UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

CIVIL NO	. C94-934
	-
	CIVIL NO

AFFIDAVIT OF JAMES JOACHIM HURTAK

STATE OF CALIFORNIA)
:SS
County of Santa Clara)

I, JAMES JOACHIM HURTAK, being duly sworn and upon oath, depose and state that:

I reside in Monte Sereno, California; my mailing address is 16290 Oakhurst Drive, Monte Sereno, CA, 94031; my phone number is 408-741-0964.

My profession has involved many disciplines, primarily linguistics, communication, and high technology. I am an

independent consultant and have been teaching and doing research for thirty years in the philosophy and literature of the Languages of the Ancient Near East, primarily Greek and Hebrew literature, and the oriental languages. I have lectured to university audiences worldwide, including the University of California: Irvine, the University of Minnesota, the University of Chicago, the University of Johannesburg, the Technical University of Budapest, the University of Cape Town, and the University of Campinas, Brasil.

I have published over 12 books in five major languages on the subject of Kabbalah (the philosophical tradition of both Jewish and Christian mysticism) the latest (1994) entitled The Holy Sephiroth. I am the author of books on our biblical heritage, one of which is entitled Obadiah, Jonah, and Micah (1983), and other books on the sacred names of God in the biblical literature available in seven contemporary languages (The Seventy-Two Sacred Names of the Living God) (1990).

My educational background includes receiving my M.A. and Ph.D. in History and Oriental Studies from the University of Minnesota, Minneapolis (1968, post-graduate studies in 1990).

I also received a Ph.D. in Social Sciences and Linguistics from the University of California, Irvine (1977).

I received my M.Th. in early Greek-Coptic texts with a thesis on Coptic narrative language structure from Luther-Northwestern Theological Seminary, St. Paul, Minnesota (1992).

My initial interest in Stan Tenen's work was sparked by my own independent rethinking and development of the Hebrew language morphology, what I called the appearance of "flame-letters" or geometric designs of letters engineered artistically to look like a flame sculpture, and a hand-coordinated system of calligraphy that spells out and communicates teaching and philosophy in simplified form. This is illustrated on the cover and throughout my book, The Book of Knowledge: The Keys of Enoch published in 1973, 1975, and 1977.

My lecturing brought me to Israel where I was an invited speaker at an international conference where I met Mr. Stan Tenen in Jerusalem in 1983. I found his use of seminal "flame-letter-forms" in several styles of linguistic form interesting because my own renderings of ancient Hebrew "flame letters" were NOT precise sculptured unfoldments of a geometric style. Mr. Stan Tenen at that time was working on a precise system of Hebrew letter morphology that could be traced to one single archetype or parent symbol. Mr. Stan Tenen evolved the flame letter geometry (called "vortex geometry") from a very precise

polyhedral font that evolves the whole alphabet out of one form that stands within an entirely unique format involving unique features. The most important features are :

- 1. Vortex turns around the Hebrew letters.
- 2. Surrounding tetrahedral border.
- 3. Sculptured shadow curvature.
- 4. Sculptured shadow tips and points as embellished features.
 - 4. Evenness and exactness of the 27-Hebrew letter font.

In the late 1980s I came across the work of Mr. Dan Winter through my students in the United States who pointed out a matching of teaching between Winter and Tenen. In short, a clear and unmistakable violation of the work of Mr. Stan Tenen has been going on for several years that I have recognized in publications sent to me and which I wish to address.

There is a clear and unauthorized use by Mr. Daniel Winter in his book, The Alphabet of the Heart, and in his videos, of the sculptured letters that show shadow-graphs by Mr. Tenen.

The mass of graphic overlays and line drawings in Mr. Winter's book and videos (resembling polyforms executed by a computer pen) does NOT hide the fact that the primal forms in each of Mr. Winter's illustrations/frames on his work with geometry

and new styles of communication is an exact copy or mirror match of the unique linguistic language font Mr. Tenen evolved. This "fire letters" series which Mr. Winter exploits in his massive book, Alphabet of the Heart, Sacred Geometry; The Genesis in Principle of Language and Feeling (251 pages, Crystal Hill Farm, Eden, New York, --unbound edition 1991, bound with color cover 1993, expanded, bound with color cover in 1994) -- is without one direct CITATION or ACKNOWLEDGEMENT of Mr. Stan Tenen's work.

To clarify the issues involved with linguistic and artistic violations:

- 1. Mr. Tenen's claim is NOT the copyright of the Hebrew alphabet, but a sculptured form of alphabet symbols that underlie the development of the stylized Hebrew/Greek symbols.
- 2. The Tenen sculptured system stands by itself. As a paleographer and linguist who has worked with sixteen ancient languages--I have never come across such a sculptured letterforms as a set, font, or alphabet system as the sculptured system represented by Tenen's work. Mr. Dan Winter does not have the professional background to execute the summation of his "Hebrew stylized forms" which are a definite copy of Mr. Tenen's work.
 - 3. The set of all the alphabetic letters provided by Tenen

are generated from one sculpture. In short, this is unprecedented in any of the linguistic traditions of the Near East.

- 4. Unlike published sets/fonts of alphabet symbols in standard theological books and articles on the Hebrew, Hebrew-Aramaic, Hebrew-Arabic, Greek, Greek-Coptic letter and cognate combinations from 400 B.C.E. to modern present day use of the Hebrew language, we have here in Mr. Tenen's work a particular artistic sculptured series of artistic modelities that have been exhibited in numerous lectures and on video by Mr. Tenen and are copyrightable as linguistic-sculptured forms.
- 5. Mr. Tenen's flame letter sculpture is a three-dimensional artistic projection of a four-dimensional form. Mr. Tenen's renderings are given in a clear and executed series of non-symmetrical drawings (that can be generated by hand or computer pen) around the basic font (the sculpture). Since physical space has only three dimensions, Mr. Winter (following Mr. Tenen) has shaded and overlapped the forms that are still dependent on the original sculpture of Mr. Tenen (see Winter's book, for example). In short, because of their shading which shows that they are shadows of a three-dimensional sculpture, the choice of Winter's features expresses the same forms of the

same sculpture. This constitutes Winter's claim for artistry.

6. Mr. Tenen's flame letter sculpture, as illustrated in his copyright filings, is an artistic expression of a universal linguistic process that is highly unique and stands alone as an alphabet of several disciplines. His attempt to span an artistic/mathematical/philosophical process of communicative symbols must inevitably fall short of being a universal language; it can only be viewed and used in the stylized components of the cross-cultural language process of thinkers (past and present) creatively using the ancient Hebrew letters for a variety of creative assignments. Herein, the crosscorrelation between many disciplines is possible through the SAME geometric unfoldments or permutations from ONE parent "letter" or PALEOGRAPHIC SYMBOL. Thus, through a careful working of the chain of symbols which become a stylized or sculptured alphabet of letters, both an outer representation of language and an inner workings of philosophical meaning are conveyed so as to "encode" and "decode" thinking on many levels without confinement of meaning to one level of symbolic thinking. To quote Marshall McLuhan, "the media [of letter forms] is the message."

Mr. Tenen's flame letter sculpture is a exact and limited

set of linguistic and artistic forms showing how cross-cultural adaptation occurs in different language families continually drawing meaning from a parent set of sculptured letters for both educated and artistic audiences.

7. In spite of Mr. Dan Winter's arguments to the contrary in his use of stylistic adaptations of the flame sculpture, and misleading scientific claims for his work, particularly in his video representations, his careful plagiarism of Mr. Tenen's original work remains clear and obvious to specialists of language.

According to my knowledge of ancient Near Eastern and oriental languages, as well as the ancient and modern developments of calligraphy, it is clear that the unique models and drawings of "linguistic typology" specifically developed and detailed in a font of twenty-seven sculptured letter designs by Mr. Stan Tenen has been violated by Daniel Winter. This system of alphabet called "vortex geometry" (illustrated in the video tapes by Mr. Tenen) has been used by Mr. Tenen to explain the various stages of the evolution of ancient Near Eastern languages, particularly the paleographic development of the Hebrew letters. The sculptured letters as linguistic signs and ciphers have been taken from Mr. Tenen's unique work published

by the Meru Foundation, and used by Mr. Daniel Winter and the Crystal Hill Institute without permission as Winter's <u>own</u> "self-generated" geometric forms.

This has been done repeatedly without permission over recent years without copyright release, on a massive scale in the careful lifting, mirroring, and re-drawing of the features of Mr. Tenen's sculptured letters without professional credit so as to give the appearance of Mr. Winter's originality.

Furthermore, the use of Mr. Tenen's work in Winter's book, The Alphabet of the Heart, details more than fifty instances of exact duplication of the specialized Tenen "vortex geometry" and the Tenen sculptured/geometric renderings of how each Hebrew letter functions as artistic and religious-meditative symbol. The alphabet sculpture language forms in question stand as a complete alphabet set and are given on page 33 of Part 1 of Mr. Winter's standard work, which he has circulated to national and international audiences. One needs also to look in the upper right hand corner of each page of Mr. Winter's books for examples of Mr. Tenen's original language sculptures.

In the "market place" of published material, I believe this constitutes (1) a theft of intellectual property, and (2) the creation of "false-competition" arising from advertising and

circulation of copyright material from the Meru Foundation via Mr. Winter's own Crystal Hill Institute mailings. In short, this deprives the Meru Foundation of commercial activity by passing off Stan Tenen's work as Winter's in both artistic and scientific contexts of written materials and video representations.

I have had the opportunity to review Mr. Winter's work cited above as shown me by one of the teachers of my educational corporation, Mrs. Deborah Hellman of Miami, Florida, who hosted Mr. Winter (1993) because of his claims suggesting the appearance of a new linguistic innovation. I discovered that the new linguistic drawings were specific constructions taken from the work of Mr. Tenen.

As a linguist, paleographer, Old and New Testament scholar, and social scientist, I therefore support, without prejudice, the claims against Mr. Winter by Mr. Tenen.

AMES J. HURTAK

SUBSCRIBED AND SWORN TO before me this 2/ day of

letober , 1995.

DELORES WADE Comm. #1015353
NOTARY PUBLIC CALIFORNIA OSANTA CLARA COUNTY Comm. Expires Jan. 23, 1898

NOTARY PUBLIC in and for the state of California, residing at

My commission expires: