

Appendix 6: Good Character Letter to the OIO dated 1 March 2019

Released under the Official Information Act 1982

[s 9(2)(g)(ii)]

Overseas Investment Office

Attention [s 9(2)(g)(ii)]

FROM **Andrew Petersen / Tim Smith**
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MATTER NO. 402-3661
DATE 1 March 2019

Seung Heun Lee, Meditation Tour Limited and Double Pine Investment Limited - Good Character Submission

1. Introduction

- 1.1 Thank you for your letter dated 14 September 2018 and subsequent emails in relation to possible retrospective applications by Seung Heun Lee (Mr Lee), Meditation Tour Limited (Meditation Tour), and Double Pine Investments Limited (Double Pine).
- 1.2 As indicated in our previous correspondence, our client wishes to pursue retrospective applications, to resolve the Overseas Investment Office's investigation. However, our client would like to make a detailed submission on good character addressing the OIO's concerns in your letter dated 14 September 2018 ahead of the proposed retrospective application(s) being filed.
- 1.3 We have also completed the ROP / IWC good character table for Mr Lee and Ms Yewon Hwang (Ms Hwang) as IWCs, and Meditation Tour and Double Pine as ROPs. A copy of that table is **attached as Appendix A**, along with copies of the documents it refers to.
- 1.4 We address Mr Lee's good character in the following order:
 - (a) the Immigration New Zealand (INZ) investigation / Minister's decision;
 - (b) the 1993 Korean convictions; and
 - (c) supplementary information in support of Mr Lee's good character.

2. INZ investigation / Minister's decision

- 2.1 By way of background, Mr Lee applied for and was granted residence under the Investor Plus category in June 2015. In November 2014 Mr Lee had, on application, been granted a work visa.
- 2.2 Mr Lee neither speaks nor reads English. He relied on the help of an associate, Mr Simon Kim, to compile and record the information on his visa applications. A police certificate was required to be provided to INZ together with Mr Lee's work visa application. Mr Kim reviewed the police certificate issued by the Korean authorities. This made no mention of any criminal record. Mr Kim completed the application forms accordingly. Unbeknown to Mr Kim, more than 25 years earlier Mr Lee had been convicted in Korea of regulatory breaches that were subsequently erased by 'clean slate provisions' under Korean law.

2.3 The 1993 Korean convictions were brought to our attention in 2017. We advised Mr Lee that despite having been 'wiped clean' by Korean clean slate provisions, they were required to be disclosed in his immigration applications. Understandably, Mr Lee was distressed and instructed us to notify INZ as soon as possible. We did this in September 2017 and an investigation was commenced.

2.4 Our thorough submission to the Minister was that liability for deportation under section 158(1)(b)(i) of the Immigration Act 2009 (the Act) requires knowledge i.e. that to be liable an applicant must knowingly have provided false information or must knowingly have concealed relevant information. However, the Minister's determination makes no finding in relation to Mr Lee's knowledge or intention and so by inference applies a 'strict liability' test where Mr Lee's innocent non-disclosure of relevant information in his immigration applications meant that he was found to have provided false information or concealed relevant information under section 158(1)(b)(i) of the Act. The Minister's determination that Mr Lee was liable for deportation under the Act should not be taken as a determination by the Minister that Mr Lee intentionally provided false information or concealed relevant information.

2.5 Copies of our submission to the Minister of Immigration, dated 17 May 2018, along with earlier submissions and previous correspondence with INZ, and the Minister's decision dated 5 July 2018, are **attached** as **Appendix B**.

2.6 We submit that the Minister's decision raises no issue with Mr Lee's good character. Mr Lee never intended to provide false information or conceal relevant information from his immigration applications. Once it was brought to his attention that the convictions should have been disclosed, Mr Lee promptly notified INZ. Furthermore, the finding by the Minister that Mr Lee was liable for deportation does not assume any culpability and was based on a 'strict liability' test.

3. **1993 Korean convictions**

3.1 These matters are dealt with more fully in our previous correspondence with INZ. However, we summarise them here.

3.2 Mr Lee is the founder of *Dahnhak*, otherwise known as *Dahnworld*. Mr Lee founded the company in Korea in 1992.

3.3 In 1993, charges were brought against Mr Lee and two other company officials on the basis that the company had contravened a number of regulations including:

- (a) holding a weekend lecture without a licence – a breach of the *Education Act*; and
- (b) manufacturing and selling traditional Korean health supplements – breaching the *Special Measures for the Control of Public Health Crimes Act*, the *Food Sanitation Act* and the *Special Measures on Real Estate Registration Act*.

3.4 The limited relevant documents which are available from the Seoul Eastern District Public Prosecutor's Office are attached to our letters to INZ dated 15 and 16 February 2018.

3.5 We are advised that the health supplements were innocuous, having been made from plants readily available from the local markets or countryside, and that the supplements were really no more than what was often made by the older generation for their families' consumption.

3.6 Mr Lee was sentenced to 2.5 years in prison, suspended for 3 years, and fined KRW 105,000,000 – calculated as a multiple of the company's turnover, to deter future unlicensed sales.

- 3.7 Although the sentence seems harsh and severe, especially in light of the contraventions, we understand that in Korea at the time (just after the end of military rule) this was considered a light sentence and reflects the Court's opinion that the contraventions were not serious. To put things into perspective, we are advised that an unauthorised sale of oriental medicine or the sale of unsanitary food in a market carried life sentences.
- 3.8 Mr Lee's 3 year suspension period lapsed with no further contraventions and Mr Lee's record was 'wiped clean'.
- 3.9 The OIO's guidance on good character notes that the factors relevant to the weighting of offences and contraventions include:
- (a) the nature of the offence or contravention including:
 - (i) the seriousness of the offending;
 - (ii) whether the offence or contravention of the law was deliberate;
 - (b) the time since the offence or contravention; and
 - (c) absence of any re-offending.
- 3.10 The Korean convictions relate to events that happened over 25 years ago, would be considered minor infringements in New Zealand, and were errors made by what was then a new venture.

4. **Good character information**

- 4.1 We have undertaken good character searches according to the OIO's guidelines and the results of those searches are **attached** to this letter in the ROP / IWC good character table at **Appendix A**.
- 4.2 In addition, we **attach** for your reference in **Appendix C** a letter to the Minister of Immigration dated 21 June 2018, attaching a letter of explanation from Mr Lee as well as various letters of support in favour of Mr Lee's business venture.
- 4.3 Mr Lee has a most unusually high-standing reputation around the world through his involvement in meditation, yoga and other charitable activities. In support of this, we further **attach** the following awards and information in support of Mr Lee's good character in **Appendix D** (in the same order):
- (a) a certificate dated 9 April 2007, issued by the Lieutenant Governor of the State of New Mexico recognising Mr Lee as an Ambassador for Goodwill;
 - (b) a Certificate of Congressional Recognition dated 30 August 2015, presented to Mr Lee by the United States Congress;
 - (c) a Certificate of Commendation dated 13 September 2003 issued by the City of Los Angeles presented to Mr Lee;
 - (d) a description of the IBREA FOUNDATION program in El Salvador, which is a global non-profit organisation established by Mr Lee;
 - (e) a House Memorial of the State of New Mexico declaring 27 February 2017 "Brain Education Day" in the House of Representatives;

- (f) a certificate dated 1 August 2017 for the Pioneer Award granted to Mr Lee by the United States Office of Public Health;
- (g) a list of, and copies of some of, the proclamations issued by 19 US States or cities in recognition of Mr Lee's contributions to improving health, wellness and the quality of life of their citizens, including a number of proclamations for Ilchi Lee Day;
- (h) a list of, and copies of some of, the proclamations issued by US States or cities in relation to Brain Education;
- (i) a letter dated 8 August 2017 from the United States Department of the Interior – National Park Service thanking him for his "outstanding work to promote parks and public lands as places for people to derive physical, mental, and spiritual health, and social well-being;
- (j) a certificate dated 28 February 2017 expressing appreciation and gratitude to Ilchi Lee and Staff issued by the House of Representatives of the State of New Mexico; and
- (k) a Certificate of Merit dated 9 October 2002 issued by the Republic of Korea for the Presidential Award of Civil Merit and an award of commendation from the Minister of Culture and Tourism dated 31 December 2007.

4.4 Further, a number of New Zealanders have also already attested to Mr Lee's good character and contribution to New Zealand and the Northland Community in particular. In support of this, we further **attach** the following documents in **Appendix E**:

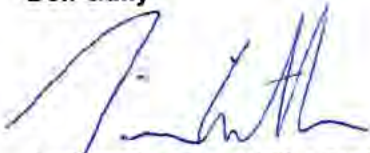
- (a) a letter from Charles Hohaia of *Te Waka Whaanui Services Limited* dated 5 August 2017;
- (b) a letter from A. G. McNaughton dated 8 September 2017;
- (c) a letter from Mark Klinac of *Keriland Earthworks Limited* dated 18 January 2018;
- (d) a letter from Tim Couling of *Okaihau Primary School* dated 7 September 2017;
- (e) a letter from Peter Heath of *Due North* dated 18 August 2017;
- (f) a letter from Andrew Abercrombie of *Site Scope Limited* dated 22 January 2018;
- (g) a letter from Peter Hendl dated 18 January 2018;
- (h) a letter from Shirley Millar of *Kerikeri Tool Hire 2015 Limited*;
- (i) a letter from Dr Lily George of *Western Institute of Technology Taranaki* dated 22 August 2017;
- (j) a letter from Aleksandra Petrovic dated 9 June 2017; and
- (k) a letter from Richard Eley of *Renton Motors 1976 Limited* dated 19 January 2018.

4.5 For completeness, also **attached** at **Appendix F** are two letters from the Labour Inspectorate, dated 2 February 2018, which note that all of the requirements of Improvement Notices provided to Meditation Tour and Double Pine have been complied with and the relevant files closed.

- 4.6 As the OIO may be aware, Mr Lee is a public figure who, like many other public figures, has from time to time attracted controversial comments from the media and has occasionally been the subject of civil litigation. We address those comments and that litigation in the following ROP/IWC Good Character Table – noting the general failure of the money motivated claims against him and the judgments which highlight the judicial scepticism of the claims against him. We are very happy to work with the OIO to discuss any concerns that the OIO may have in relation to Mr Lee's good character, and provide relevant information or explanation as the case may be where appropriate.

Please do not hesitate to contact us if you have any questions in relation to the above.

Yours faithfully
Bell Gully



Andrew Petersen / Tim Smith
Partner / Partner

Enc.

Appendix A – ROP / IWC Good Character Table

Applicant Name	Seung Heun Lee, Meditation Tour Limited and Double Pine Investment Limited
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The purpose of this appendix is to record ROP / IWC identification and good character information in one place to allow us to undertake our background checks as efficiently as possible. It is important that you identify and disclose all information potentially relevant to the ROP / IWC individuals in your application (the decision-maker will determine what is actually relevant). We require applicants to undertake their own internet background checks to help ensure that all potentially relevant information is disclosed and commented on.

Complete this appendix by following the instructions provided. Because the actions of an entity can be relevant to the character of an individual (e.g. where the individual owns 25% or more of the entity), you must complete the following tables for both the entities and the individuals comprising the ROP / IWC.

Note – if we reach a different view about who the ROP / IWCs are for a particular investment you may be asked to update the table to reflect this. [See here](#) for more information about the ROP / IWC selection process. The information we request in this document is what we require in the first instance. We may request further information from you during our assessment of the application.

ROP / IWC individuals

Complete the table for each individual you have identified as a relevant overseas person or individual with control.

ROP / IWC individuals						
Full legal name (include native characters)	Other names (e.g. maiden name)	Role	Joined ROP	Nationality	Resides in	D.O.B.
Seung Heun Lee 이승헌	Il-Chi Lee, or Ilchi Lee 일지 리	Shareholder of Meditation Tour Limited and Double Pine Investment Limited	April 2014	Republic of Korea	New Zealand	[s 9(2)(a)]
Yewon Hwang 황예원	None	Director of Meditation Tour Limited and Double Pine Investment Limited	April 2017	Republic of Korea	New Zealand	

ROP / IWC entities

Complete the table for each entity you have identified as a relevant overseas person.

ROP/IWC entities					
Full legal name (include native characters)	Other names (e.g. trading / former names)	Type of entity	Jurisdiction	Unique identifier (e.g. ACN/NZBN)	
Meditation Tour Limited	N/A	Limited liability company	New Zealand	NZBN 9429041206614	
Double Pine Investment Limited	N/A	Limited liability company	New Zealand	NZBN 9429042083269	

Good character disclosures

Complete the following tables for both the individuals and the entities making up the ROP / IWC. Create additional tables as necessary. Disclose and comment on:

- All matters potentially relevant to good character; and
- The results of the applicant's internet background searches; and
- Whether an IWC/ROP is listed in the ICIJ Offshore Leaks Database.

Note - you do not have to disclose parking, speeding or other traffic offences that did not result in a conviction being entered by a court.

When commenting on adverse information:

- Avoid vague statements. For example, responding to an allegation of offending by saying that the individual was never convicted is inadequate (offences are a mandatory consideration *whether the person is convicted or not – refer s19*) as is simply stating that the person making the allegation is a 'disgruntled former employee'. Ensure you address the allegation itself – is it true? Has it been investigated? If so, by who and what was the outcome? Address the relevance of the allegation to the good character assessment and the appropriate weighting it should be given.

- For allegations relating to ROP entities rather than individuals, ensure you address the relevance of the allegation to the ROP/IWC individuals. Were the ROP/IWC individuals involved with the entity at the relevant time (e.g. as directors)? Did any IWC have a 25% or more ownership or control interest in the entity at the time the alleged offence or contravention occurred? If not, are there any other grounds to reasonably infer participation or knowledge of the alleged wrongdoing? Were the ROP/IWC individuals involved with the entity at the relevant time (e.g. as directors)?
- Anticipate our questions – ensure your answer does not raise more questions than it answers.

Background internet searches

We suggest using the following parameters as a starting point for your internet searches:

[IWC / ROP] allegation OR complaint OR investigation OR fraud OR lawsuit.

In Google, the above parameters will search using those keywords (and variations) in connection with the IWC / ROP. We suggest starting your search with variations of the ROP / IWC names within quotation marks and then removing them to broaden your search. Consider adding additional search terms that are relevant to the applicants business activities. For common names, it may assist to include country only searches. You can do this in Google by starting your search using the local google page for the county you want to search and then limiting results to that country (i.e. to limit your results to the UK, go to www.google.co.uk, click 'Tools', 'Any Country', 'Country: UK').

SEUNG HEUN LEE	
Disclosures / search results	Comment
<p><u>ICIJ</u></p> <p>Seung Heun Lee (or Il-Chi Lee) is not listed on the ICIJ database.</p> <p><u>Google Search</u></p> <p>Immigration New Zealand is investigating into Mr Lee's residency and Mr Lee could face deportation. It also appears that Mr Lee and his associated business, Mediation Tour Limited and Double Pine Investment Limited were in breach of immigration rules (such as record-keeping obligations and holiday pay). Both companies have been issued improvement notices, which had been partially complied with.</p>	<p>NA</p> <p>One of the staff members employed by the companies reported to Immigration New Zealand (INZ) that there were two illegal workers at Haruru Falls. This incident occurred due to management's limited understanding of immigration law. Once the management realised that they were in breach of the relevant immigration law, action was taken immediately and the two workers went back to their own country as a result.</p> <p>There were further investigations by the Labour Inspectorate in relation to</p>

https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11977304

https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11790246

Google Search

In 2009, a lawsuit was filed in federal court in Arizona by the former employees of Dahn Yoga accusing it of being "a totalistic, high-demand cult group" that demands large sums of money from its followers and enshrines Lee as an "absolute spiritual and temporal leader". The lawsuit also alleges that Mr Lee sexually preyed on young female disciples.

<http://edition.cnn.com/2010/CRIME/01/05/yoga.lawsuit.lee/index.html>

<https://www.forbes.com/sites/docket/2010/04/06/dahn-yoga-founder-ilchi-lee-resigns-amid-suits-alleging-brain-washing-and-sex-abuse/#131ea014484a>

<https://www.forbes.com/forbes/2009/0803/fraud-dahn-yoga-centers-body-brain-and-wallet.html#4aab4e662b12>

<https://www.glamour.com/story/the-scarv-yoga-obsession>

payments for holiday and leave. This happened because there was a lack of capable management staff who would be able to oversee payroll. New director was subsequently appointed to the companies and a new system was put in place. Grant Thornton was appointed as the accounting firm and payments for holiday and leave are now compliant. It appears that the discrepancy due to miscalculation amounted to \$14,562.61 for Double Pine and \$4,663.03 for Meditation Tour.

As noted in the accompanying letter, **attached at Appendix F** are two letters from the Labour Inspectorate, dated 2 February 2018, which note that all of the requirements of Improvement Notices provided to Meditation Tour and Double Pine have been complied with and the relevant files closed.

This lawsuit was brought by 27 individuals against Mr Lee and various corporate entities which, at one time, employed these individuals. Mr Lee was not an employer of these individuals. All of the plaintiffs were represented by a single attorney. While the second amended complaint filed by the plaintiffs attorney contained several causes of action against the group of defendants, the gravamen of the complaint was essentially employment related wage claims (brought, in part, pursuant to the Fair Labor Standards Act). The claims for damages were largely predicated on issues relating to hourly wages, overtime payments and reimbursement for courses and other educational services provided by the corporate defendants.

In a calculated effort to "spice up" these claims, make excuses for the 27 plaintiff's failure to raise any contemporaneous protests, and attempt to force the defendants into offering quick cash settlements, the plaintiff's attorney embarked on a media-driven smear campaign alleging all types of nefarious conduct including cult-like activities and sexual abuse (relating to one of the plaintiffs).

When the calculated efforts of plaintiffs' attorney's media campaign failed to bring about quick settlements (and it was made clear that the defendants would strongly contest these unfounded allegations) the plaintiffs' case began to stall and drag on. The plaintiffs were incapable of producing meaningful

<p>Released under the Official Information Act 2009</p>	<p>discovery required by the Federal Rules in support of their claims and unable to prosecute them in any way. The plaintiffs inability to proceed was so great that the defendants, including Mr Lee, received costs taxed and Judgment against some plaintiffs, including the plaintiff [s 9(2)(a)] who had alleged sexual abuse, for about \$10,000. Copies of the judgments on taxation of costs dated 20 April 2012 and 16 July 2012 are attached. Eventually, the plaintiffs' case began to unravel, with their attorney essentially giving up and walking away. That attorney, in his motion to be relieved (which was eventually granted by the Judge) admitted to the Arizona Federal Court Judge that he filed this lawsuit because he expected it "would settle prior to protracted litigation. As it turns out, I was mistaken in that belief." A copy of that attorney's "Motion to withdraw as Attorney of Record for Plaintiffs", along with an accompanying declaration by him, is attached.</p> <p>The sexual abuse claim was dismissed. This lawsuit was filed again in Massachusetts and was dismissed again (see below). Mr Lee confirms that this claim was unfounded and had no grounds to proceed.</p> <p>All of the plaintiffs in this case had their claims dismissed or withdrawn in anticipation of being faced with the penalty of Court costs and fees. None of the defendants (including Mr Lee) contributed in any way to any settlement of any of the plaintiffs.</p> <p>We note that one order dated 29 March 2012 states "Defendants having filed a Notice of Settlement with plaintiffs [s 9(2)(a)] [s 9(2)(a)] [s 9(2)(a)] [s 9(2)(a)] The settlement was that the plaintiffs would drop the lawsuit since by that time their attorney withdrew from the case – nothing was given by the defendants. A simple notice form was filed with the court - no formal written settlement agreement was drawn up. Copies of the relevant orders are attached."</p>
<p><u>Google Search</u> In 2009, [s 9(2)(a)] brought an action against Seung Heun Lee and a number of other defendants who have since been dismissed from the case.</p>	<p>One of the plaintiffs in the above lawsuit, [s 9(2)(a)] re-filed the proceeding in Massachusetts and was dismissed again, this time for failure to prosecute. The attached judgment of Stearns DJ dated 31 January 2012</p>

alleging that she had been subjected to severe emotional and physical abuse while a student and then as an employee of Dahn Yoga. She further alleges that Lee raped her while she was living in Korea.

In August 2011 Lee filed a motion to reconsider, providing the court with a number of exhibits that shed doubt on [§ 9(2)(a)] claims. On October 13, 2011, William Hoilman, co-counsel for [§ 9(2)(a)] withdrew, leaving Ryan Kent as [§ 9(2)(a)] sole attorney. On October 18, 2011, Kent also filed a motion to withdraw as [§ 9(2)(a)] attorney. [§ 9(2)(a)] failed to comply with the court's order to seek new counsel or file an opposition to Lee's motion to reconsider. The case was therefore dismissed with prejudice for failure to prosecute.

[https://www.courtlistener.com/opinion/2144211/\[§ 9\(2\)\(a\)\]-v-seung-heun-lee/](https://www.courtlistener.com/opinion/2144211/[§ 9(2)(a)]-v-seung-heun-lee/)

<https://www.prnewswire.com/news-releases/dahn-yoga-victory-in-lawsuit-203164241.html>

https://www.govinfo.gov/content/pkg/USCOURTS-mad-1_09-cv-11714/pdf/USCOURTS-mad-1_09-cv-11714-1.pdf

<https://www.courthousenews.com/dahnak-leader-to-face-sexual-abuse-claims/>

[https://casetext.com/case/\[§ 9\(2\)\(a\)\]-v-lee-1](https://casetext.com/case/[§ 9(2)(a)]-v-lee-1)

Google Search

In 2010, the plaintiff filed a civil fraud and racketeering lawsuit in U.S. District Court against Dahn Yoga, Ilchi Lee and several other affiliated groups, alleging that the group took part in a scheme to defraud the plaintiff and others similarly situated through false promises of healing, self-awareness and brain education. The Plaintiff failed after 1) not sufficiently alleging an enterprise distinct from the Defendants, 2) not properly alleging a RICO Conspiracy Claim, and 3) the Court declined to exercise supplemental jurisdiction over the State Law Claims.

<https://allextimes.com/2010/03/he-was-sort-of-like-a-zombie/>

refers, at page 2, to Mr Lee "providing the court with a number of exhibits that tended to disprove, or at the very least, shed serious doubt, on [§ 9(2)(a)] substantive claims as well as the facts she had asserted in support of the exercise of personal jurisdiction over Lee."

None of the claims raised against Mr Lee in the lawsuits in the United States alleged any violations of criminal statutes in the U.S. No governmental authorities have brought these claims, only private individuals seeking monetary damages for certain business related and tort based disputes. There have been no "rape", "assault" or "fraud" charges brought against him.

The plaintiff in this case was the son of a lawyer in a large law firm. The plaintiff's father was not happy with the son's involvement in Dahn Yoga and wanted him to quit.

This case against Mr Lee was dismissed at an early stage at the case had no merit as a matter of law and a copy of the judgment of Judge Trenga dated 21 September 2010 is **enclosed**. The remaining defendants, Dahn Yoga and other health centres resolved the matter shortly thereafter regarding allegations of violation of the Fair Labor Standards Act. Mr Lee was not an employee or director of Dahn Yoga at that time and did not contribute towards any settlement in any way.

<p>https://www.leagle.com/decision/infdc020100922b17</p> <p>http://www.localkicks.com/community/news/alexandria-man-calls-yoga-centers-front-for-a-cult</p> <p><u>Google Search</u></p> <p>From 2006 to 2009 the Department of Education (US) spent nearly \$400,000 for 44 schools to participate in "Brain Education" program run by a group with ties to an alleged cult. Former employees of Dahn Yoga said the school program is run by a group that is part of a vast web of interrelated companies conning participants into investing their time and money in unproven health and healing activities. The Department of Education subsequently dropped the program after the NY Post inquired about it and the controversy surrounding Lee.</p> <p>https://nypost.com/2009/11/09/cult-program-in-nyc-schools/</p>	<p>Brain Education was being taught in many New York Public Schools prior to 2009. A newspaper, The New York Post, ran a negative article in 2009 and quoted the attorney who brought the Julia Siverls case referred to below. After this article, the New York Public schools did not renew the contract to have Brain Education taught in the classrooms despite no complaints from the teachers or students.</p>
<p><u>Google Search</u></p> <p>In September 2005 the New York Supreme Court dismissed an \$84 million wrongful death lawsuit against Seung Huen Lee. The lawsuit was filed by the sister of Julia Siverls, who died in July 2003 during a Dahnhak retreat in Arizona. The hike she was on was supposed to achieve heightened spiritual awareness and become a "master" of Fahnha. Siverls' family accused the group of forcing her to continue the hike and engaging in brainwashing that included lacing her food with drugs.</p> <p>http://www.religionnewsblog.com/11934</p> <p>https://www.equip.org/articles/dahn-hak/</p>	<p>In July 2003 Julia Siverls attended a retreat in Arizona and died from heat exposure. In 2005 the family of Julia Siverls filed a lawsuit in New York alleging she had been drugged and died due to negligence of the "Dahn Cult". Mr. Lee and eight allegedly affiliated corporate defendants were sued for wrongful death. In 2006, Mr. Lee and six of the corporate defendants were dismissed from the case due to lack of personal jurisdiction. The Siverls family eventually settled the matter with the two remaining corporate defendants and Mr. Lee was not implicated in any way in the settlement or contributed any amount to the settlement. The case against the remaining two defendants was dismissed in 2008 based upon stipulation of all plaintiffs involved.</p>

YEWON HWANG

Disclosures / search results	Comment
<u>ICIJ</u> Yewon Hwang is not listed on the ICIJ database.	NA
<u>Google Search</u> Nothing of relevance.	

MEDITATION TOUR LIMITED	Comment
Disclosures and search results <u>ICIJ</u> Meditation Tour Limited is NOT listed on the ICIJ database.	NA
<u>Google Search</u> Immigration New Zealand was investigating into Mr Lee's associated business and uncovered breaches of employment and immigration rules. One person at Double Pine and one person at Body and Brain Yoga have been found to be in breach of their visas. Double Pine and Meditation Tours have both been issued improvement notices, which had been partially complied with. https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11977304	Refer to the above.

DOUBLE PINE INVESTMENT LIMITED	Comment
Disclosures and search results <u>ICIJ</u>	

<p>Double Pine Investment Limited is NOT listed on the ICIJ database.</p>	<p>NA</p>
<p><u>Google Search</u> Immigration New Zealand was investigating into Mr Lee's associated business and uncovered breaches of employment and immigration rules. One person at Double Pine and one person at Body and Brain Yoga have been found to be in breach of their visas. Double Pine and Meditation Tours have both been issued improvement notices, which had been partially complied with. https://www.nzherald.co.nz/news/article.cfm?c_id=1&objectid=11977304</p>	<p>Refer to the above.</p>

Released under the Official Information Act 1982

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ricardo Barba, et al.,

Plaintiffs,

vs.

Seung Huen Lee, et al.,

Defendants.

NO. CV-09-01115-PHX-SRB

JUDGMENT ON TAXATION OF COSTS

Final judgment having been entered, four Bills of Costs have been filed.

On March 13, 2012, defendant Tao Fellowship filed a Bill of Costs seeking the taxation of \$5,633.55. No objection was filed. The matter has been reviewed and all costs have been awarded.

On March 14, 2012, defendants Seung Heun Lee and Journg Sook Lee filed a Bill of Costs seeking the taxation of \$487.00. No objection was filed. The matter has been reviewed and all costs have been awarded.

On March 14, 2012, defendant Vortex Inc. filed a Bill of Costs seeking the taxation of \$700.47. No objection was filed. The matter has been reviewed and all costs have been awarded.

On March 15, 2012, defendants Dahn Yoga & Health Centers, Inc. and Mago Earth Inc. filed a Bill of Costs seeking the taxation of \$4,251.05. The matter has been reviewed and all costs have been awarded.

1 THEREFORE, costs are hereby taxed for defendant Tao Fellowship in the amount
2 of \$5,633.55.

3 FURTHER, costs are hereby taxed for defendants Seung Heun Lee and Journg
4 Sook Lee in the amount of \$487.00.

5 FURTHER, costs are hereby taxed for defendant Vortex Inc. in the amount of
6 \$700.47.

7 FURTHER costs are hereby taxed for defendants Dahn Yoga & Health Centers,
8 Inc. and Mago Earth Inc. in the amount of \$4,251.05.

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10 DATED this 20th day of April, 2012.

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BRIAN D. KARTH, CLERK

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By: Michael O'Brien
Michael O'Brien
Chief Deputy Clerk

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ricardo Barba, et al.,
Plaintiffs,
vs.
Seung Heun Lee, et al.,
Defendants.

NO. CV-09-1115-PHX-SRB
**JUDGMENT ON TAXATION OF
COSTS**

Final judgments having been entered againsts plaintiffs [s 9(2)(a)]
[s 9(2)(a)] four cost bills were filed. Defendant Tao Fellowship
filed a Bill of Cost on May 22, 2012 seeking the taxation of \$5,633.55 against plaintiffs
[s 9(2)(a)] An Opposition/Response
was filed by [s 9(2)(a)] on June 5, 2012. A subsequent reply was filed. The matter
has been reviewed, and all costs have been awarded. These costs were also taxed against
plaintiffs [s 9(2)(a)] on April
20, 2012 (doc. 535).

Defendants Seung Heun Lee and Journg Sook Lee filed a Bill of Costs on May 23,
2012 seeking the taxation of \$487.00 against plaintiffs [s 9(2)(a)]
[s 9(2)(a)]. An Opposition/Response was filed by [s 9(2)(a)] on
June 5, 2012. A subsequent reply was filed. The matter has been reviewed, and all costs
have been awarded. These costs were also taxed against plaintiffs [s 9(2)(a)]
[s 9(2)(a)] on April 20, 2012 (doc. 535).

1 Defendant Vortex, Inc. filed a Bill of Costs on May 23, 2012 seeking the taxation of
2 \$700.47 against plaintiffs [s 9(2)(a)]
3 An Opposition/Response was filed by [s 9(2)(a)] on June 5, 2012. A subsequent reply
4 was filed. The matter has been reviewed, and all costs have been awarded. These costs were
5 also taxed against plaintiffs [s 9(2)(a)]
6 [s 9(2)(a)] on April 20, 2012 (doc. 535).

7 Defendants Dahn Yoga & Health Centers, Inc. and Mago Earth, Inc. filed a Bill of
8 Costs seeking \$4,251.05 against plaintiffs [s 9(2)(a)]
9 [s 9(2)(a)] An Opposition/Response was filed by [s 9(2)(a)] on June 5, 2012.
10 A subsequent reply was filed. The matter has been reviewed, and all costs have been
11 awarded. These costs were also taxed against plaintiffs [s 9(2)(a)]
12 [s 9(2)(a)] on April 20, 2012 (doc. 535).

13 Costs are hereby taxed against plaintiffs [s 9(2)(a)]
14 [s 9(2)(a)] for defendant Tao Fellowship in the amount of \$5,633.55.

15 FURTHER, costs are hereby taxed against plaintiffs [s 9(2)(a)]
16 [s 9(2)(a)] for defendants Seung Heun Lee and Journg Sook Lee
17 in the amount of \$487.00.

18 FURTHER, costs are hereby taxed against plaintiffs [s 9(2)(a)]
19 [s 9(2)(a)] for defendants Vortex, Inc. in the amount of \$700.47.

20 FURTHER, costs are hereby taxed against plaintiffs [s 9(2)(a)]
21 [s 9(2)(a)] for defendants Dahn Yoga & Health Centers, Inc. and
22 Mago Earth, Inc. in the amount of \$4,251.05.

23 DATED this 16th day of July, 2012.

24 BRIAN D. KARTH, CLERK

25 By:

Michael O'Brien

26 Michael O'Brien
27 Chief Deputy Clerk
28

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

[s 9(2)(a)]

Case No. CV 09-1115 PHX-SRB
BILL OF COSTS

Plaintiffs,

v.

Seung Huen Lee; Journg Sook Lee; Dahn
Yoga & Health Centers, Inc.; Tao Fellowship;
BR Consulting; Inc.; Mago Earth, Inc.; Vortex,
Inc.; CGI, Inc.; Oasis Arabians, LLC and Does
1 to 100, Inclusive,

Defendants.

Judgment having been entered in the above entitled action on March 1, 2012, against Plaintiffs [s 9(2)(a)]

[s 9(2)(a)]

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	_____
Fees and disbursements for printing	_____
Fees for witnesses (<i>itemize on page two</i>)	_____
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case	\$ 700.47
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (<i>please itemize</i>)	_____
TOTAL	\$ 700.47

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME, CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
					TOTAL		N/A

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NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

Ferrimote Craig FEE APP

Matter Number	Matter Name	Work Date	Trkr Number	Timekeeper Name	Narrative	WIP Quantity	WIP Amount	Description
27415.0001	Barba, et al v Vondek et al	3/10/2011	KYHA	Kyle Halstrom	on-site scanning of documents at Ryan Kent's office	1	\$ 575.47	Copies
27415.0001	Barba, et al v Vondek et al	3/15/2011	KYHA	Kyle Halstrom	reimbursement of DVD creation cost	1	\$ 125.00	Cost Incurred
						2	\$ 700.47	

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First Digital Solutions
 3877 North 7th Street, Suite 410
 Phoenix, AZ 85014
 (602) 248-9700

First Digital Solutions

Invoice

03/10/2011

Send to:
 FENNEMORE CRAIG P.C.
 Attn: Ann Strickler
 3003 N. CENTRAL AVENUE
 SUITE 2600
 PHOENIX, AZ 85012
 (602) 916-5000

DATE	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	CUSTOMER REFERENCE
	TERMS				
	Net 30				
	Invoice #				
	626106				
	Job #				
	131112				
	Customer Reference				
	27415.001				
03/10/2011	Project On-Site Setup Fee (Out of Area)	1.00	\$ 150.000	\$ 150.00	
03/10/2011	Scanned Images - Color	150.00	\$ 1.000	\$ 150.00	
03/10/2011	Scanned Images - Standard, Grade D	906.00	\$ 0.250	\$ 226.50	

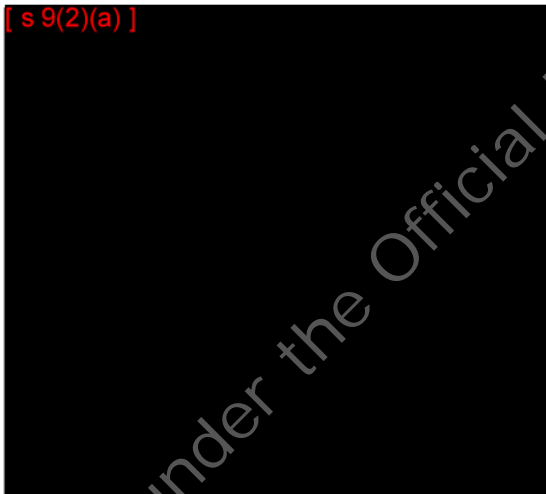
Tax ID # 27-0311009
 Thank You For Your Business
 First Digital Solutions

SUBTOTAL	\$ 526.50
Tax (9.3%)	48.97
Total	\$ 575.47

RYAN A. KENT, ESQ.
LAW OFFICE OF RYAN KENT
CA State Bar No. 169810
30 Mitchell Boulevard
San Rafael, CA 94903
Telephone: (415) 479-4356
Fax: (415) 479-4358
Email: ryan@ryankentlaw.com

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA



Case No. CV 09-1115-PHX-SRB

MOTION TO WITHDRAW AS ATTORNEY
OF RECORD FOR PLAINTIFFS

Plaintiffs,

vs.

SEUNG HEUN LEE; JOURNG SOOK LEE;
DAHN YOGA & HEALTH CENTERS, INC.;
TAO FELLOWSHIP, BR CONSULTING;
INC.; MAGO EARTH, INC.; VORTEX, INC.;
CGI, INC.; OASIS ARABIANS, LLC and
DOES 1 to 100, Inclusive.

Defendants.

INTRODUCTION

Plaintiffs' counsel brings this motion for leave to withdraw based upon his financial inability to continue to represent the Plaintiffs in this matter. Plaintiffs' counsel is a sole practitioner with part-time support staff. He presently has no significant regular source of income or any anticipated significant future income from any source. He had a negligible net income in 2010 and his practice is operating at a significant loss thus far this year. He only has sufficient funds available to pay his office overhead for a few more months. He does not have the funds available to advance the significant litigation expenses that will necessarily be required as this case proceeds.

Furthermore, unless Plaintiffs' counsel is able to immediately devote significant time towards obtaining and working on matters that generate an income, he will soon be unable to meet his office overhead. The demands on his time from continued representation of the Plaintiffs in this matter will severely impair his ability to obtain and work on matters that generate an income. Thus, unless he is permitted to withdraw, Plaintiff's counsel will soon be unable to meet his office overhead, much less advance the costs required to proceed with this case.

LEGAL DISCUSSION

1. The financial inability of counsel to continue to represent the Plaintiffs constitutes good cause to withdraw.

The decision to grant or deny an attorney's motion to withdraw is within the discretion of the trial court. In determining whether to allow counsel to withdraw, courts often weigh the following factors: (1) the reasons why withdrawal is sought; (2) the prejudice that withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the administration of justice; and (4) the degree to which withdrawal will delay the resolution of the case. *Pehle v. DuFour*, 2011 WL 283663 (E.D. Cal. Jan. 26, 2011). The American Bar Association's Model Rules of Professional

Conduct, Rule 1.16(b)(5) provides that a lawyer may withdraw if “the representation will result in an unreasonable financial burden on the lawyer.” See also *Fid. Nat. Title Ins. Co. of New York v. Intercounty Nat. Title Ins. Co.*, 310 F.3d 537, 540 (7th Cir. 2002); *Addis v. McKinley Med., LLC*, 2011 WL 846688 (D. Or. Mar. 8, 2011); *Gong v. City of Alameda*, 2008 WL 160964 (N.D. Cal. Jan. 8, 2008).

In the case at bench, the continued representation of Plaintiffs will constitute an unreasonable financial burden on Plaintiffs’ counsel. As set forth in his accompanying declaration, Plaintiffs’ counsel is not financially able to continue to represent the Plaintiffs in this matter. He does not have the funds available to advance the significant litigation expenses that will necessarily be required as this case proceeds. Unless Plaintiffs’ counsel is able to withdraw and immediately devote significant time towards obtaining and working on matters that generate an income, he will soon be unable to meet his office overhead. The financial inability of counsel to continue to represent Plaintiffs constitutes good cause to withdraw.

2. Plaintiffs’ counsel took steps to minimize the prejudice to Plaintiffs once his need to withdraw became apparent.

Plaintiffs’ counsel was becoming increasingly concerned about his deteriorating financial condition throughout 2011. In late July of 2011, when it became clear the case would not settle prior to the need to advance significant additional litigation expenses he could not afford, he notified the Plaintiffs that he had reached the point where he could no longer sustain the commitment of time and money required to represent them on his own. He advised that if he was unable locate other counsel who would be willing to associate with him and fund this matter, then he would have no choice but to ask the Court for permission to withdraw. He advised the Plaintiffs that if he withdrew, each of them would have to find another attorney to represent them or they would have to represent themselves. He advised that they each should immediately attempt to locate counsel willing to represent them in this matter.

In several subsequent communications, he repeatedly reiterated that the Plaintiffs should all immediately make efforts to locate other counsel willing to represent them in this matter.

Despite his best efforts, Plaintiffs' counsel was unable to locate additional counsel willing to associate with him in this matter. Accordingly, on September 2, 2001, Plaintiffs' counsel notified the Plaintiffs that he would be filing the instant motion to withdraw. At that time, he advised the Plaintiffs in writing of the status of the case, including the deadlines to respond to outstanding discovery, in compliance with Local Rule 83.3(b)(2).

3. If Plaintiffs' counsel is permitted to withdraw, Plaintiffs require a 60 day stay of this action.

If Plaintiffs' counsel is permitted to withdraw, the Plaintiffs will require a 60 day stay of this action to deal with this event. Those Plaintiffs that wish to locate other counsel to represent them will need sufficient additional time to attempt to do so. Those Plaintiffs that no longer wish to proceed with this litigation will need sufficient time to attempt to settle their claims by way of a mutual release. Those Plaintiffs who wish to represent themselves need sufficient time to familiarize themselves with the case and prepare responses to the outstanding discovery. Accordingly, Plaintiffs request a 60 day stay of this action to give the Plaintiffs time to handle these matters.

DATED: September 9, 2011

By: /s/ Ryan A. Kent
Ryan A. Kent
Attorney for Plaintiffs
30 Mitchell Boulevard
San Rafael, CA 94903
Telephone: (415) 479-4356
Email: ryan@ryankentlaw.com

CERTIFICATE OF SERVICE

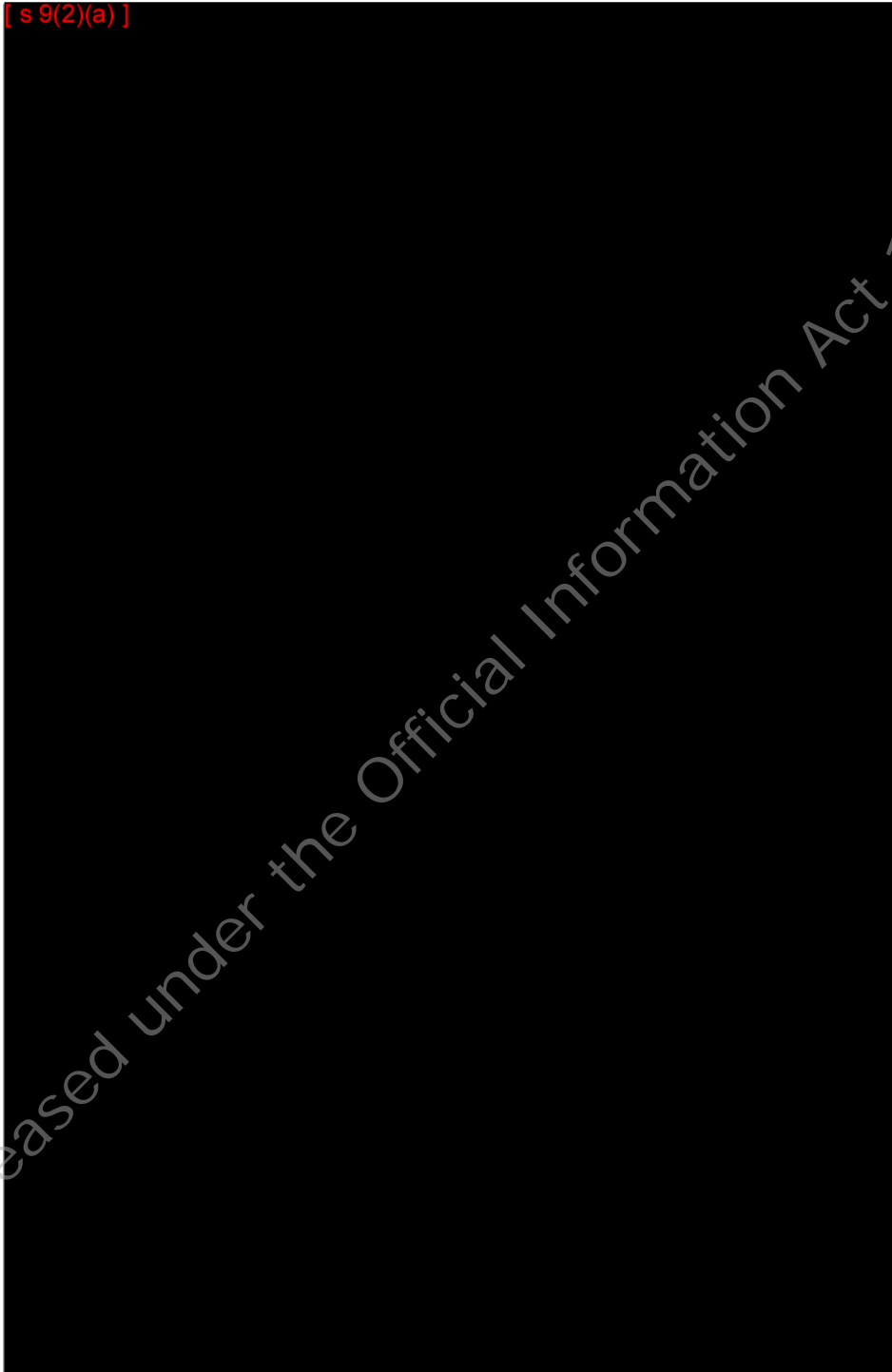
I hereby certify that on September 9, 2011, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and, on the same date, mailed and emailed copies of the same to the individuals on the attached Service List.

/s/Ryan A. Kent

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SERVICE LIST

[s 9(2)(a)]



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DECLARATION OF RYAN A. KENT

I, Ryan A. Kent, declare under penalty of perjury as follows:

1. I am attorney of record for the Plaintiffs in the instant action, Ricardo Barba, et al. v. Seung Heun Lee, et al., USDC Case No. CV09-1115-PHX-SRB. I have personal knowledge of the facts set forth below.

2. I was contacted serially by the Plaintiffs and asked to represent them in this matter throughout late 2008 and early 2009. As a sole-practitioner with part-time support staff, I realized that it would be difficult for me to handle such a complex matter involving so many plaintiffs without assistance. However, given the remarkable similarity of each Plaintiff's recruitment and indoctrination, I believed it was much more compelling to bring the all of the Plaintiffs' claims in one lawsuit. Therefore, I attempted to locate a law firm willing to associate with me in this matter. Although some attorneys expressed interest, none of the firms I spoke with were willing to associate with me in this matter. Accordingly, on May 22, 2009, I filed the instant action on my own without assistance.

3. At the time, based upon the information in my possession and the nature of the Plaintiffs' claims, I believed it was probable this matter would settle prior to protracted litigation. As it turns out, I was mistaken in this belief. At the time, I also believed that I would be able to locate a law firm willing to associate with me in this matter. As it turns out, I was also mistaken in this belief. During the many motions to dismiss and motions for summary judgment filed throughout 2009 and 2010, I continued my efforts to locate additional counsel willing to associate with me in this matter – without success.

4. From May of 2009 to the present, the amount of time I spent working on this case has severely impacted my ability to obtain or work on matters that generate an income. Handling my obligations related to working on this case without assistance took most of my available time. As a result, I turned away work, did not market, and failed to take the steps necessary to maintain my practice. Because of this, I had a negligible net income in 2010 and my practice is operating at a significant loss thus far this year. I do not have any anticipated significant income from any

source in the near future.

5. I currently only have sufficient funds available to pay my office overhead for a few more months. I need to immediately obtain and work on income generating matters or I will be unable to pay my office overhead. I am currently unable to devote the time required to do so as a result of my obligations representing the Plaintiffs in this matter.

6. Furthermore, I do not have sufficient funds available to advance the significant expenses that will be required as this case moves forward. I will not be able to advance the costs of depositions or expert witness fees.

7. My deteriorating financial condition and the demands of this case on my time were becoming an ever-increasing concern to me throughout 2011. When it became clear the case would not settle prior to the need to advance significant additional litigation expenses I could not afford, I renewed and redoubled my efforts to locate a law firm willing to associate with me in this matter – still without success.

8. On July 27, 2011, I notified the Plaintiffs that I had reached the point where I could no longer sustain the commitment of time and money required to represent them on my own. I advised that if I was unable locate other counsel who would be willing to associate with me and fund this matter, then I would have no choice but to ask the Court for permission to withdraw as their attorney. I advised them that if I withdrew, each of them would have to find another attorney to represent them or they would have to represent themselves. I advised that they each should immediately attempt to locate counsel willing to represent them in this matter. In several subsequent communications, I reiterated that the Plaintiffs should all immediately make efforts to locate other counsel willing to represent them in this matter.

9. At the Scheduling Conference on August 8, 2011, I notified the Court that I was overwhelmed and unable to meet the time demands of representing all of the Plaintiffs in this case on my own. The Court granted me a 30 day extension of time to respond to the outstanding discovery so I could attempt to locate other counsel willing to assist me with this matter. The Court advised me that if I was unable to find lawyers to help me within 30 days that I needed to

come up with a specific plan as to how I was going to continue to pursue this lawsuit by myself.

10. Unfortunately, even if this case was significantly pared down, it would still be more than I can handle as a sole practitioner with limited support staff, negligible income and no money. Even if I could handle the workload required by myself, I simply do not have the financial wherewithal to proceed. Based upon my current financial situation, I believe I have no choice but to withdraw.

11. In compliance with Local Rule 83.3(b)(2), on September 2, 2001, I advised the Plaintiffs in writing of the status of the case, including the following deadlines to respond to outstanding discovery:

<u>Requests for Production</u>	<u>Due Date</u>
CGI's 3rd Request for Production	10/3/11
Lee's 1st Request for Production	Amended Responses Due ASAP
BR Consulting's 1st Request for Production	Amended Responses Due ASAP
Oasis' 1st Request for Production	Amended Responses Due ASAP
<u>Interrogatories</u>	<u>Due Date</u>
Mrs. Lee's 1st Set of Interrogatories	09/16/11
Oasis' 1st Set of Interrogatories to Hun Kim	09/21/11
Mrs. Lee's 1st Set of Rogs to Chun Hwa Ha	09/21/11
Tao's 1st Set of Interrogatories	09/23/11
CGI's 2nd Set of Interrogatories	10/3/11
Mago's 1st Set of Interrogatories	10/3/11
DYHC's 1st Set of Amended Interrogatories	10/3/11
Tao's 2nd Set of Interrogatories	10/6/11
BR Consulting's 1st Set of Interrogatories	10/6/11

12. If I am permitted to withdraw, the Plaintiffs will require time to deal with this event. Those Plaintiffs that wish to locate other counsel to represent them will need sufficient additional time to attempt to do so. Those Plaintiffs that no longer wish to proceed with this

litigation will need sufficient time to attempt to settle their claims by way of a global release. Those Plaintiffs who wish to represent themselves will need sufficient time to familiarize themselves with the case and respond to the outstanding discovery.

13. Accordingly, on behalf of the Plaintiffs, I request a 60 day stay of this action to give the Plaintiffs time to locate other counsel or otherwise handle these matters.

14. In compliance with Local Rule 83.3(b), the last known residence address and last known telephone numbers of each of the Plaintiffs is set forth in the Certificate of Service attached to the accompanying motion to withdraw.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of September 2011, in San Rafael, California.

By: _____
Ryan A. Kent

Released under the Official Information Act 1982

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA



Case No.: 2:09-CV-1115-PHX-SRB

**ORDER GRANTING STIPULATION FOR
DISMISSAL WITH PREJUDICE AS TO
PLAINTIFF / COUNTERDEFENDANT
HEATHER CLEARY ONLY**

Plaintiffs,

v.

SEUNG HUEN LEE; JOURNG
SOOK LEE; DAHN YOGA &
HEALTH CENTERS, INC.; TAO
FELLOWSHIP; BR CONSULTING,
INC.; MAGO EARTH, INC.;
VORTEX, INC.; CGI, INC. OASIS
ARABIANS; LLC AND DOES 1 TO
100, Inclusive;

Defendants.

1 This matter came on before the Court on the Stipulation for Dismissal with
2 Prejudice as to Plaintiff / Counterdefendant Heather Cleary Only, and between
3 Defendants/Counter-claimants Dahn Yoga & Health Centers, Inc., and Mago Earth, Inc.,
4 and Defendants Seung Huen Lee; Journg Sook Lee; Tao Fellowship; BR Consulting, Inc.;
5 Vortex, Inc.; CGI, Inc., and Oasis Arabians; LLC (the "Parties") pursuant to Rule 41,
6 Fed.R.Civ.P., and good cause appearing therefore,

7 IT IS ORDERED that the claims asserted by and against the Parties in this action
8 are dismissed with Prejudice;

9 IT IS FURTHER ORDERED that Parties hereto are to bear their own costs and
10 attorneys' fees;

11 IT IS FURTHER ORDERED that this dismissal does not effect any claims any
12 other Plaintiff has against any of the Defendants or any claims or counterclaims any of the
13 Defendants have against any other Plaintiff herein.

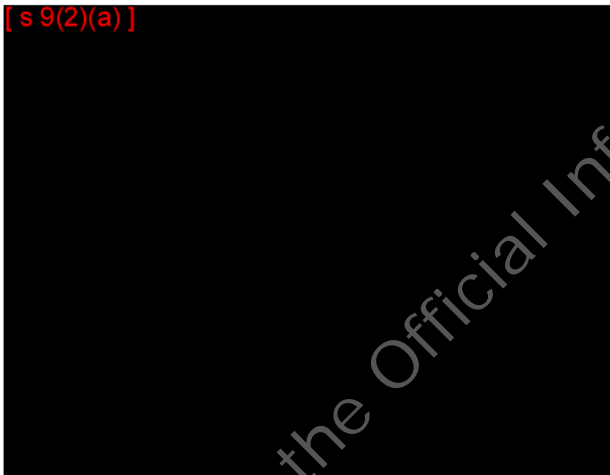
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15 DATED this 12th day of September, 2011.

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19 _____
20 Susan R. Bolton
21 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA



Case No. CV 09-1115-PHX-SRB

**ORDER GRANTING
STIPULATION FOR DISMISSAL
WITH PREJUDICE AS TO
PLAINTIFF/COUNTER-
DEFENDANT ALANA LEE
ONLY**

Plaintiffs,

v.

(Assigned to The Honorable
Susan R. Bolton)

SEUNG HUEN LEE; JOURNG SOOK LEE; DAHN
YOGA & HEALTH CENTERS, INC.; TAO
FELLOWSHIP; BR CONSULTING, INC.; MAGO
EARTH, INC.; VORTEX, INC.; CGI, INC. OASIS
ARABIANS; LLC and Does 1 to 100, inclusive;

Defendants.

This matter came on before the Court on the Stipulation for Dismissal With Prejudice As To Plaintiff/Counterdefendant Alana Lee Only, and between Defendants/Counterclaimants Dahn Yoga & Heath Centers, Inc., and Mago Earth,

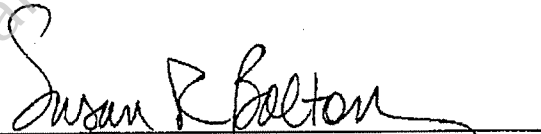
1 Inc., and Defendants Seung Huen Lee; Journg Sook Lee; Tao Fellowship; BR
2 Consulting, Inc.; Vortex, Inc.; CGI, Inc., and Oasis Arabians, LLC (the "Parties")
3 pursuant to Rule 41, Fed.R.Civ.P. [Doc. 369], and good cause appearing therefore,

4 IT IS ORDERED that the claims asserted by and against the Parties in
5 this action are dismissed with Prejudice.

6 IT IS FURTHER ORDERED that Parties hereto are to bear their own costs
7 and attorneys' fees.

8 IT IS FURTHER ORDERED that this dismissal does not affect any claims
9 any other Plaintiff has against any of the Defendants or any claims or
10 counterclaims any of the Defendants have against any other Plaintiff herein.

11 Dated this 18th day of January, 2012.

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15 Susan R. Bolton
16 United States District Judge

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18 Cc: Alana Lee
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Richardo Barba, et al.
Plaintiffs,
vs.
Seung Heun Lee, et al.
Defendants.

No. CV09-1115-PHX-SRB
ORDER

On March 12, 2012 Defendants Seung Heun Lee and Journg Sook Lee (Defendants) filed a Motion to Dismiss Plaintiffs [s 9(2)(a)] [s 9(2)(a)] for Failure to Prosecute (Doc. 438). Defendant CGI, Inc. filed a Joinder to Defendants' Motion to Dismiss on March 20, 2012. On March 29, 2012 Stipulations to Dismiss were filed as to Plaintiffs [s 9(2)(a)] [s 9(2)(a)] These Plaintiffs were dismissed on April 2, 2012. On March 13, 2012, this Court issued an Order (Doc. 443) advising Plaintiffs that their response to Defendants' Motion to Dismiss was due no later than March 29, 2011 and the consequences if they failed to respond. The Court warned Plaintiffs that "Defendants' Motion will be summarily granted if Plaintiffs fail to respond in accordance with the provisions of this Order." Plaintiffs were also advised that "LRCiv 7.2(i) provides in part "if the opposing party does not serve and file the required answering memorandum, ...such noncompliance may be deemed a consent to

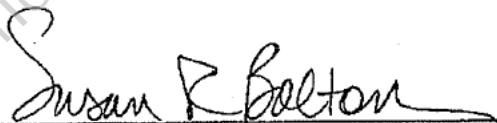
1 the denial or granting of the motion and the Court may dispose of the motion summarily.”
2 Only Plaintiff Simonson filed a Response to Defendants' Motion to Dismiss for Failure to
3 Prosecute.

4 Pursuant LRCiv.7.2(i) and this Court's March 13, 2012 Order, the Court deems
5 Plaintiffs [s 9(2)(a)] failure to serve and file the required
6 answering memorandum a consent to the granting of the Defendants' Motion to Dismiss for
7 Failure to Prosecute.

8 IT IS ORDERED granting Defendants Motion to Dismiss as Plaintiffs [s 9(2)(a)]
9 [s 9(2)(a)] only dismissing these Plaintiffs'
10 claims. (Doc. 438).

11 IT IS FURTHER ORDERED that the Court will rule on the Motion to Dismiss
12 Plaintiff Simonson after the time expires for Defendants to file a reply.

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14 DATED this 6th day of April, 2012.

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18 Susan R. Bolton
19 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA



Case No. CV09-1115-PHX-SRB

**ORDER GRANTING
STIPULATION FOR DISMISSAL
WITH PREJUDICE AS TO
PLAINTIFF/COUNTER-
DEFENDANT ALEXA
KRIEGER ONLY**

Plaintiffs,

v.

SEUNG HUEN LEE; JOURNG SOOK LEE; DAHN
YOGA & HEALTH CENTERS, INC.; TAO
FELLOWSHIP; BR CONSULTING, INC.; MAGO
EARTH, INC.; VORTEX, INC.; CGI, INC. OASIS
ARABIANS; LLC and Does 1 to 100, inclusive;

Defendants.

(Assigned to The Honorable
Susan R. Bolton)

This matter came on before the Court on the Stipulation for Dismissal
With Prejudice As To Plaintiff/Counterdefendant Alexa Krieger Only, and
between Defendants/Counterclaimants Dahn Yoga & Heath Centers, Inc., and

1 Mago Earth, Inc., and Defendants Seung Huen Lee; Journg Sook Lee; Tao
2 Fellowship; BR Consulting, Inc.; Vortex, Inc.; CGI, Inc., and Oasis Arabians,
3 LLC (the "Parties") pursuant to Rule 41, Fed.R.Civ.P., and good cause appearing
4 therefore,

5 IT IS ORDERED that the claims asserted by and against the Parties in
6 this action are dismissed with Prejudice;

7 IT IS FURTHER ORDERED that Parties hereto are to bear their own costs
8 and attorneys' fees;

9 IT IS FURTHER ORDERED that this dismissal does not affect any claims
10 any other Plaintiff has against any of the Defendants or any claims or
11 counterclaims any of the Defendants have against any other Plaintiff herein.

12 Dated this 2nd day of April, 2012.

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16 Susan R. Bolton
17 United States District Judge
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ricardo Barba, et al.
Plaintiffs,
v.
Sueng Huen Lee, et al.
Defendants.


ORDER
No. CIV-09-1115-PHX-SRB

Defendants having filed a Notice of Settlement with Plaintiffs [s 9(2)(a)]

[s 9(2)(a)]

IT IS ORDERED that the claims of the above named Plaintiffs will be dismissed with prejudice within 30 days of the date of this order unless a stipulations to dismiss are filed prior to the dismissal date.

DATED this 29th day of March, 2012.



Susan R. Bolton
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Case No. CV 09-1115 PHX-SRB
JUDGMENT IN A CIVIL CASE

[s 9(2)(a)]

Plaintiffs,

v.

Seung Huen Lee; Journg Sook Lee; Dahn
Yoga & Health Centers, Inc.; Tao
Fellowship; BR Consulting, Inc.; Mago
Earth, Inc.; Vortex, Inc.; CGI, Inc.; Oasis
Arabians, LLC and Does 1 to 100,
Inclusive,

Defendants.

IT IS ORDERED AND ADJUDGED that pursuant to the Court's order filed January
30, 2012, judgment is entered in favor of defendants and against the following plaintiffs,
without prejudice: [s 9(2)(a)]

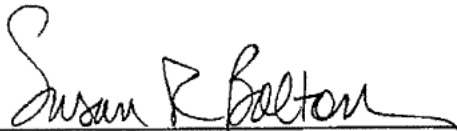
[s 9(2)(a)] . These plaintiffs are to take nothing, and the complaint and action with

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regard to [s 9(2)(a)]

[s 9(2)(a)] are dismissed.

Dated this 1st day of March, 2012.



Susan R. Bolton
United States District Judge

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-11714-RGS

[s 9(2)(a)]

v.

SEUNG HEUN LEE

MEMORANDUM AND ORDER ON DEFENDANT'S
MOTION TO RECONSIDER

January 31, 2012

STEARNS, D.J.

On October 15, 2009, [s 9(2)(a)] brought this action against defendant Seung Heun Lee, the founder of Dahnak,¹ and a number of other defendants who have since been dismissed from the case.² [s 9(2)(a)] alleged that she had been subjected to severe emotional and physical abuse while a student and then as an employee of Dahn Yoga. She further alleges that Lee raped her while she was living in Korea and working for a Dahn Yoga corporate affiliate, Brain Respiration English. On February 23, 2010, Lee moved to dismiss [s 9(2)(a)] claims based on a lack of personal

¹ Dahnak, a popular Korean school of yoga, has a following in the United States, where it is known as Dahn Yoga.

² These defendants included companies whose operations in Massachusetts Lee allegedly controlled.

jurisdiction. On July 21, 2011, the court denied the motion to dismiss, finding that [s 9(2)(a)] had pled sufficient facts to support a finding of both general and specific jurisdiction. See [s 9(2)(a)] v. *Seung Heun Lee*, 798 F. Supp. 2d 310, 317 (D. Mass. 2011). In its Order, the court stated:

Lee makes a number of highly inflammatory accusations against [s 9(2)(a)] in a motion for reconsideration brought in the District of Arizona to the effect that her account of her experiences in Korea, including her claims of isolation and penury, is a confabulation of easily disproved 'shams, misrepresentations and outright lies.' Defs.' Mot. for Recons. at 5, No. 2:09-CV-01115-SRB, Dkt. #128. If this is true, and if it impugns the court's finding of jurisdiction, Lee may ask the court to revisit the issue by way of a motion that properly places the accompanying exhibits before the court in a way that gives [s 9(2)(a)] an adequate opportunity to respond. Cf. *Larson v. United States*, 274 F.3d 643, 648 (1st Cir. 2001).

Id. at 318 n.8. On August 9, 2011, Lee filed a motion to reconsider, pursuant to Fed. R. Civ. P. 54(b), providing the court with a number of exhibits that tended to disprove, or at the very least, shed serious doubt, on [s 9(2)(a)] substantive claims as well as the facts she had asserted in support of the exercise of personal jurisdiction over Lee.

On August 23, 2011, [s 9(2)(a)] responded to Lee's motion to reconsider, and on August 29, 2011, Lee filed a reply. On October 13, 2011, attorney William Hoilman, co-counsel for [s 9(2)(a)], withdrew, leaving Ryan Kent as [s 9(2)(a)] sole attorney. On October 18, 2011, Kent also filed a motion to withdraw as [s 9(2)(a)] attorney in this action, having previously done so in [s 9(2)(a)] related Arizona action against

Lee. The court granted his motion to withdraw and on October 19, 2011, ordered that: "Plaintiff will have thirty (30) days to obtain successor counsel, or if she intends to represent herself, to file any supplemental briefings related to her opposition to defendants' motion to reconsider. Failure to comply with the court's Order will be treated as a declaration of intent to prosecute the action no further." On October 21, 2011, [s 9(2)(a)] proceeding pro se, filed a letter with the court requesting a ninety (90) day extension to seek new counsel. The same day, in response, the court gave [s 9(2)(a)] "an additional thirty (30) days to seek new counsel or file any additional briefing with respect to her opposition to defendant's motion to reconsider. Thus, plaintiff has sixty (60) days from the date of the court's order on Atty. Kent's motion to withdraw as counsel [October 19, 2011] to proceed with the action."

On December 16, 2011, [s 9(2)(a)] again filed for an extension of time, requesting that the court permit her until January 23, 2012, to retain successor counsel or proceed pro se.³ On December 19, 2011, this court granted [s 9(2)(a)] motion for extension of time, noting that "[t]he court will not consider any further requests for an extension of time." As of the date of this Order, [s 9(2)(a)] has failed to comply with the court's order that she find successor counsel or file an opposition to Lee's

³ January 23, 2012, was the deadline Judge Bolton in the District Court of Arizona had given [s 9(2)(a)] to obtain successor counsel or proceed pro se.

motion to reconsider on a pro se basis.

ORDER

For the foregoing reasons, defendant's motion to reconsider is ALLOWED. The case is hereby DISMISSED with prejudice for failure to prosecute. The Clerk will enter an Order of Dismissal and close the case.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

[s 9(2)(a)]

Plaintiff

V.

CIVIL ACTION

NO. 09-11714-RGS

Seung Heun Lee

Defendant

ORDER OF DISMISSAL

STEARNS, D. J.

In accordance with the Court's Memorandum and Order dated 1/31/12
granting defendant's motion to reconsider, it is hereby ORDERED that the
above-entitled action be and hereby is dismissed for failure to prosecute.

1/31/12

Date

By the Court

/s/ Elaine Flaherty

Deputy Clerk



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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

[s 9(2)(a)]
Plaintiff,
v.
SEUNG HEUN LEE, *et al.*
Defendants.

No. 1:10cv131 (AJT/JFA)

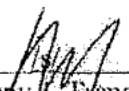
ORDER

Upon consideration of the Defendants' Joint Motion to Dismiss (Doc. No. 89), the opposition thereto, and the argument of counsel at the hearing held on September 10, 2010, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the Defendants' Joint Motion to Dismiss (Doc. No. 89) be, and the same hereby is, GRANTED, and Counts One and Two of the Amended Complaint (Doc. 76) be, and the same hereby are, DISMISSED; and it is

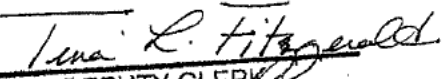
FURTHER ORDERED that Counts Five, Six, and Seven of the Amended Complaint (Doc. No. 76) be, and the same hereby are, DISMISSED without prejudice.

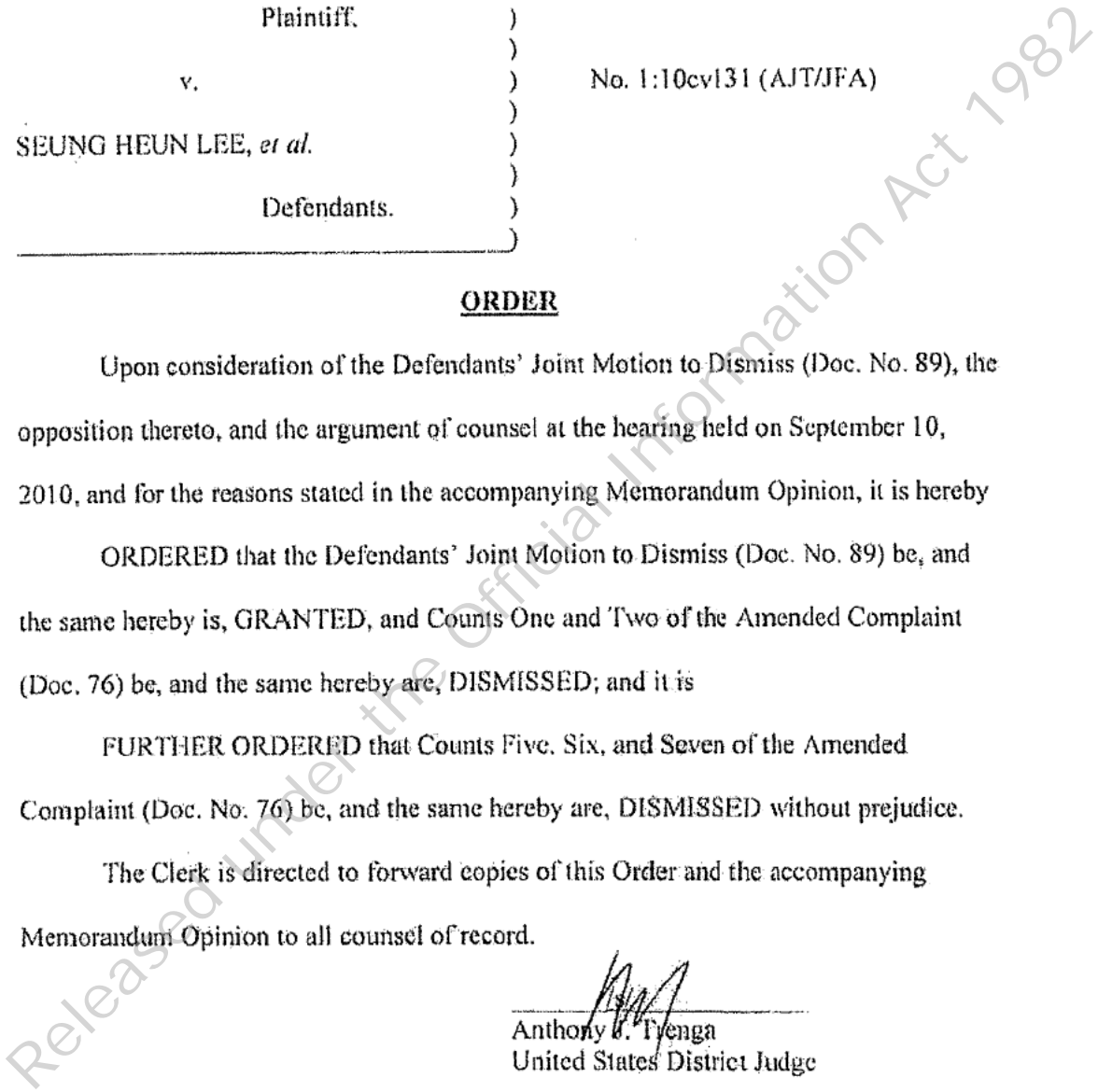
The Clerk is directed to forward copies of this Order and the accompanying Memorandum Opinion to all counsel of record.


Anthony V. Tranga
United States District Judge

Alexandria, Virginia
September 21, 2010

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY 
LENA L. FITZGERALD
DEPUTY CLERK



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

[s 9(2)(a)])
)
 Plaintiff,)
)
 v.) No. 1:10cv131 (AJT/JFA)
)
 SEUNG HEUN LEE, *et al.*)
)
 Defendants.)

Memorandum Opinion

On July 23, 2010, plaintiff [s 9(2)(a)] filed an Amended Complaint (Doc. No. 76), in response to which the defendants filed Defendants' Joint Motion for Partial Dismissal of Plaintiff [s 9(2)(a)] Amended Complaint (Doc. No. 89) (the "Motion").¹ Specifically, [s 9(2)(a)] seven count Amended Complaint alleges RICO and

¹ In response to the original Complaint (Doc. No. 1), defendants moved to dismiss pursuant to Fed. R. Civ. P 12(b)(6) and 12(b)(2). In those motions, the defendants claimed that the fraudulent statements alleged as the basis for the mail and wire fraud that formed the pattern of racketeering activity in Count One (RICO) lacked sufficient specificity as required under Fed. R. Civ. P. 9(b). A similar claim was made as to the common law fraud claims and claims under the Virginia Consumer Act. In addition, defendant Dahn World challenged personal jurisdiction. By order dated July 12, 2010 (Doc. No. 75), the Court denied defendants' motions to dismiss the RICO claims, finding that although some of [s 9(2)(a)] allegations lacked specificity required by Rule 9(b), there were specific allegations against then defendant Alexandria Dahn Yoga Center ("ADYC") sufficient for the purposes of alleging mail and wire fraud as predicate acts. The Court also found that [s 9(2)(a)] failure to attribute multiple misrepresentations to each defendant was not fatal to the RICO counts as the alleged mail and wire fraud scheme pertained to all of the defendants and sufficiently alleged their participation in that scheme to defraud. The Court dismissed the state law fraud claim and the claim under the Virginia Consumer Protection Act as to all defendants except ADYC, concluding that the Complaint failed to allege specific misrepresentations by the other defendants. The Court

RICO conspiracy claims as to all defendants (Counts One and Two); federal wage and hour law violations as to defendant Dahn Yoga & Health Centers, Inc. (Counts Three and Four); violation of the Virginia Consumer Protection Act as to defendants Ilchi Lee, Dahn Yoga & Health Centers, Inc., and Tao Fellowship (Count Five); common law fraud as to defendants Ilchi Lee, Dahn Yoga & Health Centers, Inc., Tao Fellowship, Dahn Foundation, and HSP Ranch (Count Six); and intentional infliction of emotional distress as to defendants Ilchi Lee, Dahn Yoga & Health Centers, Inc., Tao Fellowship, Dahn Foundation, and HSP Ranch (Count Seven). The defendants move to dismiss all claims except for the wage and hour law violations under Counts Three and Four. The defendants also raise jurisdictional challenges, arguing that should the Court dismiss the RICO claims, the Court would lack subject matter jurisdiction over the state law claims and personal jurisdiction over all but defendant Dahn Yoga & Health Centers, Inc. As to the RICO and RICO conspiracy claims (Counts One and Two), defendants claim that the Amended Complaint fails to sufficiently allege, for the purpose of Section 1962(c)(1), a pattern of racketeering activity; (2) defendants' employment by or association with a RICO enterprise; or (3) an enterprise that exists sufficiently separate and apart from the defendants themselves. A hearing on the Motion was held on September 10, 2010, following which the Court took the matter under advisement.

dismissed the intentional infliction of emotional distress claim against all defendants except ADYC. The Court also dismissed as to all defendants claims for unjust enrichment, negligent infliction of emotional distress, and breach of fiduciary duty. The Court granted leave to file an amended complaint that attributed additional specific statements to specific defendants. In their motions to dismiss, the defendants did not challenge the sufficiency of the Complaint's allegations pertaining to the RICO enterprise and the Court did not consider that issue. As stated by the defendants, the defendants' challenge to the RICO claims is prompted by the Amended Complaint's new allegations of agency.

After consideration of the Motion, the opposition filed thereto and the arguments of counsel, the Court concludes that [s 9(2) (a)] has failed to sufficiently allege a RICO enterprise that is separate and distinct from the defendants themselves and that the RICO and RICO conspiracy claims should be dismissed on those grounds. The Court also concludes that in the absence of the RICO and RICO conspiracy claims, this Court should not exercise its supplemental jurisdiction over the alleged state law claims (Counts Five, Six, and Seven). For these reasons, those claims will be dismissed without prejudice; and this case will proceed only against defendant Dahn Yoga & Health Centers, Inc. on Counts Three and Four, alleging violations of the Fair Labor Standards Act.

Statement of Facts

Plaintiff's specific allegations are discussed in this Court's Memorandum Opinion dated July 12, 2010 (Doc. No. 74). Very briefly summarized, [s 9(2) (a)] claims he was systematically indoctrinated and defrauded over the course of a year, from September 2007 to August 2008, by the defendants acting through a network of affiliated entities formed and controlled by defendant Sung Heun Lee (hereinafter "Ilchi Lee" or "Lee"), the network's spiritual leader.²

² The Amended Complaint, while expanding the original complaint from 77 pages to 90 pages, does not materially add to the plaintiff's substantive allegations of wrongdoing, but rather (1) eliminates as a defendant Alexandria Dahn Yoga Center, which is now alleged to be, in fact, part of defendant Dahn Yoga & Health Centers, Inc., which was the sole shareholder of ADYC until July 2007, at which time ADYC was merged into DYHC; and (2) alleges a number of agency relationships among the defendants, through which [s 9(2) (a)] attributes the fraudulent statements to certain defendants, including the substance of those alleged misrepresentations the Court previously determined had been adequately pled as to former defendant ADYC.

Named as defendants in the Amended Complaint in addition to Lee are (1) Dahn World Co., Ltd. (hereinafter "Dahn World"); (2) Dahn Yoga & Health Centers, Inc. (hereinafter, "DYHC"); (3) Dahn Foundation; (4) BR Consulting NJ, Inc. (hereinafter "BR Consulting"); (5) HSP Ranch; (6) Tao Fellowship ; and (7) John Does Nos. 1-20. In paragraphs 9 through 17 of the Amended Complaint, [s 9(2)(a)] describes the defendants and their relationships to each other. As alleged in the Amended Complaint, defendant Lee is the "Grand Master" of the entire Dahn network, which consists of Lee and the other defendants. Amended Complaint. at ¶¶ 9, 34. In that connection, [s 9(2)(a)] alleges Lee formed, operates and controls defendant Dahn World, which provides internet and computer services. Dahn World, in turn, owns 74% of the defendant DYHC. DYHC operates directly or is affiliated with nearly 1,000 Dahn yoga centers worldwide, including the Dahn Yoga and Health Family Center, in Alexandria, Virginia (hereinafter "ADYC"), where [s 9(2)(a)] was first introduced to Lee's affiliated entities and where [s 9(2)(a)] later worked. DYHC also founded defendant Dahn Foundation, which coordinates volunteer activities in fifteen cities, providing "brain education" training to members of those communities. The Dahn Foundation also provides support for a community service initiative known as the "Phoenix Project," which [s 9(2)(a)] also attended.

Lee also serves as a director of defendant Tao Fellowship, which owns and operates meditation and retreat centers, youth camps, and healer schools, including two retreats that [s 9(2)(a)] attended, "Tao Holistic Healing" and "Dahnmudo School." Lee is also the founder, President and Chief Operating Officer of defendant BR Consulting, which licenses proprietary rights (i.e. Lee's "philosophy," etc.) to other Dahn related entities

and also owns and operates as a subsidiary defendant HSP Ranch, where [REDACTED] attended a “Chunhwa Mediation Tour” at “HSP Earth Village” in July 2008.

Legal Standard

In order to survive a motion to dismiss under Fed. R. Civ. P. 12(b)(6), a complaint must set forth “a claim for relief that is plausible on its face.” *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009); *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). In that regard, the Court must construe the complaint in the light most favorable to the plaintiff, read the complaint as a whole, and take the facts asserted therein as true. *Mylan Lab., Inc. v. Matkari*, 7 F.3d 1130, 1134 (4th Cir. 1993). However, “[c]onclusory allegations regarding the legal effect of the facts alleged” need not be accepted. *Labram v. Havel*, 43 F.3d 918, 921 (4th Cir. 1995). For that reason, a claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Iqbal*, 129 S. Ct. at 1949; *Twombly*, 550 U.S. at 556. “A pleading that offers labels and conclusions or a formulaic recitation of the elements of a cause of action will not do.” *Iqbal*, 129 S. Ct. at 1949 (2009); *Twombly*, 550 U.S. at 555. A complaint is also insufficient if it relies upon “naked assertions devoid of further factual enhancement.” *Iqbal*, 129 S. Ct. at 1949 (internal citations omitted). The central purpose of the complaint is to provide the defendant “fair notice of what the plaintiff’s claim is and the grounds upon which it rests,” and the plaintiff’s legal allegations must be supported by some factual basis sufficient to allow the defendant to prepare a fair response. *Twombly*, 550 U.S. at 555.

Analysis

I. Failure to State a Claim as to Counts One (RICO, 18 USC § 1962 (c)) and Two (RICO Conspiracy, 18 USC § 1962(d))

In order to state a RICO claim, § 9(2)(a) must adequately allege that a defendant engaged in the (1) conduct; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity. § 9(2)(a) must also allege that he was injured in his business or property because of the RICO violation. *D'Addario v. Geller*, 264 F. Supp. 2d 367, 396 (E.D. Va. 2003).

A. *Plaintiff Has Not Sufficiently Alleged An Enterprise Distinct from the Defendants*

Section 1962(c) limits RICO liability to a "person employed by or associated with any enterprise." 18 U.S.C. § 1962(c). An "enterprise" is defined as "any individual, partnership, corporation, association or other legal entity, and any union or group of individuals associated in fact, although not a legal entity." 18 U.S.C. § 1961(4). Courts are in agreement that for the purposes of liability under Section 1962(c), a RICO person must be distinct from the RICO enterprise. *Palmetto State*, 117 F.3d 142, 148 (4th Cir. 1997).³ Thus, "liability depends on showing that the defendants conducted or participated in the conduct of the 'enterprise's affairs,' not just their own affairs." *Reves v. Ernst & Young*, 507 U.S. 170, 185 (1993) (emphasis in the original); *New Beckley Mining Corp. v. Int'l Union, United Mine Workers of America*, 18 F. 3d 1161, 1163-64 (4th Cir. 1994) (finding the alleged RICO person, the International, Union, United Mine Workers of

³ Every Circuit now holds that the RICO enterprise must be distinct from the RICO persons, with the Eleventh Circuit the final court to do so. *See United States v. Goldin Indus.*, 219 F.3d 1268, 1270 (11th Cir. 2000) (reversing its position that 1962(c) does not contain a distinctiveness requirement, and noting that every circuit is now in agreement).

America and its employees, was not distinct from the alleged enterprise consisting of the Union along with its local chapters).⁴

For the RICO enterprise (hereinafter referred to as the "Dahn Organization"), [s 9(2)(a)] alleges that "[a]t all times relevant to this [Amended] Complaint, the defendants . . . , along with others, constituted an 'enterprise' as defined in 18 U.S.C. §§ 1961(4) and 1962(c) (hereinafter, the 'Dahn Organization')." Amended Complaint at ¶ 34. Further describing the "enterprise," [s 9(2)(a)] alleges that "[t]he Dahn Organization was an association in fact among the individuals and corporations acting in concert to target, control, and defraud its victims of their health, liberty, and property for the financial benefit of the Dahn Organization and its leader, Ilchi Lee." Amended Complaint at ¶ 34. [s 9(2)(a)] further alleges that the "Dahn Organization's component entities share officers and directors and are otherwise interrelated." Amended Complaint at ¶ 37. In that regard, the Dahn Organization allegedly operates in a "hierarchical manner" and defendant Lee "coordinates and directs the Dahn Organization's strategy within the United States and worldwide," such that "in the United States, instructions and information flow from Ilchi Lee and national elements of the Dahn Organization to individual Dahn Yoga Centers." Amended Complaint at ¶ 38. This top-down command and control is accomplished by defendants' acting through a series of interconnecting agency relationships, including the following non-party participants:

[s 9(2)(a)]

⁴ In *Boyle v. United States*, 129 S. Ct. 2237 (2009), the Supreme Court liberally construed the structure requirements of an association-in-fact enterprise. It did not alter the distinctiveness required between the RICO person and the RICO enterprise.

[s 9(2)(a)]

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Overall, [§ 9(2)(a)] alleged that “the purpose of the Dahn Organization, operating through its members and other affiliated individuals, is to financially exploit the Dahn Organization’s customers, members and employee’s for the benefit of the Dahn Organization and its leader Ilchi Lee.” Amended Complaint at ¶ 42.

The Amended Complaint fails to allege a RICO enterprise that operates or functions in a way distinct from the defendants themselves. There is a complete overlap between the defendants, their alleged agents, and the enterprise. Indeed, the defendants are alleged to be, in fact “the Dahn Organization,” and nowhere in the Amended Complaint are there any allegations that the affairs of the enterprise are any different from the affairs of the defendants. See *Arguaga-Collazo v. Oriental Federal Savings Bank, et al.*, 913 F.2d 5, 6 (1st Cir. 1990) (Breyer, C.J.) (“[A]n ‘enterprise’ does not ‘conduct and participate . . . in the conduct of’ that same enterprise’s affairs.”) (emphasis in original).

The defendants through their various agents are alleged to have made fraudulent statements encouraging [§ 9(2)(a)] and others to participate in various activities and programs in order to recruit and extort individuals under the auspices of inherently fraudulent spiritual and physical healing. These allegations are no different from the alleged activities attributed to the enterprise. In fact, [§ 9(2)(a)] alleges that defendant Lee formed, dominates, and controls the network of affiliated defendants precisely for the same purposes of promoting and facilitating his allegedly fraudulent scheme as those attributed to the RICO enterprise consisting of the same defendants. The sum total of the allegations set forth in the Amended Complaint does no more than allege that the defendants associated with themselves for the purpose of conducting defendant Lee’s and the other

defendants' business affairs through entities created for that purpose. See *Yellow Bus Lines, Inc. v. Drivers, Chauffeurs & Helpers Union* 639, 839 F.2d 782, 791 (D.C. Cir. 1988) (holding that "an organization cannot join with its own members to do that which it normally does and thereby form an enterprise separate and apart from itself."), modified on other grounds en banc, 913 F. 2d 948, 951 (D.C. Cir. 1990); *Arguaga-Collazo*, 913 F.2d at 6 (concluding that the complaint fails to state a claim under RICO because it does not allege that the defendants conducted or participated in the conduct of "some other, larger, unlawful enterprise").

§ 9(2)(a) argues that he has properly alleged a distinctiveness between the defendants and the enterprise because each of the defendants meets the definition of a "person" under RICO, relying heavily on the holding in *Cedric Kushner Promotions, Ltd. v. King*, 533 U.S. 158, 161 (2001) (finding the president and sole shareholder of a corporation a distinct RICO "person" from the RICO "enterprise" he managed). While § 9(2)(a) is correct that each of the defendants meets the definition of a "person" for the purposes of RICO, the activities of the alleged enterprise must be distinguishable from the normal day to day activities of these "persons." As the Supreme Court observed in *Cedric*:

We do not quarrel with the basic principle that to establish liability under § 1962(c) one must allege and prove the existence of two distinct entities: (1) a "person"; and (2) an "enterprise" that is not simply the same "person" referred to by a different name. The statute's language, read as ordinary English, suggests that principle. The Act says that it applies to "persons" who are "employed by or associated with" the "enterprise." § 1962(c). In ordinary English one speaks of employing, being employed by, or associating with others, not oneself.

Id. at 158.

Here, [§ 9(2)(a)] has alleged only an enterprise that is the defendants by a different name, the Dahn Organization. In the end, the Amended Complaint alleges only that the RICO persons joined together for the purposes of conducting their own affairs. In reaching its decision, this Court does not reject the possibility, recognized in several circuits,⁵ that a RICO defendant can be both a RICO "person" and one of a number of members of the RICO "enterprise." While the Dahn Organization may qualify as an association-in-fact enterprise, [§ 9(2)(a)] must still prove these defendants participated "in the conduct of enterprise's affairs, not just their own affairs." *Reves*, 507 U.S. at 185. The complete identity between the defendants, their agents, and the enterprise is particularly clear in this case since, as alleged, the purposes and personality of defendant Lee dominate both the defendants and the enterprise, neither of which has a purpose distinct from the goals and objectives of the other, from defendant Lee himself, or from his inherently fraudulent philosophy and activities. *See* Amended Complaint at ¶ 34.

For these reasons, the Court concludes that [§ 9(2)(a)] has failed to allege a RICO enterprise distinct from the defendants.

B. Plaintiff Has Not Properly Alleged A RICO Conspiracy Claim

To state a claim for RICO conspiracy pursuant to § 1962(d), [§ 9(2)(a)] must allege that there was (1) an agreement to further or facilitate (2) an act that is independently wrongful under RICO. *See Beck v. Prupis*, 529 U.S. 494, 505 (2000); *Salinas v. U.S.*, 522 U.S. 52, 65-66 (1997). [§ 9(2)(a)] adequately alleged that the various defendants agreed to further the goals of the Dahn Organization. However, as discussed above, [§ 9(2)(a)] failed to adequately plead the existence of an enterprise distinct from the defendants. Having

⁵ *See, e.g., Cullen v. Margiotta*, 811 F.2d 698, 729-30 (2d. Cir 1987); *Atlas Pile Driving Co. v. DiCon Fin. Co.*, 866 F.2d 986, 995 (8th Cir. 1989).

failed to allege adequately a RICO offense that was the object of the alleged conspiracy, [§ 9(2)(a)] alleged RICO conspiracy must be dismissed. *See GE Inv. Private Placement Partners II v. Parker*, 247 F.3d 543, 551 (4th Cir. 2001) (“Because the pleadings do not state a substantive RICO claim under § 1962(c), Plaintiffs’ RICO conspiracy claim fails as well.”).

C. This Court Declines to Exercise Supplemental Jurisdiction over the State Law Claims

28 U.S.C. § 1367(a) provides:

Except as provided in subsections (b) and (c) or as expressly provided otherwise by Federal statute, in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution. Such supplemental jurisdiction shall include claims that involve the joinder or intervention of additional parties.

[§ 9(2)(a)] invokes this Court’s federal question jurisdiction and its supplemental jurisdiction under § 1367.⁶ In the absence of the RICO and RICO conspiracy claims, this Court has federal question jurisdiction under 28 U.S.C. § 1331 only as to the Fair Labor Standards claims asserted against defendant DYHC in Counts Three and Four.

[§ 9(2)(a)] state law claims have little affinity to the FLSA claims. Rather, they are based on essentially the same allegations as the deficient RICO and RICO conspiracy claims, and the overwhelming majority of the 90 page, 220 paragraph Amended Complaint relate to those state law and RICO claims, as opposed to the FLSA claims.

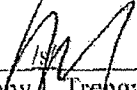
⁶ In his opposition to defendants’ motion to dismiss, [§ 9(2)(a)] claims that this Court also has subject matter jurisdiction over the state law claims based on diversity of citizenship, 28 U.S.C. § 1332. However, [§ 9(2)(a)] did not assert such jurisdiction in either the original Complaint or the Amended Complaint and this Court will not consider whether it has jurisdiction other than as pleaded in the Amended Complaint.

While the allegations related to the state law claims may be sufficiently related to the FSLA claims to "form part of the same case or controversy under Article III of the United States Constitution," there is no doubt that they "substantially predominate over the claim or claims over which the court has original jurisdiction." 28 U.S. C. § 1367 (c)(2). They also present "novel or complex issues of state law," including issues pertaining to personal jurisdiction over certain defendants and whether under state law certain of the alleged misrepresentations are actionable. For these reasons, this Court declines to exercise supplemental jurisdiction over Counts Five, Six and Seven.

Conclusion

For the above reasons, the Court dismisses Counts One and Two, and declines to exercise supplemental jurisdiction over Counts Five, Six, and Seven.

An appropriate Order will issue.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
September 21, 2010

**A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT**

BY Tina L. Fitzgerald
DEPUTY CLERK

[s 9(2)(g)(ii)]

Immigration New Zealand
160 Lambton Quay (Level 12),
Wellington 6011,
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MATTER NO 402-3661
DATE 17 May 2018

1. Introduction

- 1.1 We act for Mr Seung Heun Lee and refer to correspondence with Immigration New Zealand (INZ), initiated by our 27 September 2017 letter advising that having then just established there was a character matter we wished to bring this to INZ's attention, without delay. This was notwithstanding it related to events that occurred almost 25 years earlier. For completeness, that letter is attached as **Annexure A**.

2. Executive summary

- 2.1 Mr Lee does not speak or read English. A work visa prepared for Mr Lee by an associate in November 2014 attached a police certificate issued by the Korean authorities.
- 2.2 That police certificate correctly did not refer to a 1993 conviction for having sold an innocuous amalgam of roots and mountain flowers as a health supplement – a mixture apparently frequently produced by locals and for having held a weekend lecture at premises not licensed for that.
- 2.3 When the same associate later compiled Mr Lee's residence application less than 6 months later, no police certificate was needed – it had been provided for the work visa. The associate knew Mr Lee well and knew him to be an honorable man. Understandably in our view, he did not probe or identify to Mr Lee that convictions wiped by clean slate provisions needed to be disclosed.
- 2.4 When the convictions came to our attention, we realized that this should have been disclosed. Mr Lee's Korean advisors were of the view that the effect in Korea of the type of suspended sentence was expungement from the outset. The conservative position was taken and Mr Lee asked that we make disclosure promptly.
- 2.5 Mr Lee did not conceal his conviction.
- 2.6 Our review of the legislation and our analysis of all of the relevant cases leads us to the conclusion that Mr Lee should not be liable for deportation.
- 2.7 Irrespective of that analysis, we outline Mr Lee's considerable contribution to New Zealand and the significant additional opportunity that is naturally on hold, pending resolution of this matter. Mr Lee wants it made known how happy he has been made to feel in New Zealand and that while New Zealand certainly has much to gain, he has much to lose if he is required to leave.

3. Background

- 3.1 Our 27 September letter provides background in relation to Mr Lee and outlines the events leading to a conviction, in Korea, in 1993.
- 3.2 On learning of the conviction and that this had not been disclosed, it was explained to us that all of the information thought needed for Mr Lee's residence application had been collated by an associate, largely reliant on information previously assembled for a work visa application prepared by the same associate.
- 3.3 The Korean police certificate for Mr Lee made no mention of an old conviction because, we were advised, the Korean Criminal Code had the effect of expunging, from the outset, Mr Lee's conviction. This had to do with (either or both) the nature of the sentence and the prolonged passage of time that had elapsed without any further offending.
- 3.4 As subsequently established, detailed Korean advice suggests the Korean provisions are not substantially different to New Zealand's clean slate provisions.
- 3.5 On 24 October 2017 INZ's Business Migration Branch (**BMB**) wrote to say that it appeared section 160 of the Immigration Act 2009 (the **Act**) may apply and that further information was being sought before a final decision would be made. We responded on 8 November 2017 offering a detailed view as to why section 160 does not apply. A copy of our letter is attached as **Annexure B**.
- 3.6 By its letters of 10 January and 5 February 2018, respectively, INZ's Resolutions Team asked us to clarify, details of the sentence and of the operation of Article 65 of the Korean Criminal Code and then about an 18 February 2010 article in *Rolling Stone* magazine. Attached as **Annexures C** and **D**, respectively.
- 3.7 Our letter of 15 February 2018 replied providing a copy of a letter addressed to our client by *Seoul Eastern District Public Prosecutor's Office* (including a translation) which detailed the offending and the sentence. It also commented (based on advice sent to us) that there seemed not to be a substantive difference between the Korean position and New Zealand's clean slate provisions. It also responded to those aspects of the *Rolling Stone* magazine that we had been asked to comment on. This is attached as **Annexure E**. Our letter the following day **Annexure F** corrected an error in the earlier *Seoul Eastern District Public Prosecutor's Office* document, and again attached a translation of that updated document.

4. Investigation

- 4.1 INZ's 18 April 2018 letter advises that there is an investigation by INZ as to whether our client may be liable for deportation on the basis that in his application for residence dated 24 April 2015 he concealed from INZ that he had been convicted of an offence. As a consequence of the alleged concealment, it is said that he may be liable for deportation pursuant to section 158(1)(b)(i) of the Act.
- 4.2 You advise that the Minister of Immigration (the **Minister**) will now decide whether Mr Lee is liable for deportation and (presumably, if so) whether his deportation should proceed or whether the liability should be suspended or cancelled.
- 4.3 You invite submissions on the matter, which you advise will be considered by the Minister as he makes his decision. The due date for those submissions is, by agreement, 17 May 2018.
- 4.4 Thank you for inviting us to make submissions. We begin by considering the scheme of relevant parts of the Act.

5. The scheme of the Act

5.1 Section 57(1) of the Act (unless otherwise indicated all references to sections are to the Act) provides that:

An application for a visa must be made in the manner prescribed for the class or type of visa sought.

5.2 It is implicit that making an application in the prescribed manner includes answering the questions posed in a manner that is complete and accurate including whether the applicant has any previous convictions.

5.3 Section 58(1) says that:

It is the responsibility of an applicant for a visa to ensure that all information, evidence, and submissions that the applicant wishes to have considered in support of the application are provided when the application is made.

5.4 The cumulative effect of sections 58(1) and (2) is applicants must answer all questions accurately and that bringing matters to INZ's attention, irrespective of whether they be potentially prejudicial or thought to be of assistance to applicants is their responsibility. Failure to do so will not assist an applicant who considers that INZ ought to have asked for information before determining an application. This is because section 58(2) is the effect that:

The Minister or immigration officer considering the application—

- (a) is not obliged to seek any further information, evidence, or submissions; and
- (b) may determine the application on the basis of the information, evidence, and submissions provided

5.5 Section 58(3) obliges an applicant to bring to INZ's attention any relevant fact, including any material change in circumstance that occurs after the application is made, which may affect:

- (a) the decision on the application; or
- (b) the decision to allow the applicant permission to enter New Zealand reliant on the visa for which the application is made.
- (c) Because consideration of a family member's position - partners, spouses, children etc (in this letter referred to as **secondary applicants**) may be reliant on information pertaining to the principal applicant, section 58(4) makes a material change in circumstances reportable, irrespective of whether the matter relates to the principal or a secondary applicant included in that same application.

5.6 The scheme of the legislation is therefore to:

- (a) Require applicants to apply in a prescribed manner and to answer prescribed questions truthfully.
- (b) Make applicants responsible for putting all information they want or are required to have considered before INZ when an application is made.

- (c) Allow INZ to consider and determine applications based on the information put before it.
- (d) Oblige applicants to bring to INZ's attention any material change in the applicant's circumstances that occurred after the application was made that might affect INZ's decision.

5.7 The decision whether to deport is the Minister's to make. Before the Minister decides the question there must, as a matter of law, be a liability for deportation.

6. Liability for deportation

6.1 Section 158 contemplates two possibilities, leading to determining liability under section 158(1)(a) or (b). Under section 158(1)(a) the person will have been convicted of their wrongdoing; in (b), not. However, the wrongdoing, whether leading to consider application of (a) or (b) is identical:

(i) any of the information provided in relation to the person's application, or purported application, for a residence class visa or entry permission was fraudulent, forged, false, or misleading, or any relevant information was concealed; or

(ii) any of the information provided in relation to the person's, or any other person's, application, or purported application, for a visa on the basis of which the residence class visa was granted was fraudulent, forged, false, or misleading, or any relevant information was concealed;

7. Plain meaning

7.1 The plain meaning of "fraudulent, forged, false, or misleading, or ... concealed" indicates that intent is required. Particularly in the context of this phrase, "concealed" requires intent as opposed to an unintended omission.

7.2 The *Shorter Oxford English Dictionary* defines conceal as meaning:

1. To keep from the knowledge or observation of others. 2. To put or keep out of sight of notice, to hide.

and concealment as meaning:

1. The concealing (of any information). In Law, The intentional suppression of truth or fact known, to the injury or prejudice of another

8. Section 158(1)(a) and (b) compared

8.1 Under section 158(1)(a) a residence class visa holder who provided information that was fraudulent, forged, false, or misleading, or who concealed any relevant information is liable for deportation if that person is convicted of an offence

8.2 The most relevant offence is under section 342. Significantly (though in our view not surprisingly) that requires knowledge on the part of the offender:

Every person commits an offence against this Act who—

(a) makes any statement, or provides any information, evidence, or submission, knowing that it is false or misleading in any material respect, in support of—

(i) any application or request (whether by that person or by another person) for a visa

or entry permission, or any expression of interest in a visa; or¹

- 8.3 The only person liable for deportation under section 158(1)(a) is the residence class visa holder convicted of the offence of providing forged etc information – whether in relation to their own or another's application:

A residence class visa holder is liable for deportation if –
(a) the person is convicted of an offence...

- 8.4 By contrast section 158(1)(b) may apply to:

- (a) render a secondary applicant liable for deportation where the primary applicant was convicted (as contemplated in section 158(1)(a))
- (b) render a secondary applicant liable for deportation where the primary applicant provided fraudulent, forged, false, or misleading information, or concealed any relevant information whether that fraud or concealment relates to:
 - (i) the primary applicant; or
 - (ii) the secondary applicant

- 8.5 Unless the words in the phrase "information provided...was fraudulent, forged, false, or misleading, or any relevant information was concealed" are intended to be interpreted to require an element of intention or culpability, an innocent or unintentional error would render a person "liable for deportation".

- 8.6 A cursory review of relevant case law might lead to a conclusion that in circumstances where there has not been a conviction – so that any liability for deportation would rely on section 158(1)(b) – *mens rea* is not required. A more careful analysis indicates otherwise.

- 8.7 We have reviewed all relevant cases and a summary of the relevant facts and findings, together with our comments, follows.

- 8.8 Whenever the Courts have concluded there is no knowledge or *mens rea* requirement, it has been in circumstances where:

¹ Reproduced in full section 342 is to the effect that:

342 Provision of false or misleading information

(1) Every person commits an offence against this Act who—

(a) makes any statement, or provides any information, evidence, or submission, knowing that it is false or misleading in any material respect, in support of—

(i) any application or request (whether by that person or by another person) for a visa or entry permission, or any expression of interest in a visa; or

(ii) any request for variation, waiver, or cancellation of the conditions of a visa; or

(iii) any appeal or application in the nature of an appeal to the Minister or the Tribunal; or

(b) produces or surrenders any document or supplies any information to an immigration officer or a refugee and protection officer knowing that it is false or misleading in any material respect; or

(c) completes any document required as part of a border requirement in a manner that the person knows to be false or misleading in any particular, or fails to comply with any of his or her other responsibilities under section 103.

(2) To avoid doubt, no proceedings under subsection (1)(b) may be brought if the documents or information are supplied in the circumstances to which Article 31.1 of the Refugee Convention applies.

- (a) one of the applicants was very clearly culpable; and
- (b) a secondary applicant sought to rely on their own alleged ignorance or lack of culpability to avoid liability for deportation.

8.9 Had the Courts allowed such secondary applicants to avoid liability for deportation then, as long as the principal applicant kept the fraud, forgery, falsehood, deception or concealment to themselves, spouses, partners and children might be assured residence (and in due course citizenship) notwithstanding it be founded on fraud, forgery, falsification or concealment. Decisions that have found there to be no *mens rea* requirement must be read in context and our client's circumstances are certainly distinguishable from the facts in those decisions.

8.10 An interpretation that *mens rea* or at least knowledge is a requirement before a principal or sole applicant may be liable for deportation is:

- (a) consistent with how the courts have interpreted the provisions; and
- (b) does not expose New Zealand to risk of opening the floodgates to secondary applicants who assert they had no knowledge of the fraud, forgery, deceit, concealment etc.

8.11 For reasons we elaborate on later, our client the principal and sole applicant, should not be considered liable for deportation as there was no concealment; there being neither knowledge nor *mens rea*.

8.12 Our client is married, but his wife has not been included in the application. Following the interpretation of 158 discussed above, if the applicant was found to have concealed information then his wife would not be entitled to say that because she had no knowledge of his concealment she was not liable to deportation.

8.13 Our review of the cases has been thorough and a summary of our analysis is set out below at 9.

8.14 For completeness, a list of other cases reviewed but thought not to be relevant follows at the end.

9. Analysis of relevant case law

9.1 Relevant facts, findings and our conclusions as to what can be derived from these decisions.

	Facts	Held	Comment
<i>Patel v Minister of Immigration</i> [2018] NZHC 577	The appellant applied for and was granted permanent residence as the wife of Mr Patel, a permanent resident. INZ had been contacted by a man in India (Mr Jingar) who alleged that he was married to the appellant. It also emerged that the appellant had unsuccessfully commenced divorce proceedings against Jingar in 2009. The appellant said the Jingar marriage certificate was forged. When	The Court considered whether it was seriously arguable that the Tribunal had erred in law by concluding that Ms Patel had "concealed" the relevant information. Edwards J cited <i>Jag Pal v Minister of Immigration</i> and <i>Joseph v Minister of Internal Affairs</i> (see below) but concluded that none of these cases had dealt with the meaning of the term "concealed".	This is a decision granting leave to appeal. However, the decision (and specifically, the proposition that non-disclosure should not be equated with concealment) favours a <i>mens rea</i> requirement in section 158.

	Facts	Held	Comment
	asked about the marriage in a 2011 interview, the appellant did not disclose the divorce proceedings. The Tribunal upheld INZ's determination that the appellant was liable to deportation under section 158 on the basis of having concealed the divorce proceedings.	At [54]: "... I consider it seriously arguable that the Tribunal erred. The Tribunal did not expressly consider the required knowledge or intent for information to have been 'concealed'. It did not specifically consider this issue in light of the disclosure made by Ms Patel of the primary relevant fact (namely the marriage), and her firmly held view that the marriage to Mr Jingar was obtained by fraud. The Tribunal appeared to simply equate non-disclosure with concealment. In that respect, I consider it is seriously arguable that the Tribunal erred."	
<i>Taylor v Minister of Internal Affairs</i> [2017] NZHC 2302 (Citizenship Act)	The plaintiff moved to New Zealand in 2005 and applied for citizenship. He did not disclose that he had been charged with a criminal offence in the U.S. and that a warrant had been issued for his arrest. The DIA accepted that his failure to disclose those matters was not deliberate.	[Not relevant.]	Unlike section 158 of the Immigration Act 2009, section 17 of the Citizenship Act 1977 provides that a grant of citizenship may be cancelled if "procured by fraud, false representation, or wilful concealment of relevant information, <u>or by mistake.</u> " (emphasis added) The failure to disclose the charge was not considered to be fraud, false representation, or wilful concealment. As above, this supports the existence of a <i>mens rea</i> requirement in section 17 of the Citizenship Act and, by analogy, section 158 of the Immigration Act.
<i>Jag Pal v Minister of Immigration</i> [2013] NZHC 2070, [2013] NZAR 1240	The appellants, a married couple, applied for residence visas saying they had two children, when in fact they had six. The couple claimed to have relied on an agent and on a doctor both of whom only listed 2 of the children. Had all 6 been listed, the applicants would have been denied entry. The wife certainly knew how many children she had and the Court found it reasonable to infer that the doctor would not have independently assumed her to have had 2 children. The wife also claimed to be illiterate and argued that she should not be held culpable. The applicants' daughter had earlier made an application for residence and she had made	The High Court upheld the Tribunal's factual finding that the appellants had deliberately and knowingly lied about their children. The applications were therefore completed fraudulently. At [32]: "If there is a misleading statement, and an appellant wishes to show that they were not knowingly misleading, then it is clear from s 226(1) that it is up to the appellant to call evidence or provide material to show that the inference that can logically be drawn (that is that the misstatement was deliberate) could not be drawn." At [33]: "In all the circumstances, this analysis	The statement of the High Court at [32] affirms that the threshold in section 158(1)(b) will only be met if the misstatement was deliberate. This affirmation may on a first reading seem at odds with the subsequent discussion, which addresses counsel for the applicants' submission, that the Tribunal erred as a matter of law in apparently accepting there not to be an actual <i>mens rea</i> requirement of actual

	Facts	Held	Comment
	<p>the same misstatement about the number of siblings she had. The Tribunal had concluded that that was a long term intention on the part of the parents with their daughter to obtain residence in New Zealand and to do so by not disclosing the existence of four of the six children.</p>	<p>leaves me in no doubt that the Tribunal was correct that both the applicants knowingly committed the fraud by providing incorrect information about their children."</p> <p>At [39]: "The Tribunal found that both of the applicants were 'architects' and 'willing conspirators' in the fraud."</p> <p>At [43]: "I conclude that there was no material error on the part of the Tribunal in its assessment of the culpability of Mr Pal and Ms Kaur in relation to the false and misleading statements. On my own objective analysis of the material, those statements were not shown to be other than deliberately false."</p> <p>At [50]-[51]: "... the legislature has chosen the wording in s 158(1)(b) which precludes the mental element of knowing misrepresentation. ... Included in the matters to be determined are whether there was a 'false or misleading representation'. On these plain words there is no requirement for knowledge of the misrepresentation."</p>	<p>fraud - concluding with the statements at [50]-[51] that "there is no requirement for knowledge of the misrepresentation."</p> <p>However, Asher J had earlier determined that the appellants had in fact committed fraud and the statements to the effect that <i>mens rea</i> is not a requirement are <i>obiter</i>. Furthermore, the line of authority cited and Asher J's comments at [50]-[51] all concern cases where one party was granted some NZ status reliant on another's fraud or deceit and where there was no doubt <i>mens rea</i> existed: a husband in <i>Rajan</i>, a man referred to Jimmy in <i>Heng</i> and a daughter who was 15 years old when her mother entered into a sham marriage to a New Zealander (in reliance of which the daughter was granted residence) in <i>Ansell</i>. In that context, the statement that "there is no requirement for knowledge of the misrepresentation" must be interpreted to mean that "there is no requirement for [the applicant to have] knowledge of the [deliberate] misrepresentation [by another person]."</p> <p>Read any other way would render the proposition inconsistent with both the judgment itself at [32], and with the decision in <i>Joseph</i>, which has been generally regarded as good authority.</p> <p>As a separate matter some reasons given in support of the statement are not entirely clear, in particular, the comparison at [51] to cases under the Fair Trading Act 1986. There is no reason to suppose that case law regarding the Fair</p>

Released under the Official Information Act 1982

	Facts	Held	Comment
			Trading Act should be relevant to cases under the Immigration Act.
<i>Joseph v Minister of Internal Affairs</i> [2012] NZHC 49, [2012] NZAR 179 (Citizenship Act)	The appellant, an Iraqi refugee, had been granted NZ citizenship in 2003. It was subsequently revealed that he had given a false name and date of birth on arrival in NZ in 2000, and that he had failed to disclose a criminal offence committed in Denmark in 1998 (suspended sentence not served, conviction subsequently wiped from his record under "clean slate"-like legislation).	At [40]: "Conduct that amounts to fraud, the making of a false representation and the wilful concealment of relevant information are different forms of conduct that... share a common feature. Each represents a form of conduct that is engaged in deliberately, and for the purpose of either procuring a grant of citizenship or satisfying a grant requirement." At [42]: "Dishonesty is not, however, an essential element of making a false representation or deliberately withholding relevant information... Importantly, however, both grounds require the applicant... to have acted deliberately." At [43]: "The deliberate nature of these forms of conduct distinguishes them from a grant, or grant requirement, being procured or acquired by mistake." At [56]: "Mr Joseph made a deliberate decision to withhold information about his offending in Denmark. As a result, he deliberately concealed relevant information."	Section 17 of the Citizenship Act 1977 is similar to the Immigration Act 2009, referring to "fraud, false representation, or wilful concealment". "[F]raud" and "wilful concealment" obviously incorporate a <i>mens rea</i> element. The same cannot with certainty be said of "false representation". However, the High Court held that "false representation" required deliberate conduct. It is strongly arguable that the same reasoning should be applied to the words "false, or misleading" and "concealed" in section 158.
<i>Zheng Ching Man v Attorney-General</i> HC Wellington AP 39/90, 14 May 1993 Cited in <i>Jag Pal</i> at [46]	In 1989, the appellant paid a third party for assistance in obtaining a NZ residence permit. He was granted a further residence permit by INZ on the basis of the earlier residence permit. That earlier permit was later found to be a forgery and INZ revoked his residence permit on the basis that it was procured by fraud as it was obtained by virtue of the forged returning resident visa. The appellant, a Cantonese speaker with limited English, claimed that he had believed the forged permits to be legitimate i.e. that he had no knowledge of the forgery.	The Judge did not accept the appellant's version of events. At 7: "... he knew at all relevant times that what was being obtained for him in November 1989 was not lawful or valid. He was procuring that by fraud..." However, the Court held that even if the appellant was innocent, the obtaining of the residence permit was founded upon a forged document and was procured by fraud. At 8: "The essence of the grant of a residence permit and the authority to remain in New Zealand is that the person concerned has been vetted and approved by the Immigration Service. It would be entirely wrong, and it is wrong, that any person should be entitled to obtain a residence permit under some false premise and without proper consideration and approval by the Service. It	This case is clearly distinguishable on the facts. The appellant procured residence permits by his own fraud. Strictly speaking, the statement at p 8 is obiter. There is a distinction that can and should be drawn between the submission for the appellant in <i>Man</i> (that another person had the <i>mens rea</i> for fraud, but the appellant did not), which was rightly rejected by the Court, and the current position. This distinction ensures that section 158 will continue to have wide application, with only very limited exceptions.

	Facts	Held	Comment
		would be absurd that such a person should be entitled to a residence permit founded upon a forged and invalid resident visa or any other document merely because they were able to say that they did not know that the document was false."	This comment applies equally in respect of <i>Heng v Minister of Internal Affairs</i> below.
<i>Heng v Minister of Internal Affairs</i> HC Auckland M616/95, 24 April 1996 [Citizenship Act]	The plaintiff obtained NZ residence on the basis of forged documents. She was subsequently granted NZ citizenship by virtue of being resident in NZ for three years. When the forgeries came to light, her citizenship was revoked. She claimed that she had no knowledge of the forgeries.	At 12-13: "As a matter of policy it would in my view be quite wrong for a person to be able to claim citizenship on the basis of fraudulent documents just because that person had been innocent of fraud. As was said by Greig J the essence of the grant of a residence permit and the authority to remain in New Zealand is that the person has been vetted and approved by the Immigration Service. It is perfectly clear on the evidence that that has not happened in the case of the plaintiff. ... If citizenship were able to be obtained by an innocent person on the basis of documents which were fraudulent the policy of the Immigration Act and the Citizenship Act which is to ensure that both immigration and citizenship are carefully regulated would be defeated."	As above, this case is clearly distinguishable on the facts. The Court found as a matter of fact that the residence permits were forged. There is no allegation of forgery or fraud in the matter presently under consideration.
<i>Guo v Minister of Immigration</i> [2013] NZIPT 600006	Mr Guo applied for a residence visa and included his wife and children as secondary applicants. He was later found guilty of importing and possessing drugs for supply and was imprisoned. INZ inferred from the sequence of events that Mr Guo was involved in the illicit drug activities prior to his residence visa being granted and was therefore liable for deportation due to his failure to disclose that fact. Mr Guo's wife and children were also served deportation notices on the basis of their visas being procured by Mr Guo's fraud, forgery, false or misleading representation or concealment of relevant information.	At [92]: "In fact, misleading representation is also relevant, particularly so because it does not require intent – see <i>Rajan v Minister of Immigration</i> (HC Auckland M1151/94, 31 July 1995), per Tompkins J."	This is a decision of the IPT and the statement at [92] is included simply to note that INZ officials may prefer to follow this interpretation of <i>Rajan</i> .
<i>Rajan v The Minister of Immigration</i> HC Auckland M1151/94, 31 July 1995	Mr Rajan obtained an Australian residence visa on the basis of what was later determined to be a contrived de facto relationship with an Australian citizen, Debra	The Court accepted the possibility that Ms Rajan "was never told and did not know the truth about how her husband obtained his	See comment above regarding <i>Man v Attorney-General</i> (cited by Tompkins J in <i>Rajan</i>).

	Facts	Held	Comment
	<p>Hegvold. His brother Bal and sister Daya did likewise.</p> <p>Less than 3 months later Rajan returned to his native Fiji and married Mrs Rajan who applied for and was granted an Australian spousal migrant visa.</p> <p>Some time later, Australian immigration authorities were alerted to Mr Rajan's contrived marriage to Ms Hegvold and that of his brother, Bal. Bal Rajan was interviewed by authorities on 14 April 1992 and subsequently arrested. He was bailed on 22 April 1992.</p> <p>On 23 April 1992, before Australian immigration authorities were able to speak to Mr Rajan, he together with his wife and child arrived in NZ where Mr and Mrs Rajan were granted New Zealand residence on the basis of their Australian residence status. Australia subsequently cancelled their Australian residence visas and informed INZ. Mr and Mrs Rajan's NZ residence permits were revoked by the Minister on account of Mr Rajan's failure to declare that the Australian residence visa with which he obtained a NZ residence permit had been dishonestly obtained.</p> <p>Mrs Rajan appealed claiming no knowledge of her husband's fraudulent actions in obtaining his Australian residence visa. The Court held that a residence permit could be revoked due to the fraud of another person.</p>	<p>Australian residence permit" (at 9).</p> <p>The Court concluded that "the Minister may revoke a residence permit where that permit was procured by the fraud etc of another" at 10 and at 12 that the Minister was entitled to find that Mrs Rajan's permit was procured by Mr Rajan's fraud, false representation, and concealment of relevant information.</p>	

10. Application for Residence (Investor 1)

10.1 We are instructed that the factual position is as follows.

10.2 Having spent time in New Zealand and having decided that this is where he wished to live, Mr Lee applied for the right permanently to reside in New Zealand.

10.3 Mr Lee speaks almost no English. He arranged for an associate, Simon Kim, to collate the necessary information and prepare his residence application. Simon Kim had studied Dahn Yoga and knew Mr Lee. Kim had emigrated from Korea to New Zealand in the late 90s.

Unlike Mr Lee, Kim had a good command of English and had been working in New Zealand for about 15 years at the time.

10.4 Mr Kim had previously assisted Mr Lee complete a work visa application. He had asked Mr Lee's secretary in Korea for documents and information needed to do so. When Mr Kim assisted Mr Lee in completing the Investor Plus application, Kim again liaised with Mr Lee's secretaries, to obtain information needed for the application.

10.5 Mr Lee was never asked whether, despite the clean police certificate, he had ever been convicted.

10.6 As far as answering the question about convictions, Mr Kim had already seen Mr Lee's police certificate when he assisted with the work visa application less than 6 months earlier and this made no mention of any criminal record. This was no surprise to Kim. He knew that Mr Lee was a man held in the highest esteem in Korea – a person of great integrity; so much so that he had been awarded a Presidential Award of Merit. Based on Kim's own impression of Mr Lee and reinforced by the clean police certificate, he had no reason whatsoever to question whether, despite the police certificate, Mr Lee had any convictions.

10.7 Mr Lee did not intentionally conceal his conviction.

10.8 If, notwithstanding our view of the law it should be thought our client is liable for deportation then we ask that the Minister take the following into consideration.

11. 1993 Korean conviction

11.1 Mr Lee founded a company (now known as *Dahnworld*) in Korea in 1992. *Dahnworld* taught a modern form of yoga and meditation based on a traditional form of Korean mind and body training.

11.2 Mr Lee travelled around the country teaching yoga and entrusted management of the company to his team. The company proved to be very successful and this success did not sit comfortably with local officials. Charges were brought on the basis that the company contravened a number of regulations because:

- The company held a weekend lecture without a licence – breach of the Education Act
- The company manufactured and sold traditional Korean health supplements – breach of the Special Measures for the Control of Public Health Crimes Act, the Food Sanitation Act and the Special Measures on Real Estate Registration Act.

11.3 The health supplements were essentially derived from plants and roots, readily available from the countryside or local markets, and were similar to what was often made by the older generation for personal consumption.

11.4 On the strength of these contraventions, Mr Lee and two other company officials were found guilty and convicted. Mr Lee, as the founder of the company, was sentenced to 2.5 years, suspended for 3 years, and fined KRW 105,000,000 (approx. NZD141k – using today's conversion rates). It is important to note that the suspended sentence reflected the lack of severity of the convictions in Korea at the time and the quantum of the fine itself was a multiple of sales revenue, to deter future sales.

11.5 Commentators have said that there has been a trend for 'over-criminalisation' and heavier criminal punishment as a form of social control in Korea.²

12. Contribution to New Zealand

12.1 Mr Lee has of course complied with the requirement to invest \$10m in approved investments in New Zealand.

12.2 Over and above this, substantial investment has been made in New Zealand and Mr Lee's association with New Zealand is the catalyst for significant further direct and indirect investment. As the founder of the particular form of yoga and associated teachings, thousands of tourists travel to New Zealand to experience classes and to appreciate the physical and spiritual benefits of New Zealand that he has endorsed. His organisation has acquired facilities in Northland but they are unable to meet the needs of the growing number of mainly Korean, Japanese and US based students and followers who visit to participate in local courses.

12.3 Visitor numbers have grown from 257 in 2014 to 2,452 last year. Visitor expenditure (putting aside sundry expenditure estimated to be in the order of NZ\$3m) has amounted to more than NZ\$6.3m and in excess of NZ\$9m when aggregated. Of the NZ\$6.5m, NZ\$5.3m was paid to unrelated Northland businesses including *Scenic Hotel, Suites & Resorts Bay of Islands* and *Copthorne Hotel & Resorts Bay of Islands*.

12.4 Just under NZ\$12m has been spent in acquiring properties. We previously disclosed that we consider there has been a breach in relation to OIO approval. We suggested to OIO seeking retrospective approval. OIO has advised that it has put our suggestion on hold pending resolution of the matters presently under discussion with you.

12.5 While the number of people who benefit from Mr Lee obviously include employees of third party businesses (and the figures that follow do not include them) the more directly referable employees include more than 20 local employees.

12.6 Renovation expenses to the end of January 2018 have amounted to NZ\$5.3m and development expenditure presently on hold amounts to NZ\$32.4m.

12.7 Mr Lee's NZ\$10m Investor Plus investment is no greater a financial commitment to New Zealand than is required. However, aggregating the other 'investments' is significant and the benefits are anticipated to continue to grow in a part of the country most in need of investment.

13. Additional considerations

13.1 Mr Lee proposes a world view where people excel and they help themselves to overcome physical and mental challenges by harnessing their own energies and by focusing their thoughts. He has a deep appreciation of the beauty of the world around him, both to help focus the mind and for the beauty, in its own right.

13.2 Mr Lee was born into a Korea engulfed by war.³ He has an enormous appreciation for peace and tranquillity. The beauty of New Zealand and an appreciation of its natural wonders was

² *Korean Criminal Law: Moralise Prima Ratio for Social Control*

³ The war began in June of 1950 and although an Armistice agreement was signed in July 1953 this did little to achieve real peace for many years after that.

not lost on Mr Lee. Based on current estimates, New Zealand is 30 times less sparsely populated than Korea and that adds to New Zealand's appeal.

- 13.3 Having travelled extensively throughout New Zealand it was the Northland town of Kerikeri and the natural beauty of its environs that attracted Mr Lee. This is where he decided to settle and establish operations. Despite the impediment of not being able to speak English, he has immersed himself into life in Kerikeri.
- 13.4 He lives a disciplined life. His day usually begins at around 4am with exercise and meditation. He is an avid reader and, as will be evident from his numerous books, a prolific writer.
- 13.5 He is passionate about youth and has volunteered to help local organisations such as NorthTec. Understandably, although NorthTec was appreciative of his offers, it preferred to put advancing matters with Mr Lee on hold when it read reports that he may be liable for deportation.
- 13.6 Everything that Mr Lee stands for and promotes relies on him being a person of integrity and a role model for his students and followers.
- 13.7 The fact that deportation will likely fatally damage all that he stands for is not good reason not to deport him. However, he did not intentionally suppress the truth or facts known (*Shorter Oxford English Dictionary*). He had no intention to conceal his conviction.
- 13.8 Mr Lee has made it very clear to us that the prospect of deportation fills him with dread. While he continues to travel extensively, New Zealand is home. A home that, despite all of the challenges he now faces and the destructive publicity that he has had to contend with, remains one he is happiest in. Even the threat of deportation has been deeply humiliating for him. Deportation itself would be so much worse.
- 13.9 Continuing to 'operate' in New Zealand should he be deported is untenable. Closing down would add a further dimension of unhappiness: staff would lose their jobs and contractors and many others in Northland would lose a strong supporter and a substantial benefactor to the local economy.
- 13.10 It will be clear from our analysis that we do not consider Mr Lee is liable for deportation. However, if we should be found to be wrong, then we ask that all of these matters be taken into consideration and that the circumstances are understood in context and the severity of the disadvantages are weighed against the perceived advantage of a contrary interpretation. As to context, there was no intention to conceal. Mr Lee does not speak English. The offending happened 25 years ago. He sold what we are advised is an innocuous health supplement readily available throughout Korea and he held a weekend lecture from premises not licensed for weekend lectures. The severity of the punishment seems to us wholly out of kilter with the offending. Deportation would exacerbate that. Mr Lee had us bring to your attention the error in his application promptly. He has cooperated with the enquiries that followed, without compromise.

Decisions considered but thought not to be sufficiently relevant to the principles currently under review

- *Panchal v Minister of Immigration* [2017] NZHC 2080
- *Nacis v Minister of Immigration* [2016] NZHC 2627
- *K (CA626/2015) v Attorney-General* [2016] NZCA 416, [2017] 2 NZLR 167
- *Kumar v Minister of Immigration* [2016] NZHC 1593
- *Rameshi v Minister of Immigration* [2015] NZHC 2803
- *Oosterveen v Ministry of Business, Innovation and Employment* [2014] NZHC 1709, [2014] NZAR 1091
- *Singh v Chief Executive of the Ministry of Business, Innovation and Employment* [2014] NZCA 220, [2014] 3 NZLR 23
- *AB (Thailand v Minister of Immigration)* [2014] NZIPT 600001
- *Mistry v Minister of Immigration* HC Wellington CIV-2009-485-1610, 17 November 2009
- *Patel v Deportation Review Tribunal* HC Auckland CIV-2008-404-8225, 16 June 2009
- *Vilceanu v Minister of Immigration* [2008] NZCA 486
- *Prasad v Minister of Immigration* HC Wellington CIV-2008-485-967, 1 October 2008
- *Sun v Minister of Immigration* [2002] NZAR 961 (HC)
- *Khan v Minister of Internal Affairs* [2017] NZHC 2250
- *Hao v Minister of Internal Affairs* HC Auckland CIV-2009-404-5610, 7 September 2009
- *Yang v Minister of Internal Affairs* [1998] 1 NZLR 309 (HC)
- *Yan v Minister of Internal Affairs* [1997] 3 NZLR 50 (HC)

Yours faithfully
Bell Gully



Willy Sussman / Ian Gault
Partner / Partner

Released under the Official Information Act 1982

"Annexure A"

[s 9(2)(g)(ii)]

Business Migration Branch
Immigration New Zealand
Wellington

FROM **Willy Sussman**
DDI +64 9 916 8952
MOBILE +64 21 300 600
EMAIL willy.sussman@bellgully.com
MATTER NO 402-3661
DATE 27 September 2017

Dear [s 9(2)(g)(ii)]

Seung Heun Lee: client number 54209385

We were fairly recently appointed to act for Mr Seung Heun Lee (Mr Lee) in relation to his immigration affairs.

1. Background – Mr Lee

- 1.1 Mr Lee is the founder of Dahn Yoga or Dahn Hak, also known as Body & Brain Yoga, which is a modern form of traditional Korean mind and body training, involving both meditation and yoga (see www.bodynbrain.com). Body & Brain Yoga is taught internationally. It has centres in Korea, the United States, Canada, Japan, China, Germany and the United Kingdom.
- 1.2 Mr Lee is the author of a number of books, including a *New York Times* bestseller, and is the founder of the University of Brain Education which, among other things, is a research oriented graduate school in South Korea that conducts research projects on plants and trees to assess their potential health benefits.
- 1.3 Mr Lee has in the past few years visited New Zealand, formed strong ties with the country and decided that notwithstanding his extensive international speaking commitments, this is where he wishes to be based. With this in mind he initially applied for a work visa and then for residence.
- 1.4 Mr Lee does not speak English but he has been assisted by English speaking advisers, as and when required.

2. INZ applications

2.1 Mr Lee has applied for and was granted the following visas:

- (a) Work visa – November 2014
- (b) Investor Plus residence visa – April 2015 (conditions expected to be satisfied by 22 April 2018)
- (c) Variation of Travel Conditions (VOTC) – July 2017

3. 'Character' disclosure

- 3.1 A 'character' matter has recently come to our attention and we wish to bring this to your attention, without delay, notwithstanding that it relates to events that occurred almost 25 years ago.
- 3.2 Korea's first civilian president in 30 years was elected in 1992 and, we are advised, that the transition to civilian rule was fraught with tension.
- 3.3 We are advised that it remains common in Korea (especially amongst the older generation) to prepare herbal supplements from roots and mountain flowers. Mr Lee established premises from which such supplements were prepared for sale. Such roots and mountain flowers were bought at the local market, they were ground into powder, honey was added and the mixture was sold as a health supplement. Apparently unbeknown to Mr Lee and his staff, this required special permissions in relation to both the premises from which the supplements were manufactured and in relation to the sale of the supplements themselves.
- 3.4 Mr Lee and 2 of his management team were arrested and charged. The charge sheet apparently also accused them of operating a yoga training establishment without permission and of a food hygiene violation.
- 3.5 Mr Lee was found to have contravened the regulations regulating the sale of herbal supplements (failure to have obtained the appropriate permissions) and given a 2 ½ year sentence, suspended for 3 years. He was also fined approximately US\$105k.
- 3.6 We are advised that penalties for breaching these regulations were draconian and that enforcement was arbitrary. Fines were apparently calculated as a multiple of turnover. While perhaps difficult to comprehend, the court viewed the contravention as not overly serious and the suspended sentence and fine was considered light. It is informative to note by contrast that the unauthorised sale of oriental medicine or certain foods carried sentences of life imprisonment.
- 3.7 Mr Lee did not contravene any laws or regulations; consequently the 2 ½ year sentence did not take effect.

4. Suspended sentences - Korea

- 4.1 We are advised that Article 65 of the Korean Criminal Law (Law No. 14415) is to the effect that
- Subsequent to being given a sentence of suspension, the actual effectiveness of that sentence or if the period of suspension/probation elapses without cancellation, the sentence is ineffective.
- 4.2 The effect of Article 65, it would seem, is that where a suspended sentence is handed down, provided that during the period of suspension there is no further misdemeanour the conviction is automatically expunged without the need to rely on any clean slate or similar provision. Apparently this is based on a philosophical approach designed to avoid an outcome where a person convicted of such an offence is perceived in any way to be required to bear the burden of such a conviction beyond the period of suspension.
- 4.3 While we profess no expertise in Korean criminal law, there is a degree of logical appeal to such an approach. What is also notable is that it appears police clearances in Korea are issued in keeping with such an approach.

5. Applications made with INZ

- 5.1 None of the 3 applications that have been lodged (2.1 above) made reference to the 1993 sentence.
- 5.2 Mr Lee relied on advisers and on assistance from people who translated the questions the forms asked.
- 5.3 By virtue of the police certificate having made no mention of the conviction, his translators having had no reason to 'test' Mr Lee and the fact that even if they had, the position as set out in the police certificate would have been thought to be consistent with Article 65 of the Korean Criminal Law, the various visa application forms were thought to be correct.

6. Further consideration

- 6.1 As noted earlier, when this came to our attention we discussed the matter with Mr Lee and he was dismayed when we explained that, in our view, the conviction should have been brought to your attention.
- 6.2 In circumstances where a character waiver may need to be sought, various considerations are considered relevant in assessing whether a waiver should be considered appropriate. We now address those considerations as we think this will be of assistance to you.
- 6.3 The seriousness of the offence – laws reflect society's normative views and sanctions ordinarily are intended to serve as a deterrent and a measure of social retribution. However, this all assumes a situation where society has a say in how laws are passed and implemented. From our understanding, those assumptions could not be made in Korea at the time. Even if the above cannot be assumed, manufacturing herbal health supplements from ingredients freely available in local markets seems anything but serious. The seriousness, to the extent any might be found, surely lies in the appearance of disrespect for what appears to be an illogical edict.
- 6.4 Whether there is more than one offence – there is essentially only one offence albeit it was broken down into a series of (possibly ridiculous) sub-offences – presumably so that at least one of the charges might succeed.
- 6.5 The significance of the information withheld – to withhold implies an intention so to do. We would say there was no such intention albeit that in our view we would have advised disclosure on the basis that it could never then be said anything was withheld. As to whether the information would have been significant, it would be presumptuous to assume it had no significance. It surely has significance. However, the extent of its significance ought in our view to be determined not by the sentence or the fine but by what Mr Lee was found to have been guilty of. Manufacturing health supplements without a licence.
- 6.6 How long ago the relevant event occurred – as previously indicated we are coming up for a quarter of a century ago.
- 6.7 Whether Mr Lee has any immediate family lawfully and permanently in New Zealand – Mr Lee has no immediate family in New Zealand. This criterion is presumably of greater relevance when considering a waiver at the outset.
- 6.8 Mr Lee has strong emotional and physical ties to New Zealand – Mr Lee has made significant valuable investments in New Zealand and he is very emotionally connected to New Zealand.

6.8 Potential contribution to New Zealand – Mr Lee's contribution to New Zealand has gone well beyond being only 'a potential contribution'.

7. **Conclusion and request**

For all of the reasons given, we ask that you take note of the facts and circumstances and that Mr Lee be excused for not having brought these matters to your attention at the outset.

Yours faithfully
Bell Gully

Willy Sussman
Partner

Released under the Official Information Act 1982

Annexure B"

BELL GULLY



Business Migration Branch
Immigration New Zealand
Wellington

FROM Willy Sussman
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MOBILE +64 21 300 800
EMAIL willy.sussman@bellgully.com
MATTER NO. 402-3661
DATE 8 November 2017

Dear [s 9(2)(g)(ii)]

Application of section 160 - Seung Heun Lee (client number 54209385)

1. Introduction

- 1.1 We understand that INZ is considering whether section 160 of the Immigration Act 2009 (the Act) applies to our client given the recent disclosure made. All section references are to the Act and references to Instructions are references to Immigration Instructions.
- 1.2 We have considered the application of section 160 to our client and thought it may be helpful to provide you with our view.
- 1.3 The background facts are:
 - (a) Our client was found guilty of a number of regulatory breaches in Korea about 25 years ago and was sentenced to 2.5 years, suspended for 3, and fined approximately US\$105k.
 - (b) Our client did not declare this in applications lodged with the NZ immigration authorities (INZ).
 - (c) The applications referred to above were brought within the last 5 years.
 - (d) Suspended sentences in Korea are ineffective in circumstances where, by the end of the period of suspension, the person has not contravened.

2. Section 160

2.1 Section 160 is worded as follows:

- (1) A residence class visa holder is liable for deportation if, not later than 5 years after the date the person first held a residence class visa,—
 - (a) new information becomes available that—
 - (i) relates to the character of the person; and
 - (ii) was relevant at the time the visa was granted; and
 - (b) the Minister determines that the person would not have been eligible for the grant of the visa under this Act or immigration instructions if that information had been available at the time the visa was granted.

- (2) For the purposes of subsection (1), the new information may relate to whether the person was, or should have been, an excluded person, or to rules and criteria relating to character contained within Immigration Instructions.
- (3) A person liable for deportation under this section may, not later than 28 days after the date of service of a deportation liability notice, appeal to the Tribunal both on the facts and on humanitarian grounds against his or her liability for deportation.
- (4) For the purposes of subsection (1), the date that a person first held a residence class visa must be calculated in accordance with section 161(5).

2.2 The central issue is whether our client was a person that would not have been eligible for the grant of a visa under the Act or Instructions if that information had been available at the time the visa was granted. It therefore becomes necessary to consider our client's eligibility in the sense contemplated by section 160(2).

3. Eligibility for the grant of a residence visa

3.1 Section 22 of the Act authorises the Minister (responsible for the administration of the Act) to certify instructions, those instructions being Instructions, relating to various matters including, in section 22(6)(a)(ii), as to rules or criteria relating to eligibility for a visa or entry permission having regard to an applicant's character.

3.2 All visa applicants must satisfy the good character requirement in A5.1 of the Instructions which are replicated below.

Applicants for all visas must:

- (a) be of good character; and
- (b) not pose a potential security risk.

If any person included in the application fails to meet the necessary character requirements and the character requirements are not waived, the application may be declined.

3.3 A5.15 of the Instructions summarises when applicants will not be considered to be of good character for a residence class visa.

Applicants not considered to be of good character for a residence class visa are classified as follows:

- (a) applicants who will not be granted a residence class visa (see A5.20); or
- (b) applicants who will not normally be granted a residence class visa (see A5.25) unless a character waiver is granted; or
- (c) applicants whose applications for a residence class visa will usually be deferred (see A5.35).

3.4 To summarise at this point, an applicant would not be considered eligible if either:

- (a) Their circumstances were such as to render them an excluded person; or
- (b) Their circumstances were such that it can be concluded that a waiver would not have been granted.

4. Excluded person

4.1 The absolute exclusion (referred to in 3.4(a) above) in A5.20 of the Instructions (see Appendix A) determines in what circumstances applicants must not be granted a residence class visa. This instruction replicates the criteria for excluded persons under section 15 of the Act (see Appendix B).



4.2 Our client's circumstances are not such that the absolute exclusion would have applied to him.

5. Character waiver

5.1 The circumstances when applicants would not normally be eligible for the grant of a residence class visa unless a waiver is granted are set out in A5.25 of the Instructions (see Appendix C) which include when a person has been:

- (e) convicted at any time of any offence for which they were sentenced to a term of imprisonment (whether the sentence was of immediate effect or was deferred or was suspended in whole or in part); or
- (i) in the course of applying for a New Zealand visa (or a permit under the Immigration Act 1987) has made any statement or provided any information, evidence or submission that was false, misleading or forged, or withheld material information.

Absent further analysis, it might be thought that our client falls to be considered in terms of the above provisions, in which case it becomes necessary to consider whether a waiver could have been granted.

5.2 A5.25.1 (see Appendix D) states that an immigration officer must not automatically decline residence class visa applications on character grounds but must consider the surrounding circumstances to decide whether or not they are compelling enough to justify waiving the good character requirement.

5.3 Our letter of 27 September 2017 addressed the factors relevant to the assessment of whether a waiver would have been considered appropriate at the time of our client's application.

5.4 It is our view that given the circumstances of the breaches our client was found guilty of (against the historical background in Korea), the absence of an intention to mislead INZ and our client's substantial contribution to NZ to date, denying the grant of a waiver would not have been justified.

6. Conclusion: section 160 does not apply

6.1 Section 160 only applies where the Minister determines that a person would not have been eligible for the grant of the visa had the information been known at the time of the application. Our client's circumstances would have had to be of such a nature that he would have been:

- (a) an excluded person; or
- (b) a waiver of the good character requirement would not have been granted.

6.2 Our client's circumstances meant that he was a person that required a waiver of the good character requirement in order for a residence visa to be granted to him.

6.3 While the discretion is now with the Minister to determine whether a waiver would have been granted, to conclude that a waiver would not have been granted in his circumstances would be unfair and unjustified.

[s 9(2)(g)(ii)]

BELL GULLY

If you have any questions, please do not hesitate to contact me.

Yours faithfully
Bell Gully



Willy Sussman
Partner

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Appendix A

A5.20 Applicants ineligible for a residence class visa or entry permission

See previous instructions:

A5.20 Effective 29/11/2010

See also Immigration Act 2009 ss 15, 16, 17, 73, 74

- a Any person described in section 15 or 16 of the Immigration Act 2009 must not be granted a residence class visa or entry permission, and their application will be declined. The only exceptions are where:
 - i the person is otherwise eligible for the grant of a visa and entry permission under immigration instructions (see S2), and
 - ii a special direction under section 17 of the Immigration Act 2009 has been given to that person, authorising the grant of a visa and entry permission.

Note: Persons described in section 15 or 16 must not be issued with a temporary entry class visa either (see A5.40).

- b Under section 15, the following people are not eligible for a visa or entry permission to enter or be in New Zealand:

Any person who -

- i at any time (whether before or after the commencement of the Immigration Act 2009), has been convicted of any offence for which that person has been sentenced to imprisonment for a term of five years or more, or for an indeterminate period capable of running for five years or more; or
- ii at any time within the preceding 10 years (whether before or after the commencement of the Immigration Act 2009), has been convicted of any offence for which that person has been sentenced to imprisonment for a term of 12 months or more, or for an indeterminate period capable of running for 12 months or more; or
- iii is subject to a period of prohibition on entry to New Zealand under section 179 or 180 of the Immigration Act 2009; or
- iv at any time (whether before or after the commencement of the Immigration Act 2009) has been removed or deported from New Zealand under any enactment; or

Note: This provision does not apply to persons: deported from New Zealand under section 158 of the Shipping and Seaman Act 1952; or, deported from New Zealand under section 20 of the Immigration Act 1964 on the grounds of being convicted of an offence against section 14(5) or 15(5) of that Act or, who were subject to a removal order under section 54 of the Immigration Act 1987, if the removal order has expired or had been cancelled; or, deported under the Immigration Act 2009, but is not, or is no longer, subject to a period of prohibition on entry under section 179 or 180.

- v is excluded from New Zealand under any enactment; or
- vi has, at any time, been removed, excluded, or deported from another country.

Paragraphs (b)(i) and (ii) above apply:

- Whether the sentence is of immediate effect or is deferred or is suspended in whole or in part
- Where a person has been convicted of two or more offences on the same occasion or in the same proceedings, and any sentences of imprisonment imposed in respect of those offences are cumulative, as if the offender had been convicted of a single offence and sentenced for that offence to the total of the cumulative sentences
- Where a person has been convicted of two or more offences, and a single sentence has been imposed in respect of those offences, as if that sentence had been imposed in respect of a conviction for a single offence.

- c Under section 16 of the Immigration Act 2009, the following people are not eligible for a visa or entry permission to enter or be in New Zealand:

(s 9(2)(g)(i))

BELL GULLY

- Any person who the Minister has reason to believe
- is likely to commit an offence in New Zealand that is punishable by imprisonment; or
 - is, or is likely to be, a threat or risk to security; or
 - is, or is likely to be, a threat or risk to public order; or
 - is, or is likely to be, a threat or risk to the public interest; or
 - is a member of a terrorist entity designated under the Terrorism Suppression Act 2002.
- d) Despite sections 15 and 16 of the Immigration Act 2009, entry permission must be granted to the holder of a:
- permanent resident visa; or
 - resident visa granted in New Zealand; or
 - the holder of a resident visa arriving in New Zealand for a second or subsequent time as the holder of the visa.

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Appendix B

*Excluded persons***15 Certain convicted or deported persons not eligible for visa or entry permission to enter or be in New Zealand**

- (1) No visa or entry permission may be granted, and no visa waiver may apply, to any person—
- who, at any time (whether before or after the commencement of this section), has been convicted of an offence for which the person has been sentenced to imprisonment for a term of 5 years or more, or for an indeterminate period capable of running for 5 years or more; or
 - who, at any time in the preceding 10 years (whether before or after the commencement of this section), has been convicted of an offence for which the person has been sentenced to imprisonment for a term of 12 months or more, or for an indeterminate period capable of running for 12 months or more; or
 - who is subject to a period of prohibition on entry to New Zealand under section 179 or 180; or
 - who at any time (whether before or after the commencement of this section) has been removed or deported from New Zealand under any enactment; or
 - who is excluded from New Zealand under any enactment; or
 - who has, at any time, been removed, excluded, or deported from another country.
- (2) Paragraphs (a) and (b) of subsection (1) apply—
- whether the sentence is of immediate effect or is deferred or is suspended in whole or in part;
 - where a person has been convicted of 2 or more offences on the same occasion or in the same proceedings, and any sentences of imprisonment imposed in respect of those offences are cumulative, as if the offender had been convicted of a single offence and sentenced for that offence to the total of the cumulative sentences;
 - where a person has been convicted of 2 or more offences, and a single sentence has been imposed in respect of those offences, as if that sentence had been imposed in respect of a conviction for a single offence.
- (3) Subsection (1)(d) does not apply to a person who—
- has been deported from New Zealand under section 158 of the Shipping and Seamen Act 1952; or
 - was subject to a removal order under section 54 of the former Act, if the removal order has expired or been cancelled; or
 - was deported under this Act but is not, or is no longer, subject to a period of prohibition on entry under section 179 or 180; or
 - has been deported from New Zealand under section 20 of the Immigration Act 1964 on the grounds of being convicted of an offence against section 14(5) or 15(5) of that Act.
- (4) This section is subject to section 17
- Compare 1987 No 24 s 7(1)(a)-(d), (2)
- Section 15(3)(c), replaced, on 7 May 2015, by section 10 of the Immigration Amendment Act 2015 (2015 No 46)

Appendix C

A5.25 Applicants normally ineligible for a residence class visa unless granted a character waiver

See previous instructions:

A5.25 Effective 29/11/2010

Applicants who will not normally be granted a residence class visa, unless granted a character waiver (see A5.25.1(b) below), include any person who has been:

- a convicted at any time of any offence against the Immigration, citizenship or passport laws of any country; or
- b convicted at any time of any offence involving prohibited drugs; or
- c convicted at any time of any offence involving dishonesty; or
- d convicted at any time of any offence of a sexual nature, or
- e convicted at any time of any offence for which they were sentenced to a term of imprisonment (whether the sentence was of immediate effect or was deferred or was suspended in whole or in part), or
- f convicted (whether in New Zealand or not) of an offence committed at any time when the applicant was in New Zealand unlawfully or was the holder of a temporary entry class visa or held a temporary permit under the Immigration Act 1987 or was exempt under that Act from the requirement to hold a permit, being an offence for which the court has power to impose imprisonment for a term of three months or more; or
- g convicted at any time of any offence involving violence; or
- h convicted at any time during the last five years, of an offence (including a traffic offence), involving dangerous driving, driving having consumed excessive alcohol (including drunk driving and driving with a blood or breath alcohol content in excess of a specified limit) or driving having consumed drugs, or
- i in the course of applying for a New Zealand visa (or a permit under the Immigration Act 1987), has made any statement or provided any information, evidence or submission that was false, misleading or forged, or withheld material information, or
- j at any time in a public speech or public comments, or public broadcast, or in publicly distributing or publishing a document;
 - i argues that one race or colour is inherently inferior or superior to another race or colour; or
 - ii used language intended to encourage hostility or ill will against any person or group of persons on the basis of colour, race or ethnic or national origins of that person or group, or
- k has been, or is, a member of (or adheres or has adhered to) any organisation or group of people which (at the time of the person's membership or adherence) had objectives or principles based on:
 - i hostility against people or groups of people on the basis of colour, race, or ethnic or national origins; or
 - ii an assumption that persons of a particular race or colour are inherently inferior or superior to other races or colours; or
- l in support of any application by another person for a New Zealand visa (or a permit under the Immigration Act 1987), has made any statement or provided any information, evidence or submission that was false, misleading or forged.

Appendix D

A5.25.1 Action

- a An immigration officer must not automatically decline residence class visa applications on character grounds.
- b An immigration officer must consider the surrounding circumstances of the application to decide whether or not they are compelling enough to justify waiving the good character requirement. The circumstances include but are not limited to the following factors as appropriate:
- if applicable, the seriousness of the offence (generally indicated by the term of imprisonment or size of the fine),
 - whether there is more than one offence;
 - if applicable, the significance of the false, misleading or forged information provided, or information withheld, and whether the applicant is able to supply a reasonable and credible explanation or other evidence indicating that in supplying or withholding such information they did not intend to deceive INZ;
 - how long ago the relevant event occurred,
 - whether the applicant has any immediate family lawfully and permanently in New Zealand;
 - whether the applicant has some strong emotional or physical tie to New Zealand;
 - whether the applicant's potential contribution to New Zealand will be significant.
- c In the case of a person covered by A5.25(j) and (k) above, officers must consider, in addition to any relevant matters listed in A5.25.1(b) above, the following:
- the length of time since the applicant publicly expressed the views, or was a member or adherent of the group or organisation, and
 - whether the applicant still holds the views or still belongs or adheres to the group or organisation, and any evidence of a change in views; and
 - the extent to which the applicant was involved in publishing or distributing the views, or the extent of involvement in the group or organisation, and
 - the nature of the views, or the nature of the group or organisation.
- d Officers must make a decision only after they have considered all relevant factors, including (if applicable)
- any advice from the National Office of INZ; and
 - compliance with fairness and natural justice requirements (see A1).
- e Officers must record:
- their consideration of the surrounding circumstances, (see paragraph (b) above), noting all factors taken into account; and
 - the reasons for their decision to waive or decline to waive the good character requirements.

Any decision to waive the good character requirements must be made by an immigration officer with Schedule 1-3 delegations.

Released under the Official Information Act 1982

"Annexure C"



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HIKINA WHAKATUTUKI



10 January 2018

Willy Sussman
Bell Gully
Vero Centre
48 Shortland Street
AUCKLAND 1140

By email - willy.sussman@bellgully.com

Dear Mr Sussman

Potential liability for deportation of Mr Seung Heun Lee – CN 51013636

I am writing in relation to your client, Mr Seung Heun Lee and your letters to Immigration New Zealand [redacted] of 27 September 2017 and 8 November 2017.

Mr Lee's case has been referred to the Immigration Resolutions team of Immigration New Zealand, to assess whether deportation liability may exist because a conviction was not declared in his residence application.

Please provide the following further information to help us fully consider Mr Lee's situation:

Details of the offending

1. Please clarify whether Mr Lee committed a criminal offence. Are you able to supply more detail in relation to Mr Lee's account that he contravened regulations governing the sale of herbal supplements?
2. For example, can Mr Lee provide any documentation in relation to the conviction, such as the Korean equivalent of the court record, caption sheet, charging documents, summary of facts and sentencing notes?

Details of the sentence

3. It is unclear what the sentence was which Mr Lee received. In the letter of 8 November 2017 it states at paragraph 1.3(a) "our client was found guilty of a number of regulatory breaches in Korea about 25 years ago and was sentenced to 2.5 years, suspended for 3, and fined approximately US\$105k". What was he sentenced to for 2.5 years? Was it a sentence of 2.5 years imprisonment which was suspended for three years?

Expungement

4. The letter of 27 September 2017 (at paragraph 4.2) states that it would seem that Article 65 of the Korean Criminal Law is to the effect that where a suspended sentence is handed down, provided that during the period of suspension there is no further misdemeanour the conviction is automatically expunged without the need to rely on any clean slate or similar provision.
5. But this interpretation seems inconsistent with:
 - What you have been advised (and refer to in paragraph 4.1 of the 27 September 2017 letter), that Article 65 is to the effect that "subsequent to being given a sentence of suspension, the actual effectiveness of that sentence or if the period of suspension/probation elapses without cancellation, the sentence is ineffective."
 - The distinction between conviction and sentence.
6. The wording of Article 65 of the Korean Criminal law appears to provide that a suspended sentence will lapse, and is rendered ineffective, provided the terms of the suspension are complied with (consistent with New Zealand law). But this does not mean that the underlying conviction has been expunged, because conviction and sentence are distinct concepts in criminal law.
7. The Criminal Records Check Reply for Mr Lee refers to the "Act on the Lapse of Criminal Sentences." Is this relevant to Mr Lee's situation?

Korean law

8. To that end, has a lawyer qualified under Korean law been instructed to provide advice to your client on details of the offending, sentence and expungement of a conviction in Korea?

To respond to our request, or ask any questions you might have, please contact me at gabriel.kenny@mbie.govt.nz or 04 896 5402. Our postal address is PO Box 1473 Wellington 6140.

Yours sincerely

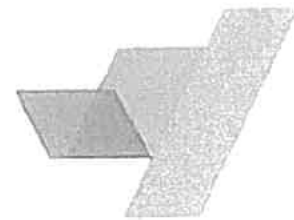
[Redacted signature]

Technical Advisor
Immigration Resolutions
Immigration New Zealand

"Annexure D"



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HIKINA WHAKATUTUKI



5 February 2018

Willy Sussman
Bell Gully
Vero Centre
48 Shortland Street
AUCKLAND 1140

By email - willy.sussman@bellgully.com

Dear Mr Sussman

Potential liability for deportation of Mr Seung Heun Lee – CN 51013636

Thank you for your email acknowledgement of my letter to you dated 10 January 2018. I understand you have been overseas and you are preparing a substantive response. New information has come to my attention which I would like you to provide comment on.

In your letter to Immigration New Zealand (INZ) of 8 November 2017 you state that Mr Lee "was found guilty of a number of regulatory breaches in Korea about 25 years ago and was sentenced to 2.5 years, suspended for 3, and fined approximately US\$105k". You also went on to explain that Mr Lee's sentence did not take effect.

INZ has become aware of the attached article from Rolling Stone magazine (dated 18 February 2010). INZ is only seeking comment on what the article states regarding Mr Lee's Korean convictions and sentence because the rest of the article is not considered to be relevant information for the purposes of assessing whether deportation liability may exist. . At page 54, the article, written by Sabrina Rubin Erdely, states that:

"In 1993, a Korean court convicted Lee of violating real estate laws, distributing medical supplies without a license and falsely billing Dahn as a college; he was sentenced to two and half years in jail, of which he served 70 days."

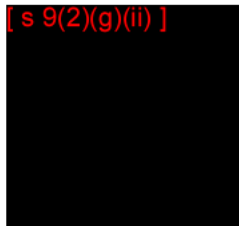
Can Mr Lee comment on the following matters set out in the Rolling Stone article, that Mr Lee:

1. Was convicted of violating real estate laws.
2. Was convicted of distributing medical supplies without a licence.
3. Was convicted of falsely billing Dahn as a college.
4. Was sentenced to two and a half years in jail, of which he served 70 days.

We would be grateful if you can include comment on this part of the Rolling Stone article in your response to our earlier letter. Please provide your response by **22 February 2018**. If you are having trouble meeting this due date, please contact me on gabriel.kenny@mble.govt.nz or 04 896 5402. Our postal address is PO Box 1473 Wellington 6140.

Yours sincerely

[s 9(2)(g)(ii)]



Technical Advisor
Immigration Resolutions
Immigration New Zealand

Released under the Official Information Act 1982



The Yoast

How a Korean guru has created a fanatical following on college campuses that is part Moonies, part New Age boot camp and pure profit By Sabrina Rubin Erdely

IF YOU LOOKED AT IT FROM A CERTAIN PERSpective, the exercises Amy Shihyng did in Dahn Yoga were perfectly normal. The fact that she was doing night yoga, it was near midnight. Amy and seven other devotees of Dahn Yoga — nearly all in their 20s, clad in blue tracksuits and barely functioning on three hours of sleep — were standing in a waist-deep fountain in the desert of Sedona, Arizona. On command from their Korean trainer, all eight would plunge their heads underwater and hold their breath until their lungs strained, finally reemerging to the surface gasping and shouting a devotional song to their Grand Master — a middle-aged Korean man called Tchi Lee — and weeping to prove their sincerity. Then they'd be ordered to do it again, and properly this time. In this way, Amy and the others were saving their souls and rescuing the world from annihilation.

See? Totally normal. Amy loved tests. She'd always been Type-A like that, an overachiever, first in line for any challenge. And Dahn Yoga gave her endless tests to pass, especially here at its isolated Arizona retreat where, round the clock, members performed all kinds of mysterious rituals. Certain exercises had taken some getting used to, of course. Like the one where they'd turn off the lights and everyone would dance and scream for hours, until they collapsed in a sobbing heap. Or just earlier today, when Amy had been ordered to march her face in the dirt as a lesson in humility. A 24-year-old blond Midwesterner who had been a homecoming princess of her Indiana high school, Amy was now a pro at such practices: At a previous workshop that lasted for 10 days, she and a dozen others had begun each morning by punching themselves in the stomach while hollering things like "I am stupid!" For that privilege, Amy had paid \$6,500.

Illustration by SEAN MCCABE

Two years earlier, Amy and her boyfriend, Ricardo Barba, had been ordinary juniors at the University of Illinois when they visited a campus fitness club that taught a meld of yoga and tai chi. Now, by spring 2008, they were sleep-deprived, celibate soul warriors who considered Ichi Lee their "spiritual father." In pursuit of the enlightenment Lee promised, they and thousands of other young American disciples dedicated 80-hour workweeks and astonishing amounts of money to Dahn Yoga. Amy was \$470,000 in debt for her training, having netted out credit cards and student loans at the urging of her masters. Again, totally normal: Many who progressed in Dahn had mountains of debt, especially these lucky older members with homes to mortgage - an asset that came in handy when paying for Dahn's holiest seminar, which cost \$100,000.

Amy broke through into song, careful to keep a smile on her face as tears rilled down her cheeks. Suddenly she was struck with a rare moment of clarity. She didn't understand how this exercise was promoting world peace. She missed Ricardo. She was exhausted. She felt ridiculous, who was back in Chicago cleaning yoga-studio toilets and doing penance for his

127 fitness centers nationwide, practitioners train in martial arts, engage in a head-shaking meditation known as "brain wave vibration" that is best performed while holding pain-size rubber vibrators (800 per pair) and, after class, discuss their feelings in a "fracting circle." In fact, Dahn's calling itself "yoga" is just a marketing ploy to enhance its appeal to Americans, who make up some 10,000 of the 600,000 members the group claims worldwide. Many are supernormal kids, like Amy Shipley and Ricardo Barba, who are recruited from college campuses, along with a healthy dose of older, rich folks whom the group privately calls "VIPs." Last year, Dahn Yoga pulled in an estimated \$30 million in the United States alone - and that's only a fraction of its 1,000 franchises across nine countries.

But critics say this lucrative fitness craze has a dark side. "Dahn is a destructive mind-control cult, very similar to the Moonies," says Steven Hassan, author of *Combating Cult Mind Control*, who has counseled many ex-Dahn members. A federal lawsuit filed last year by 27 former members, including Shipley and Barba, says a step further, claiming that Dahn is not only a cult, but that the profits generated by its brainwashed masses fund the

Lee's leadership of the group is just part of the pattern of deception, much like the jewelry, "energy-cleansing," gold-painted jewelry that Dahn sells.

The deceit can begin at the front door, since the Dahn brand name (Korean for "energy") is notably absent from some of its storefronts. Dahn's studio in New York calls itself "Iao Yoga," and its affiliated retreat centers in Sedona, the Catalina Mountains and British Columbia bill themselves as holistic wellness spas. The 22 "Body and Brain Clubs" that Dahn disciples run on college campuses are initially quiet about their relationship to the group, even though their founder claims that the whole point is to funnel kids into Dahn. "Whole-people-ness are the perfect recruits," says Laete Vogel, who started the first Body and Brain Club in 2001 while a student at MIT. "The goal was to get them to become Dahn masters and devote their lives to Dahn." In 2007, after Vogel tried to make her local Dahn center "less like a cult" - shortening workdays, allowing employees to date - Ichi Lee ordered her to go to Sedona group and become a plaintiff in the lawsuit, found herself \$140,000 in debt.

The lawsuit, still in its early stages, has plunged Dahn into damage-control mode

"These are people with no boundaries," says Vogel. "Anything is justifiable as long as it brings in a buck."

AMY SHIPLEY WASN'T LOOKING for enlightenment when, in the fall of 2006, she walked into the Body and Brain Club at the University of Illinois at Chicago. She just wanted to lose five pounds. "That's my issue," she says. "I'm always five pounds overweight." Her boyfriend, fellow junior Ricardo Barba,

The Converts
As college students, Ricardo Barba and Amy Shipley devoted themselves to Dahn yoga (l). Amy recruited for the sect on the streets of Chicago (2) and immersed herself in Dahn techniques (3).



had taken a class at the student-run club and called Amy afterward. "Babygirl, I could feel this energy - it was crazy!" he gushed. Amy headed to the Rec Center to catch the next Body and Brain session. She was disappointed by the workout, a slow-moving tai chi lesson led by a Chicago's West Town neighborhood, where he graduated valedictorian of his Jesuit high school. Now at UIC, Ricardo was intent on entering politics to serve the city's Hispanic community. Despite their divergent backgrounds, he found a kindred spirit invited her to a Halloween party.

"Here's this doozy kid inviting me to a party," Amy thought. "How funny!" The night of the party, she slipped into a white, low-cut Marilyn Monroe dress and headed to the off-campus address she'd been given.

movement of our generation" - closing the education gap for people of color. She and Ricardo were idealistic, brimming with energy and, like many kids their age, on a quest for identity and purpose. Attending classes at Dahn, Ricardo was amazed at the unexpected ways they helped him peel back his own layers. Like how, in one exercise, his instructor turned to Ricardo and commanded, "Sing a song!"

"Uh," Ricardo hesitated. "That's how you live your life," the instructor snapped. "Too much thinking, not enough acting!" Ricardo was floored. When their Dahn instructors suggested Ricardo and Amy sign up for a two-day "Shim Sung workshop" to uncover their "true selves," they readily agreed. The \$200 fee didn't include the price of the uniform, a white martial-arts outfit with balloon-leggert pants that made them both snicker, but once they were standing among the two dozen excited participants, the clothes didn't seem so bad. The workshop consisted of hours of loud and fast exercise, trust-building games and lots of personal conversations, all performed to rousing music. Attitude was everything. Asked to hold a pose, they held it for as long as 30 minutes, while their instructors yelled, "This is what it feels like to give 100 percent!"

Amy and Ricardo did everything asked of them at Shim Sung - including, when they each returned home on Saturday night, promising not to break the spell of self-discovery by talking. They stayed up late writing the autobiographical essays they'd been assigned. Amy wrote about how her father had fitted in and out of her childhood and the hole that had left in her life. Ricardo, whose parents emigrated to Chicago from Mexico, wrote about being the first in his family to go to college and how badly he wanted to make his parents proud.

The next morning, their Dahn instructors collected the essays - soon to be shared with all the Chicago masters. What Ricardo and Amy didn't realize was that the true purpose of the Shim Sung exercise was to help Dahn's leaders identify recruits who might become big revenue producers. "If you thought someone had potential for money, you'd try to get them to go to the Shim Sung workshop," recalls Benjamin Greene, who became a master in L.A. before "escaping" in 2008. "When I was at Shim Sung, I was keeping track of my members and how much they opened up. If they didn't open up, they didn't have as much potential. But if they opened up, we thought to capitalize on that potential as fast as possible. When they're susceptible like that, you try to sell them on something else. Ideally, you've signed them up for the next workshop before they even go home."

Amy and Ricardo emerged from Shim Sung exhausted but exhilarated. Their Dahn instructors had heaps of sugges-

"I was a good little cult member," says one former Dahn disciple. "I would have drank Kool-Aid laced with cyanide if they told me to. I would have done anything."

inability to "create" money. What the hell am I doing? Amy wondered. But no sooner did she squelch the way her masters had taught her. When in doubt, commit yourself even harder. She slammed her face into the chilly water until her reservations dissipated. At the end of this week's training, Amy herself would be crowned a Dahn master and awarded her heavenly assignment to recruit 20 new members and raise \$20,000 for Dahn Yoga each month.

"I was a good little cult member," Amy says today. "I would have drank Kool-Aid laced with cyanide if they told me to. I would have chopped off my right arm. I would have done anything."

GIVEN THE DEVOTION many Americans feel for yoga, it was just a matter of time before someone hatched the idea for a yoga cult. But at Dahn Yoga, a 25-year-old Korean organization, there are no downward-dog poses, no sun salutations. At the group's SABRINA RUBIN EZRAZOV wrote *The Girl Who Conquered the Ivy League* in BS 1080.

to protest its carefully crafted image. Taking a page from Scientology's playbook, Dahn has positioned itself not as a goopy spiritual movement but as cutting-edge science it calls "brain education," with the power to sharpen memory, prevent cancer and even give practitioners extraordinary powers. As a result of such claims, two universities have awarded Lee honorary doctorates, 17 American cities have declared "Ichi Lee days," and the Dahn Foundation, whose sole mission is to spread the practice of Dahn Yoga, enjoys tax-exempt status from the IRS. Lee lectures at international brain seminars - hosted by the Korea Institute of Brain Science, of which Lee is founder and president - and in August, he held a "Brain Art Festival" at Radio City Music Hall. The hype has helped pave the way for a new product line: "brain education" programs for children. Clients often have no clue who they're dealing with, as when New York paid \$400,000 to PowerBrain Education, another Dahn-affiliated operation, to teach "brain wave vibration" workshops in 44 public schools. One elementary school, PS 65 in the Bronx, even got a lesson from Ichi Lee himself.

PHOTOS BY JEFFREY M. HARRIS FOR ROLLING STONES; COURTESY OF AMY SHIPLEY

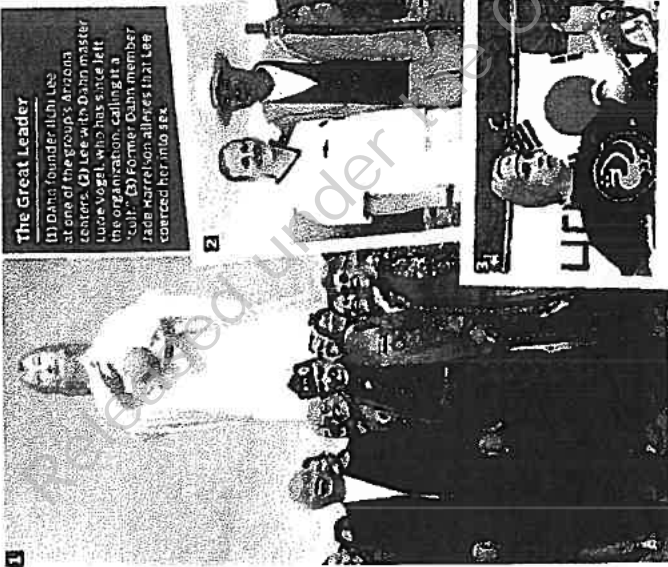
tions about how to build on their progress: more classes, more workshops, more one-on-one "healing sessions." All of which the couple readily signed on for. Amy and Ricardo even agreed to help clean the Dahm center, spending their evenings in front of the floor while a candle burned in front of a framed photograph of some white-haired Korean dude. Their instructors told them he was Dahm's founder. Perhaps one day they'd be lucky enough to meet him.

LICHI LEE'S VISAGE APPEARS IN every Dahm Yoga center. He is usually shown dressed in a dark business suit with no tie, his round, unlined face beaming tranquility. Dahm instructors are initially vague when discussing his identity with new members. That's on purpose, say ex-masters: Instructors are taught to "make it fit their brains" - that is, to tell members only as much as their minds can handle. At first, Lee is referred to as Dahm's founder, Next, he's the author of a book recommended to you. Then he's revealed as the calm voice speaking in Korean on the CD playing during your workout. If you're truly fortunate, he might be the man making a rare personal appearance, arriving amid great fanfare as all the masters reverently scurry around, careful never to step on his shadow. It can take a couple of years, ex-members say, before they're informed of Lee's true identity as the font of universal energy upon which we all draw.

"We believed he was like God," says former member Jane Harrington. Lee himself is more modest; in a 2005 training manual, he compared himself merely to Buddha.

Like most cult leaders, Lee's story follows the classic line of the charismatic con man. As a child in South Korea, Lee's grades were a disappointment to his father, a schoolteacher; the boy's mind was so scattered, he could scarcely pay attention to his lessons. But Lee gradually found that moving his body helped him to focus. He threw himself into martial arts and excelled. He made it through school, married and took a job as a lab technician. But by age 28, Lee felt unfulfilled. In his own retelling, he linked to the top of Moak Mountain in 1980 and meditated for 21 days, neither eating nor sleeping, until he was lit with the revelation that he was composed of cosmic energy, energy with no beginning and no end. This was his moment of enlightenment. Lee discarded the thought that spread the good word.

He changed his name to Ichi, or one who is "joining the way," and taught mind-body exercises in a park, gradually developing a following. In 1986, he opened his first Dahm center in Seoul. From there, Lee moved at a relentless pace, touring Korea and opening centers across the country. Left behind were his wife and two young sons. Lee wasn't worried, he told followers, since he had asked the heavens to look after



The Great Leader
 (1) Dahm founder Ichi Lee at one of the group's Arizona centers. (2) Lee with Dahm master Luise Vogel, who has since left the organization, calling it a "cult." (3) Former Dahm member JAGB Harrell in a 1987 interview. Coated for info by FBI.

Sedona, Arizona, an area famous for its spectacular "red rocks" and their supposed mystical powers. Lee called his "Mother Earth"-studied desert Mayo ("Mother Earth") Garden and designated it the epicenter of his American empire. Lee and his affiliates also bought a nearby RV park for Mayo Garden's future residents, several Arizona residences, an expensive head-quarters for the "Ichi Center for Brain Research" and a glass-walled mountain-top house with a breathtaking 960-degree view, for which, Lee bragged, he had outbid Nicolas Cage. Who wanted it for his bride, Lisa Marie Presley.

Next, Lee dispatched devoted Dahm masters to the new corporate nerve center in Sedona. It took a while for the Korean crew to figure out the mind-set of its new American market. The big problem was that Americans bristled at being told what to do - Korean Dahm involved a lot of backed orders. So Dahm instructed its American masters to adopt a softer approach. In an even bigger breakthrough, it added "Yoga" to its name, repackaging its central goal from seeking enlightenment to pursuing personal growth. A master in L.A. even arranged screenings of *The Matrix*, telling members that, like Neo, they were living in an artificial reality - but that

they were taking a workshop called Power Brain Method, learning that their minds were cluttered with meaningless "information" spouted up throughout their lives. But thanks to the wonders of neurophysiology, the weekend's buzzword - their brains could be reprogrammed. First, however, they needed to clean their mental closets by dismissing their attachments out loud. Amy was going at it with her usual gusto: *My attachment to Ricardo is not me, it's just my information. By acknowledging it, I am letting go of it.*

Ricardo looked at his own page, where he'd written *family* but not *amy*. He was being hit to Dahm. He had realized she was outpacing him after their very first Sedona workshop. It had been an emotional weekend; one exercise involved pretending you were staring at your own dead body - really, your partner draped in black cloth - and considering the question *What do you want to say to your body? Are you happy with the life you live?*

"I'm so sorry!" Amy had wailed to her dead self. Ricardo had been moved too, but part of him had held back. He was committed to Dahm's mission - creating energy that would heal the world - but he was starting to have his doubts. First of all, his instructors were pressuring him to quit

relationship no longer seemed a priority, she brushed him off. "That's just your negative thinking," she responded in Dahm-speak. She loved Ricardo, but she had more important things to think about, especially now that she was to graduate college. She informed her mother that she was no longer interested in teaching inner-city children - she had learned through Dahm that her previous goals had been petty and small. Instead, Amy sat through her vacation thinking of nothing but her reverence for Ichi Lee. She was ready, at last, to become a Dahm master.

"Becoming a Dahm master means dedicating your life to Ichi Lee," Amy says. "Everything I had would be for him. I would no longer be a regular person - I would become one of Ichi's people."

The Sedona training program for masters varied each year, but one constant remained: Candidates had to prove how much they were willing to endure for Dahm. In the past, its climax had been a grueling seven-mile mountain hike with up to 40 pounds of rocks in your backpack. But after Julia Silver collapsed on the trek in 2003 - her teammates reportedly plying her over her body as she died - Dahm tried other means of testing its candidates, making them drink toilet water, taking each

"We believed Ichi Lee was like God," one former Dahm member says of the cult's leader. Lee himself is more modest; he compares himself merely to Buddha.

other's feet, falling backward into a pool while screaming in Korean, "Ichi Lee, I love you!" In one brutal session, two dozen candidates were presented with a single white washcloth and told that it represented their soul. "They'd worked us into a frenzy," recalls Harrington, the former member. "It became primal. People were scratching and fighting each other to get this thing."

"They don't understand - this is the way trained masters were encouraged to move into communal apartments and were given their sacred task, or 'vision.' Nothing in Dahm is more important than vision, as a training manual makes clear: "The first value of life is vision. The second value of life is vision. The third value of life is vision. Vision, former members say, is simply the amount of money that masters are expected to bring into Dahm each month, as well as the number of members they recruit. In a recorded lecture he gave to New York masters last April, Lee himself reinforced the primacy of vision. "You have to go crazy about two things," he instructed. "One is, you have to go crazy for your members. And second, you have to be crazy about money." This "vision," Lee emphasized. [Cont. on 68]

school. And he was worried about money - as his masters kept reminding him, despite the fact that Dahm was a crucial sign of spiritual progress. Then there was the problem of his family. Dahm members were expected to separate from nonbelievers, but Ricardo didn't want to push his family away. Not only was he still living at home, but he still wanted to make them proud.

"You're going to make them proud," Ricardo's masters reasoned with him. "Your parents are just your flesh parents. Ichi Lee is your spiritual father."

Amy was a model pupil, a star recruiter who spent hours handing out pamphlets in the Chicago streets while wearing a pair of feather wings and flirting with passers-by. When a master told her she needed to hand over \$13,000 as part of her "money training," Amy didn't question it. She took out loans, including one co-signed by a Dahm instructor - a routine practice, say ex-masters. Amy also obliged when her master instructed her to spend less time with Ricardo. Relationships and sex were Dahm no-ones, and Amy began leaving to her own side of the bed. When Ricardo tried to talk to her about the way the re-

MY ATTACHMENT TO BECOMING A TEACHER IS NOT ME, IT'S JUST MY INFORMATION. BY ACKNOWLEDGING IT, I AM LETTING GO OF IT.

Amy, cross-legged on the floor, read in a monotone from a sheet of paper, her voice almost swallowed by the buzz of the crowded studio. Ricardo watched her from across the room. They'd been Dahm members for more than a year now. Today

VOGA CULT

[*Cont. from 55*] must be "more precious than your life."

Falling to achieve one's vision was considered a grave spiritual lapse—and masters obsessively checked Dahn's online database, which tallied every dollar brought in. "The pressure was intense," says Greene, the former master, whose California center took in \$200,000 a month. "Literally all you could think about was how much money you had yet to raise." Masters scrambled to sell everything they could: \$10,000 Sedona workshops, \$1,500 annual memberships, \$1,000 weekend retreats, \$200 private healing sessions, plus books, CDs, even Ichi Lee's own happy-face calligraphy. But no matter how well they did in any given month, the calendar turned over, and their totals dropped to zero again. It was a never-ending treadmill.

Having achieved the title of Dahn master, Amy pushed herself to the limit. Each morning she woke at 4 a.m. to meditate, shaking her head back and forth to connect with Ichi Lee's energy, as she had been taught, and praying to make her month-long quota of \$20,000 and 20 members. Then she would begin her packed day of teaching classes, conducting "healing sessions," coaxing people into memberships and attending staff meetings before heading home at 11 p.m. There was no time to sleep, barely time to eat. One day Amy fainted while distributing flyers in Lincoln Park; her supervisors approvingly told her she'd been releasing her guilt and shame. A month into her life as a master, Amy was worn out. One morning in July 2008, when she and Ricardo climbed into his beat-up Acura minivan to just suit for a workshop, she was glad to buy suit and let him drive; the motion soothing her into a half-sleep, she suddenly.

"I don't want to do this anymore," she said suddenly. Ricardo looked at her. He'd never seen her so tired. "Say the word, and we'll go," he answered.

Amy thought, then shook her head. She'd come too far to give up. Besides, she was about to be awarded her very own ticket to heaven—her "soul name," personally bestowed upon her by Ichi Lee. She was about to come face to face with her god.

ICHI LEE WAS LIVING A LIFE QUITE different from that of his disciples. He had a private jet, horse ranches, houses in New Jersey and Arizona, an apartment in Seoul, live-in housekeepers at his primary residence in Sedona, and personal chefs to prepare his favorite meals. One day, he discreetly removed a fly from his food. Ex-members say that Lee also loved to gamble in Vegas. Not the typical behavior of a guru, but Lee's assistants already knew that their leader hardly resembled the placid image he projected to the rest

of Dahn; he was a fearlessly impatient and arrogant businessman, intolerant of dissent and obsessed with money.

Lee had officially stepped down from Dahn in 1997, announcing that he would instead serve as a consultant and "paid trainer of Dahnworld" through a company called BR Consulting. According to a former member accounting for a Dahn affiliate, Lee's consulting fee was 30 percent of Dahn's total income. But whatever his official title, Hun Kim, a former regional director, claims that the founder continued to be the driving force behind Dahn. "Ichi Lee makes the decisions," Kim says. "Everything comes from him." According to the lawsuit, Lee also rakes in money through a number of supposedly independent offshoots that remain tied to Dahn. A New Jersey-based company called CGI Inc., for example, owns a chain of Dahn Yoga studios, and a subsidiary of BR Consulting owns a corporate resort called Honor's Haven that doubles as a Dahn retreat center. The general manager of Honor's Haven is none other than Ichi Lee's youngest son, Chung Won "Julian" Lee, and the resort is run by

that she was resigning from Dahn. Then she hid out in her apartment, crying, barely eating and cutting herself with razor blades. She says she was repeatedly visited by two senior Dahn masters, who yelled at her that she didn't understand the spiritual dimension of Lee's sexuality. "They told me I should apologize to him for questioning his integrity," says Harelson. "They told me that Dahn offered her a six-figure sum to drop out of the lawsuit." They said that this was an honor and I should be grateful."

IN THE HOTEL BALLROOM AT HONOR'S Haven, Amy Shipley ran to her yoga mat, quaking with anticipation.

All around her, some 65 soul-name recipients were anxiously awaiting Ichi Lee's arrival. The masters running the ceremony had set up a throne-like chair, filled roses with fresh flowers and straightened mats in neat rows. In a few moments, Ichi Lee would arrive to look at each one of them—his gaze reaching into their souls—and describe to each the Korean character and attributes that he saw. Receiving one's soul name was an honor few masters had attained. Amy felt lucky to be here, grateful that her two years in Dahn had led her to this transcendental moment.

Ichi Lee arrived with a swarm of assistants. Amy and the other masters leapt to their feet in applause, bowing in unison and shouting well-rehearsed greetings in

Korean. Lee, dressed in traditional home-fitting Korean clothes, strode imperious into the room, his eyes sweeping the assembled followers, lingering on individual faces. Mounting his makeshift throne and gesturing for his disciples to sit, Lee surveyed the room in silence. Amy focused on her Grand Master's face, smiled her HSP smile and radiated positivity, knowing that Ichi Lee could read her thoughts.

Lee addressed the crowd in Korean, his voice low and calm. His female assistant translated into rapid-fire English: *None of you are sincere enough in your dedication to Dahn. All are unworthy of receiving your soul name.* The room erupted into sobs and thank-yous as Lee got up and left as abruptly as he had arrived.

Amy was devastated. "I knew he'd seen through all my layers," she says. "He could see my demons, my ego, my insecurities, all my faults." She immediately tried to detoxify herself anew to Dahn, but something inside her had collapsed. Ten days later, Marda found herself getting into her blue Mazda 626 and driving home to Indiana. Ricardo, meanwhile, was on his way back from Mexico, knowing he was in trouble. He'd been dispatched by his masters to ask his grandmother for \$450,000 for his training—told that if he couldn't come up with the money, he would die, and his ailing grandparents might be damned for eternity. But during his three weeks in Mexico, Ricardo hadn't been able to bring himself to ask for the cash; He was returning to Chicago empty-handed. He went straight to the Dahn center to report his failure. His master, a Korean woman who called herself Joy, met him at the door. "She doesn't love you."

"Ricardo, it's time for you to take care of your spiritual growth. How much money can you get down?" Joy continued, informing him that he needed to fly to Sedona immediately to "focus on yourself." "If you don't buy that ticket today, don't come back here again," she was told.

Ricardo went home in a state of shock. Amy had left him, his soul was dying, he had no idea what to do. For once, he asked his father for advice. "Don't buy that ticket," his father told him gently. "Don't go back." Ricardo spent the next two months isolated at his parents' house, working in their garden and sipping peaches from their tree, just thinking. Without Dahn, he was depressed, confused and terribly afraid.

Former members say it can be nearly impossible to leave the group—not only because Dahn teaches that leaving means spiritual death, but because its members often harass those who try to quit. Kim Morse, a Boston member who left in 2006, says she received nearly 50 phone messages from her masters in two days, threatening that if she didn't come back, she would get sick and die. A man active in the

es-Dahn "underground railroad" says he has received death threats. Hun Kim, the high-ranking Dahn master who was one of Lee's most trusted disciples before he broke with the sect last year, found himself questioned by police in Charleston, New York, after a Dahn affiliate alleged that he had embezzled company funds. (No charges were ever filed.) Kim's defection is seen as particularly harmful to the group; Dahn reportedly held a recent ceremony in which members were told to draw pictures of Kim, then tore their pictures to shreds while shouting, "Die! Die! Die!"

For now, though, Lee seems to remain very much in control—and his empire remains extremely profitable. At Sedona, former members estimate, some 30 clients sign up each year for Dahn's best-kept course, which costs \$100,000; Mega Garden now boasts luxury suites with marble floors and Jacuzzi to accommodate such VIPs. During a two-hour-long lecture recorded with his New York masters last April, Lee reminded those who failed to achieve that month's vision of money and members. "It sounds like you're in kindergarten," he scolded one disciple. "I'm surprised that there's anybody that likes you." While listening to progress reports from each master, some of whom burst into tears, Lee explicated his displeasure. "I want to hear the results," he said. "I don't want to hear the process." He chastised the assembled masters for not selling enough copies of his newest book, *Brain Wave Vibrations*, which he referred to as "holy scripture." "You should start to feel nervous if you are seen one minute," he told them. "When you go to the bathroom, I want you to take that book with you." Above all, he reminded them of the crucial nature of money: "We are an organization that needs a lot of money. Do you know why? In order to change the Earth's environment and help the human environment, we need to have a successful business and make a lot of money... You have to have the power to attract it to you like a magnet."

Throughout the lecture, Lee never failed to remind followers of his own supremacy. After one young woman's report went beyond the stipulated one-minute mark, Lee told her, "You've taken a lot of my very precious time, so you need to pay me a huge consulting fee." She chuckled nervously as he continued. "Let me tell you that one minute of consulting from me is worth \$10,000. So right now you're getting a very high-priced consulting." He then instructed her to wash and massage the feet of her superior for the next 21 days. The woman thanked him profusely for his wisdom.

FOR WEEKS AFTER LEAVING Dahn, Amy scarcely left her childhood bedroom in Indiana. The pressure of having to face the innumerable decisions of a typical day—what to wear, what to eat,

what to do—were too overwhelming. "I hadn't thought for myself in so long, I'd forgotten how," she says. She could concentrate, had nightmares about her masters—symptoms that would eventually be diagnosed as post-traumatic stress disorder. "I didn't know who I was or what to do," she recalls. Her family paid for therapy and intensive "deprogramming," which helped Amy cope. Today, a year and a half after leaving Dahn, Amy is starting to get her act together, working as a teacher at a charter school in New Orleans.

Ricardo has not been faring quite as well. When he's not working as a bodyguard, he spends most of his time hiding out. Unlike leaving Dahn, though, he was less in control. "Dahn flipped some switches in my head, and I don't think I'll ever be able to shut them off." In January, Ricardo and Amy reached the painful decision, after seven years as a couple, to break up. Amy and I came down to New Orleans to heal together, but we realized we've become a crutch for each other," says Ricardo. "I just feel that Dahn has done so much damage to us that we have to separate in order to heal."

Both are still grappling with how to make sense of their experience and the shame of how they could have let it happen to them. But what's hardest to endure isn't the misery they suffered in Dahn—it's the memories of how the group awakened them to their own sense of potential. Ricardo proved themselves more hardy and determined than either had ever imagined. For Ricardo, discovering that capacity was the sweetest satisfaction he has ever known—a contentment, he suspects, that most people will never know. It's desperate to tap into that feeling again. If only he knew how.

"I feel like I've lost my sense of purpose," he says. "There's a part of me that wants to be challenged. But I feel like there are no jobs that challenge me, nothing to do, point where I was challenged in Dahn." Maybe that's why, despite everything he now knows, and against a common sense, Ricardo secretly fears that what he really wants is to go back.

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"Annexure E"

BELL GULLY

[REDACTED]

Immigration Resolutions
Immigration New Zealand
Wellington

FROM **Willy Sussman**
DPI +64 9 916 8952
MOBILE +64 21 300 600
EMAIL willy.sussman@bellgully.com
MATTER NO 402-3651
DATE 15 February 2018

Dear [REDACTED]

Mr Seung Heun Lee - CN 51013636

I write in response to your letters of 10 January 2018 and 5 February 2018.

It is most efficient to deal with each question separately even if there may be an element of repetition.

Dealing first with your 10 January letter:

Details of the offending

1. This is comprehensively answered by the letter addressed to our client by "Seoul Eastern District Public Prosecutor's Office" and the translation of that document marked "A" and "B" respectively (**attached**).
2. Please refer to our response immediately above and the documents referred to.

Details of the sentence

3. This is also addressed in document "B". Your understanding that he was sentenced to 2.5 years imprisonment, suspended for 3 years, is correct.

Expungement

You raise a number of points all of which, if I understand you correctly, focus on whether is it expungement or in essence the same as our clean slate provisions. Based on advice procured by our client from a Korean law firm it appears that the Korean position is not substantially different from our clean slate provisions.

Korean law

This is addressed immediately above.

Your 5 February letter focusses on parts of an article attached to that letter. We respond to your 4 questions.

1. To the best of my knowledge describing Mr Lee as having been "convicted of violating real estate laws" is an exaggeration. The herbal supplements were sold from premises. Those premises may well not have been premises licenced to carry on the activity of selling those supplements. However, to say that our client was "convicted of violating real estate laws" draws a most imprecise inference.

2. The explanations we have given accurately describe what Mr Lee was found guilty of.
3. I refer you to paragraph 3.4 of our letter of 27 September 2017.
4. This is incorrect. Mr Lee was held pending his trial. He did not "serve 70 days".

I appreciate your need to ensure that you have all of the facts necessary to consider the position. If you require any further information, please let me know.

Yours faithfully
Bell Gully



Willy Sussman
Partner

Released under the Official Information Act 1982



서울동부지방검찰청



수신자 이승헌 귀하
(경유)

제목 판결문 발급 신청 관련 안내(이승헌)

1. 귀하께서 당청 민원실로 신청하신 서울동부지방검찰청 1993형제28507호 보건범죄단 속예관한특별조치법위반, 식품위생법위반, 교육법위반 사건(피의자: 이승헌, 주민등록번호: 520401-1055519) 관련 민원에 대한 회신입니다.
2. 귀하는 위 사건으로 기소되어, 1993. 8. 13. 서울동부지방법원에서 징역 2년6월에 집행유예 3년, 벌금 105,000,000원이 선고, 같은 해 8. 21. 확정되었습니다.
3. 위 사건의 판결문은 보증기간의 경과로 인하여 현재 당청이 보관하고 있지 않으므로, 판결문 발급이 불가능함을 알려드립니다. 끝.

집행과 장홍표

검찰수시관 신재

검찰수시관 신동철

전결01/23
집행과장 홍홍표

협조자

시행 집행과-415 (2018.01.23.)
우 05856 서울 송파구 정의로 30 (문정동)
전화 22044559

접수

/http://www.spo.go.kr/eastseoul

/hoyonjiki@spo.go.kr

/비공개(4)

法務法...憲 岩

인천 남구 소성로 171, 405호(학익동, 대흥빌딩)
대표전화 : (032) 252-1940 팩스 : (032) 252-1945~6

Seoul Eastern District Public Prosecutor's Office

To : Seung-heun Lee, recipient
(Via)

Re: Guides on Application for Issuance of Judgment (Seung-heun Lee)

1. Please be advised that this is a reply to your request filed with public service center of this Office in terms of the case of violation of the 'Act on Special Measures for the Control of Public Health Crimes', the ' Food Sanitation Act,' and the 'Education Act.' (Case Number: 1993 hyungjae 28507 ho, Suspect: Seung-heun Lee, Resident registration Number: 520401-1055519)

2. You have been prosecuted for the case as described above and has been sentenced to 2 year and 6 month imprisonment with prison labor, 3 year probation and KRW 105,000,000 won of fine on 13 August 1993 and this sentence was finalized on 21 August 1993.

3. Please be informed that the preservation period of judgment of this case has elapsed, this Office no longer retains such judgment and the issuance of that judgment is impossible.

Please be informed that the preservation period of judgment of this case has elapsed, this Office no longer retains such judgment therefore issuance of that judgment is impossible.

Heung-pyo Hong, Section chief of execution (signature)

Jeong-hoon Shin, Prosecution investigation officer (signature)

Dong-cheol Shin, Prosecution investigation officer

Heung-pyo Hong, Section chief of execution (signature)

Assistants

Division of execution - 415 (23/01/2018) receipt

30 Jeongui-ro, (Munjeong-dong), Songpa-gu, Seoul, Republic of Korea 05856

/http://www.spo.go.kr/eastseoul

Tel. +82-2-204-4559/ hoyonjiki@spo.go.kr /-confidential(4)

法務法人 憲 岩

인천 남구 소성로 171, 405호(학익동, 대흥빌딩)
대표전화 : (032) 252-1940 팩스 : (032) 252-1945~6

"Annexure F"

BELL GULLY

By email [s 9(2)(g)(ii)]

[s 9(2)(g)(ii)]
Immigration Resolutions
Immigration New Zealand
Wellington

FROM Willy Sussman
DDI +64 9 916 8952
MOBILE +64 21 300 600
EMAIL willy.sussman@bellgully.com
MATTER NO 402-3661
DATE 16 February 2018

Dear [s 9(2)(g)(ii)]

Mr Seung Heun Lee - CN 51013636

You will have received an email from me yesterday, a copy of which is **attached**.

Yesterday evening I was contacted by our client's Korean solicitor advising that the person at the Seoul Eastern Prosecutor's Office responsible for the issue of the document ("A" attached to yesterday's letter to you) mistakenly omitted reference to our client having been convicted of having violated the Act on Special Measures on Real Estate Registration.

A replacement document "C" and a translation of this "D" are **attached**.


My apologies for this.

Yours faithfully
Bell Gully



Willy Sussman
Partner

Released under the Official Information Act 1982

발생번호 2-211-2018-31232			
형사재판확정증명서			
① 사건번호		서울동부지방법검찰청 1993 형세 28507 서울동부지법 1993교합443호	
피고인	② 성명	이승현	
	③ 주민등록번호	520401-1055519	
	④ 주소	서울 송파 문정 래미리아파트301-802	
종리명		가.보건범죄단속애관한특별조치법위반, 나.식품위생법위반, 다.부동산등기특별조치법위반, 라.교육법위반	
판결	⑤ 선고고	19930813	서울동부지방법원
	⑥ 형명·형기	징역 2년 6월 집행유예 3년 벌금 105,000,000 원 환형유치금 200,000 원 몰수 : 비고란참조	
	⑦ 확정	1993. 8. 21.	
판용도	신청화인용	신청인	이승현
위와 같이 형사재판이 확정되었음을 증명합니다.			
2018. 2. 12.			
서울동부지방검찰청 검사			
			

Issuing Number 2-211-2018-31232			
A Certificate of Criminal Trial's Decision			
① Case Number		Seoul Eastern District Prosecutor's office 1993 Hyungjae 28507 Seoul Eastern District Court 1993 Gohap 443 ho	
defen -dant	① Name	Seung-heun Lee	
	② ID No.	520401-1055519	
	③ Address	301-802 Family Apt. Munjeong, Songpa, Seoul	
⑤ Name of Crime		A.Violation of the Act on Special Measures for the Crackdown of Public Health Crimes B.Violation of Food Sanitation Act C.Violation of the Act on Special Measures on Real Estate Registration D.Violation of Education Act	
Verd -ict	⑥ Sentence	13/August/1993	
	⑦ Names of punishment, a term of imprisonment	2 years and 6 months imprisonment with prison labor. 3 years probation Fine KRW 105,000,000 (If you do not pay the fine, you will be jailed for KRW 200,000 a day) Confiscation : See others.	
	⑧ Confirmation	21/August/1993	
⑨ Usage		To Confirm the Fact	⑩ petitioner Seung-heun Lee
<p>This is to certify that the criminal trial was confirmed as mentioned above.</p> <p style="text-align: center;">12/February/2018</p> <p style="text-align: center;">The director of Seoul Dongbu District Prosecutor's office (seal)</p>			

Hon Iain Lees-Galloway

MP for Palmerston North

Minister for Workplace Relations and Safety Deputy Leader of the House

Minister of Immigration

Minister for ACC



- 5 JUL 2018

Seung Heun Lee
c/o Willy Sussman
Bell Gully
Vero Centre, 48 Shortland Street
AUCKLAND 1010

CN: 51013636

Dear Mr Lee

Re: Your liability for deportation

I am writing to you because I have determined that false information was provided, or relevant information was concealed, in relation to your residence class visa application. As a result you became liable for deportation under section 158(1)(b)(i) of the Immigration Act 2009 ("the Act"). For further details, refer to the enclosed deportation liability notice.

Although I am satisfied that you meet the criteria for deportation from New Zealand, I have decided to suspend your liability for deportation for a period of three (3) years, pursuant to section 172(2) of the Act. The suspension period begins on the date the enclosed deportation liability notice is served, or deemed to be served.

The suspension of your liability for deportation is subject to your compliance with the following conditions:

- 1) That you are not convicted of any offence committed during the suspension period, whether in New Zealand or elsewhere; and
- 2) That you do not provide false or misleading information, or conceal relevant information, in your interactions with any government agency during the suspension period.

If you comply with these conditions, your liability for deportation will be cancelled at the end of the suspension period. Should you fail to comply with these conditions, your liability for deportation may be reactivated and a new deportation liability notice would be served. You would have no new right of appeal and would be required to leave New Zealand within 28 days of service of the notice.

My decision to suspend your liability for deportation does not prevent you from appealing against that liability. Instructions on how to appeal to the Immigration and Protection Tribunal are included in the enclosed deportation liability notice.

This suspension may affect other applications

It is very important to note that while your liability for deportation is suspended:

- you are not eligible to apply for a permanent resident visa or New Zealand citizenship. If you have already applied, your application will now be suspended.
- you are only able to support or sponsor family for temporary visas if the person you are supporting already holds a temporary visa based on their relationship to you. Apart from that exception, you are not able to support or sponsor any residence or temporary entry visa applications while your deportation liability is suspended. These rules apply to residence applications lodged on or after 29 May 2017 and to all temporary entry visa applications.

Please note that this suspension does not prevent you from becoming liable for deportation on other grounds.

Please also note that at the end of the suspension period, your deportation liability is not automatically cancelled. There is a formal process to be followed and Immigration New Zealand (INZ) will need to contact you at the appropriate time with regard to that process. To that end, it is very important you update INZ with any changes to your contact details. You may do so by ringing INZ's contact centre at 0508 55 88 55.

I trust you will use this opportunity to make a positive contribution to New Zealand.

Yours sincerely



Hon Iain Lees-Galloway
Minister of Immigration

Hon Iain Lees-Galloway
Minister of Immigration
Parliament Buildings
Wellington 6160

FROM **Willy Sussman**
DDI +64 9 916 8952
MOBILE +64 21 300 600
EMAIL willy.sussman@bellgully.com
MATTER NO. 02-285-8402
DATE 21 June 2018

Dear Minister

Mr Seung Heun Lee

As we expect you will know from associated correspondence and submissions we have made, we act for Mr Lee in relation to Immigration New Zealand's advice that Mr Lee may be liable for deportation.

Mr Lee has asked us to forward to you a letter he has written asking you please to exercise your discretion in his favour. That letter (and the attachment referred to in the letter) together with an English translation are **attached** and marked "A", "B" and "C" respectively.

If you do not mind, we have also included:

- A letter outlining the significant benefits to the area in which *Copthorne Hotel and Resort Hikianga* and *Footprints Waipoua Limited* operate, from the owner of those businesses, Shane Lloyd, marked "D"
- A letter of support from the *Research & Innovation Manager* at the *Western Institute of Technology*, Dr Lily George, marked "E"
- A letter from the Chief Executive Officer of *NorthlandInc*, David Wilson, describing how Northland benefits from the operations, marked "F"

Please do not hesitate to let us know if you have any questions.

Yours sincerely



Willy Sussman
Partner

2018년 6월 20일

Hon Iain Lees-Galloway
 Minister of Immigration
 Parliament Buildings
 Wellington 6160

친애하는 장관님,

나의 이름은 이승현입니다. 2015년 6월에 영주권을 발급받아서 매우 감사했습니다. 나의 집은 케리케리에 있고 내가 하는 일은 주로 해외에서 케리케리와 파이히아를 방문하는 영상 그룹들에게 가이드를 제공하는 것입니다. 이들 방문객들은 뉴질랜드의 영감을 주는 환경에서 심신수련을 하기 위해 이곳에 옵니다. 나는 가이드를 제공할 때 사람들에게 뉴질랜드의 놀라운 아름다움을 경험하고 이해하고 고무되기 위해 이곳에 오라고 격려합니다.

나의 변호사들이 내가 주장될 수도 있는 가능성으로 이끈 상황에 대해서 설명하는 편지를 이민성에 보냈습니다만, 나의 방식으로 제반 상황을 설명하는 편지를 쓰고 싶습니다.

나는 단학을 창시했는데, 이는 인간의 잠재력에 의지하여 뇌를 개발하는 한국의 전통 훈련법에 기반한 심신수련의 하나입니다. 일례로, 이 수련법들은 뇌의 서로 다른 부분들 사이에 커뮤니케이션을 더 잘할 수 있도록 개발합니다. 이 수련법들은 뇌의 시냅시스 또는 회로를 향상시키고 그렇게 함으로써 뇌의 잠재력을 개발해 줍니다. 서양에서 더 쉽게 이해할 수 있도록 단학을 영어로는 "뇌교육"이라고 부릅니다.

1985년 이래로 나는 많은 국가를 방문하여 수십만 명의 사람들에게 뇌교육을 지도하고 가이드해왔습니다. 나는 뇌교육을 접한 사람들이 자기 자신의 존재에 대해서 더 깨어나고 자기 주변 세상의 아름다움에 대해서 더 자각하게 되고, 자신의 삶을 적극적으로 개선해 나가는 것을 보면서 너무나도 큰 보람을 느꼈습니다.

한국뇌과학연구원은 1999년 한국 과학기술부의 인가를 받았는데, 뇌의 잠재력을 보다 효과적으로 활용하는 방법에 대한 과학적 연구를 수행했습니다. 국제뇌교육종합대학원대학교(2002년 한국 교육부 인가)은 석사와 박사 과정을 운영하고 있습니다. 이를 통해 나는 뇌교육을 더욱 발전시키고 있습니다. 영산비도르의 교육부는 교육자들이 뇌교육 연수를 받도록 권장하고 있고, 그 교육자들이 학생들을 가르치고, 많은 학생들이 건강 및 학업 성취도 향상을 경험하고 있을 뿐만 아니라 자부심과 자기 개선을 위한 노력, 더 많은 것을 성취하고 싶어서 더 나아지기 위해 노력하는 데 상당한 공헌을 해왔습니다. 현재 영산비도르 공립학교의 10% 이상이 뇌교육을 시행하고 있습니다. 나는 장관님이 참고하도록 뇌교육에 관한 문서 1개를 첨부합니다.

2014 년에, 한국에서 뇌교육을 배운 적이 있고 1999 년에 뉴질랜드로 이민온 사이먼 김의 추천에 의하여 뉴질랜드를 방문했습니다. 북섬과 남섬의 여러 장소를 여행하면서, 원시림의 오염되지 않은 자연환경에 마음을 사로잡혔고, 특히 케리케리 인근의 토착림에서 활력을 느끼고 고양되었습니다. 주변의 평화와 고요함이 개인의 용기와 열정을 일깨우고, 뇌교육 수련자들이 마음을 집중하는데 도움을 줄 것이라고 느꼈습니다. 그 원시적이고 오염되지 않은 숲은 사색과 명상에 더 없이 완벽한 장소처럼 보였습니다. 나는 또한 사람들을 환영하고 매우 친절하며 예의 바른 뉴질랜드인들에게 매력적 느꼈습니다.

마침 사이먼이 뇌교육을 뉴질랜드에 소개하고 싶어했습니다. 명상여행 사업은 그것을 하기에 가장 적합한 방법처럼 보였습니다. 그래서 사이먼이 명상여행사(Meditation Tour, Ltd)를 설립할 때 재정적인 지원을 했고, 투어 가이드로 취업 비자를 신청했습니다. 나는 뉴질랜드를 방문한 명상여행 그룹들에게 명상을 가이드했습니다. 그 과정에서 나는 뉴질랜드가 정치와 경제가 깨끗하고 사람들이 정직하며 태러리즘이나 총기사고 걱정을 하지 않아도 되는 평화의 땅이라는 것을 더 많이 자각하게 되었습니다. 뉴질랜드에 대한 나의 애정 또한 더 커지고 깊어졌습니다.

그래서 뉴질랜드 시민들과 이곳을 방문하는 명상그룹들에게 뇌교육을 가르치고 지구시민 정신을 공유하면서 새로운 고향인 케리케리에서 여생을 보낼기로 마음을 먹었습니다. 내가 가이드로서 가르치는 것 중의 하나는 우리 모두는 지구시민이며 숲과 산들의 정대함에 비하면 우리의 존재는 일시적이고 짧다는 것입니다. 이에 대해 의식적인 감사는 뇌교육의 핵심입니다.

영주권을 신청할 당시, 미국에 살고 있는 둘째 아들 부부는 출신이 임박한 상황이었습니다. 나의 아내는 임박한 미국에서 손자를 돌보고 싶어하였습니다. 그래서 나중에 아내와 아이들을 뉴질랜드로 데려와 모두 함께 살아야겠다는 생각으로, 일단 2015 년에 나만 영주권을 신청했습니다. 2016 년에는 산림지외리조트를 사서 개보수 및 개발작업을 시작했습니다. 2017 년 1 월에는 케리케리에서 지구시민 페스티벌을 성공적으로 치렀습니다. 2017 년에 해외에서 약 2,450 명이 명상그룹으로 이곳을 방문했습니다.

2017 년 상반기에 해외투자사무국(OIO)에서 조사를 시작했습니다. 사이먼과 그의 회사 및 나의 회사가 OIO 의 사전 인가를 받지 않고 나의 재정적인 지원을 받아서 땅을 산 것이 문제였습니다. 나는 OIO 와의 미팅에 참석을 했는데 나와사이먼 둘 다 법규정을 제대로 이해하지 못했다고 잘못했습니다. 우리는 소급인가를 신청할 수 있게 해달라고 요청했습니다.

그리고 2017 년 하반기에 나의 변호사는내가 영주권 신청을 할 때 한국 법원에서 받은 1993 년의 유죄판결을 공개했어야 했다고 말했습니다. 그래서 변호사에게 뉴질랜드 당국에 알리라고

모중했습니다. 영주권 신청시에 이 사실을 일부러 숨길 의도는 전혀 없었습니다. 이제 나는 25 년 전의 판결을 공개해야 한다는 것을 이해합니다.

사이먼이나의 영주권 비자 신청과 관련하여 이전 변호사에게 문의를 했고, 나의 영어가 매우 제한된 관계로 사이먼이나의 영주권 비자 신청서를 대신 작성했습니다. 영주권을 신청할 때, 내가 유죄 판결을 받은 적이 있는가에 대해 사이먼이나 다른 사람이나에게 질문하지 않았습니다. 으레 전에 한국의 한 고위 변호사에게 받은 조언에 의하면, 1993 년 유죄 판결의 집행유예 기간이 끝나면, 그런 판결이 전혀 일어나지 않았던 것 같을 것이며, 내가 그것을 어느 누구에게도 공개할 필요가 없고 그것으로부터 어떤 종류의 불이익도 받지 않을 것이라고 했습니다. 그래서 나는 1993 년의 판결에 전혀 관심이 없었고 그에 관한 생각을 전혀 하지 않았습니다. 1993 년 판결은 어떤 식으로든 의도적으로 누락시킨 것이 아닙니다.

1993 년의 유죄 판결은 내가 1992 년에 설립한 회사가 관련 관청으로부터 사전 허가를 받지 않고 건강 보조 식품을 판매하고 주말에 강의를 제공했기 때문에 회사의 최고 경영 책임자(CEO)인 나와 두 명의 관리자가 벌금과 집행유예 판결을 받은 사건이었습니다. 그 당시 한국은 32 년간의 군부 독재가 겨우 몇 달 전에 끝난 시기여서 법 집행이 매우 심엄한 때였습니다.

이 문제가 뉴질랜드에서 발생했을때, 나는 매우 놀랐고 속이 상했으며 혼란스러웠습니다. 그러나 의도적인 누락이 아니었고, 부주의와 이민법에 대한 무지에서 기인한 것이기 때문에 큰 문제없이 좋게 해결될 것이라고 나는 믿고 기다렸습니다.

그러나 올해 1 월 중순 쯤에, NZ Herald 는 INZ 관계자의 말을 인용한 기사를 이렇게 실었습니다. "INZ 는 미스터 리가 강제 추방에 대한 책임이 있는지 여부를 결정하기 위해, 그의 거주 허가에 대해 조사하고 있다"며 나의 사진과 함께 기사를 냈습니다. 이것은 한지의 직원들 사이에 많은 동요와 나의 친구들로부터 큰 걱정을 일으켰습니다. 더욱이, 우리의 재정 지원 제안을 검토한 NorthTec 은 이 기사를 보고 결정을 연기했습니다. 이러한 상황이 전개되는 것을 보면서 나는 큰 충격을 받았습니다.

퇴교육을 배우기 위해 뉴질랜드에 온 사람들이 자신에게 정말로 중요한 것이 무엇인지를 발견하고 삶에 대한 그들의 새로운 열정을 보는 것이 나에게 큰 행복감을 주었습니다. 일반적으로는 은퇴를 고려할 나이였던 내가 나의 새로운 고향인 케리케리에서 퇴교육과 지구시민운동을 통해 사람들의 삶을 개선하는 데 기여하겠다는 나의 꿈을 실현하게 되었기 때문에 나는 뉴질랜드에 진심으로 고마워하고 있습니다.

나는 뉴질랜드에 더 많은 방문객이 오게 해서 나의 꿈과 뉴질랜드에 대한 나의 애정을 나눌 수 있기를 바라고 있습니다.

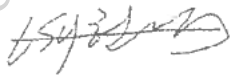
앞에서 언급했듯이, 우리의 자연 환경에 대한 감사와 존중은 뇌교육의 핵심입니다. 우리가 자연 환경과 어떻게 연관되어 있는지 이해하는 것은 아주 중요하고, 나는 그것을 지구시민 정신으로 이야기합니다. 명심여행 프로그램에서 우리가 가르치는 것과 지구 시민정신이라는 개념 사이에는 아주 밀접한 연관성이 있습니다. 그래서 케리케리의 훼손되지 않은 자연 환경에 환경 친화적인 교육 시설을 건설하여 방문하는 사람들이 진정으로 가치있는 것을 발견하고 유대감을 함양하고 환경에 대한 감사함을 느끼며 이곳에서 시간을 보낼 수 있기를 바라고 있습니다.

그러나 나의 지위가 정해지지 않은 상태라서나의 중요한 개발 작업이 보류되었고 심리적으로 우리 팀의 사기는 엄청나게 고통을 당하고 있다는 것을 당신은 알 것입니다. 나는 곧 개발작업을 계속하게 되기를 희망합니다.

그리고 나는 이곳에 있고 싶지 않은 친구들과 많은 인간관계를 가지고 있습니다.

장관님! 나는 나의 실수가 관리하게
처리되고 나의 아름다운 선교향 뉴질랜드에서 계속
거주하여, 온천시멘트로서 재기의 삶을 의미있고
자랑스럽게 살도록 최선의 노력을 간곡하게
부탁드립니다!

진심을 담아



이승현 (Seung-Hellin Lee)

Brain Education and Benefits to Maori Students for Physical and Mental Health

Introduction to Brain Education

Brain Education is an innovative educational program that Ilchi Lee created. Designed to develop the full potential of the human brain, it is a progressive convergence of traditional Eastern practices for energy development and mindfulness and new findings from neuroscience and education.

Distinctions of Brain Education include:

- Integrative approach to enhance physical, emotional, and mental well-being
- Developing a foundation for students to use their brain capabilities effectively
- Experiential training for behavioral as well as cognitive changes
- The Brain Education program consists of physical, emotional, and cognitive exercises designed to improve focus, creativity, memory, confidence, stress management, and physical health.
- Training outcomes include significant positive changes in learning efficiency, motivation, self-esteem, peer relationships, anxiety, self-regulation, stress management, and levels of positive behavior in the school and community

Brain Education Programme for Māori Youth

- Earth Citizen Organizations (ECO) is a global non-profit that develops leaders committed to making a difference in their lives and communities for a healthier and sustainable world. In New Zealand, ECO focuses on providing self-development training and education for the youth based on Brain Education.
- ECO has been involved with the Ngātiwai tribe in Northland who ran two Māori youth suicide prevention/youth development projects. Dr Lily George, who personally experienced the benefits of Ilchi Lee's Brain Education methods in 2015, managed the projects. The first project ran from January 2015 to June 2016 and the second from April 2016 to August 2017. In the second project, participants were introduced to Brain Education exercises including yoga, taichi, games, and dance, as Dr George saw the potential benefits of Brain Education, especially in relation to trauma healing. Brain education was greatly received by the youth, who later won a Youth Award from the Whangarei District Council for the work they had been doing in the field of Māori youth suicide. Dr. George says that the support provided by ECO contributed to the success of their programme.
- This year the Ngātiwai Trust Board has applied for funding from the JR McKenzie Trust for the third phase of these projects, in which they want to take the learning from the first two projects and use them to develop youth development programmes for Māori communities, firstly in Te Tai Tokerau, and then nationally. ECO and Brain Education will

again support that project, and contribute to development of health resources for the programmes.

- Dr George will be working with ECO in 2018/19 to develop Brain Education programmes for Māori youth and whānau through Ngātiwai Education's PTE. The first step will be to train trainers who will implement the programmes in local schools. Also developed will be adult programmes, possibly marae and community based.

Brain Education Success Stories in Other Countries

El Salvador

- IBREA FOUNDATION is a global non-profit that Ilchi Lee established that has worked with the UN community. The foundation carried out a 3-month pilot project in 2012 and provided its program to teachers and students in the Distrito Italia School, one of the most violent areas of El Salvador.
- IBREA FOUNDATION measured the project's outcomes through pre and post surveys as well as qualitative data. The results were very positive. The program improved gender experiences, peer relationships, test anxiety, trauma symptoms, self-regulation, cognitive strategy use and stress management among students at statistically significant levels. Among teachers, it improved stress management, school climate, teacher attitudes and trauma symptoms.
- Due to its outstanding success, the program went nation-wide and started to be implemented in all the departments across the country with the full support of the Ministry of Education in El Salvador. Today, the program is implemented in over 10% of all public schools in the country. The program resulted in less absenteeism, better physical health and emotional management, as well as better academic performance.
- In May this year, the President of the Republic of El Salvador decided to award Mr. Ilchi Lee the *Freer of Slaves, Jose Simeon Cañas* for his work in support of the creation of cultures of peace inside the public schools in the country since 2011.

New York Schools of the United States

- Brain Education has seen similar results in the United States, including in the New York City public school system.
- In December 2015, 180 at-risk middle school students from District 7 in the Bronx, New York received an 8-week pilot Brain Education project that consisted of weekly 45-minute classes and two full-day Leadership Programs. Over the 8-week pilot program, negative emotional indicators including emotional symptoms, conduct problems, hyperactivity and peer problems decreased by an average of 65%. While pro-social behaviors increased by 50%.
- Brain Education has been utilized by 200 schools in 12 districts throughout New York City. Based on research results in 2015 that showed Brain Education's significant impact on social emotional health, the Chancellor of the NYC Department of Education publicly

praised Brain Education and created special grants to share Brain Education in all five boroughs.

- The programs are in now over 400 schools nationwide, and 15,000 teachers and 250,000 students have received training.

South Korea (in Schools)

- The Brain Education Institute is a designated training institute of the Korean Metropolitan and Provincial Offices of Education. The institute provides training services for teachers implementing Brain Education in classrooms. Started in 1997, 10,000 teachers have undertaken the training so far.
- The University of Brain Education in South Korea launched the Happy School Campaign in 2007 to promote learner well-being and holistic development in schools applying the principles of Brain Education. So far, 800 schools have participated in the campaign.
- In 2017, the Happy School Campaign was further developed into more comprehensive program called Brain Education for Happy Schools. Brain Education for Happy Schools offers education for the entire school community and consultation to apply Brain Education in school-wide and monitor the effectiveness of the implementation during and after the application.
- Currently the University of Brain Education works with 33 schools to embed the programs and activities in subject-area teaching and Creative Experiential Activities.

South Korea (for Emotional Labors: employee who has job with high emotional stress)

- The Department of Brain Education & Convergence at Global Cyber University worked with the Seoul National University Hospital to develop an online mind-body training program based on Brain Education to prevent emotional laborers' job stress. It was funded by the Korea Occupational Safety & Health Agency under the Korean Ministry of Employment and Labor.
- The study conducted to evaluate the effects of the program demonstrated beneficial effects of the program and significant improvements in the psychological capabilities of participants such as stress reduction, increased resilience, emotional intelligence and problem solving ability.
- In 2017, 36 corporations and hospitals including Asiana Airlines, Hanyang University Medical Center and Seoul Metro 9 took a Brain Education program for emotional laborers.

C

20 June 2018

Hon Iain Lees-Galloway
Minister of Immigration
Parliament Buildings
Wellington 6160

Dear Minister,

My name is Seung Heun Lee. I was very grateful to have been granted a Resident Visa in June 2015. My home is in Kerikeri and my work is mainly providing guidance to meditation groups visiting Kerikeri and Paihia, from overseas. These visitors come here to practice mind – body meditation in the inspiring environment New Zealand offers. In offering this guidance and instruction I encourage people to come here to experience, understand and be uplifted by the wonderful beauty of New Zealand.

My lawyers have written to Immigration New Zealand explaining the circumstances that led to my possible liability for deportation but I wanted to write a letter to explain things in my own way.

I founded Dahnhak, which is a form of mind-body training that draws on traditional Korean exercises designed to develop the brain by relying on latent human potential. Part of the exercises for example develop better crossover between the different parts of the brain. These exercises enhance synapses or pathways in the brain and in doing so aid in unlocking the brain's potential. For ease of western understanding I called Dahnhak "Brain Education" in English.

Since 1985, I have visited many countries to instruct and guide hundreds of thousands people in Brain Education¹. I have found it tremendously rewarding to see people becoming sensitized to their own being and becoming awakened to the beauty of the world around them and taking steps to actively change their lives for the better.

In 2014, spurred by a recommendation from Simon Kim, who at one time had been learning Brain Education in Korea and had immigrated to New Zealand in 1999, I made a visit to New Zealand. Traveling through various places on North Island and South Island, I was captivated by the pristine natural environment of the primeval forest; and I felt particularly uplifted and energised by the native bush near Kerikeri. I felt that the peace and tranquility of the surroundings would arouse a sense of

¹The Korea Institute of Brain Science was accredited by the Ministry of Science and Technology of Korea in 1999. It has undertaken scientific research on ways of more effectively harnessing the potential of the brain. The University of Brain Education (accredited by the Ministry of Education of Korea in 2002) runs both a master's and doctoral program. Through this, I am further developing Brain Education. In El Salvador, the Ministry of Education encourages educators to be trained in Brain Education; these educators then teach students; and many students experience benefits not only in terms of improved health and academic performance, but it has made a significant contribution to their self-esteem and drive for self-improvement and striving to achieve more and to do better in their lives. Today, the program is implemented in over 10% of all public schools in the country. I have attached a document on Brain Education for your reference.

personal courage and passion and would help to focus the mind of those practicing Brain Education. That pristine and unspoiled forest seemed the perfect place for contemplation and meditation. I was also attracted by the people of New Zealand who I found to be very welcoming, kind and well-mannered.

It just so happened that Simon wanted to introduce Brain Education to New Zealand. A meditation tour business seemed the perfect way of doing this. So I provided Simon with financial support, and when he established Meditation Tour, Ltd., I applied for a work visa as a tour guide. I gave meditation guidance to the meditation tour groups that visited New Zealand. During that time I became even more aware that New Zealand is a land of peace, where the politics and economics are clean, the people are very honest, and people don't have to worry about terrorism or shooting incidents; and my affection for New Zealand grew even more profound.

So I made up my mind to spend my remaining life in Kerikeri, my new home, as I taught Brain Education and shared the spirit of being a 'citizen of the earth' together with both New Zealanders and visiting meditation groups. I should explain that what I teach, as part of my guidance, is that we are all earth citizens and that our existence is temporal and brief when compared with the grandeur of the forests and the mountains. A conscious appreciation of this is central to Brain Education.

At the time that I applied for permanent residency, my second son and his wife who live in the United States were expecting a baby imminently. My wife wanted to take care of our grandson in the United States for the time being. So only I applied for permanent residency in 2015, intending that I will later bring my wife and children to New Zealand to all live together.

Then, in 2016, I purchased forest land and a resort, and started development work as well as making repairs and renovations; and in January of 2017 we held the Earth Citizen Festival in Kerikeri with great success. About 2,450 people came from overseas in 2017 with meditation groups.

In the first half of 2017, the OIO began an investigation. The fact that Simon, his company and my company had received financial assistance from me and purchased land without first securing the requisite consents from the OIO, was a problem. I attended a meeting with the OIO and explained that both Simon and I had not properly understood the legal regulations. We have asked to be allowed to apply for retrospective consent.

Then in the latter half of 2017 I was told by my lawyer that I needed to disclose a 1993 conviction from a Korean court in my residency application. I asked my lawyer to inform NZ of this. I certainly had no intention to hide any information in my residency application. I now understand that the conviction of almost 25 years ago was required to be disclosed.

Simon had made enquiries to an earlier lawyer for me regarding the application of my residence visa, and he also filled out my residence visa application form on my behalf due to my very limited English. When I was applying for permanent residency, I was not asked by Simon, or anyone, if I had ever been convicted. I had been advised by a very senior lawyer in Korea a long time ago that since the period of

suspended execution of sentence for the conviction from 1993 had passed, it was as if there had never been a conviction and I was not required to disclose it to anyone and I would not suffer any kind of disadvantage from it whatsoever. So I was completely unconcerned with the ruling from 1993 and the thought of it never occurred to me. The 1993 ruling was not omitted intentionally in any way.

And the conviction from 1993 was an incident in which I as the CEO of the company and two managers were given a fine and a ruling for the suspended execution of a sentence because the company I founded in 1992 had been selling health food supplements and offering lectures on the weekend without securing a permit from the relevant government office beforehand. It was a time of Korean history when 32 years of military dictatorship had only been brought to an end hardly several months before and enforcement of the law was still very severe.

When this problem arose in New Zealand, I was very surprised, upset, and confused. However, since it was not an intentional omission, but something that was inadvertent and resulted from ignorance of immigration law, I trusted that it would be brought to a good resolution without significant issues, and I waited.

But around mid-January this year, the *NZ Herald* published an article presenting a statement from an INZ official that read, "INZ is investigating the grant of residence to Mr Lee to determine whether he may be liable for deportation," along with a photo of me. This caused much agitation among the local staff and a great deal of worry from my friends. Furthermore, *NorthTec*, which had been reviewing a proposal for financial assistance from us, deferred the decision upon seeing this article. Seeing these circumstances unfolding has left me in a huge shock.

Seeing how those who have come to New Zealand to learn Brain Education have discovered what is really important to them and seeing their newfound passion for life gave me a great sense of happiness. I am sincerely grateful to New Zealand, because at an age when most people would consider retiring, I came to realise my dream of contributing to the betterment of people's lives through Brain Education and the Earth Citizen Movement from Kerikeri, my new home.

I hope to be able to bring many more visitors to New Zealand to share my dream and the affection I feel toward New Zealand.

As I mentioned earlier, an appreciation of our natural environment and respect for it is central to Brain Education. Understanding how we relate to our environment is vital and I talk about this as the spirit of Earth Citizenship. There is a very close connection between what we teach in our Meditation Tour program and the idea of Earth Citizenship. That is why I hope to build an eco-friendly educational facility in the unspoiled natural environment of Kerikeri, so that the people who visit can spend time here discovering what is truly of value and cultivating a spirit of fellowship and an appreciation of the environment.

However, you will appreciate that with my position being undecided my substantial development work has been put on hold, and psychologically, the morale of my team has suffered enormously. I hope to continue this work soon.

I have many friends and relationships here that I do not want to lose.

Dear Minister, I please ask that my error be forgiven and that I may be permitted to remain in my beautiful new home that is New Zealand and live my 2nd stage of my life meaningfully, proudly as an exemplary citizen.

Yours sincerely,

Seung Heun Lee

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**COPTHORNE
HOTEL & RESORT**

HOKIANGA

SH 12 Omapere South Hokianga
PO Box 19 Omapere New Zealand
Telephone 64-9-405 8737 Facsimile 64-9-495 8801
Email copthorne.hokianga@millenniumhotels.co.nz
Website: www.millenniumhotels.co.nz
GST Number 63-273 351

20 June 2018

Hon Iain Lees-Galloway
Minister of Immigration
Parliament Buildings
Wellington 6160

Dear Sir,

Support for Mr Ilchi Lee, Meditations Tours Ltd and Associated Businesses

I am the owner of Copthorne Hotel and Resort Hokianga, and, co-owner/director of Footprints Waipoua Limited. These two companies operate out of Omapere, Hokianga, Northland. Both companies have been doing business with Meditation Tours since January 2017

Meditation Tours are responsible for 6000+ international visitors to Northland since 2014 with 2452 last year and projected numbers expected to increase to 3000 per year. Tourists are in Northland for 6 days with a 5 night stay-over.

These groups visit all year round which provides critical support to the tourism sector during the shoulder and low seasons. This presents opportunities for businesses to retain staff and in general become more sustainable therefore creating sustainable employment opportunities

Meditation Tours travel to Hokianga on a regular basis providing opportunities for local businesses. These include Copthorne Hotel and Resort Hokianga and Footprints Waipoua and transport is provided by a Northland Bus Company travelling from the Bay of Islands

Significant dollars have been invested in promoting Northland and Hokianga as a visitor destination. Meditation Tours Ltd has moved to Northland on their own initiative, and are creating regional benefits from the substantial investment they have made in Northland.

We are fortunate to know in advance, that Meditation Tours will support the new Manea development in Opononi by including a visit in their itineraries. In addition they are planning to target international students who would stay in Northland for periods of up to 6 months which will provide additional new opportunities

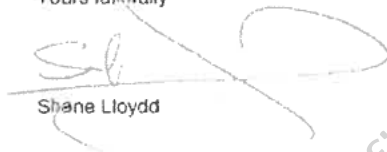
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It is wonderful to have this commitment from Ilchee Lee to Northland, and to see the good work he is doing with

- the Kerikeri Wellness Centre,
- the Brain Education Programme with Maori children in association with Ngatiwai Foundation,
- the establishment of an Earth Citizen Learning Centre where participants from around the world learn sustainable living skills, healthy eating, natural health, organic farming, sustainable housing, renewable energy and recycling. Mr Lee's aim is to create leaders who will take these skills and knowledge to teach in their own country.

I am pleased to have this opportunity to offer my support for the continuation of Mr Lees initiatives and commitment to Northland.

Yours faithfully



Shane Lloyd

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20th May 2018

Hon Iain Lees-Galloway
Minister of Immigration
Parliament Buildings
Wellington 6160.

Dear Minister,

I write this letter in support of Ichi Lee and the Earth Citizens Organisation (ECO) in New Zealand. My current position is as Research & Innovation Manager at the Western Institute of Technology in Taranaki (WITT), after nearly 22 years at Massey University in Auckland. I am of Māori ethnicity with New Zealand citizenship, born in the Bay of Islands and I was resident in Auckland for 25 years before moving to New Plymouth at the end of March 2017. I have met Ichi Lee several times in the past three years, and have learned much from the wisdom he imparts in person and through his books and videos. While I cannot say I know him well personally, I believe that the philosophies and practices he promotes have much to offer people in our society, especially in terms of healing and developing healthy emotions, and increasing physical flexibility and fitness.

I had been attending Body and Brain Yoga in Albany, North Shore, for nearly a year before I moved to New Plymouth, and it is there that I met Yewon Hwang and others from Brain Education and the Earth Citizens Organisation. The warm and welcoming manner of the teachers such as Yewon Hwang attracted a wide variety of people from many ethnicities to these classes, and the practices of Body and Brain Yoga were very popular in the studio as well as in local and national communities, some of which is free of charge. The services they provide are enjoyable and inspiring, and have contributed to increased health and wellbeing for myself and others in the classes. The teachers have shown themselves to be of good character with a very strong work ethic, and as people who strive to contribute positively to our society.

Because I gained personally from the yoga and other practices taught at Body and Brain Yoga, I decided to use these practices and services in my professional work as a Māori health researcher. Much of the research work I am involved with relates to unresolved trauma that contributes to social ills and negative pathways such as incarceration and suicide. Māori youth have one of the highest rates of suicide in the world, and I was leading a project with the Ngātiwai tribe in Northland (the second suicide prevention project for Ngātiwai). I invited Yewon Hwang and others to come to the weekend wānanga we were running with Māori youth whose lives have been impacted by suicide. They came to several wānanga and taught us a variety of physical practices such as yoga and tai chi, as well as providing healing massage for the young people; all this they did free of charge. These teachers were very popular with the young people, being embraced in a way that was surprising given differences in cultural backgrounds, but which nevertheless contributed to the overall success of our wānanga and the positive transformations in the youth as well as some of the older generations. Our group was also privileged to be part of the inaugural Earth Citizens Peace Festival in Kerikeri in 2017 (with free registration granted from ECO), providing these young people with experiences they would not usually have access to. Later that year, the youth in our group won a Youth Award from the Whangarei District Council for the work we had been doing in the field of Māori youth suicide - I am sure that the support provided by ECO contributed to the success of our programme.

This year the Ngātiwai Trust Board has applied for funding from the JR McKenzie Trust for the third phase of these projects, in which we want to take the learning from the first two projects and use them

to develop marae-based youth development programmes for Māori communities, firstly in Te Tai Tokerau, and then nationally. The project is called *Kōkiritia Te Aroha: Resource toolbox for Māori youth development*. ECO provided a letter of support for the project (attached), as we have invited them to be part of the project. If we are successful with funding, members of ECO will accompany us to the wānanga, providing healing and health support to those attending, as well as contributing to programme development. Considering how well the taitamariki (youth) involved in the previous project engaged with the ECO trainers, and how much they seemed to gain from the interaction, we are very happy to have them involved.

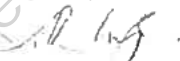
In the near future, I will be moving back to Te Tai Tokerau/Northland and working primarily for Ngātiwai Trust Board (NTB) as their Research Director. NTB has recently entered discussions with Yewon Hwang and ECO as to development of ECO programmes through NTB's Private Training Establishment (PTE). Part of my role will be to work directly with ECO in development of these programmes; they will pay a project management fee to NTB for my services. The programmes will include those of relevance to Māori communities, such as marae-based wellbeing programmes. ECO will also develop programmes for Korean students, such as te reo Māori and other aspects of Māori culture, in order to ensure a positive cultural exchange for those students.

This then, satisfies part of ECO's obligation to the Treaty of Waitangi, as residents and citizens of Aotearoa New Zealand, as teachers and employers, to the principles of partnership, protection and participation. Mr Lee's vision for education is to contribute to youth education in particular, as the future leaders of our nation, with practical education designed to support development of potential. Given the multiple challenges that Māori youth face today - especially those we have been working with in Northland - any programme that enables our taitamariki to firstly understand their potential, and then to develop it, is of value to our nation.

I therefore have no hesitation in supporting the activities of Ilchi Lee and others from this group. While they are here to run a business, there is also a philanthropic and humanist side to their work. I know they have much to offer Māori individuals and communities, as well as many people who call Aotearoa home. They offer the opportunity for us to learn new perspectives on life, and for us as a country to learn more about people from a very different nation. They bring business and financial opportunities as well, which is also important. While there are some who may view them negatively, Body and Brain Yoga, the Earth Citizens Organisation, and other forms they take here in New Zealand contribute positively to our society and plan to contribute further into the future. This I can and do support.

Please don't hesitate to contact me if you require further information.

Mauri ora,



Dr Lily George
63 Bayly Road, Blagdon, New Plymouth.
Email: dreamweaversresearch@gmail.com
Phone: 0272787405

21 June 2018

To whom it may concern,

LETTER OF SUPPORT – MEDITATION TOURS & DOUBLE PINE INVESTMENT

I am writing in support of the contribution that Mr Ilchi Lee and his associated businesses make, and will make, to the Northland economy.

Northland Inc is Northland's regional economic development agency committed to strengthening, diversifying and growing the Northland economy. One of our focus areas is the visitor industry where we support the development of higher quality, culturally enriching tourism offerings that encourage the dispersal of visitors across the region, are all weather experiences and promote longer stays. Mr Lee's Meditation Tour and Double Pine Investment companies align well with what we are seeking to achieve in the visitor industry.

Meditation Tours partners with local businesses to offer tour itineraries to destinations across Northland, which are heavily targeted at international tourists. These tours operate during both the shoulder and off season as well as the high season, helping to overcome the seasonality issues Northland as a destination faces. For example, from April to September in 2017, Meditation Tours brought almost 900 tourists to the Northland region where their total direct spend was just over \$700,000. This is expected to increase substantially as Meditation Tours builds its resort offering in Kerikeri.

Double Pine Investment already owns and operates Haruru Falls Resort in Pahia and both of these businesses offer tourism experiences all year round. Their businesses not only benefit local tourism operators as there will be direct economic impact during construction of their resort.

Yours sincerely



David Wilson
Chief Executive Officer

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Appendix D

The Lieutenant Governor
of the
State of New Mexico

With Honor and Pride Recognizes

Ilchi Lee

Ambassador For Goodwill

*For his continued efforts in bridging the gaps between cultures by focusing on a shared
humanity and universal pursuit of health, happiness and peace*

*And Further Does Herein Deport That This Official Expression of Gratitude
Be Forthwith Sent on behalf of the People of the State of New Mexico.*

*Signed and Sealed at The Office of the Lieutenant Governor
in the City of Santa Fe on this 9th day of April, 2007.*

Diane D. Denish

*Diane D. Denish
Lieutenant Governor*





Certificate of Congressional Recognition

Presented to

Ilchi Lee

*In Recognition and Celebration of Your Dedication to the Education of
Natural Health and Wellness in the United States of America and Abroad*

August 30, 2015
Date

Ted W. Liew
TED W. LIEW
Member of Congress, 33rd District



Certificate of Commendation

is hereby presented to

Dr. Ilchi Lee

ON BEHALF OF THE RESIDENTS OF LOS ANGELES, I COMMEND YOU FOR YOUR EXPERT SPIRITUAL LEADERSHIP AND CONTRIBUTIONS GIVEN TO THE COMMUNITIES IN THE CITY OF LOS ANGELES AND AROUND THE WORLD. _____

THIS IS CERTAINLY A VERY SPECIAL OCCASION AND I AM PLEASED TO JOIN WITH OTHER MEMBERS OF THE COMMUNITY IN RECOGNIZING YOUR ACHIEVEMENTS AND ACCOMPLISHMENTS THROUGHOUT THE YEARS. _____

BEST WISHES IN ALL YOUR FUTURE ENDEAVORS _____

SEPTEMBER 13, 2003



James K. Hahn
JAMES K. HAHN
Mayor

**Program in El Salvador
2011-2017**

IBREA FOUNDATION started its project in El Salvador in the year 2011 further to a Conference it organized at the United Nations where it introduced its program to the UN community. At that time, the Ambassador of El Salvador to the United Nations asked IBREA FOUNDATION to carry out a pilot project in one of the most violent areas in the country, at the outskirts of San Salvador, called Distrito Italia. He wanted to test its results and see if the program could actively contribute to the UN goals of development and peace.

The IBREA FOUNDATION team went to the country and provided its program to teachers and students in the Distrito Italia school, every day, for 3 months. IBREA FOUNDATION measured the project's outcomes through pre and post surveys as well as qualitative data. The results were very positive. As shown in the graphics below, the program improved gender experiences, peer relationships, test anxiety, trauma symptoms, self-regulation, cognitive strategy use and stress management among students at statistically significant levels. Among teachers, it improved stress management, school climate, teacher attitudes and trauma symptoms.

Students

Study Variable	Time 1 mean	Time 2 mean	P-value
Negative gender experiences	1.49	1.30	.02*
Peer relationships	3.26	3.44	.00***
Test anxiety	4.85	4.06	.02*
Current symptoms of trauma	1.84	1.68	.03*
Self efficacy	5.32	5.52	ns
Intrinsic motivation	5.83	5.98	ns
Self-esteem	3.72	3.87	ns
Academic self-esteem	3.53	3.51	ns
Self-regulation	4.53	4.84	.05*
Cognitive Strategy Use	5.00	5.14	.41
Stress	3.17	2.91	.06^

Teachers

Study Variable	Time 1 mean	Time 2 mean	P-value
Collective Self-efficacy	4.43	4.54	ns
Stress	2.41	2.09	.01**
School Climate	3.68	3.75	.10^
Teacher Attitudes	3.19	3.03	.09^
Student Problems	2.50	2.78	ns
Initial Trauma Symptoms	1.85	1.67	ns
Current Trauma Symptoms	1.64	1.51	0.9^

Gender Respect	3.24	3.61	ns
Male Responsibility	2.24	2.50	ns

Note: The * symbol denotes that results are significant at the following levels *= $p < .05$; ** $p < .01$; *** $p < .001$; The ^ symbol denotes that results are marginally significant ^= $p < .10$. NS= non-significant result.

One day, during the program, the Vice-President and Minister of Education at the time, Salvador Sanchez Ceren, visited the school in Distrito Italia while IBREA FOUNDATION's program was in session. He was impressed, and later on, when IBREA FOUNDATION reached out to the Ministry of Education to inquire about the possibility of expanding the program, the Minister was fully supportive.

In 2012, the Ministry of Education asked IBREA FOUNDATION to work with 4 schools (Distrito Italia and 3 more) having also very high levels of violence and socio-economic difficulties. During that year, IBREA FOUNDATION was able to gather the financial support of the Korean Ministry of Education in order to carry out this second phase of the program. The results were equally positive as the previous year and were also documented in a research report.

In 2013, IBREA FOUNDATION gathered the support of a new institution in the country, the *Salvadorian Institute for Educator's Wellbeing* (ISBM, in Spanish). This is an agency that is dedicated to taking care of public school principals and teachers health, both physically and mentally. The ISBM endorsed IBREA FOUNDATION's program and decided to support it financially and spread its scope to the 14 regions of the country. IBREA FOUNDATION's program then went nation-wide and started to be implemented in all the departments across the country, mainly to principals and teachers. The program also started to be provided to doctors, psychologists, and other administrative staff of the ISBM as a way to have them apply the principles of Brain Education in their daily work providing their service to their clients (principals and teachers). Since then, ISBM has supported the program every year to date, allowing IBREA FOUNDATION to train over 4,000 people and officially certify 1,764 educators as Brain Education trainers – who continue to replicate and train others. Today, the program is implemented in over 10% of all the public schools in the country. The results have been increasingly positive. Some of the major outcomes are in the participants' physical health. Teachers have significantly decreased their absenteeism due to illness, they have cured cancers and prevented operations, they have reduced their medicine intake. Most importantly, they see changes mentally, in their levels of motivation and peer relations, as well as in their stress management and emotional regulation. Principals typically report to be better able to manage challenging situations in school, with teachers, parents, and the community. They also report to have more clarity in their decision-making ability and more focused attention, resulting in improved overall school performance.

In 2017, IBREA FOUNDATION has discussed and agreed with its partners in El Salvador, the Ministry of Education and the ISBM, the creation of a Brain Education training center in San Salvador. This center will provide continued education to the already trained and certified educators, and allow IBREA FOUNDATION to reach all the educators and schools in the country by 2020.

1 HOUSE MEMORIAL 63

2 53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

3 INTRODUCED BY

4 Linda M. Trujillo

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6
7
8
9
10 A MEMORIAL

11 DECLARING FEBRUARY 27, 2017 "BRAIN EDUCATION DAY" IN THE HOUSE
12 OF REPRESENTATIVES.

13
14 WHEREAS, the education of young people is one of the most
15 important responsibilities that protects the integrity of
16 democracy; and

17 WHEREAS, Ilchi Lee is a dedicated advocate for a peaceful,
18 sustainable world, a *New York Times* best-selling author, an
19 innovative leader in human brain potential development and a
20 true believer in the power of all people to change themselves
21 and the world around them; and

22 WHEREAS, Ilchi Lee has developed many mind-body training
23 methods, including brain education, and has helped millions of
24 people globally find their true potential and to develop that
25 potential for the benefit of everyone; and

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underscored material = new
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Released under the Official Information Act 1982

underscored material = new
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1 WHEREAS, the philosophy behind brain education and the
2 history of its ancient roots lends itself to academic
3 application and takes education a step further than
4 intellectual understanding; and

5 WHEREAS, brain education is a creative integration of
6 eastern mindfulness practice and modern discoveries in
7 neuroscience and education; and

8 WHEREAS, brain education seeks the holistic development of
9 human potential, encompassing physical, emotional,
10 intellectual, moral and spiritual aspects of humanity; and

11 WHEREAS, brain education develops methods that have been
12 applied to school districts in New Mexico and various
13 organizations around the world to enable participants to live
14 healthier and happier lives;

15 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
16 REPRESENTATIVES OF THE STATE OF NEW MEXICO that February 27,
17 2017 be declared "Brain Education Day" in the house of
18 representatives; and

19 BE IT FURTHER RESOLVED that the higher education and
20 public education departments be requested to consider
21 implementation of brain education into professional development
22 for teachers and into the curriculum for education students;
23 and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the secretary of higher education and the

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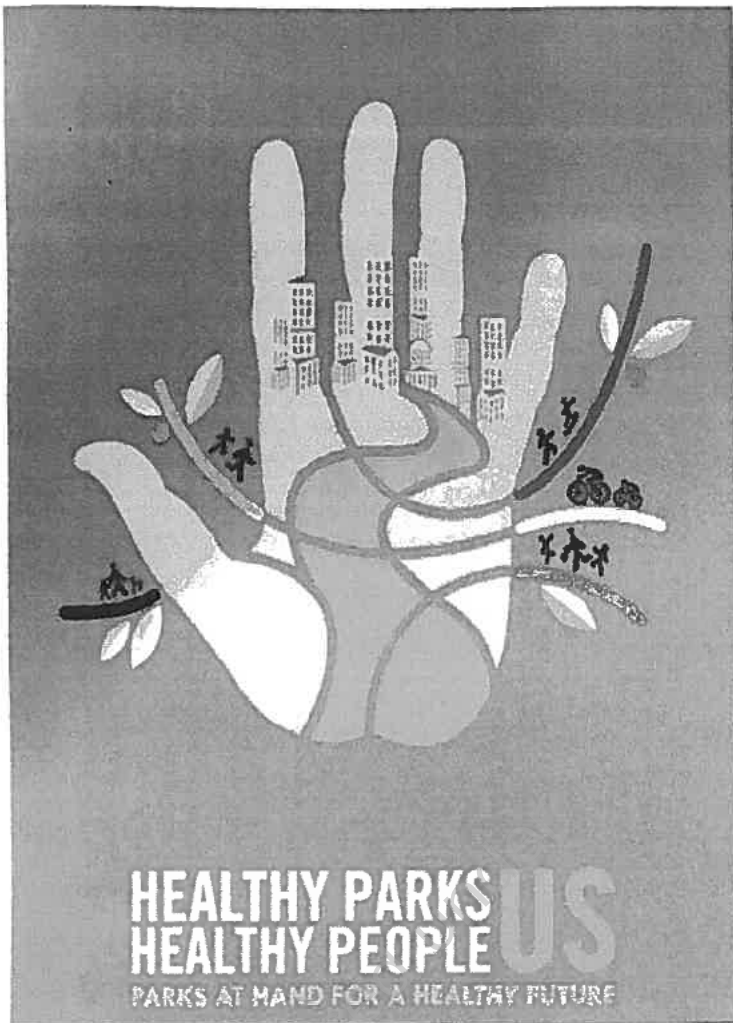
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secretary of public education.

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PIONEER AWARD

IS HEREBY GRANTED TO:

**Chairman Ilchi Lee
International Brain Education
Association**


In recognition for your work to promote parks and public lands as places for people to derive physical, mental, and spiritual health, and social well-being.

AUGUST 01, 2017


Sara B. Newman, Director
Office of Public Health



2016
National Park Service
ANNIVERSARY


Diana B. Allen, Chief
Health Promotion



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

August 08, 2017

Chairman Ilchi Lee
International Brain Education Association
C/O Penelope Peel Costanzo
3238 Cedar Bluff Drive, Marietta, GA 30062

Dear Chairman Lee,

We are pleased to present the International Brain Education Association with this Healthy Parks Healthy People Pioneer Achievement Award, in recognition of your work to advance "Body and Brain Yoga Tai Chi" on the Chattahoochee River National Recreation Area, during the inception of the National Park Service's Healthy Parks Healthy People Program (2011-2017).

The National Park Service, Office of Public Health thanks you for your outstanding work to promote parks and public lands as places for people to derive physical, mental, and spiritual health, and social well-being.

Sincerely,

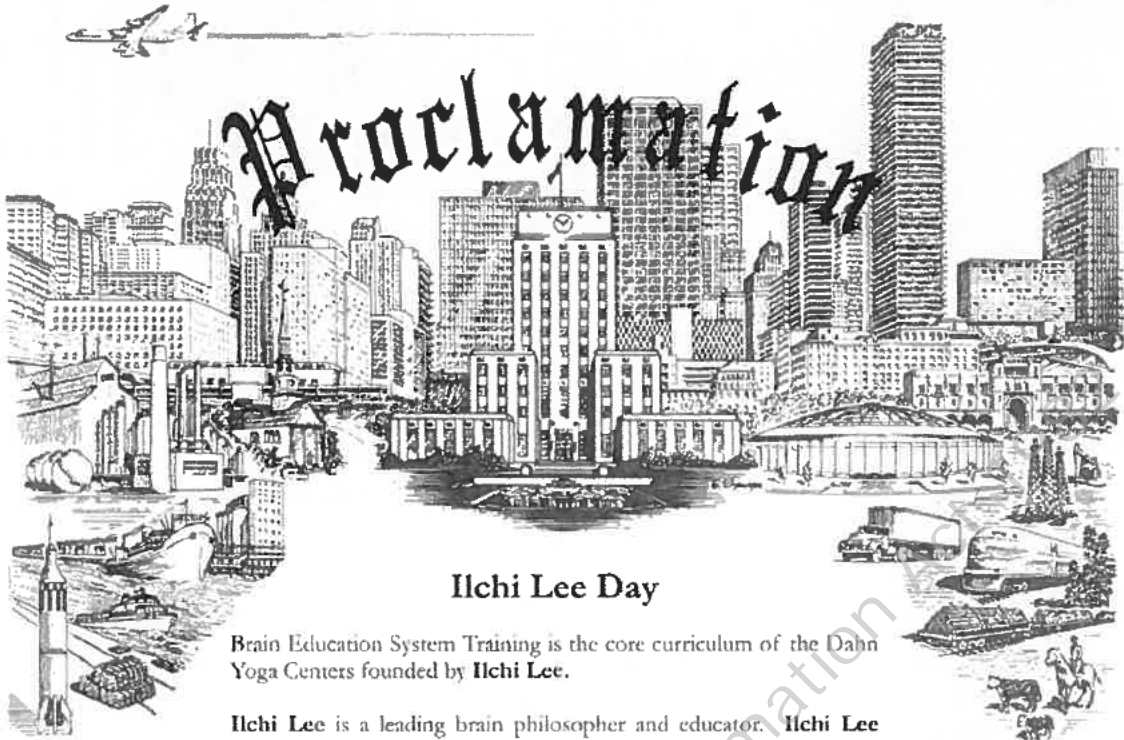
Sara B. Newman, DrPH, MCP
Captain, United States Public Health Service
Director, Office of Public Health, National Park Service

CC: Diana Allen, Chief, Health Promotion/Healthy Parks Healthy People Program.

PROCLAMATIONS FOR ILCHI LEE

Proclamations relating to Ilchi Lee have been issued by 19 U.S. States or cities in recognition of his contributions to improving health, wellness, and the quality of life of their citizens, including a large number of proclamations of Ilchi Lee Day.

NO	TITLE	FROM	DATE
1.	Dr. Seung Heun Lee Day	City of Atlanta, GA	October 28, 2001
2.	Dr. Ilchi Lee Day	City of Cambridge, MA	September 19, 2004
3.	Ilchi Lee Day	City of Santa Fe, NM	April 10, 2007
4.	Ilchi Lee Day	City of Houston, TX	August 28, 2007
5.	Ilchi Lee Day	City and County of Denver, CO	July 25, 2007
6.	Ilchi Lee Day	City of Gaithersburg, MD	August 20, 2007
7.	Ilchi Lee Day	City of Alexandria, VA	August 20, 2007
8.	Ilchi Lee Day	City of Albuquerque, NM	August 31, 2007
9.	Ilchi Lee Day	City of Las Vegas, NV	September 6, 2007
10.	Ilchi Lee Day	City and County of San Francisco, CA	September 7, 2007
11.	Proclamation of Dr. Ilchi Lee	City of Beverly Hills, LA	September 8, 2007
12.	Ilchi Lee Day	City and County of Honolulu, HI	May 30, 2008
13.	Awarded to Dr. Ilchi Lee	Village of Palatine, IL	June 13, 2008
14.	Ilchi Lee Day	Village of Arlington Heights, IL	June 14, 2008
15.	Ilchi Lee Day	Village of Glenview, IL	June 14, 2008
16.	Ilchi Lee Day	District of Columbia (DC)	August 9, 2008
17.	Ilchi Lee and International Brain Education Association Day	State of Hawaii	February 26, 2012
18.	Ilchi Lee Day	Township of Mahwah, NJ	September 7, 2012
19.	Ilchi Lee Day	City of Oceanside	May 9, 2013



Ilchi Lee Day

Brain Education System Training is the core curriculum of the Dahn Yoga Centers founded by **Ilchi Lee**.

Ilchi Lee is a leading brain philosopher and educator. **Ilchi Lee** continues to contribute to the health and wellness of Houstonians as evidenced by the testimonials of his members.

Ilchi Lee provided Brain Education System Training through the Dahn Yoga centers "Walking for Health" at the University of Houston in May 2007.

Ilchi Lee continues to devote his life to the study of brain awareness and its potential to improve the human condition.

The City of Houston salutes **Ilchi Lee** on this important occasion, and extends best wishes for many more years of continued success.

Therefore, I, **Bill White**, Mayor of the City of Houston, hereby proclaim August 28, 2007, as

Ilchi Lee Day

in Houston, Texas.



In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of Houston to be affixed this 23rd day of August, 2007, A.D.

Bill White

Bill White
Mayor of the City of Houston

Ilchi Lee Day, Houston, TX

Beverly Hills

Proclamation

Whereas, Dr. Ilchi Lee is the founder of the Dahn Yoga and Healing Centers, including a center in Beverly Hills, which teach energy-based, body-brain fitness; and

Whereas, Dr. Ilchi Lee is the founder and president of institutions in Korea and the United States that promote the role of the brain in creating lasting peace; and

Whereas, Dr. Ilchi Lee teaches that if humanity focuses on the brain as the final determinant of human consciousness and behavior, people worldwide will unite in peace during this century.

Now, Therefore, I, Jimmy Delshad, Mayor of the City of Beverly Hills, do hereby commend and congratulate Dr. Ilchi Lee on his accomplishments as a teacher and researcher in brain education and further recognize his dedication to world peace.

Dated: September 8, 2007

Jimmy Delshad
Jimmy Delshad, Mayor



Ilchi Lee Day, Beverly Hills, CA



Council of the District of Columbia

Resolution

COUNCILMEMBER EVANS

COUNCILMEMBER ALEXANDER	COUNCILMEMBER BARRY	COUNCILMEMBER BOWSER
COUNCILMEMBER BROWN	COUNCILMEMBER CATANIA	COUNCILMEMBER CHEH
COUNCILMEMBER GRAHAM	CHAIRMAN GRAY	COUNCILMEMBER MENDELSON
COUNCILMEMBER SCHWARTZ	COUNCILMEMBER THOMAS, JR.	COUNCILMEMBER WELLS

ILCHI LEE RECOGNITION RESOLUTION OF 2008

WHEREAS, ILCHI LEE HAS DEVOTED HIS LIFE TO THE STUDY OF BRAIN AWARENESS AND ITS POTENTIAL TO IMPROVE THE HUMAN CONDITION;

WHEREAS, ILCHI LEE DEVELOPED BRAIN EDUCATION SYSTEM TRAINING TO PROVIDE LIFELONG EXPERIENTIAL LEARNING THAT HELPS STUDENTS OF ALL AGES CREATE PHYSICAL, EMOTIONAL AND SOCIAL WELL BEING, AS WELL AS HIGHER ACHIEVEMENT;

WHEREAS, ILCHI LEE HAS DEVELOPED METHODS AND PROGRAMS, AUTHORED NUMEROUS BOOKS AND FOUNDED ORGANIZATIONS FOR THE PURPOSE OF SHARING THE BRAIN EDUCATION SYSTEM TRAINING;

WHEREAS, THE BRIAN EDUCATION SYSTEM TRAINING PROGRAMS ARE AVAILABLE TO CITIZENS OF WASHINGTON, DC AND THE NATIONAL CAPITAL AREA AS THE CORE CURRICULUM OF THE DAHN YOGA CENTERS AND ITS PROGRAMS, INCLUDING BRAIN EDUCATION FOR STUDENTS AND SENIORS, AS WELL AS BRAIN EDUCATION LEADERSHIP FOR EDUCATORS AND SPECIAL PROGRAMS FOR PERSONS LIVING WITH MULTIPLE SCLEROSIS;

WHEREAS, STUDENTS OF ILCHI LEE'S BRAIN EDUCATION SYSTEM TRAINING REPORT AN ABILITY TO REDUCE STRESS AND INCREASE PRODUCTIVITY IN THEIR WORK AND DAILY LIVES;

WHEREAS, STUDENTS' SENSE OF WELL-BEING HAS INSPIRED MANY TO LAUNCH OUTREACH PROGRAMS THAT OFFER FREE CLASSES AND WORKSHOPS IN THE NATIONAL CAPITAL AREA AT THEIR COMPANIES, CHURCHES, SENIOR CITIZEN RESIDENCES, FACILITIES SERVING MILITARY VETERANS, AND AT PUBLIC FUNDRAISING EVENTS SUCH AS THE AVON BREAST CANCER WALK; AND

WHEREAS, ILCHI LEE, PIONEERING BRAIN PHILOSOPHER AND EDUCATOR, IS SHARING HIS INNOVATIVE CONCEPTS IN A SERIES OF LECTURES IN WASHINGTON, DC ON AUGUST 9TH AND 10TH

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, THAT THIS RESOLUTION BE CITED AS THE "ILCHI LEE RECOGNITION RESOLUTION OF 2008".

SEC. 2 THE COUNCIL OF THE DISTRICT OF COLUMBIA RECOGNIZES AND HONORS ILCHI LEE, RENOWNED BRAIN PHILOSOPHER, EDUCATOR, AUTHOR, INNOVATOR, SPEAKER, AND EXECUTIVE FOR HIS DEDICATION TO PROMOTING AWARENESS OF THE BRAIN AND ITS POTENTIAL TO IMPROVE THE HUMAN CONDITION AND DECLARES AUGUST 9, 2008, ILCHI LEE DAY IN THE DISTRICT OF COLUMBIA.

This resolution shall take effect immediately.

Vincent C. Gray
CHAIRMAN OF THE COUNCIL

I hereby Certify that this Resolution is true and adopted as stated herein.

Resolution Number: CER 17-359

Date: June 3, 2008

Cynthia Brock-Smith
SECRETARY TO THE COUNCIL

Ilchi Lee Day, District of Columbia

Proclamation



CITY OF ATLANTA

Office of the Mayor

Dr. Seung Heun Lee Day

- Whereas,* The City of Atlanta is pleased to join local Dahn Yoga Centers and the Tao Fellowship as they welcome Dr. Seung Heun Lee for a Global Healing Forum on October 28, 2001; and
- Whereas,* Recognized as one of the 50 preeminent spiritual leaders of the world by the United Nations World Peace Summit of Religious and Spiritual Leaders in August 2000, Dr. Seung Heun Lee is the founder of the modern Dahnhak Movement; and
- Whereas,* The Dahnhak Movement is a Korean discipline consisting of a system of physical and mental exercises that seek to use "Ki" energy, the universal life force that exists in all things, to attain a spiritual awakening; and
- Whereas,* Dr. Seung Heun Lee is also the author of *Healing Society: A Prescription for Global Enlightenment*; and
- Whereas,* We commend Dr. Seung Heun Lee for his priceless and immeasurable contributions to our society:

Now, Therefore, I, Bill Campbell, Mayor of Atlanta, and on behalf of the citizens of Atlanta, hereby proclaim October 28, 2001 as **"Dr. Seung Heun Lee Day"** in our City.




Bill Campbell
Mayor

Ilchi Lee Day, Atlanta, GA

PROCLAMATIONS FOR BRAIN EDUCATION DAY

26 U.S. States or cities have recognized Brain Education by issuing proclamations of Brain Education Day or Brain Education Week.

NO	TITLE	FROM	DATE
1	International Brain Respiration Week	State of Arizona	July 29 - August 4, 2004
2	Brain Education Week	State of New York	August 6 - 12, 2007
3	Brain Education Week	City of Phoenix, AZ	September 5 - 9, 2007
4	Brain Education Day	City of New York, NY	January 8, 2009
5	BEST days	City of Santa Fe, NM	March 11 - 15, 2009
6	BEST5 days	State of New Mexico	March 11 - 15, 2009
7	BEST5 days	City of Albuquerque, NM	March 11 - 15, 2009
8	Brain Awareness Week	District of Columbia (DC)	March 16 - 22, 2009
9	Brain Education Day	City of Chandler, AZ	April 21, 2009
10	Brain Education Day	City of Las Vegas, NV	April 25, 2009
11	Brain Education Week	City and County of Denver, CO	April 18 - 25, 2009
12	Brain Education Day	City of Los Angeles, CA	May 2, 2009
13	Brain Education Day	City of Cambridge, MA	May 6, 2009
14	Brain Education Day	City of Mountain View, CA	May 8, 2009
15	Brain Education Day	City of Fremont, CA	May 8, 2009
16	Brain Education Day	City of Houston, TX	May 22, 2009
17	Brain Education Week	Village of Forest Park, IL	July 5 - 11, 2009
18	Brain Education Festival	Village of Schaumburg, IL	July 5 - 11, 2009
19	Brain Education Festival	Village of Palatine, IL	July 5 - 11, 2009
20	City of Brain Education	City of Santa Fe, NM	December 17, 2011
21	Ilchi Lee and International Brain Education Association Day	State of Hawaii	February 26, 2012
22	International Brain Education Association (Gratitude to IBREA)	County of Los Angeles, CA	August 11, 2012
23	Brain Education Day	City of Beaverton, OR	May 15, 2013
24	Brain Education Day	County of Fairfax, VA	June 29, 2013
25	Brain Education Day	City of Fairfax, VA	June 29, 2013
26	Brain Education Day	City of Alexandria, VA	June 29, 2013

Office of the Mayor

CITY OF NEW YORK



Proclamation

WHEREAS: BRAIN RESEARCH AND EDUCATION HELP ADVANCE OUR UNDERSTANDING OF THE WAY THE BRAIN WORKS, BOTH AS THE VEHICLE OF HUMAN CONSCIOUSNESS AND AS A BODILY ORGAN SUSCEPTIBLE TO DISEASE AND INFIRMITY. BRAIN RESEARCH ALLOWS US TO BETTER UNDERSTAND THE MYSTERIES OF HUMAN PSYCHOLOGY AND THE DEVELOPMENT OF THE MIND—FROM EARLY CHILDHOOD THROUGH THE COMPLEX PHYSIOLOGICAL PROCESSES OF AGING—WHILE LEADING US TO PROGRESS IN THE DIAGNOSIS AND TREATMENT OF MENTAL ILLNESSES.

WHEREAS: NEW YORK CITY IS PROUD TO HOST A VARIETY OF FORUMS DEDICATED TO PROMOTING A GREATER UNDERSTANDING OF THE BRAIN AND ITS FUNCTIONS. TODAY'S CONFERENCE, HOSTED BY THE INTERNATIONAL BRAIN EDUCATION ASSOCIATION AND THE KOREA INSTITUTE OF BRAIN SCIENCE IN CONJUNCTION WITH THE UNITED NATIONS, IS ONE SUCH EVENT. FOUNDED BY PHILOSOPHER AND EDUCATOR ILCHI LEE, IBREA AND KIBS PROMOTE THE STUDY OF BRAIN AWARENESS AND ITS POTENTIAL TO IMPROVE THE HUMAN CONDITION.

WHEREAS: THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE IS DEDICATED TO PROVIDING NEW YORKERS WITH THE RESOURCES THEY NEED TO LIVE HEALTHY, HAPPY LIVES. WE ARE PROUD OF OUR CITY'S EXTENSIVE NETWORK OF PROGRAMS AND SERVICES THAT HELP NEW YORKERS FIND PEACE OF MIND AND WELL-BEING, AND WE ARE GRATEFUL FOR ALL THE INDIVIDUALS AND ORGANIZATIONS WHOSE EFFORTS HELP US GAIN A GREATER UNDERSTANDING OF THE CONNECTIONS BETWEEN PHYSICAL AND MENTAL HEALTH.

NOW THEREFORE, I, MICHAEL R. BLOOMBERG, MAYOR OF THE CITY OF NEW YORK, DO HEREBY PROCLAIM THURSDAY, JANUARY 8TH, 2009 IN THE CITY OF NEW YORK AS:

"IBREA BRAIN EDUCATION DAY"



IN WITNESS WHEREOF, I HAVE HEREUNTO
SET MY HAND AND SEAL OF THE CITY OF
THE CITY OF NEW YORK TO BE AFFIXED.

Michael R. Bloomberg
MICHAEL R. BLOOMBERG
MAYOR

Brain Education Day, New York, NY



Brain Education Week

WHEREAS, brain research and education help advance our understanding of the way the brain works, both as the vehicle of human consciousness and as a bodily organ susceptible to disease and injury, brain research enables us to better understand the mysteries of human psychology and the development of the mind, especially childhood through the complex developmental processes of aging; and

WHEREAS, brain education programs provide lifelong experiential learning that help people of all ages and conditions (physical, emotional and social well-being, as well as greater outcomes; and

WHEREAS, brain education programs have been studied for 50 years by John Lee, world-renowned brain-research pioneer, author and numerous consultants; and

WHEREAS, Los Angeles consistently whatever initiatives have donated their time to organizations with populations in need to provide classes in Brain Education, to organizations such as: Main Elementary School, L.A., Hoover Avenue Elementary School, L.A., Pioneer Elementary School, Northridge, Beverly Adult Day Health Care, L.A., St Vincent Medical Center, L.A., Inopine Adult Day Care, Northridge, and Beverly Adult Day Health Care Center, L.A.; and

WHEREAS, the Brain Education System Training is dedicated to developing the fullest potential of the brain, eliminating stress, enhancing real-life finances and supporting individuals in creating and achieving their highest goals; and

WHEREAS, Brain Education System Training is ultimately a system of self-empowerment and empowerment designed to create happiness, not only for individuals but to instill a sense of health, happiness and peace throughout the world;

NOW THEREFORE, BE IT RESOLVED that, by the adoption of this resolution, the Los Angeles City Council joined by the Mayor, City Attorney and City Clerk do hereby declare May 2, 2009 as "BRAIN EDUCATION DAY" in the City of Los Angeles.

APPROVED BY:

[Signature]
 Councilmember 1st District
[Signature]
 MAYOR

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Los Angeles at its meeting held May 1, 2009.
[Signature]
 President of the Council

SECONDED BY ALL COUNCIL MEMBERS

[Signatures of Councilmembers 1st through 15th Districts]
 Councilmember 1st District
 Councilmember 2nd District
 Councilmember 3rd District
 Councilmember 4th District
 Councilmember 5th District
 Councilmember 6th District
 Councilmember 7th District
 Councilmember 8th District
 Councilmember 9th District
 Councilmember 10th District
 Councilmember 11th District
 Councilmember 12th District
 Councilmember 13th District
 Councilmember 14th District
 Councilmember 15th District



ATTEST:
[Signature]
 City Clerk



OFFICE OF THE MAYOR

Mayor E. Denise Simmons

Proclamation

- WHEREAS:** Brain Education programs provide lifelong experiential learning that helps people of all ages create physical, emotional and social well being; and
- WHEREAS:** Brain Education programs and methods in Cambridge and the Greater Boston Area report an ability to reduce stress and increase productivity, creativity and harmony in people's work and daily lives; and
- WHEREAS:** Ilchi Lee, President of the International Brain Education Association and the developer of Brain Education has devoted his life to researching and teaching how to better utilize the human brain to promote health, happiness and peace; now therefore be it
- RESOLVED:** That the City Council goes on record to proclaim May 6, 2009 as Brain Education Day in the City of Cambridge; and be it further
- RESOLVED:** That the City Clerk be and hereby is requested to send a suitably engrossed copy of this proclamation to Danielle Gaudette at the Arlington Dahn Yoga and Healing Center



E. Denise Simmons
Proclaimed by Mayor E. Denise Simmons
April 8, 2009

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4321 FAX (617) 349-4320 TTY/TDD (617) 349-4242 EMAIL: dsimmons@cambridgema.gov

Brain Education Day, Cambridge, MA



Council of the District of Columbia

Resolution

COUNCILMEMBER EVANS

COUNCILMEMBER ALEXANDER
COUNCILMEMBER K. BROWN
COUNCILMEMBER CHEH
COUNCILMEMBER MENDELSON

COUNCILMEMBER BARRY
COUNCILMEMBER M. BROWN
COUNCILMEMBER GRAHAM
COUNCILMEMBER THOMAS, JR.

COUNCILMEMBER BOWSER
COUNCILMEMBER CATANZA
CHAIRMAN GRAY
COUNCILMEMBER WELLS

BRAIN EDUCATION RECOGNITION RESOLUTION OF 2009

WHEREAS, ILCHI LEE, PIONEERING BRAIN PHILOSOPHER AND EDUCATOR, DEVELOPED BRAIN EDUCATION SYSTEM TRAINING TO PROVIDE LIFELONG EXPERIENTIAL LEARNING THAT HELPS STUDENTS OF ALL AGES CREATE PHYSICAL, EMOTIONAL AND SOCIAL WELL-BEING, AS WELL AS HIGHER ACHIEVEMENT;

WHEREAS, THE BRAIN EDUCATION SYSTEM TRAINING PROGRAMS ARE AVAILABLE TO CITIZENS OF WASHINGTON, DC AND THE NATIONAL CAPITAL AREA AS THE CORE CURRICULUM OF THE DAHN YOGA CENTERS AND ITS PROGRAMS, INCLUDING BRAIN EDUCATION FOR STUDENTS AND SENIORS, AS WELL AS BRAIN EDUCATION LEADERSHIP FOR EDUCATORS AND SPECIAL PROGRAMS FOR PERSONS LIVING WITH MULTIPLE SCLEROSIS;

WHEREAS, BRAIN EDUCATION SYSTEM TRAINING HAS INSPIRED MANY PARTICIPANTS TO PROVIDE FREE CLASSES AND WORKSHOPS IN THE NATIONAL CAPITAL AREA AT AREA COMPANIES, CHURCHES, SENIOR CITIZEN RESIDENCES, FACILITIES, SERVING MILITARY VETERANS, CONFERENCES, HEALTH FAIRS, PUBLIC FUNDRAISING EVENTS AND HAS LAUNCHED A PILOT BRAIN EDUCATION PROGRAM IN THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS;


WHEREAS, STUDENTS OF BRAIN EDUCATION SYSTEM TRAINING HAVE ESTABLISHED THE INTERNATIONAL BRAIN EDUCATION ASSOCIATION (IBREA) OF WASHINGTON, DC TO INCREASE PUBLIC AWARENESS OF BRAIN-FOCUSED EDUCATION AS THE KEY TO THE CHALLENGES OF THE GLOBAL SOCIETY; AND

WHEREAS, MEMBERS AND AFFILIATES OF IBREA-DC ALONG WITH STUDENTS AND TEACHERS OF BRAIN EDUCATION SYSTEM TRAINING ARE MAKING AVAILABLE FREE CLASSES AND EVENTS TO CITIZENS OF THE DISTRICT OF COLUMBIA AND THE NATIONAL CAPITAL AREA IN CELEBRATION OF BRAIN AWARENESS WEEK, MARCH 16-22, 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, THAT THIS RESOLUTION BE CITED AS THE "BRAIN EDUCATION RECOGNITION RESOLUTION OF 2009".

SEC. 2. THE COUNCIL OF THE DISTRICT OF COLUMBIA RECOGNIZES AND HONORS ILCHI LEE FOR FOUNDING THE BRAIN EDUCATION SYSTEM TRAINING AND INSPIRING CITIZENS LOCALLY AND WORLDWIDE TO CREATE AWARENESS OF THE BRAIN AND ITS POTENTIAL TO IMPROVE THE HUMAN CONDITION AND DESIGNATES MARCH 16, 2009, BRAIN EDUCATION DAY IN THE DISTRICT OF COLUMBIA.

This resolution shall take effect immediately.


CHAIRMAN OF THE COUNCIL

I hereby Certify that this Resolution is true and adopted as stated herein.

Resolution Number: CER 18-46

Date: March 3, 2009


SECRETARY TO THE COUNCIL

Brain Education Day, District of Columbia

Janet Napolitano
Governor

Office of the Governor

International Brain Respiration Week

Whereas, there has developed an increased focus on the importance of brain research and brain based education to expand the development and optimum function of human beings, especially children, to live productive, creative, peaceful lives; and

Whereas, Brain Respiration has been an international leader in growing and expanding brain based education programs with over 300 centers around the world; and

Whereas, Brain Respiration is committed to increasing the field of brain research for the world by hosting an international Brain Expo Conference and inaugurating a Brain Research Institute in Arizona; and

Whereas, the state of Arizona recognizes the importance of the international community and Brain Respiration instructors' efforts to improve the quality of life and education of all citizens of the world.

Now, Therefore, I, Janet Napolitano, Governor of the State of Arizona, do hereby proclaim the week beginning July 29, 2004 as

International Brain Respiration Week

in the state of Arizona, and call upon all Arizonans to recognize the contribution of Brain Respiration to enhancing the quality of life through brain based education.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janet Napolitano
GOVERNOR

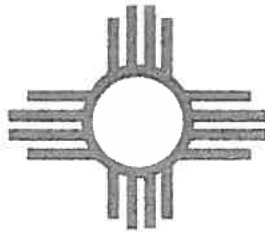


DONE at the Capitol in Phoenix on this twenty-third day of July in the year Two Thousand and Four and of the Independence of the United States of America the Two Hundred and Twenty-ninth.

ATTEST:

Janice L. Brewer
Secretary of State

Brain Education Week, Phoenix, AZ



The House of Representatives
of the
State of New Mexico

Fifty-Third Legislature
First Session, 2017

Expresses Appreciation and Gratitude
to

Ilchi Lee and Staff

for bringing Brain Education to
New Mexico Teachers

The House extends its congratulations and acknowledgment and directs that this official expression of its pride be forthwith sent on behalf of the people of the State of New Mexico.



Signed and Sealed this 28th day of
February, 2017, at the Capitol in the City of
Santa Fe

Brian Golf
BRIAN GOLF, SPEAKER OF THE HOUSE

Lisa M. Ortiz McCutcheon
LISA M. ORTIZ McCUTCHEON, CHIEF CLERK

Linda M. Trujillo
REPRESENTATIVE LINDA M. TRUJILLO

Ministry of Culture and Tourism Award of Commendation

제2007-1252호

문화관광부

표창장

(사) 국학원
이승현

귀하는 우리 문화에 대한 깊은 애정과
관심을 가지고 문화정책 추진에 적극 협조
함으로써 우리나라 문화발전에 기여한 공이
크므로 이에 표창합니다.

2007년 12월 31일



문화관광부장관 김종민



제2007-1252호
No.2007-1252

Ministry of Culture and Tourism

표창장
Award of Commendation

Kookhakwon - Institute of
Korean Cultural Studies

Seung Heun Lee

The above named is hereby given this
Award of Commendation in recognition of
his great contribution to the cultural
advancement of our country through
proactive cooperation in the promotion of
cultural policies, carried out with a
profound affection for and interest in our
culture.

2007년 12월 31일
December 31, 2007



문화관광부 장관 김주민
Minister of Culture and Tourism
Jong Min Kim



Released under the Official Information Act 1982

Presidential Order of Civil Merit



제 16810호

훈장증

BR Consulting Inc

대표이사 이승현

이하는 유력한 경제활동에 이바지한
바 크므로 대한민국 헌법의 규정에 의하여
다음 훈장을 수여함



2002년 10월 9일

대통령 김대중



국무총리 김석수

이 증을 국문본관부에 기입함
행정자치부장 이근



제 16810호
No. 16810

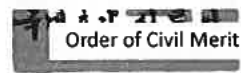
Republic of Korea

훈장증

BR Consulting Inc

대표이사 이승현
CEO Seung Heun Lee

이하의 유력한 경제활동에 이바지한
The above named is issued the following
Award of Merit according to the Constitution
of the People's Republic of Korea in
recognition of his great service for the
economic advancement of our country:



2002년 10월 9일
October 9, 2002

대통령 김대중



국무총리 김석수

An entry is made for this certificate in the Records of the Order of Civil Merit
행정자치부장 이근



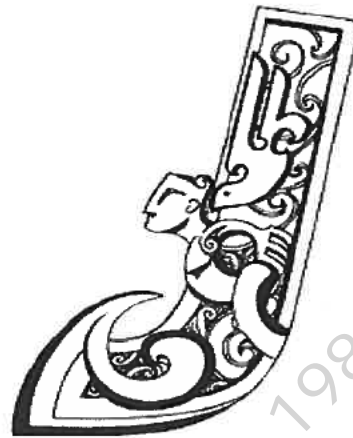
Released under the Official Information Act 1982

Appendix E

Character Reference and Support letter re: Seung Heun Lee a.k.a. Ilchi LEE (5/08/2017)

TE WAKA WHAANUI

working with wairua



My name is Charles Hohaia and I am a Maori of Ngapuhi descent, with both my parents stemming from the whakapapa (genological) links to the Ngati-Kahu hapu, on my mother's side "Te Patu" (Pamapurua, Kaitaia) and my father "Ngati-rua-mahue" (Wainui/Mahinepua, Kaeo).

My working career and experience has included;

Probation Officer and Cultural facilitator for the Justice Dept (now known as Community Corrections)

Mediator for the Office of the Race Relations Conciliator (now merged as part of the Human Rights Commission Office)

Residential Manager of Re-hab treatment centre for Te Whanau o Waipareira Trust (largest Maori urban organisation)

Company Director and lead Education facilitator for education consultancy

Cultural Advisor and Maori Counsellor for High School (Rosehill College, Papakura) with a roll of over 1700 students

I am currently the Director for Te Waka Whaanui Services Ltd which specialises in the provision of support and therapy services in the areas of high profile sexual abuse cases, cluster suicides/contagions, homicides.

I am also a member of an external clinical advisory team which provides advice to the CEO & Board of Youth Horizons Trust National Office and have been a past Lecturer in the Social Services/Science division for Te Wananga o Aotearoa (Manukau Campus).

I have also been a past lay Minister and Scout Chaplin in the South Auckland area.

GENERAL

I met Mr Lee approximately 2 years ago (2015) whilst he was walking along a riverbank abutting land which he had purchased in Kerikeri in the Far North. At that time I too happened to be walking in the near vicinity and noticed him from afar off. I assumed he was a Maori Elder or Kaumatua due to a type of rod or walking stick (otherwise known to Maori as a "tokotoko") he was carrying.

As he and his associate ventured nearer to where I was it was only then that I recognised he wasn't Maori but of some Asian looking descent. We briefly introduced ourselves to each other and after a very brief discussion via his associate (acting as an interpreter) we departed our separate ways. What was significant however about this brief acquaintance was this special feeling I experienced albeit for a brief moment. In cultural terms I would refer to this feeling as "wairua" (spiritual domain) that seemed to be present and yet quite unusual given our limited engagement at the time. I even concluded that I felt my tupuna (ancestors) nearby and more specifically my grand-father's presence despite his having passed away some 39 years previous.

I make mention of this on the basis that I knew my meeting with Mr Lee was not by chance but by design of forces unknown to many and that in the near future we would play a pivotal role in each other's lives though the detail of this was unclear at the time.

In January of this year (2017) I had the opportunity to once again be re-introduced to Mr Lee during the world's first-ever Earth Citizen Peace Festival in Kerikeri and in which he was one of the key note speakers. Whilst this was again another very brief introduction through his interpreter (same interpreter from our first meeting 2 years previously) I was always confident that the right time would come when we would meet again on a more personal level.

This did occur over a 3-4 month period (May-Aug 2017) where I was privileged to spend several rounds playing golf with Mr Lee and subsequently accompanied him and his interpreter on a personal tour of one of his meditation tour properties in Kerikeri. Credible sources also suggested that it would have been a first for Mr Lee to have personally invited any person to join with him under such circumstances.

I felt then and still now very privileged and honoured to have spent personal time alongside Mr Lee however it was the type of conversations and sharing of similar personal ideals, values and aspirations that led me to want to understand Mr Lee more, his vision towards humanity as a whole and his love for the environment and all the associated elements connected. As tangata whenua (original inhabitants of Aotearoa) and in a sense also a host to him since he was manuhiri (visitor) to our shores I was also very interested in how he would respond to the types of issues that Maori in particular were experiencing in the Far North and whether his vision and participation within the Ngapuhi region could be of value and benefit to the cultural well-being of not only Maori but local communities

Mr Lee's responses were not only supportive and encouraging but more importantly was a clear indication of fundamental principles and values stemming from within him and which aligned to well-known value and belief systems of Maori i.e. "aroha" (love/compassion), "manaakitanga" (caring for another's well-being) "kaitiakitanga" (care-takers of the environment) and "whanaungatanga" (the forging and maintaining of relationships whether kin or otherwise).

In addition whilst my own research on Mr Lee himself would reveal the many positive initiatives, programmes and projects etc he has either established or been a part of world wide it would be the ongoing conversations and his conduct I was privy to (albeit for only 3-4 months) that in my respectful opinion was evidence of an individual desirous to lift the standard of healthy living, and healthier interpersonal relationships of all human-beings and citizens, including the care and respect for nature itself with the result being greater peace and happiness for all. I sincerely believe Mr Lee's intent to contribute to our country is both genuine and inspiring.

He has shared with me on a personal and sacred level matters which not only do I resonate with due to my own cultural and personal value belief systems but in which I myself have always desired to express and share with people irrespective of race, colour or creed.

I believe Mr Lee is one of those change-makers that desires to bring about peace and happiness to peoples' lives with no thought of personal recognition, gain, pride or arrogance but solely because he himself was the recipient of a personal life changing experience in the wilderness of Korea's Moak Mountain.

He impresses on one-hand as a very astute businessman, intelligent and wise philosopher and yet ever so humble in his own way knowing where the true source of all that he is and has managed to acquire and accomplish comes from.

I do not profess to know everything about Mr Lee neither do I allow myself to become a cynic, or judge of others views of him whether good or bad. I believe him to be a man of honourable intent and loyal to those who share a similar vision which is to bring about "world-wide peace".

In summary and conclusion if I were to use the founding document of this nation i.e. Te Tiriti o Waitangi (The Treaty of Waitangi) as a point of reference and/or analogy in reference to Mr Lee;

Governor Hobson (representative of the crown) at the time Feb 6, 1840 entreated Maori to sign this document and in doing so established not only a partnership but also a relationship between Maori and the Crown. Subsequent years and successive governments however have also seen periods of conflict, unrest and disharmony between not only Maori and the Crown but also Maori and Pakeha.

Mr Lee has in his heart signalled an intent I believe to likewise establish a true partnership and working relationship with not only Maori (the Far North being but one region) but also the wider community and eventually I'm sure the involvement of the global community be it by way of his meditation tours or otherwise. The difference in the outcome however is that everyone will all benefit from the process, though this is yet to materialise or manifest itself in the future.

Please feel free to contact the writer on mobile 0211130989 & email urim@usa.com should you require further information.

Regards,

Charles Hohaia

(Te Waka Whaanui Services Ltd, Company Director)

08/09/2017

To whom ever it may concern

My name is Andrew McNaughton. I am a long term resident [22 years] and local Dentist in Kerikeri Northland. My association with Mr Ilchi Lee has been professional, social, and personal. I have met with him and members of his family on a number of occasions and had close association with some of his colleagues. This has been through: Taekwon Do, their wonderful and sustained presence (especially from their youth leaders) at Multicultural evenings which I help organise, and finally as an attending Dentist.

I am also a direct neighbour adjacent to the golf Driving range /café which they purchased last year. I have supported the future development of an accommodation centre on the land that went with the business and the reasoning behind its development – youth assistance and development.

In all my interactions with Mr Lee, I have found him to be open, friendly, and courteous. He has always treated me with honesty, integrity and generosity. He is an inspiration to talk with [through interpreter].


In all communities there are individuals that have vision and drive and are willing to work to build stronger communities. Mr Ilchi Lee is one such visionary. This is not only at the local level but on a world embracing scale. He also has the energy and focus to achieve these ideas. The philosophy behind his initiatives are strongly grounded in holistic health for individuals, our local community, the functioning of existing community institutions and Societies, for preservation and protection of our environment, and the unification of an emerging global human society. In short, I truly believe he seeks to nurture and support rather than exploit.

In my opinion Mr Lee is a welcome asset to our local community. He has already and will continue to contribute financially and provide opportunities for development within our region. His activities have helped put Kerikeri as a "go to" destination on the world map.

It is indeed a privilege and humble service to be able to offer a character reference for Mr Ilchi Lee, an individual of whom history will likely recognise as a bright and significant luminary on the world stage.

With deepest sincerity

A.G McNaughton B.D.S





KERILAND EARTHWORKS LTD
P.O. Box 133
KERIKERI

PHONE 027 250 0096
FAX 09 4016246
E/mail keriland@xtra.co.nz

18th. January 2018

To whom it may concern

This letter is a character reference for Mr Seung Heur Lee.

I have known Mr. Lee since approximately October 2014.
I was engaged to do a small amount of work for him at an address in Kerikeri.
I have always found Mr. Lee to be a very caring, honest and approachable person that has an amazing amount of empathy and concern regarding the community in which he lives. The development of the Wellness Centre and Earth Village (which is currently under construction) can only be of benefit to the community as a whole.

As I have grown up and lived in Kerikeri all my life, I must say Northland has always had its issues with health, wealth and development, but it is a region I am very passionate about and have found Mr. Lee to be just as passionate and very environmentally aware when it comes to developments he is doing in this area.

I have now worked on many of his jobs and have been impressed with his detail to the preservation of trees, rivers, springs and the native bush in general.

I have never had any reason to not totally trust him or any of his staff which I have contact with on a regular basis.

Mr Lee in my opinion is just the sort of man Northland has been looking to invest his time and money in our small part of Paradise.

I am always available if you want to contact me on 09 401 6247

Sincerely yours,



Mark Klinac
Keriland Earthworks Ltd.

OKAIHAU PRIMARY SCHOOL



Settlers Way
RD 1

OKAIHAU

Ph: 09-4019151

Fax: 09-4019154

admin@okaihau-primary.school.nz

Thursday 7th September 2017

To Whom It May Concern,

Re. Mr. Ilchi Lee,

I am writing this wearing two hats: one as the instructor of the Kerikeri Taekwon-Do club and one as the Principal of Okaihau Primary School.

I am the current instructor of the Kerikeri Taekwon-Do club and we run a club in Kerikeri of about 45 students. Further information on our organisation can be found at www.itkd.co.nz.

I first met Grand Master Ilchi Lee with two of his students; Master Choi and Master Ki. Master Choi and Master Ki had both moved to Kerikeri and were wanting to continue their Taekwon-Do training whilst here. After training with our Taekwon-Do organisation for a period of time, it was organised that we met their Grand Master, Mr Ilchi Lee. We met Mr Ilchi Lee for dinner and enjoyed the hour or so we had together. I have had a lot of dealings with Master Choi and found him to be a hardworking man of integrity, friendliness and a willingness to be part of the Kerikeri community.

I am also the Principal at Okaihau Primary School. In discussions from the dinner with Mr Ilchi Lee and further discussions with Master Choi about their programme, 'Brain Education,' I was interested in learning more about the programme and their ideas on brain development. After further discussions, readings and articles, Master Choi and a brain Education facilitator came and ran a workshop for our whole staff for an afternoon.

It was very enjoyable, informative, well-researched seminar which staff could automatically transfer to their classroom practice.

It is definitely something we wish to explore further.

It appears on all levels that Mr. Ilchi Lee and his team are interested in providing opportunities and being part of the community.

Regards

T. Couling

Tim Couling
Principal
Okaihau Primary School

18 August 2017

To Whom It May Concern

Seung-Heun 'Ilchi' Lee

I have known Mr Lee for about 14 months and have worked with him consistently over this time. He has always been courteous and professional in all our dealings.

Mr Lee has invested heavily in Northland and, if his plans come to fruition, I believe he will contribute significantly to the economic well-being of this region with organic growth in tourist traffic through his company, Meditation Tour.

He has spoken to me at length about his love for Northland and his desire to make this the place where he can give back to the global community, in recognition of the considerable success he has enjoyed over the years.

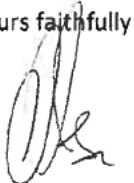
My business is one of many in the Mid North that has benefitted commercially from Mr Lee's determination to invest in our community. Professional services firms, building contractors and suppliers, tourism operators and retailers of all descriptions have benefitted from his decision to live and invest in Northland.

During our association I have met many of his staff and customers; all seem to hold him in high regard and are supportive of his efforts to establish his life here in Kerikeri.

Nothing I have seen or heard would indicate that Mr Lee is anything but a boon and an asset for our increasingly multi-cultural community.

I would be happy to discuss any of this in greater detail if required.

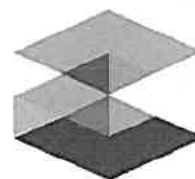
Yours faithfully



Peter Heath
Managing Director

Monday, January 22, 2018

Site Scope Ltd
Kerikeri 0295



SITE SCOPE

To Whom it may Concern

Regarding; Double Pine Investments Ltd & Mediation Tours Ltd

Subject; Project Developments in the Bay of Islands

It has been brought to our attention of a certain negative attitude by some members of the public, relating to the above Companies. These sentiments appear to be a result of uninformed individuals. The purpose of this letter is to assist the Public with a clear understanding as to the activities of the above Companies.

Site Scope Ltd is a local Kerikeri company, which has been engaged for the past 18+ months, with a view to providing professional instruction for the Client, and assisting them in the master planning and development of various properties within in Bay of Islands region.

We have developed a clear understanding with the Client of the expected compliance requirements in NZ, and have to date have obtained various consents, and are working through further detailed consents currently with Northland Regional Council, Far North District Council and Land Information New Zealand.

Close communication has been kept with immediate neighbours, where possible regarding the developments.

Several meetings and site visits have been held with the local Iwi Representatives from Ngati Rehia. An understanding of shared vision regarding both social and environmental responsibilities has being clearly established and is positively being worked on.

There are many local companies benefiting from the large investment in the region, which will be ongoing for years to come.

Please feel free to contact me in writing with any further questions or clarifications

E; andrew@sitescope.co.nz

Yours faithfully

Andrew Abercrombie (Director)
021 221 6500

Thursday 18th January 2018

RE: MR. ILCHEE LEE – OFFICIAL REFERENCE LETTER

To Whom It May Concern,

I have known Mr. Ilchee Lee (also known as Lee Seung-Heun) for approximately 2 years. I have had dealings and associations with Mr. Lee both professionally and informally on a social basis.

My business dealings with him have always been conducted in a professional and sincere manner. Mr. Lee is very focused and always open to compromise and common-sense suggestions. I have found that he has a willingness to learn and be mindful of the cultural differences between South Korea and NZ, which has shown in his genuine desire to understand and do things 'the Kiwi way'.

Furthermore, I have enjoyed Mr. Lee's company socially with fishing excursions and on several occasions, home-cooked meals in the evening both Kiwi-style and South Korean.

I have also read two of Mr. Lee's book and discovered that while he is a well-regarded educationalist worldwide (especially in his field of brain education), I think he has a lot to offer our own education system, especially those students at risk of failing under the current format. After all, achievement levels are especially poor here in the Far North and hence, his knowledge and skills would be a great contribution.

My personal conclusion is that Mr. Lee will make a great addition to our community and I believe that his desire to understand 'the Kiwi way' has led him to the realisation that he would like to live here permanently and contribute to our community economically and professionally with his Meditation Tours business and further still, with his brain education movement.

I am happy to be contacted if any further information is required.

Yours Sincerely,

Peter Hendl
021 832 808

To Whom it May Concern

Mediation Tours Limited & Double Pine investment

The above company has a long term hire agreement with us for the hireage of equipment.

This account is operating satisfactorily under normal NZ business arrangements and we are happy to continue building a long term relationship with them and their business.
We are an independent locally owned hire company.

If you have any further questions, please do not hesitate to ask.

Regards
Shirley Millar
Office Manager

Kerikeri Tool Hire 2015 Ltd
41A Skippers Lane
Waipapa
Phone (09) 407 3020

Released under the Official Information Act 1982



22nd August 2017

Tēnā koe/To whom it may concern,

I write this letter in support of Ilchi Lee and Brain Education in New Zealand. My current position is as Research & Innovation Manager at the Western Institute of Technology in Taranaki (WITT), after nearly 22 years at Massey University. I am of Māori ethnicity with New Zealand citizenship, born in the Bay of Islands and I was resident in Auckland for 25 years before moving to New Plymouth at the end of March this year. I have met Ilchi Lee several times in the past year, and have learned much from the wisdom he imparts in person and through his books and videos. While I cannot say I know him well personally, I believe that the philosophies and practices he promotes have much to offer people in our society, especially in terms of healing and developing healthy emotions, and increasing physical flexibility and fitness.

I had been attending Body and Brain Yoga in Albany, North Shore, for nearly a year before I moved, and it is there that I met Heeyong Kum, Yewon Hang and others from Brain Education and the Earth Citizens Organisation. The warm and welcoming manner of the teachers such as Heeyong Kum and Yewon Hang attracted a wide variety of people from many ethnicities to these classes, and the practices of Body and Brain Yoga were very popular in the studio as well as in local and national communities, some of which is free of charge. The services they provide are enjoyable and inspiring, and have contributed to increased health and wellbeing for myself and others in the classes. The teachers have shown themselves to be of good character with a very strong work ethic, and as people who strive to contribute positively to our society.

Because I have gained personally from the yoga and other practices taught at Body and Brain Yoga, I decided to use these practices and services in my professional work as a health researcher. Much of the research work I am involved with relates to unresolved trauma that contributes to social ills and negative pathways such as incarceration and suicide. Māori youth have one of the highest rates of suicide in the world, and I am leading a project with the Ngātiwai tribe in Northland. I invited Heeyong Kum and Yewon Hang to come to the weekend wānanga we were running with Māori youth whose lives have been impacted by suicide. They came to several wānanga and taught us a variety of physical practices such as yoga and tai chi, as well as providing healing massage for the young people; all this they did free of charge. These teachers were very popular with the young people, being embraced in a way that was surprising given

differences in cultural backgrounds, but which nevertheless contributed to the overall success of our wānanga and the positive transformations in the youth as well as some of the older generations. Our group was also privileged to be part of the inaugural Earth Citizens Peace Festival in Kerikeri, providing these young people with experiences they would not usually have access to. The youth in our group recently won a Youth Award from the Whangarei District Council for the work we have been doing in the field of Māori youth suicide – I am sure that the support provided by Body and Brain contributed to the success of our programme.

I therefore have no hesitation in supporting the residency of Ilchi Lee and others from this group. While they are here to run a business, there is also a philanthropic and humanist side to their work. I know they have much to offer Māori individuals and communities, as well as many people who call Aotearoa home. They offer the opportunity for us to learn new perspectives on life, and for us as a country to learn more about people from a very different nation. They bring business and financial opportunities as well, which is also important. While there are some who may view them negatively, Body and Brain Yoga, the Earth Citizens Organisation, and other forms they take here in New Zealand contribute positively to our society and plan to contribute further into the future. This I can and do support.

Please don't hesitate to contact me if you require further information.

Mauri ora,



Dr Lily George
Research & Innovation Manager
Western Institute of Technology Taranaki
Email: L.George@witt.ac.nz
Phone: 0272787405

9 June, 2017

Auckland

To Whom It May Concern,

I have the pleasure to attend Body & Brain yoga classes over the last six months. During that time, I have gained a lot of important benefits for my health and wellbeing, that I decide to start learning the skills to become a trainer. As a software developer, I had a very bad posture with highly limited flexibility as well as I was always on tension to be a mum of two kids, working on the full-time job and recovering from breast cancer. And over time spent on regular exercises I become more peaceful, energized and healthier.

It is a rare opportunity in the area I live in to come into contact with someone like Body & Brain yoga staff. Their great respect for yoga and all other activities and techniques, for the people that attend classes and the actual yoga studio surrounding itself, is unmatched. Because of their tai chi background and great knowledge of eastern philosophy, their presence alone is peaceful and disciplined at the same time.

Body and Brain yoga staff are extremely aware of the mind - body connection. Their senses are highly attuned and I can tell from watching them in class and exercise on their classes that they understand, feel and apply the deep healing benefits of yoga and other eastern practice beyond the physical realm. Their biggest advantage is in variety of exercises and meditations which are selected and adjusted for the modern western life style to give fast results in health and wellbeing improvement.

Body and Brain yoga is one of the most unique, genuine, loving and dedicated yoga practice I have met. It is with a deep conviction of the heart, that I unconditional recommend this center for training

Kindest Regards,

Aleksandra Petrovic
Software Developer

Renton Motors 1976 Limited

P O Box 200

Kaikohe

19 January 2018

TO WHOM IT MAY CONCERN

RE: Meditation Tour

Renton Motors 1976 Limited have had a business relationship with Meditation Tour since November 2014. During this period they have purchased a significant amount of Farm Equipment for their properties located in the Kerikeri area. We also maintain their equipment in our Workshops.

They have always conducted themselves and their transactions in a good business like manner.

Kind Regards

Richard Eley

Managing Director

Released under the Official Information Act 1982

Double Pine Investment Limited
126 Kerikeri Road
Kerikeri 0230

02 February 2018

File Number: 5653502

Dear Yewon Hwang,

IMPROVEMENT NOTICE – DOUBLE PINE INVESTMENT LIMITED

I refer to the Improvement Notice that was issued to your company on 20th of October 2017.

I am able to advise that all of the requirements of the Improvement Notice have now been complied with and that my file for this matter has been closed.

I acknowledge the amount of work that has been undertaken by the company to comply with this Improvement Notice and just as importantly, to improve your systems and business practices to ensure Minimum Employment Standards are met.

If you have any further questions in respect to this matter, please do not hesitate to contact me.

Kind Regards,

[s 9(2)(g)(ii)]

Labour Inspector

Meditation Tour Limited
34 Macadamia Lane
Kerikeri 0295

02 February 2018

File Number: 5666808

Dear Yewon Hwang,

IMPROVEMENT NOTICE – MEDITATION TOUR LIMITED

I refer to the Improvement Notice that was issued to your company on 20th of October 2017.

I am able to advise that all of the requirements of the Improvement Notice have now been complied with and that my file for this matter has been closed.

I acknowledge the amount of work that has been undertaken by the company to comply with this Improvement Notice and just as importantly, to improve your systems and business practices to ensure Minimum Employment Standards are met.

If you have any further questions in respect to this matter, please do not hesitate to contact me.

Kind Regards,

(s 9(2)(g)(i))


Labour Inspector