

How not to commit extortion (don't send certified letters)

Attached is a view of Mr Gary Wright's attempt to extort way over ten thousand dollars from me. He did this by filing RGEnergyLLC papers and a RGEnergy DBA with the State of Iowa and assuming he had me by the ass. In addition he tried to use the RGEnergy name as a trade mark and force me to take down my movies and websites or purchase his. To put things in perspective he filed all this stuff and bought his websites on May 6-8 or a little more than a month after we started using the name and presenting our information on the web and a week after we launched our crowd-fund campaign.

It was really quite entertaining to believe anyone could be so stupid as to believe I would hand over ten thousand dollars in earnest money just for the right to negotiate buying all this worthless stuff he was offering.

The problem for him was that I already have a RGEnergy company, just not in Iowa. Also a DBA or fictitious name as Iowa calls it is completely non-exclusive in this state. Any company can use it.

The problem for me was that he did this over the weekend and 1) I wanted my lawyer to verify that it was all a joke (he instantly thought it came from Dr. John as it was so ridiculous); 2) I had this IndieGoGo campaign going and wanted to alert them to what was going on as he was directly threatening to send them some big expose. So I stalled until Monday.

I may sound flippant about all this but I am not. Gary Watkins has no doubt cost me many hours of lost productivity and many hundreds of dollars. The entire matter has been submitted to the Internet Crime division for their determination of the seriousness.

I should point out that this is the same Gary Wright from Las Vegas who has been bad-mouthing any new technology with false accusations over on the Shut-Down Rossi site. He now has a rgeneryllc.com site where he seems to be promoting it. Go Figure.

YAHOO! SMALL BUSINESS

Hi Bob - Here is a CEASE & DESIST order concerning your new company name.

Saturday, May 11, 2013 5:58 AM

From: "Gary" <gary@garywright.com>

To: bob@RGEnergy.com, "Bob Rohner" <bob@rohnermachine.com>, "Gary" <gary@garywright.com>

1 File (436KB)



Email to B...

Hi Bob Rohner,

I am attaching a PDF just in case the email doesn't come through very good. Since this is a cut and paste from a word doc I don't know what it will look like. But the PDF is nice and looks good. Please contact me right away so we can resolve this issue.

A letter similar to this email is also being sent via USPS Certified Mail, Return Receipt Requested, Receipt No. 7008 0150 0002 6250 5171

May 10, 2013

Robert (Bob) Rohner
President
Rohner Group, LLC
622 E 6th Street
West Liberty, Iowa 52776
Phone: 319-331-5135
bob@RGEnergy.com
bob@rohnermachine.com

Dear Robert (Bob) Rohner,

This is a two part email a) it is a cease and desist letter, and b) it is a way we can resolve my complaints.

It is very critical that we resolve this issue within a matter of days because you are using my company's names in your fund raising project and the timeline is very critical here because your fund raising campaign is using a "Flexible Funding campaign" which means that you get your money as soon as it is pledged, not after the campaign is over. Therefore this must be resolved as soon as possible.

It has come to my attention that you are illegally and unlawfully using both of my company's names, but hopefully we can resolve this problem. I have already downloaded and stored all of the website pages, videos, etc. that relate to my complaint for future reference.

I, Gary Wright am the sole owner of the Iowa business RGEnergy LLC and Iowa dba "RGEnergy". And I have not authorized you, Robert (Bob) Rohner, or Rohner Group, LLC to use either of my company's names for any

purpose.

You are falsely claiming directly, and/or indirectly by referring people to your new website <http://RGEnergy.com>, your YouTube videos and page at <http://www.youtube.com/user/bjrohner>, and/or your new fund raising project at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> where you claim to be involved with, be the owner of, and President of, my Iowa company RGEnergy LLC and Iowa dba "RGEnergy." You are also heavily promoting your fund raising project all over the internet by interviews and at other places, so it is not known at this time the full extent of your use of my company's names.

Therefore, I believe you have infringed my rights and you are unlawfully using my company's identity, and therefore you could be liable for criminal charges and statutory damages.

I demand that you immediately cease the use of my company names and remove from the internet all references to RGEnergy LLC and RGEnergy from your websites, your YouTube channel, and your fund raising campaign, and your videos.

Unless of course you want to settle with me. Please read on in this email how you can continue what you are doing without interruption, and without removal of all of the offending material on the internet.

If I have not received an affirmative response from you by the times and dates given below in this email, indicating that you are going to fully comply with these requirements, I shall consider taking any and all legal remedies available to me to rectify this situation.

And I will be entitled to use your failure to comply as evidence of "willful infringement" and "willful and unlawful use of my company's names".

In the event you fail to meet my demands, or we fail to come to an agreement, please be advised that I will contemplate pursuing all available legal remedies, including seeking monetary damages, injunctive relief, and an order that you pay all court costs and attorney's fees. Your liability and exposure under such legal action could be considerable.

Before taking these steps, however, I sincerely wish to give you an opportunity to discontinue your illegal conduct by complying with my demands as stated below.

Bob Rohner, you have always claimed to be open and legitimate, unlike your brother John Rohner, who has been shut down by the SEC, and is still under investigation. You have always claimed not to be running a fraud and a scam. But recent events have come to my attention that you may very well be running a fraud and a scam. I say this because you are claiming to be the President of my Iowa company, and you are using my company's names on your websites, in your videos, and you are using them to obtain funds internationally, through crowd funding. There are many state, federal and/or international laws that come into play in a situation like this. When I looked at the Iowa code to see if any of those laws applied to our situation, I found many sections that are relevant. Here is only part of what I found.

Now before you yell and scream at me and try to accuse me of extortion, please be aware that a person has a right to confront the guilty party in a conflict and try to make things right, between themselves.

2013 Iowa Code-711.4 Extortion.

A person commits extortion if the person does any of the following with the purpose of obtaining for oneself or another anything of value, tangible or intangible, including labor or services:

It is a defense to a charge of extortion that the person making a threat other than a threat to commit a public offense, reasonably believed that the person had a right to make such threats in order to recover property, or to receive compensation for property or services, or to recover a debt to which the person has a good faith claim.

Since you say your LLC has many members, and since you say "we" created the new LLC and "we" made the name change, and also since Dannel Roberts and yourself made a video which you then use to try and get funding, it is possible this section of law applies to this situation.

· **2013 Iowa Code-706A.1 Definitions.**

In this chapter, unless the context otherwise requires:

1. "Criminal network" means any combination of persons engaging, for financial gain on a continuing basis, in conduct which is an indictable offense under the laws of this state regardless of whether such conduct is charged or indicted. As used in this subsection, persons combine if they collaborate or act in concert in carrying on or furthering the activities or purposes of a network even though such persons may not know each other's identity, membership in the network changes from time to time, or one or more members of the network stand in a wholesaler-retailer, service provider, or other arm's length relationship with others as to conduct in the furtherance of the financial goals of the network.
2. "Enterprise" includes any sole proprietorship, partnership, corporation, trust, or other legal entity, or any unchartered union, association, or group of persons associated in fact although not a legal entity, and includes unlawful as well as lawful enterprises.
3. "Proceeds" means property acquired or derived directly or indirectly from, produced through, realized through, or caused by an act or omission and includes any property of any kind.
4. "Property" means anything of value, and includes any interest in property, including any benefit, privilege, claim, or right with respect to anything of value, whether real or personal, tangible or intangible, without reduction for expenses incurred for acquisition, maintenance, production, or any other purpose.
5. "Specified unlawful activity" means any act, including any preparatory or completed offense, committed for financial gain on a continuing basis, that is punishable as an indictable offense under the laws of the state in which it occurred and under the laws of this state.

Here is more in the same code section.

· **2013 Iowa Code-706A.2 Violations.**

1. Specified unlawful activity influenced enterprises.
 - a. It is unlawful for any person who has knowingly received any proceeds of specified unlawful activity to use or invest, directly or indirectly, any part of such proceeds in the acquisition of any interest in any enterprise or any real property, or in the establishment or operation of any enterprise.
 - b. It is unlawful for any person to knowingly acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property through specified unlawful activity.
 - c. It is unlawful for any person to knowingly conduct the affairs of any enterprise through specified unlawful activity or to knowingly participate, directly or indirectly, in any enterprise that the person knows is being conducted through specified unlawful activity.
 - d. It is unlawful for any person to conspire or attempt to violate or to solicit or facilitate the violations of the provisions of paragraph "a", "b", or "c".
2. Facilitation of a criminal network. It is unlawful for a person acting with knowledge of the financial goals and criminal objectives of a criminal network to knowingly facilitate criminal objectives of the network by doing any of the following:
 - a. Engaging in violence or intimidation or inciting or inducing another to engage in violence or intimidation.
 - b. Inducing or attempting to induce a person believed to have been called or who may be called as a witness to unlawfully withhold any testimony, testify falsely, or absent themselves from any official proceeding to which the potential witness has been legally summoned. Attempting by means of bribery, misrepresentation, intimidation, or force to obstruct, delay, or prevent the communication of information or testimony relating to a violation of any criminal statute to a peace officer, magistrate, prosecutor, grand jury, or petit jury.
 - d. Injuring or damaging another person's body or property because that person or any other person gave information or testimony to a peace officer, magistrate, prosecutor, or grand jury.
 - e. Attempting to suppress by an act of concealment, alteration, or destruction any physical evidence that might aid in the discovery, apprehension, prosecution, or conviction of any person.
 - f. Making any property available to a member of the criminal network.
 - g. Making any service other than legal services available to a member of the criminal

network.

h. Inducing or committing any act or omission by a public servant in violation of the public servant's official duty.

i. Obtaining any benefit for a member of a criminal network by means of false or fraudulent pretenses, representation, promises, or material omissions.

j. Making a false sworn statement regarding a material issue, believing it to be false, or making any statement, believing it to be false, regarding a material issue to a public servant in connection with an application for any benefit, privilege, or license, or in connection with any official investigation or proceeding.

3. Money laundering. It is unlawful for a person to commit money laundering in violation of chapter 706B.

4. Acts of specified unlawful activity. It is unlawful for a person to commit specified unlawful activity as defined in section 706A.1.

5. Negligent empowerment of specified unlawful activity.

a. It is unlawful for a person to negligently allow property owned or controlled by the person or services provided by the person, other than legal services, to be used to facilitate specified unlawful activity, whether by entrustment, loan, rent, lease, bailment, or otherwise.

b. Damages for negligent empowerment of specified unlawful activity shall include all reasonably foreseeable damages proximately caused by the specified unlawful activity, including, in a case brought or intervened in by the state, the costs of investigation and criminal and civil litigation of the specified unlawful activity incurred by the government for the prosecution and defense of any person involved in the specified unlawful activity, and the imprisonment, probation, parole, or other expense reasonably necessary to detain, punish, and rehabilitate any person found guilty of the specified unlawful activity, except for the following:

(1) If the person empowering the specified unlawful activity acted only negligently and was without knowledge of the nature of the activity and could not reasonably have known of the unlawful nature of the activity or that it was likely to occur, damages shall be limited to the greater of the following:

(a) The cost of the investigation and litigation of the person's own conduct plus the value of the property or service involved as of the time of its use to facilitate the specified unlawful activity.

(b) All reasonably foreseeable damages to any person, except any person responsible for the specified unlawful activity, and to the general economy and welfare of the state proximately caused by the person's own conduct.

(2) If the property facilitating the specified unlawful activity was taken from the possession or control of the person without that person's knowledge and against that person's will in violation of the criminal law, damages shall be limited to reasonably foreseeable damages to any person, except persons responsible for the taking or the specified unlawful activity, and to the general economy and welfare of the state proximately caused by the person's negligence, if any, in failing to prevent its taking.

(3) If the person was aware of the possibility that the property or service would be used to facilitate some form of specified unlawful activity and acted to prevent the unlawful use, damages shall be limited to reasonably foreseeable damages to any person, except any person responsible for the specified unlawful activity, and to the general economy and welfare of the state proximately caused by the person's failure, if any, to act reasonably to prevent the unlawful use.

(4) The plaintiff shall carry the burden of proof by a preponderance of the evidence that the specified unlawful activity occurred and was facilitated by the property or services. The defendant shall have the burden of proof by a preponderance of the evidence as to circumstances constituting lack of negligence and on the limitations on damages in this subsection.

Since you claim to be the President of an Iowa Limited Liability Company, named Rohner Group LLC, and now you claim to have changed the name to, and be the President of RGEnergy LLC, this section of Iowa law might apply to this situation, and your liability.

· **2013 Iowa Code-703.5 Liability of corporations, partnerships and voluntary associations.**

A public or private corporation, partnership, or other voluntary association shall have the same level of culpability as an individual committing the crime when any of the following is true:

1. The conduct constituting the offense consists of an omission to discharge a specific duty or an affirmative performance imposed on the accused by law.
2. The conduct or act constituting the offense is committed by an agent, officer, director, or employee of the accused while acting within the scope of the authority of the agent, officer, director or employee and in behalf of the accused and when said act or conduct is authorized, requested, or tolerated by the board of directors or by a high managerial agent.
"High managerial agent" means an officer of the corporation, partner, or other agent in a position of comparable authority with respect to the formulation of policy or the supervision in a managerial capacity of subordinate employees.

In Iowa Code Title XVI Criminal Law And Procedure, these sections might also apply here:

· Subtitle 1 Crime Control And Criminal Acts

2013 Iowa Code-702.9 - Deception.

"Deception" consists of knowingly doing any of the following:

1. Creating or confirming another's belief or impression as to the existence or nonexistence of a fact or condition which is false and which the actor does not believe to be true.
2. Failing to correct a false belief or impression as to the existence or nonexistence of a fact or condition which the actor previously has created or confirmed.
3. Preventing another from acquiring information pertinent to the disposition of the property involved in any commercial or noncommercial transaction or transfer.
4. Selling or otherwise transferring or encumbering property and failing to disclose a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether such impediment is or is not valid, or is or is not a matter of official record.
5. Promising payment, the delivery of goods, or other performance which the actor does not intend to perform or knows the actor will not be able to perform. Failure to perform, standing alone, is not evidence that the actor did not intend to perform.

· **2013 Iowa Code-702.14 - Property.**

"Property" is anything of value, whether publicly or privately owned, including but not limited to computers and computer data, computer software, and computer programs. The term includes both tangible and intangible property, labor, and services. The term includes all that is included in the terms "real property" and "personal property".

· **2013 Iowa Code-714.1 - Theft defined.**

A person commits theft when the person does any of the following:

1. Takes possession or control of the property of another, or property in the possession of another, with the intent to deprive the other thereof.
3. Obtains the labor or services of another, or a transfer of possession, control, or ownership of the property of another, or the beneficial use of property of another, by deception.

· **2013 Iowa Code-714.16 - Consumer frauds.**

2. a. The act, use or employment by a person of an unfair practice, deception, fraud, false pretense, false promise, or misrepresentation, or the concealment, suppression, or omission of a material fact with intent that others rely upon the concealment, suppression, or omission, in connection with the lease, sale, or advertisement of any merchandise or the solicitation of contributions for charitable purposes, whether or not a person has in fact been misled, deceived, or damaged, is an unlawful practice.

It is deceptive advertising within the meaning of this section for a person to represent in connection with the lease, sale, or advertisement of any merchandise that the advertised merchandise has certain performance characteristics, accessories, uses, or benefits or that certain services are performed on behalf of clients or customers of that person if, at the time of the representation, no reasonable basis for the claim existed. The burden is on the person making the representation to demonstrate that a reasonable basis for the claim existed.

Here are only some of the facts relating to my complaint:

1. You and Tom Rohner started out with two websites <http://pappengine.com> and <http://www.rohnermachine.com>
2. At the time of this email you have one legal company – Business No. 376528; Legal Name ROHNER GROUP LLC, which is still active today.
3. You have very recently created a new webpage here – <http://www.rgenenergy.com>
4. You have also created a new Indiegogo crowd source funding project here – <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine>
5. You are also promoting a new type of spinning rotor, designed by Dannel Roberts but built by you, that you claim is some type of plasma device using at least part of your technology, on your new website here – <http://www.rgenenergy.com/News-or-Reviews.html>; and twice with the Smart Scarecrow Show here – <http://smarts scarecrow.com/2013/05/20130506-alternative-energy-hour-with-bob-rohner> and here – <http://smarts scarecrow.com/2013/05/20130502-presentation-by-bob-rohner>; where you also promote your new website <http://RGEnergy.com>.
6. You are also promoting your claimed new company name on your videos on YouTube here – <http://www.youtube.com/user/bjrohner>.
7. On your new fund raising website at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> you claim your company name is RGEnergy. You say: “The overwhelming needs to complete the development of such a clean and safe device lead to the creation of our company RGEnergy (Rohner Group).”
8. On your new fund raising website at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> you refer people to RGEnergy.com: “The results of our work to date is far more than can be viewed and discussed in this short paragraph and we ask you to view our www.RGEnergy.com.”
9. On your new fund raising website at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> you claim again that RGEnergy is your company: “Company Goals – RGEnergy is driven only to take the engines to this final prototype stage before turning them over to the engine manufacturers with their vastly superior technology skills, and manufacturing abilities.”
10. On your new fund raising website at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> you claim to be the Chief Engineer and President of RGEnergy: “Bob Rohner – Chief Engineer/RGEnergy President”
11. On your new fund raising website at <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine> you claim to have the following people also on your “team”: Nissim Sabatov, Engineer; Dannel Roberts, Physicist and Inventor.
12. On your new website <http://www.rgenenergy.com> you claim to be using my company name to seek donations until June 15: “Notice: Until Saturday June 15, RGEnergy is actively seeking donors to push this technology over the top.”
13. On your new website <http://www.rgenenergy.com> you claim to have started my company RGEnergy LLC: “RGEnergy (previously Rohner Group) is a LLC formed by Bob & Tom Rohner.”
14. On your new website <http://www.rgenenergy.com> you claim these people are all part of your “The RGEnergy Plasma Engine Team”: “Robert Rohner – Mechanical Engineer; Thomas Rohner – Electrical Engineer; Sabatov Nissim – Managing Engineer; Dr. Frank Andres – Project Scientist; Dr. J.P. Claybourne - Science Advisor; and Other Team Assets, In addition to the above technical members, the Rohner Group LLC (that you claim is now RGEnergy LLC) also has individuals in the legal, accounting, health, business, and engineering fields.”
15. On your new website <http://www.rgenenergy.com> you claim there are other members in my company: “Tom and I, joined by our talented LLC members.”
16. On your new website <http://www.rgenenergy.com> at the top of every page you claim your company name is RGEnergy.

17. You are putting my company name "RGEnergy" on videos that are being shown all over the internet.

It seems that you probably started the new website and the LLC name change to go along with your new funding project, because they happened about the same time. And you have claimed elsewhere you did this to distance yourself from your brother John Rohner. But you claim that the name change had already taken place and you have been using the new name as if the name change had already taken place. But that is a lie and falsehood because you could not have changed the name, because I am the owner of those names and that company.

Even without providing an analysis of your scientific or technical claims about everything in your videos and on your various three websites, I still have a major complaint that hits to the core of whether or not you are running a scam and whether you are a fraud or not, or are committing deception and theft.

I am going to give you the benefit of the doubt, that you are NOT committing deception and theft, or running a fraud and scam, at this stage of our communications by giving you an opportunity to set things right, by trying to settle this dispute between ourselves without having to resort to government agencies, attorneys, lawyers, and the courts.

Here are just some of my major concerns with what you are doing and claiming.

- a) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be using my company name in your Indiegogo fundraising project. Any money received through this fund raising project would rightfully belong to my company. <http://www.indiegogo.com/projects/gyrokinetic-plasma-engine>
- b) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be using my company name for your website <http://www.rgenenergy.com/>.
- c) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be claiming you are the President of RGEnergy LLC.
- d) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be claiming that "RGEnergy (previously Rohner Group) is a LLC formed by Bob & Tom Rohner."
- e) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be saying that, Robert Rohner – Mechanical Engineer; Sabatov Nissim – Managing Engineer; Dr. Frank Andres – Project Scientist; and Dr. J.P. Claybourne - Science Advisor, are all part of my team, which they are not.
- f) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be using my company's names in your promotion of your projects and website all over the internet and in interviews, etc.
- g) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be claiming my company address is at 622 E 6th Street, West Liberty, IA 52776, when it is not at this location.
- h) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be claiming my company phone number is 319-331-5135, when it is not.
- i) Since I, Gary Wright am the sole owner of RGEnergy LLC, an Iowa Limited Liability Company, and the Iowa dba "RGEnergy" in my opinion it is deception, theft, and a fraud and scam for you to be claiming someone can contact my company at this email address: bob@RGEnergy.com

j) Iowa law requires a LLC to have an extension on the name, letting people know that the company is an LLC, not a regular business or a corporation. I am told by the Iowa SOS that without a dba it is illegal to use RGEnergy without the LLC. Because in this case RGEnergy without the LLC is a fictitious name. You do not have the dba "RGEnergy" for your company name, I, Gary Wright am the sole owner of the Iowa dba "RGEnergy" for my Iowa company RGEnergy LLC. Therefore in my opinion it is deception, theft, and a fraud and scam for you to use my Iowa dba name "RGEnergy" for anything connected with your operation, fund raising and websites.

2013 Iowa Code-489.108 - Name.

1. The name of a limited liability company must contain the words "limited liability company" or "limited company" or the abbreviation "L. L. C.", "LLC", "L. C.", or "LC". "Limited" may be abbreviated as "Ltd.", and "company" may be abbreviated as "Co."

k) I, Gary Wright also am the sole owner of the following four matching domain names; RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info; with <http://RGEnergyLLC.com> live.

If you have read all of the above I think you are starting to get the picture. These are only a few of the many causes of legal action that are available to me. I am not going to document all of them to you at this time because I am hoping we can come to an agreement amongst ourselves.

What will you lose if we don't come to an agreement?

I think you can imagine how it will hurt your reputation and standing in the Noble Gas Engine and Free Energy Fields, and all future funding attempts, if we do not come to an agreement.

What may or will happen if we don't come to some agreement and settlement very shortly?

Here are just some things that may/will happen.

You must remember the cat is out of the bag, the horses have left the stable, you have already put information out on the web using my company's names that you will not be able to change or have deleted.

- 1) First and foremost your claim of not being involved in deception, theft, frauds, and scams which you cherish, may/will fly out the window for all time.
- 2) Your current Indiegogo fund raising project may/will be shut down as soon as possible.
- 3) All future attempts to publicly raise funds while you are still using either of my company's names may/will be shut down, by court order.
- 4) Any website where you are using either of my company's names may/will be shut down, by court order.
- 5) All investors, partners, members, and associates in your company, (that you are using with my company's names), as they become known may/will be notified of your deceptions, theft, illegal and fraudulent activity, so they will know of this activity.
- 6) The Iowa Attorney General may/will be notified of your deceptions, theft, illegal and fraudulent activity.
- 7) The FBI may/will be notified of your deceptions, theft, illegal and fraudulent activity, because you are using my company's names to raise funds nationally and globally.
- 8) The local Iowa county and city authorities may/will be notified of your deceptions, theft, illegal and fraudulent activity.
- 9) YouTube may/will be notified of your deceptions, theft, illegal and fraudulent activity, including using any of my company's names and information in your videos on their website, so the offending videos and text can be removed by YouTube.

So what am I proposing to settle this issue? Only that you make real and true what you are already claiming on your websites and your fund raising campaign, but which at this time are FALSE statements and are NOT true.

- A. That you purchase from me the company RGEnergy LLC.
- B. That you purchase from me the dba - RGEnergy - for the company RGEnergy LLC.
- C. That you purchase from me the four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info.

Please see the next page for all of the details and timeline for what must happen.

The timeline is very critical here because your fund raising campaign using my company and dba is a "Flexible Funding campaign" which means that you get your money as soon as it is pledged, not after the campaign is over. Therefore this must be resolved as soon as possible.

1. Within 48 hours of my sending this email, I must receive a confirmation email back to me at gary@garywright.com. This confirmation email must state that you understand the issues that I have raised in this letter, and that you are willing to enter into negotiations to purchase the company RGEnergy LLC, the dba "RGEnergy", and my four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info.
2. By Monday, May 13, 2013 at 12:00 midnight, all of the following must happen,
 - a. You must send me a \$10,000.00 certified cashier's check via Express Mail Next Day Delivery USPS Mail, with online tracking info, to show your good faith in opening up these negotiations. This \$10,000.00 will not be refundable under any circumstances.
 - b. You must provide me via email a picture of the certified cashier's check, and a picture of the USPS receipt showing the tracking number for the Express Mail Next Day Delivery via the USPS.
 - c. You must send this \$10,000.00 good faith cashier's check to:
Gary Wright
P.O. Box 46466
Las Vegas, NV 89114
3. Within one (1) week from the date of my sending this email, we must have completed our negotiations and I must have received the funds we decide upon. All funds must be tendered by a certified cashier's check, and sent Express Mail Next Day Delivery via the USPS.
4. As soon as I have the cash in hand from both cashier's checks, I will immediately start the process of transferring the company RGEnergy LLC, the dba "RGEnergy", and my four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info, to you.

Because of the critical timeline and method of your fund raising campaign the times above are not negotiable. Please contact me as soon as possible as soon after you receive this email. All communication must be by email, not by phone, because I must have a written record of all communication concerning this matter.

Here is your chance to show the world you are not the fraud, liar, or scam artist you claim NOT to be.

Sincerely,
Gary Wright
P.O. Box 46466
Las Vegas, NV 89114
gary@garywright.com

**Most Sincerely,
Gary Wright**



Hi Bob - 2nd and Last Mailing - Here is a CEASE & DESIST order concerning your new company name.

Saturday, May 11, 2013 12:57 PM

From: "Gary" <gary@garywright.com>

To: bob@RGEnergy.com, "Bob Rohner" <bob@rohnermachine.com>, "Gary" <gary@garywright.com>

1 File (436KB)



Email to B...

Hi Bob Rohner,

I want you to know this will be my last email concerning this matter until you respond. Like I say in this email if you do not respond within 48 hours of my first email, I will look into my other options.

I also want you to know I have been documenting your tracks you have been leaving on the internet so I know you have received this email, and are working on your computer, today.

I am attaching a PDF just in case the email doesn't come through very good on your end.

Please contact me right away so we can resolve this issue.

A letter similar to this email is also being sent via USPS Certified Mail, Return Receipt Requested, Receipt No. 7008 0150 0002 6250 5171

May 10, 2013

Robert (Bob) Rohner
President
Rohner Group, LLC
622 E 6th Street
West Liberty, Iowa 52776
Phone: 319-331-5135
bob@RGEnergy.com
bob@rohnermachine.com

Dear Robert (Bob) Rohner,

This is a two part email a) it is a cease and desist letter, and b) it is a way we can resolve my complaints.

YouTube.

So what am I proposing to settle this issue? Only that you make real and true what you are already claiming on your websites and your fund raising campaign, but which at this time are FALSE statements and are NOT true.

- A. That you purchase from me the company RGEnergy LLC.
- B. That you purchase from me the dba - RGEnergy - for the company RGEnergy LLC.
- C. That you purchase from me the four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info.

Please see the next page for all of the details and timeline for what must happen.

The timeline is very critical here because your fund raising campaign using my company and dba is a "Flexible Funding campaign" which means that you get your money as soon as it is pledged, not after the campaign is over. Therefore this must be resolved as soon as possible.

1. Within 48 hours of my sending this email, I must receive a confirmation email back to me at gary@garywright.com. This confirmation email must state that you understand the issues that I have raised in this letter, and that you are willing to enter into negotiations to purchase the company RGEnergy LLC, the dba "RGEnergy", and my four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info.
2. By Monday, May 13, 2013 at 12:00 midnight, all of the following must happen,
 - a. You must send me a \$10,000.00 certified cashier's check via Express Mail Next Day Delivery USPS Mail, with online tracking info, to show your good faith in opening up these negotiations. This \$10,000.00 will not be refundable under any circumstances.
 - b. You must provide me via email a picture of the certified cashier's check, and a picture of the USPS receipt showing the tracking number for the Express Mail Next Day Delivery via the USPS.
 - c. You must send this \$10,000.00 good faith cashier's check to:
Gary Wright
P.O. Box 46466
Las Vegas, NV 89114
3. Within one (1) week from the date of my sending this email, we must have completed our negotiations and I must have received the funds we decide upon. All funds must be tendered by a certified cashier's check, and sent Express Mail Next Day Delivery via the USPS.
4. As soon as I have the cash in hand from both cashier's checks, I will immediately start the process of transferring the company RGEnergy LLC, the dba "RGEnergy", and my four matching domain names, RGEnergyLLC.com - RGEnergyLLC.net - RGEnergyLLC.org - and RGEnergyLLC.info, to you.

Because of the critical timeline and method of your fund raising campaign the times above are not negotiable. Please contact me as soon as possible after you receive this email. All communication must be by email, not by phone, because I must have a written record of all communication concerning this matter.

Here is your chance to show the world you are not the fraud, liar, or scam artist you claim NOT to be.

Sincerely,
Gary Wright
P.O. Box 46466
Las Vegas, NV 89114
gary@garywright.com

Most Sincerely,

**3rd and last warning- CEASE & DESIST order**

Sunday, May 12, 2013 7:08 PM

From: "Gary" <gary@garywright.com>

To: bob@RGEnergy.com, "Bob Rohner" <bob@rohnermachine.com>, "Gary" <gary@garywright.com>

Hi Robert (Bob) Rohner,

I thought it fair to give you one last warning before the 48 hours is up tomorrow at 4 am my time and 6 am your time.

If you do not respond within 48 hours of my first email, I will look into my other options, and start the clean up of your unlawful and illegal use of my company's names.

**Most Sincerely,
Gary Wright**

YAHOO! SMALL BUSINESS**Re: regarding CEASE & DESIST order**

Monday, May 13, 2013 4:56 AM

From: "Gary" <gary@garywright.com>

To: "Bob Rohner" <bob@rohnermachine.com>, bob@RGEnergy.com

Cc: "Gary" <gary@garywright.com>

 1 File (574KB)

bhhbifh.jpg

Hi Robert (Bob) Rohner,

Just so you won't have some excuse to try and delay starting the negotiations, or try to prevent me emailing the letter I have ready to send to the home office of Indiegogo in California, I will give you now a second time how you can easily verify I own the company and websites.

Also like I said before my registered agent is not required and is not involved in this purchase by you of my company, because I am the owner and I am dealing directly with you. Claiming that you need to contact them is only a delaying tactic by you, and I won't stand for it. You can call the Iowa SOS on Monday and verify that I am the owner of the company, they know as much as my registered agent.

Here is how you can verify that I own the Iowa company RGEnergy LLC, the dba (fictitious name) RGEnergy, and the four websites.

Here is the website of the Iowa SOS, where you can verify that I am the owner of the Iowa company. <http://sos.iowa.gov/search/business/%28S%283ari0o55e0mgjm45gjt3kg45%29%29/search.aspx>
You can also call the Iowa SOS office at (515) 281-5204 for verification.

I have created a page on my website <http://rgenergyllc.com/for-robert-bob-rohner/> called "For Robert (Bob) Rohner" give me some text to put on that page, and that will prove I own that website.

Here for a second time is a copy of the paper which you can read for yourself on the Iowa SOS website, giving my real name and address.

I agreed to a 24 hour extension.

That allows you time to verify I am the owner of the company, and the websites, on Monday, May 13, 2013. That also allows you time to send the \$10,000 good faith certified cashier's check on Monday or Tuesday, May 13 or 14, 2013.

What I am not going to do is let you drag this out for no good reason, because you are **NOW** at this time collecting money using my company's names on your Indiegogo fund raising project, your websites, in videos, etc.

So here is the new timeline: If you don't meet this timeline I **will** contact Indiegogo.

By Tuesday, May 14, 2013 at 12:00 midnight, all of the following must happen,

- a. You must send me a \$10,000.00 certified cashier's check via Express Mail Next Day Delivery USPS Mail, with online tracking info, to show your good faith in opening up these negotiations. This \$10,000.00 will not be refundable under any circumstances.
- b. You must provide me via email a picture of the certified cashier's check, and a picture of the USPS receipt showing the tracking number for the Express Mail Next Day Delivery via the USPS.
- c. Please remember the final agreements must be reached and funds received in one weeks time.
- d. You must send this \$10,000.00 good faith cashier's check to:

Gary Wright
P.O. Box 46466
Las Vegas, NV 89114

This name and address is the same name and address on file with the Iowa SOS office, showing me as the owner of the company RGEnergy LLC, the dba (fictitious name) RGEnergy.

For your information, I am not your employee, nor do I have a contract of employment with you, I am only selling you my company and my websites. Therefore you will never receive any more personal information about me than you already have, and that includes any SSN or any other IRS information relating to me or my company.

Sincerely,
Gary Wright

May 14, 2013

VIA EMAIL ONLY (gary@garywright.com)

Mr. Gary Wright
P.O. Box 46466
Las Vegas, NV 89114

RE: Response to Cease and Desist Letter

Dear Mr. Wright:

We represent Rohner Group, LLC in its intellectual property matters. Your recent emails to Mr. Robert Rohner have been directed to our attention. We have performed a detailed analysis of the allegations set forth in your emails since our client takes allegations of impropriety very seriously. We have concluded that our client has not acted improperly or otherwise violated any laws.

I have no intention of engaging in a colloquy with you about the various allegations set forth in your emails, however, it appears you grossly misunderstand the law. I strongly encourage you to consult with competent legal counsel to help you understand the law and the consequences you may face if you continue down this path.

While the allegations set forth in your emails are less than clear, it appears you are asserting that my client infringed your trademark rights in the mark RGENERGY and/or RGENERGY LLC. First, you should understand that trademark rights are awarded to the first person to use the mark in commerce and not to the first person to file documents with the government. *See ITC Ltd. v. Punchgini, Inc.*, 482 F.3d 135, 146 (2nd Cir. 2007) (noting the “well-established principle” that trademark rights derive from use in commerce). You have not provided us with any evidence that you used the mark in commerce in connection with any particular goods or services so we cannot determine whether your rights are superior to those of our client. It appears, however, that you are basing your rights on documents filed with the Iowa Secretary of State last week and that our client has been using the mark in commerce long before that timeframe. Second, registration of a business name with the Secretary of State is not enough to establish “use in commerce”. *See Trademark Manual of Examining Procedure* § 901.03. While we have no doubt that you own an Iowa limited liability company called RGENERGY, LLC, your registration of the name RGENERGY LLC with the Secretary of State does not give you the right to prevent others from using a similar name. Company names or trade names are usually

May 14, 2013

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not entitled to trademark protection. *See Trademark Manual of Examining Procedure* § 1202.01; *See also Lisseveld v. Marcus*, 173 F.R.D. 689, 694 (M.D.Fla. 1997) (finding that the exclusive right to use a trademark grows out of its use in commerce and not its mere adoption with the Secretary of State). Since it appears our client used the mark in commerce before you, if there is trademark infringement (which we have not yet analyzed or determined), then it appears your use of the mark RGENERGY will infringe our client's trademark rights once you begin using that mark in commerce.

I caution you to choose your next actions carefully as our client intends to vigorously defend and enforce its rights. Most states recognize causes of action for tortious interference and defamation. If you improperly interfere with our client's business by pursuing false claims, communicating false information to third parties, or otherwise defaming our client, we will consider all legal options.

In summary, after a careful analysis we do not believe our client has acted improperly. Absent further specific evidence showing improper or illegal actions by our client, we will consider this matter closed.

Please direct any future correspondence related to this matter to me.

Sincerely,

Ryan N. Carter
Rncarter@nyemaster.com

RNC/slh

**Good bye - it was fun**

Tuesday, May 14, 2013 4:03 PM

From: "Bob Rohner" <bob@rohnermachine.com>

To: "Gary" <gary@garywright.com>

Gary or George

Do not send me friendly comments. I consider you to be the scum of the earth. A man with no morals or ethics. A con and scam of the first-degree. The exact representation of what you continue to claim others are with no proof. The only thing I consider lower than your standards is your IQ. That you possibly thought you could extort \$10,000 + from me with such feeble excuses. I do in fact already have a company called RGEnergy, just not in Iowa. I will start posting all your silly demands to the websites this evening for all to see just what a two-faced SOB you really are. All your demands were forwarded to the FBI Internet fraud division Complaint Id: I1305111451101262 as you have obviously committed a crime. It is of course up to them what to do.

Bob Rohner.
