format of Focus Talk, a Chinese language report alleged
12 that a Falun Gong practitioner had killed his mother and father as a result of following Falun Gong
13 principles. During that same month the same staged news event represented to be self-immolation was
14 rebroadcast by defendant C.C.T.V. as one of the year's top ten stories.

15 **E. INTIMIDATING STATE, LOCAL GOVERNMENT AND CIVIC OFFICIALS**

16 64. In addition to these television broadcasts into the targeted markets, Defendant Ministries'
17 personnel, and Embassy/Consulate officials: (a) sent out "more than 300" letters to U.S. "government
18 officials" defaming the Falun Gong as a cult; (b) gave copies of the "staged news event" to members of
19 the Congress; and (c) threatened city and state government entities, which had issued proclamations on
20 behalf of the Falun Gong. Mayor Randy Voepel of Santee, California objected to such intimidation --
21 "Your [PRC L.A. Consulate] letter personally chilled me to my bones. I was shocked that a Communist
22 Nation would go to this amount of trouble to suppress **what is routinely accepted in this country.** "
23 [emphasis added]"[letter dated January 4, 2001].

24 65. Former Saratoga, California Mayor Stan Bogosian, after issuing a similar proclamation in
25 2000, felt similarly intimidated by the Los Angeles Consulate -- "The Chinese government should not be
interfering in the political process" and labeled their activities "highly irregular."

1 66. Mayors and Governors were intimidated into revoking said proclamations in San Francisco;
2 Seattle; Los Angeles; Westland, Michigan; and the State of Washington and "apologized" to the P.R.C..
3 In Washington State's case, Defendant Ministries and Consulate officials threatened to end all Chinese
4 adoptions and the student exchange program if a proclamation issued on behalf of the Falun Gong.

5 67. Mayor Thomas of Westland, Michigan, received various defamatory material from Defendant
6 Ministries' and Consulate personnel, including the "staged news event," which labeled Falun Gong as an
7 "evil cult." He rescinded the proclamation since local Falun Gong "leaders" were promoting a cult
8 concept whereby "[your] people would do such grave harm to themselves" [March 14, 2001 letter].

9 68. After being visited by San Francisco Consulate officials, the State of Nevada and Clark
10 County each rescinded the proclamations they had issued on behalf of the Falun Gong.

11 69. The Mayor of Carson City, Nevada refused to issue such a proclamation for fear of affecting
12 economic cooperation with the P.R.C.

13 70. These were not isolated attempts to deceive local political figures. The Mayor of Maysky City,
14 Nevada, along with all Mayors in attendance at a U.S. Mayor's Convention in Washington, D.C., received
15 the identical defamatory materials package, including the "staged news event" video.

16 71. Some mayors simply deferred to the Consulate when considering issuing a proclamation for
17 the Falun Gong, i.e. Houston, Texas' Mayor Brown's office -- "We got too much pressure. If you can
18 convince the Chinese Consulate to agree on it, we will definitely issue you a proclamation."

19 72. Civic officials were similarly intimidated by Defendant Ministries and Embassy/Consulate
20 personnel's activities: (a) after July, 1999, Chicago practitioners could no longer use the downtown Public
21 Library; (b) Los Angeles practitioners were barred from the annual public China Expo Event; (c) in
22 February 2001, the Los Angeles Consulate tried to cancel a Falun Gong conference to be held at the
23 downtown Pasadena Civic Auditorium; (d) in July 2000, practitioners were barred from the Delaware
24 Annual Chinese Festival; (e) starting after 1999, Falun Gong practitioners were discouraged by certain
25 individuals from participating in future National Cherry Blossom Festival ; (f) Practitioners were
purposefully excluded from participating in the 1999 and 2000 Chinese Cultural Festivals, held in

1 Washington, D.C.; (g) in Houston, Texas in late 1999, the Chinese Civic Center Jing Bao Shan Library
2 requested Falun Gong practitioners to stop publicizing the fact that it was carrying Falun Gong books;
3 (h) in May 2000 practitioners were barred from the annual Charlotte, North Carolina Asian
4 Festival and (I) in February 2002, practitioners were told by certain individuals not to march in New York
5 City's Annual Chinese New Year Parade.

6 **F. USE AND CONTROL OF PRINT MEDIA**

7 73. Apart from the distribution of C.C.T.V. staged news events and the dissemination of hate
8 crime material over cable and satellite television facilities into the "targeted markets," Embassy,
9 Consulate and Defendant Ministries' personnel encouraged and/or paid for the placement of provocative
10 advertisements in various newspapers, located in the United States and Canada, which were designed to
11 further defame and malign local and readily identifiable Falun Gong contact persons, i.e., the "core
12 figures" referenced by President JIANG, in the "targeted markets."

13 74. These advertisements were designed to incite violence by influencing and provoking
14 members of the Chinese-American community in the "targeted markets" to approve of and actually
15 participate in the commission of various bias-related criminal acts, including physical assaults and
16 batteries on Falun Gong readily-identifiable contact persons and activist practitioners in an effort to
17 destroy the credibility of the group as peaceful adherents of a spiritual discipline.

18 75. Defendant Ministries and Embassy/Consulate officials also planted various news stories in
19 American-based Chinese language newspapers designed to mislead the average reader into thinking that
20 Falun Gong was a cult, disguised as a spiritual practice, that advocated self-immolation, the destruction of
21 the family, and that readily identifiable contact persons and activist practitioners advocated and engaged
22 in various criminal activities, including worldwide money-laundering activities linked to terrorist causes.

23 76. At the same time they were vilifying Falun Gong core figures, Defendant Ministries and
24 Embassy/Consulate personnel were coercing and preventing print media outlets from printing or
25 displaying any Falun Gong materials: (a) in February, 2001, the Chicago based ShenZhou Times News
ceased publication of all Falun Gong material or "news"; (b) the Los Angeles based newspaper Sing Tao

1 Daily did the same in November 2001; (c) in Las Vegas, Nevada, the main local Chinese newspapers--the
2 Las Vegas Times did the same, citing potential retaliation by the Chinese Communist Party; and (d) in
3 August 2000, in Houston, Texas, the largest Chinese newspaper in the South, the Southern Chinese Daily
4 Newspaper did the same. The individual who had contracted with the newspaper and who paid for the
5 space, Falun Gong practitioner, Wu ZHENG of Sugar Land, Texas, was told by Consul XU that his life in
6 Houston could be ruined if he continued practicing, that his family in China would be affected, and
7 warned him about going back to China.

8 **G. EXCLUSION FROM SATELLITE T.V. NETWORK DISTRIBUTION**

9 77. Another aspect of the defamation campaign was Defendant Ministries' and C.C.T.V.'s efforts
10 to prevent Falun Gong representatives or its "core figures" from having access to TV cable broadcast
11 outlets.

12 78. Defendant Ministries and Embassy/Consulate officials have: [a] tortuously interfered with and
13 obstructed Falun Gong's contractual relationship with Channel 56, WCTV, Virginia; [b] sought to
14 obstruct and bring about termination of that contractual relationship through bribery; [c] successfully
15 interrupted Channel 56 scheduled Falun Gong programs on an intermittent basis; [d] coerced and
16 prevented media broadcast companies from contracting with Falun Gong practitioners to disseminate their
17 own programs or news stories in the "targeted markets."

18 **H. THE CRIMINAL ELEMENT**

19 79. As part of the same plan to eradicate Falun Gong in America, and during the same time
20 frame, the Defendant Ministries directed Embassy and Consulate personnel to intimidate, oppress and
21 terrify United States-based Falun Gong practitioners [United States citizens and non-citizens alike] by
22 inter alia interfering with the exercise of their right to free assembly and to practice their beliefs freely in
23 America.

24 80. Various measures were employed in this crackdown in the "targeted markets." Known Falun
25 Gong contact persons, practitioners and/or supporters: [a] were physically intimidated and beaten by hired
thugs for distributing literature, protesting the P.R.C.'s crackdown against Chinese practitioners; [b] had

1 their automobiles broken into and pamphlets and news materials stolen and/or destroyed; [c] in at least
2 one incident, a practitioner's car was fire-bombed; [d] were followed and had their pictures taken in an
3 effort to intimidate against further assemblies; [e] conversations were routinely and surreptitiously
4 recorded by sophisticated listening devices, resulting in practitioners hearing their own private
5 conversations played back to them over their home, cell or business telephone answering systems or by
6 voice mail; [f] were threatened with death if they filed a law suit alleging such conduct; [g] were
7 threatened with arson if they assembled at a hotel; [h] were accused of criminal conduct by virtue of the
8 P.R.C. Ministries' operatives' covert work that made it appear that Falun Gong web sites were "hacking"
9 into the U. S. Department of Transportation, a federal crime; [i] had their families threatened in China;
10 and [j] had their P.R.C. passports lapse, and visas and travel authorizations to China denied or dishonored
11 when attempting to enter China.

12 **I. ACADEMIC INTIMIDATION**

13 81. The Defendant Ministries even interfered with practitioners' studies or academic life: [a] the
14 California Institute of Technology [Caltech] was threatened by Consulate officials with having its internet
15 access from China blocked if it did not eliminate Falun Gong's website which was maintained on
16 Caltech's Internet server; [b] the P.R.C. forced the showing of C.C.T.V.'s defamatory programs at a
17 Catholic University's Chinese Students Association annual event; [c] Plaintiff JIN was barred from
18 participating in Southeastern University 2001 annual international festival; [d] in May 2001, the Georgia
19 Institute of Technology discouraged students from attending a scheduled Falun Gong event; [e] in
20 December 2001, an Ohio State University Professor was harassed by Consulate officials after hosting a
21 special Falun Gong seminar/class; and [f] in April 2001, Berkeley and Stanford universities Chinese
22 Student Union members were pressured to sign a declaration supporting President JIANG's crackdown of
23 Falun Gong practitioners in China.

24 82. All of the aforementioned bias-related criminal acts, the myriad deprivations of civil liberties
25 and the business and personal property injuries inflicted by the Defendants named herein constitute
violations of the P.R.C. Constitution and its Criminal Code, as shown in the attached Exhibit C.

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**FIRST CAUSE OF ACTION
RICO VIOLATIONS ARISING OUT
OF FSIA COMMERCIAL ACTIVITY
28 U.S.C. § 1962(c)(d)**

83. All Plaintiffs named in the caption, including the FOFG, i.e., "RICO Plaintiffs," repeat and re-
allege paragraphs 38 through 82 of this Complaint entitled "**BACKGROUND AND BASIS OF
COMPLAINT**," as if fully recited herein.

84. At all relevant times herein, the named Defendants herein were associated with the PRC
Embassy, an "enterprise" as defined in § 1961(4), which was engaged in interstate, as well as, foreign
commerce and activities affecting interstate and foreign commerce.

85. Consistent with Cedric Kushner Promotions, Ltd. v. King, 150 L.Ed. 2d 198 (2001),
additional "enterprise" scenarios include: (a) Defendant Ministries personnel, already based at the
Embassy and the Consulate locations, formed an "association" with individual thugs located in the
"targeted markets;" and (b) the Ambassador and other high ranking Embassy officials, controlled and
directed by the C.C.C.C.P., formed an "association" to perpetrate the various economic and personal
injuries alleged herein.

86. Defendant Ministries and Embassy/Consulate personnel, and all John Doe Thugs ["RICO
Defendants"] have engaged in a pattern of racketeering activity as described herein, in violation of 28
U.S.C. § 1962(c) and have, in addition, violated § 1962(d) by conspiring to conduct, directly or indirectly,
the affairs of an enterprise, i.e., the P.R.C. Embassy.

87. On diverse dates between July 1999 and December 2001, Defendant Ministries personnel,
after meeting with Embassy based officials, initiated a series of telephone calls, e-mails and fax
transmissions to the Consulates located in Chicago, New York, San Francisco and Los Angeles.

88. Defendant Ministries personnel ordered both Embassy and Consulate personnel to line up
and/or enlist the services and assistance of various thugs in the physical vicinity of their respective
locations, with a view towards being able to target readily identifiable local Falun Gong contact persons

1 and active practitioners as victims of bias related criminal acts, to be perpetrated by the aforementioned
 2 thugs, with Defendant Ministries' personnel providing financial compensation to, or promise thereof, and
 3 oversight of the thugs for said services.

4 89. The Defendants named herein committed a number of "predicate acts" [RICO section 1961
 5 (1) (A)], including: [a] eight (8) separate threats of murder [Plaintiffs Lin FANG, Sen YANG, Erping
 6 ZHANG [three], Hailian ZHANG, and Wai Ling LAM [twice]; [b] one threat of arson made against
 7 practitioners meeting at the Fairmont Hotel, San Jose, California; [c] one act of arson committed against
 8 Plaintiff Zhan LIN in Chicago; [d] "acts of vandalism and intimidation during a specific time period..."
 9 see Yellow Bus Lines Inc. v Local Union 639, 883 F.2d 132, 139 (D.C. Cir. 1989.) and [e] the
 10 commission of various Hobbs Act violations, 18 U.S.C. section 1951 (a) et seq., due to actual and
 11 threatened force, violence and fear, inflicted on Falun Gong practitioners, as more particularly described
 12 herein.

13 **I. PHYSICAL ASSAULTS AND BATTERIES WHILE DEMONSTRATING OR**
 14 **HANDING OUT LITERATURE:**

LOCATION	DATE	CONDUCT
New York City	Early 2001	Plaintiff PRAGER was threatened by a crowd of Chinese men, including one individual who appeared to be in the government's employ, after she had distributed Falun Gong Literature.
New York City	April, 2001	Plaintiff LAM almost had her hair set on fire when Falun Gong practitioners were assaulted and physically threatened while marching in the Chinatown parade.
New York City In front of 131 Middle School	October 14, 2001	A practitioner had Falun Gong literature seized from her hand and flung back into her face
San Francisco, CA, at China Garden Park	October 22, 2000	Plaintiff PAN was physically attacked by a mob of thugs while distributing Falun Gong literature, had his clothing ripped apart, and was chased out of a public facility- a park.
San Francisco, CA, at China Garden Park	October 22, 2000	Plaintiff Zhiying WANG was physically attacked by a mob of thugs while distributing Falun Gong literature.
San Francisco, CA, at China Garden Park	October 22, 2000	Plaintiff MEI was physically attacked by a mob of thugs while distributing Falun Gong literature. The assailants punched him repeatedly and shouted the identical allegations about Falun Gong practitioners that were published in various

LOCATION	DATE	CONDUCT
		Chinese newspapers by the Defendant Ministries.
Chicago, Illinois outside of the P.R.C. Consulate	July 13, 2001	Plaintiff FANG was physically attacked while distributing Falun Gong literature
Chicago, Illinois	September 7, 2001	Plaintiff FANG was again physically attacked while distributing Falun Gong literature. The assailants pushed him up against a fence and pummeled him repeatedly. As they left, one of them said: "If you sue us, I'll kill you."
Chicago, Illinois	July 13, 2001	Plaintiff LU was physically attacked while distributing Falun Gong literature
Washington, D.C.	November 2000	Plaintiff Hailian ZHANG was physically attacked while distributing Falun Gong literature, having individuals screaming at him: "Hit him! Hit him! Beat him up! You practice Falun Gong-- you ask for death!"
Washington, D.C., outside P.R.C. Embassy	November 1999	Plaintiff TAO was surrounded, accosted and threatened by approximately 25 Chinese individuals who had all emerged from the Embassy
Roslyn, VA, at the China Garden Restaurant	March 2001	Plaintiff BRANSBURG was screamed at, pushed in her shoulder for voicing her Falun Gong beliefs, and was insulted as "American white trash."
Boston, MA	August 19, 2000	Various Falun Gong practitioners who, with a permit, had peacefully assembled in celebration of the annual Autumn Festival, suffered interference by male Chinese individuals to the point that they had to call the Boston police. The consulate official from the P.R.C.'s New York Consulate was present in the Mid-Autumn Festival.
Los Angeles, CA, in front of P.R.C. Consulate Office	June 1, 2001	Various Falun Gong practitioners had their banners torn down by a group of angry P.R.C. supporters who emerged from the Consulate

II. MALICIOUS DESTRUCTION OF PROPERTY/ACTS AND THREATS OF VANDALISM:

LOCATION	DATE	CONDUCT
San Francisco, CA	October 22, 2000	Plaintiff PAN had his clothing torn, his glasses knocked off of his face and crushed, his cellular telephone destroyed, and his flyers and articles destroyed by an attacking mob.
San Francisco, CA	October 22, 2000	Plaintiff Zhiying WANG had a camera taken and destroyed. This camera belonged to Plaintiff Clark, who was screamed at to, "GET OUT, GET OUT" when politely and calmly asking for the camera back.
Chicago, IL	December 26, 2001	Plaintiff LIN's vehicle was torched and the tree it was next to was reduced to ashes. The vehicle contained Falun Gong documents and was frequently used to ship Falun Gong display banners to and from the P.R.C. Consulate.
Chicago, IL in	July 13, 2001	Plaintiff FANG had Falun Gong documents ripped from his

LOCATION	DATE	CONDUCT
front of P.R.C. Consulate		hands and destroyed.
Chicago, IL	September 8, 2001	Plaintiff FANG's cassette player in his car was destroyed.
Chicago, IL	January, 2002	Plaintiff Lin FANG had two car windows smashed, his car searched, and his car battery and fuse damaged. The car had a Falun Gong sticker posted in the back window.
Chicago, IL	July 13, 2001	Plaintiff LU had documents ripped from her hands and destroyed.
San Francisco, CA	August 27, 200	A group of Falun Gong practitioners was accosted by a group of 30-40 thugs hired by Defendant Ministries and Embassy/Consulate personnel, was assaulted, and had pamphlets belonging to the practitioner destroyed.
New York City	July 25 through September 1999	Plaintiff RACHLIN had her apartment broken into three (3) times. On each occasion her door and door lock were damaged and only her address book containing Falun gong contact information was stolen. During the same period, her secured telephone-housing compartment, located in the basement of Plaintiff's apartment building was broken into on one occasion.
New York City	2001	Practitioners had flyers seized from their hands and banner confiscated and destroyed.
Chandler, AZ	October 9, 2000	Plaintiff Guangjun HE's apartment was damaged. This event occurred within two (2) weeks after he had authored and posted an article in support of the Falun Gong on a Chinese student website at Arizona State University. His apartment was severely damaged. This happened the day before Los Angeles Consulate officials visited the Phoenix Cultural Center to celebrate the 52nd anniversary of the Communist Party's rule. In his prior three (3) years of study, nothing like this had ever occurred.
Tempe, AZ	October, 2000	A practitioner, while she resided in Arizona, had her apartment entered into by one of the Defendant John Doe Thugs, who stole her address/telephone book from her purse, which contained the data of all of her Falun Gong practitioners.
Flushing, NY	1 st week of September, 2000	Plaintiff ZHAI's tires were slashed while his car was parked near his home. Plaintiff used the vehicle to transport Falun Gong materials, posters and banners.
Chicago, IL	September 7, 2001	Plaintiff FANG had his camera taken from him and smashed after being chased and assaulted by three individuals outside of the P.R.C. Consulate.
Chicago, IL	September 8, 2001	Plaintiff FANG found Falun Gong-related tapes in his vehicle had been destroyed.
Washington, D.C.	October 1999	Plaintiff DING had his car trunk broken into and his Falun Gong materials were stolen.
Washington, D.C.	September 2000	Plaintiff JIN had her car vandalized on the Catholic University campus. A window was broken, a large stone had been placed in the backseat, a stone that could not be found in the

LOCATION	DATE	CONDUCT
California	February 12 and April 9, 2001	surrounding campus area. Plaintiff CHANG had 2 separate vehicles vandalized. Her Honda Accord had the front driver's side window smashed and a month later, the windshield of her Toyota mini-van was smashed. Both vehicles were parked outside of her home. At all relevant times, she was a contact person at the Falun Gong practice website and her home telephone number was listed. Such incidents had never occurred before in her El-Cerrito neighborhood. The Police were called and came to investigate.
California	March, 2000	Plaintiff Youzhi MA had his car's 2 rear tires slashed while parked in San Mateo.
San Francisco, CA	December 2001	A Chinese male holding a bolt cutter was observed in the act of forcefully cutting the large chain that permanently anchored a newsstand, containing newspapers pertaining to Falun Gong prosecution in China. The man rushed off once he was approached.
Fairmont Hotel, San Jose, CA	July 22, 1999	Plaintiffs WENDL and Alan HUANG were both told of a threatening phone call to the hotel indicating the hotel would be burned down if the hotel did not cancel the U.S. Western Falun Dafa Experience Sharing Conference. Event organizers paid for extra security at their own expense. Yet, a fire alarm was pulled by an unknown individual, unnerving attending practitioners and hotel management given the specific nature of the telephone threat. (This is not an isolated event, for the last two-and-one-half years a number of hotels, convention halls and civic centers hosting Falun Dafa conferences have been requested by P.R.C. Embassy/Consulate officials to cancel such events.)

III. THREATS OF MURDER, ARSON/OBSTRUCTION OF JUSTICE/ INTIMIDATION OF A PARTY/WITNESS:

LOCATION	DATE	CONDUCT
Chicago, IL	September 7, 2000	Plaintiff FANG was approached by three men who physically attacked him outside of the Chinese Consulate. When they left, one of the attackers stated: "If you sue us – I will kill you."
Palatine, IL	July 16, 2001	Plaintiff YANG received a threatening anti-American e-mail that stated "you've looked for being beaten; you deserved it; I think it will vent my anger only when all of you are killed...if you are killed, so be it." YANG was referred to as an "American running dog."
Flushing, Queens, New York	2001	Plaintiff Erping ZHANG received three similar death threats. During 2001, he received a voice mail on his cell phone stating, "I want to kill you" which was repeated a few times in Chinese. He also received a cell phone call, while he was

LOCATION	DATE	CONDUCT
Marriott Hotel in Washington, D.C. near P.R.C. Embassy	November 2000	driving, to the same effect in Chinese - "I want to kill you." And, on January 31, 2001, he received another such message. The 1st and 3rd incidents were reported to the police. Plaintiff ZHANG (Hailian) was being assaulted by thugs, and one of them shouted at him: "You practice Falun Gong, you ask for death."
Arlington, Virginia	October 2001	Plaintiff GE was threatened by a recorded voice mail message. She became very stressed out as a result of the message. After keeping it for one month, she tried to copy it over unsuccessfully for a police report.
New York City	July 4 & 5, 2001	Plaintiff LAM received two separate phone calls warning her that she would be killed for her Falun Gong activities.

IV. WIRETAPPING COVERT RECORDING OF PRIVATE CONVERSATIONS / INVASION OF PRIVACY:

LOCATION	DATE	CONDUCT
Washington, D.C.	November 1999	Plaintiff DING, while at a flea market speaking with friends, was surreptitiously audio taped. Shortly thereafter, the recording of his conversation was played back on his office voice mail.
Washington, D.C.	October 2000	Plaintiff Jane Doe #1, while having a conversation with Plaintiff Haoran ZHENG, was surreptitiously audio taped. Shortly thereafter the tape was played back on her voice mail system.
Los Angeles, CA	February 18, 2001	Plaintiff JIN was surreptitiously audio taped while having a telephone conversation with another practitioner at a Falun Gong conference. On March 11, 2001, the recorded conversation was played back on Plaintiff JIN's voice mail. The message contained JIN's voice stating: "My name is JIN Youming. I'm a Washington, D.C. practitioner. My phone number is" Thus, Plaintiff JIN's activities in Los Angeles were monitored, while she was physically in Los Angeles.
Washington, D.C.	April 19, 2001	Plaintiff NIEH was surreptitiously taped while having a conversation with some friends in front of the U.S. Senate Building. He returned home to find that the conversation had been played onto his cellular telephone's voice mail.
Washington, D.C.	October 10, 2001	Plaintiff WU got off work and found a surreptitiously recorded message on her home voice mail of a conversation between a group of Falun Gong practitioners hosting a panel discussion that had taken place earlier in the day.
Washington, D.C.	July 10, 2001	Plaintiff WU received a message left on her cellular voice mail of a surreptitiously recorded message of a conversation that had been held among organizers of a Falun Gong conference.
	Late	Plaintiff WU discovered her cell phone transmission had been

LOCATION	DATE	CONDUCT
	November 2001	accessed and intercepted when an unknown person named "An-Lu" took a message from the secretary of a representative of the International Religious Freedom Committee. On the same day, Plaintiff's discussion of the matter with Plaintiff NIEH which occurred at Au Bon Pain in Union Station were played back to her on her phone.
San Gabriel, California	January 22, 2002	Plaintiff GE had a recording of a private conversation with another practitioner left on Plaintiff WU's voice mail.
	Between October and November 2000	Plaintiff XIE had a conversation which had taken place inside her home recorded and played back on the home answering machine to another practitioner's home.
New York	Late 1999	Plaintiff RACHLIN experienced telephone interference (other parties listening in on her home phone) when she was the victim of multiple apartment break-ins.
Washington, D.C.	April to July 1999	Plaintiff YI experienced telephone interference (other parties listening in on her home phone). Plaintiff was also informed by neighbors that individuals were canvassing the neighborhood door-to-door asking questions about her life style. Plaintiff also noticed in the same time frame that someone had tampered with her mailbox.
Washington, D.C.	From October to December 2000	Plaintiff TAO had her picture taken as she boarded and left the Metro rail system by individuals hired by the P.R.C. Embassy to follow practitioners who were exercising outside the Embassy.
New York City	January 2002	Plaintiff JIN had her picture taken by Chinese individuals.
Hermann Park, Houston, TX	September 2000	Plaintiff JIN had her picture taken by Chinese individuals.
Vincent Lugo Park, Los Angeles, CA	Late 1999 and early 2000	Five to six practitioners had close up pictures taken of all of them by a Chinese man.
Maryland	Late 1999 and during 2000	Various practitioners had close up pictures taken of all of them by a Chinese man. On one such occasion, the practitioners were warned that: "If you go back to China, you'll be arrested immediately."
New York	April 2000	A Practitioner was telephoned by an unknown individual who sought the names of the contact persons in the Falun Gong practice, a list of practice sites and the telephone numbers of contact persons. When asked how he had obtained her telephone number, the caller stated that he had seen it in a local Chinese newspaper. What astonished her is that she had never listed her name and/or number in any newspaper.
Boston, MA	July 4, 2001	Plaintiff LAM received two telephone calls at midnight threatening her with physical danger.
	July 1999 to November 1999	Plaintiff HE received numerous telephone calls in which he was threatened if he continued supporting Falun Gong.

1 **V. COMMISSION OF FEDERAL CRIMES:**

2 **Unauthorized and Destructive Access Into Federal Government Website In Violation of 18**
3 **U.S. Code § 1030(a)(3)**

4 90. [a] During or before the month of July 1999, The United States Department of Transportation
5 web server was “attacked” [via the receipt of voluminous individual electronic mail messages which,
6 overwhelmed the Department’s website server] by a computer server that appeared to host a Falun Gong
7 website. The DOT website was shortly thereafter attacked by several other Falun Gong hosting computer
8 servers;

9 [b] The Department was able to track the “hackers” of the website back to Beijing, China. When
10 finally contacted, it was found that the hackers were located within China’s Public Security Bureau and
11 that the electronic mail messages were sent from the Chinese government’s postal department;

12 [c] The Chinese based commercial entities, which did the hacking made it appear that such an
13 attack was really the work of Falun Gong practitioners.

14 **Criminal Activity in Violation of 18 U.S.C. § 245**
15 **"Federally Protected Activities"**

16 91. [a] As pled in this cause of action, the RICO Defendants named herein launched a criminal
17 enterprise on American soil, to wit: they battered Falun Gong practitioners; physically and mentally
18 intimidated them; recorded their private conversations; monitored their physical movements and their
19 mail; damaged their personal property; and punished them for exercising their right to engage in interstate
20 travel;

21 [b] By doing so, they violated §§ 245 (b) (1) (B) and (b) (2) (B), since they "by force or threat of
22 force willfully injured, intimidated and interfered with" and "attempted to injure, intimidate and interfere
23 with various "benefits" and "privileges" provided by the United States government to Falun Gong
24 practitioners and various "benefits" "privileges" and "programs" provided by the various states listed
25 herein, where the RICO Plaintiffs reside, because of their "religion or national origin.”

[c] By doing so, the RICO Defendants also violated § 245 (b) (2) (E) by intimidating and
interfering with, and attempting to so intimidate and interfere with the right of Falun Gong practitioners to

1 "travel in... interstate commerce," due to their "religion or national origin." Plaintiff LIN, for example,
2 was intimidated by the Defendants' conduct in setting his car on fire, as soon as he had left for a Falun
3 Gong event to be held in Florida and had exercised his right to interstate travel.

4 92. All of the above-recited incidents have the same purposes, results, participants, victims and
5 methods of commission.

6 93. These incidents amount to and pose a clear threat of continued criminal activity.

7 94. These incidents were not part of a single lawful endeavor and thus constitute sufficient
8 "predicate offenses" to invoke the RICO statute.

9 95. The pattern of "racketeering activity" described herein, and engaged in by
10 Embassy/Consulates' personnel, is a direct result of the Defendant Ministries personnel subverting the
11 traditional and lawful functions that such foreign missions normally discharge on foreign soil.

12 96. Starting on or about July 1999 and continuing through to the present, and pursuant to
13 Defendant Ministries directives, the Ministries personnel ordered Embassy and Consulate officials to
14 redirect their efforts from the pursuit of legitimate activities to the commission of the above described
15 pattern of "racketeering activity."

16 97. Starting on or about July 1999, said Embassy and Consulate officials did direct their efforts
17 towards the pursuit of said "racketeering activity," and did commit the specific criminal acts complained
18 of herein, including the aiding and abetting of and the commission of "bias-related" criminal acts and
19 "hate crime" criminal acts, in violation of District of Columbia, California, Illinois and New York State
20 law respectively.

21 98. In the process of pursuing and committing the aforementioned pattern of "racketeering
22 activity," the RICO Defendants named in this cause of action, have all violated 18 U.S.C. § 1962 (c).

23 99. Defendants named herein have also violated § 1962 (d) by conspiring to conduct, directly or
24 indirectly, the affairs of an enterprise, i.e., the P.R.C. Embassy, through a pattern of racketeering activity.

25 100. Each of the named Defendants racketeering acts were undertaken for the purpose of
furthering their common scheme and plan to abridge and nullify the constitutional rights and liberties of

1 the RICO Plaintiffs.

2 101. Each of the named Defendants herein agreed to and conspired with the other Defendants
3 and/or co-actors to commit the predicate acts detailed herein.

4 102. In the process of the Defendant Ministries, Defendant C.C.T.V., Defendant TAN, Defendant
5 Thug, Defendant John Doe Consulates #1,2, 3 and 4, Defendants John Doe Thugs #1, 2, 3 and 4, and
6 Defendants LAN and XUE's ["RICO Defendants"] undertaking and advancing the commission of this
7 pattern of "racketeering activity," and as a direct and foreseeable result thereof, the "RICO Plaintiffs"
8 have all suffered various business and property losses, including damage to reputations, careers and
9 businesses, e.g. Plaintiff FENG lost a job opportunity simply because of such activities.

10 WHEREFORE, RICO Plaintiffs request that a monetary judgment be entered against the RICO
11 Defendants in an amount to be determined at trial, and further request injunctive relief.

12 Unless the RICO Defendants are restrained by a preliminary and permanent injunction, the
13 individual RICO Plaintiffs herein will continue to suffer severe, irreparable harm in that their ability to
14 practice Falun Gong, associate with other practitioners, use their telephones or otherwise communicate
15 with family members, both here and in China, use their vehicles, without fear of physical harm to
16 themselves and family members and/or property destruction, will be severely impaired and their
17 fundamental civil rights will continue to be maliciously and intentionally interfered with by the
18 Defendants named in this cause of action.

19 The Plaintiffs have no adequate remedy at law because monetary damages, which may
20 compensate for past interference with the Plaintiffs' civil rights, and the infliction of various economic
21 injuries will not provide adequate relief for the fear, humiliation, and risk of injury that a continuation of
22 Defendants' conduct in denial of Plaintiffs' civil rights will cause.

23 **SECOND CAUSE OF ACTION**
24 **FSIA "TORTIOUS ACTIVITY" § 1605 (a) (5)**
NEGLIGENT HIRING, RETENTION AND SUPERVISION

25 103. The Plaintiffs named herein, i.e., the RICO Plaintiffs referenced supra., hereby repeat and
reallege paragraphs one through 102 as if fully recited herein.

1 104. The RICO Plaintiffs, at all times relevant herein, were desirous of freely exercising basic
2 constitutional rights and liberties afforded them by virtue of their United States citizenship or their status
3 as "permanent residents" and/or physical presence within the United States, under valid education or work
4 visas.

5 105. As pled in the introductory paragraph, Falun Gong contact persons and practitioners are
6 specifically desirous of: (a) being free of physical intimidation and unlawful touching when exercising
7 their fundamental constitutional rights to free speech and peaceful assembly; (b) feeling safe within the
8 confines of their living quarters; (c) being free to converse in person or over the phone with an individual
9 of their choosing without fear of having such a conversation intercepted and/or recorded; (d) being able to
10 travel within the United States freely and without fear of being followed or being punished for exercising
11 the right to travel interstate; (e) feeling safe in preparing and filing a civil law suit to redress these
12 aforementioned constitutional deprivations, without fear of themselves and/or relatives in China being
13 killed or maimed for pursuing such activity; and (f) being able to pursue their jobs and careers and operate
14 their businesses without intimidation and fear.

15 106. As pled herein, RICO Defendants have hired various John Doe Thugs in the New York,
16 Washington, D.C., Chicago, San Francisco and Los Angeles areas.

17 107. Based upon information and belief, these thugs were hired with a view towards intimidating
18 the Plaintiffs and injuring them in their personal lives, careers and business pursuits.

19 108. When the Embassy and Defendant Ministries personnel directed Consulate officials to
20 identify thugs for future hire, they were ordered to ignore any proclivity they might have for inflicting
21 bodily harm or other damage on Falun Gong practitioners, and the negligent hiring posed a threat of real
22 physical harm, i.e., arson or several physical beatings.

23 109. Nor did the Defendant Ministries anticipate the need for someone to properly oversee these
24 thugs to insure that they not engage in overt criminal conduct.

25 110. As a direct result of the Defendant Ministries' failure to interview and thoroughly investigate
these thugs, certain types of thugs were hired and directed to intimate the Plaintiffs, who where indifferent

1 to engaging in reckless and criminal behavior.

2 111. As a result, the Plaintiffs suffered severe bodily injuries in certain instances, were threatened
3 with arson or murder, were victims of arson, had their living quarters burglarized and, through various
4 invasions of privacy, have had their once peaceful family lives shattered.

5 112. As pled in paragraphs 84 to 92, RICO Plaintiffs have been victims of bias-related criminal
6 acts for choosing to exercise their constitutional rights and liberties.

7 113. More specifically, contact persons and practitioners have been assaulted and battered,
8 paragraphs 84 to 92, for exercising said constitutional rights and liberties.

9 114. More specifically, contact persons and practitioners have suffered the loss of property and
10 damage to personal property, paragraphs. 84 to 92, for exercising said constitutional rights and liberties.

11 115. More specifically, contact persons and practitioners have had their rights to privacy
12 repeatedly violated, paragraphs 84 to 92, for exercising said constitutional rights and liberties.

13 116. More specifically, contact persons and practitioners have had their lives and family
14 members' lives threatened, paragraphs 84 to 92, for exercising said constitutional rights and liberties.

15 117. In addition, various Plaintiffs have had their businesses and careers destroyed because they
16 practice Falun Gong.

17 118. At all times relevant herein, RICO Defendants, in planning and implementing their
18 conspiracy to deprive the RICO Plaintiffs of said constitutional rights and liberties, have engaged in acts
19 that are not part of the exercise of a "discretionary function."

20 119. The bias-related criminal acts detailed and complained of in the RICO Cause of Action
21 supra., are not decisions to "establish governmental policy" and are thus not immune tortious activities
22 under FSIA.

23 120. At all relevant times herein, individual Defendants Tan, John Doe Consulates #1- #3, Lan
24 and Xue were either in the active employ of Defendant Ministries or being used by them unofficially.

25 121. At all relevant times herein, these individual defendants were pursuing the interests and
objectives of the Defendant Ministries.

1 122. Pursuant to the doctrine of Respondent Superior, Defendant Ministries are liable for all of
2 the damages that their employees and/or agents caused the Plaintiffs herein.

3 WHEREFORE, RICO Plaintiffs request entry of judgment of against RICO Defendants in an
4 amount to be determined at trial for the continuous and violent repression of their fundamental rights and
5 liberties.

6 **THIRD CAUSE OF ACTION**
7 **CIVIL RIGHTS ACT OF 1871**
8 **SECTION 1983 VIOLATION AND A § 1985(C)(3) CONSPIRACY**

9 123. Plaintiffs JIN, ZHANG, NIEH, TAO, DING, JANE DOE #1, WU, ZHOU, WANG, GE,
10 FAN, CHAO, Erping ZHANG, ZHAI, FANG, LU, LIN, YANG, MEI, HE, QU, WANG, PAN, MA,
11 CHANG, WEI, SHI, WENDL, Alan HUANG, Yuhua HUANG and ZHENG hereby repeat and re-allege
12 paragraphs one through 122 as if fully recited herein.

13 124. As contrasted with the aforementioned RICO Plaintiffs, Plaintiffs herein named are all of
14 Chinese national origin and are thus members of a protected class under § 1983 and § 1985.

15 125. The Defendant Ministries and various Embassy and Consulate personnel agreed on a plan to
16 eradicate Falun Gong abroad, after the Anti-cult resolution had been passed at Chinese People's
17 Assembly. Their United States plan had eleven [11] distinct elements: [a] to physically intimidate Falun
18 Gong practitioners; [b] to physically assault and batter Falun Gong practitioners; [c] to make Falun Gong
19 practitioners fearful of traveling to Falun Gong events held within the USA; [d] to disrupt any public
20 Falun Gong events; [e] to threaten Falun Gong practitioners with death or reprisals against relatives based
21 in China, if they chose to vindicate their rights in a U.S. Court; [f] to defame readily identifiable local
22 contact persons by accusing them of promoting suicidal and criminal conduct; [g] to deny them entrance
23 visas or other documentation facilitating travel between the U.S.A. and China; [h] to publish hate crime
24 materials, intended to incite physical violence against Falun Gong practitioners in the "targeted markets";
25 [i] to eavesdrop on Falun Gong practitioners' private conversations; [j] to leave threatening messages on
Falun Gong practitioners' telephone recording devices; [k] to interfere with Falun Gong's practitioners'
existing and prospective contractual relationships; [l] to destroy and/or confiscate Falun Gong

1 practitioners' personal property, cell phones, cars and cameras; and [m] to introduce various computer
2 viruses and implement a campaign of massive spanning in a successful effort to destroy various Falun
3 Gong websites and the practitioners' ability to communicate with each other via e-mail.

4 126. The overall effect of said plan, in violation of Section 1983 and § 1985 [c] [3] was to abridge
5 and/or nullify fundamental rights, privileges and immunities that all United States citizens, including
6 those of Chinese national origin, have the right to exercise, including the right to interstate travel.

7 127. As a result of this conduct and the fear that it engendered in the Falun Gong community,
8 recent and future Falun Gong national or international events are not announced on the Falun Gong
9 website until midnight of the previous day of the event. This is so Falun Gong Practitioners can attend
10 events with less fear of reprisals by the Defendant Ministries. Many practitioners, located out of the area,
11 are not able to attend these events, thus dragooning their Constitutional right to travel, because no prior
12 knowledge can be disseminated without fear of having their meeting places threatened by acts of arson, of
13 being assaulted, battered, harassed, threatened and/or intimidated by the thugs hired by the Defendants
14 Ministries and/or Embassy/Consulate officials.

15 128. One illustration, already described herein, of the specific conduct that the practitioners
16 currently fear occurred on October 22, 2000, during the celebration of Falun Dafa Week in San Francisco.
17 At 8:00 a.m., approximately 100 Falun Gong practitioners were engaged in their morning exercises while
18 in China Garden Park. At approximately 11:00 a.m. a gang of approximately 35 men, approached the
19 practitioners and began destroying Falun Gong literature. When three of the Falun Gong practitioners
20 began photographing the group in an effort to deter the attacking mob, the three were attacked. Jun PAN,
21 Zhiying WANG, and Sheng Y. MEI were brutally attacked by the mob of thugs and their belongings
22 including literature, a camera, cellular telephones, a pair of eyeglasses and some of their clothing were
23 destroyed.

24 129. It is the fear of this type of assault and battery that is only one manifestation of the chilling
25 effect that the Defendant Ministries' plan has had on Falun Gong practitioners.

130. A separate and distinct additional element of the Defendant Ministries' plan was and is the

1 successful attempt to influence various municipal, state and federal officials and thus interfere with the
2 Plaintiff's exercise of their fundamental rights and privileges and hinder or affect the nature and scope of
3 the protections afforded by local police authorities to Falun Gong practitioners to, inter alia, peacefully
4 assemble.

5 131. Defendants named herein have coerced and/or pressured Mayors in Seattle, San Francisco,
6 Los Angeles, Alhambra, California, Newark, Delaware and Westland, Michigan to revoke civic
7 proclamations issued on behalf of local Falun Gong contact persons and practitioners.

8 132. Defendants accomplished this: [a] by sending the Mayors displays of horrific conduct which
9 allegedly occurred in China, including a staged news event whereby alleged Falun Gong participants
10 seemed to set themselves on fire; [b] with grisly photographs of mutilated bodies, attributable to violence
11 perpetrated by Falun Gong contact persons on their own family members; and [c] by threatening officials
12 with the loss of future international trade, and the termination of student exchange programs and
13 international adoptions.

14 133. Since these officials were not in a position to know about the various problems posed by the
15 staged news event [i.e., the female participant who died at the scene had never been seen doing Falun
16 Gong exercises and had never identified herself as a Falun Gong practitioner, the fortuitous presence that
17 particular day of C.C.T.V. camera crews and police officials toting fire extinguishers, the P.R.C.'s refusal
18 for independent media access to any of the alleged participants and the official state police's interference
19 with CNN's ability to cover and telecast the identical event], they accepted the content of Defendant
20 Ministries', Embassy's and Consulate's defamatory material as a rationale for viewing readily identifiable
21 Falun Gong core figures, practitioners and supporters as cult adherents.

22 134. For example, Mayor Robert Thomas of Westland, Michigan, revoked a Falun Gong
23 proclamation because he was overwhelmed by horrific defamatory material supplied to him by Defendant
24 Ministries and Chicago P.R.C. Consulate personnel.

25 135. Representative Matthew Throckmorton of Springville, Utah stated his view as to what the
Embassy/Consulate officials were trying to accomplish, to wit: "But we are not going to let the

1 Communists [in China] set the legislative agenda here [in the State Capitol]," Deseret News, January 24,
2 2002. According to Representative Throckmorton and referencing a similar incident of intimidation,
3 "They [the P.R.C. government] watch these things and try to intimidate the American politicians or
4 businessmen who speak out against them."

5 136. As a result of the revocation of these proclamations and the attendant nationwide
6 dissemination of defamatory material through TV, cable and print media, the Defendant Ministries have
7 been able to successfully portray the Falun Gong group as an "evil cult," identical to the notorious Branch
8 Davidian cult, which had been based in Texas, knowing full well that such a characterization would
9 resonate with the American people.

10 137. As a direct result, practitioners believe that numerous government and civic leaders and
11 local police authorities now have the impression that the Falun Gong is a cult, which has been outlawed in
12 China for good reason and that view may impair the nature and scope of protection of the civil rights that
13 these leaders and police authorities afford to Falun Gong practitioners.

14 138. Specific examples thereof include: (a) practitioners have been informed in Salt Lake City
15 that "they don't belong there"; (b) practitioners in Los Angeles have recently been informed by the L.A.
16 Police Department that due to a change in the way that the law is being interpreted, they cannot display
17 their banners or poster signs outside the L.A. consulate unattended; (c) a practitioner in November 2001,
18 while simply attempting to give a letter to the PRC Ambassador at a hotel, was told by the police to get
19 out and was thrown to the ground, suffering bodily injuries. She was arrested and incarcerated; and (d) in
20 San Francisco in November 2000 in a public park, a practitioner was precluded by the police from
21 displaying a sign reciting the fact that an individual had been paid by the Chinese government to
22 intimidate Falun Gong practitioners.

23 139. Even U.S. citizens have experienced some difficulty in explaining and complaining to local
24 authorities about the treatment that they have received, e.g., continuous physical assaults and batteries, at
25 the hands of Defendant Ministries and Embassy/Consulate personnel.

140. Many practitioners have complained to the FBI and local police authorities about their

1 telephones being tapped, having their pictures taken, being followed from their homes or apartments,
2 having their private outdoor conversations secretly taped and played back on home, business and cell
3 phones voice mail systems.

4 141. Plaintiff John LI of California has even been accused by Defendant Ministries and Consulate
5 personnel that he is a CIA operative who is trying to overthrow the P.R.C. government, and his
6 movements have been watched at the Defendant Ministries' request.

7 142. Many Falun Gong practitioners have experienced chilling consequences of attending out-of-
8 state Falun Gong events like the one held in Washington, D.C. in July 2001, where Defendant Ministries
9 personnel acted with impunity, thinking that the "cult" reputation had sufficiently attached to Falun Gong
10 practitioners.

11 143. Plaintiff XIE, for example, after she traveled from California to Washington, D.C. for such
12 an event, returned home after being videotaped there by Defendant Ministries personnel and having been
13 followed. She now believes that her phone has been tapped and fears attending similar future events held
14 outside of California for that reason.

15 **CONSPIRATORIAL HINDRANCE OF INTERSTATE TRAVEL:**

16 144. Every citizen, permanent resident and foreign national with a legal visa has a right of
17 interstate travel in America.

18 145. Said right is protected by the criminal statute known as § 6 of the Enforcement Act of 1870,
19 recodified as 18 U.S.C. § 241.

20 146. Defendant Ministries and Embassy/Consulate personnel embarked on a plan in late 1999 to
21 convince Falun Gong practitioners that they were jeopardizing their physical and mental well-being by
22 continuing to peacefully assemble and by planning to attend future Falun Gong events, held in various
23 cities, like Washington, D.C. or New York.

24 147. Their predominant purposes were two fold: (a) to impede contact persons and practitioners
25 from exercising their right to travel interstate; and (b) to punish those contact persons and practitioners
who actually exercised that right and traveled to said events.

1 148. As detailed in the July 22, 1999, Fairmont Hotel incident involving Plaintiff WENDL,
2 hundreds of practitioners experienced first-hand the ruthless nature of Defendant Ministries' plan to
3 intimidate practitioners attending out-of-state Falun Dafa Sharing conferences. Based on the San Jose,
4 California, incident alone, the RICO Defendants have no qualms about terrorizing an entire hotel
5 population in their effort to impede attendance at such conferences.

6 149. In the case of Plaintiff XIE, she decided to attend the Falun Gong peaceful appeal event held
7 in Washington, D.C. from July 22 through August 8th, 1999. While she was in Washington, D.C., she
8 was followed and had her picture taken. Her picture was entered into the international data bank that the
9 Embassy maintains to identify new practitioners, to monitor the growth of the Falun Gong group, and to
10 be able to track these individuals in case of international travel, especially to Hong Kong or the China
11 mainland.

12 150. In the case of Plaintiff Xuchun MARTIN, because she attended various Falun Gong events,
13 her picture and name was in the international data bank that P.R.C. immigration officials maintain at
14 various sites to monitor the entrance of U.S. citizens into China who are Falun Gong practitioners, family
15 relatives or supporters. Plaintiff Mrs. MARTIN is an auditor in the employ of an international firm and
16 on December 2, 2000, was trying to enter China at Shanghai airport on a valid business visa that she had
17 obtained from P.R.C.'s New York Consulate. She was the only person in her audit group who spoke
18 Chinese and was a vital member of her business team. To punish her for attending Falun Gong events, she
19 was denied entry into China and immediately sent home. The reason-- "her name was in the system." Her
20 continued inability to enter China on business trips has had a major effect on her employment position
21 and career prospects.

22 151. In the case of Mr. Fushuang CUI, a resident of Florida, he also experienced punishment for
23 exercising his right of interstate travel, when as a result of traveling to Washington, D.C. in October 2001,
24 to participate in a Falun Gong event, the P.R.C. has refused to renew or extend his Chinese passport and
25 his family in China has been harassed and threatened. He was informed by family members that their
phone is tapped and that the Security Department in the P.R.C. knows all about his Falun Gong activities

1 in America. His father was telephoned by an official in the Tangshan Security Department, who was in
2 charge of Falun Gong issues.

3 152. Thus, Plaintiff MARTIN, and others similarly situated, e.g., Chicago based Plaintiff LIN
4 who had his car set on fire once he had left for a Florida based Falun Gong event, have been punished for
5 exercising their right of interstate travel and attending Falun Gong events.

6 153. U.S. Citizens Lan LI and Qinwen ZHANG, both from New York, due to their Falun Gong
7 involvement, have been refused access to the P.R.C. Ms. LI has been denied a total of 4 times- 7/13/2000,
8 7/15/2000, 9/26/2000 and 5/4/2001.

9 154. Even if U.S. citizen practitioners are not listed in the P.R.C., international data bank and are
10 able to visit China, they can be arrested in the P.R.C. for visiting practitioners. On June 13, 2000, Plaintiff
11 Lijuan ZHENG and her 11-year-old daughter Christine LIN were arrested in Beijing and detained for 48
12 hours. The reason for their arrest and detention was explained by the police- "Are you [not] Falun Gong
13 practitioners?"

14 155. Plaintiff Wei SHI experienced the same punishment for exercising her right to interstate
15 travel by being detained for 12 hours, and being denied permission on May 6, 2001 to enter Hong Kong
16 as a tourist, because her name had been entered into the P.R.C.'s international Falun Gong data bank.
17 Instead of escorting her to the tarmac, police officers tied her hands and feet with a stiff cord and wrapped
18 her up in two blankets for forced boarding onto the plane home.

19 156. Various practitioners, like Plaintiffs Fushuang CUI and Jinxia WEI have endangered their
20 family members overseas for practicing Falun Gong. Plaintiff WENDL's family, Plaintiff Haiying HE's
21 family, Plaintiff Wu ZHENG's family, and Plaintiff FAN's family, have all been visited by the Chinese
22 authorities monitoring Falun Gong American activities, have all had their telephone calls tapped and have
23 been warned about their son's and daughter's U.S.A. activities. In Plaintiff He's case, his entire family has
24 been detained, imprisoned or sent to "Transformation Classes."

25 157. Plaintiff Linsha FAN experienced the impact that her Falun Gong involvement had on her
family in China. In December 1999, she was called by her parents, which had never happened before.

1 Citing danger for their family members' lives, her parents begged her not to attend Falun Gong activities.
2 Since she had never told her parents her involvement in Falun Gong activity, she was shocked that they
3 knew about her activities. She later learned, like the other practitioners, that her family had been
4 pressured by the Security Bureau and that her parents' home telephone was tapped.

5 158. Plaintiff Yongsheng WANG has similar concerns about his family. His mother was sent to a
6 mental hospital in their village "for treatment." According to her doctor: "She is not being hospitalized
7 because she has mental problems. It is because she practices Falun gong." The doctor further explained
8 the need to forcefully medicate his mother, to wit: "If we do not inject her with drugs, we will be held
9 accountable if she goes back to Beijing to appeal for Falun Gong." Although they secured a travel visa to
10 the U.S.A. in late 2000, they were stopped by the police at the airport in Shanghai since his mother was
11 "Falun Gong."

12 159. By interfering with the protections afforded the Plaintiffs named herein, a protected class,
13 composed of individuals of Chinese national origin, and by virtue of their U.S. citizenship, their status as
14 "permanent residents" or as professionals and students lawfully residing here, Defendant Ministries,
15 Embassy/Consulate personnel and all John Doe Thugs have violated § 1983 and § 1985, part [3], clause
16 one.

17 WHEREFORE, Plaintiffs JIN, ZHANG, Mr. NIEH, TAO, DING, JANE DOE #1, WU, ZHOU,
18 WANG, GE, FAN, CHAO, Erping ZHANG, ZHAI, FANG, LU, LIN, YANG, MEI, HE, QU, HUANG,
19 WANG, PAN, MA, CHANG, WENDL and HUANG hereby request entry of judgment against Defendant
20 Ministries, Embassy/Consulate personnel and John Doe Thugs in an amount to be determined at trial.

21 **FOURTH CAUSE OF ACTION**
22 **CIVIL CONSPIRACY**

23 160. The "RICO" Plaintiffs repeat and re-allege paragraphs one through 159 as if fully recited
24 herein.

25 161. A conspiracy under the law of the District of Columbia requires: [a] the joining together of 2
or more individuals; [b] with an intent to commit a specific illegal act or to commit a legal act by means

1 of illegal activity; [c] as evidenced by some overt act; [d] which conduct has the desired effect of
2 damaging an individual.

3 162. Based upon the specific allegations contained in the above referenced paragraphs, 84 to 92,
4 Defendant Ministries and Embassy/Consulate officials have conspired to deprive the RICO Plaintiffs
5 from exercising their rights, privileges and immunities afforded them by virtue of their U.S. citizenship or
6 status as permanent residents and/or visiting scholars or work professionals and thus their physical
7 presence on U.S. soil.

8 163. Specifically, Defendant Ministries personnel, based in America, have directed
9 Embassy/Consulate officials, with the active assistance of the John Doe Thugs named herein, to
10 physically batter and intimidate Falun Gong practitioners, record their private conversations, destroy their
11 personal property, threaten them and their families with reprisals, e.g., "If you sue us, I'll kill you," break
12 into their living quarters, tap their telephone lines, monitor their mail, monitor their daily physical
13 movements, distribute hate crime literature about them in the "targeted markets," interfere with ongoing
14 contractual relationships to publish Falun Gong material, vilify their "core figures" by the distribution of
15 hate literature, and prevent them from contracting with an uplink satellite network provider, which would
16 have afforded them access to the Chinese American population in the "targeted markets."

17 164. All of the above-described conduct constitute specific "overt acts" and demonstrate the
18 existence of the conspiracy alleged in this cause of action.

19 165. The named conspirators herein, Defendant Ministries and Embassy/Consulate Officials and
20 John Doe Thugs, all had a specific intent to commit the above described illegal acts, said "overt acts," or
21 commit legal acts against Falun Gong practitioners by virtue of said illegal activity.

22 166. These "overt acts" have had their desired effect and the RICO Plaintiffs have been damaged
23 in that they have suffered an abridgement, and in certain cases, a nullification of the civil liberties, rights
24 and protections that they should be able to enjoy on American soil, e.g., peaceful assemblage, peaceful
25 demonstrations, safety of their persons and their personal property, private enjoyment of communications,
personal safety in their home, freedom from being registered in an international data bank, said

1 registration being produced as a result of various acts of privacy intrusions, as more fully described in
2 paragraphs 84 to 92, including being followed in their daily lives and having their faces videotaped or
3 photographed for identification purposes.

4 WHEREFORE, RICO Plaintiffs request the entry of judgment against Defendant Ministries, the
5 Embassy/Consulate personnel and the John Doe Thugs named herein in an amount to be determined at
6 trial.

7
8 **FIFTH CAUSE OF ACTION**
9 **AIDING AND ABETTING A CIVIL CONSPIRACY**

10 167. The RICO Plaintiffs hereby repeat and re-allege paragraphs one through 166 as if fully
11 recited herein.

12 168. Aiding and abetting under the law of the District of Columbia requires someone to assist the
13 commission of an illegal act with knowledge that the criminal conduct will be engaged in by the party
14 whom is being aided and abetted.

15 169. Based upon the specific allegations contained in paragraphs 84 to 92, Defendant Ministries
16 and Embassy/Consulate personnel did aid and abet the John Doe Thugs named herein in the commission
17 of various bias-related criminal acts, as defined in 22 D.C. Code § 3710 [2], in at least five [5] different
18 cities, including Washington, D.C.

19 170. Defendants did: (a) solicit the John Doe Thugs to assault and batter Falun Gong
20 practitioners, intimidate them, invade their privacy in various ways, already described herein, break into
21 their residences, and otherwise prevent the practitioners from exercising and enjoying their rights,
22 privileges and immunities under the U.S. Constitution, and their own State Constitutions and Laws [e.g.,
23 Section 51 of the New York City Civil Rights Law concerning the unauthorized taking of someone's
24 picture]; (b) encourage and oversee the commission of these bias-related criminal acts, as defined in 22
25 D.C. Code § 3710 [2]; and (c) promised to or paid the various John Doe Thugs compensation for such
conduct.

WHEREFORE, RICO Plaintiffs request the entry of judgment against Defendant Ministries and

1 Embassy/Consulate personnel in an amount to be determined at trial.

2 **SIXTH CAUSE OF ACTION**
3 **INVASION OF PRIVACY**

4 171. Plaintiffs Jane Doe #1, DING, XIE, JIN, Mr. NIEH, WU, GE, RACHLIN, TAO, Mr.
5 ZHENG, , ZHOU, WANG, ["Privacy Plaintiffs] hereby repeat and re-allege paragraphs 1 through 170 as
6 if fully recited herein.

7 172. On diverse dates and times, Defendant Ministries, Embassy/Consulate personnel did follow,
8 take pictures of, listen in on and record the private conversations of, monitor telephone calls of, and
9 harass these privacy Plaintiffs by telephone interference and/or threats that Plaintiffs had all of whom
10 were at all relevant times herein, Falun Gong practitioner[s].

11 Private Conversations Recorded:

12 173. During the month of November 2000, Li DING, of Maryland, a practitioner of Falun Gong,
13 while at a flea market speaking with friends, was surreptitiously audio taped. Shortly thereafter, the
14 recording of his conversation was played back on his office voice mail.

15 174. During the month of October 2000, Jane Doe #1, a student at George Washington University
16 and a Falun Gong practitioner, while having a conversation with another Plaintiff Haoran ZHENG, was
17 surreptitiously audio taped. Shortly thereafter the tape was played back on her voice mail recorder.

18 175. On February 18, 2001, in Los Angeles, California, Youming JIN, a Falun Gong practitioner,
19 was surreptitiously audio taped while calling another practitioner at a Falun Gong conference. On March
20 11, 2001, the recording was played back on Plaintiff JIN's voice mail. The message contained JIN's
21 voice stating: "My name is JIN Youming. I'm a Washington, D.C. practitioner. My phone number is... "
22 suggesting that the call related to plaintiff JIN's activities as a practitioner of Falun Gong.

23 176. In about October to November, 2000, Plaintiff XIE found a conversation in her private home
24 was recorded and played back in another practitioner's home answering machine. The incident caused
25 Plaintiff XIE and other practitioners to worry about their private security even in their own home.

177. On April 19, 2001, in Washington, D.C., Dr. Sen NIEH, was surreptitiously taped while

1 having a conversation with some friends. He returned home to find that the conversation had been played
2 onto his cellular telephone's voice mail.

3 178. On October 10, 2001, a group of Falun Gong practitioners hosted a panel discussion in
4 Washington D.C. Plaintiff Ruonian WU was one of the organizers of that event. When she got off work
5 that afternoon she found a surreptitiously recorded message on her voice mail of a conversation between
6 event organizers that had taken place earlier in the day.

7 179. On July 10, 2001, a message was left on Plaintiff Ruonian WU's cellular voice mail. The
8 message was a surreptitiously recorded message of a conversation between organizers of a Falun Gong
9 conference.

10 180. In January 2002, Plaintiff Ruonian WU heard a recording of a private conversation held
11 between plaintiff GE and another practitioner, played back to her on her home voice mail.

12 Pictures Taken:

13 181. Pictures were taken of Plaintiffs TAO [Maryland], JIN [Washington, D.C.], Mr. and Mrs.
14 QU [Boulder, Colo. 8/2001], ZHOU [March/April 2001], Xie [Washington, D.C.1999], and San Gabriel,
15 California April 2001.

16 182. Videotaping: Various practitioners had their pictures taken at different national events held
17 in Washington, D.C., New York City, Chicago.

18 183. In September 2000, while at Lincoln Center and the Waldorf Hotel in New York City,
19 Plaintiffs YI, TAO and JIN had their faces videotaped by a Chinese male in close proximity to them.

20 184. In May 2001, behind the White House in an open public expanse, Plaintiff ZHOU had her
21 face videotaped by a Chinese male in close proximity to them.

22 185. In May 2001, while standing across the street from the P.R.C. Consulate in Chicago,
23 Plaintiffs, all Falun Gong Practitioners in attendance, had their faces videotaped by an unknown Chinese
24 male, who was operating a video camera outside the Consulate's 2nd floor window.

25 186. Practitioners were photographed in San Gabriel, at practice site by a suspicious Chinese
man, California, August 2000.

1 187. In July 2001, while approximately 500 practitioners gathered in Washington D.C. on the
2 Mall, Plaintiff Mr. and Mrs. Kutoluwski, were videotaped by two individuals, who were directed and
3 supervised by a Chinese male. The event lasted about 4-5 hours and said individuals were in physical
4 attendance at all times, continuously making use of their video camera devices.

5 Following/Surveillance of Falun Gong Activities:

6 188. Plaintiffs YI, TAO and JIN were followed while they were in New York City during
7 September, 2000. And, an unknown Chinese female phoned in, on her cell phone, the license plate of the
8 car that they had parked at Lincoln Center.

9 189. While in Washington, D.C., during July and August 1999, practitioner and Plaintiff XIE
10 from California was followed and had her picture taken as well.

11 190. Practitioner TAO, between October and December 2000, was followed in Washington, D.C.
12 by unknown Chinese males.

13 191. From September 1999 and through June 2001, Plaintiff XIE was repeatedly followed to the
14 Falun Gong practice site in Los Angeles.

15 192. In early 2001, Plaintiff Wendl was investigated by P.R.C. San Francisco Consulate officials.
16 They asked her acquaintances about how much money she had, her "family situation" and how many
17 houses she owned. Her brother was visited in Shanghai by P.R.C. officials in charge of American based
18 Falun Gong matters and was asked to monitor her Falun Gong activities. She has been warned about her
19 Falun Gong activities and her residential mortgage business has been severely impacted.

20 Telephone Harassment:

21 193. Plaintiffs Pei WANG and RACHLIN have each experienced phone interference and/or the
22 presence of third parties on their home telephone lines in Maryland and New York.

23 194. In the days before her car was vandalized in September 2000, Plaintiff Ms. JIN had received
24 unusual telephone calls in her home. When she picked up the receiver and asked who was it, the line was
25 immediately disconnected. She called her phone company but they said that they could not do anything
about it.

1 received, including daily severe physical beatings.

2 203. Plaintiff ZHAO testified that many of the detainees had bloody faces and bruises from the
3 beatings inflicted by police. For the first twenty-four hours of her incarceration, Chinese authorities would
4 not let the practitioners use the bathroom. Two pieces of Chinese bread were given to each prisoner for
5 food. After the first day, Plaintiff ZHAO was moved to a prison where, she was only given a bowl of
6 cabbage soup and some Chinese bread twice a day. If the practitioners attempted to do their meditative
7 exercises they were brutally beaten. At night, all of the prisoners in Plaintiff ZHAO's cell were forced to
8 sleep on one big wooden platform with one blanket for every two prisoners.

9 204. Plaintiff ZHAO carefully and truthfully told what had happened to her and the other Falun
10 Gong practitioners who had been arrested. She testified that she was photographing a peaceful
11 demonstration when she and the 1,200 other practitioners were arrested. Sometime after her testimony the
12 Chinese Embassy website posted an attack on Plaintiff ZHAO, including labeling her a liar.

13 205. Giving false testimony to Congress is a federal crime [18 U.S.C. § 1621 (1)] punishable by a
14 fine and/or a 5-year term of imprisonment. It is a serious offense. By giving such publicity to the act of
15 her testimony and attacking her moral character and truthfulness, the Chinese Embassy placed Plaintiff
16 ZHAO in a false light.

17 206. Being accused of such a criminal act was highly offensive to plaintiff ZHAO, as it would be
18 to any reasonable person under the circumstances.

19 207. The Chinese Embassy either knew that plaintiff ZHAO had given truthful testimony before
20 Congress or acted with reckless disregard as to the falsity of this publicized matter.

21 208. The Embassy knew the false light in which this publicized matter would place Plaintiff
22 ZHAO.

23 209. Being placed in such a false light has caused Plaintiff ZHAO great humiliation, pain and
24 suffering, and extreme emotional distress.

25 WHEREFORE, Plaintiff ZHAO requests the entry of judgment against Defendant Ministries and
the Embassy/Consulate personnel in an amount to be determined at trial for placing her in a false light and

1 republishing the matter.

2
3 **EIGHTH CAUSE OF ACTION**
4 **DEFAMATION**

5 210. Plaintiffs RACHLIN, Erping ZHANG, Tracie CHAO, GE, S. NIEH, YI, YANG, LI and
6 WENDL hereby repeat and re-allege paragraphs one through 209, as if fully recited herein.

7 211. These Plaintiffs are and were well known at all relevant times herein to the Defendant
8 Ministries, C.C.T.V. and Embassy/Consulate personnel as prominent Falun Gong "core figures" "leaders"
9 and "organizers" respectively in New York City, Washington, D.C., Los Angeles, San Francisco and
10 Chicago.

11 212. Defendant Ministries, Embassy/Consulate personnel and the C.C.T.V. decided to target
12 these prominent and readily identifiable active practitioners or "contact persons" in the Falun Gong
13 community by means of a defamatory campaign.

14 213. This approach was consistent with the National People's Congress statement which issued on
15 October 30, 1999 and which explained how the anti-cult law would apply, to wit: "[The law] also stresses
16 that deceived followers and practitioners should be differentiated from cult leaders." The prominent
17 practitioners or "contact persons" were blamed for the death of practitioners and criminal acts, including
18 swindling people.

19 214. The Defendants' goal was to portray these contact persons as criminals who: [a] encouraged
20 suicide, including self-immolation; [b] encouraged the killing of family members, including children; [c]
21 engaged in sexual intercourse with animals; [d] engaged in money laundering and [e] in the case of
22 Plaintiff CHAO, had committed a federal crime by lying to Congress.

23 215. In October, 1999, President Jiang had in fact claimed that the Falun Gong "cult" had
24 engaged in such activities having allegedly caused not less than 1400 deaths of innocent practitioners, had
25 driven many P.R.C. citizens insane and had ruined the lives of many families. He compared the new
"cult" to the Branch Davidian Cult [mass suicide] in the U.S.A., the Aum Shinrikyo cult [Tokyo subway

1 chemical warfare] in Japan and the Order of the Solar Temple in Europe.

2 216. Consistent with the anti-cult law theme, and as already detailed herein, on January 30, 2001,
3 Defendant Ministries and the C.C.T.V. produced a staged news event in Tiananmen Square.

4 217. The staged news event showed various alleged Falun Gong practitioners in the process of
5 burning themselves.

6
7 218. The accompanying "news stories" identified the individuals as victims of the Falun Gong
8 outlaw criminal cult, as practiced in China and the United States.

9 219. The contents of this production were false in that the Falun Gong is no criminal cult and the
10 Plaintiffs do not and have never advocated or promoted the taking of one's life nor had such conduct ever
11 occurred in China for the first seven years of Falun Gong's practice and existence there.

12 220. As a direct result of this publication in the targeted markets, Plaintiffs have been vilified and
13 cursed by members of the Chinese American community, including friends and family members, as
14 prominent advocates of Falun Gong.

15 221. Plaintiffs have been disowned by various family members and relatives overseas have
16 shunned them and have harshly criticized them for promoting self-immolation. In December 2001,
17 another similar news production aired on C.C.T.V., produced by the Defendant Ministries and the
18 C.C.T.V.

19 222. That production portrayed Plaintiffs as: [a] belonging to an evil cult; [b] that promotes the
20 killing of family members, fathers and children; [c] that tramples human rights; [d] that harms society; [e]
21 that betrays China; [f] spreads lies to deceive people; and [g] gains fame by deceiving the public.

22 223. Plaintiffs have never advocated or promoted any of these accusations. The practice was
23 founded on the principles of Truthfulness, Compassion, and Forbearance. The contents of these television
24 productions, aired in the United States were similarly false.

25 224. As a direct result of this publication and the other publications into the targeted markets,
Plaintiffs have been vilified as cult leaders like the well known leader of the Branch Davidian cult based

1 in Waco, Texas, rather than the advocates of a peaceful spiritual practice.

2 225. As pled herein, various articles and advertisements were published in local Chinese
3 newspapers by the Defendants, which similarly depicted the Plaintiffs to be leaders of an evil cult, and
4 included specific allegations of international criminal behavior and deviant sexual practices.

5 226. More recently, and as described already herein, the Plaintiffs have now been labeled as
6 "terrorists" by Embassy personnel, as directed by the Defendant Ministries.

7 227. The Plaintiffs have never advocated or promoted the commission of "terrorist" activities.

8 228. As a direct result of these publications in the targeted markets, Plaintiffs have been vilified
9 in the Chinese community and have had their reputations impugned. Plaintiff RACHLIN has her
10 reputation impugned, independent of said result in the "targeted markets," in greater New York City.

11 229. On December 30, 2001, C.C.T.V. aired the top ten [10] news stories of 2001 and republished
12 the staged news event of the alleged self-immolation of Falun Gong members in Tiananmen Square.

13 230. Since 1999 and continuing through the filing of this complaint, Defendant Ministries'
14 personnel based in the Chinese Embassy have disseminated perhaps more than one-thousand [1000] taped
15 copies of the staged news event to various public and legislative officials. This includes a multiplicity of
16 elected representatives including State Governors, United States Senators and Congressional
17 Representatives, as well as Mayors and other local elected officials.

18 231. On or about January 30, 2001, Defendant Ministries and Embassy personnel incorporated
19 the contents of the staged news event tape onto the Chinese Embassy's website.

20 232. Thus, there has been an ongoing series of daily repetitious defamatory statements against the
21 Plaintiffs named herein.

22 233. During and after March 2000 and continuing to the present, Defendant Ministries and
23 Embassy personnel also posted on the Chinese Embassy's website various defamatory statements against
24 Plaintiff CHAO, including that she lied to Congress and thus committed a federal crime.

25 234. Defendant Ministries, the C.C.T.V. and Embassy/Consulate personnel knew that the
contents of this publication were false when originally published, yet they continued to maintain the

1 public posting of the defamatory material on the Embassy's worldwide website.

2 WHEREFORE, Plaintiffs hereby request judgment against Defendant Ministries, the C.C.T.V.
3 and Embassy/Consulate personnel in an amount to be determined at trial. In addition, Plaintiffs would ask
4 the Court for the entry of an Order that bars any further airing and distribution of the "staged news event,"
5 specifically complained of herein, by Defendant C.C.T.V.

6
7 **NINTH CAUSE OF ACTION**
8 **MALICIOUS INTERFERENCE WITH**
9 **PROSPECTIVE CONTRACTUAL RELATIONSHIP**

10 235. Plaintiff Friends of Falun Gong ["FOFG"] repeats and re-alleges paragraphs one through 234
11 as if fully recited herein.

12 236. Friends of Falun Gong has attempted to purchase television broadcast time in an effort to
13 educate the Chinese American community in various targeted markets including Washington, D.C.,
14 Chicago, IL., Los Angeles, CA., San Francisco, CA., as well as other cities.

15 237. In such an attempt, Plaintiff Friends of Falun Gong contacted Convergent Media Systems
16 headquartered in Atlanta, Georgia, about leasing broadband satellite television access time.

17 238. Negotiations commenced about the price and other details of the potential contract.

18 239. In mid-October, 2001, it was represented to Plaintiff Friends of Falun Gong personnel that
19 the terms of an agreement were acceptable and that a contract would be forthcoming.

20 240. In fact, the material terms of the contract had all been agreed to, the price, the uplink
21 provider, the schedule and even the start-up date of October 26, 2001.

22 241. In reliance on the fact that a contract had been agreed upon, the FOFG moved its television
23 station to Atlanta, where Convergent was located, moved various people from Los Angeles, New York
24 and Washington, D.C. to Atlanta to set up the studio. The FOFG also purchased more than \$20,000 worth
25 of broadcast equipment, in anticipation of having its programs up and running when they received the
executed contract. The FOFG had also designed advertisements announcing the Convergent relationship
and purchased space in various media sources.

1 if fully recited herein.

2 248. As already described above, Plaintiff Friends of Falun Gong had a contract with Convergent
3 Media Systems.

4 249. Without having access to the broadband satellite television access time provided by
5 Convergent Media Systems, Plaintiff Friends of Falun Gong is severely and irreparably harmed.

6
7 WHEREFORE, Plaintiff Friends of Falun Gong hereby request entry of an order which would
8 allow it, courtesy of Convergent Media Systems, to have broadband satellite television access time to the
9 “targeted markets”.

10 **ELEVENTH CAUSE OF ACTION**
11 **MALICIOUS INTERFERENCE WITH AN**
12 **EXISTING CONTRACTUAL RELATIONSHIP**

13 250. Plaintiffs J. YU, L. FAN, M. GE, Mr. and Mrs. NIEH hereby repeat and re-allege paragraphs
14 one through 249, as if fully recited herein.

15 251. Since 2000, these Falun Gong practitioners have been paying for and airing a Falun Gong
16 related television show on Channel 56, W.C.T.V. in Fairfax, Virginia.

17 252. On not less than seven occasions, Embassy based personnel have met with or telephoned the
18 owner of Channel 56, Mr. Mike LIU regarding his airing Falun Gong related programming. On each
19 occasion, Defendant TAN has offered to purchase the practitioners’ time slots at a much higher
20 commercial rate than that currently charged by Channel 56. Defendant TAN did this in order to preempt
21 Falun Gong practitioners' ability to publicize their group’s message. In addition, Defendant TAN offered
22 to bring in substantial advertisement business to Mr. LIU if the Falun Gong production was cancelled or
23 not renewed.

24 253. On each occasion, Defendant TAN accused the Falun Gong of being a cult and otherwise
25 defamed Falun Gong practitioners.

26 254. On at least one such occasion, Defendant TAN gave Mr. LIU various defamatory materials.
In February 2002, the new consul who replaced TAN gave Mr. LIU defamatory materials, brochures,

1 pamphlets, videos and pictures, including a video, which contained the Tiananmen Square staged self-
2 immolation event allegedly committed by Falun Gong practitioners.

3 255. Defendant Ministries directed Mr. TAN, as soon as the Falun Gong programs began airing,
4 to instigate this effort to interfere with the practitioners contract with Channel 56.

5 256. Defendant Ministries are currently attempting to eliminate any opportunity for the Falun
6 Gong to have such television media access in this local market.

7 257. Unless these activities are enjoined, Defendant Ministries and Defendant TAN will continue
8 such efforts at stifling Falun Gong's media access.

9 WHEREFORE, Plaintiffs hereby ask that this Court enter an Order barring Defendant Ministries
10 and any Embassy personnel from engaging in any continuing effort to impair the existing contractual
11 relationship between the Plaintiffs and Channel 56.

12 **TWELFTH CAUSE OF ACTION**
13 **DISTRICT OF COLUMBIA**
14 **BIAS-RELATED CRIMES**

15 **(22 D.C. Code § 3201 et seq)**

16 258. RICO Plaintiffs hereby repeat and re-allege paragraphs one through 257, as if fully recited
17 herein.

18 259. As specifically referenced in paragraphs 84 to 92, RICO Plaintiffs were physically attacked
19 in New York, Washington, D.C., Chicago, Los Angeles and San Francisco by the various John Doe thugs
20 named herein.

21 260. RICO Plaintiffs have also been threatened, have had their property stolen, have had their
22 personal property destroyed, have had their private conversations recorded, their apartments forcibly
23 entered, have been followed and even one practitioner had his car incinerated by the various John Doe
24 thugs named herein.

25 261. These incidents of criminal conduct are "Designated Acts" pursuant to 22 D.C. Code § 3701
(2).

262. These incidents were engaged in by all John Doe Thug Defendants because they perceived

1 the RICO Plaintiffs to be members of an alleged Falun Gong cult and practitioners of a cult religion.

2 263. Based on such conduct, John Doe Thug Defendants have violated § 3701 by committing
3 these Bias-related Crimes.

4 WHEREFORE, Plaintiffs request entry of judgment against all Defendant John Doe Thugs in an
5 amount to be determined at trial.

6 **THIRTEENTH CAUSE OF ACTION**
7 **AIDING AND ABETTING THE COMMISSION**
8 **OF BIAS-RELATED CRIMES**

9 264. RICO Plaintiffs hereby repeat and re-allege paragraphs one through 263, as if fully recited
10 herein.

11 265. Defendant Ministries and Embassy/Consulate personnel have directed, encouraged, paid for,
12 and aided and abetted the commission of said Bias-related Crimes in this jurisdiction, as well as
13 California, Illinois, Maryland and New York.

14 266. Defendants thus, by definition, have also committed various and numerous "Designated
15 Acts," based upon their perception of the Falun Gong as a religion and a cult and as a result have also
16 violated § 3701.

17 WHEREFORE, RICO Plaintiffs hereby request judgment against the Defendant Ministries, and
18 Defendant John Does, and Embassy/Consulate personnel in an amount to be determined at trial.

19 Attorneys for Plaintiffs:

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JURY DEMAND

Other than claims against the Defendant P.R.C. instrumentalities named herein, and as decided by this court, the Plaintiffs ask for a jury on all factual issues herein.

Martin F. McMahon, Esq.