

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

No.

v.

Violations: Title 18, United
States Code, Sections 373 and
1503

MATTHEW HALE

COUNT ONE

The SPECIAL FEBRUARY 2002-1 GRAND JURY charges:

1. At times material to this indictment the following circumstances existed, among others:

a. The World Church of the Creator (“WCOTC”) was an unincorporated association that held itself out as a religious organization “[d]edicated to the Survival, Expansion, and Advancement of the White Race.” The headquarters of the WCOTC were in East Peoria, Illinois, and the WCOTC had branches and members in multiple states and in foreign countries. The WCOTC disseminated information about its principles and teachings through various means, including written documents bearing the WCOTC’s name, and through an Internet site bearing the WCOTC’s name.

b. Defendant MATTHEW HALE controlled the operations of the WCOTC and influenced and attempted to influence and control many of the activities of its members, and was known within the WCOTC as the WCOTC’s “supreme leader” and “Pontifex Maximus”.

c. The TE-TA-MA Truth Foundation – Family of URI, Inc. (“TE-TA-MA”) was a religious organization located in Oregon that had registered the term “Church of the Creator” as a trademark with the United States Patent and Trademark Office. In May 2000, TE-TA-MA filed a lawsuit against the WCOTC in the United States District Court for the Northern District of Illinois, captioned *TE-TA-MA Truth*

Foundation – Family of URI, Inc. v. The World Church of the Creator, No. 00 C 2638, alleging that the WCOTC had violated federal trademark law by its use of the term “Church of the Creator.”

d. Defendant MATTHEW HALE participated in, and at times directed, the WCOTC’s response to the lawsuit brought by TE-TA-MA.

e. On November 19, 2002, United States District Judge Joan Humphrey Lefkow, before whom the lawsuit filed by TE-TA-MA was then pending, issued an order that, among other things:

- i. permanently enjoined the WCOTC “and its members, officers, directors, predecessors, successors, assigns, agents, employees, representatives, attorneys, and all other persons acting for, with, by, or under authority from it, or in concert or participating with it,” from using the name and mark “Church of the Creator or any colorable facsimile thereof, including specifically World Church of the Creator, WCOTC, COTC, or the words ‘Church’ and ‘Creator(s)’ together in the same name or mark;”
- ii. required the WCOTC “and its members, officers, directors, predecessors, successors, assigns, agents, employees, representatives, attorneys, and all other persons acting for, with, by, or under authority from it, or in concert or participating with it,” to cease using Internet domain names using the infringing marks, and to “immediately transfer custody and control of the domain names” used to operate the WCOTC’s Internet site, “churchofthecreator.com,” “wtotc.com” to TE-TA-MA;

- iii. required the WCOTC “and its members, officers, directors, predecessors, successors, assigns, agents, employees, representatives, attorneys, and all other persons acting for, with, by, or under authority from it, or in concert or participating with” to “deliver up for destruction (or, where feasible, removal or obliteration of any infringing mark from) all” printed and other materials bearing the infringing marks;
- iv. required the WCOTC to “within seven (7) days notify in writing, and by electronic mail (e-mail), all of its members of this Order, and shall deliver a copy of this Order to them;” and
- v. required the WCOTC to file a written report, under oath, with the Court, within 30 days “setting forth in detail the manner and form in which the World Church has complied with the terms of this court.”

f. Also on November 19, 2002, Judge Lefkow denied the WCOTC’s request to stay enforcement of the court’s order pending appeal.

g. On December 13, 2002, Judge Lefkow issued an order granting TE-TA-MA’s motion for a rule to show cause why the WCOTC should not be held in contempt of the court’s order of November 19, 2002, and ordered that “MATTHEW HALE shall appear before this Court on 01/08/03 at 1:30 p.m. to show cause why he should not be held in contempt of this Court.”

2. From on or about November 29, 2002 through at least on or about December 17, 2002, in the Northern District of Illinois, Eastern Division, and elsewhere,

MATTHEW HALE,

defendant herein, with the intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, and threatened use of physical force against the person of another – namely, the forcible assault upon, and the murder of, United States District Judge Joan Humphrey Lefkow, in violation of Title 18, United States Code, Sections 111(a)(1) and 1114 – and under circumstances strongly

corroborative of that intent, did solicit, command, induce, and otherwise endeavor to persuade that other person to engage in such conduct;

In violation of Title 18, United States Code, Section 373.

COUNT TWO

The SPECIAL FEBRUARY 2002-1 GRAND JURY further charges:

3. The allegations contained in paragraph 1 of Count One of this indictment are realleged and incorporated as if fully set forth here.

4. From on or about November 29, 2002 through at least on or about December 17, 2002, in the Northern District of Illinois, Eastern Division, and elsewhere,

MATTHEW HALE,

defendant herein, corruptly and by force endeavored to influence, intimidate, and impede United States District Judge Joan Humphrey Lefkow, a federal judicial officer presiding over the lawsuit captioned *TE-TA-MA Truth Foundation – Family of URI, Inc. v. The World Church of the Creator*, No. 00 C 2638, in the discharge of her duty;

In violation of Title 18, United States Code, Section 1503(a).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY