

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NITHYANANDA DHANAPEETAM	:	Case No. 2:13-cv-526
OF COLUMBUS,	:	
820 Pollock Rd,	:	
Delaware, Ohio 43015	:	
Plaintiff,	:	Judge Marbley
	:	Magistrate Judge King
	:	
-v-	:	
	:	
AARTHI S. RAO,	:	FIRST AMENDED COMPLAINT
3118 Village Circle Dr.	:	
Ann Arbor, MI 48108	:	
	:	
and	:	
	:	
MANICKAM NARAYANAN,	:	
3118 Village Circle Dr.	:	
Ann Arbor, MI 48108	:	
	:	
Defendants.	:	

Now comes Plaintiff Nithyanandan Dhanapeetam of Columbus ("NDC") and for its Complaint against Defendants Aarthi S. Rao ("Rao") and Manickam Narayanan ("Narayanan"), state as follows:

PARTIES

1. Plaintiff NDC is an Ohio non-profit corporation with its principal place of business and headquarters in the City of Delaware, County of Delaware, State of Ohio. Plaintiff does business as "Nithyananda Vedic Temple" and is the first Nithyananda Vedic temple established in the United States of America.
2. Defendants Rao and Narayanan are married and reside in city of Ann Arbor, Washtenaw County, State of Michigan.

JURISDICTION AND VENUE

3. The Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1332, et. seq. because the parties are citizens of different states and the amount in controversy exceeds \$75,000, exclusive of costs.

4. The Court is the proper venue for this action pursuant to 28 U.S.C. § 1391(b)(2) because this was the judicial district in which a substantial part of the events or omissions giving rise to the claim occurred.

FACTS COMMON TO ALL COUNTS

Plaintiff's Services in Central Ohio

5. Plaintiff was officially incorporated in November 2007, but since early 2006, its founders have been organizing programs and services for central Ohio communities.

6. Plaintiff is 100% volunteer run. Plaintiff's volunteers come from a variety of backgrounds and cultures, are highly educated and intelligent, and are devoted to helping others.

7. Prior to Defendants' actions, Plaintiff was extremely well respected in the community and, since its inception, Plaintiff has served the central Ohio community in the following ways:

- a. Plaintiff has offered free programs, at its facility and through home visits, to more than 2,000 participants, including, but not limited to, yoga classes, health and wellness screenings and seminars, cooking classes, weight loss seminars, health fairs, online programs for meditation and prayer, approximately 100 free meditation and yoga classes to inmates at Ohio Reformatory for Women, and meditation and yoga classes at the Hispanic Women's Coalition;
- b. Plaintiff has served more than 15,000 free daily meals since 2007;
- c. Free services and seminars to individuals and large central Ohio corporations; and

- d. Organized free meditation programs, including a 21-day peace meditation at Ohio State Capitol to promote reduction of crime rate and increased positivity in the state of Ohio.

Swami as Spiritual Head of Plaintiff

8. Swami's teachings are rooted in the Hindu religion/Vedic tradition. The Hindu religion is the third largest religion in the world with more than a billion followers.
9. Sri Nithyananda Swami ("Swami"), is the spiritual head of NDC and resides in Bidadi, India.
10. Plaintiff relies on the reputation of Swami, whose image/photo is inseparable from Plaintiff and whose image is necessary to the success and continued operations of NDC to the community. Indeed, his image appears on every online and printed promotional material of Plaintiff.
11. In 2012, and among other prestigious awards, Swami was named the 293rd leader of the world's oldest Hindu organization and Swami, and was selected as No. 88 on 2012 Most Spiritually Influential Living People List compiled by Watkins Magazine.

Defendants' Relationship with Plaintiff

12. From 2004 through 2010, Defendant Aarthi Rao worked with Swami through Plaintiff, including working at Plaintiff's Delaware location, gaining valuable knowledge in Plaintiff's form and teachings in yoga, meditation, and other valuable and patented techniques.
13. From 2007 through 2010, Defendant Rao also volunteered for Plaintiff in Delaware, Ohio by teaching various yoga and meditation classes, and volunteering in Temple and gaining access to the volunteers and devotees and simultaneously, the ability to influence them.

14. Defendant Rao holds herself out to the public as a former volunteer, devotee, organizer of Plaintiff and personal caretaker of Plaintiff and Swami, at Plaintiff's Delaware, Ohio location.

15. Plaintiff was well aware that Swami's image and reputation is inseparable from Plaintiff's image; and his image/reputation is necessary to the success and continued operations of NDC to the community.

Defendants' Unlawful Conduct

16. Defendants devised a scheme to plant a hidden video camera in Swami's living quarters.

17. Defendant Rao, in conjunction with others, took the videotape and morphed it to make it appear that Swami engaged in sexual activities with a celebrity Indian actress.

18. The videotape has been reviewed by several U.S. forensic videographers who found it to be fraudulent.

19. Upon information and belief, Defendant Rao, in conjunction with Defendant Narayanan, then attempted to sell the morphed videotape to Swami, and other organizations and individuals for millions of U.S. dollars. They refused to pay this extortion.

20. Upon information and belief, Defendant Rao, in conjunction with Narayanan, immediately sold and released the morphed videotape to the media, resulting in Swami's arrest.

21. In furtherance of Defendants' scheme, Defendant Rao falsely reported to authorities in India that Swami had sexually abused her for approximately five (5) years from 2005 through 2009 at various locations, including NDC in Delaware County, Ohio.

22. Defendant Rao also made these bogus claims to law enforcement authorities while failing to disclose to such authorities that she participated in an extortion scheme in an attempt to obtain millions of dollars from Swami, Plaintiff, and other affiliated organizations of Plaintiffs.

23. In addition, from June 2, 2012 forward, Defendant Rao has made statements to the public alleging such sexual abuse, as well as other false statements, including Plaintiff being a “cult,” and Plaintiff “brainwashing” her and other followers.
24. She further falsely accuses Plaintiff and Swami as abusing men and women; and even being involved in the disappearance of an individual.
25. Defendant Rao knew, or should have known, that the allegations she raised against Plaintiff and Swami were false when she made them.
26. The offending false statements resulted in the following:
 - a. Threatening calls to Plaintiff's Temple and its volunteers and devotees;
 - b. Branding Plaintiff's spiritual leader as a "Cult Leader" and "Sexual Predator";
 - c. Branding Plaintiff and its volunteers and devotees as members of a "cult" and as "brainwashed" followers;
 - d. Branding Plaintiff 's premises as unsafe and a place where sexual abuse happens.
 - e. Plaintiff losing revenue and donations;
 - f. Plaintiff being forced to cancel a planned center for yoga and restorative care;
 - g. Families, members, and/or devotees leaving Plaintiff's congregation;
 - h. Lost devotees, program participants, volunteers, and donations;
 - i. Swami's decision to not visit the Plaintiff's Temple, which such visits regularly result in an influx of devotees, volunteers, program participants, and donations;
 - j. Lost sales of books, compact discs, clothing, and other related items;
 - k. Discontinuation of teacher training on premises;
 - l. Failure to open a planned restaurant after building and outfitting a commercial kitchen;

- m. Damage to Plaintiff's reputation and harm to its goodwill;
- n. Lost vendors that would no longer do business with Plaintiff; and
- o. Plaintiff being barred from attending or hosting conferences and programs

COUNT I
DEFAMATION

27. Plaintiff reincorporates and realleges by reference each of the preceding paragraphs as if fully stated herein.
28. Defendant Rao holds herself out to the public as a former volunteer, devotee, organizer, and personal caretaker of Plaintiff and Swami.
29. Defendant has made numerous defamatory statements, which Defendant communicated to the public, including posting online statements via YouTube, about Plaintiff, Swami, and his followers, including alleged statements of fact (not of her opinion) as follows:
- a. Defendant Rao was the subject of sexual assaults at the NDC;
 - b. NDC and Swami are "cult leaders" and their followers are "cult members";
 - c. Defendant Rao has been "brainwashed," and all followers have been and are being "brainwashed" by Plaintiff;
 - d. Plaintiff and Swami are abusing men and women;
 - e. "Clergy abuse;" and
 - f. That Plaintiff and/or Swami were related to and/or responsible for the disappearance of an individual.
30. All of these statements are false.
31. Defendant Rao knew that such statements were false when she made them.
32. Defendant Rao's publication of these statements was not privileged.
33. Defendant's statements are defamation, per se.

34. Defendant published such defamatory statements about Plaintiff and Swami with malice, bad faith, and ill will.

35. The defamatory statements directly and proximately caused damage to Plaintiff including, among others, suffering irreparable damage and loss of: reputation, donations, followers, program revenue, volunteers, goodwill in the community, and business revenue.

COUNT II

TORTIOUS INTERFERENCE WITH BUSINESS RELATIONSHIPS

36. Plaintiff reincorporates and realleges by reference each of the preceding paragraphs as if fully stated herein.

37. Plaintiff had business relationships with its participants, devotees, volunteers, vendors, and donors.

38. This business relationships had a reasonable likelihood or future economic benefit for Plaintiff.

39. Defendants knew of the business relationships or expectancy at the time of their interference.

40. Defendants intentionally interfered, and continues to interfere, with the business relationships.

41. Defendants' conduct caused many current or potential program participants, devotees, volunteers, vendors, and donors to disrupt, terminate, or decline to enter into the business relationships with Plaintiff.

42. Defendants' conduct was done without privilege.

43. The intentional interference with business relationships directly and proximately caused damage to Plaintiff including, among others, suffering irreparable damage and loss of:

reputation, donations, followers, program revenue, volunteers, goodwill in the community, and business revenue.

WHEREFORE, Plaintiff hereby demands judgment against Defendants, as follows:

- a. Injunctive relief prohibiting Defendants from defaming Plaintiff and from tortiously interfering with Plaintiff's business contracts and/or relationships.
- b. Compensatory damages in an amount to be determined at trial in excess of \$75,000;
- c. Punitive damages in an amount to be determined at trial;
- d. Reasonable attorney fees and costs incurred in pursuing this matter; and
- e. Any other relief this Court deems just or appropriate.

Respectfully submitted,

/s/ Jeffrey A. Willis
Jeffrey A. Willis (0075223)
Anjali Chavan (0088017)
DINSMORE & SHOHL, LLP
191 W. Nationwide Blvd., Suite 300
Columbus, Ohio 43215
Telephone: (614) 628-6880
Facsimile: (614) 628-6890
Attorneys for Plaintiff