



Selected articles from
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Noreen Renier Loses Two Appeals Plans Another Lawsuit Against Skeptic

By [Gary P. Posner](#)

Few of us enjoy being on the receiving end of venomous attacks. Though I relish my critical mail more than the congratulatory variety (because it makes me rethink my positions), even I was once animated to hire an attorney in an effort to secure a retraction and/or apology from one particularly egregious paranormalist ([see here](#)). But the lengths to which "psychic detective" [Noreen Renier](#) and skeptic John Merrell have gone, in their more than quarter-century battle of wits, provoked federal bankruptcy judge William E. Anderson to remark on March 21 of last year, [as reported](#) in our Summer 2011 issue, that their conflict "makes Charles Dickens' *Bleak House* read like a novella."

That article ended with the exasperated judge declaring himself "not so naive [as] to believe that the parties will now go their separate ways," and Renier proving him prescient by filing an appeal, alleging that Anderson had erred "factually and legally in [his] assertions regarding [Renier's] credibility" and in his decision (after realizing, upon reflection, that elements of the Renier/Merrell dispute reside beyond the bounds of his bankruptcy court's jurisdiction) to vacate his earlier order from 2010, which Renier had hoped to parlay into a \$30,000 penalty award from Merrell because of [his continued Internet postings](#) about her.

As noted in our [Fall 2011 update](#), United States District Judge Norman K. Moon issued an eight-page ruling on July 22, 2011, in which he concurred with Anderson that "the bankruptcy court lacked jurisdiction" in those disputed matters. However, in this never-ending saga, Renier subsequently filed an appeal of *that* decision to the United States Court of Appeals for the Fourth Circuit. Following the obligatory written briefs, oral arguments were heard there before a three-judge panel on March 21 of this year. Though it elected not to publish a detailed opinion, the appeals court issued a one-page ruling on April 28 declaring its agreement with Judge Moon's "well-reasoned opinion" in affirming

Anderson's decision.

The appeals court's oral arguments, lasting about 32 minutes, can be [heard here](#) (scroll to the 3/21/2012 listings). One major presentation by Renier's attorney seemed an amateurish effort to chill Constitutionally protected free speech, and was rightly ridiculed by the panel. Excerpts:

Counsel: Merrell was [asserting] publicly on the Internet, which is his primary means of assailing my client, that well after the bankruptcy had been discharged, that she still owed him [\$40,000]. . . . At that point . . . she didn't [any longer] owe him a dime. . . . The bankruptcy statute forbids any act to attempt to collect [an already discharged] debt.

Judge 1: You use the term "assertion" [i.e., a comment] as synonymous with "attempt to collect" [e.g., sending a letter demanding payment]. . . . You've said it several times here in oral argument that [Merrell] "asserted" . . . and you seem to be equating that as a *per se* violation.

Counsel: Well, he continued to reassert that my client continued to owe him . . .

Judge 1 (interrupting): You did it again. (Laughter.)

Counsel: Well, alright, he continued to make public statements . . .

Judge 1 (interrupting): And so you think making public statements, communications . . . assertions, are the same thing in law as an attempt to collect.

Counsel (quoting from the bankruptcy statute): "Any act to collect a claim against the debtor that arose before the commencement of the . . ."

Judge 1 (interrupting): [It says] "to collect"!

Counsel: *Any act!*

Judge 1: *Any act to collect!*

Counsel: *Any act!* . . . A public statement, for the whole world to see, that my client still owes him [\$40,000], is an act.

Judge 2: The point all of us are making is that . . . if just comments or assertions were violations, my goodness, the [statute] would become a pretty authoritarian club.

Judge 1: As well as a Constitutional amendment.

Another allegation by Renier's attorney: "There was also an improper dominion taken of the copyrights, and in particular the phrase of the title for my client's book, *A Mind for Murder*, that he then used as part of a domain name [for one of his anti-Renier websites], which again, in my opinion as an intellectual property attorney, would be a violation of federal copyright law, in which he went out and diminished the value of that asset." This issue, which Merrell's attorney then argued was properly deemed by Judges Anderson and Moon to be beyond the bankruptcy court's jurisdiction, is

considered "ridiculous" by Merrell. As he explained to *TBS Report*, "That domain had never been registered by Renier, but was actually used by another author with a book of the same title, which was copyrighted before Renier's. That author had voluntarily allowed the domain to expire, and it remained unused by anyone for more than a year, at which point I picked it up, as anyone could have. Registering an unused Web domain is not a misappropriation of a copyright. Several corporations have paid more than a million dollars to secure Web domains from people who had beaten them to registering their company name and well-known marketing tag lines." Merrell had already abandoned that domain more than a year earlier and had facilitated the transfer of it to Renier.

Regarding a third grievance, Renier's counsel argued, "And I would like to bring up just one particularly insidious aspect of this. . . . As it pertains to the copyrights to *A Mind for Murder*, Mr. Merrell . . . actually strategically prevailed upon some of his associates to dispute a Notice of Abandonment that the bankruptcy trustee had intended to make, and the only people who bid on that copyright were Mr. Merrell and his associates, and my client. It wound up being the case that he used the bankruptcy court strategically in a way that allowed him to recover additional money from my client that he wasn't entitled to."

I have some first-hand knowledge of this "particularly insidious" matter. At Merrell's suggestion, I had written a letter to Judge Anderson in December 2009 in which I proclaimed "my immediate willingness to purchase the rights to Ms. Renier's memoir, *A Mind for Murder*, including full ownership in perpetuity of the book, prospective movie rights, etc., for the sum of \$5,000." Merrell was outraged that the bankruptcy trustee, as I phrased it in my own way to the judge, had "the audacity to profess to your Court that the rights to the life story of this international celebrity and renowned so-called 'psychic detective' are of no current or potential monetary value to anyone." Likely as a result of my letter, Anderson decided to hold a courtroom auction for the asset. I didn't call in to participate, but from what Merrell tells *TBS Report*:

Renier's attorney, who is new and wasn't present in the bankruptcy court, misinformed the appeals court as to who the bidders were -- they were Renier, myself, and an unnamed gentleman. When I asked who the man was, Judge Anderson said the trustee had his name and that was sufficient, but from their body language it was obvious that he and Renier had a cordial relationship. After the bidding got to \$7,500 (which turned out to be my final offer), Renier upped it to \$8,000, and then Mr. X bid \$8,500. At that point, they both looked at me, and Renier bid \$9,000. I now think she and *her* "associate" (maybe her "money man") became confused as to who had bid what, rather than intentionally bidding against each other to set me up to pay an inflated price, but I dropped out and let her win. Her little victory dance confirmed that she really did want it for herself, and he seemed equally happy for her, though she wound up paying \$1,000 more than she really needed to.

As Renier's largest creditor, 61% of her winning bid (about \$5,500) accrued to Merrell. In all, he received a mere \$7,500 from Renier's bankruptcy liquidation, due to what he alleges was a successful effort on her part to shield the majority of her assets. Had that copyright not been put up for auction, Merrell's share of her estate would have been a paltry \$2,000, an even farer cry from the \$40,000 that previous courts had assessed her obligation to be. To no one's surprise, Renier's attorney has indicated plans to file yet another lawsuit against Merrell in state court. If the Mayan calendar predictions are correct, it appears the world will end before their litigation does. It may anyway.

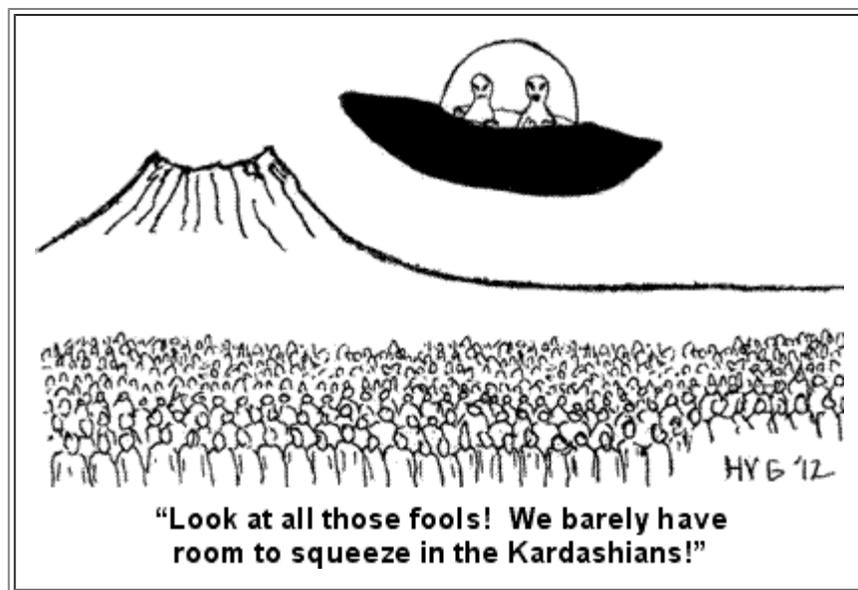
Busted "Psychic" Family Broke and Begging

A "[Snippet](#)" in our Fall 2011 issue told of an extended Fort Lauderdale family of "psychics," charged by the Feds with having defrauded clients of \$40-million over the past two decades.

Claiming infringement of her family's freedom of religion and speech, ringleader Rose Marks has set up a [Defense Fund](#). Per the site, "The government has taken everything we have; our home, our means of livelihood [*sic*], and our dignity -- so I'm reaching out to the world. My family and I pray for your support and financial contributions."

The *South Florida Sun Sentinel* reports that the family also tried targeting the rich and famous. From Paula McMahon's May 24 item: "A Fort Lauderdale family of psychics can try to communicate with the spirit world, but their tweeting rights have been revoked. Officials at Twitter suspended the account linked to Rose Marks and her family one day after the *Sun Sentinel* wrote that the family was tweeting celebrities, including Kim Kardashian and Donald Trump. . . . A Twitter spokeswoman . . . referred to policies that prohibit spamming and allow Twitter to block users."

Snippets



Just before the world ends on December 21 of this year (as the Mayan calendar allegedly predicts), more than 100,000 people are expected to congregate in the "picturesque and tranquil [French] Pyrenean village of Bugarach" awaiting a ride to safety aboard a latter-day Noah's Ark. A growing multitude of New Agers are of the belief that the town's geological landmark, Pic de Bugarach (Bugarach peak), a dormant volcano looming 4,035 feet skyward, houses a giant spaceship whose alien crew will whisk all takers to a new cosmological promised land, and some American travel agents are obliging by offering reduced fares for a one-way trip to ground zero. After all, "Bugarach

is one of the major chakras of the earth, a place devoted to welcoming the energies of tomorrow," according to, as identified in this article, "a grizzled man wearing a white linen smock, who calls himself Jean."

(The Independent [London], March 25)

The [cartooned Snippet](#) in our last issue dealt with a mummified finger alleged to have been from a Yeti, but which DNA testing at Scotland's Edinburgh Zoo recently proved to be merely human. More recently, scientists from Oxford University and Switzerland's Lausanne Museum of Zoology have sent out an appeal to researchers claiming possession of Bigfoot/Yeti hair samples, requesting that they be submitted for DNA testing to help determine whether the mythical, ape-like creatures do indeed exist. Despite Bigfoot's notorious stench, we are not holding our breath awaiting positive results.

(Tampa Tribune, May 24)

Florida's James "The Amazing" Randi made quite a splash years ago on Johnny Carson's *Tonight Show* when [he showed](#) how the infamous "psychic surgeons" of the Philippines dupe their victims, who fly in daily from across the globe. As this article notes, and as Randi's performance demonstrated, the practitioners employ animal tissue and sleight-of-hand trickery to create the illusion of extracting cancerous tumors from inside the patient's body. This practice is also popular much closer to home, in Brazil, where Joao Teixeira de Faria, better known as "John of God," has been performing such miracles for five decades. But as a man of God, he doesn't demand payment for his services, though he does quite well from the welcomed "donations."

(A.P. via the Internet, March 23)

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