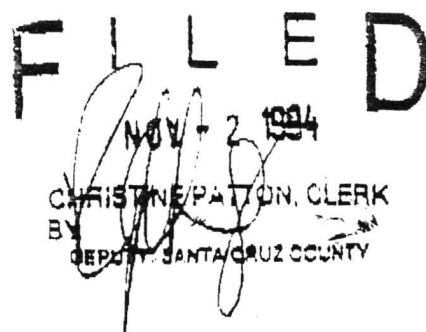


PHILLIPS, GREENBERG, STRAIN & HAUSER
THEODORE W. PHILLIPS, SBN 37236
One Post Street, Suite 2600
San Francisco, California 94104
Telephone (415) 981-7777
Fax (415) 391-3199

Attorneys for Plaintiff



IN THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CRUZ

JANICE DOE,

Plaintiff,

v.

SOGYAL RINPOCHE aka SOGYAL LAKAR;
RIGPA FELLOWSHIP; THE SPIRITUAL
CARE FOR LIVING AND DYING
NETWORK; DOES 1 through 50,
inclusive,

Defendants.

Action No. 1591647

COMPLAINT FOR DAMAGES

INTRODUCTION

1. Plaintiff brings this action for reparations and to halt a pattern of physical, mental and sexual abuse by world famous Tibetan author and teacher, Sogyal Rinpoche, the author of the international best-seller The Tibetan Book of Living and Dying. Defendant Sogyal Rinpoche has used his position as an interpreter of Tibetan Buddhism to take sexual and other advantage of female students over a period of many years and has caused extreme injuries to many students, including plaintiff.

///

CV 25647 941102 99103 182 D

1 Plaintiff is a student who sought out Sogyal Rinpoche
2 and Rigpa Fellowship, the internationally based religious
3 organization operating under Sogyal's guidance, at an especially
4 vulnerable time in her life and met Sogyal Rinpoche when she
5 attended a retreat sponsored by the Rigpa Fellowship in
6 Connecticut in June of 1993. She was almost immediately
7 subjected to systematic indoctrination designed to separate her
8 from normal support systems including family and friends. The
9 object of this psychological manipulation is to make the student
10 completely dependent upon Sogyal Rinpoche and Rigpa Fellowship
11 for all physical, mental and emotional needs.

12 A central aspect of this mental coercion was to lead
13 plaintiff to believe that her only way to enlightenment, or
14 salvation, was to serve her master, Sogyal Rinpoche, and that by
15 pleasing him she would achieve enlightenment and relief of her
16 suffering. The corollary to this was that to incur his
17 displeasure, or to refuse him in any way, would cause dire
18 consequences to herself and her family. As a result of this
19 pressure, she was coerced into an intimate relationship with
20 Sogyal Rinpoche that continued through November, 1993, and
21 included physical, mental and sexual abuse.

22 Simply put, under the guise of the teachings of the
23 Buddha, Sogyal Rinpoche took unfair advantage of plaintiff's and
24 other students' vulnerability for his own sexual and other
25 gratification.

26 CHARGING ALLEGATIONS

27 2. Plaintiff Janice Doe asserts her rights to
28 privacy granted under the Constitutions of the State of

1 California and the United States and files this civil action
2 under a Janice Doe caption. She has filed under seal with this
3 complaint her true name and identity. Plaintiff understands
4 that her identity may be sought as part of the civil process
5 that controls these matters and that disclosure may be required
6 at a later date and if so required, she will set forth her true
7 name and seek a protective order to preserve her right of
8 privacy.

9 3. The true names or capacities, whether individual,
10 corporate, associate or other of defendants 1 through 50,
11 inclusive, are unknown to plaintiff who therefore sues said
12 defendants by such fictitious names. Plaintiff is informed and
13 believes and upon such information and belief alleges that each
14 of the defendants designated herein as a Doe is responsible in
15 some manner for the events and happenings herein referred to and
16 that said defendants conduct is the proximate cause of the
17 hereinafter alleged injuries and damages and plaintiff prays
18 leave of Court to amend this complaint to insert the true names
19 and capacities of such defendants when ascertained.

20 4. At all times herein mentioned, each defendant was
21 the agent, servant and employee of each other defendant and was
22 acting within the course and scope of agency and employment, or
23 in concert with each other defendant, to bring about the damages
24 herein alleged.

25 5. At all times herein mentioned, Defendant Sogyal
26 Rinpoche, aka Sogyal Lakar, ("Sogyal") claimed to be a
27 meditation master and teacher of Tibetan Buddhism and expert in
28 the fields of psychology, science, death, dying and the healing

arts. He claims authorship of the book The Tibetan Book of Living and Dying. Defendant Sogyal travels throughout the world and committed some of the acts herein alleged in the County of Santa Cruz, State of California.

6. At all times herein mentioned, defendant Rigpa Fellowship ("Rigpa") has claimed to be a non-profit religious corporation, organized under the laws of the State of California, with its principal place of business in Santa Cruz, California. Rigpa purports to teach and practice Buddhism under the guidance of defendant Sogyal. Defendant Rigpa is responsible for the hereinafter described acts of Sogyal based upon its negligent employment, knowledge, ratification and condonation of Sogyal's conduct.

7. Defendant The Spiritual Care for Living and Dying Network ("Spiritual Care") is a corporation, partnership, unincorporated association or other entity that purports to serve as a forum for the teachings of defendant Sogyal and is responsible for the conduct of said defendant by reason of its negligent employment, knowledge, ratification and condonation of such conduct.

8. In June, 1993, plaintiff, a married woman, was in a state of bereavement over the recent death of her father and was undergoing psychotherapy with respect to this and other matters. In an effort to benefit from the healing practices for the living and the dead Sogyal described in The Tibetan Book of Living and Dying, and in reliance upon defendant Sogyal's reputation enhanced by the Dalai Lama's preface to the book, plaintiff attended a retreat in the State of Connecticut. In

1 the course of that retreat, and at other times, defendant Sogyal
2 said he could heal all psychological problems and could cure
3 plaintiff's suffering and stated that, if she followed his
4 teachings, plaintiff would be able to help her father while he
5 was dead.

6 9. On her first day at the retreat, plaintiff wrote
7 a question to defendant Sogyal asking how she could help heal
8 her own and her family's pain. The letter indicated that her
9 father had recently suffered a painful death; that plaintiff
10 felt terrible about this and her inability to help her father;
11 and indicated that plaintiff was in an extremely vulnerable
12 state because of her father's death and difficulties with her
13 family and childhood.

14 10. On or about Thursday, July 1, 1993, plaintiff was
15 told by one of Sogyal's agents that Sogyal would grant her a
16 private conference after the teachings that evening. Defendant
17 Sogyal led plaintiff to the house where he was staying and asked
18 how he could help her, and plaintiff, crying hysterically, said,
19 "I want you to teach me how I can heal my family's past."

20 Sogyal questioned her in detail about the status of her family
21 and their whereabouts and then told her that through devotion
22 and his spiritual instruction she could purify her family's
23 karma. Sogyal emphasized that in order to be healed plaintiff
24 had to first realize that he is Buddha and that all his actions
25 are Buddha activity. Thereafter, he asked her to return and on
26 the next evening, defendant Sogyal seduced plaintiff after he
27 assured her that she would be safe with him and that in pleasing

28 ///

1 must have absolute trust and devotion to him above and beyond
2 anyone or anything else, including her husband, work and
3 education; all for the purpose of separating plaintiff from her
4 support systems and making her dependant upon him and Rigpa.

5 13. In addition, defendant Sogyal physically and
6 mentally abused plaintiff and required her to perform degrading
7 acts to prove her complete devotion and belief in him, all of
8 which he claimed were necessary to purify her negative karma and
9 bring her closer to a state of enlightenment, and he said that
10 by dedicating her life to his satisfaction and needs, she would
11 relieve the pain and suffering of herself and her family,
12 Sogyal further claimed that plaintiff would be strengthened and
13 healed by having sex with him and that to be hit by a lama was a
14 blessing.

15 14. Plaintiff entrusted herself totally to defendants
16 Sogyal and Rigpa for the foregoing period, believing and
17 trusting in defendant Sogyal absolutely as her teacher, mentor
18 and guide to enlightenment.

19 15. Said relationship of attendant and devoted
20 follower and sexual partner of defendant Sogyal continued until
21 December, 1993, and between November 26 and November 30, 1993,
22 in Santa Cruz, California, plaintiff was repeatedly physically
23 and sexually abused by defendant Sogyal at a retreat on the
24 premises of defendant Rigpa in Santa Cruz County, California.

25 16. Plaintiff is informed and believes, and thereon
26 alleges, that defendant Sogyal has seduced many other female
27 students for his own sexual gratification by preying upon their
28 vulnerability and belief that they can only achieve

1 enlightenment by serving the needs of Sogyal, their enlightened
2 master. These seductions and use of his superior position as an
3 alleged master has continued for at least 19 years, caused great
4 harm and suffering to many students, and caused plaintiff
5 extreme mental anguish, nearly destroyed her relationship with
6 her husband and made her cease her psychotherapy with the
7 therapist she was seeing at the time she met defendant Sogyal.
8 As a direct and proximate result of defendants' outrageous
9 conduct, plaintiff has suffered deep and continuing extreme
10 emotional distress, and has been required to seek therapy as a
11 direct and proximate result thereof.

12 17. Defendant Sogyal is guilty of oppression, fraud
13 and malice, and by reason thereof defendants are liable to
14 plaintiff for punitive damages of not less than \$10,000,000.

15 COUNT 1
16 (Breach of Fiduciary Duty)

17 18. Plaintiff realleges and incorporates by reference
18 the allegations of paragraph 1 through 17 above.

19 19. By the reason of the absolute trust and
20 confidence that plaintiff reposed in defendant Sogyal, there
21 existed a fiduciary relationship which said defendant breached
22 by taking advantage of her as stated above. By reason thereof,
23 and because of the outrageous conduct of defendants, and each of
24 them, plaintiff has sustained extreme emotional distress and has
25 been required to incur, and did incur, medical and incidental
26 expenses. Plaintiff prays leave of Court to set forth the exact
27 amount thereof when fully and finally ascertained.

28 ///

1 20. As a further proximate result of the conduct of
2 said defendants, and each of them, plaintiff sustained a loss of
3 earnings and earning capacity and plaintiff prays leave of court
4 to set forth the exact amount of said loss of earnings and
5 earning capacity when fully and finally ascertained.

6 COUNT 2
7 (Intentional Infliction of Emotional Distress)

8 21. Plaintiff realleges and incorporates by reference
9 the allegations of paragraphs 1 through 20 as if fully set forth
10 herein.

11 22. The conduct of defendant Sogyal, as herein
12 alleged, constituted outrageous conduct amounting to the
13 intentional infliction of emotional distress upon plaintiff
14 which entitles plaintiff to compensatory and punitive damages as
15 from defendants, and each of them, as herein alleged.

16 COUNT 3
17 (Assault and Battery)

18 23. Plaintiff realleges and incorporates by
19 references the allegations of paragraphs 1 through 20 as if
20 fully set forth herein.

21 24. In the course of the relationship described above
22 and continuing until approximately December 1, 1993, defendant
23 Sogyal willfully, intentionally and maliciously assaulted and
24 battered, and committed sexual assault upon plaintiff. By
25 reason thereof, plaintiff is entitled to compensatory and
26 punitive damages as hereinafter alleged.

27 ///

28 ///

COUNT 4
(Fraud)

25. Plaintiff realleges and incorporates by reference the allegations of paragraphs 1 through 20 above.

26. At all times herein mentioned and in order to induce plaintiff to enter into the relationship described above, the named defendants represented to plaintiff that Sogyal was a therapist with the power to heal and other supernatural power who could see into the future.

27. Said representations were false and untrue in that plaintiff is informed and believes, and thereon alleges, that defendant Sogyal is not a therapist, has no power to heal or other supernatural powers and said representations were made to plaintiff for the purpose of inducing her to submit to the indignities and outrageous conduct described above for the personal sexual and other gratification of defendant Sogyal as herein alleged.

28. Plaintiff justifiably relied upon said false representations, and believing them to be true, entered into the relationship described above and was therefore damaged as herein alleged.

WHEREFORE, plaintiff prays judgment as follows:

1. For general damages in an amount within the jurisdiction of this court;

2. For special damages for loss of earnings and earning capacity according to proof;

3. For special damages on account of medical, hospital and incidental expenses according to proof;

4. For exemplary and punitive damages in the sum of \$10,000,000; and

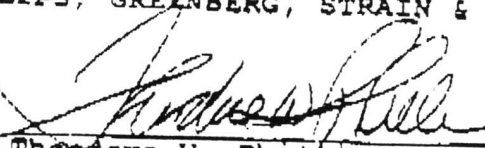
5. For such other and further relief as may be proper.

DATED: November 1, 1994.

Respectfully submitted,

PHILLIPS, GREENBERG, STRAIN & HAUSE

By:


Theodore W. Phillips