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Sunday, November 12, 2006

Gentle Wind Project drops lawsuit against former members

By CHLOE JOHNSON
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The Gentle Wind Project, formerly a nonprofit based in Kittery, Maine, has agreed to settle a defamation lawsuit against a couple who compared it to a cult using mind control techniques on its members.

The agreement calls for Gentle Wind, which says it aims for spiritual healing, to drop its claims against Jim Bergin and Judy Garvey, a couple from Blue Hill, Maine, and reimburse them for donations they made to the organization over the 17-year period in which they were members. The couple's counterclaims have been dismissed as well.

Bergin and Garvey posted online critiques of Gentle Wind, saying it came to dominate all aspects of their lives. Gentle Wind's directors claimed the bad publicity damaged their ability to raise money, starting a nearly three-year legal battle.

The Maine Attorney General's Office, while the case was pending, sued Gentle Wind for fraudulent spending of donated funds and false claims about their "healing instruments," mostly laminated cards and plastic pucks that were said to cure ailments such as emotional trauma.

The organization, which still is registered as a nonprofit in New Hampshire, had taken donations for the instruments until settling the suit with Maine and agreeing to disband in that state.

Bergin and Garvey said Gentle Wind used mind control to convince women to join in group sex rituals that were supposed to help the director, John Miller, to create the healing instruments.

Gentle Wind directors filed a suit in federal court against Bergin, Garvey and the operators of other Internet sites that posted or linked to the couple's stories. A judge

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threw that case out last year, and Gentle Wind then filed a defamation lawsuit in York County Superior Court.

Attorney Jerrol Crouter of Portland, Maine, defended the couple, and Harvard Law School's Berkman Center for Internet and Society offered some free legal help.

The couple says the case has become important for defending free expression on the Internet.

"I'm pleased with the settlement because it exonerates my clients from the claims of defamation and permits them to continue to operate the website that was the subject of this case without any changes at all," Crouter said.

Garvey and Bergin's claims about Gentle Wind's healing instruments were similar to Maine's. Crouter said Gentle Wind, in settling, did not dispute the accuracy of those claims.

Bergin said the couple was prepared to go to court, but not surprised when Gentle Wind settled. He said there were witnesses willing to testify against the organization.

"They don't want to go to court," Bergin said. "They still have followers, and they still have to preserve a certain image."

The compensation in the settlement is undisclosed, but Bergin said it is a "substantial" amount.

"Much more important than the money," the couple wrote in a statement, "we provided an essential service to the public by telling the truth about our experiences."

The Millers did not return phone calls seeking comment.

Bergin and Garvey left Gentle Wind in early 2000. They said their involvement with the organization damaged their relationship with each other and other people and resulted in large losses of money through financial contributions and no-interest loans to the organization.

"Involvement in a high-control group or cult can happen to anyone, given the right set of circumstances," the couple's statement said.

The couple says the website will remain online indefinitely to help people make informed decisions about Gentle Wind.

"We're not taking a word down," said Bergin. "In fact, we'll be adding to it."

The Associated Press contributed to this article.

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