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March 20, 2020

Mr. Geoffrey Robertson Q.C.
Doughty Street Chambers
53-54 Doughty Street
London WC1N 2LS

Re: Letter Refuting Aarathi Rao's Allegations and Showing She is Not Credible

Dear Mr. Robertson:

This letter is being submitted to you for the following reasons: (a) to provide evidence that refutes Aarathi Rao's ("Rao") false and defamatory allegations that she was raped by Sri Nithyananda His Divine Holiness ("His Divine Holiness") and (b) to provide evidence showing Rao is neither trustworthy nor credible. This letter is based on evidence that I have derived, reviewed, and now maintain in my legal files related to my representation of the Nithyananda Dhyanapectam of Columbus in a federal lawsuit against Rao.

Background and Federal Lawsuit

Rao was a previous devotee of His Divine Holiness, who is the spiritual head of Nithyananda Dhyanapectam of Columbus and other similar temples and affiliated organizations that are part of the Hindu religion/Vedic tradition. Rao also volunteered at Nithyananda Dhyanapectam of Columbus for numerous years.

In 2009, Rao participated in a plan with co-conspirators to extort significant amounts of money from His Divine Holiness, Nithyananda Dhyanapectam of Columbus, and other affiliated organizations loyal to His Divine Holiness, including Life Bliss Foundation. In particular, Rao and her co-conspirators devised a scheme to plant a hidden video camera in the living quarters of His Divine Holiness, which constitutes trespass and an invasion of privacy. Rao then morphed the hidden video to make it appear that His Divine Holiness was in the living quarters at the same time as a famous Indian actress. The videotape subsequently has been reviewed by U.S. forensic experts, who found it to be fraudulent.¹

In 2010, when such extortion efforts were not successful, Rao began making false and defamatory statements on social media that she was allegedly raped by His Divine Holiness. She also made bogus rape claims to law enforcement in India and Ann Arbor, Michigan. Unfortunately, her false, defamatory statements have continued and have resulted in Nithyananda Dhyanapectam of Columbus, as well as other similar affiliated organizations in which His Divine Holiness is the

¹ See expert opinions attached as Exhibit S.

spiritual leader, suffering significant damages. This has spurred the filing of numerous lawsuits in an attempt to stop such false, defamatory statements against His Divine Holiness.

Rao's conduct, which also supports crimes of trespass, conspiracy, and extortion, was detailed in a First Amended Complaint filed in the United States District Court, Southern District of Ohio, which was filed by a nonprofit organization, Nithyananda Dhyanapectam of Columbus, in June 2013. This federal case is captioned *Nithyananda Dhanapeetam of Columbus v. Aarthi Rao, et al.*, United States District Court for the Southern District of Ohio, Eastern Division ("SDOH"), Case No. 2:13-CV-00526 ("SDOH Litigation") and includes civil causes of action against Rao for defamation and tortious interference with business relationships. The First Amended Complaint (the "Complaint") filed in SDOH Litigation is attached hereto as Exhibit A.

Importantly, Judge Algenon L. Marbely, the District Court Judge in the SDOH Litigation, held that the facts contained in the Complaint—including Rao making false, defamatory statements—were deemed to be true:

The allegations contained in Plaintiff's Complaint are deemed admitted as true against Defendant.

Order of Judge Marbely at page 2. (SDOH ECF No. 31, attached hereto as Exhibit B.)

Based on the evidence showing Rao's false and defamatory statements causing significant damages to Nithyananda Dhyanapectam of Columbus, Judge Marbely ordered judgment against Aarthi Rao for damages in the amount of \$463,211.25, plus attorneys' fees in the amount of \$10,568.30, costs in the amount of \$603.20, and post-judgment interest in the amount of 3% per annum. The current amount due on the judgment as of February 14, 2020 is **\$552,755.15**.

The judgment was transferred to the Eastern District of Michigan for collections since Rao had resided in that federal district. The federal Michigan case is captioned: *Nithyananda Dhyanapectam of Columbus v. Aarthi Rao, et al.*, United States District Court for the Eastern District of Michigan, Case No. 2:13-CV-00526 ("EDMI Litigation"). The EDM I Litigation and collection efforts are currently ongoing, but have been frustrated by Rao's misuse of her U.S. passport and ability to hide in India to avoid the United States judicial system.

Evidence that Refutes Rao's False and Defamatory Allegations

In addition to a federal district judge in the United States ruling that Rao's statements were defamatory and caused significant damage to Nithyananda Dhyanapectam of Columbus, the following evidence also refutes Rao's allegations of rape: (1) she admitted, in writing and prior to her extortion efforts, that she never had any sexual interactions with His Divine Holiness; (2) her own medical records show no evidence of rape and refute her allegations; (3) medical records of His Divine Holiness show that he had no ability to commit the rape; (4) after years of making defamatory statements, she changed her story and began alleging that the sexual contact was consensual; and (5) records show discrepancies in her story and the fact that an alleged rape incident could not have occurred as she alleges.

1. Rao admitted, in writing and prior to her extortion efforts, that she never had any sexual interactions with His Divine Holiness.

On July 30, 2009, Rao, whose spiritual name is Premeshwari May Nithyananda, sent an email to an individual whose spiritual name is Gopika Nithyananda, containing Rao's summary transcript of several phone conversations Rao had with another devotee. Rao's July 30, 2009 email is attached hereto as Exhibit C. Within the third paragraph of that email, Rao categorically denies that she had been sexually pressured or had sexual relations with His Divine Holiness. Specifically, when asked if either of those had occurred with Rao, she responded:

I have no direct knowledge of any of these things you are saying. In all my personal experiences, nothing like this has happened to me.

(July 30, 2009 email and affidavit attached as Exhibit C, page 1, 3rd paragraph.)

2. Rao's own medical exam for rape show no evidence of rape and refute her allegations.

After initial extortion efforts failed, Rao began making false allegations of rape by His Divine Holiness on social media. In addition, she made a report of rape by His Divine Holiness to police in Bangalore, India. As a result of her allegations and complaint to the police, she was taken to C.R.P.F. Base/Group Hospital on August 17, 2010 for a rape examination. The doctor's opinions and findings from that examination, however, clearly repudiate Rao's allegations and claims of rape. Specifically, in medical records obtained from C.R.P.F. Base/Group Hospital related to Rao's examination, the treating medical practitioner, Dr. Priva, noted:

I have to state that her clinical examination/pelvic examination does not reveal anything not to have normal intercourse/normal human sexual behavior.

(Medical record of C.R.P.F. Base/Group Hospital attached hereto as Exhibit D.)

3. The medical records of His Divine Holiness show that he had no ability to commit the rape and show the absence of a sexually transmitted disease that had already infected Rao.

Numerous licensed, distinguished medical practitioners in the United States, India, and Canada reviewed, among other documents and information, the certified medical records of His Divine Holiness and the certified medical records of Rao. Each one of these licensed medical practitioners came to the same conclusion: the medical records not only refute Rao's claims that she was raped, they prove that no sexual contact had occurred between His Divine Holiness and Rao.

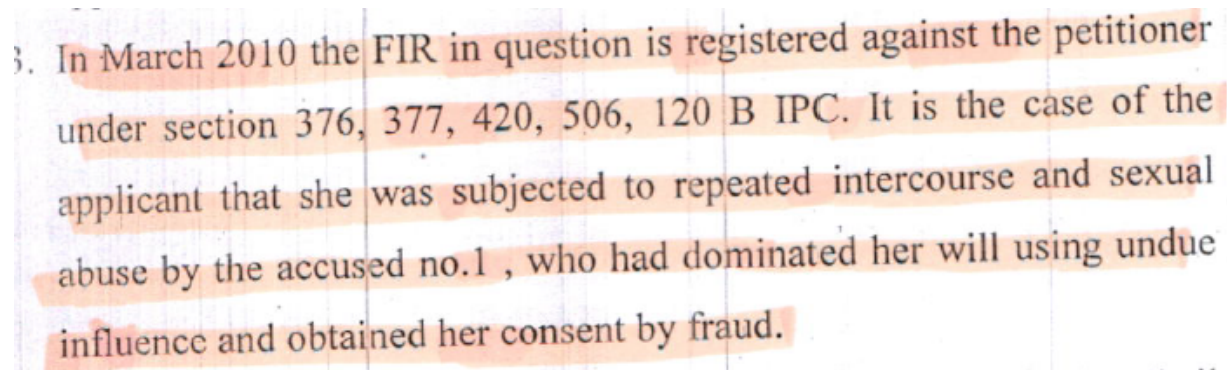
Their findings were based on facts that refute Rao's allegations:

- i. His Divine Holiness had medical conditions, including, among others, extremely low testosterone, diabetes, hypertension, and gynecomastia that caused erectile dysfunction, which would have prevented him from even having an erection in order to have sexual intercourse with Rao.
- ii. Had His Divine Holiness and Rao engaged in intercourse, or even skin-to-skin contact, then His Divine Holiness would have been infected through transmission with the same herpes-based sexually transmitted diseases that Rao was infected with; her medical records show that she had been first infected many years prior, and was carrying the diseases and the symptoms throughout the time period of the occurrences. Because His Divine Holiness' records prove that he was never infected, that proves no intercourse or skin-to-skin contact occurred and, as such, no rape could have occurred.

The opinions of Dr. Sokolov, Dr. Vogel, Dr. Lorento, Dr. McIlroy, Dr. Khetan, Dr. Brock, Dr. Nair, and Dr. Black and are attached hereto as Exhibit E.

4. After years of making defamatory statements, Rao changed her story and began alleging that the sexual contact was consensual.

To further discredit her own claims, Rao changed her story to now state—in a verified statement made to the Indian judiciary in February 2014—that she was having *consensual* relations with His Divine Holiness over a 5-year period—i.e., he had intercourse with the His Divine Holiness upon him obtaining “her consent by fraud.” Here is a screen shot from the 2014 statement:

A screenshot of a document with several lines of text highlighted in orange. The text reads: "3. In March 2010 the FIR in question is registered against the petitioner under section 376, 377, 420, 506, 120 B IPC. It is the case of the applicant that she was subjected to repeated intercourse and sexual abuse by the accused no.1 , who had dominated her will using undue influence and obtained her consent by fraud."

(See Rao’s 2014 Application Seeking Impleadment of Prosecutrix Aarthi Rao as Respondent No 3, Under Section 482 of the Code of Criminal Procedure, attached hereto as Exhibit F; Paragraph 3.)

It is important to note that, to date, Rao is only a witness in the case against His Divine Holiness, and she has not filed any complaint as a victim with any police agency in India.

5. Rao's records show discrepancies in her story and the fact that an alleged rape incident could not have occurred as she alleges.

Rao's medical records obtained from the University of Michigan Medical Center show she had an appointment in Ann Arbor, Michigan on November 30, 2005, which is the same date that she alleges to have been raped in Salem, India. Her medical records were obtained through a court order and subpoena (see Exhibit R). Her medical records prove that she lied about being raped and show she is reliable or trustworthy.

In sum, there is a multitude of independent evidence, all of which consistently repudiate Rao's false allegations against His Divine Holiness.

Evidence Showing Rao is Not Credible

Numerous instances of Rao's conduct show she is neither trustworthy nor credible. Specifically: (1) Rao's false representations to a United States Federal Bankruptcy Court; (2) Rao's unsupported complaint of alleged rape made to the Ann Arbor Police Department and subsequent refusal to substantiate such claim with any evidence, testimony, or cooperation; and (3) her refusal to participate in the fair, unbiased judicial system of the United States—even when she was ordered to participate by numerous judges.

1. Rao Makes False Representations in Federal Bankruptcy Court

Rao made a significant misrepresentation to a federal bankruptcy court—*In Re Aarthi Rao*, U.S. Bankruptcy Court, Eastern District of Michigan, Southern Division, Case No. 11 68470 (“Bankruptcy Matter”)—related to her liabilities. Specifically, Rao falsely represented to the federal judge in her Summary of Schedules dated Nov. 9, 2011 that she was not a co-obligor on the mortgage on certain real property in Ann Arbor—which is contrary to the recorded mortgage (dated only about two months before she filed for bankruptcy) showing Rao and her spouse, Mr. Narayanan, as co-obligors. (See Summary of Schedules attached hereto as Exhibit G and Mortgage dated 9/1/2011 and recorded in the Washtenaw County Recorder's office on 9/21/2011 (Book 4865, Page 851), which is attached hereto as Exhibit H.) Indeed, making false representations to a federal court shows a lack of trustworthiness and credibility.

2. Rao's unsupported complaint of alleged rape made to the Ann Arbor Police Department and subsequent refusal to substantiate such claim with any evidence, testimony, or cooperation.

Rao made a claim of alleged rape to the Ann Arbor Police Department by mailing a packet of information to the department. In response, Detective Michael Lencioni reached-out to Rao via email and told her that he needed to speak with her regarding the allegations. She has refused, and continues to refuse, to meet with the detective or call him to discuss her allegations. (See email from Detective Lencioni and Affidavit of Larry Margolis—the recipient of the email—attached hereto as Exhibit I.) The fact that she refuses to substantiate her bare allegations (or even have a follow-up conversation with the detective) indicates that such allegations are fabricated and goes directly to her lack of credibility.

3. Rao's refusal to participate in the fair, unbiased, and impartial court system of the United States—even when she was ordered to do so.

Rao had every opportunity, through various lawsuits (that she filed and had filed against her) to prove and defend her alleged rape allegations. Time and time again, when given the opportunity to do so through the impartial, fair, and just United States judicial systems, she refused to participate and/or defend her allegations. The following table sets forth the multiple court ordered hearings and depositions that Rao had refused to attend (even when ordered to do so in many instances):

- 11/18/2011 In the Bankruptcy Matter that Rao filed in 2011—*In Re Aarathi Rao*, U.S. Bankruptcy Court, Eastern District of Michigan, Southern Division, Case No. 11 68470, Rao refused to even attend the very basic 341 Hearing that every bankruptcy petitioner is required to attend (even after her request to be excused was not granted.) (*Rao's Affidavit in Support of Motion to Excuse Her Appearance*, dated 11/10/11 and filed 11/18/11, Bankruptcy Matter ECF No. 18, attached hereto as Exhibit J.)
- 2/7/2012 In the Bankruptcy Matter, the Federal Court dismissed Rao's bankruptcy due to Rao's non-compliance in failing to attend the mandatory 341 hearing. (*Notice of Dismissal* dated and filed 2/7/12, Bankruptcy Matter ECF No. 39-1, attached hereto as Exhibit K.)
- 4/18/2012 In a California lawsuit, *Life Bliss Foundation v. Aarathi Rao, et al*, Superior Court of the State of California, County of Riverside, Central District, Case No. RIC 1105004 ("California Lawsuit"), Rao failed to attend a court-ordered deposition thereby resulting in a sanctions award against her. (*Amended Order Granting Motion for Terminating Sanctions and Monetary Sanctions Against Defendant Aarathi Rao*, filed 4/18/12, attached hereto as Exhibit L.)
- 11/20/2013 Related to collection efforts in the California Lawsuit, a *Bench Warrant* for Rao's arrest was issued in Michigan state court in *Life Bliss Foundation v. Aarathi S. Rao*, State of Michigan Judicial Circuit Court County, Case No. 13-714-CZ (the "Michigan State Lawsuit"). (*Bench Warrant*, attached hereto as Exhibit M.)
- 4/2/2014 In the Michigan State Lawsuit, the Court issued an Order for Rao to sit for a creditor's examination, which she failed to abide by. (*Order*, attached hereto as Exhibit N.)
- 7/18/2014 In the Michigan State Lawsuit, the Court issued another Order for Rao to sit for a creditor's examination via video as per her request, which she also failed to abide by. (*Order*, attached hereto as Exhibit O.)

- 10/9/2014 In the Michigan State Lawsuit, the Court held Rao in contempt for violating the Court's Order for her to sit for a creditor's examination. (*Order of the Court*, attached hereto as Exhibit P.)
- 10/20/2014 In the Michigan State Lawsuit, the Court issued another *Bench Warrant* for Rao's arrest for her failure to appear for an examination. (*Bench Warrant* attached hereto as Exhibit Q.)
- 5/19/2016 In the EDMI Litigation, Rao refused to attend a court ordered deposition or produce any of the required documents.

Rao's refusal to cooperate with judicial orders in multiple courts and two states, as well as to seize on the many opportunities to defend her allegations of rape through the impartial and fair United States judicial systems, seriously calls into question the veracity of her claims and allegations against His Divine Holiness.

In sum, her false representations and refusal to defend her allegations before U.S. courts, as well as her refusal to substantiate criminal allegations that she made against His Divine Holiness when asked to do so, proves her lack of trustworthiness and credibility.

Respectfully,



Jeffrey A. Willis