IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE NATIONAL SPIRITUAL ASSEMBLY OF THE BAHA'IS OF THE UNITED STATES OF AMERICA UNDER THE HEREDITARY GUARDIANSHIP, INC.,	)	
Counter-Defendant,	)	**Civil Action No. 64 C 1878**
v.	)	**The Honorable J. Austin**
NATIONAL SPIRITUAL ASSEMBLY OF THE BAHA'IS OF THE UNITED STATES OF AMERICA, INC.,	)	
Counterclaimant.	)	

NSA'S MOTION FOR RULE TO SHOW CAUSE
WHY THE REMEYITES SHOULD NOT BE
HELD IN CONTEMPT

The National Spiritual Assembly of the Baha'is of the United States ("NSA") (formerly known as National Spiritual Assembly of the Baha'is of the United States of America, Inc.) hereby moves this honorable Court to issue a rule to show cause why the alleged contemnors Franklin D. Schlatter, Joel B. Marangella, The Provisional National Baha'i Council (and d/b/a entities), the Second International Baha'i Council (d/b/a Baha'is Under the Provisions of the Covenant) and Baha'i Publishers Under the Provisions of the Covenant (hereinafter collectively referred to as "Remeyites") should not be held in civil contempt for their violations of the Judgment entered by this Court on June 28, 1966 ("Judgment").

This motion is made on the grounds that, despite the Judgment, the Remeyites are engaged in Web publishing efforts utilizing the NSA's trademarks and other indicia of the Baha'i Faith without the NSA's authorization and the NSA is suffering irreparable harm as a result. The Remeyites' Web sites bear designations such as, National Baha'i Council of the United States, Provisional National Baha'i Council of the United States,

the Mother Baha'i Council, Baha'i Faith, Second International Baha'i Council, Baha'is Under the Provisions of the Covenant, UHJ, Baha'i Faith – Universal House of Justice and Official Web Site of the Universal House of Justice at domain names such as truebahai.com, orthodoxbahai.com, bahai-guardian.com, bahai-faith.net, bupc.org, bahaullah.net and uhj.net, among others.

Moreover, many of the Remeyites' Web publications contain messages that are deceptive, misleading, and damaging to the NSA's reputation and credibility. For example, certain of the Remeyites' publications characterize George W. Bush and the Pope as "corrupt" and "demonic" and the United Nations as "the Seat of the Beast." Certain of the Remeyites have also filed applications for federal registration of marks bearing confusing similarity to the NSA's marks. The use and attempted registration of marks such as UNIVERSAL HOUSE OF JUSTICE and BAHA'IS UNDER THE PROVISIONS OF THE COVENANT is in violation of the Judgment.

This motion is based on the attached Memorandum In Support, the exhibits thereto, including the Declarations of Geoffrey N. Wilson and Christopher M. Dolan, and upon any other oral or documentary evidence that may be presented to the Court if this Motion is called for hearing.

The NSA does not seek an award of monetary damages. Rather, the NSA seeks an order finding each alleged contemnor bound by the Judgment and finding each alleged contemnor in violation of the Judgment.

This Motion and all materials in support will be served upon the alleged contemnors when the case is reassigned and this Motion can be noticed.

BRINKS HOFER GILSON & LIONE

Dated: November 3, 2004

By: _____

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