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September 6, 2011

Mr. Eric H. Holder, Jr  
Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001  
Email: [AskDOJ@usdoj.gov](mailto:AskDOJ@usdoj.gov)

Subject: Request to investigate the illegal takeover of the property of a retired senior scientist that also served as facility and non-denominational temple of the IIBHB, a non-profit organization in Berkeley

Dear Attorney General Holder:

I would very much appreciate your consideration of the case of my friend and colleague, Dr. Rashbihari Ghosh's long standing housing dispute with the City of Berkeley, California that resulted in the loss of his residence, temple and non-profit facilities for the last four years. More recently, on June 16, 2011, Dr. Ghosh was arrested without being served a warrant, which is another instance of action against him by the City.

I have written to the Berkeley City Council in 2006 and to the East Bay United Nations Association in 2007 on behalf of Dr. Ghosh but have not received any response. The Governments of Bangladesh and Indian and US Small business administration Ombudsman have also written to the City of Berkeley on his and the Institute's behalf (see attached letters A). I have attended meetings and events at the commercial buildings and also at his residence, a corner property at McGee and Dwight Way, which is a prime property in Berkeley. Dr. Ghosh retired in early 2000 from California Environmental Protection Agency to pursue his non-profit work to address the global water crisis

Dr. Ghosh and his tenants were evicted by the City of Berkeley without notice or due process from their residence at 2507-09 McGee St. on September 6, 2007. Before that, on August 29, 2007, the City of Berkeley suddenly closed 1700 Dwight Way, the commercial building adjacent to the McGee residence, which was also used as event/activity center by the non-profit organization, the International Institute of Bengal and Himalayan Basins (or IIBHB) founded by Dr. Ghosh. I served as an advisor of the Institute and have known Dr. Ghosh and been familiar

with his work for more than 11 years. Dr. Ghosh is a well-qualified scientist, a person of great integrity, and a good man. His work was supported by his PhD supervisor Professor W.E. Kershaw (world leading expert in tropical medicine and water borne diseases) as well as Nobel Laureates Linus Pauling and Glenn T Seaborg and me. Recently, his former colleagues from Stanford Nobel Laureates Douglas Osheroff and Martin Perl and my wife, Frances Townes (human rights activist), joined IIBHB in a seminar to discuss the global water crisis.

It is very unfortunate that because of the closure of his residence and commercial buildings, the operation and activities of IIBHB have slowed down immensely for the last four years. Moreover, Dr. Ghosh's technical and professional contribution to the Institute have been greatly hampered by all the legal matters and financial costs associated with his legal battle with the City of Berkeley.

Dr. Ghosh invested a great deal of money and tried his best to comply with the City of Berkeley's demands for the second time (because the city did not honor their first; please see my first letter to the city council), but until now he does not see any immediate solution to return to his home as well as to open his commercial building for IIBHB's use. I understand from Dr. Ghosh that his repair work, as demanded by the City of Berkeley, has been completed except for cosmetic work. But the City has seized the property and denied him access to continue the work. I was also informed that his residence (duplex) passed Federal Housing inspections but the city has been placing road blocks against his going back to his house. This has already costs him much in mortgage, taxes, insurance and other expenses and this does not include the revenue lost through rental income. He indicated that he has spent almost \$500,000 to address the city's unreasonable demand and Dr. Ghosh is now on the verge of foreclosure (Dr. Ghosh will provide detailed information, and evidence to your office immediately upon your instruction).

Added to this, because of the absence of a stable residence for him, Dr. Ghosh's health has deteriorated significantly and his physician has repeatedly certified that he needs reasonable accommodation and stable living conditions. I asked Dr. Ghosh to send these letters from his physicians and the Aging Department of the City of Berkeley directly to your office. The reasonable accommodation requests from Dr. Ghosh's physicians were repeatedly refused by the city. Given that Dr. Ghosh is also a senior citizen, this request is all the more urgent.

To date, Dr. Ghosh's legal recourse has been limited. He has not been able to find a lawyer willing to mount an effective and unrestrained defense for his property rights. Dr. Ghosh has taken his case to local authorities including the U.S. Small Business Administration Ombudsman and other recommended agencies by the U.S. Justice Department. The USHUD advised that the Justice Department is the right agency. Dr. Ghosh wrote to you in March 2009 requesting assistance.

I would be grateful for your assistance in the investigation and resolution of this matter so that (a) Dr. Ghosh can return to his home together with his tenants and (b) IIBHB can resume its good work and activities. Perhaps a letter from you to the Department of Justice urging the City of Berkeley to promptly settle the case of Dr. Ghosh, the temple, and the IIBHB would incline the city to find an equitable resolution of this injustice, illegal takeover, and violation of property rights. Perhaps a letter from you might remind the city of its lawful obligations to its citizens and after nearly four years of impasse to allow Dr. Ghosh to return to his home as soon as possible.

I am concerned to know from Dr. Ghosh that recently he was threatened again by some unknown callers that his property will be burnt to the ground. He reported a similar threat to appropriate authority before. His property has been attracting vandals and if any arson occurs then the lives of his neighbors and their children will be endangered in addition to their properties. All his adjacent nine neighbors supported him in writing to the city.

Should you require details and documents to support his claim against the City of Berkeley, I have asked Dr. Ghosh to provide all supporting documents in support of his claim against the city to your office for your consideration.

Sincerely,

*Chas. H. Townes*

Charles H. Townes, PhD, 1964 Nobel Laureate in Physics,  
Co-founder and Adviser to the IIBHB