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12 **ALFRED PAUL SECKEL**

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 **ALFRED PAUL SECKEL, a**
16 **resident of California,**

17 **Plaintiff,**

18 **vs.**

19 **TOM McIVER, an individual,**
20 **Defendant.**

CASE NO.: CV07-3134-GAF (JCx)

**PLAINTIFF ALFRED PAUL
SECKEL'S RESPONSE TO FIRST
SET OF INTERROGATORIES
PROPOUNDED BY DEFENDANT
THOMAS McIVER**

Judge: Hon. Gary Allen Feess

21 PROPOUNDING PARTY: Defendant, THOMAS McIVER

22 RESPONDING PARTY: Plaintiff, ALFRED PAUL SECKEL

23 SET NUMBER: One

24 TO ALL PARTIES HEREIN AND TO THEIR RESPECTIVE ATTORNEYS OF
25 RECORD:

26 Plaintiff ALFRED PAUL SECKEL ("PLAINTIFF") responds to Defendant
27 TOM McIVER's First Set of Interrogatories as follows:

28 Pursuant to the provisions of Federal Rules of Civil Procedure Rule 33,
Plaintiff responds to Defendant's instant Interrogatories subject to each of the
following objections and conditions:

1 These responses are made solely for the purpose of this action. Each answer
2 is subject to all objections as to competence, relevance, materiality, propriety, and
3 admissibility, and any and all other objections and grounds that would require the
4 exclusion of any document contained herein if such document or any statement
5 contained herein were made by a witness present and testifying in court, all of
6 which objections and grounds are reserved and may be interposed at the time of
7 trial.

8 IT SHOULD BE NOTED that this responding defendant has not fully
9 completed his investigation of the facts relating to the case, has not fully
10 completed discovery in this action, and has not completed preparation for trial.
11 Therefore, the responses contained herein are based only on such information and
12 documents as are presently available to and specifically known by the responding
13 party. It is anticipated further discovery, independent investigation, legal
14 research, and analysis may supply additional facts and documents, add meaning
15 to the known facts as well as establish entirely new factual conclusions and legal
16 conclusions, all of which may lead to substantial additions to, changes in, and
17 variations from the contentions herein set forth.

18 The following responses to Defendant's First Set of Interrogatories to
19 Plaintiff are given without prejudice to responding party's rights to produce
20 evidence of any documents or facts subsequently discovered or recalled.
21 Accordingly, Plaintiff reserves the right to change any and all responses herein as
22 additional facts are discovered or ascertained, analyses are made, legal research is
23 completed, and contentions are made in a good faith effort to supply as much
24 material and factual information and as much specification of legal contentions as
25 are presently known but should in no way be to the prejudice of the responding
26 party in relation to further discovery, research and analysis.

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GENERAL OBJECTIONS

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2 1. Responding party objects to the entire set of interrogatories on
3 the grounds the request includes an unreasonable definition of the word
4 "documents" that is unduly burdensome as the definition requires responding
5 party to refer back to the definition to determine the scope of this request, and
6 because it unreasonably expands the amount of information requested. (see
7 Diversified Products Corp. v. Sports Center Co. (1967) 42 F.R.D. 3, 4).

8 2. Objection is further made to the entire request on the grounds
9 that it calls for confidential personal, scholarly and business documents (i.e.,
10 personal medical records and correspondence with academic, scholarly, personal
11 and business acquaintances on matters having no relation to Defendant nor to any
12 issue bearing on the instant lawsuit), and which are protected personal, medical
13 and commercial information. Plaintiff is not willing to release this matter absent a
14 mutually agreeable confidentiality agreement, that said ,materials shall be
15 confidential and are for attorney and court eyes only.

16 3. Objection is further made to the entire first set of interrogatories
17 on the grounds that it may call for confidential or sensitive business documents
18 compiled in the course of business which is protected as a trade secret, and that
19 they call for the disclosure of proprietary and confidential business information
20 including but not limited to, trade secrets, know-how, show-how, information
21 relating to business and marketing strategies, proprietary and developing
22 technology, confidential licensing contracts, and potential partnerships and
23 business opportunities.

24 4. Objection is further made to the entire first set of interrogatories
25 on the grounds that it seeks access to responding party's academic/scientific
26 research and materials relevant thereto, which are as of yet unpublished and
27 proprietary and which are not reasonably related to any issue it this lawsuit.

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1 5. Objection is further made that the entire first set of
2 interrogatories seek disclosure of confidential and private academic information
3 which is not a matter of public record and are not reasonably related to any issue
4 in this lawsuit.

5 6. Objection is further made to the entire first set of interrogatories
6 because they constitute an impermissible invasion of responding party's privacy.

7 7. The interrogatories call for information which can invade the
8 right of privacy of third parties not involved in this litigation and which is not a
9 matter of public record.

10 8. Objection is further made to the entire first set of interrogatories
11 because they seek confidential matter relating to responding party's philanthropic
12 institutional and foundational activities.

13 All of the above General Objections are incorporated by reference into the
14 fifteen individual responses below.

15 **RESPONSES TO INTERROGATORIES**

16 **INTERROGATORY NO. 1:**

17 Please provide the name, ADDRESS and telephone number of any and all
18 banks at which Southern California Skeptics ("SCS") maintained its bank
19 accounts during its existence, including the account numbers for any and all such
20 accounts.

21 **RESPONSE TO INTERROGATORY NO. 1:**

22 Objection. The interrogatory is unduly burdensome and oppressive and
23 seeks matter not reasonably related to the discovery of admissible evidence. The
24 information sought is more than seventeen years old and is not within responding
25 party's possession, custody or control. Responding party has no documentation
26 from which to provide reliable responses and does not recall specific banking
27 information. Furthermore, responding party was not in charge of, nor did he ever
28 have possession of, the banking records of the Southern California Skeptics,

1 which responding party recalls were maintained by the SCS Board-appointed
2 treasurer, John Edwards, and subsequently by SCS Board-appointed treasurer
3 Bart Hibbs.

4 **INTERROGATORY NO. 2:**

5 Please provide the name, ADDRESS and telephone number of any and all
6 banks at which YOU maintained personal bank accounts during the period of
7 SCS existence, including the account numbers for all such accounts.

8 **RESPONSE TO INTERROGATORY NO. 2:**

9 Objection. The interrogatory is overbroad, unduly burdensome and
10 oppressive and not reasonably calculated to lead to the discovery of admissible
11 evidence. Responding party additionally objects that the interrogatory seeks
12 access to Plaintiff's confidential financial information which has no bearing on
13 any matters in this litigation and which is protected by Plaintiff's constitutional
14 and statutory rights to privacy in his personal financial affairs. Additionally, the
15 interrogatory seeks information that is more than seventeen years old and is no
16 longer within responding party's possession, custody or control. Responding
17 party does not possess responsive documents from the specified time period and
18 does not recall the specific banking information.

19 **INTERROGATORY NO. 3:**

20 If YOUR response to Defendant's Request for Admission No. 174 in
21 Defendant's first set of Request for Admissions is anything other than an
22 unqualified admission, please state all facts upon which YOU base your response
23 to that Request for Admission.

24 **RESPONSE TO INTERROGATORY NO. 3:**

25 Responding party was involved in the Los Angeles Skeptics organization in
26 the mid and late 1980s. Responding party suspended the operations of the
27 Southern California Skeptics in late 1990, when he was consumed with a separate
28 business lawsuit, which took up his time and financial resources. Although

1 responding party believed that the lawsuit would be quickly settled, and the
2 Southern California Skeptics could be restarted, in late June 1991, responding
3 party became very ill, and on September 2, 1991 entered the hospital diagnosed
4 with leukemia. Unable to continue, the Southern California Skeptics permanently
5 folded. Since that time, responding party has had no involvement in skeptics'
6 organizations or the types of controversies to which such groups are generally
7 drawn. Rather, responding party researches the neural correlates and underlying
8 constraints of visual perception, which is a very narrow and highly specialized
9 field of study. Responding party has been instrumental in the publication of
10 collections of optical illusions, but is not aware of any public controversy
11 surrounding the collecting, studying and/or compiling of optical illusions.
12 Rather, responding party understands the field to be a narrow and quite obscure
13 one, albeit with specialized potential applications in entertainment industry
14 technology and other fields. Plaintiff recognizes the relevance of optical illusions
15 in the entertainment industry and other fields. But here too, the field is one which
16 appeals primarily to technicians and specialists. Responding party is not aware of
17 being recognized by the public at large, either by name or image. Responding
18 party is recognized by his personal acquaintances.

19 **INTERROGATORY NO. 4:**

20 If YOUR response to Defendant's Request for Admission No. 175 in
21 Defendant's first set of Request for Admission s is anything other than an
22 unqualified admission, please state all facts upon which YOU base your response
23 to that Request for Admission.

24 **RESPONSE TO INTERROGATORY NO. 4:**

25 Propounding party has accused responding party of fraud, financial
26 misconduct, "looting the skeptics out of existence," and other acts of moral
27 turpitude as set forth in the Complaint. Plaintiff contends these allegations are
28 false. Because propounding party was himself a member of the Southern

1 California Skeptics, and still communicates with Pat Linse and other former
2 members, propounding party would know that the Southern California Skeptics
3 never possessed substantial sums of money. This is borne out by correspondence
4 which propounding party has provided in discovery. Propounding party was told
5 by Dan Meier, Eli Shneour, Susan Shaw and numerous other persons on repeated
6 occasions that his allegations of financial wrongdoing were false and unfounded.
7 Propounding party has provided documentation sent to propounding party stating
8 that the SCS never possessed any significant financial reserves, essentially "broke
9 even" and simply lacked any significant finances which might be
10 misappropriated. Propounding party already has admitted that he has never asked
11 responding party about the accuracy of the defamatory allegations which
12 propounding party published to third persons, and that he has not spoken or
13 written to Plaintiff in nearly twenty years. Responding party anticipates that
14 discovery will lead to the uncovering of many additional defamatory statements.
15 For example, propounding party sent an unsolicited e-mail to Douglas Hofstadter,
16 who wrote the preface to responding party's 2004 collection of optical illusions
17 spanning several centuries. In the unsolicited e-mail to Hofstadter, propounding
18 party accuses responding party stealing donations, and defrauding contributors
19 and associates out of hundreds of thousands of dollars and other acts of moral
20 turpitude. The e-mail then steers the reader to websites where propounding party
21 has posted additional defamatory matter, and quotes from an e-mail from Pat
22 Linse which adds yet more defamatory matter. Additionally, propounding party
23 has acknowledged under oath that responding party never represented himself as
24 a professor, or as possessing an academic degree or academic affiliation either on
25 the masthead or in the text of any publication of the Southern California Skeptics.
26 Propounding party additionally has sent e-mails to numerous persons accusing
27 Plaintiff of attempting to misappropriate the intellectual property rights of artists,
28

1 and the scientific work of scientists, with whom Plaintiff has business and
2 scholarly relationships.

3 Propounding party accused responding party of having a “felony”
4 conviction or felony convictions. It is a matter of court record that responding
5 party has never been convicted of any felony, much less felonies. To accuse
6 someone of being a “convicted felon” when in fact they are not, is defamatory per
7 se. These defamatory and false statements were communicated by propounding
8 party, both in writing and orally, to numerous people known and unknown to
9 responding party, including, but not limited to respondent’s immediate family
10 members, scientific and academic colleagues, business associates, contributors,
11 collaborating authors, scientists, and artists, reporters, academic institutions
12 where the responding party was working, doing research, or lecturing. In
13 addition, propounding party published such defamatory statements on public
14 internet blogs and specific and specialized internet sites and forums where people
15 would know or have heard of the responding party, and to printed biographical
16 information resources (biographical information on responding party in
17 *Contemporary Authors*, and responding party’s biographical wikipedia entry.

18 Defamatory statements made by propounding party on this topic, include,
19 but are not limited to the following:

20 To Ed Larson, professor of the history of science, and noted author, (13 June
21 2006):

22 “I recently discovered, from as yet anonymous sources followed by my own
23 research, that he is a convicted criminal--felony domestic violence (wife-
24 beating), though acquitted of charges of assault with a deadly weapon (his
car). He is now desperately trying to keep such information from coming to
light (he doesn’t yet know I know about the criminal record).”-MC 00018

25 To Suzy Shaw, former volunteer of SCS, (18 June 2006):

26 “Recently I found out Seckel is a convicted criminal: felony wife-
27 abuse (he beat an assault-with-a-deadly-weapon charge though).”-MC
28 00500

1 To Joyce Nakamura, Contemporary Authors, (19 June 2006):

2 “The felony convictions and assault-with-a-deadly weapon charge (Los
3 Angeles Superior Court) are under the name ‘Alfred Paul Seckel,’ and
4 give DOB as 3 Sept 1959, whereas DOB for Al Seckel in CA
5 [Contemporary Authors] is listed as 3 Sept 1958. People who know
6 him personally assure me this is the same person. Seckel is very
7 vindictive and makes legal and other threats against all who criticize
8 him. He has threatened me in the past. If you contact him he will
9 attempt to find out who contacted you.”- MC 00090

10 To James Randi, well known magician and skeptic, (20 June 2006)

11 “This same source suggested I look up his criminal record. Los
12 Angeles Superior Court shows a conviction for felony domestic
13 violence – wife beating (Alfred Paul Seckel, 2003-2005), plus acquittal
14 for assault with a deadly weapon.”-MC 00378

15 To Stephen Kosslyn, distinguished neuroscientist, professor at Harvard, (10
16 July 2006):

17 “A scientist who knows Seckel told me, confidentially, about his
18 criminal record (wife-beating) and urged me to look it up myself. I did;
19 Los Angeles Superior Court lists domestic violence charges against
20 Alfred Paul Seckel, including a conviction (a felony, though LA courts
21 can at their discretion charge it as a misdemeanor instead). He was also
22 acquitted of assault with a deadly weapon under curious
23 circumstances.”- MC 00404

24 To Eric Raymond, well-known blogger, (24 August 2006):

25 “His third wife, a former supermodel, accused him of assault with a
26 deadly weapon against her, but the charges were dismissed (it may
27 have been a frame-up: wife trying to con her con-artist husband); he
28 was however convicted earlier of infliction of corporal injury on her,
and there are reports of earlier physical abuse of women.” – MC 00325

Responding party contends that propounding party’s malice is evidenced in his
communication to Beth White (25 June 2007):

“In his [Seckel’s] complaint, he also cited his “former spouse” as
someone I contacted. Because of this, I mentioned the assault
conviction and the assault-with-deadly weapon accusation as evidence
that Plaintiff’s reputation with “former spouse” was not unjustly
injured, as she already had poor opinion of him. Again, the covert
reason was to let him know I have official information about him that
he does not want publicized.” – BW 00191

1 Additionally, propounding party's correspondence with Beth White
2 indicates that propounding party induced or urged White to feign a friendship in
3 order to induce responding party to trust her and in order to glean intimate private
4 information about responding party with which propounding party intended and
5 intends to embarrass and threaten responding party.

6 Court records show that responding party is not a convicted felon. In
7 numerous communications to others propounding party clearly bragged about
8 obtaining and researching the Court documents. Furthermore, he has
9 communicated that responding party was acquitted of assault with a deadly
10 weapon "under curious circumstances." There is no information from the Court
11 to justify such a claim. Correspondence between propounding party and Beth
12 White indicates that White informed propounding party that responding party was
13 acquitted because the charge was proved to be utterly baseless and the result of
14 acrimony in a marital proceeding, that the former spouse making the charge was
15 discredited by her own prime witness and that the former spouse making the
16 charge fully recanted. Use of the phrase "curious circumstances" appears
17 intended to suggest that responding party's acquittal was somehow tainted or
18 improper, when the actual unusual circumstances – of which propounding party
19 was fully aware – were that the charges were shown to be utterly baseless and the
20 person making them recanted and apologized. This evidences propounding
21 party's calculated and malign twisting of words and a choice of language
22 intended to convey a false impression and to place responding party in a false
23 light.

24 Propounding party accused responding party of having "embezzled" and
25 "pocketed" large sums of money ("tens and hundreds of thousands of dollars")
26 from the Southern California Skeptics. To accuse someone of "embezzling"
27 funds, when in fact they have not, is defamatory per se. These defamatory and
28 false statements were communicated by propounding party, both in writing and

1 orally, to numerous people known and unknown to the responding party,
2 including, but not limited to respondent's immediate family members, scientific
3 and academic colleagues, business associates, contributors, collaborating
4 authors, scientists, artists, reporters and academic institutions where the
5 responding party was working, doing research, or lecturing. In addition,
6 propounding party published such defamatory statements on specific internet
7 blogs and internet forums where people would know the responding party, and
8 printed biographical information resources (biographical information on
9 responding party in *Contemporary Authors*), and responding party's biographical
10 wikipedia entry.

11 Responding party has never been charged by any prosecutorial authority or
12 convicted by any court of "embezzling" funds from the Southern California
13 Skeptics, or from any other institution, entity, or person, nor have any legal
14 proceedings ever been filed against him in this regard. Propounding party admits
15 that he has no impartial audit, nor any audit at all for that matter, indicating any
16 financial improprieties of the Southern California Skeptics. Propounding party
17 admits that he has no official documentation that there any was any
18 "embezzlement" committed by responding party and no documentation from
19 anyone who was privy to the SCS finances. Propounding party also admits that he
20 has not communicated or tried to communicate with Bart Hibbs, the Board
21 appointed treasurer of the Southern California Skeptics. Propounding party also
22 admits that he did not examine the accounting books of the Southern California
23 Skeptics and has never examined the banking records of the Southern California
24 Skeptics. Propounding party also admits that he had no financial responsibility or
25 access to the finances of the Southern California Skeptics. Finally, propounding
26 party has produced correspondence from a former SCS member to propounding
27 party informing propounding party that SCS never had any substantial assets, was
28

1 essentially a "break even" organization, and that propounding's allegations of
2 financial fraud were unfounded.

3 Defamatory statements by propounding party on this topic, include, but are
4 not limited to the following:

5 To Amy Brand, responding party's editor at MIT Press:

6 "It is difficult to describe the financial situation at SCS because Seckel
7 was accountable to no one. He ran it exactly like the worst
8 televangelists ran their operations: he took in lots of cash contributions
9 and other funds, but was the only one who knew what and how much
10 was coming in, or how much he was pocketing himself (apparently a
11 great deal)."-MC 00047

12 To Amy Brand, responding party's editor at MIT Press:

13 "Finally, let me point out that Seckel has never admitted wrongdoing
14 or misrepresentation, and he continues to make false claims. For
15 instance, he now dismisses the whole SCS affair by saying he led SCS
16 'successfully until a serious bout with leukemia.' As Linse's testimony
17 shows, there was a period of two to two-and-a half years between the
18 time he looted SCS out of existence and made off with all he could
19 from the operation and the time of the discovery of the alleged
20 leukemia. Not to mention the documented proof of false financial
21 claims."-MC 00048

22 To Science Magazine:

23 "Dear Science, May 22 issue promotes Al Seckel's illusions and
24 legitimizes him as a 'cognitive neuroscientist' or some such. In fact he
25 is a fraud, a charlatan, and a crook who has reportedly (according to
26 witness and victims) conned many people out of many thousands of
27 dollars each in various con schemes." - MC 00155

28 To Science Magazine:

"Seckel also falsely claimed non-profit status for SCS, and made false
financial statements about his group in order to solicit contributions,
and reportedly defrauded many prominent scientists and SCS patrons
out of huge sums. After looting SCS out of existence, and after I
exposed his fraud to insiders, he disappeared, only to re-emerge years
later at Caltech promoting his illusion project and somehow getting
Christof Koch to let him use his lab as headquarters." - MC 00155

1 To SLIS, internet blog, (19 June 1998):

2 “Anyway, I’m more bothered by Al Seckel’s continued
3 misrepresentation - and he was once hailed as one of the leading
4 ANTI-creationists. Before I helped expose HIM as a liar and a
5 fraud...Not to mention false financial reports, false claims of non-
6 profit status, a variety of con schemes and reports of defrauding many
7 people out of tens of thousands of dollars each, plagiarism, etc.”- MC
8 00267

9 To John Siegenthaler Sr (06/02/06):

10 “He [Seckel] made false financial statements according to
11 documentation that I received from the State of California, and
12 reportedly defrauded many people out of large sums in various
13 schemes and from donations to the group [SCS] he headed (which he
14 falsely claimed had non-profit status).” – MC 00101

15 To Paul Nelson, creationist and Intelligent Design advocate (06/02/06):

16 “Years ago I exposed him [Seckel] as a liar and fraud with phony
17 credentials who made false financial statements and looted the
18 Southern California Skeptics out of existence, defrauding many
19 contributors and associates along the way (this according to many
20 reports from witnesses and victims.”- MC 00311

21 To Douglas Hofstadter, Pulitzer Prize Winning author, who wrote the
22 forward to one of plaintiff’s books, (06/03/06):

23 “Al Seckel claims to be ‘the world’s leading expert on illusions’ (his
24 own words). In fact he is a charlatan: a Master of Deception. Years ago
25 I exposed him as a liar and a fraud with phony credentials who looted
26 the Southern California Skeptics out of existence. Along the way he
27 made false financial statements to secure donations (which he
28 pocketed) and defrauded many contributors and associates out of
hundreds of thousands of dollars (this according to many reports from
witnesses and victims).” – MC 00642

To Beth White, molecular biologist, (08/17/06):

“If Paul Kirkaas is the Danish ex-UCLA computer programmer who
lifted weights at the Pit in Venice Beach, then I could contact him
easily. However, I don’t know how I’d explain how I got his name or
linked him to Seckel. Any ideas? (One website, which I can’t find
anymore, described Kirkaas’s efforts to detect embezzling of donations
to African aid projects. I’m tempted to pretend I’m contacting him in
order to investigate past donations to SCS, which coincidentally was
led by Seckel, who pocketed said donations....)-BW 00166

1 To Nicholas Wade, science reporter for the New York Times, (21 August
2 2006):

3 "...and that he [Seckel] falsely claimed tax-exempt non-profit status
4 for SCS in his appeals for donations. (E.g. a sold-out lecture in a free
5 Caltech hall by Steve Allen, who got no fee, though the hefty paid
6 proceeds seem to have disappeared directly into Seckel's pockets; I
7 have a letter from Allen,)- MC 00418

8 Propounding party appears not to have provided Wade with a copy of the
9 "letter from Allen." The only letter from Steve Allen propounding party had
10 produced is one in which Allen responds to a long letter from propounding party.
11 The letter from propounding party (MC 00873) includes false allegations that
12 responding party "engaged in serious financial fraud including embezzlement and
13 various con schemes" and that responding party "pocketed thousands of dollars"
14 from one of Steve Allen's lectures. The first few paragraphs of the letter indicate
15 that propounding party had no prior contact with Steve Allen. Allen's response
16 states, that based on propounding party's letter, Allen has "decided to do a bit of
17 investigating into the situation you describe," and concludes: "I'll let you know
18 what – if anything – I come up with." Since propounding party has produced no
19 subsequent Allen letters, it appears that either Allen did not "come up" with
20 anything or that propounding party has declined to produce the subsequent
21 correspondence. Propounding party's failure to provide a copy of the Allen letter
22 to Wade, coupled with the context in which propounding party invokes the Allen
23 letter indicate that propounding party intended Wade to conclude that the Allen
24 letter supports propounding party's allegations, when it does not.

25 To Nicholas Wade, science reporter for the New York Times, (08/21/06):

26 "Meanwhile Seckel dropped out of sight (he was hospitalized with
27 leukemia a year or two after he ran SCS into the ground), only to re-
28 emerge at Caltech with his illusions." – MC 00418

To Larry Wilson, reporter for the Pasadena Star News, (08/22/06):

"[Seckel] falsely claimed tax-exempt status for SCS in appealing for
donations. (Not to mention that donations seemed to disappear, and
that many people alleged he had defrauded them in various scams.)" –
MC 00060

1 To Larry Wilson, reporter for the Pasadena Star News, (06/0207):

2 "1988 Seckel later claimed he personally got \$60,000 out of SCS in
3 1988" - MC 00072

4 To Roger Atwood, investigative journalist, (07/08/07):

5 "According to letters from witnesses and victims, he [Seckel] has
6 defrauded many people out of tens and hundreds of thousands of
7 dollars (including many prominent scientists and professional
8 'skeptics' who are too embarrassed to admit this), fraudulently
solicited (and often pocketed) donations for his own Skeptics group by
claiming non-profit status; internet searching reveals complaints by
other people he has defrauded for tens of thousands."- MC 00303

9
10 Responding party can easily show that for the past twenty years that
11 propounding party has been informed on numerous occasions, and by many
12 witnesses, including from his own sources, that claims that responding party was
13 misappropriating funds from the Southern California Skeptics were entirely false.
14 Propounding party has made the following communications:

15 To Suzy Shaw, former volunteer of the Southern California Skeptics,
16 (06/19/06):

17 "I understand about the relatively small SCS sums compared to his
18 [Seckel's] bigger cons. But I have official documentation that he made
19 false claims about SCS non-profit status, and nothing documented
20 about the other stuff (only a letter from Steve Allen saying he too was
suspicious). I do have letter from Prof P-W of Cornell I will fax you
saying Seckel defrauded him."- MC 00476

21 To Suzy Shaw, former volunteer of the Southern California Skeptics, (19
22 June 2006):

23 "For instance, his [Seckel's] lying about SCS tax-exempt status to
24 plead for donations is the only officially documented proof of the
25 financial irregularity I have, despite scores of complaints from victims
26 and witnesses, past and present." - MC 00492
27
28

1 On June 18, 2006, propounding party wrote to Pat Linse:

2 [propounding party quoting the letter he received from Suzy Shaw to
3 Pat Linse] "The Skeptics didn't make that much money, it pretty much
4 just broke even, at least when I was there. They are missing the big
5 picture. The Skeptics was merely a tool for him to reel in the big fish."

6 Pat Linse responded to propounding party: "I agree with this, except
7 occasionally he reeled in a donation that immediately evaporated. Also remember
8 that the S.C. Skeptics was only a legal non-profit for a few months before it lost
9 its standing for not filing financial records. So that weakens the argument that he
10 stole from it, since in reality it didn't exist as a legal entity. Susie is right – the
11 real meat is the fact that he misrepresented it as a nonprofit organization, and that
12 he was (is) using the connections he made by running the group to get investors
13 involved in his phony business deals."-MC 00456

14 Responding party has sworn and notarized declarations from SCS Board
15 appointed treasure Bart Hibbs as well as from Elie Shneour, the SCS Chairman of
16 the Board, that such allegations of any financial improprieties are entirely false,
17 and that responding party injected his own personal funds in the Southern
18 California Skeptics, to keep it financially afloat. Responding party also has sworn
19 declarations from former SCS volunteers and SCS Board members who told
20 propounding party that claims about financial irregularities were not true.

21 Propounding party admits that he made no effort to contact Bart Hibbs, the
22 SCS Treasurer and keeper of the SCS accounting books. Propounding party also
23 admits that he made no attempt to see or have performed an independent audit of
24 the SCS accounting books. According to sworn declarations, and propounding
25 party's own correspondence submitted in discovery, propounding party was also
26 informed as far back as the early 1990s of independent audits of the SCS
27 accounting books that showed no financial irregularities.
28

1 Furthermore, propounding party makes the following statement to several
2 people:

3 "...and that he [Seckel] falsely claimed tax-exempt non-
4 profit status for SCS in his appeals for donations. (E.g. a sold-out
5 lecture in a free Caltech hall by Steve Allen, who got no fee, though
6 the hefty paid proceeds seem to have disappeared directly into
7 Seckel's pockets; I have a letter from Allen,)- MC 00418

8 Propounding party gives the recipient of the communication the false
9 impression that he has a letter backing up such a claim from Steve Allen.
10 However, the letter from Allen, obtained in discovery, reads in full:

11 "Dear Mr. McIver,

12 Thanks for your most interesting letter of August 28 [1992].
13 Without identifying you in any way I've decided to do a bit of
14 investigation into the situation you describe.

15 I'll let you know what – if anything – I come up with.

16 Cordially,

17 Steve Allen"-MC 00876

18 This letter does not confirm anything, nor does it even state the topic.
19 Rather, propounding party is falsely and knowingly presenting neutral comments
20 in Allen's letter in a false light next to a defamatory statement.

21 In another typical example, he writes:

22 To Amy Brand, responding party's editor at MIT Press:

23 "Finally, let me point out that Seckel has never admitted wrongdoing
24 or misrepresentation, and he continues to make false claims. For
25 instance, he now dismisses the whole SCS affair by saying he led SCS
26 'successfully until a serious bout with leukemia.' As Linse's testimony
27 shows, there was a period of two to two-and-a half years between the
28 time he looted SCS out of existence and made off with all he could
from the operation and the time of the discovery of the alleged
leukemia. Not to mention the documented proof of false financial
claims."-MC 00048

Yet, several years later, he wrote in private communications with his own
"sources":

1 To Suzy Shaw, former volunteer of the Southern California Skeptics, (19
2 June 2006):

3 "I understand about the relatively small SCS sums compared to his
4 [Seckel's] bigger cons. But I have official documentation that he made
5 false claims about SCS non-profit status, and nothing documented
6 about the other stuff (only a letter from Steve Allen saying he too was
7 suspicious). I do have letter from Prof P-W of Cornell I will fax you
8 saying Seckel defrauded him."- MC 00476

9 To Suzy Shaw, former volunteer of the Southern California Skeptics, (19
10 June 2006):

11 "For instance, his [Seckel's] lying about SCS tax-exempt status to
12 plead for donations is the only officially documented proof of the
13 financial irregularity I have, despite scores of complaints from victims
14 and witnesses, past and present." - MC 00492

15 Finally, in material authored by propounding party and produced in
16 discovery, propounding party clearly states that he was told by many people that
17 there was "no proof" that financial irregularities occurred. In spite of doubt cast
18 on the validity of such defamatory claims, propounding party continued to make
19 the same unqualified defamatory statements about responding party.

20 Despite the absence of evidence and the doubt cast on the factual validity of
21 propounding party's claims, propounding party has continued to make the same
22 unqualified defamatory statements about responding party.

23 Propounding party accused responding party of having "lied" about SCS
24 tax-exempt status to lure in donations. This statement is defamatory per se. These
25 defamatory statements are among many which propounding party communicated,
26 both in writing and orally, to numerous people known and unknown to the
27 responding party, including, but not limited to respondent's family members,
28 scientific and academic colleagues, business associates, contributors,
collaborating authors, reporters, academic institutions were the responding party
was working, doing research, or lecturing. In addition, propounding party
published such defamatory statements on public internet blogs and internet sites,

1 specific internet forums where people would know the responding party, and
2 printed biographical information resources (biographical information on
3 responding party in *Contemporary Authors*.) and responding party's biographical
4 and biographical wikipedia entry.

5 Defamatory statements by propounding party on this topic, include, but are
6 not limited to the following:

7 To Science Magazine:

8 "Seckel also falsely claimed non-profit status for SCS, and made false
9 financial statements about his group in order to solicit contributions,
10 and reportedly defrauded many prominent scientists and SCS patrons
11 out of huge sums. After looting SCS out of existence, and after I
12 exposed his fraud to insiders, he disappeared, only to re-emerge years
13 later at Caltech promoting his illusion project and somehow getting
14 Christof Koch to let him use his lab as headquarters." – MC 00155

15 To SLIS, internet blog, (06/19/98):

16 "Anyway, I'm more bothered by Al Seckel's continued
17 misrepresentation - and he was once hailed as one of the leading
18 ANTI-creationists. Before I helped expose HIM as a liar and a
19 fraud...Not to mention false financial reports, false claims of non-
20 profit status, a variety of con schemes and reports of defrauding many
21 people out of tens of thousands of dollars each, plagiarism, etc." - MC
22 00267

23 To John Siegenthaler Sr (06/02/06):

24 "He [Seckel] made false financial statements according to
25 documentation that I received from the State of California, and
26 reportedly defrauded many people out of large sums in various
27 schemes and from donations to the group [SCS] he headed (which he
28 falsely claimed had non-profit status)." – MC 00101

29 To Douglas Hofstadter, Pulitzer Prize Winning author, who wrote the
30 forward to one of plaintiff's books, (06/03/06):

31 "Al Seckel claims to be 'the world's leading expert on illusions' (his
32 own words). In fact he is a charlatan: a Master of Deception. Years ago
33 I exposed him as a liar and a fraud with phony credentials who looted
34 the Southern California Skeptics out of existence. Along the way he
35 made false financial statements to secure donations (which he
36 pocketed) and defrauded many contributors and associates out of
37 hundreds of thousands of dollars (this according to many reports from
38 witnesses and victims)." – MC 00642

1 To Nicholas Wade, science reporter for the New York Times, (08/21/06):

2 "...and that he [Seckel] falsely claimed tax-exempt non-profit status
3 for SCS in his appeals for donations. (E.g. a sold-out lecture in a free
4 Caltech hall by Steve Allen, who got no fee, though the hefty paid
proceeds seem to have disappeared directly into Seckel's pockets; I
have a letter from Allen,)- MC 00418

5 To Larry Wilson, reporter for the Pasadena Star News, (08/22/06):

6 "[Seckel] falsely claimed tax-exempt status for SCS in appealing for
7 donations. (Not to mention that donations seemed to disappear, and
8 that many people alleged he had defrauded them in various scams.)" –
MC 00060

9 To Roger Atwood, investigative journalist, (06/08/07):

10 "According to letters from witnesses and victims, he [Seckel] has
11 defrauded many people out of tens and hundreds of thousands of
12 dollars (including many prominent scientists and professional
13 'skeptics' who are too embarrassed to admit this), fraudulently
14 solicited (and often pocketed) donations for his own Skeptics group by
claiming non-profit status; internet searching reveals complaints by
other people he has defrauded for tens of thousands. "- MC 00303

15 To Suzy Shaw, former volunteer of the Southern California Skeptics,
16 (06/19/06):

17 "I understand about the relatively small SCS sums compared to his
18 [Seckel's] bigger cons. But I have official documentation that he made
19 false claims about SCS non-profit status, and nothing documented
20 about the other stuff (only a letter from Steve Allen saying he too was
suspicious). I do have letter from Prof P-W of Cornell I will fax you
saying Seckel defrauded him."- MC 00476

21 To Suzy Shaw, former volunteer of the Southern California Skeptics,
22 (06/19/06):

23 "For instance, his [Seckel's] lying about SCS tax-exempt status to
24 plead for donations is the only officially documented proof of the
25 financial irregularity I have, despite scores of complaints from victims
and witnesses, past and present. " – MC 00492

26 Propounding party's own documents which provided in discovery show that
27 initial inquiries into the status of the SCS tax-exempt status were not made by
28 anyone, including propounding party and his "sources," until after the SCS had

1 ceased to function in late 1990. The SCS Board and responding party did not
2 learn until late 1990 that SCS had lost its tax exempt status. Documents show
3 that this was due to an expired address that the IRS had for SCS at that time (IRS
4 documents specifically state that mail was returned because of invalid address
5 with forwarding address expired), and therefore cancellation notices had not been
6 received. This is a period after SCS ceased functioning. Propounding party has
7 not provided any documentation to support his claim that responding party was
8 “lying” about SCS lost tax-exempt status, as propounding party, as well as the
9 rest of the SCS board, did not know about this until late 1990. Propounding party
10 has provided no documents or other evidence that responding party nor any
11 member of the SCS board was aware of the SCS tax status issue prior to that time.

12 Propounding party accused responding party of having “defrauded”
13 responding party’s friend and former Cornell professor L. Pearce Williams and
14 his family. To accuse someone of fraud when in fact they have not committed
15 such an act, is defamatory per se. These defamatory statements are among many
16 which propounding party communicated, both in writing and orally, to numerous
17 people known and unknown to the responding party, including, but not limited to
18 respondent’s family members, scientific and academic colleagues, business
19 associates, contributors, collaborating authors, reporters, academic institutions
20 where the responding party was working, doing research, or lecturing. In addition,
21 propounding party published such defamatory statements on public internet blogs
22 and internet sites, specific internet forums where people would know the
23 responding party, and printed biographical information resources (such as
24 biographical information on responding party in *Contemporary Authors*.
25 Propounding party also edited and corrupted responding party’s biographical and
26 biographical wikipedia entry by inserting defamatory statements therein.
27 Responding party has never been a defendant in any legal action involving such a
28 charge, neither L. Pearce Williams nor any member of his family ever brought or

1 threatened a legal action of any kind against responding party. Therefore,
2 responding party's allegation that propounding party "defrauded" L. Pearce
3 Williams and members of his family is false and without foundation. Defamatory
4 statements by propounding party on this topic, include, but are not limited to the
5 following:

6 To Suzy Shaw, former volunteer of the Southern California Skeptics,
7 (06/19/06):

8 "I understand about the relatively small SCS sums compared to his
9 [Seckel's] bigger cons. But I have official documentation that he made
10 false claims about SCS non-profit status, and nothing documented
11 about the other stuff (only a letter from Steve Allen saying he too was
12 suspicious). I do have letter from Prof P-W of Cornell I will fax you
13 saying Seckel defrauded him."- MC 00476

14 To Larry Wilson, reporter for the Pasadena Star News, (06/-2/07):
15 "1993 Aug 11 Pearce Williams confirms that Seckel lied about his Cornell career,
16 also says he defrauded his family." – MC 00073

17 Responding party has been informed that propounding party has been
18 circulating a letter which propounding party represents as having been authored
19 by Cornell professor L. Pearce Williams, and which falsely states, among other
20 things, that responding party is a "thief" and "defrauded" Williams and his
21 family. Responding party first saw the letter when it was provided it in discovery
22 in this lawsuit. Responding party, who has remained on extremely close terms
23 with Cornell professor Williams and his family for the past thirty years produces
24 notarized and sworn declarations from not only L. Pearce Williams, but also from
25 his wife of fifty years, Sylvia Williams. Pearce William's declaration is a point-
26 by-point refutation of the letter, and professor Williams states that he "never"
27 wrote it or communicated such things about responding party to anyone. His
28 wife Sylvia Williams has also supplied a sworn notarized declaration stating that
the letter does not correspond with any event or experience with responding
party. Furthermore, responding party has sworn declarations from others which

1 rebut the content of the purported Williams letter which propounding party
2 produced.

3 In communications provided in discovery, propounding party shows he was
4 aware that not only did responding party question the authenticity of the letter,
5 but that others who had been in personal communications with professor
6 Williams had doubts about the contents and stated that content of the letter did
7 not match what professor Williams had personally told them.

8 Propounding party accused responding party of having “not having any
9 official Caltech affiliation” To accuse someone of fabricating their place of
10 academic research when in fact they have not, is defamatory per se because it
11 injures the subject of said communication in the practice of a profession. These
12 defamatory statements are among many which propounding party communicated,
13 both in writing and orally, to numerous people known and unknown to the
14 responding party, including, but not limited to respondent’s family members,
15 scientific and academic colleagues, business associates, contributors,
16 collaborating authors, reporters, academic institutions where the responding party
17 was working, doing research, or lecturing. In addition, propounding party
18 published such defamatory statements on public internet blogs and internet sites,
19 specific internet forums where people would know the responding party, and
20 printed biographical information resources (such as biographical information on
21 responding party in *Contemporary Authors*. Propounding party also corrupted
22 responding party’s biographical and biographical wikipedia entry by inserting
23 defamatory matter therein.

24 Defamatory statements by propounding party on this topic, include, but are
25 not limited to the following:

26 To Paul Nelson, creationist and Intelligent Design advocate, (06/02/06),

27 “[Seckel] has since re-emerged as a self-proclaimed neuroscientist with
28 shadowy Caltech affiliation.” – MC 00311

1 To Douglas Hofstadter, Pulitzer Prize Winning author, who wrote the
2 forward to one of plaintiff's books, (06/03/06):

3 "[Seckel] has since re-emerged as a self-proclaimed neuroscientist with
4 shadowy Caltech affiliation."- MC 00642

5 To Warner Mendenhall, (06/13/07):

6 "Since then he has gained access to Caltech labs, though never having
7 any official Caltech affiliation, and has gained proprietary control of
8 many optical illusions which he markets."-MC 00127

9 To Connie Schultz, investigative reporter for the Cleveland Plains Dealer,
10 (21 June 2007):

11 [Seckel] claimed to be a "Research Fellow" and renowned cognitive
12 neuroscientist at Caltech (false, but he did have access to labs there
13 through personal and business relationships)." - MC 00324

14 Responding party can produce numerous Caltech laboratory personal and
15 professors who will testify that propounding party knew that responding party
16 was officially at Caltech, as they spoke to propounding party when he called, or
17 communicated with him when he inquired. Furthermore, propounding party's
18 own documents, produced in discovery, show numerous private communications
19 informing him of this fact. Furthermore, responding party was listed on Caltech
20 web sites with title, had an official Caltech website address, and official Caltech
21 affiliation, and propounding party had located a Caltech press release discussing
22 responding party's official association at Caltech. Finally, discovery revealed that
23 propounding party had seen a copy of responding party's official Caltech
24 identification badge.

25 Propounding party accused responding party of "plagiarism" or stealing the
26 work of others, and of misappropriating the intellectual property of others, and
27 that responding party, "typically manages to get other people to do most of the
28 work, then claim sole credit himself." To accuse an author of plagiarism and/or
misappropriation of intellectual property when in fact they have not plagiarized

1 or misappropriated intellectual property, is defamatory per se. These defamatory
2 statements are among many which propounding party communicated, both in
3 writing and orally, to numerous people known and unknown to the responding
4 party, including, but not limited to respondent's family members, scientific and
5 academic colleagues, business associates, contributors, collaborating authors,
6 reporters, academic institutions where the responding party was working, doing
7 research, or lecturing. In addition, propounding party published such defamatory
8 statements on public Internet blogs and internet sites, specific internet forums
9 where people would know the responding party, and printed biographical
10 information resources (such as biographical information on responding party in
11 *Contemporary Authors*. Propounding party also corrupted defamed responding
12 party's biographical and biographical wikipedia entry by inserting defamatory
13 matter therein.

14 Defamatory statements by propounding party on this topic, include, but are
15 not limited to the following:

16 To Susana Martinez-Conde, distinguished neuroscientist, (06/01/06):

17 "After I exposed Seckel as a charlatan and a crook, he disappeared
18 from sight for a while. A few years later he re-emerged back at Cal
19 Tech, first in the lab of Shin Shimojo, then in Christof Koch's lab. He
20 claimed to be co-authoring the definitive textbook on illusions with
21 Shimojo, to be published by MIT, and to be co-authoring a new edition
22 of Richard Gregory's textbook. Of stuff published under his own
23 name, he typically manages to get other people to do most of the work,
24 then claim sole credit himself." - MC 00746

22 In a long unsolicited e-mail to Douglas Hofstadter, a Pulitzer Prize Winning
23 author who wrote the forward to one of plaintiff's books, and with whom
24 propounding party had no prior contact, propounding party inserted an
25 unattributed e-mail he obtained from Pat Linse:

26 "I [Pat Linse] did get a call about a year and a half ago from a
27 magician who complained that he was co-authoring a book with Al and
28 Al was letting him do 99.99% of the work." So I said, 'Let me give
you some advice based on my long experience with Al. He is famous
for hogging credit when a project is done. I assume you have no

1 contact with the publisher or editors -- get in contact with them NOW,
2 or your name will never appear in the book. Naturally the guy thought
3 I was a total idiot. The book came out and guess what – his name
4 wasn't in it. But he was still running errands for Al some months later,
5 so I guess Al had a good story for him.”- MC 00643

6 To Michael Krieger, patent/copyright attorney for plaintiff (08/26/06):

7 “He [Seckel] had a curious attitude towards intellectual property, what
8 might politely be described as a double standard. The term
9 “plagiarism” comes up a lot in discussion of his earlier written works,
10 and I was curious about his acquisition of (and proprietary interest in)
11 all the illusions.” – MC 00057

12 To Larry Wilson, reporter for the Pasadena Star News, (06/02/07):

13 “1987 Seckel writes three (total) L.A. Times columns, at least two
14 seem plagiarized.” – MC 00071

15 Propounding party's correspondence with the author of the allegedly
16 plagiarized article indicates propounding party knew his claims of plagiarism
17 lacked foundation.

18 In a written communication to propounding party, author Robert Schaeffer,
19 writes (06/09/06):

20 “Yes, I wrote an article about a Clever Dog, about 1988. Seckel asked
21 me if he could use it, I said OK. He said that to run it in the LA. Times,
22 he would have to put his byline on it.”- MC 00618

23 In another written communication by the author Robert Schaeffer wrote to
24 propounding party (07/10/06):

25 “As for Seckel's Case of the Dalmatian, the case for plagiarism is
26 somewhat ambiguous. As I recall it, he asked me if he could “use”
27 some of the material I wrote for his own article. I said ok. I did not
28 realize that he meant to basically re-write the story as if it were his
own.”- MC 00629

The author of the Clever Dog article never accused responding party of
plagiarism.

To Susana Martinez-Conde, distinguished neuroscientist , (06/01/06),
propounding party wrote:

1 “After I exposed Seckel as a charlatan and a crook, he disappeared
2 from sight for a while. A few years later he re-emerged back at Cal
3 Tech, first in the lab of Shin Shimojo, then in Christof Koch’s lab. He
4 claimed to be co-authoring the definitive textbook on illusions with
5 Shimojo, to be published by MIT, and to be co-authoring a new edition
6 of Richard Gregory’s textbook. Of stuff published under his own
7 name, he typically manages to get other people to do most of the work,
8 then claim sole credit himself.

9 I am suspicious of how he amassed his visual illusion collection and
10 suspect that he aims for proprietary ownership.”- MC 00746

11 To Eric Krieg, internet blogger, (08/02/06):

12 “[Seckel] has achieved his status and power in the illusion field largely
13 through unethical means and self-promotion at the expense of others. I
14 am not going to say so publicly, but I believe he has unfairly cheated
15 many people in acquiring his illusion material, just as he has in his
16 other ventures. And certainly the inflated status he has in the field is
17 largely due to dishonest claims such as his false credentials and
18 pathological credit-hogging of work of others.”- MC 00603

19 Propounding party knows this to be false, because he is in possession of
20 responding party’s books, all of which clearly state a long list of
21 acknowledgments, and the illusions are credited with their source, copyright
22 information is given, and the explanations tell the source, when known.

23 Propounding party also would be familiar with the long list of academics who
24 were expressly credited as contributing to responding party’s interactive software
25 program “Your Mind’s Eye.” Copies of these acknowledgments were provided
26 for by propounding party in discovery. Propounding party admits no knowledge
27 in responding party’s field of expertise, namely visual illusions and perception.

28 Propounding party accused responding party of having committed “fraud in
science” To accuse an academic author of fraud in science when in fact they have
not committed fraud, is defamatory per se. These defamatory statements are
among many which propounding party communicated, both in writing and orally,
to numerous people known and unknown to the responding party, including, but
not limited to respondent’s family members, scientific and academic colleagues,
business associates, contributors, collaborating authors, reporters, academic

1 institutions were the responding party was working, doing research, or lecturing.
2 In addition, propounding party published such defamatory statements on public
3 internet blogs and internet sites, specific internet forums where people would
4 know the responding party, and printed biographical information resources (such
5 as biographical information on responding party in *Contemporary Authors*.
6 Propounding party also edited and corrupted responding party's biographical and
7 biographical wikipedia entry. Propounding party admits no knowledge in
8 responding party's field of expertise, namely visual illusions and perception.

9 Defamatory statements by propounding party on this topic, include, but are
10 not limited to the following:

11 To Ed Larson, professor of the history of science, and noted author,
12 (06/13/06):

13 "Do you know any reporters interested in fraud in science? According
14 to his own (self-written Wikipedia entry, Al Seckel is a Caltech-
affiliated cognitive neuroscientist..."-MC 00108

15 To Roger Atwood, investigative journalist, (07/08/077):

16 "BTW, there is a great story here. Know any writers interested in fraud
17 in science? If so, here's a teaser: The character suing me claims to be
18 the world's greatest authority on illusions (his original Wikipedia
entry,"-MC 00303

19 To Connie Schultz, investigative reporter for the Cleveland Plains

20 Dealer (06/21/07):

21 "Do you happen to know any reporters interested in scientific or
22 academic fraud? I've just been sued for \$8.26 million by One Al
Seckel of Malibu CA for exposing his phony credentials and various
frauds." - MC 00324

23 Propounding party accused responding party of having "cheated" many
24 people in acquiring his illusion material. To accuse someone of "cheating" when
25 in fact they have not, is defamatory per se. These defamatory statements are
26 among many which propounding party communicated, both in writing and orally,
27 to numerous people known and unknown to the responding party, including, but
28

1 not limited to respondent's family members, scientific and academic colleagues,
2 business associates, contributors, collaborating authors, reporters, academic
3 institutions where the responding party was working, doing research, or lecturing.
4 In addition, propounding party published such defamatory statements on public
5 internet blogs and internet sites, specific internet forums where people would
6 know the responding party, and printed biographical information resources (such
7 as biographical information on responding party in *Contemporary Authors*.
8 Propounding party also edited and corrupted responding party's biographical and
9 biographical wikipedia entry by inserting defamatory matter therein.

10 To Eric Krieg, internet blogger, (2 August 2006)

11 "[Seckel] has achieved his status and power in the illusion field largely
12 through unethical means and self-promotion at the expense of others. I
13 am not going to say so publicly, but I believe he has unfairly cheated
14 many people in acquiring his illusion material, just as he has in his
15 other ventures. And certainly the inflated status he has in the field is
16 largely due to dishonest claims such as his false credentials and
17 pathological credit-hogging of work of others."- MC 00603

18 Propounding party has no grounds for such a claim. Propounding party
19 admits no knowledge in responding party's field of expertise, namely visual
20 illusions.

21 Propounding party accused responding party of having "cheated" many
22 people in acquiring his illusion material. To accuse someone of "cheating" when
23 in fact they have not, is defamatory per say. These defamatory statements are
24 among many which propounding party communicated, both in writing and orally,
25 to numerous people known and unknown to the responding party, including, but
26 not limited to respondent's family members, scientific and academic colleagues,
27 business associates, contributors, collaborating authors, reporters, academic
28 institutions where the responding party was working, doing research, or lecturing.
In addition, propounding party published such defamatory statements on public
internet blogs and internet sites, specific internet forums where people would

1 know the responding party, and printed biographical information resources (such
2 as biographical information on responding party in *Contemporary Authors*.
3 Propounding party also edited and corrupted responding party's biographical and
4 biographical wikipedia entry by inserting defamatory matter therein.

5 Propounding party accused responding party of having falsifying the
6 financial documents of the Southern California Skeptics. To accuse someone
7 falsifying financial documents when in fact they have not, is defamatory per se.
8 These defamatory statements are among many which propounding party
9 communicated, both in writing and orally, to numerous people known and
10 unknown to the responding party, including, but not limited to respondent's
11 immediate family members, scientific and academic colleagues, business
12 associates, contributors, collaborating authors, scientists, and artists, reporters,
13 academic institutions where the responding party was working, doing research, or
14 lecturing. In addition, propounding party published such defamatory statements
15 on public internet blogs and internet sites, specific internet forums where people
16 would know or have heard of the responding party, and to printed biographical
17 information resources (such as biographical information on responding party in
18 *Contemporary Authors*. Propounding party also corrupted responding party's
19 biographical wikipedia entry by inserting defamatory matter therein.

20 Defamatory statements by propounding party on this topic, include, but are
21 not limited to the following:

22 To Amy Brand, responding party's editor at MIT Press:

23 "He [Seckel] published false financial statements in his SCS
24 newsletter. After complaints and evidence of fraud. He publicly stated
25 (in published claims) that SCS had been audited, and that everything
26 was fine. In fact, there was no audit, only Seckel's claim of one. When
27 I asked for evidence, I was eventually told to ask Eli Shneour, a
28 scientist who supposedly oversaw the audit. When I asked him for
evidence of it, he threatened to sue me if I asked any more questions.
(Seckel had simply shown him figures which he had invented.)"-MC
00047

1 To Nicholas Wade, science reporter for the New York Times, (08/22/06):

2 "In fact, when I told CSICOP leaders about his credentials and SCS tax
3 claims, he himself reportedly forged documents in order to deny those
4 charges, and some 'skeptic' leaders believed him (notably Klass and
5 Elie Shneour, who later wrote a letter to Shermer telling him to avoid
6 me as I was a liar and disturbed crackpot." – MC 00419

7 To Susy Shaw, volunteer for SCS, (08/22/06):

8 "As for audits, I checked into that too. Shneour claimed that CSICOP
9 did an audit of SCS, but when I asked CSICOP they denied this and
10 said someone else must have done it. When I told this to Shneour, he
11 threatened to sue me if I asked him about it again. Apparently Seckel
12 himself showed Shneour some papers or figures that he concocted
13 telling him this was the audit, and Shneour believed him. Do you have
14 info about this supposed audit. This and the bank claim seem to be
15 further proof of lying."- MC 00493

16 To Connie Schultz, investigative reporter for the Cleveland Plains Dealer,
17 (06/21/07):

18 "According to letters from witnesses and victims, he has defrauded
19 many people out of tens and hundreds of thousands of dollars
20 (including many prominent scientists and professional 'skeptics' who
21 are too embarrassed to admit this), fraudulently solicited (and often
22 pocked) donations for his own Skeptics group by claiming non-profit
23 status; Internet searching reveals complaints by other people he has
24 defrauded for tens of thousands. When I first revealed his phony
25 credentials and non-profit fraud, he forged a phony college transcript
26 and a phony financial statement, with which he managed to fool
27 several prominent scientists and skeptics." - MC 00324

28 Propounding party refers to "letters from witnesses and victims" but has
provided none in either his initial disclosure or in response to responding party's
discovery, with the exception of the purported Williams letter, the contents of
which Williams expressly has disavowed. Propounding party has produced no
documentation to support his statement that "according to letters from witnesses
and victims, he has defrauded many people out of tens and hundreds of thousands
of dollars."

Bart Hibbs, the SCS Board appointed treasurer, has denied such claims, as
the true and correct accounting books, actually showed that responding party put
his own personal funds into the Southern California Skeptics to help keep it

1 financially afloat. Hibbs also declares that that Elie Shneour, Phillip Klass, and
2 CSICOP requested the accounting books to do their own audit, and that
3 responding party was not involved and did not have access to the books.

4 Responding party also will provide a notarized and sworn declaration from
5 former SCS Chairman of the Board, Elie Shneour, who personally examined the
6 accounting books of the Southern California Skeptics, and found no
7 discrepancies. Propounding party would pattern any defense of responding party
8 with statements that they were “duped” or that responding party had “faked” or
9 otherwise had “forged” documents, even though propounding party had no
10 evidence to back such defamatory claims.

11 Propounding party accused responding party of, being “very vindictive,”
12 and making legal and physical threats against anyone who criticized the
13 responding party. These defamatory statements are among many which
14 propounding party communicated, both in writing and orally, to numerous people
15 known and unknown to the responding party, including, but not limited to
16 respondent’s immediate family members, scientific and academic colleagues,
17 business associates, contributors, collaborating authors, scientists, artists,
18 reporters, academic institutions where the responding party was working, doing
19 research, or lecturing. In addition, propounding party published such defamatory
20 statements on public internet blogs and specific internet forums where people
21 would know the responding party, and printed biographical information
22 resources (such as biographical information on responding party in
23 *Contemporary Authors*). Propounding party also corrupted responding party’s
24 wikipedia entry by inserting defamatory matter therein.

25 Defamatory statements by propounding party on this topic, include, but are
26 not limited to the following:
27
28

1 To Joyce Nakamura, Contemporary Authors, (19 June 2006):

2 “The felony convictions and assault-with-a-deadly weapon charge (Los
3 Angeles Superior Court) are under the name ‘Alfred Paul Seckel,’ and
4 give DOB as 3 Sept 1959, whereas DOB for Al Seckel in CA
5 [Contemporary Authors] is listed as 3 Sept 1958. People who know
6 him personally assure me this is the same person. Seckel is very
7 vindictive and makes legal and other threats against all who criticize
8 him. He has threatened me in the past. If you contact him he will
9 attempt to find out who contacted you.”-MC 00090

10 To Eric Raymond, well-known blogger, (24 August 2006):

11 “[Seckel] is extremely vindictive, with a long history of legal threats and
12 intimidation of critics, and criminal conviction for wife beating.” – MC 00327

13 To Larry Wilson, reporter for the Pasadena Star News, (22 August 2006):

14 “There is a great deal more, but many of my sources insist on confidentiality, as
15 they fear Seckel.” – MC 00061

16 Propounding party knows that these defamatory statements are false, as he
17 has received numerous communications from his own “sources” that responding
18 party didn’t even contact them, and he acknowledges this fact in his e-mails back.
19 “Happy to hear that our mutual acquaintance [responding party] is not disturbing
20 or threatening you.”-MC 00537

21 Overall, it is admitted by propounding party, that he has not spoken or
22 communicated with responding party in nearly twenty years. Responding party
23 anticipates that discovery will lead to the significant uncovering of many
24 additional defamatory statements. Numerous e-mails from propounding party
25 steer readers to websites where propounding party has posted additional
26 defamatory matter, and propounding party would typically provide attachments
27 that would contain additional defamatory matter.

28 Discovery is continuing and responding party reserves the right to amend
and supplement these responses as additional facts are discovered and review of
documents has further progressed.

1 **INTERROGATORY NO. 5**

2 If YOUR response to Defendant's Request for Admission No. 176 in
3 Defendant's first set of Request for Admissions is anything other than an
4 unqualified admission, please state all facts upon which YOU base your response
5 to that Request for Admission.

6 **RESPONSE TO INTERROGATORY NO. 5**

7 See response to Interrogatory No. 4, which responding party incorporates as
8 though fully set forth herein. Propounding party has had no direct contact with
9 responding party since the late 1980s or early 1990s and has made no effort to
10 ask propounding party whether propounding party's allegations are true.
11 Propounding party was advised by Pat Linse and Suzy Shaw that the Southern
12 California Skeptics never possessed substantial financial assets and barely broke
13 even. Responding party was advised by Professor Eli Shneour that the finances
14 of the group had been examined and that there was no evidence of financial
15 wrongdoing.

16 Propounding party has had no direct contact with responding party since the
17 late 1980 and has made no effort to ask responding party whether the
18 propounding party's allegations are true. Propounding party has been informed
19 that responding party has stated that the material that propounding party is false,
20 defamatory, and damaging to the responding party. Propounding party has
21 consistently ignored and denied any information from participant witnesses that
22 his defamatory statements are false.

23 Propounding party has relied solely on third party rumor, speculations, and
24 statements by persons with no personal knowledge of the events referred to, and
25 appears to have actively avoided contacting those percipient witnesses who could
26 have provided information based on personal knowledge. Propounding party
27 relies on speculation and statements by persons with no personal knowledge of
28 the events referred to. With regards to propounding party's defamatory charge

1 that responding party embezzled funds from the Southern California Skeptics, he
2 contacted neither responding party nor the SCS appointed treasurer, who kept all
3 the accounting books. Propounding party relies on speculations, and innuendos,
4 from non-credible sources, from anonymous postcards, and his own erroneous
5 beliefs which appear to be a product of a long nurtured resentment.

6 Propounding party is the source of defamatory information to others, which
7 he then receives back in a different form, and then disseminates it as if this
8 information was coming from a separate source, thus implying that the
9 information was independently verified. Propounding party disseminates
10 "speculation" as proven fact. Propounding party presents information in a false
11 light. Propounding party exaggerates rumors and turns them into defamatory
12 statements, which he labels "facts."

13 Propounding party knowingly leaves out significant information, thus
14 leading the recipient to a false conclusion. Propounding party relies on matters
15 stated by persons with know personal knowledge of the alleged events referred to.

16 Propounding party has engaged in spreading innumerable defamatory statements
17 about responding party, even though propounding party has no evidence for such
18 a statements.

19 Propounding party frequently attributes statements or claims (which can be
20 easily disproved) to responding party, which responding party has never made.
21 Propounding party then debunks such reputed responding party claims, and
22 proclaims responding party to be a liar. Propounding party is particularly
23 damaging in his claims that responding party is a "convicted felon" and has a
24 long history of spousal abuse, such as the following statement:

25 To Eric Raymond, well-known blogger, (24 August 2006):

26 "His third wife, a former supermodel, accused him of assault with a
27 deadly weapon against her, but the charges were dismissed (it may
28 have been a frame-up: wife trying to con her con-artist husband); he
was however convicted earlier of infliction of corporal injury on her,
and there are reports of earlier physical abuse of women." – MC 00325

1 Responding party is informed that numerous people who tried to inform
2 propounding party of the true facts to no avail, and prepared so to testify. This is
3 also documented in propounding parties own private and public communications
4 and e-mail, where participant witnesses are quickly dismissed by propounding
5 party as being "duped" by responding parties "lies and fabrications."
6 Discovery is continuing and responding party reserves the right to amend and
7 supplement these responses as additional facts are discovered and review of
8 documents has further progressed.

9 **INTERROGATORY NO. 6**

10 If YOUR response to Defendant's Request for Admission No. 177 in
11 Defendant's first set of Request for Admissions is anything other than an
12 unqualified admission, please state all facts upon which YOU base your response
13 to that Request for Admission.

14 **RESPONSE TO INTERROGATORY NO. 6**

15 See response to Interrogatory Nos. 4 and 5 which are fully incorporated
16 herein. Propounding party has had no direct contact with responding party since
17 the late 1980s or early 1990s and has made no effort to ask propounding party
18 whether propounding party's allegations are true. Propounding party was
19 advised by Pat Linse and Suzy Shaw that the Southern California Skeptics never
20 possessed substantial financial assets and barely broke even. Responding party
21 was advised by Professor Eli Shneour that the finances of the group had been
22 examined and that there was no evidence of financial wrongdoing. Discovery is
23 continuing and responding party reserves the right to amend and supplement
24 these responses as additional facts are disclosed.

25 **INTERROGATORY NO. 7**

26 If YOUR response to Defendant's Request for Admission No. 178 in
27 Defendant's first set of Request for Admissions is anything other than an
28 unqualified admission, please state all facts upon which YOU base your response

1 to that Request for Admission.

2 **RESPONSE TO INTERROGATORY NO. 7**

3 See response to Interrogatories Nos. 4-6, which are incorporated as though
4 fully set forth herein. Propounding party has had no direct contact with
5 responding party since the late 1980s or early 1990s and has made no effort to
6 ask propounding party whether propounding party's allegations are true.

7 Propounding party was advised by Pat Linse and Suzy Shaw that the Southern
8 California Skeptics never possessed substantial financial assets and barely broke
9 even. Responding party was advised by Professor Eli Shneour that the finances
10 of the group had been examined and that there was no evidence of financial
11 wrongdoing. Discovery is continuing and responding party reserves the right to
12 amend and supplement these responses as additional facts are disclosed.

13 **INTERROGATORY NO. 8**

14 If YOUR response to Request for Admission No. 188 of Defendant's first
15 set of Request for Admissions is anything other than an unqualified admission,
16 please IDENTIFY any and all changes made by Defendant to YOUR original
17 Wikipedia entry which you consider inaccurate.

18 **RESPONSE TO INTERROGATORY NO. 8**

19 Objection. The interrogatory is vague, ambiguous, unintelligible,
20 overbroad, unduly burdensome and harassing, and compound in that it requests
21 "all facts" about numerous "changes," none of which propounding party has
22 specified.

23 **INTERROGATORY NO. 9**

24 If YOUR response to Request for Admission No. 198 of Defendant's first
25 set of Request for Admissions is anything other than an unqualified admission,
26 please IDENTIFY the name, address and telephone number of any person, entity
27 or organization performing such financial audit and date(s) thereof.

1 **RESPONSE TO INTERROGATORY NO. 9**

2 Responding party was not involved in the audit of the financial books of the
3 Southern California Skeptics. He does not have this information and was never
4 provided with it, although he did hear the results of the audit. Responding party
5 was informed and believes, that independent audits were done under the auspices
6 of Elie Shneour, Phillip Klass, and CSICOP.

7 Dr. Elie Shneour
8 700 Front Street
9 San Diego, CA
619-233-3636

10 Committee for Skeptical Inquiry
11 Box 703
12 Amherst, NY, 14226
716-636-1425

13 Phillip Klass
14 Deceased

15 **INTERROGATORY NO. 10**

16 Please IDENTIFY each employer for whom YOU have worked from
17 January 1, 1982 to the present, specifying the name, address and telephone
18 number of the employer, dates of employment, positions held by YOU and
19 YOUR job duties in each such position.

20 **RESPONSE TO INTERROGATORY NO. 10**

21 Objection. The interrogatory is overbroad, unduly burdensome and
22 oppressive, harassing and seeks matter not reasonably calculated to lead to the
23 discovery of admissible evidence. The interrogatory also seeks matter protected
24 by responding party's constitutional, statutory and common law rights to privacy
25 in his personal and business affairs.

26 Without waiving said objections, responding party provides the following
27 response: IllusionWorks, President, 1994-present
28

1 **INTERROGATORY NO. 11**

2 Please IDENTIFY by manufacturer, model, serial number and specific
3 location each and every computer YOU have used to transmit information
4 relating to Defendant to any person from January 1, 2000 to present.

5 **RESPONSE TO INTERROGATORY NO. 11**

6 Objection. The interrogatory is overbroad, unduly burdensome and
7 oppressive, harassing and seeks matter not reasonably calculated to lead to the
8 discovery of admissible evidence.

9 **INTERROGATORY NO. 12**

10 Please IDENTIFY each person and entity with whom or which YOU have
11 communicated in writing about Defendant, including the dates of all such
12 communications since January 1, 1985.

13 **RESPONSE TO INTERROGATORY NO. 12**

14 Objection. The interrogatory is overbroad, unduly burdensome and
15 oppressive and seeks matter not reasonably calculated to lead to the discovery of
16 admissible evidence. Responding party further objects that the interrogatory
17 seeks matter protected by the attorney-client privilege, and attorney work product
18 doctrine. Without waiving said objections, responding party corresponded with
19 persons at Wikipedia in response to propounding party's posting on the
20 Wikipedia website of matter which responding party regards as defamatory.
21 Responding party also has corresponded with Christof Koch, Denise Lewis,
22 Shinsuke Shimojo, Paul MacCready, Douglas Hofstadter, Francis Crick, Aaron
23 Klug, Richard Gregory, Eric Krieg, Susana Martinez-Conde, Mike Hutchinson,
24 Dan Meier, Bart Hibbs, John Edwards, Ron Crowley, Linda Feldman, Michael
25 Shermer, Elie Shneor, Tom McIver, Tom Rodgers, Mark Setteducati, and Laura
26 Seckel. Copies of the same are contained in responding party's response to
27 Defendant's accompanying demand for documents. Discovery is continuing.

28

1 **INTERROGATORY NO. 13**

2 Please IDENTIFY each and every DOCUMENT in YOUR possession,
3 custody or control which in any manner relates to Defendant which was not
4 included in Plaintiff's Initial Documents as incorporated into the Joint Scheduling
5 Conference Report in this action.

6 **RESPONSE TO INTERROGATORY NO. 13**

7 See all the documents produced by Defendant in response to Plaintiff's first
8 request for production of documents, documents produced by Beth White and Pat
9 Linse in response to their respective subpoenas and the documents produced by
10 Plaintiff in response to Defendant's accompanying demand for production of
11 documents.

12 **INTERROGATORY NO. 14**

13 Please IDENTIFY each educational institution YOU have attended as an
14 enrolled or registered student since high school, including the dates attended and
15 any degrees or certificates earned.

16 **RESPONSE TO INTERROGATORY NO. 14**

17 Western Washington State College, enrolled in summer program –
18 astronomy and physics program – 1975.

19 Responding party attended Cornell University 1976-1980, both as an
20 enrolled and registered student and as a fully participating auditor with the
21 knowledge and approval of his instructors. Responding party has never claimed a
22 degree from Cornell, but did carry a full class load, including taking exams and
23 writing papers, for four years, whether as an officially registered student or as an
24 auditor whose presence and participation were encouraged and approved by the
25 professors and scholars teaching the classes.

26 Caltech – from 1982 through approximately 1987. During this period,
27 responding party spent most of his time in physicist Richard Feynman's inner
28 discussion group with two Caltech physics graduate students. In 198301984,

1 responding party was enrolled in Feynman's course entitled "On the Potentialities
2 and Limitations of Computing Machines." Responding party audited many
3 Caltech classes with the permission and approval of the instructors, including Dr.
4 Murray Gell-Mann, Kip Thorne's Membrane Paradigm Seminar, courses in the
5 history of science taught by Dan Kelves and Dan Woodward, various classes in
6 molecular biology, and geology classes taught by Joe Kirschvink.

7 **INTERROGATORY NO. 15**

8 Please describe with specificity each oral communication YOU have had
9 with Defendant since January 1, 1985, identifying the dates of all such
10 communications and the topics discussed.

11 **RESPONSE TO INTERROGATORY NO. 15**

12 Objection. The request is overbroad, unduly burdensome and oppressive
13 and seeks matter not reasonably calculated to lead to the discovery of admissible
14 evidence. Without waiving said objections, responding party provides the
15 following response: Responding party has had no oral communications with
16 Defendant since the late 1980s or approximately 1990. Accordingly, responding
17 party is unable to recall specific dates or topics. Responding party does recall
18 that, during the early years of SCS, Stephen Jay Gould agreed to address the
19 group. Responding party recalls that Defendant demanded to speak and to share
20 the platform with Gould at the planned Gould event. Responding party advised
21 that he would ask Gould if Gould would consent to the arrangement which
22 Defendant wished. Gould declined to share the platform with Defendant. When

23 ////

24 ///

25 ////

26 ////

27 ///

28 ///

1 responding party informed Defendant of Gould's response, Defendant expressed
2 anger and resentment. Discovery is continuing.

3 DATED: December 13, 2007

HORNBERGER & BREWER, LLP

4
5
6 By: 

NICHOLAS W. HORNBERGER, ESQ.
ANDREW O. KRASTINS, ESQ.
Attorneys for Plaintiff
ALFRED PAUL SECKEL

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read the foregoing **PLAINTIFF ALFRED PAUL SECKEL'S RESPONSE TO FIRST SET OF INTERROGATORIES PROPOUNDED BY DEFENDANT THOMAS McIVER** and know its contents.

X CHECK APPLICABLE PARAGRAPH

X I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am ___ an Officer ___ a partner ___ the President of _____, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. ___ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ___ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

___ I am one of the attorneys for _____, a party to this action. Such party is absent from the county aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on December 13, 2007, at Malibu, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ALFRED PAUL SECKEL

Type or Print Name



Signature

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the county of Los Angeles, State of California. I am over
4 the age of 18 and not a party to the within action. My business address is 444
South Flower Street, Suite 3010, Los Angeles, CA 90071-2901.

5 On December 13, 2007, I served the foregoing document described as
6 **PLAINTIFF ALFRED PAUL SECKEL'S RESPONSE TO FIRST SET OF**
7 **INTERROGATORIES PROPOUNDED BY DEFENDANT THOMAS**
McIVER, on the interested parties in this action by placing true copy(ies) thereof
enclosed in a sealed envelope, addressed as follows:

8 Samuel A. Wyman, Esq.
9 Eric T. Lamhofer, Esq.
10 WOLFE & WYMAN, LLP
11 5 Park Plaza, Suite 1100
Irvine, CA 92614-5979
TEL: (949) 475-9200
FAX: (949) 475-9203

Attorneys for Defendant
TOM McIVER

12
13 ☐ By mail, I deposited such envelope(s) in the mail at Los Angeles,
California, with postage prepaid.

14 I am readily familiar with the firm's practice of collection and
15 processing correspondence for mailing. Under that practice it would be deposited
16 with the U.S. postal service on that same day with postage thereon fully prepaid at
Los Angeles, California in the ordinary course of business. I am ware that on
17 motion of party served, service is presumed invalid if postal cancellation date or
postage meter date is more than one day after the date of deposit for mailing in
affidavit.

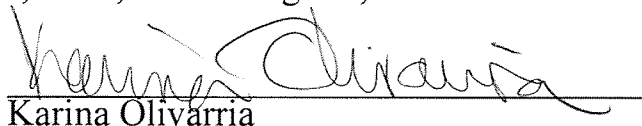
18 ☐ By facsimile, I transmitted such documents from Los Angeles,
19 California to the offices of the addressee(s).

20 ☒ By overnight delivery, I caused such envelope to delivered via
overnight delivery to the party(ies) listed on the attached mailing list.

21 ☐ (State) I declare under penalty of perjury under the laws of the State of
22 California that the foregoing is true and correct.

23 ☒ (Federal) I declare that I am employed in the office of a member of the Bar
of this Court, at whose direction the service was made.

24 Executed on December 13, 2007, at Los Angeles, California.

25 
26 Karina Olivaria