

## **Terry Polevoy's Declaration for Christopher Grell re: Tim Bolen, Hulda Clark et. al. lawsuit**

Patrick Timothy Bolen, aka Tim Bolen, and his wife Jan, made certain false allegations in various e-mails, on web sites, and in posts on the internet about myself and others. None of these allegations have any basis in fact. They are defamatory. He orchestrated a campaign to take my medical license away, and to destroy me personally and professionally. He consorted with others to do the same. He also made personal threats against me, and encouraged others to do physical harm to myself and others.

August 1, 2002

### **Allegations made by Tim Bolen et. al.**

- (a) "He has had little scientific training"
  
  
  
  
  
  
  
  
  
  
- (b) He engages in bombacity, lies, and misrepresentations.
  
  
  
  
  
  
  
  
  
  
- (c) He believes that his medical license entitles him to engage in lies, misrepresentations, and bad behavior.
  
  
  
  
  
  
  
  
  
  
- (d) He has "deep pockets" of money behind him.
  
  
  
  
  
  
  
  
  
  
- (e) "He is an embarrassment to the medical profession."

### **Terry Polevoy's Declaration**

In fact I have a B.S. from Michigan State University with honor, 1966 in Zoology. My MD is from Wayne State University, 1970. I finished a four year residency at the University of Western Ontario and at the University of Toronto in 1994, and became a Fellow of the Royal College of Physicians and Surgeons of Canada in 1974. I was a consultant on the staff of five hospitals while in Canada. I was also president of my internship class, president of the Beta Beta Beta Biological Honor Society and the Premedical Society while at Michigan State University. While a resident in Canada, I was elected vice president of the Professional Association of Interns and Residents of Ontario.

There is absolutely no truth to those allegations and opinions. In my opinion Mr. Bolen has intentionally lied himself and viciously attacked me to detroy my character and reputation.

Mr. Bolen has no idea of what I believe and has not made any attempt to prove that I have lied, made misrepresentations, or have acted inappropriately in any matter. These are blatant lies.

Mr. Bolen has made a serious allegation for which there is absolutely no basis in fact. I have no money behind me, and I have no deep pockets.

Mr. Bolen has never attended me as a doctor, he has never met me privately or publicly, and he has no idea of my qualifications as a caring physician who has often taken on serious public health issues in the community. In my opinion his statement was malicious and he intended to repeatedly belittle me personally in his hundreds of internet posts. These posts were perhaps repeated thousands of times around the internet by various people.

(f) His medical license should be revoked.

Mr. Bolen organized a campaign to discredit me by asking people in Canada, and in fact around the world to write the College of Physicians and Surgeons of Ontario (CPSO), and other agencies in Canada. These were malicious, and were intended to destroy my career. All complaints were immediately dismissed by the CPSO and his complaints were considered to be frivolous and without basis.

(g) He engages in malicious falsehoods.

Mr. Bolen has no idea of what a malicious falsehood actually is. Again, he never stated what in particular he was accusing me of. In other words he is accusing me of lying. This is absurd. In

(h) He has engaged in "anti-Semitic ravings" and a "virulent anti-Jewish attack" directed toward a Dr. Horowitz, who filed a formal complaint with the FBI's hate-crimes unit.

Mr. Bolen has absolutely no basis in which to hold this opinion. In fact, as a man who is Jewish, this is not very funny at all. He says that I directed a virulent anti-Jewish attack toward a Dr Horowitz who he says filed a formal complaint with the FBI. First of all, he never identified who Dr. Horowitz was. On one of my web sites I focus attention on the activities and claims of a dentist from Idaho who runs a number of media events, and controls a web site dedicated to evangelical fundamentalist Christian doctrine, mixed with anti-government rants that intend to keep people from taking their children to get immunized. This dentist once confronted me at a Total Health Expo a meeting in Toronto in March 1999. I was sitting quietly in the back of a lecture hall awaiting a lecture that was about to start. I was surrounded by a bunch of goons, who began shooting digital pictures of me when I was approached by Horowitz. I was sitting next to a doctor from Ontario, Patricia Marchuk, who was prevented from leaving the room, as I asked Horowitz to step outside to talk so we wouldn't disturb the meeting. When we got outside, they continued to take pictures of myself and Dr. Patricia Marchuk as if we were people who were about to rob a bank or something. then Horowitz asked me why I had so much trouble with his points of view. In the background, were some of the associates from the Consumer Health Organization of Canada. Horowitz said to me, "Do you know that Christine McPhee is right in back of you?"

I looked around and there stood not only Christine McPhee, but Hulda Clark herself, enjoying the spectacle. Mr. Bolen was at that same meeting along with Hulda Clark. I subscribe to Len Horowitz e-mail service at his web site,

www.tetrahedron.org, and I have to my knowledge never spoken to him since that meeting. As far as I know there has been no FBI complaint filed by anyone.

(i) He stalked Canadian radio producer Christine McPhee for months until she "in fear for her safety" called in the police.

Mr. Bolen has absolutely no basis to make such a statement. If Mr. Bolen would read the final police report of the Waterloo Regional Police that investigated a complaint by a radio talk show host known as Christine McPhee that there were no charges laid, and that they police felt that there was absolutely no substance in the allegations made by Ms. McPhee.

(j) Police reports show that Christine McPhee was not the only female Polevoy stalked.

Mr. Bolen is unable to substantiate this. It is an out and out lie, intended to defame and libel me personally.

(k) His actions against McPhee and his "virulent attacks" against Hulda Clark caused Clark Team One to arrange for security guards for her Canadian appearance.

Mr. Bolen makes repeated allegations that I have taken actions against McPhee and Hulda Clark that led to someone to arrange for security guards for Clark's appearance in Canada. There were no actions against McPhee, nor were there any actions against Hulda Clark. In fact, there was almost no security at the health show in Toronto. He actually had asked me to stay away from her in a personal e-mail that he sent to me.

(l) He and another Canadian doctor developed a campaign of outright lies and misrepresentations of the information delivered on McPhee's shows, which caused her program to be canceled.

Mr. Bolen again makes unsubstantiated statements that he can not prove. McPhee's contract with AM640 was up and the station simply wanted to change the focus of their broadcast schedule. I sent personal e-mails to her radio station and to her personally and told them that she had made statements about certain natural health products, herbs, and practices that might be injurious to the public's health. Ms. McPhee had my private phone number because I had entered a contest on their radio station. She called my wife's phone very early one morning and made threats to me and my wife. At no time had I ever threaten her. I still don't know what could have sparked this phone call.

I have seen her on only two occasions. The first time it was by sheer accident. I recall standing standing at a booth at the March 1999 edition of the Total Health Expo in Toronto and was reading some books written by Len Horowitz who was standing right next to me. I was about to ask him a question when a woman walked up and they began talking about a radio interview that she had just completed with him on AM640. It seems that they knew each other for quite some time, and they were talking about how she fed him just the right

questions so the audience would get just the right picture of how he felt about immunizations. I recall how much fun they were having with the people who called in to the show. At the time, Horowitz was one of the world's most well-known conspiracy theorists. It seems to him that drug cartels, bankers, and the remnants of the Illuminati were responsible for everything from the creation of the AIDS virus, to bad vaccines that contained cancer causing contaminants. McPhee and Horowitz discussed what a hard time her was having with a wholesale book dealer who stiffed him for thousands of dollars worth of his books and tapes that he had sent them earlier.

The next time I actually saw her was after she appeared on our local news-talk radio station CKGL AM570, here in Kitchener, Ontario. I think the date was July 24, 1999. She was doing her radio show here and was scheduled to be at a local health food store in Waterloo later in the day. I decided to go to the store and tape the presentation. What was remarkable about this presentation was the fact that she went out of her way to go to the book department of the health food store during her presentation and grabbed one of Hulda Clark's books that had just been published. I believe that it was the "Cure for all Diseases". This is one of the most bizarre books written by Hulda Clark over the years. She made statements that endorsed the book and its program. Remember now, that other than hosting an alternative radio show, Christine McPhee (not her birth name), had already interviewed Tim Bolen and he of course was Hulda Clark's publicist.

(m) To the trained ears of health professionals he sounds, and is, ludicrous.

Mr. Bolen is not a trained health professional and has never heard me speak publicly. I have no idea of what he is talking about. Ludicrous is defined in many ways. In order for me to answer this accusation I would have to know in what context he has placed this term. In ordinary terms, ludicrous means to be laughable. I don't consider any of the false accusations made by Tim Bolen, on behalf of Hulda Clark and her associates as being very funny. Cancer quackery and stealing money from poor sick people is not ludicrous, it is criminal. In actuality, ludicrous is derived from the Latin word "*ludicrous*", which means "sportive", which comes from the word "*ludus*" which means "game". My bet is that Bolen and those he represents must feel that this is just a game. I don't

(n) His Web site is so virulent that it brings his mental state into question.

feel that way at all, especially when I have been at the receiving end of their contemptuous and defamatory posts, and public humiliations.

Mr. Bolen attempts to destroy my credibility as an author, expert in quackery, and now my he attacks my mental state. He gives no examples that would sustain those allegations. In his posts that are found on dozens of web sites and have been posted and reposted hundreds, perhaps thousands of times it is clearly his intention to defame and actually threaten me personally.

In fact, on March 11, 2000 I received a direct threat against me in an e-mail from Bolen. This is perhaps not a coincidence. It was just a few days after I had received a phone call at home from Christine McPhee making threats against me and my wife. In Bolen's e-mail he says that McPhee is his client. The full text of the e-mail is included as part of this declaration.

(o) One of the posts from "Tim & Jan Bolen" was entitled SLEAZY "QUACKBUSTER" SCAM SHUTS DOWN CANADA'S NUMBER ONE "ALTERNATIVE MEDICINE RADIO SHOW... It is time to get angry...

On August, 14, 2000 a message was posted by Ilena Rosenthal on the old Deja.com web site, where he threatened me directly. He says things like:

1. We need to get the show back on the air [referring to the termination of the Touch of Health Show - McPhee], - and the "quackbusters" **need to get smacked hard...**
2. Polevoy operates a "hate" web site (www.healthwatcher.net) focusing his character assassination tactics on health humanitarians who spurn the heavy use of dangerous pharmaceutical drugs.
3. Polevoy, who obviously has little or no scientific training, claims his MD license gives him god-like credibility. Apparently, he feels that license entitles him to bad behavior, also.
4. IT IS TIME TO PUSH AND SHOVE - and find out who is behind Barrett, Polevoy and the others - and give them the bill for what they've done to North

1. He threatens physical injury
2. He never explains what he means by a "hate" web site. He never explains who he is referring to as a "health humanitarian", except of course we all know that he is referring to Hulda Clark. There is absolutely no truth to the fact that Clark is a humanitarian, or that she knows anything about health. She counsels people to remove perfectly healthy teeth, to take potentially harmful herbs, to use quack devices to cure all sorts of diseases and charged them thousands of dollars a week to go to her clinic in a seedy part of Tijuana.
3. I never pretend to be god-like as he alleges. His allegation that I have little or no scientific training is patently false and meant to destroy me personally.
4. There is no one behind my web site or my activities. I have never received a single dime from any agency, group or association to do what I do. As far as having the responsibility for causing problems to the health of people, this is absurd.
5. He uses the word "death knell" which again is another direct threat to my life.
6. He is calling for someone to take direct action.
7. He makes a direct threat against my life. What does he intend to do? If someone read this and was angry at their doctor or hospital,



Americans.

5. It is obvious that Americans, given the "choice", want to be healthy, not drugged. And this fact alone rings the **death knell** for Barrett, and his cronies.
6. It is time to go on "offense" - it is time to shut down the "Quackbusters."
7. Don't get me wrong, lots of people have successfully defended against them - beaten back the attack - so to speak. But no one, so far, has made the attackers themselves, bleed, or wish that they had adopted some other life activity. No one has made the attackers pay for what they've done, and do, every day, to the people of North America.
8. IT IS TIME FOR THAT. And, I'm about to tell you how to do that - how you can help begin the smashing of the conspiracy, the destruction of the plotters, and help save the lives of millions of North Americans who are now being denied first-rate health care because of those conspirator's activities.
9. POLEVOY'S OPERATION IS TYPICAL OF THE "QUACKBUSTER" TACTICS: "Know thine enemy"...and you know how to beat him...

Tell me people, after observing Polevoy's "hate" website, and his horrible actions, do we want people of the Polevoy ilk, to be able to touch us, or our loved ones, intimately? In fact, don't we as a society, have an obligation to protect the "unawares" from the likes of Polevoy?

10. Polevoy followed McPhee for months from place to place, peering and peeping at her from concealment, but letting her know by e-mail afterwards that he was there...
11. Polevoy and Marchuk developed a campaign of outright lies and misrepresentations of the subject material delivered on McPhee's shows. Using their "MD" titles to give them credibility for their dishonest campaign. Polevoy and Marchuk falsely claimed to

- and then saw my web site, would that make them angry enough to attack me because I would be considered responsible for injuring or killing their loved one?
8. He makes a direct threat against me. He says that he will help accomplish this. He calls for our destruction, and he says that I am part of a conspiracy to deny people health care. In my opinion these are the ravings of someone who is having paranoid ideations.
9. He actually tells people that they should avoid any professional relationship with me because I might touch them intimately. This is an accusation for which there is absolutely no basis. This is perhaps the most egregious statement I have ever seen in my entire life and was intended to destroy my professional and personal life.
10. There is absolutely no truth in any of these statements. They are meant to paint me as some kind of peeping "Tom". At no time did I do any of the things that Bolen says I did. In late February, 2000, after one of her radio shows, I contacted her via e-mail to complain about some statements she made about taking an herb called comfrey internally. I told her that comfrey should not be taken internally because it is toxic to the liver. She denied that she ever said that. A few days later, she called me back repeatedly at my office and tried to get me to tell her my personal history. She said that there was nothing wrong with what she had said on her radio show. Since I had put something on one of my web sites about what went on during her show about comfrey, she threatened me with legal action if I didn't take it down. In deference to her, I did remove it for a while. She had recently had a really wacko guest on her show that told people to go off their psychiatric meds and try megavitamins instead. I challenged her on that who because it was a real threat to the public's health. A very special show was planned and she was going to be broadcasting from the Kulhay Wellness Centre in Toronto. I knew that the owner of the clinic was a very well-known anti-vaccine chiropractor. I asked her if the subject of "chelation therapy" was going to be discussed, and she said it wouldn't, but I didn't believe her. As it turned out, the show

radio industry executives that McPhee, and her "alternative medicine" guests represent a serious danger to the Canadian listening public.

12. I suspect that Polevoy wants to be the new supreme leader - when Barrett goes out in the pine box.

was a two hour paid infomercial for the Kulhay Wellness Centre, and there were numerous plugs for the Gold Standard chelation clinic at her Centre. After that show, I put the web page back up that focused on medical quackery on her radio show.

On Sunday, March 5, 2000, shortly after 8:00 a.m., my wife was woken out of bed with a call from McPhee who refused to identify herself. She said, "I'm coming after you BIG TIME, with libel and slander, the whole works." I asked her who this was, and she said, "You don't have to know."

On March 11, 2000 she did her regular radio show and interviewed none other than Tim Bolen. I put the entire interview on my web site. He stated that Hulda Clark was doing AIDS research while at the University of Indiana. The name of the the university is really Indiana University. It was impossible for Hulda Clark to be doing any AIDS research while she was there because she left the university years before AIDS was even discovered. This was an out and out lie. He said in that interview that there were forces out there "were forces out there that just don't want to find a cure for cancer." That too, was an unsubstantiated bald-faced lie.

He spoke on that show about the results of the arrest of Hulda Clark for practicing medicine without a license in Indiana. He invited everyone to go to the Total Health Expo to see Clark do her Syncrometer demonstration, and told Christine to stop by the booth.

11. Statements made by Patricia Marchuk in letters or e-mails to various people were not innacurate, or deceptive by any description. There was no conspiracy to silence McPhee at all. They were meant to educate people to the facts that innacurate information was being broadcast around the world. I believe that McPhee's syndicated radio show The Touch of Health was available on the internet on various stations in Canada. That meant that anyone who was a guest, had a product

or a book to sell had the opportunity to promote their wares and schemes around the world. The production company made money, the station made money, and I can assume that Christine McPhee made money promoting her shows. Some times she would be at various health food stores or alternative medical offices who paid to for her to be there. She even arranged for a Volkswagon dealer to give away the use of a Jetta for one year as the grand prize in a contest.

I received a letter on March 29, 2000 from AM640 operations manager Joe Zenobio who told me that, "You are correct in your statement that Christine McPhee's show is, in fact, paid programming." They said that they have had several discussions with her regarding broadcast standards and the nature of the information that she can give on her program. "To the best of our knowledge, she is complying with the standards". I suppose they may have been asleep during the previous three broadcasts because had they been awake and knowledgeable, they would have found glaring errors that were broadcast by her and her guests.

On July 4, 2000 McPhee actually threatened and yelled at Patricia Marchuk because she had complained about instructions that were given inappropriately by one of her guests in relationship to infant feeding.

12. This final threat is to Stephen Barrett, and indirectly to me. Between August 18-21, I filed an official complaint against Bolen with the U.S. legal attache in Ottawa, and to other law enforcement agencies in Canada and the United States, including the U.S. Attorney for Los Angeles. I turned over links to several Deja.com posts to them and warned them that there was a potential for violence against myself and Stephen Barrett, by people who represented Tim Bolen.

(p) In his current mental state, he is a danger to the community.

I don't consider Mr. Bolen to be capable to judge who and who is ont a danger to society. I can assure you that Mr. Bolen, in his defense of Hulda Clark, Doug Phillips, and others is the one who has the credibility problem here. I have in my entire life



never been under psychiatric care, or been in need of psychotherapy.

(q) His "hate" Web site was so offensive, and he was so "out there," that his Internet Service Provider permanently removed it on July 4, 2000.

My web site was moved from Kitchener to a site in Virginia who could provide me with faster and reliable access for my web sites. If threats were made to my golden.net ISP I am not aware of any. Again, Bolen uses the word "hate" which is not true.

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My web site was moved from Kitchener to a site in Virginia that could provide me with faster and reliable access. If threats were made to my golden.net ISP I am not aware of any. Again, Bolen uses the word "hate" which is not true. In fact the entire web site was still running for more than a year in the background. The final site was recreated through webby.com and it was the site that was updated.

(q) His Web site was shut down because it had become legally untenable for the server; too many lawsuits had been generated for its hate information and distortions of facts about people and medical issues.

Mr. Bolen has absolutely no idea of what he is talking about. There were no lawsuits filed against me, or to the ISP in Kitchener to the best of my knowledge because of hate information and distortions of facts of any kind, especially about medical issues. If Bolen or McPhee made threats against the ISP in Kitchener, again, I have no idea. I did receive one threatening letter from a lawfirm who was acting for McPhee. It was dated March 17, 2000 and had something to do with my complaints to her radio network that I had sent about her Touch of Health show. In that letter, the author, who was not identified as an attorney, made all sorts of untrue allegations against me. She said that she was going to take action against myself, and my "ISP for libel, malicious falsehood, and interference with economic interests in which general, aggravated, exemplary and punitive damages along with injunctive relief and attendant legal costs will be sought". It's been two and a half years and so far there has been no further communication from this law office. The file number is 61273/RMG, the law firm is Siskind, Cromarty, Ivey and Dowler, in London, Ontario.

(r) His current mental state is so dangerous to the Canadian community that his medical license should be suspended pending outcome of an investigation.

Bolen and McPhee and others conspired to circulate complaints to the government of Canada, to the licensing body for physicians, the CPSO. E-mails, faxes, and letters that were identical flowed in to complain about me. These were absolutely absurd. This campaign was repeated on the internet through several groups, and can still be found today. The CPSO said that the complaints and those who initiated them were frivolous.

(s) His mental impairment is sufficient to justify investigating him for violating eight provisions of the Health Professions Procedural Code: (1) practicing the profession while the member's ability is impaired; (2) having a conflict of interest; (3) making a misrepresentation respecting a remedy, treatment or device; (4) making a claim respecting the utility of a remedy, treatment, device or procedure other than a claim which can be supported as reasonable professional opinion; (5) falsifying a record relating to the member's practice; (6) signing or issuing, in the member's professional capacity, a document that the member knows, or ought to know, is false or misleading; (7) an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonorable or unprofessional; and (8) conduct unbecoming a physician.

(t) A criminal investigation of "Canadian Quackwatch's" subversive activities should begin immediately.

All the complaints were dismissed and were deemed to be frivolous. I actually have a copy of one of the complaints that I believe were authored by either Tim Bolen or Christine McPhee that was received by the CPSO on August 16, 2000. It was signed by Christine McPhee who gave her address as 20 Manorheights St., Richmond Hill, ON, L4S 2E8. Her phone numbers were 905-508-0944 and her fax was 905-508-9801. This letter was written in the "third person", so I really and truly believe that it was written by Bolen, for McPhee and others who followed suit. Additional evidence provided by the CPSO is a copy of a e-mail from Tim & Jan Bolen, dated August 12, 2000. It had the same text. There was an additional e-mail from that same address dated August 14, 2000 where Bolen included an e-mail from Helke Ferrie, who is a medical doctor's wife, and lives in Ontario. Mrs. Ferrie who thinks that she is an author who champions alternative medical professionals. She basically repeated much of the same falsehoods that Bolen provided to her. In addition, Bolen prefaced the e-mail by stating the following, "Polevoy's actions have significantly angered a significant portion of the Canadian electorate as well as the world health movement. What a completely absurd accusation. First of all, what the hell does a Californian who is helping someone advance her quack practices who has no license to practice, who holds a fake mailorder diploma in naturopathy know about Canadian politics or law? When he entered Canada with Hulda Clark in March 2000 did he tell Canadian Customs at the airport that he was bringing thousands of dollars worth of books and zappers to our country? Did they declare or pay duty or taxes on those business wares?"

There was no investigation into any "subversive activities", and Mr. Bolen is mistaken because there is no such thing as "Canadian Quackwatch". I have never participated in any activity that would be subversive.