

COMMONWEALTH OF MASSACHUSETTS

[COUNTY], ss.		[TRIAL COURT] DEPARTMENT CIVIL ACTION NO. [DOCKET NO.]
[NAME(S)] Plaintiff[s]	:	
v.	:	
[NAME(S)]	:	
Defendant[s]	:	
<b><u>AFFIDAVIT OF ERICA SEIGAL, LCSW, IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT</u></b>		

Attached hereto as Exhibit [NUMBER/LETTER] is a true and correct copy of the report provided to Align and Flow LLC dba Tam Integration, a limited liability company organized in Massachusetts, by affiant, Erica Seigal, LCSW, Executive Director of SHINE Collective, Inc, a nonprofit corporation incorporated in California, that provides support, resource, and education to survivors of abuse within psychedelic communities and was an unpaid mediator in connection with the dispute from which the civil action arose.

I declare under penalty of perjury under the law of Massachusetts that the attached Exhibit is true and correct. Executed [DATE].

[[AFFIANT'S SIGNATURE]]  
Erica Seigal, LCSW

On this [DATE] day of [MONTH], [YEAR], before me, the undersigned notary public, [AFFIANT] personally appeared, proved to me through satisfactory evidence of identification, which was [TYPE(S) OF IDENTIFICATION], to be the person who signed the [preceding/attached] document in my presence and who swore or affirmed to me that the

contents of the document are truthful and accurate to the best of [his/her/their] knowledge and belief.

[Performed remotely using communication technology in Massachusetts, [COUNTY] county.]

\_\_\_\_\_  
[OFFICIAL SIGNATURE AND SEAL OF NOTARY]

DRAFT

## EXHIBIT [NUMBER/LETTER]

Tam Integration Report  
Erica Siegal, LCSW - SHINE Collective, Executive Director  
June 5, 2024

Daniel Shankin of Align and Flow LLC dba Tam Integration contacted me on February 14 2024 to inquire about support and potential mediation regarding an incident that happened at his Company's integration coaching training program retreat.

Dan and I briefly spoke and he connected me with the female student [REDACTED] who was experiencing distress after the retreat via group chat.

We set up an initial screening zoom call for February 15 2024 at 10:15pm

During this call [REDACTED] was visibly distressed and upset from the events that transpired at the retreat. [REDACTED] described the following series of events:

- [REDACTED] was sitting alone, in the morning following an experiential group session, under a tree, with her journal.
- [REDACTED] was approached by P and asked if he could sit with her. She agreed and consented to him joining her.
- They engaged in a conversation where they discuss astrology and energetic sensitivity.
- P was close enough to [REDACTED] that he was touching her leg. He asked if she needed more space and she agreed to him sitting closely.
- P asked if he could recite a poem that he wrote about a psychedelic experience.
- [REDACTED] agreed.
- P proceeded to recite a poem that had graphic and violent language, including phrases such as "Fuck You" and "Fucking Bitch" while engaging in eye contact with [REDACTED]
- [REDACTED] had shared with the group, prior to the retreat, that she is a sexual assault (SA) survivor.
- [REDACTED] was extremely triggered by having the interaction with P
- Afterwards, [REDACTED] disclosed to several of the volunteers/staff at the event that P made her uncomfortable after the incident
- [REDACTED] reached out to Daniel to inform him of the situation.

Throughout the call, I apologized for the situation she was in, engaged in active and reflective listening techniques. I thanked her for her vulnerability in her sharing with me. I informed her that I wanted to go back and speak with Daniel and that I would let her know how he wants to proceed. I also informed her that I was just here to assist Daniel in getting all of the facts around the incident and told her that I was willing to speak with P to also hear what transpired from his perspective. I let her know that the first priority is for her to feel safe and that she is able to engage or disengage in this process at any time.

Dan contacted me later that day to inform me that he spoke with P and obtained a written version of the poem and it was "a bit more chill." and sent me the poem via instagram.

### February 19 2024

Dan contacted me to let me know that [REDACTED] was not responding to his text messages and was concerned that he was pushing and was seeking guidance.

Dan told me that she spoke to one of the assistants at the training about how she's feeling unsafe and might want to drop out of the training. Dan expressed concern for both [REDACTED] and P in creating a safe environment for both of them to grow. I suggested that Dan might consider additional screening and informed consent for future participants.

### **February 20 2024 10am PST**

Daniel and I had a zoom call with P to discuss the retreat.

During this call, P claimed to have no awareness that his sharing of the poem was triggering or inappropriate. He shared a written copy of the poem, which did not contain the word "bitch" in it and he denied using the word in his interactions with [REDACTED]

P was open to feedback and reflection and was cooperative throughout the call.

I thanked him for his transparency and honesty and I let him know that I would debrief with Daniel and let him know how this will move forward.

### **February 21 2024**

[REDACTED] messaged me to check in to see how things were progressing.

[REDACTED] stated that she isn't clear on next steps and haven't spoken to Daniel since February 15.

[REDACTED] texted:

- *"I'm not feeling great. Daniel said he's ready to talk, but I am finding that I don't want to talk because I feel like I'm going to have to fight and I don't have the capacity for that now. I don't know how the conversation went with you all yesterday, and it feels like I don't know where I am in the process of speaking up. I don't know what will happen or what should happen."*

I responded:

- *"Prioritizing your sense of safety and peace is important. If you're not ready to engage, I would take the time and space you need. <3"*

I reached out to Dan to let him know that I heard from [REDACTED]

Dan informed me that he sent [REDACTED] an email entitled "Whenever you're ready" with the following message:

- *Hi [REDACTED] I spoke to (retreat assistant), I want you to know that I encourage you to do what you need to do to take care of yourself. I'll be here whenever you're ready to talk, and I'll give you space until then. I'm happy to call Erica back in to help facilitate if that helps you. If you'd like to bring in anyone else to support you, that is coll, too. I wish you all the best, Daniel"*

### **February 23 2024**

Daniel informed me that [REDACTED] contacted him with a desire for the call with "a few women from class" and sent an email to schedule a group call.

### **February 24 2024**

We agreed on a group call, [REDACTED] Dan, myself and a few members of the group for February 28 2024 at 1pm PST

## February 28 2024

Dan, myself, [REDACTED] RA (retreat assistant), [REDACTED] & [REDACTED] met for a group zoom call, where we could discuss how to move the group forward and who would continue to participate and who, if anyone, would be removed from the group.

Throughout the group session, [REDACTED] expressed a lot of fear, frustration and guilt around bringing up challenging topics and patterns of abuse that she's been attuned to from her past. Several other people shared their concerns and experience and also expressed sadness and confusion about the situation and how it could be prevented in the future.

Several of the guidelines that were suggested during the group were:

- Non-Violent Communication and Trauma-Informed Trainings prior to group retreats to ensure a safe environment for all participants
- More detailed community guidelines to include:
  - No outside substance use (cannabis, rape, etc.) during retreats
  - No one-on-one processing or sharing between participants during the retreat
  - No use of violent language, when possible

During this call, I discussed with the group guidelines around workplace harassment and corrective action. I suggested that if Dan decided to keep P in the group, that ensuring clear understanding of new boundaries and guidelines are clear and that corrective action happens is very important to the process.

Dan sent everyone an email:

- *Thank you all for meeting. This is really serious, and I'm thinking long and hard about how to move forward. I hope we can meet again soon. In your service, Daniel"*

## February 29 2024

I received the following email from Dan:

- *Hello everyone. I'm writing to inform you that Peter has been exited from the class. [REDACTED] I want you to know that I'm really grateful that you stepped forward to say something and that you were patient while I worked to make an informed decision. I know this process hasn't been easy. I'm hoping we can move forward with a greater sense of safety. I'm available if anyone wants to reach out to me. If there is anything unresolved that you want me to hear, I'm here. I'd like to write a brief but honest statement on my network, and [REDACTED] if you're interested and available perhaps you could help me draft it. Thank you for being a part of this process. In Service, Daniel"*

## March 1 2024

I responded to the group:

- *Thank you so much for your commitment to this process. I am so grateful for all of your engagement in this process. It is challenging and uncomfortable. I'm happy to hear of Daniel's decision to excuse Peter from the cohort in the spirit and desire to hold a safe container for everyone. Please let me know if there's any additional support that is needed.*

RA responded:

- Thank you for your assistance Erica. Your experience in these realms is definitely appreciated. This will likely be an uncomfortable situation for the cohort to come to terms with. Do you have suggestions for the group as a whole how to integrate?

I responded:

- *Here's some potential avenues for discussion:*
- *I think it's important for [REDACTED] to be able to share her story with the group, if that's something she feels called to do.*
- *[REDACTED] should establish her boundaries around group contact (i.e. Is it okay for group members to reach out to her or is 30 individual text messages/phone calls overwhelming?)*
- *I believe that Daniel should share some new group boundaries and agreements, as determined by himself. (using other substances at retreats, use of violent language (without a trigger warning/consent), sharing one-on-one during integration time vs group sharing)*
- *Same goes for group members contact with Peter. Daniel, do you believe you can get his consent?*
- *Also, have an open forum for any group members to express their feelings. It might take a while for some people to process, so offering a group a few days after the changes might be nice. Also have some co-facilitators available for anyone in the group.*

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