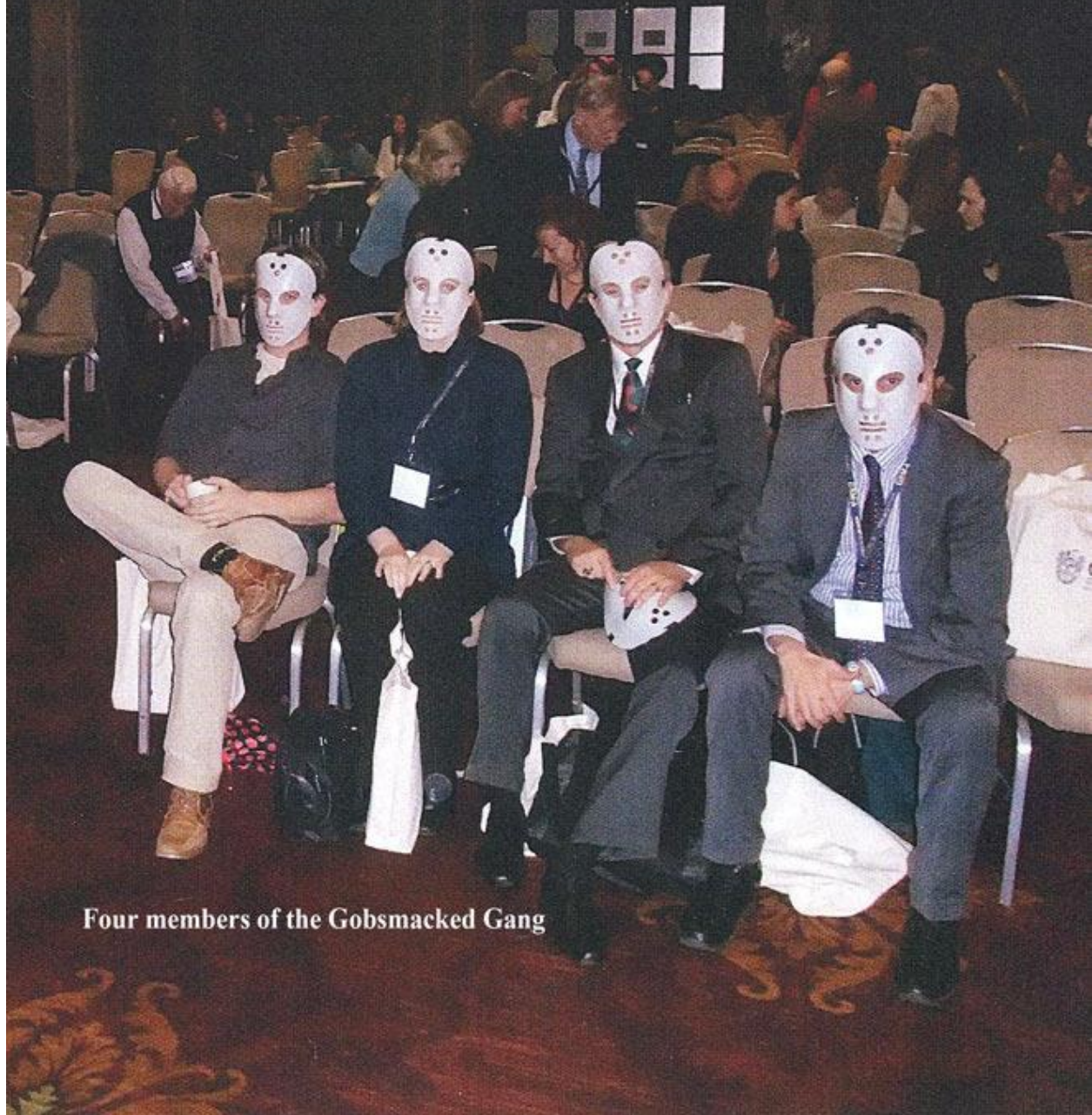


GOBSMACKED!

Exposing the dark side of the international gemstone industry



Four members of the Gobsmacked Gang

GOBSMACKED!

EXPOSING THE DARK SIDE OF THE INTERNATIONAL GEMSTONE INDUSTRY.

ROBERT JAMES FGA GG

This book is dedicated to Wolf Kuehn.

When the going got tough and so many others were heading for the exits, you stood with me. My friend. My counselor. My mentor. Thank you.

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INTRODUCTION

Upon completion of the Direct Shopping Network -v- Robert James litigation, I was asked to write a book about the events that led up to that litigation involving Tibet andesine. Because of the depth and breadth of major industry offices involved, I stood fast that the story was too heinous to be shared with the public. The events that led up to this story needed to be reviewed and resolved within the industry. This review never happened.

In 2012, when he was 11 years old, my son came to me in tears asking me why a website he found was saying so many very bad things about his Dad? He had just received a new Macintosh computer and was searching Google for the International School of Gemology, and a very nasty cyber-attack website that trashed both me personally and the ISG appeared on the first page.

Just a few weeks later, a package arrived at my home. It contained a letter chiding me that Jewelry Television was partnering up with the Gem-A and that the ISG would soon be out of business and I would be back to my first job as a janitor in a jewelry store. The package contained the letter, a whisk broom and two photographs of the group responsible wearing Jason masks from the horror movie. The letter ended with the menacing threat from those behind the Jason masks:

We are watching you!

I set out on a 7-year quest to positively identify those behind the masks and to write this book.

To The Gobsmacked Gang: When you sent the threat to my home and family, you made it personal. Here is your story for all to read.

You did not scare us; you filled us with a resolve.

Robert James FGA, GG

AGTA Gemfair, 2006, Tucson Arizona

The first week of February is always one of the most exciting times in the gemstone world. This is when the American Gem Trade Association holds their Gemfair, one of over 50 gem shows held throughout the city of Tucson, Arizona. This is considered to be the "World Series" of colored gemstones, with miners, cutters, dealers, retailers and just about anyone else who loves gemstones being present. Although the AGTA is for American gem dealers, all a Chinese company has to do to get a membership is open a small office in Los Angeles or somewhere around the United States and this will qualify them to become a member of the AGTA and participate in Gemfair. For the most part, it is a good system that works well.

In some cases, however, foreign companies without a US presence can get invited to show their gemstone inventory at the AGTA Gemfair by getting invited to share a booth with an established AGTA member. This was the case at the AGTA Gemfair 2006 when Bill Larson and Pala International invited a young Chinese gem dealer named Jaqueline Li to show her inventory at the Pala International booth, what she brought shocked the gemstone industry.

Jacki Li (as she would become known) offered a huge selection of copper-bearing feldspar gemstones that rivaled the Oregon Sunstone in color intensity and uniformity. While the Oregon material had all sorts of color intensities in the colorless to red to green and combinations thereof, the new material from Jacki Li, sold under the name of Tibet Sun, was extremely intense dark red and virtually all uniform in color. It sent shock waves through the gemstone world, particularly with the Oregon Sunstone mining industry. Long proven as the only source for copper-bearing feldspar, now they had a new, impressive competitor. Worse yet, this new competitor with this previously unknown mining source for copper sunstone was being introduced and supported by none other than Bill Larson and Pala International, the two most trusted and revered names in the gemstone industry.

It was a very bleak start to the AGTA Gemfair until some of the Oregon miners took careful note of the presentation by Ms. Li. The Tibet mine location of this material was claimed to be at approximately 4,000 meters elevation, far above the altitude at which trees could grow. The problem was, the picture of the mine that was presented by Ms. Li showed many trees with fall foliage in the background. This was an obvious problem and a problem that any reasonable person in attendance would raise as creating doubt about the claims of Ms. Li. Unfortunately, Ms. Li was standing side by side with Bill Larson in the Pala International booth, so no one dared question that picture. If this sounds a lot like the story of the Emperor's New Clothes, you are correct. The picture made no sense with the presentation being made, but because of who was making it, no one dared question it.

That was the first mistake in a very long and costly line of mistakes.

Given the fact that this Tibetan Sun material was in far larger supply than the Oregon Sunstone, and at a far lower price, and represented with the aid and support of Pala International, it

caught the eye of the television shopping channels. The two largest were Jewelry Television and Direct Shopping Network, along with several smaller online shopping networks.

Shortly after, Jewelry Television on-air personalities started touting this new Tibet sunstone, now dubbed Tibet Andesine, based on the fact that the gemstone tested as andesine feldspar. We will go deeper into the importance of that later, but for now, the important issue is that the shopping channels jumped on board with the Tibet andesine being sold by Tibetan Sun gemstone company, and massive, million-dollar profits started rolling in for everyone.

Except, of course, the Oregon Sunstone mining industry. After more than 20 years of hard labor in the Oregon High Desert, mining and creating a market for copper-bearing feldspar, this new upstart Tibetan Sun company, with the help of Bill Larson, took over the sunstone industry by storm. The Oregon Sunstone industry was in free-fall financial collapse, having lost virtually all of the market share they worked years to build. The future was bleak.

Over the next two years, the Tibetan Sun company flourished while the Oregon Sunstone industry languished. Somewhere along the way, however, a few gemstone industry old-timers started asking questions about those fall leaves on the trees behind this Tibetan mine entrance that was supposed to be well above the tree line altitude. Also, enough of the Tibet andesine had been sold that some of these same old-timers, as well as consumers, were starting to see things in this new material that did not look quite right.

That is pretty much where I entered the story. Well, it took another year to get me to the dance, but that year itself is also part of the story as it set the stage for the big show about to happen. It was during this year that the major players started to form up, and the stage was being set for the showdown.

The International School of Gemology 2006 – 2007

To understand the whole story, you need to understand some of the history of the ISG. After working for several years at USAA insurance, I left and established a small online gemology school. As a state licensed Property and Casualty Insurance Adjuster, I originally set out to write Continuing Education courses for the Texas Department of Insurance, and others, which I did for almost the first year. But the competition in that field is tough, and getting established as a financially viable school was difficult. I turned to a gemology website I had established while working at USAA and started spending my time developing that idea.

Several years earlier, in March of 2000, I established a free online gemology website called YourGemologist.com. The number of visitors grew on this site until we established a forums board where everyone could meet and discuss their love of gemstones online. As this was one of the first open gemology discussion boards on the internet, we quickly grew in numbers to over 3000 members.

On Saturday mornings, we would hold a real-time online chat with presentations of special topics of interest to the group. We would invite industry leaders to join us, with famous names such as Tom Chatham, Cos Altobelli, and others taking part and sharing their excellent knowledge. The class usually lasted only an hour but drew participants from around the world.

At the time, I had neither the software nor computer expertise to conduct an online chat room of this type, so I turned over the duties of that to one of our forums board members who lived in Holland. Alain van Acker had been with me almost since the beginning, in spite of being located in Europe. He was an extremely knowledgeable young man in both gemology and computer technology. He utilized his expertise to host the chat room portion of my website on his server in Holland, with such expertise that no one knew they were being hosted on two continents at the same time. As time passed and the traffic grew, Alain and I would communicate quite often, and we worked very much as a team to help grow the concept of online gemology study.

It was at this same time the website started getting the attention of many new customers of Jewelry Television. JTV, as they would be known, sold large parcels of gemstones to their television audience, with the promise that they were investing in colored gemstones and could establish their own wholesale gemstone business by buying the parcels. The only problem, of course, people were buying huge parcels of these JTV gemstones and had no idea how to identify or grade the gemstones. They were newbies to the market with major investments of gemstones and absolutely no idea what to do with them.

When these JTV gem dealers started showing up at our Saturday morning chat times, they started asking if I could write some basic gem identification courses to help them get their businesses started. Several years earlier, I had operated an Allied Teaching Center for the Gemmological Association of Great Britain (known as the Gem-A) and had taught gemology at local community colleges in Dallas, Texas and Ft. Walton Beach, Florida. So, creating some basic gem identification and diamond grading courses was no problem. I developed a program of 3 courses in Gem Identification, Colored Gemstone Grading, and Diamonds.

By the end of the first year, the business was booming, and I mean booming. JTV was selling these parcels of colored gemstones faster than they could pack them and ship them. JTV customers were flocking to what was now the International School of Gemology, the name I adopted for the online school since our students came from around the world. Well over 60% of our ISG student body consisted of JTV customers, and the future looked very, very bright. Which, of course, is when dark clouds start forming over the horizon and this time was no exception.

Two major problems presented themselves: First was our forums board had grown so big that we now had people from other schools and other websites showing up to advertise and promote their schools or websites. One of the most prominent was Richard W. Wise, author of a couple of famous gemology books. Richard would show up and post just a paragraph or two of an article he had written, then direct the readers (my forum traffic) to leave my forum and

go to his website to read the balance of the article. This is called “forum skimming” in the internet forums circles. Going to one website and trying to skim off traffic to your website. It is the same as someone coming into your jewelry store, for instance, and talking to your customers about their products in their store down the street and asking them to leave your store and go to their store. Bad, bad, bad conduct. As a result, I had to ask Richard W. Wise to leave the forums, a situation we will talk more about later. But what was about to happen because I would not allow Richard W. Wise to advertise and skim traffic from my website would play into a huge issue in the coming year. The number of outside websites and gem schools being promoted on our ISG forums was so great that I had to shut it down for a while to allow some of the competitor traffic to clear out. We could not pay and provide a free website with huge traffic for competitors. As a result, several other gemology forums were established from those who left our ISG website, including GemologyOnline and others. No harm was done, but some of the folks who had to leave are still angry to this day that we would not give them free access to internet traffic that I spent years building up.

The second major problem for our forums was that I allowed too much leeway to the group for open discussion. We had to avoid any discussions about religion or politics, that was always an instant fight even between the best of gemology friends. But the problem was that I had too many people as administrators who were taking advantage of the power and access to the member's list.

At one point, I began to get complaints from female members of our forums that they were getting unwanted sexual comments and advances from Alain van Acker. His online name was “Doos” (translated: box) which I would find out later is a Dutch slang word for a female body part. The complaints continued until I had to ask him to leave. The issue impacted him so strong that he became extremely angry, and on our last communication told me that he “was going to become my worst nightmare on the internet.” This hurt because I had always counted Alain as a good friend and relied on him heavily for the website operations. I had done nothing against him, but it was his actions that forced me to separate him from our growing operations. Our female students and visitors did not deserve to be subjected to that kind of thing, but he left with that threat, anyway. A threat that I later learned he would guarantee, and he did. But more on that as the story continues.

At this point, we had some angry people from other websites who were asked to leave since they were skimming our traffic, and Alain was angry because I asked him to leave over complaints of his unwanted sexual posts to our female students and visitors.

However, business was good as JTV was selling more investment gemstone parcels than ever, and over 70% of our new students were coming to us from JTV and a smaller network, Direct Shopping Network. The ISG was growing, and the future looked bright. But that darned Tibet andesine issue kept coming up in the discussion forums, from consumers and jewelry industry folks alike. Many questions were raised with no answers forthcoming. Jewelry Television was

touting this new copper-bearing gemstone as the “next alexandrite” that was an amazing investment, and their on-air personalities were selling it with all sorts of outlandish claims. The information being put out by the various internet and television shopping channels claimed this Tibet andesine was guaranteed natural, with at least 19 gemstone identification reports from major gem labs, and that the gemstone was the best investment in the gemstone market.

However, questions persisted. There was no rough anywhere to be found. The sellers claimed they would not sell rough, which is very, very strange in the gemstone industry.

The main problem at this time was that consumers and jewelers wanted answers, and no one had any. Many consumers turned to the Jewelers Vigilance Committee for help but were summarily turned away with nothing more than a “we cannot help you.”

The situation got to the point that it was a major problem, and not one office in the industry would perform any investigations or take even a cursory step trying to help consumers.

This was when it landed in my lap.

Winter-Spring 2008

Starting in 2007, I had many students and consumers ask me to get involved in the “andesine issue” as it was called. Every time it came up, I responded that the ISG was not a research organization and that this andesine material was a feldspar, and nobody cared about feldspar. To date, the idea of feldspar as a gemstone was relegated to gemstones like moonstone or labradorite, not major players in the gemstone world. Therefore, my answer was always the same: we are not a research organization, we don’t have the equipment or staffing to do the research needed to resolve this feldspar issue, and nobody cares about it anyway. Rather than going away, however, the cacophony of demands that I look into this matter grew and grew into a full-blown conflict erupted between consumers and Jewelry Television, among others.

At the Tucson Gem Shows of February 2008, the number of dealers offering this new Tibet andesine had expanded, particularly at the GJX show located across the street from the AGTA Gemfair. The main dealer was a company called Andegem, Ande Gem, and Mineral Company of China. Andegem is not only a major exhibitor at the GJX show, but they are also members of the American Gem Trade Association, having opened a small office in Los Angeles to establish a U.S. presence. We would later find out that Andegem was and is at the heart of the whole Tibet andesine fraud fiasco. But at this point, they were simply the main supplier of this material that no one seemed to know anything about.

Upon returning from the Tucson Gem Shows, I was beset with requests to get involved in finding answers for consumers who had purchased this Tibet andesine from Jewelry Television, Direct Shopping Network, and other online sellers. The problem was that a lot of attention was being drawn to the issue, not by the industry but by consumers who wanted answers. Massive sales were being reported by the television shopping channels, and due to the total lack of any proper gemological documentation to prove their claims, consumers were having problems

trying to recoup the “investments” they made at the behest of the JTV on-air personalities by buying the Tibet andesine sold by JTV. In spite of the fast-growing sales numbers with a complete lack of information, no gemstone industry office would get involved in researching the issue and reporting. I would learn later that the players involved, and the amount of money being made, caused fear in most other organizations that prevented them from getting involved.

At the AGTA Gemfair in 2008, the ISG group became known as “Those Scrappy ISG Kids” although the average age of our group was 52. We had a large group of our students and graduates in attendance and we were known as a group not afraid to ask the tough questions and demand answers. In April 2008, we started doing that very thing.

It is a documented fact that 15 minutes after I received my first specimen of “Tibet andesine” I called the student who sent it to me and told her: “No question, this material is treated”. It was honestly an easy evaluation as the coloring of the specimen was unnatural, which would be the issue that pervades this whole matter throughout. The color of Tibet andesine is not natural to anyone with any experience in gemstones. Unfortunately, that is not scientific evidence of treatment, so the thing continued.

After the Tibet andesine specimens arrived in my office, I also received a cross-section of Oregon Sunstone specimens from each of the major mines. This allowed me to have control specimens from all locations with which to compare tests and results.

Once I had some of this material in hand, I was asked if there was any way I could find to separate the Tibet andesine (a feldspar) from Oregon Sunstone (another feldspar). To date, one of the major selling points of Tibet andesine by the television shopping channels was that it was the same as Oregon Sunstone, but at a far lower price. Being able to separate the two feldspars became my priority, and it was a short-lived issue.

It took just a couple of minutes with a refractometer to find a major difference in the two feldspars. The Oregon Sunstone had a refractive index range that was far above the refractive index readings for Tibet andesine. The test results went beyond the simple refractometer readings, but for our purposes, I will tell you that the two types of feldspar were very different. So, now we had evidence to show that Tibet andesine was treated and that it was very easy to separate it from Oregon Sunstone, which meant the claims that it was the same material but from a different mine in Tibet were false. This left me with a most difficult decision.

The Most Difficult Decision

You will remember that as of this time, the ISG was starting to experience significant growth. Our cash reserves were growing, and our student body was expanding every month. The problem was that 60% of our new students were coming to us after shopping for gemstones on Jewelry Television, and the vast majority of Tibet andesine being sold improperly on the market

was coming from Jewelry Television. I faced a conundrum: Leave my office for the day and go have a beer and keep our growth rate positive by not getting involved and not publishing what I had discovered or go public with my findings and certainly lose the major inflow of new students, and along with them our main revenue source.

I would like to be very cavalier here and tell you that I never hesitated about my decision, but I did. I had been involved in litigation in the Caribbean, particularly with Diamonds International, and I knew just how nasty this whole thing was going to be. This Tibet andesine fiasco made the Diamonds International situation look like child's play. The amount of money and people involved was exponentially larger than anything I had ever come across, and I knew full well that no matter what the outcome, it would not end well for me or the ISG. So, I closed my office door and went and had a beer, sat and thought about it a while and went back to my office and wrote the report.

The report stated that I had indeed found evidence of treatment in the Tibet material and that it was very easy to separate the two types of feldspar with only a cursory set of gemological tests.

Once I published the report, I honestly and very naively thought that the gemological world would beat a path to my door for me to share my findings. To date, there were many published questions about the Tibet andesine, and not one organization had made any report on any research. When I published what I knew was solid evidence of the report, I believed that other gemological organizations would ask me to share specimens and information to help with the research. Was I ever wrong!

When I published my refractive index findings, some on the GemologyOnline forums board went on the attack saying that "If it were that easy, someone else would have already found this"! The GemologyOnline forums would prove to be hot-bed of anti-ISG tirades, mainly due to the previous discussed Alain van Acker having moved to that forum and becoming a major moderator. Over the next several years Alain would fulfill his threat to become my "worst nightmare on the internet," mainly through the GemologyOnline forums board, but more on that as things develop.

After publishing my report in our ISG newsletter: "Answers on Andesine Labradorite Color Source" April 2008, I was met with an online parade of accolades and appreciation from consumers. The student who had sent me the original specimens contacted me to tell me that we had won a victory for consumers, to which I informed her: "Prepare to be loved, then prepare to be hated." Verbatim, I told her that because I had been involved in consumer protection work before, and I knew this was not going to turn out well for anyone, no matter what the final result. Was I ever right about that!

The newsletter that carried my report went literally around the world. We had never had so many confirmed "Opens" as reported by iContact, our email newsletter service provider. The ability to separate the Tibet andesine and the Oregon Sunstone was considered a

breakthrough, but I would later find out a group in France had already found the same thing and published that in a paper that was not widely read. Information sharing would become a major issue in this whole affair: Many people were working on the research and reporting of this Tibet andesine, but there was no centralized information point from which the information could be disseminated. In truth, the ISG office became as much of an information clearinghouse as a research center due to the number of folks also working on the matter but having no place to publish their findings.

The other issue is that the industry was starting to heat up over the reports because this was quickly becoming the largest fraud investigation in the history of the gemstone industry.

It was at this time that the field started to divide itself into friend and foe. Jewelry Television was very rich. Big money = big influence. To date, no one had bothered or perhaps dared, to get involved with this Tibet andesine question because of the players involved. Big money can create big problems if someone gets too involved in their business.

When the Little Dogs Bark!

In late Spring of 2008, after I had published my first report, I was still naïve enough to think that the industry was going to rise up in response to this Tibet andesine fiasco that was being exposed. That still was not happening, but based on the support and information coming in, I continued the effort. This was when something strange happened that I did not understand until years later.

Bear Williams of Stone Group Labs had been a wonderful resource for the ISG in both knowledge and study gemstones for our course development. Until now Bear Williams had been totally in support of my research on Tibet andesine, and made comments such as you read in the opening of this book. Then, Bear was elected to the AGTA Board of Directors and everything changed. Rather than supporting the effort he suddenly changed his whole attitude and persona.

During a phone conversation discussing the latest round of testing, Bear listened to what I had to say, then told me that I should stop my research and let this issue go. He told me specifically: "Robert, when the little dogs bark too loud, the big dogs have ways of shutting them up!" It was only years later that I truly understand that Bear Williams was referred not to other big dogs in the industry, but rather to himself. Once he was elected to the Board of Directors of the AGTA he suddenly changed his stance on Tibet andesine, and become adversarial on all fronts. In spite of having been close friends for years, when I refused to stand down from the Tibet andesine investigation, Bear cut off all communications and became a major detractor from our efforts to expose this multi-million dollar fraud.

The situation came to a head when Bear Williams, speaking formally as a Director of the AGTA about my report, proclaimed loudly (and quite venomously) on a major industry forum :

“Andesine cannot be diffusion treated, it cannot stand the heat!”.

Bear Williams

Stone Group Labs

These were words that Bear would regret because just after he made this declaration, it was announced that Dr. Emmett had already proved in November 2008 that feldspar could very easily be artificially diffused with copper, therefore my report was indeed correct. Here is his statement from his 2009 report on the findings:

"These experiments were run solely to answer the question “does copper diffuse rapidly in plagioclase?” The answer is clearly yes."

Copper Diffusion in Plagioclase

John L. Emmett & Troy R. Douthit

Crystal Chemistry August 21, 2009

To date, Bear Williams has not admitted to the mistake, or offered any recognition that I was, in fact, correct. But more on that later.

The field continued to separate with those attacking me for having issued my report, and those who contacted me behind the scenes to let me know that I was on the right path. This was also the first time I realized that many others were involved in the research, but for the same reason I had experienced, they would not do or say anything publicly. I found myself once again as I did in fourth grade when the bully came to the schoolyard and started picking on people. The other kids were quick to tell me to stand up to him, but all left when the fight started. It would be the kind of situation that would happen all too often in the coming years.

Fortunately, this did not include everyone. Two groups of consumers started online chat groups. The most active and productive was the Gemaddicts. The other smaller group was called the Gembusters. There were several other forums and discussion boards that sprang up where consumers and a few gemstone dealers could share information. Perhaps the most active was the Jewelry Television customer discussion boards. I thought it quite odd that JTV

would allow the level of discussions going on there, but later realized it was one way for JTV to keep up on the scuttlebutt by keeping the discussions on their home turf.

The Fields Take Shape

In May of 2008, the first major report on Tibet andesine was published by Gary Kratochvil or jewelcutter dot com. His report: The Great Andesine Scam became the first report with a massive number of pictures and information that provided prima facie evidence of fraud in the Tibet andesine matter. His report was the first to bring photographic evidence that provided images of the Tibet andesine, along with representations from the seller, that demonstrated serious questions about the claims. At issue was that colorless feldspar from some as yet unknown source was being artificially infused with copper to mimic the authentic Oregon Sunstone.

With the sides taking shape, we received word of research being done in Japan, along with images that proved that the Tibet andesine was being artificially diffused. The only problem we were provided with these images and information with the caveat that we could not use them. WHAT? Here is the evidence to prove the issue, and you send them to me, and then tell me I cannot publish them. These did come out later, and are included in The Great Andesine Scam report of Gary Kratochvil, but were never allowed to be a part of my research and reporting.

I later found that the individual who produced the images was hired to help with one of the hoax expeditions reports we will talk about shortly.

Summer-Fall 2008

The whole Tibet andesine debacle was now very polarized. One side proclaimed loud and long that feldspar could not be artificially infused with copper, the other side claiming that whatever science the other side thought they had, they were wrong, Tibet andesine was artificially diffused. The fight got nasty, and I was right smack dab in the middle of it. On one side was the evidence provided by Kratochvil, myself and others that demonstrated treatments happening, and on the other side was a group of what I call industry rock stars who demanded that we retract our reports and believe what we were told to believe. What I now call the "Little Dog Syndrome" of the gemstone industry. The fight was not going well because the side claiming that Tibet andesine was natural had the big money and big names like the GIA on their side, and we pretty much were standing alone. Well almost alone.

Colored Stone Magazine enters the fray

David Federman is an old warhorse of a journalist who came from the old school of the industry. Having been a reporter and investigator for the Jewelers Circular Keystone (JCK) publication, he was used to these fights and was not afraid to wade in if he saw the need. I spent many hours on the phone sharing information with David, and he with me. As it turns out, David had his resources for information on this Tibet andesine mess, and his sources told him that I was spot on correct. The problem? His sources would not go on record with the information, and would not publish what they knew. So while we knew we were on the right track that all of the Tibet andesine was artificially diffused with copper, the direct source who had confirmed the information would not come forward.

It was at this point that David Federman asked me to write a full report of my findings to be published in Colored Stone Magazine. I issued my report: "ISG Report on the Diffusion Treatment of Andesine" on July 23, 2008, which was subsequently published in Colored Stone Magazine.

Andegem pulls the plug at Colored Stone Magazine

Just a day after publishing my report, one of Colored Stone's largest advertisers, Andegem, pulled all of their extensive advertising from the magazine. This was the first time that Colored Stone had run anything regarding Tibet andesine, and Andegem's actions caught everyone off guard since they had, as yet, not been implicated in the affair. However, they pulled all advertising which left the advertising department very angry with David Federman for having gotten involved in this whole situation. But the facts were the facts, and David Federman was not one to back off from a fight if he knew he was right. At this point, we were very sure we were right, but what we did not know was that the fight was only now beginning.

Direct Shopping Network's Olympic Andesine

In August of 2008, I was sent a large number of specimens of what was being sold as Olympic Andesine, sold by Direct Shopping Network. These versions of the Tibet andesine had been laser-inscribed with the Olympic Logo inside the stone. Art Garabedian, the owner of Direct Shopping Network, paid a former Olympic gymnast to endorse the gemstone and appear in advertisements, and the whole thing was a major revenue stream for Direct Shopping Network. The only problem, of course, they were claiming the material to be natural and from Tibet, neither of which was true.

On August 20, I published a follow-up report titled: "Direct Shopping Channel's Olympic Andesine" and provided more proof that this material was artificially colored and not natural. My reports were now being read and forwarded around the world. The report on the Olympic Andesine being treated and sold without disclosure went all the way to Beijing and to Art Garabedian and Direct Shopping Network. My report on Olympic Andesine would be the start of the biggest fight of my career, but that fight was not quite ready to begin.

Three major events occurred at this time: First as anticipated, our new student registrations collapsed. The social media firestorm created by this whole mess was as expected with the result being the loss of the Jewelry Television student flow. Second, we got the attention of Ted Themelis, the world's foremost authority on gemstone treatments. Finally, I had consumers, and our ISG students and graduates come to me and ask how they could help. My answer was that I needed advanced testing to better document what we were seeing. Someone decided that a Raman Spectrometer was needed

Consumers Step Up

Our group all pulled together and passed the hat to get contributions to buy an Enwave Raman unit. I am not going into detail on what a Raman will do because it would take an entire book just for that subject. But the Raman proved to be crucial in proving the source of the Tibet andesine. Everyone in the industry was amazed that I had consumers and ISG Community members raise over \$10,000.00 to help buy one. Out of my pocket, I matched with another \$10,000.00, and we ordered a custom made Enwave Raman built on a Meiji Techno microscope, to allow me to run Raman analysis on the various feldspars I was testing.

It took me several weeks to get up to speed on the use of the Raman Spectrometer. During testing the Tibet andesine, I had been blessed to have several Ph.D. scientists spend time with me on the phone, and they helped tremendously with the effort. The problem was that I could not quote anyone or mention names because the group at GemologyOnline and a few others were waiting to pounce in social media and online groups throughout the world on anyone remotely connected to or found to be helping the ISG Tibet andesine investigation. I always had to agree to leave people's name out of my reports, even though much of the information came to me from others, and I was simply the reporter of the information. I did not blame these folks. I could easily see the venomous attacks coming from all directions at this point, but I did not fully understand why.

Enter Ted Themelis

Ted Themelis is the guy who wrote the book on identifying gemstone treatments, mainly because he is the guy who developed how to treat gemstones. This is a good thing because, without gemstone treatments, we would not have enough gemstones to maintain a gemstone market. The mines simply do not produce enough gem quality material to meet world demand without having treatments to improve certain levels of production to make them salable.

I met Ted at the 2008 AGTA Gemfair in Tucson, and we talked at length about this. Over the coming months, Ted and I communicated on many occasions. At one point, he told me something that I realized was far more important than it seemed at the time. Ted told me that when it was discovered how to get beryllium atoms inside of corundum, it was realized that any gemstone could be artificially color infused. This was a profound revelation. Any gemstone could be artificially enhanced through diffusion. This also confirmed to me that Ted was letting me know that we were indeed correct in our findings, and by “we” I mean all of those who contributed to the effort to expose this fraud.

Ted and I stayed close until, as I was told later, Alain van Acker entered the picture once again. Alain contacted Ted to report that I had made highly derogatory statements about Ted that were blatant lies. Understandably Ted was upset at the report and we did not communicate until years later when a mutual friend let him know the truth of the matter. It was yet another case where Alain van Acker lived up to his promise to become my worst nightmare on the internet.

Jewelry Television Class Action

During August 2008, there was much activity in the industry regarding Tibet andesine. The talk was everywhere of a major class-action lawsuit being demanded by consumers. With the information coming out that feldspar could easily be diffusion treated, the case of misrepresentation by the television shopping channels grew.

Over several weeks, I spoke personally with the late Jerry Sisk, founder of Jewelry Television, and based on those conversations I do not doubt that Jewelry Television was well aware that they had a serious problem. The main issue was that they had sold millions of dollars worth of this Tibet andesine, and nowhere in the world was any rough available. Plus, the whole mining story was starting to unravel as one report of the Tibet andesine mine showed one type of igneous source with sharp-edged crystals, while another showed an alluvial source with water-worn pebbles. The Chinese could not get together on which story to tell, but one thing was for sure, the facts were not supporting the claims being made by Jewelry Television.

Perhaps the most heartbreaking part is the number of consumers who spent their life savings based on claims made by the on-air personalities of the television shopping channels. I received an email from a man who was dying of cancer and spent his life savings of \$5,000.00 on buying

Tibet andesine from Jewelry Television. He believed the story by the on-air personality that this was the next alexandrite, and if he purchased it he was sure to get an increase in value. He spent his last dime buying the gemstones to leave something of value to his family when he died, only to find out that it was all artificially diffused and virtually worthless.

These stories from the television shopping channels were heartbreaking and ubiquitous.

It was an interesting development when the class action lawsuit was announced. To date, no one had the money or the connections to file this kind of lawsuit, because all of those harmed were small individual buyers. No big corporation was involved other than the sellers, and the little guys just did not have the resources. This is where it gets weird.

Jewelry Television is based in Knoxville, Tennessee, and at the time was reported to be owned by a group of Knoxville lawyers. Nowhere in the whole country was there anyone willing to take on a class action against Jewelry Television over the selling of Tibet andesine. Suddenly, a lawyer stepped forward to file the class action. The strange part...this lawyer was from Knoxville. I immediately started asking questions on this, but consumers were all lifting a rallying cry that a savior had come to handle the class action. The more I questioned this; the more consumers fought back against me for questioning the thing.

Remember a few pages back when I wrote what I said when this started: "Prepare to be loved, then prepare to be hated!" This is where the love turned into hate.

Most consumers don't understand that a class action lawsuit rarely gets anything for the consumer but makes the class action lawyers rich. That is a matter of opinion to many, but for me, it is a fact. I have seen it happen all too often. When I heard that a well standing Knoxville lawyer was going to be the class action attorney against Knoxville based Jewelry Television, the bull shit bell just would not stop ringing. For my effort to raise a red flag over this, I was suddenly vilified by many of the same consumer groups who had heralded my entrance into this thing as a savior of the consumer. So now, I had not only the defenders of Tibet andesine as all natural coming at me, but I also had the very consumers I was trying to protect coming at me for daring to question this class action that they saw as the redemption of the whole thing.

I have to admit that this turn of events emotionally destroyed me. The very people who I had risked everything to help, were now turning against me because I was raising questions about this class action. They would not listen to my points that class actions rarely get any real help for consumers. When I was reporting the news they wanted to hear, they were all glory and accolades. But when I had to tell them that what they were being sold as an economic solution was, in fact, just more shopping network bullshit, they did not want to believe that to the point of turning on me. So, I had to step back and let them take the fall, which they did.

Jewelry Television Class Action Settlement

The class action was filed in July 2008 and settled in October 2008. A very short period to file, negotiate, and settle a multi-million dollar class action lawsuit that documents showed encompassed over one hundred thousand customers. During this time the attorneys for the class action would stay in close touch with me since I was the one who started it all and many consumers were still looking to me to approve the settlement (regardless of my concerns of the whole thing). This “good ol’ boy” attitude that the lawyers always talked to me with always seemed contrived. Not only am I from Texas, the home of the good ol’ boys, but I had been involved in a lot of litigation and just did not trust class action lawyers on either side of the aisle. That lack of trust was well founded. In what I knew was far too short of a period to file, negotiate and process a class action of this size, we suddenly had an offer to settle that all parties seemed to sign off on, except me.

In class actions, there is a tactic by which a company about to get sued in a class action will hire a lawyer to handle the class action. In other words, as a preemptive strike, they will file a class action against themselves first, to control the damage done as a result of any settlement. I know...this is not something in the books, but I have been involved in litigation far too long not to know this is possible. The company targeted by the class action gets a lawyer they can manipulate to file the class action in advance of anyone else filing an action. Did this happen in the Jewelry Television class action? I cannot say yes because I cannot prove it with prima facie evidence. But is it my opinion that this is what happened? Absolutely yes. The speed at which the settlement was reached and the elements of the settlement that were so far in favor of Jewelry Television that it was laughable came together to make many people question the validity of the class action.

As a last minute effort, I withdrew my support for the settlement. Immediately I was besieged by lawyers on BOTH SIDES of the class action. I was told that this was the best that consumers were going to get and that I had to either support the settlement or take the fire from consumers if I encouraged the settlement to be rejected. I eventually capitulated, to my chagrin, but I was not in a position to do much else. However, there were two important events that took place in the process of this whole charade.

The first was that I received internal documents from Jewelry Television that confirmed that Andegem was, in fact, the source of the Tibet andesine. Andegem was the supplier of the bogus material being sold by Jewelry Television.

The second came in a phone call from the class action attorney. He called to offer condolences because he heard the owner of Direct Shopping Network bragging about filing a lawsuit against Colored Stone Magazine and me for our report on Tibet andesine, specifically Olympic Andesine, and that Art Garabedian was bragging that he was going to “bankrupt Robert James and put him out of business” with this lawsuit.

This is where the gloves came off, and the street fight began.

Art Garabedian's Novice Mistakes

Having been involved in many consumer protection litigations, I have learned many important lessons from some very fine lawyers along the way. One of the most important lessons is that you never file a lawsuit based on emotions. The cliché: "I am going to sue you for everything you own!" is a classic example. You have probably heard someone get angry and threaten a lawsuit but rarely do they ever file the litigation. When they do, they usually lose badly and end up bankrupt themselves because litigation over emotion never works.

The second rule, never file a lawsuit against someone unless you are fully aware of who you are up against. "Know your adversary" is an important rule.

Finally, don't file a lawsuit unless you are truly ready for the fight and all that it entails. Never file a lawsuit to try to intimidate someone. This is called "Intimidation by litigation" and is a tactic used to scare people who are not used to lawsuits and litigation. The way it works is this: You file a lawsuit against someone but never serve them with the papers. If you do not serve the papers on the person you are suing within 60 days in most states; the lawsuit is automatically withdrawn. You have the bragging rights that you filed a lawsuit against them, and you can threaten and intimidate them, but you never have to go through with the lawsuit. It is a cheap scare tactic that some businesses use to scare people into not discussing problems with their products.

Art Garabedian and Direct Shopping Network violated all three of these rules of litigation. Here is how that worked.

First, Art never intended to have a real legal battle with me. He was attempting intimidation by litigation. After the call from the JTV class action attorney informing me of the DSN lawsuit, I waited by the door for the papers to be served on me at my office. And I waited. And I waited. They never came. The 60 day time period came within two days of being expired. Then they expire — Time's up. So I called his attorney and told him I was tired of waiting on him. I told him to "fish or cut bait." Which may or may not have been a good thing to do, because within 48 hours (and two days past deadline) the papers were served on me at my office in San Antonio. I was being sued in Glendale, California, the home of Direct Shopping Network. Now, should I have done this? Should I have called him and goaded him into filing the papers? The answer is a resounding: YES!

The problem was Art Garabedian was bragging all over the industry that he had sued me; he had the lawsuit in hand when he did. Had he never served the papers on me, he could have bragged for a year that he had sued me. The public relations problems for the ISG and myself would have been massive. I already had Diamond Nexus Labs do the same thing when I exposed them. They filed the lawsuit but never served the papers. Lawsuit dropped, but to this day you can go on the internet and find the Diamond Nexus Labs -v- YourGemologist.com and Robert James on the internet. No lawsuit was ever prosecuted, but Diamond Nexus Labs got the

bragging rights. I was not going to let that happen with Direct Shopping Network. If Garabedian wanted a fight, a fight he would get. I was glad to get the papers because I knew the enormous problems Art Garabedian had just opened up for himself.

Reading the action, it was clear that DSN's attorney was either the worst attorney I had ever encountered, or DSN did not intend on pushing this lawsuit beyond the threat stage. It accused me of trade libel. The problem was, in a trade libel case you have to (1) state what was said that is libelous, and (2) prove that the libel caused damages.

This Direct Shopping Network -v- Robert James, Colored Stone Magazine, et al. case contained not one statement they claimed I made that was libelous. All they said was that I libeled them in my report, but failed to provide a single quote from anything I wrote that was libelous. The other problem is they failed to show a single cent of damages — no damage claim contained in the lawsuit.

I immediately knew they never intended on actually filing this lawsuit and serving papers on me from the spurious lawsuit they filed. It was clear that Art Garabedian went forward with filing on me out of anger at my telling his attorney to "fish or cut bait." Maybe yes, maybe no. But either way, Direct Shopping Network filed this lawsuit out of emotion. They broke the first rule.

DSN's second problem was that they did not know who they were suing. Namely, me. I realize we appear to be a small independent gemology school in a small town in South Texas. Direct Shopping Network was a multi-million dollar television selling organization with massive resources to crush the little International School of Gemology...except for one thing: I am a state licensed Property and Casualty Insurance Adjuster of the Texas Department of Insurance. There is no way I would operate a business without proper insurance coverage to protect me in the case of litigation over something I wrote. By failing to know who I was, Art Garabedian walked into a hornet's nest of litigation preparedness, and his brag about bankrupting me with legal costs was blind ignorance of who he was picking a fight with. My insurance company, The Hartford, hired a major law firm on Wilshire Boulevard in Los Angeles to defend me. Art Garabedian failed to know his adversary before picking a fight, and bragged his way straight into a fight he was not prepared for.

Finally, I am the last person on this planet to try to intimidate by litigation, particularly with a lawsuit that looked like a high school debate team wrote it. Art Garabedian would have done better to never serve the papers on me as he would have had his bragging rights, but the lawsuit would never have taken place. Unfortunately for him, when he served the papers, he locked and loaded the situation. We were locked in battle from that moment on, and I have a very, very strict rule about litigation: I NEVER settle out of court. I did that once, and it was the biggest mistake of my professional career. I vowed 20 years ago never to settle a litigation, and this was no exception. The weight of that point will become very important a few chapters from now, but the main point is that when Direct Shopping Network served me papers, they were locked in. No turning back. Someone was going to win, and someone was going to lose. I was all in, and they were "all in" even though I do not believe they were truly prepared for the fight

coming ahead. They violated the third important rule of getting into a litigation fight when they only wanted to get the bragging rights of doing so without actually doing it, but found themselves locked in a business life or death legal battle.

Someone was going to lose; someone was going to win. And in this fight, the winner will take all. I fully understood that I do not think they did at the time, but eventually they would.

The Good, the Bad and the Ugly

The Good. At this point, Colored Stone Magazine was knee deep in the litigation. Since they published my report, they were the first name in the Direct Shopping Network -v- Colored Stone Magazine, Robert James, et al. filing. The good part is that Colored Stone had top-level insurance coverage and had their own outstanding Los Angeles law firm defending them. Since we were separate defendants, we could not share the same law firm, so I had to wait until The Hartford accepted my claim and hired my law firm. This put me in limbo for a few weeks with no representation in this matter. Since it was filed in Glendale, all courtroom actions were in Glendale. This meant if I did not have representation, I would have to fly back and forth to the hearings. Exactly what Garabedian wanted. Fortunately, the law firm of Colored Stone found me an interim attorney to handle things at a very low cost and provided case assistance to the attorney to help me.

For all the talk out there of lawyers being bad guys, all the attorneys representing Colored Stone and myself, throughout all of this ordeal, were amazing professionals who were genuinely seeking to help a little guy from a small town in South Texas who dared to stand up for consumer protection. These attorneys were definitely the good guys.

The Bad. The one rule of a courtroom is that anything can happen. You can have the most airtight case and still lose. The biggest reason is all too often due to a judge that is either looking out for his friends or is just plain stupid. With the court of record of Direct Shopping Network -v- Colored Stone Magazine, Robert James, et al., we had both. The area around Glendale, California, is a very close-knit group. Art Garabedian and Direct Shopping Network were famous citizens of Glendale, and the handling of this case by the judge demonstrated that fame. This judge made such asinine rulings that the California Appeals Court overturned every decision she handed down in the case....twice! We will talk about that in just a minute.

The Ugly. No question, it was Direct Shopping Network's lawyer. I knew from the actual lawsuit that this guy was not much of a lawyer. The ugly part was that he was some beach bum from San Diego and a friend of Art Garabedian. We had reports that he was working for free since he was a friend of DSN, which I believe is true. However, reports I received from attorneys in Los Angeles was that this guy would show up in shorts and flip flops for some of the negotiations

and hearings. Truly one of the worst lawyers I have ever encountered and the ugly part of this part of the situation.

The Sides Form Up

By October 2008 the whole situation had blown up into an all-out fight. Jewelry Television settled the first class-action lawsuit, with consumers blaming me for both the poor outcome of the settlement and for not being more aggressive against Jewelry Television for what everyone believed was their knowledge of the truth of Tibet andesine from the very beginning.

Most importantly, various scientists had come forward to confirm what Bear Williams said could never be done: feldspar could easily be diffused with copper to color the gemstones artificially. This caused a huge firestorm against me and the ISG because suddenly what we had been reporting was independently proven as scientifically possible. We had major gemological labs like the Gemological Institute of America, the American Gem Trade Association Gem Trade Lab and others all having verified the Tibet andesine as natural and untreated. Suddenly their lab certificates were called into question as to why they issued the documents when, in fact, they had no idea what they were working with.

The GIA certificates included a virtual whos-who of the industry with names like John Koivula, Gary Du Tuit, Riccardo Befi, Dr. Lore Kiefert and Richard W. Hughes signing off on the Tibet andesine as natural and untreated when they had never seen the material before and had no scientific foundation to issue their reports.

As a result of the huge public relations problems of these labs, they had one of two options: admit that Robert James and the little International School of Gemology was right all along while they were wrong, or else find some way to make themselves be right at the cost of facts and the truth.

These labs, unfortunately, choose to find ways to make themselves be right at the cost of facts and truth. Their method was to create fake information and use that to attack the ISG reports. This put the GIA, a couple of other gem labs, and Direct Shopping Network on one side, and the ISG and a few consumers and Oregon Sunstone miners on the other side.

It was a very unbalanced fight. The GIA and Direct Shopping Network never really had a chance. OK, it was not that easy, but the fight became very predictable. The problems these folks had were myriad.

First, they had no mine, and no rough was available anywhere in the industry. Based on the documents from the Jewelry Television class action, we knew there were over 135,000 customers who purchased more than 100 million dollars of Tibet andesine. And yet, there was

no verified mine to show where this material originated, and not one piece of rough existed anywhere in the industry.

Anyone who knows mining will tell you that any major mine that can produce \$100 million dollars-worth of gem quality gemstones is going to produce a lot more in poor quality rough that will be sold on the market. With Tibet andesine, no one had ever seen the mine, and not one piece of rough existed anywhere in the market. These were the first issues being raised by the industry, and that had to be answered for Direct Shopping Network to prevail in their lawsuit. They had to prove a natural mine existed and they had to produce the rough.

This turned out to be a massive game of Wack-a-Mole, as Oregon Sunstone mine owner Chris Rose poetically named it. Chris operates the Spectrum Mine and was one of the first to begin the research into the Tibet andesine fiasco. The carnival game of Wack-a-Mole term he coined turned out to be far truer than any of us believed at the onset of this thing.

Now, here is where this whole affair started to unravel. Since 2002 this Tibet andesine had been touted on the market with no verified mine and no rough material being found anywhere. Jewelry Television, Direct Shopping Network, GemsTV, and many other sellers had made millions selling this material, and none could produce any proof of a mine or produce any rough. Suddenly with Direct Shopping Network needing the information to present in court, and the major gem labs needing a way to absolve themselves of totally missing the truth of Tibet andesine, a slew of mine expedition reports started coming out. The problem, however, was what always happens when people lie; they have to remember the lie or else they get tripped up later by the lie. This is where the thing started to come apart.

The First and Second Tibet Andesine Mine Report

The first images of the claimed Tibet andesine mine were from an expedition report of the Japan-German Gemological Lab in Tokyo. The published images of that expedition clearly showed a pit mine producing sharp-edged primary crystals from an original basaltic rock formation. The report contained all sorts of pictures clearly showing the mine opening and the sharp-edged crystals.

The problem was when Jacki Li sold the Tibet andesine at the Pala International booth with Bill Larson, the Tibet andesine rough was reported by Li as being water-worn, smooth-edged pebbles from an alluvial deposit. Many people noticed the obvious contradiction, and questions were immediately raised about this serious issue.

The original mine expedition report images and location were discredited based on the lack of information and proof of the find.

The second and larger reported expedition to the Tibet andesine mine was undertaken in late 2008 by the Japan Germany Gemological Laboratory under the guidance of Dr. Ahmadjan Abduriyim. This expedition included David Chiang of BBJ Bangkok Ltd. (a company associated with Jewelry Television), and a variety of other gemstone dealers from companies such as MP Gems, Litto Gems and King Star, all based in China and all Tibet andesine dealers. No independent geologists were on the expedition. All members of the expedition had a collateral interest in the outcome of the expedition. It has been reported the Jewelry Television paid for this first expedition. For those of us following the reports, it appeared that the expedition members took note of the contradictions in the first expedition report and endeavored to correct those mistakes in this expedition report. Unfortunately, they failed.

One of the biggest issues of the location of a Tibet andesine mine is the elevation at over 4000 meters, and that it is in an arid desert. The images provided by Abduriyim were immediately questioned due to the rough andesine shown in the host matrix was nothing more than red stones in a huge mud ball with thumbprints on it. It did not take a scientist to see that someone had taken a bottle of water to create the mud ball and then press the red stones down into the mud. Even the pressure points from the fingers were visible. And yet, this image was offered as a mass of host rock with the red andesine inside. Just totally absurd.

There were many other issues. This time the mine was not a pit, it was dug into the side of a hill. Remember that both expeditions claimed to find the andesine in open mines, one a pit the other a hole in the side of a hill. This will be important later.

Beyond these issues, by this time the world had a good knowledge of copper-bearing feldspar since the Oregon Sunstone mines had become the center of attention due to this situation. It was well known that the natural presence of copper in feldspar leaves no two stones exactly alike. The variable presence of copper makes every natural Oregon Sunstone unique. The problem with the images from this second Tibet expedition was that all of the stones matched in color. One of Abduriyim's images showed a whole bucket of Tibet andesine and every stone matched perfectly in color. I know what you are thinking, and you are right, only artificial treatment could produce that many stones all perfectly matched. That was the problem with this second expedition. The result of the expedition was to raise more questions, not answer anything. While Abduriyim claimed in his report that his expedition proved the location of the mine, in fact, he opened a hailstorm of evidence that his expedition was a hoax.

Professional egos can be the downfall for people trying to pull off a hoax. Sometimes sitting back quietly and not making big claims can be far more successful in a hoax than making loud claims. In the case of Abduriyim, his ego got in his way. He brought back samples of the Tibet andesine he claimed to get from the mine. It was the beginning of the end for his reputation. After this second expedition, samples of claimed rough Tibet andesine were finally available and submitted for testing. Because of the ongoing litigation of DSN -v- Colored Stone Magazine, Robert James, et al., and bruhaha created by the whole Tibet andesine affair, a great deal of

interest was raised within the scientific community that would impact this story. As a result, events in late 2008 became crucial developments.

First, in November 2008, Dr. John Emmett proved in a laboratory that it is quite easy to diffuse copper into feldspar artificially. This caused great dismay to groups like GemologyOnline and to labs like Bear Williams' Stone Group Labs who had cried long and hard that the ISG was wrong in our findings of treated feldspar because, as Bear claimed, it was absolutely, positively impossible to diffuse copper into feldspar. The ISG was, indeed, correct. This added a major fact to our litigation because the Direct Shopping Network original litigation was reported to have relied greatly on the misinformation disseminated by Bear Williams and these groups.

Later in 2008, Dr. Claudio Milisenda of the German Foundation for Gemstone Research tested some of the Tibet andesine from the expedition and compared that to research from Dr. Emmett and others. Dr. Milisenda found that natural Oregon Sunstone has a red interior color with green color on the edges, which is expected since the green color is due to oxidation of the copper at the outer edges. The Tibet andesine material had the green color in the center and red in the outer rim. It was then that Dr. Milisenda issues a report stating: "Andesine under immersion showing red colour encircling a green core is treated". The important issue is that virtually all of the Tibet andesine being shown from this expedition had green cores and red rims. One would think that this was game over, but that was not the case. Many friends of television shopping channels, and people who wanted to see Direct Shopping Network prevail in their lawsuit against the ISG, continued to hang on every little possibility that Tibet andesine was real. But there was worse news to come for these folks.

Next, one of the pieces of claimed Tibet andesine from the expedition was a crystal in matrix rock. After examination by experienced geologists, it was exposed that this piece of crystal had been glued into the claimed matrix rock, and we had our first solid proof that a hoax was afoot.

One would think that places like the GIA and Gem-A would now start getting into this melee on the side of the ISG in the DSN litigation, but that was far from the case. Just the opposite happened.

It was reported to us by a friend inside the GIA at the time that the GIA knew full well that there was no Tibet andesine mine, mainly due to the problems with the expedition reports and the fact that andesine does not form in the crystals as reported. (We will talk about that issue more in the coming chapters). It seemed that the problem was two-fold:

1. The GIA was embarrassed that they missed identifying the Tibet andesine fiasco and felt they were "shown up" by the ISG. Their response was to work to discredit the ISG reports of Tibet andesine, not because they thought we were wrong, but because we published it first.

2. The people involved with Tibet andesine were rich. Very rich. Jewelry Television and Andegem had garnered over 100 million dollars in sales, and they were throwing money around like crazy trying to get major industry supporters to hobble the ISG efforts to expose this whole thing. We had several friends inside both organizations that confirmed the above on several occasions.

By this time, 2008 was coming to a close. However, before 2008 was over, a bombshell was dropped by none-other than Colored Stone magazine.

It seems that in 2006, Colored Stone had a reporter, Jordan Clary, in the region and they sent her to Tibet and China to search out this Tibet andesine. She traveled to all of the locations that were being discussed as the mine locations, in addition to traveling throughout the region looking for anyone who had heard of this major gemstone mine producing hundreds of millions of dollars of Tibet andesine. Here is an excerpt from her report:

We traveled through Sichuan and Qinghai Provinces, along the Tibetan border, into Gansu Province, and north to Xingjian, talking to everyone we met along the way: shop keepers, street merchants, jewelers, geologists, hikers. They came from all over Tibet and China and none had ever heard of the sunstone or knew about a mine. We crossed into Mongolia and were shown human skulls elaborately carved into prayer bowls, rare jade and plenty of dzi beads. But no one knew anything about a mine or a dazzling new gemstone that was coming out of the region...

In the past several months Colored Stone has been publishing the results of a study by Robert James that throws serious questions on the origins of red andesine/Tibetan sunstone. Yet, reports continue to arise that there really is a mine. The one consistency seems to be that you can't get there...

After spending nearly a year of my life traveling and talking to people from Tibet, I feel a personal connection to this mysterious stone. If it turns out that this find is just an elaborate hoax, the victims are not only those who bought the stone. It is also the people of Tibet whose mystique-laden country has been used as part of a global gem scam... Jordan Clary, Sunstone Hunting in Tibet, Colored Stone, December 2008.

Once again, I thought this would end the debate. The scientific data was piling up against the Tibet andesine story, and now a well-respected professional journalist had spent almost a year traveling the Tibetan and Mongolian regions claimed to be producing the gemstones, looking for anyone who had heard of the mine or owned one of the stones, and found nothing.

Upon reading this report and reviewing the scientific data, I was naïve enough to think the story would end soon. Unfortunately, I grossly underestimated the commitment to cause the GIA and others had to do anything necessary to counterattack the developments. The GIA's actions were, in particular, disappointing. Having first graduated from the GIA in 1979 and studied with

Richard T. Liddicoat, I was quickly learning that this was not the GIA of Mr. Liddicoat. What I was seeing now was pure corporate greed from a gem lab behemoth, partnered up with pure corporate greed from the television jewelry shopping industry, and I had no idea just how nasty it was going to get.

2009, The Year of the Ox.

January 2009 began with high hopes that we would have a quick end to the Tibet andesine fiasco and the DSN litigation. By this time, the scientific data was piling up against the Tibet andesine, and I honestly did not see how Direct Shopping Network could continue the litigation. By this time, several events had happened in the courtroom that for most of us felt the thing should have been over.

First, Direct Shopping Network based their claim on the information provided to them by Andegem and industry leaders like Bear Williams, just as Jewelry Television had done in the class action litigation in 2008. All fingers, including court documents, pointed to Ande Gem and Mineral as the culprit behind the Tibet andesine hoax.

Second, Direct Shopping Network claimed to have over 15 Gemstone Identification Reports from labs such as the American Gem Trade Association Gem Trade Lab under the direction of Dr. Lore Kiefert, and the Gemological Institute of America (GIA). Suddenly this gave weight to why the GIA was still in this game: The GIA had certified the Tibet andesine as natural and untreated, along with the AGTA GTC.

Shortly after the Tibet andesine story started coming apart, the AGTA GTC lab closed down, and Richard W. Hughes immediately left the United States to go work for GemsTV in Bangkok, Thailand, a major Tibet andesine seller. A quick exit noted by many of our group. The major labs who certified this Tibet andesine material as natural and untreated were a whos-who of the industry big name gemologists. With the growing scientific data supporting the fact that they issued these reports without due diligence and research, the reputations of these labs were suddenly on the chopping block.

This situation allowed me to understand better why the GIA, Gem-A, AGTA, and others were of so much assistance to the players in the Tibet andesine fiasco. Their reputations were on the line, and the little ISG was the one on the other end of that rope.

The final blow to the GIA and AGTA GTC (and others) reputations was dealt when the district court in California correctly refused to admit their gem identification certificates as evidence since they are hearsay evidence. They do not stand up in court. This became a major case law issue with all lab reports since they do not protect anyone in court due to the hearsay evidence

rule. So, in spite of being signed by names such as John Koivula, Richard W. Hughes, Lore Kiefert, etc...the major lab reports are worth nothing more than sales tools. They carry no legal weight. An important issue that all home-town, independent retail jewelers should keep in mind. However, the integrity of the GIA and AGTA gemstone identification reports was now in jeopardy as the gross errors in identification by the GIA and AGTA was at the heart of the conflict.

Tucson Gem Shows 2009

By February 2009, the Tucson Gem Shows were abuzz with talk, discussion and pure scuttlebutt about the whole Tibet andesine mess. The thing should have been over if based on scientific evidence, but the major labs would not let it go. To save face in the industry, at least one tiny piece of natural Tibet andesine had to be found for the labs to resurrect their credibility.

By this time, I could not walk through a major gem show in Tucson without someone either shaking my hand and thanking me for standing up to this hoax, or else shaking their fist at me and demanding to know why I did not give up the useless fight. All I could do is say “thank you” to both and keep moving.

There were several other events at the Tucson Gem Shows of 2009 that need to be documented. This was the first year that the ISG held our gem reports seminar at the Hotel Arizona. Given the high profile nature of this whole affair, the room was full of major players from both sides of the Tibet andesine issue. One important attendee was Cap Beasley of American Gem Labs. The AGL was the only lab in the world who handled the Tibet andesine problem correctly. Their reports stated what they did not know and what they knew about the material. Clearly and succinctly. The other labs issued incorrect evaluations based on a total lack of knowledge and testing and put the whole Tibet andesine fiasco in motion by their lack of dedication to professional reporting. To this day, the American Gemological Lab is the only lab I will recommend for research and discovery of new gemstone finds.

As you will remember, the members of the Tibet andesine expedition included the main dealers of Tibet andesine on the market. By this time we knew that Andegem was the source, but there were these dealers from China who were selling the material at the GJX show in Tucson — selling it as all natural and untreated. It was at a crucial meeting at one of their booths that I was able to finally get the rough Tibet andesine we had been seeking for testing. Without the rough, we were going to have a hard time proving our scientific testing to prove the treatment, so this meeting turned out to be an extremely fortunate event.

Meeting Mr. Wong of King Star Jewellery Co, Hong Kong

Assistance in obtaining specimens of rough Tibet andesine for testing by the ISG came from a very unlikely source. Over the past year the smaller dealers such as King Star and Litto Gems, in addition to Andegem, had been continuing to sell Tibet andesine as all natural and untreated. For that matter, so were the television shopping channels and GemsTV. The key issue is that the employees were being told that the material was all natural and untreated and that the Tibet andesine mine truly existed. The employees believed the story totally and worked very hard to sell the material. Shortly before the Tucson Gem Shows of 2009, I was contacted by an employee of King Star Jewellery from Hong Kong by phone. He reached out to me after reading one of my reports and wanted to confirm to me that Tibet andesine was real, natural and untreated and that the mine existed. He asked if I would be willing to test some of the rough andesine they had to confirm, and publishing that King Star Tibet andesine was, in fact, natural and untreated.

Recognizing the opportunity, I assured the young man that if the material turned out to be natural and untreated, I would publish that fact. We agreed to meet at the Tucson Gem Show GJX show.

I admit I knew this young man was very sincere in his offer, based on the information being fed to him by the owners of King Star. I also knew this was not going to end well for him as I figured out that the owners had no idea that he made the call or the offer. But I showed up at the booth anyway. Fortunately, the owner, Mr. Wong Ming of King Star Jewelry Co., was not at the booth when I arrived. The young man who called me was there, and he immediately laid out on a tray a collection of rough Tibet andesine. There it was, after two years of seeking the material, it was in front of me. The young man told me to pick out what I wanted, and I could have them to test. I chose a collection of these and set them out on the tray and took a picture of them.

It was then that I got to meet Mr. Wong. He walked up and saw what was happening, and I could tell the poop was going to hit the fan, but public decorum required him to be cordial and friendly, and go along with what was happening. I could see the anger, but the quiet reserve. Because I had an ISG entourage with me, to take back the offer would have been a very big insult and business faux pas. I knew that Mr. Wong realized what was happening and there was nothing he could do about it. So, I could not resist seizing the moment. I asked Mr. Wong for a picture with us with the rough Tibet andesine in the photograph. This would not only verify our source but let Mr. Wong know that the ISG community was not intimidated by this whole Tibet andesine affair. We got the picture and published it shortly after in our ISG newsletter. With these rough specimens, we would be able to commission independent, outside scientific lab testing to prove the issues. For the rest of the Tucson trip, I slept with these specimens in bed with me, and they traveled with me at every step, never leaving my possession. I knew my case against Direct Shopping Network pivoted on these specimens.

The Mexican Connection

Also at Tucson in 2009 the question was raised regarding where Andegem is getting the rough feldspar being turned into copper diffused feldspar. After all, documents showed Jewelry Television alone sold over \$100,000,000.00 worth of this material to over 135,000 customers. So if the Tibet andesine was a hoax, somewhere, Andegem had to be getting thousands of kilos of large, rough, and transparent feldspar crystals to be used for the treatment. Where was the material coming from?

This is where I continue to be angry at one of the players supporting me in the litigation. As it turned out, the guy who was feeding the information to Colored Stone Magazine but refused to come forward and identify himself was also a part owner in the Mexican mine supplying the feldspar crystals to Andegem in China. He knew all the time that Andegem was getting 30,000-kilo shipments of large feldspar crystals from the Casa Grande mine in Mexico and shipping them to China, and the feldspar was never heard from again. We had 30,000-kilo shipments of these large feldspar crystals from Mexico going to Andegem in China and disappearing, and miraculously Andegem was selling millions of dollars of copper-bearing feldspar supposedly from a major gemstone mine in Tibet that Jordan Clary could not find after a year of looking. And yet, this guy who knew the whole story and could have stopped the whole thing covered back and refused to step forward and speak up.

Here is where it got crazy. The main owner of the Mexican mine confirmed that Andegem was the buyer of the 30,000+ kilo shipments of Casa Grande feldspar shipped to China. Readers, that is over 66,138 pounds of large transparent feldspar crystals, shipped to China, and then disappearing. No Trace. Feldspar is used for a lot of purposes, but large transparent crystals are not commercial grade to use in pottery or something. Even if the Tibet andesine mine had proven to be authentic, it could not produce even a fraction of the Tibet andesine being sold on the market. Common sense should have kicked into someone that this tonnage of feldspar crystals going to the Chinese company which is the sole supplier of thousands of carats of Tibet andesine, and the original feldspar never being seen again, should be an indicator of how Andegem is producing Tibet andesine.

Unfortunately, this was still not enough evidence for the GIA, Gem-A and others. Every single step of this whole Tibet andesine fiasco said fraud, but the reputation of the major gem labs was still at stake. So the fight continued.

Enter Dr. George Rossman, California Institute of Technology September 2009

Dr. George Rossman is a well-respected scientist who undertook a study of the Tibet andesine specimens brought back from the expedition of Abduriyim. After testing several of the

specimens based on the previous work of Dr. Milisenda as well as his testing, Dr. Rossman concluded that the Tibet andesine from the expedition was treated. To quote him from his report:

“Currently, we are unable to reconcile the contradiction between information about the visit to the Tibet mine and the analytical results.” The Red Feldspar Project, George R. Rossman, California Institute of Technology

Dr. Rossman went on to comment on his test results using advanced testing to determine if the Tibet andesine crystals brought back from the expedition was heated to the point used in treatment.

Again to quote Dr. Rossman:

“This is strong evidence that these stones have been heated in recent times at high temperatures. Temperatures such as would be used in diffusion treatments.” Rossman

So now we have two imminent scientists confirming that the material brought back from the Japan-German Gemological Laboratory expedition is treated. That claims of this being natural Tibet andesine from this mine are false.

We also have court documents showing that Andegem is the source for Tibet andesine for all of the jewelry television shopping channels.

We also have documentation to prove that 30,000-kilo shipments of large transparent Mexican feldspar crystals are shipping from Mexico to Andegem in China, and disappearing.

Finally, we have Andegem supplying millions of dollars of Tibet andesine from that mine proven to be a hoax.

Is that enough, well, there is one more piece of evidence before we move on to 2010 when things turn heinous.

As a result of all of the misinformation being spewed out by Dr. Abduriyim and the JGGL, another expedition is formed, this time by Dr. Adolph Peretti of the GRS GemResearch Swisslab. Dr. Peretti is this time directed to a location several hundred kilometers from the original claimed mine location in Tibet. Remember what Chris Rose called the Whack-a-Mole Syndrome for the Tibet andesine mine? That’s right, every time the claimed mine location is debunked there is suddenly another location pops up to get knocked down. The perpetrators of this scam, Andegem, did everything possible to throw down as many trip wires to the truth as possible. But back to the Peretti Expedition.

Simply stated, Peretti reported that he found a salted mine location. But we did not have to take his word for it, Peretti had a video of the mine workers walking ahead of their group dropping rough andesine crystals out of their pant legs and pockets. It was quite clear in the video and provided prima facie evidence that the mine did not exist in this location either, which was why the workers were having to wait to see where Peretti and his group were going to walk, and stay just ahead of them dropping specimens along the way for the group to find.

So now, we have two claimed mine locations shot down as fake, but Andegem was not done yet. They had more tricks up their sleeve with the help of the GIA and Gem-A. But that was not at the end of 2009.

2009 cannot end without telling a sad story that occurred during this time. You will remember the episode when I had to ask longtime friend Alain van Acker to leave our forums board for his antics with the ladies on the board. And his vow to become my worst nightmare on the internet. Well, throughout 2009 Alain fulfilled that promise. He would create fake registrations on other forums and social media and post up all sorts of false accusations against our ISG program. Since he started as an ISG student, he had access to all of our course notes, which he promptly posted up on a website free to the world, and invited everyone to take our program for free. He made false accusations about me to friends, and above all touted the information he got from Bear Williams that feldspar absolutely could not be diffused with copper. No way, no how, and that Robert James was some kind of charlatan for taking the position I had in the Tibet andesine matter. Alain was my worst nightmare as he promised.

Shortly after Dr. Emmett's 2009 announcement that it was very easy to diffuse copper into feldspar, Alain committed suicide. I have no idea if there was a connection or not; I had not directly communicated with him in many months, other than once asking him to let the situation go and let's be civil. He sent back a copy of his email, promising to be my worst nightmare on the internet.

Certain members of the GemologyOnline group blamed me for Alain's death, although to this day I cannot figure out why since all I ever did was ask him to leave our forums due to his tainted communications with our female members. But a few of the group decided to take revenge of their own by forming the Gobsnacked Gang, for whom this book is named. As we continue with this story, you will learn just how sinister this group was and is to me personally, to my family, to the ISG, and many others. This group has become the most prolific group of cyber-bullies in the international gemstone industry.

2010 Litigation Gears Up

At the 2010 Tucson Gem Shows, at a conference of the International Colored Gemstone Association, I finally got to see the video of Peretti's mine expedition with the workers salting

the mine ahead of the group walking through the area. It was a comical presentation since the workers were so obviously dropping stones from their pockets and pant legs during the walk, and then turning around and pointing to Tibet andesine being available simply on the surface of the ground. It was downright funny to watch due to the absurdity of the effort. As one famous European gemologist put it: "If there is a mine, why did they take you to an area and have to salt the location?" Good question? If this mine existed, why did they have to salt the ground for the expedition? If the mine existed, why do we have so many expedition reports being proven as hoaxes?

This video presentation was final proof to many that the Tibet andesine fiasco was indeed a hoax. For a brief period, I started to relax a bit regarding the Direct Shopping Network litigation. With what was now an overwhelming amount of scientific and video evidence that fraud was taking place, how could this situation possibly continue? That was a question I have found myself asking right up to the moment that I am writing these words.

The Litigation Continues

Anyone who has been involved in litigation knows that patience is the biggest factor in dealing with it. Motions and hearings are followed by weeks and months of waiting for decisions to be handed down and new hearing and motion dates to be scheduled. Since Colored Stone magazine was the first to respond to the lawsuit, their part of the case was first to be heard since the decision had been made to divide the action into two parts: DSN -v- Colored Stone Magazine first, then the case of DSN -v- Robert James. Two cases on the same lawsuit. Direct Shopping Network had sued us on the general concept of tortious interference with business and trade libel. This meant we said something that messed up their business.

Once all the attorneys for me and Colored Stone started our original discussions, it was decided we had one of two options on how to handle the case.

A. Fight the lawsuit on its merits. Prove that Tibet andesine did not exist as claimed by Direct Shopping Network. Our case was good because all of the scientific evidence produced to date had confirmed that issue in our favor. But, and this is a very big issue, you never know what is going to happen in a courtroom. It is very difficult to prove that something does not exist in court. Trying to explain potassium/argon testing used by Dr. Rossman could be a problem for a jury of people not versed in science. Dr. Milisenda was in Europe, and it would be very expensive to bring him over to testify. And with all of the efforts starting to be made by the GIA amid reports of a new Tibet expedition hosted by GIA people, considerations had to be made. This was, after all, Southern California, home to the GIA. It is possible that a jury would not listen to the scientific evidence and simply be star-struck by the rock star GIA names involved in

the lab reports that the GIA Gem Lab produced in error. Many things could go wrong with this scenario, so we looked at a Plan B.

B. Plan B was to utilize the very reason we allowed this litigation to stay in California when we could have filed for a change of venue to Texas where I lived. Technically to sue me Art Garabedian needed to come to me and sue me where I lived. However, California has far stronger consumer protection laws, including something called an anti-SLAPP law. The “SLAPP” meaning “strategic lawsuit against public participation.” In simple terms, a “SLAPP” is a frivolous but costly lawsuit against ordinary people to keep them from negative discussions about the corporation’s products.

If you remember a few chapters back, I talked about “intimidation by litigation.” This is also the SLAPP concept. Many states have anti-SLAPP laws, but California has some of the best. What an anti-SLAPP motion does is stop big corporations from intimidating the little guys with litigation. To quote one famous California law firm:

“A SLAPP is a lawsuit, filed for the improper purpose of trying to silence criticism or to prevent someone from pursuing their own right of redress. The typical SLAPP plaintiff does not care whether he wins the lawsuit and often knows he has no chance of prevailing. The plaintiff’s goals are accomplished if the defendant succumbs to fear, intimidation, mounting legal costs or simple exhaustion and abandons the criticism. As a bonus, if the SLAPP plaintiff can garner notice in the media, or even among the defendant’s circle, a SLAPP suit may also intimidate others from participating in the debate.” Aaron Morris, Partner Morris & Stone, LLP

Now, remember a few chapters ago, the statement from Art Garabedian sent through the JTV Class Action Attorney: “I am going to bankrupt Robert James and throw him out of business”? That friend is a SLAPP. As the attorney said: “a strategic lawsuit against public participation.” Stop people from discussing your products through intimidation by litigation. An anti-SLAPP motion asks the court to throw out a frivolous lawsuit based on the merits of the case. In our case: that Direct Shopping Network attempted to intimidate me and the ISG from seeking discussion and redress on the issue of Tibet andesine, They did so by filing a lawsuit to intimidate and put undue legal costs on us for having made the discussion. In other words, to shut us up.

Many attorneys involved on our side agreed that we had a very strong case for the anti-SLAPP motion, so that is the way we decided to go.

Here is the downside: All Direct Shopping Network had to do to win was provide proof that a Tibet andesine mine existed, and produce at least one piece, just one, of verifiable natural

copper-bearing andesine from a mine in Tibet. With that, the GIA Gem Lab, the AGTA GTC people, the Gem-A publications and everyone else involved in Tibet andesine will win.

Think about that for a minute. All DSN had to do was produce one verifiable Tibet andesine mine, and one piece of natural copper-bearing andesine and they would prevail, and myself and Colored Stone magazine would be destroyed professionally. DSN and all of the major labs involved would win, and I would be bankrupt and out of the industry. Those were the stakes involved for me, the ISG, and my family. We were all in by standing our ground in this lawsuit and refusing to retract what I knew was the truth.

The stakes were high. Somebody was going to lose and lose big.

On one side was me, the ISG community, the Oregon Sunstone miners, and a bunch of consumers who were hoping we knew our stuff.

On the other side was every major lab involved with the false Tibet andesine gem identification reports including the GIA, all of the television shopping channels who sold Tibet andesine, and a group known as the Gobsmacked Gang who were out for revenge.

The stakes could not have been higher. The worst part? Not one industry media publication would touch the story. This all happened totally behind the scenes as far as the formal industry media was concerned. The biggest fight over the biggest fraud in the history of the international gemstone industry and not one word was published by the jewelry media. We would later get reports that the GIA with their huge advertising budget had dictated to the media that nothing was to be written about this story. The GIA is big enough to do that, so I do not doubt that the report was true.

Knowing how quickly Andegem had pulled their advertising from Colored Stone magazine when they published my report, I can understand the reluctance of the jewelry industry media to get involved when the suspected multi-million dollar GIA advertising budget was at stake.

This is how 2010 started, and the battle was just heating up. For the Winter and Spring months, the litigation was taking its course, and the social media and forums were abuzz with both sides of this issue sparring against each other. One was defending the GIA reports and the Abduriyim expedition reports, the other posting up the reports of the Tibet andesine being treated, and the mine expedition report proven fake by the scientists. In the middle, the Gobsmacked Gang from GemologyOnline continued their attacks against the ISG and our programs at every opportunity.

In the courtroom, the litigation motions were going back and forth with Direct Shopping Network prevailing in most due to the tainted judge in the local court. We were pretty much at a stalemate due to the time involved with the litigation, but there was a constant flow of documents from the attorneys to review. Of particular note was the formal affidavit from Art Garabedian that once again confirmed for us that Andegem was indeed the source for Tibet

andesine. But what we needed was someone official to step up with a report — someone official from China.

Throughout early 2010, I wrote letters to the Department of Mines of the Peoples Republic of China asking about an andesine mine in Tibet. As someone said, no mine producing millions of dollars of revenue could exist in China without the Chinese government knowing it existed.

The Department of Mines never answered any of my requests. All fell on deaf ears with the People's Republic of China. Until one day, I got a call that the National Gem Testing Center of China had made an expedition to the claimed Tibet andesine mines. Their report was cause for great celebration in my office. It seems that the National Gem Testing Center of China had gone to the claimed mine location published by Abduriyim and found no evidence of an andesine mine. Not only that, they found a warehouse full of feldspar that showed clear evidence of having been artificially treated with copper. Here are the quotes direct from their report.

1. "In Lhasa and Shigatse none of the people interviewed knew of the occurrence and existence of the red feldspar in Tibet. They all stated that they had neither seen nor heard of red feldspar found in Tibet."

2. "We found that the adhering materials on the surfaces of the rough red feldspar crystals were mainly glassy, enriched with copper and iron impurities, suggesting that the 'red feldspar' had been subjected to high temperature treatment with colouring elements added.."

3. "Based on our investigations, we find it hard to believe that there are gem grade feldspar deposits in the BaiLang and Jiangze areas of Tibet. "

4. "In our opinion, the red feldspar samples that we collected and recovered from the supposed mining areas during our field investigations were deliberately planted on the ground surface and within loose surface soil."

National Gem Testing Centre of China
Gems and Jewelry, Winter 2010

Once again, I was naïve enough to think this was the end of the story. When the official gem testing office of the Republic of China goes to a location and finds no evidence of a mine of any kind, and finds a warehouse full of treated gemstones, one would think the game was over.

OK, you know what is coming: time to play the Whack-a-Mole game. Suddenly, the claimed mines visited by the NGTC are not the only mines. Suddenly there are other mines that (once again) no one has heard of until the previous claimed mine location was proven bogus. Whack-a-Mole.

Now, we have word that yet another Tibet andesine mine expedition is forming up, this time led by two representatives of the Gemological Institute of America (GIA), Richard W. Hughes whose signature was on several of the bogus AGTA GTC Identification Reports, and none other than Dr. Abduriyim, founder of the now debunked original mine expedition that was proven a hoax. So you have a new Tibet andesine expedition, supported and staffed by the GIA, with every member of the expedition holding a strong commercial interest in the outcome of the expedition report. These included Brendan Lars of the GIA Carlsbad, Flavie Isatelle representing the GIA in Bangkok, Richard W. Hughes of GemsTV (formerly of AGTA GTC), Ahmadjan Abduriyim of the Japan Germany Gemological Lab, and Li Tong, who happened to be the operator of the claimed Tibet andesine mine. Every one of them with a collateral interest in the outcome of the expedition.

If there was ever an appearance of evil in an expedition group, this is it. No independent professional geologist, just every member with money on the line regarding the outcome of the expedition. What a mess. The outcome was no surprise.

The Expedition to End All Expeditions.....well, at least for a while.

We must remember that Direct Shopping Network, Jewelry Television, GemsTV, the GIA, AGTA, and others needed this expedition to find a Tibet andesine mine, in spite of all the scientific evidence and previous hoax mine reports. Big money was on the line if the expedition team came back empty-handed. So it was no surprise when the report, published in the GIA Gems and Gemology magazine heralded an end to the debate. Well, sort of.

The problem was that all the expedition accomplished was to take a bunch of pictures of the same red water-worn red pebbles on the surface of the ground. The claimed location was supposedly an "alluvial fan" meaning that the deposit existed in this location due to ancient water flow from the original basaltic rock source that brought andesine to this location. A very impressive report was published by the GIA showing water-worn red pebbles in the otherwise sharp-edged broken up host rocks, GPS coordinates shown by battery-powered units, and the team gathered in celebratory photographs for finally having put an end to the debate. A Tibet andesine mine did exist, according to the report published in GIA Gems and Gemology.

After the GIA Gems and Gemology report, the news of the confirmed Tibet andesine mine was spread around the world, and the GIA, AGTA, Jewelry Television, and Direct Shopping Network were all exonerated. As for me and the ISG, we were supposed to capitulate and offer congratulations and a retraction and apology for my report of Tibet andesine being a fraud.

The group on GemologyOnline made huge celebrations that the GIA had finally put the issue to rest, and Robert James and the ISG were proven wrong. The word was spread far and wide that the debate was over and the ISG was ruined.

All of the above happened immediately after the report, but in the end, there was one problem, the mine expedition report was a hoax.

What astounded many people including me is that this report is so sophomoric that we were amazed that the GIA would publish such an obviously tainted report and offer it to the industry as if it would stand on its merits. The report fell apart quickly.

The first problem was that the report offered evidence for proof of a mine existing that a first-year mining school student would identify as bogus. For the most part, the team just photographed themselves walking around picking up red pebbles from the ground or more comically brandishing brand new picks to dig small holes in the ground. They claimed to be using mining tools from the established mine, but anyone who has ever dug a post hole knows what a brand new pickaxe looks like when you first start using it. The paint where the first hit strikes is rubbed off and the rest of the blade is still bright red. That is the tool being used in the photographs.

Richard W. Hughes made the most amusing claim that is still the topic of laughs in my office. Hughes photographed a pristine desert bush, and dug it up and found a red pebble of andesine underneath. To which he claimed (and I quote):

“The andesine found beneath this bush proved beyond doubt that the Tibetan mines are genuine.” Richard W. Hughes 2010 Tibet andesine expedition

During the investigation, I made friends with a lot of legitimate miners and mine owners. When this quote from Hughes was viewed I had several contact me to tell me this was the oldest trick in the “mine trickery manual.” All you had to do was drive a 3/8 inch rebar into the ground under a bush, drop the red pebble down the tiny hole, cover it up, and no one could tell anything was ever done. It was an old method to salt a mine and make people believe that they had uncovered proof that a mine existed. Richard W. Hughes would prove to be pretty tricky, but unfortunately you cannot tell this level of lie and get away with it forever.

It was not the last time Richard W. Hughes would trip himself up with deceptions.

It was also uncovered that GIA representative Flavie Isatelle was not just a rep for the GIA; she was previously an intern for Abduriyim at the Gemmological Association of All Japan. To quote her website:

...my biggest pride is my internship made at the Gemmological Association of All Japan (Tokyo, Japan) under the direction of Prs. A. Abduriyim....” Flavie Isatelle

The evidence of collusion by the GIA and other major labs and associations was starting to mount up. Half-truths and collusion were taking a serious toll on the GIA expedition, and things were just getting warmed up.

The GIA and all of their cohorts were mimicking President George Bush in his Mission Accomplished presentation on the U.S. Navy

The 2010 Sinkankas Symposium on Gem Feldspars

On April 17, 2010, at the GIA headquarters in Carlsbad, California the annual Sinkankas Symposium was held with ten speakers presenting on the gem feldspar topic. We had anticipated something like this since the Sinkankas Symposium was the highest level of scientific expert gathering in the United States. This was certainly the premier place the time for the GIA to tout the results of its Tibet andesine expedition.

I attended this symposium because I knew something big was going to happen, and happen it did.

You will remember the research by Dr. George Rossman that proved the first Abduriyim expedition report was fake based on the finding that the red andesine specimens brought back by that expedition were treated. We relied on Dr. Rossman’s report to substantiate the fact that a hoax was in play. This was not to last.

At the 2010 Sinkankas Symposium, Dr. Rossman made a 180-degree turn and presented a talk on “Chinese Red Andesine.” Dr. Rossman suddenly and inexplicably made a strong case, based on the GIA expedition report, that the Tibet andesine was real. Well, not all of it, but there was enough natural Tibet andesine to allow the GIA, AGTA, and others to be able to claim that the material they saw in their labs was the real stuff, in spite of most of what was out there being fake. So Dr. Rossman gave the GIA what they needed to save face, even going as far as to specifically targeting many of my reports in the process. It was a hatchet job on behalf of the GIA, and a total turn-around from his previous reports. We found out later that Dr. Rossman had been paid by Andegem for his new reports, based on reported comments from Rossman’s own website. Dr. Rossman would not be the last scientist to change direction when paid by Andegem. More on that shortly.

The Bombshell at Sinkankas Symposium

One of the big questions that many were asking about the Sinkankas Symposium is why I was not invited to speak. After all, it was my report that started this whole brouhaha, and I had most of the evidence in my computers. So why did the Sinkankas Symposium invite me to speak to present the evidence I had gathered. In one word: GIA. The GIA did not want me to speak because their Abduriyim/Hughes/Lars expedition report was already coming apart. But not like it was about to just before the symposium started.

The common problem that all of the Tibet andesine expeditions had was that they had no independent geologist and no geological reports on the ground they claimed offered the mines. Brendan Lars was a geologist, but being employed by the GIA tainted any report he could offer as far as independent geological expertise.

The other problem was described to me by a geologist at the University of Texas at San Antonio: you cannot just go out and claim a mine exists by finding gemstones at that location. You have to prove through professional geology how those gemstones got there. In other words, an alluvial mine as claimed in the GIA expedition must prove the geological processes by which the gemstones were present. Where was the source? What geology caused the gemstones to be moved out of their original host rock, and be moved by water flow to the place they are now claimed to be?

None of the Tibet andesine expeditions had the geology to support their reports. They had a lot of rock star level gemologists from the big name labs and organizations, but they did not have the one element that was required to positively prove the existence of the mine: the geology.

At the Sinkankas Symposium, they got the geology, and it was not anything they wanted to hear.

Simply stated, the alluvial deposit claimed by the GIA expedition would have had to travel 130 kilometers away and UP HILL from the claimed volcanic source. WHAT? Let me explain.

Feldspar crystals form deep inside the earth in a magma chamber. In the case of Oregon Sunstone, the magma contained an unusual concentration of copper, which infused into the feldspar crystals inside the magma chamber. When the magma was brought to the surface, the copper-bearing Oregon Sunstone crystals came with it in the basaltic rock that formed from the cooling magma, to be found millions of years later by a hardy bunch of mostly US military veterans who moved out to the Rabbit Basin of southeast Oregon to mine it.

The formation of large transparent feldspar crystals is a very rare event. But large feldspar crystals with copper inside had only been found in Oregon. The geology of how the Oregon Sunstone came to exist in those basaltic lava flows is well documented geologically.

Not so with the Tibet andesine until professional geologist Roni Poteet performed a complete geological analysis of the region that the Tibet andesine mines were reported to occur, including the claimed volcanic source. What she found rocked the whole GIA expedition.

After an exhaustive study of the region, Geologist Poteet found that for the alluvial deposit of Tibet andesine to exist where it sat, based on the claimed volcanic source of the crystals, the alluvial deposit would have had to travel 130 kilometers away from the deposit, and travel UPHILL all the way. The alluvial water flow would have had to flow uphill! She showed up with the report at the Sinkankas Symposium but was not allowed to speak, and the formal members at the symposium completely ignored her report.

This report would later be substantiated and supported, but the GIA would never address the issue that their expedition report was impossible based on the geological evidence.

The situation was made more grievous later on when yet another claimed Tibet andesine specimen in host rock from yet another Tibet andesine expedition, this time the GIA expedition, was found to have been glued in place.

Whack-a-Mole! By this time, however, we had far more science on our side than at any time previous, based on a new collection of specimens to work with.

Due to the media blackout from our reports, few in the industry knew of the magnitude of the research that the ISG and I personally paid for. Most of the cyber-attacks taking place against us were based on the basic gemology test results I had posted in the beginning. While these results were accurate and definitive, the need for advanced scientific testing was paramount.

The central issue was the Mexican origin of the Tibet andesine. It was obvious to me that the GIA believed that their expedition report raised enough questions about there being at least some natural Tibet andesine, that they now turned their massive public relations machine to helping Direct Shopping Network defeat me and Colored Stone Magazine in the litigation. In spite of not originally quoting anything specific that I had said that was libelous, DSN had by now changed their lawsuit to the issue of my statement about Tibet andesine having origins in Mexico. That became the focal point for their litigation, that their Olympic Andesine was not from Mexico but Tibet, and that I caused harm to their business by publishing that the source was Mexico.

It was then that, yet another scientist did a 180-degree turn on us, and again without a proper scientific basis. Once again, my naivety showed itself as I had always thought that the scientific community was honor bound to the facts and that creating what I called “voodoo science” was unthinkable. I was wrong.

Dr. Milisenda's Voodoo Science

By this time the industry knew that the question of Mexican origin was the pivot point of the DSN -v- Robert James litigation, and the forces of the major gemological labs, in particular, the members of the Lab Manual Harmonization Committee came to bear. The LMHC is a group of the largest international gem labs who work together to decide what gemstones are going to be named, what wording is going to be used in lab reports, and in general, decide how the gemstone industry is going to operate. They are not voted on by the industry as they are self-appointed. But given the massive financial strength of the members, the international gemstone industry has to kowtow to them since they wield so much power. They also work to protect each other, which I learned later was the most obvious reason for Dr. Milisenda coming up with his voodoo science.

Carefully timed to one of the crucial court hearings regarding the issue of Mexican origin, Dr. Milisenda issues a report that stated: Tibet andesine is not from Mexico because the elemental analysis does not match. Tibet andesine is not from Mexico.

Here is the problem: as I reported previously, it was Dr. Milisenda who issued the report that all copper bearing feldspar with a green interior and red exterior was treated. To date, all of the Tibet andesine produced by the expeditions showed that very characteristic property, which means that to date, no Tibet andesine is natural or untreated. Suddenly, Dr. Milisenda issues a report stating that Tibet andesine cannot be from Mexico, as if there is natural Tibet andesine to test and report on. A total contradiction to the first report, and a 180-degree turn based on voodoo science. Why voodoo science? Here is what Dr. Milisenda did not report that is a part of the equation of his report: treated gemstones change the elemental structure. The very nature of treatments uses not only the coloring elements but also a flux element to help get the coloring element inside the stone. As a result, the end product of the treatment will not match any elemental analysis of any particular location because the treated gemstone has artificial elements added that change it. So Dr. Milisenda's report that even treated Tibet andesine was not from Mexico failed to tell the whole story.

By elemental analysis, the treated Tibet andesine could have been from Mars or Venus.

While all of the Tibet andesine was treated, the treatment itself injected foreign elements into the crystals that precluded them from matching identical feldspar elements from anywhere on earth. Voodoo science. However, Dr. Milisenda had the ear of the industry since he was being supported by the GIA and Andegem, so the fallacy in his scientific report was not revealed until much later.

The Impact of Dr. Milisenda's Report

By now the impact of all of this was having a devastating effect on myself physically, on my family emotionally, and on the ISG financially. The “Gobsmacked Gang” of GIA supporters were going all over the internet spreading all sorts of nastiness about me personally and about the ISG professionally. This gang of people was well versed in how to use a computer and social media to destroy a business, and they set out to destroy the ISG.

Not a day went by that I did not get a report from some of my students or graduates that long threads attacking the ISG were posted on the GemologyOnline website. People were creating fake profiles on social media throughout the internet and posting all sorts of false accusations about our gemology and appraisal programs, and about me. The cost in business to the ISG was a drop in new student registration of over 50% each year, year over year.

I had never fully experienced the health issues that stress can create. In 2009 I noticed problems with my right eye that caused me to start losing my vision. It was like I was looking through water bubbles.

Fortunately, one of my graduates living in Tucson is a well-respected ophthalmologist and she diagnosed my condition as a documented loss of vision due to stress. I had a difficult time believing this, but she referred me to a retinologist in San Antonio. After a long day of diagnosis that had them putting dye in my veins to shoot a video through my eye, the condition was confirmed. I went to a second retina specialist who was also a retired US Air Force flight surgeon. He again confirmed the diagnosis. It seems that back in the Vietnam War days, people in the villages would go blind due to the same stress condition that I was encountering. I was told to either stop what I was doing and retire, or else lose vision in my right eye and possibly both. I obviously could not do that, given the fight that I was involved with.

Later in 2012, I lost most of my direct vision in my right eye. It was a stress-related condition diagnosed due to the stress of the Tibet andesine litigation and battle. The condition is irreversible.

Enter the Guardian Angels

I wish I could post up a list of names here of the people who stepped in behind the scenes to help me at this point. The simple fact is I was able to sustain the fight only because there were so many good people helping from the wings, sending me information and updates on research they were doing to help with the cause. I could not have endured and prevailed in this whole fiasco without these folks. Several of what I call my Guardian Angels were known by the Gobsmacked Gang at the time, and they endured the same cyber-bullying from the Gobsmacked Gang that I endured. By now the Gobsmacked Gang was working secretly through fake profiles and social media attacks to harm anyone involved on the side of the International School of Gemology and Robert James.

The reason I will not name them personally to thank them is that the Gobsmaeked Gang is still operating to this day. Cyber attacks and cyber-bullying are still their method of operation with their antics continuing to this day. As a result, I will not expose those who helped due to that continued threat.

The one person who could have stepped forward and resolved this whole Mexican feldspar source debate was the nameless individual who was the source for Colored Stone Magazine, confirming that our reports of the Mexican source were correct. I still did not know who he or she was, but I knew that David Federman at Colored Stone could only continue getting information from this person if he kept their identity confidential. That would not last forever, but for the main part of the Tibet andesine fight, this individual would sit in confidentiality on the sideline, knowing he had information that would have ended the whole thing but refused to come forward. But more on that story later.

The ISG Goes Responds with Action

By late 2010 the ISG office had collected over 2000 specimens of claimed Tibet andesine, including specimens of rough from the major Tibet andesine sellers: King Star, Litto Gems and Andegem. This proved to be a major research group as it allowed me to get independent advanced scientific testing done. But before I started this, I decided to have some fun with this whole mess. The expedition reports were so frivolous in their structure that I realized I could create the same scenario right here in Texas.

Andesine Found in Texas!

On November 1, 2010, I published the report: "Andesine Found in Texas!" It was done with complete pictures of rough red andesine crystals embedded in an outcrop of rock and demonstrated without a doubt that I had found andesine in a formation just west of San Antonio, Texas. I even used a 3/8 inch rebar to bury a red feldspar under a bush, and then dug it up showing that the Texas andesine mine was confirmed by the untouched bush having andesine under it. The expedition report, of course, was bogus but the industry ate it up.

People were astonished that not only had I found an unknown andesine mine here in Texas, but also that I would publish this find since it undermined my report on the rarity of copper-bearing feldspar. Many believed I had blown my case wide open.

Then, I pointed out that the host rock was the well documented Glen Rose Formation of sedimentary rock dating to the Cretaceous Period that creates the Texas Hill Country. Feldspar

could not form here. I also posted images of me carefully placing the rough feldspar I got at the Tucson Gem Shows into the crevices in the rock. I took a picture of me creating this hoax mine.

The point was well made and well taken. Many people fell for the charade, and it drove home the point that gemstone mine expedition reports could be easily fabricated. But if one looked at the geology, the story would quickly fall apart. I urged everyone to look at the geology of the Tibet andesine expedition reports to apply what they just learned from my fake andesine mine in Texas.

Beyond demonstrating the ease at which a mine expedition could be created, it was now time to bring in the scientists. Not the industry scientists that were so wishy-washy and unreliable for ethics and honor. It was time to spend some money and get independent testing done from labs with government oversight and standards.

Advanced Testing of Tibet Andesine and Mexican Feldspar

During the full litigation and investigation of Tibet andesine, I spent over \$60,000.00 on buying specimens and advanced scientific testing. I used well established independent scientific labs to ensure accuracy and quality of test results. I started this in early 2010 as the Mexican origin issue became the focal point of the Direct Shopping Network case.

26 January 2010 FAI Materials Testing Laboratory, Marietta Georgia, Scanning Electron Microscopy - Energy Dispersive X-ray Spectroscopy (SEM-EDXS).

For this test, I submitted two specimens of known Casa Grande Mexico feldspar, and two specimens from the Tibet andesine dealers. Based on Dr. Milisenda's report, it would be anticipated that the two feldspar groups would not match at all. FAI Materials Testing proved Dr. Milisenda wrong. By elemental analysis with a scanning electron microscope here is their report:

"The elemental compositions are substantially similar, with some minor differences between the four feldspar samples." FAI Materials Testing

So Dr. Milisenda's claim was proven by independent testing to be incorrect. The Mexican feldspar and Tibet andesine were indeed "substantially similar." The differences reported we would learn later, was due to the flux used in the copper diffusion process.

While these tests were costly, the lack of any true independent testing was at the heart of the whole Tibet andesine fiasco. To date, the only scientists connected to research being done were connected to the GIA or the Lab Manual Harmonization Committee. So I continued to pay the money to get independent scientific testing to ensure an honest and untainted evaluation.

The next round of tests was to duplicate the testing done by the National Gem Testing Center of China. The idea was to get an elemental analysis of the rough Tibet andesine supplied by Litto Gems, King Star and Andegem, particularly the white and black crusty material fused into the surface of the stones. For this, I turned to Oneida Research Services for their X-Ray Fluorescence testing.

August 10, 2010, Oneida Research Services, Inc. Whitesboro, NY, Report #185867.

For this test, I sent five (5) specimens obtained from the above-referenced dealers. The areas tested were the fused material on the surface of the water-worn pebbles. This material should not have been on the surface of an andesine pebble that spent millions of years in an alluvial fan but was there regardless. The National Gem Testing Center of China had found this material to contain an unusual presence of copper in the crust. That the crust was there at all was astounding, but for the fused crust to contain high levels of copper could only mean one thing; artificial infusion of copper. To duplicate the Chinese test results, I used the specimens from the same sources and commissioned the ORS lab to do the research. The results were astounding.

Within this fused material on the surface of these stones was found extremely high levels of calcium and copper. Neither of these elements should be baked onto the surface of a natural feldspar that formed deep inside the earth and spent millions of years in an alluvial deposit. The levels of calcium would lead us to the final answer about this Tibet andesine. The predictable and repeatable test result confirmed the National Gem Testing Center of China's report and proved once and for all that this Tibet andesine was infused with copper, and we now were able to identify the materials used to do the treatment.

But there was more in the results.

Within all of the samples was the presence of metal called molybdenum. It was strange because in no textbooks was feldspar ever listed as containing molybdenum. I contacted the largest molybdenum mining company in the US and asked a gentleman there if a basaltic rock sourced feldspar crystal could contain molybdenum in any way. He just laughed and said there was no way it was there naturally. The molybdenum that was found by XRF fused into the surface of all of the Tibet andesine specimens was put there artificially.

Upon further research, I found that molybdenum crucibles were used in China for treating gemstones and that often the molybdenum would be present on the surface of the treated crystals but be lost during the faceting or cutting process. So the rough Tibet andesine crystals I

had, supposedly from the Tibet andesine mines, were treated feldspar with a crust of copper, calcium, molybdenum and a few other strange elements on their surfaces.

I should note here that I found this same crust as a residual surface blemish on an Olympic Andesine sold by Direct Shopping Network, adding to my defense of the accusations against me.

Raman Photoluminescence

I was fortunate enough when working with these scientific labs that when the Ph.D. guys heard what I was involved with, they volunteered a lot of time to talk with me on the phone to explain to me the scientific information being provided. While I continued to be just a teacher at a small internet gemology and appraisal school, I had the advantage of spending a lot of time with some really fine scientist to learn about all of this. One thing they told me was that since I had an Enwave Raman, I should compare all of these feldspars for Raman Photoluminescence.

The nice thing about the new generation of Raman spectrometers is that they provide a screen display that allows us, common folks, to understand what the readings mean. The curving arch of the photoluminescence is easy to identify and chart. By this time I had the opportunity (with the help of the Guardian Angels) to collect specimens of feldspar from just about every source in the world, and created a database of Raman photoluminescence to compare them all.

I could line all of these up and test one by one. Every time I could group all of the Oregon Sunstone by their unique photoluminescence. The Indian goethite type feldspar was unique, predictable, and repeatable. The only two feldspars that matched each other from sources that were halfway around the world from each other: Mexican and Tibetan. 100% identical photoluminescence arch, repeatable, and predictable throughout my 2000+ specimen group.

There is far more scientific data that I could include, but at this point, it gets redundant and honestly a little boring. We had proven this whole thing so many times it was getting tedious to my ISG newsletter readers, and no one could understand why Direct Shopping Network was still in the fight.

By the end of 2010, there were several issues facing everyone:

1. All of the Tibet andesine expedition reports had been proven to be fallacious. The scientific evidence against all of them was overwhelming, as well as repeatable and predictable.
2. From independent sources, we directly connected the Mexican Casa Grande feldspar to the Tibet andesine feldspar.

3. By scientific testing, we directly connected the Mexican Casa Grande feldspar to the Tibet andesine.
4. All of the Tibet andesine had proven to be treated. In spite of multiple expeditions that claimed otherwise, not one piece of natural Tibet andesine had been produced and verified.
5. Direct Shopping Network was in trouble because if they withdrew, they would owe both Colored Stone Magazine and me all of our legal costs. After two years of litigation, the legal fees were adding up. Both Colored Stone Magazine and I had insurance paying our legal bills. Art Garabedian and Direct Shopping Network were having to pay their own. Art Garabedian was about to get a serious lesson in knowing who you pick a fight with before you pick the fight.

It appeared that for all practical purposes, we finally had this thing on the ropes. But once again, the Tibet andesine people would just not quit.

You got it, Whack-a-Mole time. This time a new expedition by Richard W. Hughes with friends and family going back to Tibet. OMG.....!

2011 Richard W. Hughes Rides Again!

A strange thing was happening with all of these expeditions. The expedition members would go, take photographs, then come back and report. They would study the points of their expedition that proved the bogus nature of the expedition, then next time go back and try to report on a new mine location, this time not making the same mistakes of the last expedition report, and come back with a new report. When that report got shot down, they would go again and repeat the effort.

We were now on expedition attempt #5 with Richard W. Hughes leading the way with daughter Billie in tow, along with the late Dana Schorr. This time no one did any digging. This time Hughes claimed that all of the Tibet andesine was found on the ground by the villagers, and sold immediately. In spite of Jewelry Television alone selling over 100 million dollars of the material to over 135,000 customers, Hughes now claimed that all of the andesine was found on the surface, and all was now gone. However, Hughes made the same errors as all of the past expeditions, including his own. He showed a huge parcel of supposed red andesine, with every stone the same color with the white crusty fusion material present on the surface.

This is the same material that both the National Gem Testing Center of China and the ORS labs found to be high in copper, something that should not have existed in natural stones. He claimed that Inner Mongolia was the source of the yellow feldspar being used to treat and create the Tibet andesine, and showed unsubstantiated photographs of supposed before and after of the mining operations from his last trip to this one. The problem was, the mining

machinery in the two images did not match at all. It was obvious that Hughes did not compare his photographs as the two supposed mining equipment set-ups were totally unlike each other. This expedition would eventually lead to the most amazing turn of events to the scientific aspect of this whole affair.

In January 2011, I announced the establishment of the website: tibetandesine.com. The enormous amount of research and reporting that had been completed on this issue was such that trying to maintain archives for everyone was just too much of a burden. So I established the website with as much of the information as possible available to anyone interested for free.

February 16, 2011, I published what I call the “Andesine Final Final Chapter” in which I outlined the full timeline of events, documentation, scientific testing and everything else I could think of to publish to end the whole thing hopefully. By now the scientific evidence was overwhelmingly against the Tibet andesine story. While the DSN litigation for me was still in a holding pattern as the Colored Stone Magazine part of the case was being heard before anything else was done on my part, the consensus was that Tibet andesine was pretty much a done deal for everyone except Richard W. Hughes, the GIA, and the other major labs. Those folks were still hell bent for leather going after this.

Before moving to 2012, I should mention one important issue: Congo Andesine. During all of this bruhaha over Tibet andesine, many missed the fact that as was written in the May 2008 issue of JCK magazine:

“Dr. Laurent Sikirdji, of Gemfrance.com, says his andesine—which he calls natural and unenhanced—is from Congo.”

It turned out to be the most absurd fraud I had ever experience in this whole andesine mess. Dr. Laurent Sikirdji of Gemfrance is a well-known gemstone dealer and member of the most elite international gemstone organizations. His claim of a Congo source for copper-bearing andesine surprised everyone. I challenged him for proof of this claim on several occasions. He provided one piece of evidence, and I am serious about this: “The dealers in Bangkok told me so...”! WHAT? This Ph.D. leading member of the international gemstone industry creates a million dollar business selling copper-bearing andesine on nothing more than a “dealer told me so” as proof of origin? I am astounded to this day.

Here is the problem, once again we have a rock star gemologist who tells a fabricated story, and because of who he is, the industry sits back and lets him get away with it.

Members of our ISG community communicated with the Minister of Mines of the People’s Republic of the Congo. His response was there was no feldspar mine in the Congo. To this day, Dr. Laurent Sikirdji continues to sell this material as natural copper-bearing andesine from the Congo. A sad reminder that the international gemstone industry has no rules and no oversight.

Even the International Colored Gemstone Association fails to respond to issues of this type. I call it anarchy; others can call it what they wish.

The Litigation Heats Up

By the end of 2011, the DSN -v- Colored Stone Magazine litigation was in full motion. The local court had ruled against Colored Stone Magazine, so their attorneys filed an appeal to the California Appeals Court. The Appeals Court took one look at the lack of evidence presented by Direct Shopping Network and ruled against them, and sent it back to the district court. The elements of the decision were based on the lack of evidence to show any damages created by Colored Stone Magazine by publishing my report. Any first-year law student knows you cannot sue someone for damages without providing proof that damages occurred. There was not one iota of evidence in any of the DSN pleadings regarding damages. Remember what I said about the DSN lawyer, sophomoric is the only word I can think of right now. But Art Garabedian was not done. He and his lawyer decided they might have a chance if they appealed to the California Supreme Court. So they did just that, filed an appeal to the California Supreme Court. The Supreme Court took one look at the case and refused to hear it. It was just too bad of a case to hear. Colored Stone Magazine prevailed, so things looked very good for my case since it was based on the very same elements. Or so I thought. Now that Art Garabedian and Direct Shopping Network had lost with Colored Stone Magazine, they did what the Tibet andesine expedition folks did and go back to the drawing board to correct their mistakes, make changes and get ready for the next try. It almost worked.

2012 Hughes Comedy of Errors at the Tucson Gem Shows

It was early 2012. This thing had been going on for almost four years. I was now out most of the \$60,000.00 this thing cost me, my family was exhausted from all of the extra hours I had to put in with this mess, my vision in my right eye was gone, and the ISG was clinging to life by a thread due to the nasty, negative cyber-attacks from the Gobsmacked Gang. Colored Stone Magazine had won their litigation, but they had far more financial resources than we did. Also, we knew that Garabedian and Direct Shopping Network were falling back and regrouping to change their litigation approach. I was hanging on for dear life, but things were looking very bleak. Until, that is, until Richard W. Hughes made the worst mistake that I can imagine, given the history of the whole Tibet andesine fiasco.

One week before the Tucson Gem Shows of 2012, it was announced that a panel discussion on the latest Hughes expedition to Tibet would be held, with a panel including Dr. George Rossman, the late Dana Schorr, Richard W. Hughes and others related to the expeditions. Not

only that, (and brace yourself) they were going to hand out specimens supposedly from the Mongolian and Tibet mines. To support the Direct Shopping Network contention that their Olympic Andesine was not from Mexico, the last Hughes expedition cooked up a story that there was a mine in Inner Mongolia that produced the feldspar used to treat and create the DSN andesine. This would have negated my report on the Mexico source and allowed DSN to correctly claim a Chinese source, even if it was treated. For some reason that I will never personally understand, Hughes and his group thought it a good idea to hand out specimens from both claimed locations to the audience.

During the presentation, Richard W. Hughes made his first blunder in this comedy of errors. He stated again what he had said about his last expedition report, that the Tibet people did not believe in digging in the ground for gemstones, that it angered the gods or something. This was his explanation of why he did not dig, and why there was little, or no andesine left at the location since the villagers had picked it all up.

This, of course, was all a lie proven by the four previous expedition reports including the one Hughes was on. In all four of the previous expedition reports, both the mines and those in the expedition were photographed digging in the ground for andesine. Remember the magic bush that Hughes claimed was proof that the mine existed at that location? Hughes dug up that bush. When those expedition reports were shot down, Hughes regrouped for the next expedition, and this time there was no digging because suddenly the Tibet people did not want to dig in the ground. A new expedition, new story, new Whack-a-Mole game.

It was the first in Hughes comedy of errors.

During the Tucson panel discussion, everyone in the room knew I was present, and waited for the fireworks to start. I disappointed them because I knew a panel discussion with this group was a no-win situation for me. These guys were baiting me in trying to get me in the open discussion. I knew there was nothing to be gained for me by getting into a heated debate with these guys, so I just sat in my chair quietly waiting for the time I had come for, the handing out of the specimens.

When that time came, I had about 10 ISG community members in the audience. All got the specimens. All gave them to me. All hell broke loose because by now you know what I did with them, send them off for independent scientific testing.

In April of 2012, I received the test results back from FAI Materials Testing Laboratory in Marietta, Georgia, who had performed some of the previous testing for us. The results were astounding.

First and perhaps foremost, feldspar is identified by the group based on the amount of sodium and calcium they contain. Mexican feldspar is bytownite, which is 70% calcium and 30% sodium

while andesine feldspar is 70% sodium and 30% calcium. The numbers can vary, but the general percentages will hold for each type. It is one of the main ways of separating the two. When reviewing the test results from our original comparison of the known Mexican and claimed Tibet material, this separation became clear. Andesine feldspar should be far higher in sodium than calcium. When tested all four of the specimens, including Mexican and Tibetan originally, were bytownite. With the 2012 testing of the Richard W. Hughes supplied specimens, the FAI Material Testing Scanning Electron Microscope found the same percentages, but this time 80% calcium and 20% sodium.

These specimens were not andesine; they were bytownite. Only the Casa Grande Mexico mine produces large, transparent bytownite feldspar crystals. We had our independent scientific test results that proved the Mexican origin of the claimed Tibet andesine. I have these reports in a vault to this day. But there was one thing more.

I knew that Hughes and his group had reviewed my reports, particularly on the presence of molybdenum fused to the surface, proving crucible treatment. This time, the FAI scientists found no molybdenum. Zero percent. But they found something else — extremely high levels of carbon and sulfur. We also found via Raman scan that the stones had a black surface crust that tested to be annealed graphite.

It did not take much research to learn that the Chinese gemstone industry uses molybdenum for crucibles only sparingly due to the cost. The lack of ready supplies of molybdenum in China meant that for many gemstone cookers, the preferred crucible to use was a graphite crucible. After contacting some manufacturers of graphite crucibles, I found that the elemental makeup of a graphite crucible is carbon, sulfur and ash. The new Hughes Expedition supplied Tibet andesine was without molybdenum, and instead we found carbon and sulfur.

The final blow was chalcocite — copper sulfide. During my Raman scan of the Hughes Tibet andesine specimens, a strange bluish metal was found in abundance lodged in crevices of the rough crystals. I put out a call for help on this as the scan was nothing I had in my database or that I could find in the RRUFF database. With the help of a Ph.D. mineralogist from Tucson, Arizona, I was able to obtain a control specimen of chalcocite, copper sulfide. The Raman scans matched perfectly. Chalcocite is a sulfide of copper that can occur close to a copper mine, or it can be created in a lab by heating sulfur in the presence of copper.

Now, we know there are no copper mines in Tibet. So the only way that chalcocite can be present in these specimens from the Hughes expedition was for the sulfur of a crucible to be heated in the presence of copper. I think you get the point.

The specimens handed out by the Hughes Expedition members at the 2012 Tucson Gem Shows had been heated in a graphite crucible with copper as part of the mix, allowing the chalcocite to form among the feldspar crystals.

After this report, I found that Dr. Peretti of GRS Gemresearch Swisslab had done his 180-degree turn. I had anticipated this, given how much money I knew Andegem was handing out to the

scientific community to go their direction. Previously, Peretti had supplied the video proof of salting of the Tibet andesine mine location and had himself termed the whole Tibet andesine fiasco a hoax. Suddenly, Peretti claimed to have found the host basaltic rock in which the Tibet andesine formed, and found one piece, just one piece of Tibet andesine on which he based his report. Tibet andesine was now real, according to Peretti, based on one piece of rough that he never produced. He promised that a geological report was forthcoming, but that never happened. To date, no one has seen or tested this specimen of his to confirm his findings. Once again, failed promises of evidence and highly questionable scientific "discovery" take the place of independent testing and verification.

Richard W. Hughes promised a geology report was forthcoming that would rebut the report by Geologist Roni Poteet. That also has never been delivered by Hughes.

The Final Research Effort

By mid-Spring, the whole debate on the science of Tibet andesine went quiet. With the revelation of independent scientific testing of the Hughes Expedition specimens proving treatment, the consensus was that the Tibet andesine expeditions were all a hoax.

Unfortunately, the Gem-A agreed to run the Abduriyim expedition story, in spite of the reports by both the National Gem Testing Center of China and our independent scientific reports showing the Abduriyim report to be a hoax. It was later in 2012 that Brendan Lars of the first Hughes expedition would leave the GIA Gems and Gemology and go work for the Gem-A publication. Also of note, in 2012 Jewelry Television who financed the original Tibet andesine expedition (and probably others) became partners with the Gem-A. Given these events, it was no surprise that the Gem-A published the debunked Abduriyim expedition reports.

For me, there was one more bit of research before the showdown in the California District Court. The one issue that overshadowed all of the bogus reports on feldspar in China was simply that no one in China had ever heard of any feldspar mine producing gem-quality feldspar. There were many offers of potash feldspar used in pottery — that material you could buy by the ton. But what is known as sodium feldspars, the gemstone kind was not available on any internet site in any form or fashion. The huge Alibaba website where all of this kind of thing is sold produced nothing. Given that there were supposedly now 7 or more mines producing sodium feldspars in China, one had to think that somewhere, someone had some for sale.

I placed a listing on Alibaba and other websites like eBay and others, offering US\$1,000.00 for just one piece of andesine feldspar, verified as coming from anywhere in China. Anywhere. I did not care. Provide one piece of gem quality sodium feldspar, andesine, labradorite, bytownite, anything, and I would pay US\$1,000.00.

The offer ran for over two years. I had numerous offers for potash feldspar, but not one feldspar dealer in all of China had ever heard of any mine that produced gem quality feldspar anywhere in China, Inner Mongolia, you name it. Nothing.

To complete this part of the story, I contacted the Department of Mines of Mongolia and asked them if they knew of any gem quality feldspar mine anywhere in Mongolia. “None” was the answer. A \$1,000.00 reward for just one piece of Tibet andesine, posted for two years for all of China, and not one taker.

At this point, I gathered all of this evidence, the reports the testing and everything else and put it in a vault where it resides to this day. With the litigation about to get into full swing, I figured I would need it all. Direct Shopping Network’s only hope was to find someone willing to step up and help them. What I did not know was that DSN was about to change the game, and it was about to get ugly.

Also at this point, the whole of the Gobsmacked Gang, the GIA, Richard W. Hughes and everyone else involved got very quiet. It was the calm before the storm.

The Secret Source Revealed

Before we get to the final litigation battle, I want to share with you a communication I received from David Federman of Colored Stone Magazine in the very beginning. I discussed with you previously of a source close to Federman that was feeding him information that confirmed I was correct. I want you to read this email sent to me on November 8, 2008. It says:

Dear Robert,

Well, you are right. All the “andesine” comes from Mexico. Nearly 50 metric tons of it was sold to Ande Gem around 30 months ago. Ande, in turn, utilized a 3-stage, 30-day each, heat-diffusion process to force the copper in. As my source, an early buyer of this material (he bought 15 metric tons a decade ago—a fact confirmed last week by the mine owner) says, it was bright yellow with no red or green. Indeed, he describes the material “as the most homogeneously colored gem on the planet,” and the deposit one of the largest for feldspar in history—all of it, I repeat, yellow. My confidential source (a well-known author and gemologist) has read your report and says it is RIGHT ON THE MONEY. I asked if he would go on the record as confirming its accuracy, but he asked to be kept anonymous for now—although he has agreed to review the article I’m planning to write after I finish reporting tomorrow. (I will ask if I can reveal his name to you and some of my compatriots here at Colored Stone so they will have peace of mind.) As you and I both suspected, claims of a

Congo origin for this material are a complete lie;.... David Federman, Colored Stone, Nov. 2008

The confidential source of this information was Dr. Joel Arem. I ask myself how much of all of this could we have avoided if Dr. Arem had stepped up to the plate and been as brave as many others were when this story first broke? When Arem first confirmed to Colored Stone magazine that my report was correct, what if he had been willing to state the truth on the record? How much money, time, and heartache could everyone have saved? I voice my frustration at his unwillingness to do the right thing when the right thing would have meant something? As it stands, by the time that Dr. Arem decided to go public, it did not matter anymore. We proved the truth without him. The decision to hide was his, the burden of that decision became mine.

I also confirmed that Feng Chen, owner of Andegem, was a business partner in real estate with Art Garabedian of Direct Shopping Network, which explained the close ties between Direct Shopping Network and Andegem. As we got closer to the showdown in the courtroom, all of the players were starting to line up.

The Final Litigation Battle

In late Spring, I finally got the call from the attorneys in Los Angeles that the litigation was about to begin. In recent motions, major changes had occurred. It seems that Art Garabedian had followed the lead of Richard W. Hughes and Dr. Ahmadjan Abduriyim by recognizing why they lost one battle and changed tactics for the next. DSN now revised their lawsuit to include a new scientific report that supported the DSN claim of a natural Tibet andesine, and DSN had one, just one, customer come forward with a signed affidavit stating that she did not buy an Olympic Andesine because of reading my report. So DSN now had a new game plan with a new scientific report and finally brought forth a case of damages for the court to consider.

I am not a lawyer, but even I knew they could not do that. Unfortunately, the California District Court judge did not know the law. She allowed DSN to submit the new evidence in support of their position and found in their favor in denying the anti-SLAPP motion we had filed in the matter. We were now in new territory. The Colored Stone Magazine litigation was over with Colored Stone prevailing. But DSN had changed their game with additional evidence and claims. They had, by all standards, found out what they did wrong in the first litigation and changed strategy to repair that issue in the next round of litigation. Our only option was to file an appeal with the California Appeals Court regarding the ruling of the lower court. It was at this point that I found myself truly facing the abyss.

Looking down into the abyss

By this time, I think Garabedian's lawyer knew that my lawyers were better than he was. In spite of this idiot judge in the lower court always placating the DSN motions, the two litigations of DSN against myself and Colored Stone were the same action. They were not separate. DSN could not change the game in the middle of a game they started. And Garbedian's attorney knew they had a good chance of losing in the Appeals court because the same issues would be at play. So, Art Garabedian wanted to negotiate.

My insurance company, The Hartford had paid all but about \$5,000.00 of my legal fees. When the issue of our filing an appeal of the anti-SLAPP ruling came up, Garabedian's lawyer contacted my attorneys and offered to settle for \$20,000.00. Given the 1 million dollar damage award they were seeking, this was a pittance for a settlement. Since my lawyer was paid for by The Hartford, the insurance company had a say in whether or not to accept the settlement. My attorney called me and told me that The Hartford wanted just to settle this whole mess and get out of it. \$20,000.00 was a nuisance lawsuit to them, and they just wanted to settle and be done with it.

I said: No, I would not settle. If we paid anything on this, it would be considered a win by Direct Shopping Network, a win by the GIA and a win for the bogus Tibet andesine fraud. We could not settle.

My attorney then informed me that this was the first time he had experienced an insurance company offering to settle a lawsuit for a client, and the client refused. I restated my position. He then told me that they could get a confidentiality agreement with the settlement to stop all discussions of the settlement. My retort was the question: Can you enforce the confidentiality order in Beijing? He answered: "No." I told him that was the problem. If I settled, it was as good as a loss, and we would lose everything.

At this point, my attorney informed me that The Hartford could, at their decision, hand me the \$20,000.00 and walk away from the whole thing. Since an offer was on the table to settle, and I did not want to settle, The Hartford could give me the amount of the offer and leave me to fight the rest of it on my own. If they did that and I lost in the California Appeals Court, I would owe Direct Shopping Network over 1 million dollars plus their legal fees and all of my legal fees.

I was indeed looking into the abyss as everything my family owned, our home, cars; everything was put on the line if I refused the negotiated settlement.

After a couple of hours, I called my attorney back and said, no settlement. We need a winner and a loser here. I will not back down from what I know to be true, even if The Hartford bails on me, and I lose everything. I am all in.

After a couple more hours, my attorney called me to inform me that The Hartford had decided to back me. They would agree to accept no settlement offer from Direct Shopping Network. They would continue to pay the legal fees, and we would go to the California Appeals Court and put everything on the line. We were all in together.

My attorneys filed the finest legal case I have ever read in support of this anti-SLAPP motion appeal. It took several weeks for the California Appeals Court to rule, but rule they did. Their decision pretty much gave a butt slap to the lower court judge who had now been overturned by the Appeals court at every turn. They also ruled that Direct Shopping Network had filed this bogus lawsuit for no other purpose than to intimidate me by litigation, and ruled in favor of our anti-SLAPP motion, and awarded me all legal costs.

As they had done with Colored Stone, DSN filed an appeal to the California Supreme Court, who once again refused to take the case due to the absurd nature of the claim. (my words, not theirs).

Art Garabedian and Direct Shopping Network were ordered to pay over \$250,000.00 in legal costs to me and Colored Stone Magazine. Unfortunately, that never happened. Shortly after losing in court Direct Shopping Network went bankrupt and Art Garabedian was out of the business. Sound familiar? Yep, that is what he bragged he was going to do to me.

While many think this was the end of the story, it was not by a long shot.

Just two weeks after the final ruling was handed down where we prevailed, a nasty cyber-attack website was set up by members of the Gobsmailed Gang, specifically by a guy in Holland named Tim Spauwen who also does the computer work for Lang Antiques in San Francisco. This group, mostly from the GemologyOnline website, started a hate campaign that lasts to this day.

Shortly after the cyber-attack website was set up, a number of heinous acts were perpetrated against me and my family. Someone in the Gobsmailed Gang got a copy of an old arrest record I had where I got into an altercation with a bunch of drunks tearing up my neighborhood. I was charged with aggravated assault based on a false police report this group made. It took 2 years to resolve but the end result was the dropping and expungement of the charges when the false report was uncovered. But the arrest record made for fun reading for this group and they made sure to distribute this to everyone they could at the JCK Las Vegas jewelry shows, and at the 2013 Tucson Gem Shows.

Personal attack and intimidation is the method this group uses to attack those who try to stand up for consumer protection and ethics in this industry.

What was most heinous was a photograph taken on the front row of the 2012 Gem-A Conference in London where members of the Gobsmacked Gang all put on the Jason masks from the horror movie and sent that picture along with a threatening letter to my home saying: **"We are watching you!"**. That photograph is the cover of this book.

The group got together and visited our ISG Facebook page and posted up negative after negative reviews of the ISG program, to the point that we had to end the review sections and deal with those negative reviews all from the Gobsmacked Gang. They went around the internet posting negative reviews in every business review site they could find, including creating fake Google accounts and posting fake reviews of the ISG on Google. In general, this group is mostly composed of members of the Gem-A who is now in partnership with Jewelry Television, the original perpetrator of the Tibet andesine fiasco. There are also members who were supporters of the GIA in the Tibet andesine actions. All apparently on a quest to get unending revenge for my having stood up to their fraud and deceptions regarding Tibet andesine.

I would like to be able to report that things have settled down and everyone has moved on with their life, but that is not the case. The cyber-attacks continue to this day. In a hidden HTML code at the bottom of the cyber-attack website, Tim Spauwen sent me a private message. It reads:

<!--hi Robert, how do you like being under a loupe, asshole? Nice site, right? Alain says: "Hey dumb-ass, I'm getting all of this and am laughing my divine ass off"-->

Obviously a reference to Alain van Acker and blaming me for his having committed suicide.

I can tell you that I filed an ICANN litigation against the cyber-attack website and prevailed. The Arbitration Board ruled the site in violation of my copyrights and that it was set up in bad faith for personal attack. The site was shut down, and the judge gave me ownership of the original domain. But all that the Gobsmacked Gang had to do was move the site to a server in Iceland where US laws do not exist, and they continue to operate the cyber-attack without fear of litigation or reprisal. That is the future of the internet. Anarchy.

Most recently, with the help of several members of a major Facebook group, **Scamologist**, we were finally able to put names to the faces behind the Jason masks from the 2012 Gem-A Conference. When my story came out on the Scamologist Facebook Group, it was revealed that the Gobsmacked Gang has been doing their same cyber-bullying against many members of the

international gemstone industry. In fact, during our Facebook discussions of this topic, a couple of members of the Gobsmacked Gang used fabricated registrations to gain access to the closed group to stir up trouble. One member in specific, Bear Williams, showed up under his own name and tried to post up what he claimed to be personal trash-talk against me to the members, including reiterating the attack blaming me in some slanted thinking for Alain van Acker's death. Fortunately, the Scamologist members are longtime industry professionals who know how to analyze these kinds of accusations and discredited Bear William's attack. Scamologist administrators blocked Bear Williams from further participation in the group.

If you look at the cover of this book, below are the people behind the masks who sent the threatening letter and images to my home and family listed below from left to right:



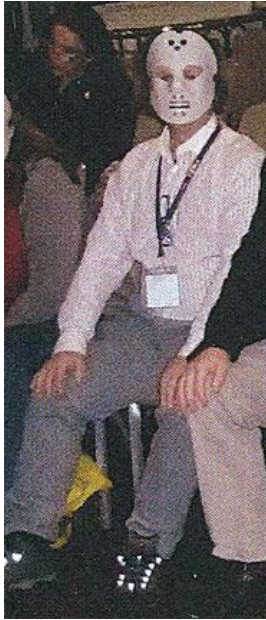
Bear Williams, Stone Group Labs



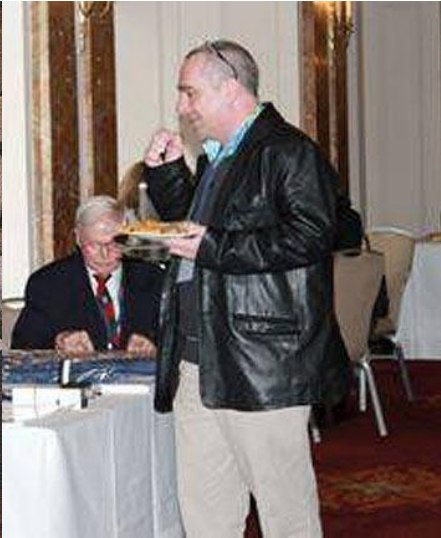
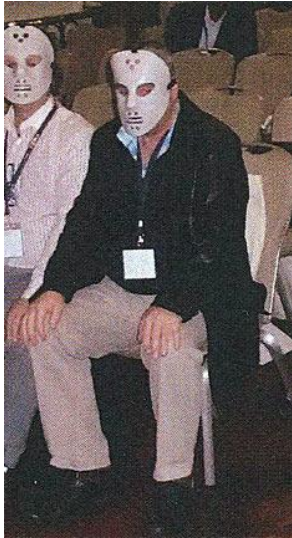
Phyllis Wong Jonka Limited



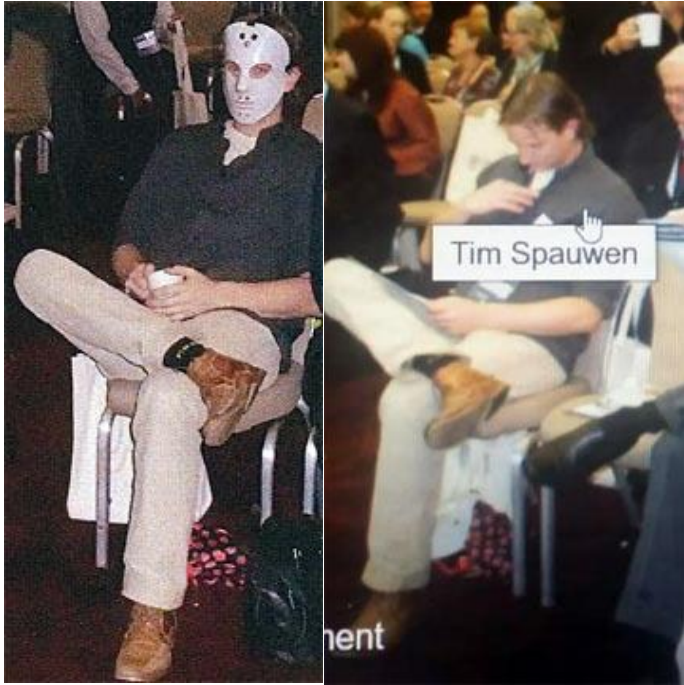
Juli Poli, Someplace in Vietnam



Conny Forsberg, Mayor of Kinda Municipality, Sweden



Peter Grummit, Apsara Gems, United Kingdom



Tim Spauwen, Lang Antiques, San Francisco, CA



Helen Mayer, Helen Mayer Arts, London, UK



Jeffery Bergman, Prima Gem, Bangkok Thailand



Alberto Scarani, GemmoRaman, Rome, Italy



Richard W. Hughes, Lotus Gemology, Bangkok Thailand

These are the main members of the hate group: Gobsmaucked Gang, who are responsible for cyber-bullying and intimidation to help support those perpetrating highly profitable gemstone fraud. It took seven years of research to identify all of them in the original image positively, but with the help of several members of the Gem-A, we were finally able to make the identifications and publish this full report.

When this attack occurred, I contacted James Riley, then CEO of the Gem-A to file a formal complaint with the Gem-A Board of Directors for the attack perpetrated at the Gem-A Conference. Mr. Riley confirmed to me at the time that Jeffery Bergman, Conny Forsberg, Tim Spauwen, and Juli Poli were

involved, but did not know the rest. He asked me to write a written complaint to the Gem-A Board for their review. I wrote the report and formally filed it with James Riley. I never heard back from James Riley. The Gem-A has to date, taken no action against these Gem-A members in spite of the evidence presented to them. It is my opinion that the political influence of Richard W. Hughes and his group reaches deep inside the Gem-A governing board.

James Riley did present Bear Williams with an Honorary Fellowship in the Gem-A. Based on a significant amount of research and interviews on this situation over the years, it is my opinion that James Riley was a part of the chicanery at the 2012 Conference. His close ties to the Gobsmaucked Gang members is a serious indication of that issue. James Riley never followed up with me on any of the nastiness.

Mr. Riley was later dismissed from the position as Gem-A CEO for "Gross Misconduct" when it was discovered that he had used Gem-A funds to pay for prostitutes on three different occasions while on official Gem-A business in Australia. Few in the industry were surprised, given how Riley conducted himself while at the helm of the Gem-A.

I have no anticipation of any action being taken on this matter by the Gem-A Board of Directors. Even holding a 22-year Fellowship of the Gem-A, I apparently do not have standing with the Gem-A Board as does Richard W. Hughes, in spite of his proven fraud.

Current Status of Tibet andesine and the Players Involved

I regret to tell you that in spite of all of the scientific evidence proving that all Tibet andesine is artificially treated, Tibet andesine continues selling on the market as natural and untreated. The sad fact is that the international gemstone industry operates in a legal void; I call it anarchy. There are no rules, no uniform standards, and no government or industry oversight. Nothing. In the 11 years since I first agreed to investigate Tibet andesine to the date of writing this book, I have uncovered a network of unchecked chicanery in the gemstone industry that rivals the international drug cartels. Most of the shady dealing is a conspiracy between gemstone “cookers” (those that treat the gemstones) in Thailand and China, unscrupulous sellers on the internet and television shopping channels, and the big gem labs who have carefully designed their identification reports to allow all of this to happen with the appearance of some official verification and approval.

GIA and the Major Gem Labs

Consumers need to be aware that lab identification reports from any lab, no matter how big or famous, are done without any standards or oversight. When you purchase a gemstone, colored gemstone or diamond from an online seller, you take full risk and responsibility for any errors that may occur. I have served as an expert witness in State and U.S. Federal Courts over litigation involving fraudulent or erroneous lab reports, and to date, not a single lab has been held to task for errors and false reporting as we again saw with Tibet andesine. These lab reports, including the GIA, IGI, EGL, AGS, etc...are all structured and designed to be sales tools. They are not certifications.

Lack of accountability was the main problem with the AGTA GTC and GIA GTL identification reports with Tibet andesine. The sellers held up these identification reports as certifications of authenticity, signed by such names as Dr. Lore Kiefert, Richard W. Hughes, and Gary Du Toit. But the fact remains to this day, none of these people have been held accountable for their erroneous certificates that cost consumers millions of dollars. Where is the accountability? The truth is there is none. Lab reports are worthless and should be treated that way by consumers.

The only solution for consumers is to shop with a local, home-town independent retail jewelry store. While the online sellers may tout themselves as trustworthy, in fact, there is no legal protection for a consumer when shopping from online-sellers television shopping channels. The only safe method of buying gemstones, diamonds, jewelry, and watches is through your local, hometown jeweler.

Art Garabian and Direct Shopping Network

Art Garabedian owed my insurance company, The Hartford, over \$100,000.00, as well as over \$125,000.00 to the insurer of Colored Stone Magazine. Immediately after the decision by the California Appeals Court that rejected his lawsuit and awarded us legal fees, Art and DSN filed for bankruptcy and walked away from the whole thing. To my knowledge, he never paid a dime. Direct Shopping Channel went out of business owing tens of thousands of dollars to gemstone suppliers and vendors.

Art has tried several times to re-enter the television shopping channel business, but each has failed. Where he is of this writing, I do not know. But he knows I am here still doing well, and the Insurance Institute of Jewelry Appraisal Inc. is as strong as ever.

GemsTV

GemsTV was originally established in Thailand by Thaigem and was culpable in the Tibet andesine fiasco by selling massive amounts of the material without disclosure. That is the place that Richard W. Hughes ran to when the story broke, and Hughes left the United States. GemsTV has reinvented itself and is now operating under the domain of Gemporia.com, and a reported television shopping channel still operating as GemsTV. They continue to tow the line for the Richard W. Hughes and sell the fake Tibet andesine as natural, even touting the story of Hughes expedition reports on their website. Forget the facts and science; these guys want the profits. To date, Gemporia has offered no proof that their Tibet andesine is natural and untreated.

Jewelry Television

Jewelry Television, having cleared out the class action lawsuit years ago, has gone back to selling Tibet andesine, claiming it is from China without proof. Based on an investigation at the time of this writing, they are offering two different colors of andesine; both claimed to be from China, however both are sold as treated, confirming my reports of years ago. Jewelry Television has partnered up with Tibet andesine cohort, the Gem-A and is enjoying a profitable partnership with the British organization that published Anduriyim's debunked expedition report. JTV now admits what I stated in 2008; that andesine is not natural.

Richard W. Hughes

Richard W. Hughes has set up shop in Thailand with a gem lab called "Lotus Gemology" and continues to be the darling of the Gem-A. He has never been held accountable for his two fraudulent expedition reports or the costs they created for consumers or the harm they inflicted on the Oregon Sunstone industry. Hughes continues to be a keynote speaker at the Gem-A Conferences...along with various dignitaries from Jewelry Television. It is a very tight-knit group from the earliest Tibet andesine days.

Dr. Ahmadjan Abduriyim

Dr. Ahmadjan Abduriyim started working for the GIA Tokyo shortly after the last expedition, and is reported to be working for them to this day.

Litto Gems

Litto Gems of Hong Kong continues to sell Tibet andesine through the Hong Kong Trade Development Council. Regardless of the scientific facts debunking this material and its source, the HKTDC continues to allow this level of chicanery from their membership without any oversight or standards.

King Star Jewellery

King Star Jewellery of Hong Kong has been a bit more creative. They are still selling Tibet andesine as natural, but have renamed it as "Lazasine." They too have ignored the scientific facts and are moving full speed ahead with selling these artificially treated gemstones as natural and untreated. Since there is no oversight and no standards from the Hong Kong Trade Development Council, it appears that sellers are free to perpetuate this kind of fraud without fear of accountability.

Gemological Institute of America (GIA)

Gemological Institute of America (GIA) has never been held accountable for their part in all of this. The GIA Gems and Gemology publication of the bogus Abduriyim expedition has never been corrected, retracted or any responsibility taken. The GIA ignored the scientific reports proving the Tibet andesine was all treated, and from Mexico. As they have done in all cases of litigation regarding costly errors in their identification reports, they simply did not show up to be responsible for those errors, and let someone else clean up their mess.

American Gem Trade Association

American Gem Trade Association continues to present themselves as a bastion of proper representation and disclosure, and yet they continue to provide safe harbor to Ande Gem and Mineral by maintaining the Andegem membership in the AGTA. The AGTA Gem Trade Lab never reopened. Lab Director Dr. Lore Keifert who signed certain of the erroneous AGTA GTC identification reports left the United States for a lab in Europe and has never been held accountable for the damages the AGTA GTC inflicted on consumers and the Oregon Sunstone industry.

To date, none of the AGTA GTC lab employees who produced and signed the bogus identification reports have been held accountable. Several, including John Koivula, are now working for the GIA.

Bill Larson and Pala International

Bill Larson's participation became a strange story. It seems that Bill had an ex-wife who had become quite successful in the Oregon Sunstone market. The best that I have determined is that Bill Larson found a way to get some retribution against his ex-wife by bringing in the bogus Tibet andesine to damage the Oregon Sunstone market and, therefore, his ex-wife's business. I have no documents to deny or confirm what Bill Larson knew about Jacki Li and the validity of her claim about Tibet andesine. However, the "divorce gone bad" motivation behind Ms. Li being at the Pala International AGTA booth is something I do not doubt.

Colored Stone Magazine

Colored Stone Magazine ceased publication. Their parent company published a long successful list of knitting and hobby related magazines. The dogfight of a situation they found themselves with Tibet andesine was far out of their comfort zone or ability to cope. While the industry hated to see this magazine end, we owe a debt of gratitude to the publishers of Colored Stone Magazine. Regardless of how much they wanted out of the fight, they saw the fight to the end and prevailed. Not bad for a bunch of knitters and wire wrappers.

David Federman

David Federman was without a job when Colored Stone Magazine ended. He is now reported to be teaching a college journalism class. I wish I could attend that class. Without David, this whole story would never have happened.

International School of Gemology

International School of Gemology is now a 501(c)3 Non-Profit Education Organization operating as the Insurance Institute of Jewelry Appraisal. We continue to endure cyber-attacks from Richard W. Hughes and the Gobsmaeked Gang. The fraudulent negative reviews posted up by this group writing as fake ISG students, continue to damage our reputation and ability to conduct business. The ISG/IJA continues to hold an A+ rating with the Better Business Bureau as it has since 2006.

Oregon Sunstone Miners

Oregon Sunstone Miners, I am pleased to report, are quickly recovering financially. These folks handled this whole nasty Tibet andesine affair with style and grace when considering what kind of people they were up against. Resilient, honest, hard-working, there are many words I could use to describe them. But my best descriptive term I can use to describe the Oregon Sunstone miner is simply: Friends.

Final Thoughts

During this Tibet andesine investigation, I experienced the finest the international gemstone industry has to offer, and the worst the industry has to offer. I wish I did not know about this industry what I learned during this time. I wish I had not experienced some of the nastiness that

prevails in this industry. But that is life, in general, these days, a lot of good people and a lot of bad people.

You have to chose which you want to hang out with, and hang out with them. I look forward to my next trip to Plush, Oregon. You folks leave the light on for me.

Another book is already in the works. Look for the name: Paraiba! It is about the Lab Manual Harmonization Committee members and how (and why) they hijacked the name Paraiba from the true owners of the mines.

Thank you for your time to read this story. I hope you never have to experience anything like this yourself.

Robert James FGA, GG

“Do not go gentle into that good night.

Rage, rage against the dying of the light.”

Dylan Thomas - 1914-1953

"In our opinion, the red feldspar samples that we collected and recovered from the supposed mining areas during our field investigations were deliberately planted on the ground surface and within loose surface soil."

National Gem Testing Centre of China

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