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Journalist on leave after tangle with secretive 'NXIVM' group



James Odato. (Times Union)



By JOE POMPEO 4:51 a.m. | Nov. 26, 2014

4

Respected Albany reporter James Odato has taken a leave of absence from the city's *Times Union* newspaper—a move that appears to be related to a lawsuit involving his [in-depth coverage](#) of a secretive personal development organization.

For several years, the long-serving *Times Union* investigative journalist has produced a series of articles about the company, called NXIVM.

Pronounced like "Nexium" and [purporting](#) to "help transform and, ultimately, be an expression of the noble civilization of humans," the group has been subject to high-profile [media scrutiny](#) largely because of its connections to the Bronfman beverage dynasty. NXIVM's controversial co-founder, Keith Raniere, has the reputation of a guru-like entrepreneur and self-improvement figure accused of leading a hermetic cult known for shady business dealings. (He has [denied](#) that NXIVM is a cult.)

In October 2013, Odato was named in a lawsuit filed by NXIVM, along with blogger John J. Tighe and *Vanity Fair* contributing editor Suzanna Andrews, who in 2010 [published a feature](#) that detailed NXIVM's involvement with sisters Sara and Clare Bronfman, daughters of the late billionaire philanthropist and Seagram scion Edgar M. Bronfman.

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NXIVM's suit reportedly alleges that the three writers and two other individuals may have used a former NXIVM client's login information to gain unauthorized access to the



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Albany-based company's computer server.

"In Odat's case," the *Times Union* [reported](#) on Nov. 6, "NXIVM's lawsuit alleges that someone using a computer at the Times Union used the client's password without authorization six days before Odat wrote a story in October 2007 identifying two clients of NXIVM, and citing access to a confidential client list."

The peg of the Nov. 6 *Times Union* article was a guilty plea by Tighe to a separate criminal charge of felony computer trespass. The article said there was "no indication in court papers" that Odat or Andrews would face criminal charges, but it also noted that "more arrests" were expected and that "Tighe agreed to

cooperate with a special prosecutor against others implicated in the computer trespassing case."

On Thursday, Nov. 13, the civil case was moved from Rochester, where it was originally filed in a sealed federal lawsuit, to Albany.

The Nov. 17 edition of the *Times Union* included a note, in place of Odat's weekly column, that Odat "is on leave of absence." On Monday, the *Times Union* advertised a [job listing](#) for "an experienced investigative reporter to join our capitol bureau team in Albany."

These recent developments have fueled speculation that Odat's leave of absence is a direct result of the NXIVM litigation, which is ongoing. A source with knowledge of the situation told Capital that the leave "is not coincidental."

A call to Odat's cell phone Tuesday indicated that the number has been disconnected. Reached at his home, he would only say, "I am not able to discuss anything with you."

Times Union editor Rex Smith wouldn't comment beyond saying that Odat is "still employed by the *Times Union* and he's on a leave of absence."

Odat's attorney, David Schulz, likewise wouldn't comment on the case. But he said they've moved to dismiss the suit and that NXIVM's response was due on Dec. 5.

"We don't think it stakes a claim against Jim and we'll see where the court comes down," he said.

Last week, *The Nation* published an article headlined, "[How a Strange, Secretive, Cult-like Company Is Waging Legal War Against Journalists.](#)"

The piece outlined the broader press-freedom implications of the NXIVM suit, which is based on the federal Computer Fraud and Abuse Act. The law is the same one that was used to prosecute politically active computer programmer Aaron Swartz for his unauthorized downloading of articles from the digital academic database JSTOR. Swartz killed himself in the midst of plea negotiations, and his case became a cause célèbre for the web activist community.

"Regardless of the outcome of the [NXIVM] lawsuit, its chilling effects have already been felt," wrote William D. Cohan, who also is a *Vanity Fair* contributor. "[J]ournalists generally have stopped writing about the strange doings at NXIVM."

Andrews is being represented by Michael Grygiel, who told Cohan, "This lawsuit represents nothing more than an attempt to retaliate against Ms. Andrews for the exercise of her First Amendment rights as an investigative correspondent for *Vanity Fair*."

Attempts to reach NXIVM through the contact form listed on the organization's website were unsuccessful.

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**ImmaculateException** · 9 months ago

Waaah! Waaah! Sara! Clare! Give me some more of that billionaire money! I'm Keith and I'm mad at all those journalists exposing me for the charlatan that I am and ruining my chances for money acquisition to feed my gambling habit and at enlarging all of "the ones" for my harem - especially from the celebrity pool!

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**Mark** · 9 months ago

This Raniere slimeball seems to be using the same sort of legal tactics as Scientology and its psychopathic leader, David Miscavige. May they both suffer the same fate. Good luck, Mr. Odato!

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**CongressParker** · 9 months ago

"Tighe agreed to cooperate with a special prosecutor against others implicated in the computer trespassing case."

Mr. Odato's problem is as much with Tighe (accused child porn addict) who is now willing to turn evidence against him as with the alleged cult NXVIM and it's charismatic leader. I would say that Mr. Odato is caught between a rock and a crazy place. Frankly he should have known better.

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**Christopher Russell**

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