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January 5, 2009

By Fax, Email and Hand Delivery.

The Chairman and Board of Supervisors
Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street-Fifth Floor
Riverside, CA 92501

Re: Proposed Ordinances 884 and 888: Targeted Residential Picketing
Board meeting January 6, 2009, Agenda Items 3.28 and 3.29 (Supervisor Stone)

ADDITIONAL ENCLOSURES TO 19 PAGE LETTER DATED JANUARY 5, 2009

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Attorney for Respondent
Donald J. Myers

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT**

	)	Case Nos. BS116340 /BS116339
)	
LISSA UVIZL,	)	Hon. Richard E. Rico
)	
Plaintiff,	)	DECLARATION OF GRAHAM E. BERRY
	)	AND EXHIBITS IN SUPPORT OF
vs.	)	DEFENDANT'S C.C.P. §425.16 SPECIAL
	)	MOTION TO STRIKE, ETC.
)	
DONALD J. MYERS,	)	(C.C.P. §527.6 and 425.16)
)	
Respondent.	)	DATE: Friday, October 24, 2008.
	)	TIME: 8-30 a.m.
	)	DEPT: 76
<hr/>		
)	
LEWIS MIRANDA,	)	<u>Filed concurrently with:</u> (1) Notice of Special
	)	Motion to Strike, Memorandum of Points &
Plaintiff,	)	Authorities; (2) Evidentiary objections; (3)
	)	Declaration of Donald J. Myers and Exhibits;
vs.	)	(4) Declaration of Garry Scarff and Exhibit;
)	(5) Declaration of Florian Schwarnert and
)	Exhibits; (6) [Proposed] order.
)	
DONALD J. MYERS,)	
)	
Respondent.)	
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DECLARATION OF GRAHAM E. BERRY

I, **GRAHAM E. BERRY**, declare and state as follows:

1. I am an attorney at law duly licensed to practice before all the courts of the State of California (1986). I am also admitted to practice law before various Federal Courts, the courts of the State of New York (1981), the State of New South Wales in the Commonwealth of Australia (1979), and the Dominion of New Zealand (1973). I have personal knowledge of the facts set forth herein, except those that are based upon information and belief, and if called as a witness, I could and would testify competently thereto.

INTRODUCTION \

2. This Declaration is submitted in the cases of *Lewis Miranda v. Donald J. Myers* (L.A.S.C. Case no: BS116339) and *Lissa Uvizl v. Donald J. Myers* (L.A.S.C. BS116340) and for the purposes of showing: **(A)** That the First Amendment activity at issue herein involves matters of great public interest, importance and impact; **(B)** That the two plaintiffs herein are really the *alter egos* of the Scientology enterprise; **(C)** That the Scientology enterprise has not disclosed any of the historical and surrounding circumstances concerning these proceedings and the participants there; **(D)** That the real nature and purpose of these proceedings have not been disclosed to the court by the plaintiffs and their captive/in-house counsel; **(E)** That these proceedings are fatally tainted by the “bad faith” of the plaintiffs, their counsel, their “terminals” (superiors) in the Scientology Office of Special Affairs (O.S.A.) and David Miscavige who is the managing agent of the entire Scientology enterprise and who micro-manages all operations including all litigation; and **(F)** That the plaintiffs (both real and nominal) herein should therefore be denied any equitable relief herein. “[Los Angeles] lawyer Joseph Yanny, believes the church ‘has so subverted justice and the judicial system that it should be barred from seeking equity in any court.’ He should know: Yanny represented the cult until 1987, when, he says he was asked to help church officials steal medical records to blackmail an opposing attorney (who was allegedly beaten up instead). Since Yanny quit representing the church, he has been the subject of death threats, burglaries, lawsuits and other harassment.” *Scientology, The Thriving Cult of Greed and Power,*

Time Magazine, May, 6, 1991. Indeed, in 1990 I was one of the lawyers retained to successfully defend Joseph A. Yanny, Esq. in litigation filed against him by the Scientology enterprise. Over \$2 million dollars in professional indemnity policy proceeds was required to win these two cases. However, it is reported that Time magazine spent nearly \$20 million to successfully defend itself against the Scientology enterprise in connection with the Time magazine article. That defamation litigation was eventually dismissed, upon summary judgment, on the ground of “truth and/or substantial truth” and the dismissal was affirmed by the U.S. Supreme Court.

3. A similar (but more extensive) version of this declaration has been submitted to Federal and Local law enforcement in connection to matters related to the one herein.

THE PENDING CASES INVOLVE PUBLIC ISSUES AND PUBLIC FORUMS

4. The proceedings herein concern First Amendment activity that occurred at 6331 Hollywood Boulevard, Los Angeles, CA where the middle management of the Church of Scientology International, its Office of Special Affairs (O.S.A.), and its in-house legal unit (Moxon & Kobrin) is headquartered.

5. I am providing legal services to the large group of individuals who have participated in the peaceful First Amendment activities of the worldwide group of individuals calling themselves “Anonymous.” Since February 10, 2008, tens of thousands of people in 42 countries and 110 cities have responded to the call of an international civil and human rights group, known as Anonymous, to protest the civil and human rights abuses of the Church of Scientology, to demand an end to its tax exempt status, and to demand a full, open and transparent investigation into both the well documented and the alleged psycho-terror, criminal, racketeering, money-laundering, public corruption and other anti-social activities of this dangerous paramilitary, totalitarian and subversive political group and enterprise. On the global protest days the number of global protesters has totaled between 5,000 and 10,000. Significantly, in the past seven months Anonymous has regularly picketed and protested the Church of Scientology in 144 cities around the world. See, <http://tinyurl.com/6oktsn> . Not one protestor has been arrested for violence. All of the global pickets have been peaceful. Scientology’s response has not.

6. These monthly global protests, supplemented by daily local pickets of Scientology locations around the world, are now part of the human and civil rights landscape until the

Church of Scientology ceases its human and civil rights abuses and makes proper amends to all those its intentional and negligent abuses have damaged or destroyed. See:

<http://www.xenu.net/archive/media/young-quill.html> (How Scientology manages the media). For example, the Church of Scientology has a “International Finance Dictator,” “International Finance Police,” “International Justice Chief,” “Committees of Evidence,” and gulags called the “Rehabilitation Project Force” (the “RPF”) and the “Rehabilitation Project Force’s Rehabilitation Project Force” (the “RPF’s RPF”), truly Orwellian nightmare. <http://www.tr-l.org/mott0001.htm> and <http://www.tr-l.org/> Photographs of the Los Angeles RPF can be seen at <http://tinyurl.com/6m5ewd>. Photographs of some of Scientology’s private investigators can be seen at <http://tinyurl.com/2t4kh3>

7. The basis of each of the forgoing statements can be documented with testimony, official reports, or the Scientology Enterprise’s own documents such as their copyrighted criminal manifesto called “Investigation Officers Full Hat Pack:”

<http://wikileaks.cx/leak/Scientology-frank-oliver-osa.pdf> and his related court testimony at <http://tinyurl.com/6ldvod> Also see paragraph 242 *et seq* of Gerald Armstrong’s complaint to the U.S. Department of Justice, <http://tinyurl.com/55jxs3>.

Also, <http://www.Scientology-lies.com/faq/what-is-Scientology.html>

8. Although the Church of Scientology claims to be the world’s fastest growing religion with a worldwide membership of over ten million members like the Mormon Church, in reality former high level Scientologists agree that at any one time there are no more than 50,000 active Scientologists and that it is the world’s fastest shrinking religion.

<http://tinyurl.com/6khv6z> and <http://www.religioustolerance.org/scientolnbr.htm> . All active Scientologists are required to be members of the International Association of Scientologists (I.A.S.). Others who have quietly left Scientology remain members in order to avoid receiving a “suppressive person declare” and becoming subject to Scientology terrorism called the Handling of Suppressive Persons.

<http://tinyurl.com/6nq2le> The photographs of Scientology events are often falsified to make appear there were many more people in attendance than there actually were. For example, <http://tinyurl.com/64ngud> and <http://tinyurl.com/6yulbn> (scientologists-no heads).

9. It is important to note that even within Scientology there has been a battle royal waging for decades. Corporate Scientology has been using its religious trade secrets and copyright litigation blitzkriegs to try and squash the “Free Zone.” Free Zoners study Scientology and engage in auditing for little or low expense. However, Corporate Scientology calls the Free Zoners “Squirrels,” and the hallmarks of the Scientology campaign to “stamp out the squirrels” resembles the Roman Catholic Church’s campaign to stamp out Martin Luther’s Reformation that made the Holy Bible widely and freely available in many languages, not just Latin. Google Free Zone and Scientology or click on: <http://tinyurl.com/5lbw25> Also see, <http://tinyurl.com/5nr99j> and ‘The Scientology Comparative Theology Page’ at <http://www.ezlink.com/~perry/CoS/Theology/index.htm>

10. The following materials, available on the Internet, serve as a resource and introduction to what the Church of Scientology in America is now: From an Internet library, <http://tinyurl.com/5fx3fs> ; Los Angeles Times, <http://tinyurl.com/6r3q95> ; Bavarian State Government, <http://tinyurl.com/6r7ely>; Operation Clambake, <http://www.xenu.net/> ; www.xenu.net xenu directory, <http://www.xenu-directory.net/index.php> ; Lermanet.com, <http://www.lermanet.com/> ; Enturbulation.org, <http://www.enturbulation.org/> ; ExScientologyKids.com, <http://exscientologykids.com/> ; Children in chain lockers, <http://tinyurl.com/5u8nkm>; Professor Kent’s papers on Scientology, <http://tinyurl.com/5tderk> ; Brainwashing, <http://tinyurl.com/5s6gh4> , Online Scientology library, <http://www.xenu-directory.net/index.php> ; What is Scientology, <http://tinyurl.com/6avgyc> Also see “the bookshelf” at <http://www.xenu.net/> where the leading exposes are on line and Gerry Armstrong’s rejected 2004 complaint to the U.S. Department of Justice. <http://tinyurl.com/55jxs3> and <http://tinyurl.com/5ql9fg>

11. For present purposes it can be said that in 1950 L. Ron Hubbard, Jr. published a book called “Dianetics, The Modern Science of Mental Health.” Hubbard then established various Dianetics Centers. Subsequently Hubbard became embroiled in litigation, his Dianetics Centers declared bankruptcy and he incorporated the first Church of Scientology in 1953. Later he put to sea for nearly ten years with his only private navy the Sea Organization. View a classic interview on the flagship with L. Ron Hubbard: <http://tinyurl.com/6qlp6>. However, it was not until the early 1970s that the Church of Scientology began to cloak itself with religiosity for legal and tax purposes. In fact, prior

to that Hubbard had claimed that Scientology was not a religion! See, Time line of Scientology's War against the I.R.S., <http://tinyurl.com/5jpv3> ; and *Hernandez v. Commissioner of Internal Revenue*, 490 U.S. 680 (1989), <http://tinyurl.com/6rrbmf>; *Founding Church of Scientology of Washington, D.C. v. United States*. 409 F. 2d 1146 (1969), <http://tinyurl.com/6gj8yq>; *Church of Scientology of California v. Commissioner of Internal Revenue* 83 T.C. 381 (1984), <http://tinyurl.com/58dsg6> Also see: <http://tinyurl.com/68ohxl> and http://www.xenu.net/archive/judge_quotes.html. Of particular interest is the opinion of Judge Gessell in *United States v. Article or Device*, etc. 333 F. Supp. 357 (1971) <http://www.lermanet.com/case2.htm>. Hubbard's one time biographer Gerry Armstrong's 2004 complaint to the U.S. Department of Justice describes the early years of the Church of Scientology and its arrival in Florida. <http://tinyurl.com/55jxs3>

12. A recent video explains the secret IRS deal that favors the Church of Scientology over all other religions in the United States and fulfilling an international definition that constitutes the Church of Scientology as the effective state religion of the U.S.A., just as the Anglicans, Roman Catholics and Greek Orthodox religions are state religions because of their special treatment within their home nations. It is supplemented by a May 2008 affidavit of the former Scientologist who supervised the Scientology enterprise's most recent major deceptive corporate re-organization. See: <http://tinyurl.com/5dznzy> and <http://tinyurl.com/68lbq4> and <http://tinyurl.com/5ovk5n> and <http://tinyurl.com/6avgyc> You can read part of the "secret" tax agreement here: <http://www.xenu.net/archive/IRS/>

13. The Scientology enterprise has also gained a reputation as being a prolific litigant. <http://tinyurl.com/5n7jtf> As you will note from the immediately proceeding URLs, it filed over 2, 500 law suits against the IRS alone and, according to one scientology historian, once had so many defamation law suits pending in the United Kingdom that it could not count them Lists of some of the countless Scientology related law suits can be found at the following Internet websites: <http://tinyurl.com/6egh2b> ; <http://www.cs.cmu.edu/~dst/Cowen/essays/irslegal.html> ; http://www.whyairetheydead.net/krasel/ottman_html/10.htm;

<http://www.xenu.net/archive/CourtFiles/index.html> and <http://tinyurl.com/5vs2qg> and <http://www.factnet.org/Scientology/scikent.htm> Also see the summary of Scientology court cases at <http://tinyurl.com/5npv9f> .

14. The California courts have condemned the Scientology litigation juggernaut and its

blitzkrieg scorched earth litigation wars of attrition as being a threat to free speech [and the proper petition for the legal redress for demonstrable wrongdoing]. In *Church of Scientology v. Wollersheim*, 42 Cal.App. 4th 628 (2nd Dist. 1996) the court opined on Scientology's litigation abuses.

“Moreover, the free exercise of the constitutional right of judicial redress is no less threatened by the employment of non-tortious litigation practices designed to economically “bludgeon the opposition into submission.” In either case the result is to subject the litigant to economic loss sufficient to discourage the free exercise of a constitutionally protected right.” <http://tinyurl.com/5szrwk>

Moxon & Kobrin were counsel in this case where they were sanctioned nearly \$500,000.00.

15. In 1977 the Federal Bureau of Investigation launched its largest raids ever as of that time; against the Church of Scientology. The simultaneous F.B.I. raids in Washington, D.C. and Los Angeles, CA revealed the largest ever-known criminal infiltration of the United States government. It was prompted by a former Scientology covert agent turning himself into the F.B.I. and disclosing the Scientology enterprise's Operation Snow White. See <http://tinyurl.com/5bt6xp> . As a result of Operation Snow White eleven senior Scientologists went to prison including L. Ron Hubbard's own wife to whom he was bigamously married for a time after being convicted of check fraud in San Luis Obispo, CA. Kendrick L. Moxon, Esq., was named as an unindicted co-conspirator in the signed consent-stipulation of evidence. Among other things, he had submitted fabricated evidence to the F.B.I. See the stipulation of evidence and other related documents online at <http://www.xenu.net/archive/go/legal/legal.htm> . Of particular note, in this regard, is the Declaration of Robert Vaughn Young <http://www.xenu.net/archive/go/legal/rvy.htm> .

16. The Young declaration [<http://www.xenu.net/archive/go/legal/rvy.htm>] also details the death of the mother in law of David Miscavige who now rules the Scientology enterprise. In a 1993 deposition the Los Angeles coroner testified that he had never before seen a claim of suicide like this:

“Another mysterious but key death was that of Flo Barnett, Miscavige's mother-in-law. She died in 1985 of three shots to the chest and one to the temple from a semi-automatic rifle. Two suicide notes were found. Although she was only 5'3" tall (and weighed only 114 pounds), the examiner determined she shot herself three times in the chest (with a rifle) before shooting herself through the head. (See coroner's report attached as Exhibit V.) What the authorities didn't know was that she had left Scientology and was associating with apostates, to the anger of her son-in-law Miscavige.”

17. The health, safety and welfare of David Miscavige's own wife is now the subject of concern. She has not been seen in public since he joined Tom Cruise and Katie Holmes on their honeymoon. A recent Scientology defector from the Gold Base reports that Michelle Miscavige objected to her husbands “relationship” with his new secretary. Scientology's leader responded by declaring her PTS-Type III in Scientology parlance, meaning she was suffering from a psychotic break which is handled by the Scientology Isolation Rundown from which people have died. The most notable incidence is Lisa McPherson. See <http://www.lisamcpherson.org/> The reports also claim that Michelle Miscavige was taken interstate to the Scientology technology preservation tunnels in Arizona where she is/was being “handled.” Subsequently, the new secretary has been seen in public together with Tom Cruise and Katie Holmes.

18. Following the 1977 F.B.I. raids of 1977, subsequent similar prosecutions occurred in Canada <http://tinyurl.com/6omsj9> and continue to take place. For example, in Spain, France, Greece <http://tinyurl.com/6clwu7> and <http://tinyurl.com/5jl24p>, Russia <http://tinyurl.com/5b2s9l> and <http://tinyurl.com/6ecwhr> , and Belgium <http://tinyurl.com/6culpe> and <http://tinyurl.com/6ryqzz> The German State of Hamburg exemplifies the approach taken to the Scientology enterprise throughout Germany and much of Western Europe. <http://tinyurl.com/59ge3t> Indeed, at this very time the

Belgium, French and German governments are mutually considering a total ban on the Scientology enterprise on the ground that it is a foreign headquartered (California) totalitarian political, psycho-terror, criminal and money laundering enterprise that is a threat to the democratic state.

19. After the 1977 F.B.I. raids on Scientology, and the criminal prosecutions, L. Ron Hubbard went into deep hiding for the rest of his life. Google Hubbard and Hiding.

<http://www.xenu.net/archive/go/legal/poodle.htm#go> David Miscavige and Pat Broeker were Hubbard's only regular contacts with the outside world.

20. At the time of L. Ron Hubbard's death in mid January 1986, there was no designated successor or succession process to select his replacement, to the extent that anyone could ever replace L. Ron Hubbard as Scientology's "Source;" that jovial carnival con man and big-story teller that you laugh along with while he dips deeper and deeper into your wallet! Pat and Annie Broeker had been his household staff for the last six years of Hubbard's life, which was spent hiding from the law and legal process. David Miscavige had been the Commodore's Messenger who secretly shuttled the millions in cash and church dispatches between the Church and Hubbard in the depth of the night. At Gold Base, near Hemet, CA David Miscavige would load up a vehicle with reports and money (usually millions of dollars) and drive off into the night. Up at the ranch in Creston, near San Luis Obispo, CA. Pat Broeker would load his vehicles with dispatches from Hubbard. Hubbard would never be identified as having seen the documents because the Church was insisting to the government and courts that Hubbard had no management role at all within the church. In reality Hubbard remained in full control through Broeker and Miscavige. They would meet half way, make the exchanges, and return to their posts before morning. Hubbard's orders would not be signed. However, according to some, a single asterisk symbol indicated to those at the "Gold Base" that the communication had come from Hubbard. It seems clear that David Miscavige was personally involved in massive white collar crime and fraud long before he seized control of the Church of Scientology during 1986. Indeed, it appears that David Miscavige began preparing to seize sole dictatorial power over the Scientology enterprise and its cash when he began reorganizing the corporate structure of the Church in 1982, as described by former scientologist Larry Brennan in a recent affidavit.<http://tinyurl.com/6ezqcx>

21. By 1982, David Miscavige was in day to day control of the Scientology enterprise and reportedly he had gathered up \$200 million for L. Ron Hubbard personally by the end of that year. How David Miscavige did that is another sordid saga involving the theft of dozens of scientologist owned private missions and all of their cash and assets. David Miscavige threatened to “imprison” these individual scientologists if they refused. This is all on video, transcripts and the memories of the many former scientologists who were brutally deprived of many millions of their personal and mission business monies. See, Richard Behar, The prophet and profits of Scientology, Forbes 400, Forbes, October 27, 1986. At the time of his mysterious death in mid January 1986, L. Ron Hubbard had mega millions stashed in Swiss, Luxembourg, Panamanian and other foreign banks. The monies have never been accounted for.

<http://www.lermanet.com/exit/berrying.html> However, as you will read below, David Miscavige terrorized the Hubbard family out of their inheritance rights and continues to do so. The entire corporate Church of Scientology enterprise pyramids up to the strip mall mail drop address only of the shadowy apex Church of Spiritual Scientology. <http://tinyurl.com/6njgft> It is controlled by one man, David Miscavige. He has total unfettered totalitarian control over the entire Scientology corporate enterprise, all individual scientologist owned businesses through the World Institute of Scientology Enterprises (W.I.S.E.), the present lives of all scientologists through access to the contents of their confessional folders and Scientology’s unique system of Ethics, and the future eternity or salvation of all scientologists. He is the head of the para-military Sea Organization through which all power and control is exercised with out regard to usual corporate hierarchy or procedures (the corporate bypass). <http://tinyurl.com/5n7jtf> David Miscaviges sole authority over the entire Scientology enterprise means that at any time he could just disappear with all the Church of Scientology money and property deeds. Indeed, recently scientology celebrities have been funding a “Church” building acquisition program that has left a wake of expensive empty buildings acquired with tax exempt donations and operated without payment of local property taxes, or state and federal income taxes. <http://tinyurl.com/6lbw3p> For example, about seventeen Scientology owned commercial buildings in Hollywood, Los Angeles have engaged in

tax exempt activities since the one billion dollar plus 1993 IRS- Scientology secret tax agreement, waivers and releases.

22. After Hubbard's death in mid January 1986, and shortly after two car loads of top Scientology staffers and lawyers arrived at the Creston ranch, Pat Broeker produced a handwritten paper designating Loyal Officers Pat and Annie Broeker as Hubbard's successors. David Miscavige was furious. Apparently he reminded Pat Broeker that he had been personally carrying millions of Hubbard's cash across State borders. "You either take \$15 million dollars now and are never heard of again, or I will turn you over to the F.B.I." David Miscavige is reported as saying. Pat Broeker has been in hiding ever since although he was recently located by interested persons. One of those present at the time remembered part of all this as follows. <http://tinyurl.com/58azhz> There is much testimony concerning many millions of dollars being laundered through the Church of Scientology and illegally transported across borders. Indeed, it was recently reported that another \$40 million has just been stolen from within the Church of Scientology.

<http://tinyurl.com/57mdwd> and <http://tinyurl.com/6hxrarw>

23. In addition to over \$70 million in cash at the ranch and in the tunnels (where many documents and precious metals, etc. are still kept), it appears that at least another \$200 million was transferred from Church of Scientology enterprise bank accounts to Hubbard's own personal accounts. Indeed, David Miscavige had been earlier quoted as saying, "The only thing that will save us [from the I.R.S] now is if the old man [Hubbard] dies." About two weeks afterwards Hubbard lay dead in despicable, suspicious and humiliating circumstances. David Miscavige and several of his top henchmen became personally very wealthy after that. Indeed, David Miscavige owns a large stable of very expensive luxury automobiles. These were not acquired, and are not operated, on the Sea Org officer's weekly income of \$46.20 (or 36 cents per hour)! Years later the Church would be suing pharmacy giant Eli Lilly. Just before the settlement of the case was announced, one of David Miscavige's accomplices in the money heist made another small fortune by buying a lot of Eli Lilly stock and riding the rise that followed the Church's announcement that Scientology was ending its litigation against Eli Lilly.

24. A few months after Hubbard's death in January 1986, David Miscavige and his top

Scientology executives met in a room with Ron's widow, Mary Sue. For many hours, David Miscavige and this gang threatened, berated and intimidated Hubbard's widow (and later other members of Hubbard's family) into signing over their community property and testamentary interests to Scientology, in accordance with the will made the night before he died and nine days after he had been incapacitated by a stroke and administered the psychiatric drug Vistaril. David Miscavige had prevented Hubbard's wife from seeing him before he died. The late Mary Sue had gone to prison for Hubbard. After Hubbard died, his widow Mary Sue spent the next 16 years living under the supervision and watchful eye of Scientologist staff reporting back to Miscavige.

<http://home.earthlink.net/~snefru/deathoflrh/> and

<http://www.xenu.net/archive/hubbardcoroner/> and <http://scientology-facts.blogspot.com/2005/11/mary-sue-hubbard-dead-at-71.html> and

<http://www.factnet.org/probate.htm>

25. I have recently received reports of other Hubbard family members who were also forced to sign over their community property and other testamentary claims through Miscavige's extortion and brutal intimidation which continues today. According to their correspondence and communications, the legitimate and swindled Hubbard heirs are still terrified by "the men in black." Their claims, still tolled by statute, probably amount to over a billion dollars. In past years, I was also in communication with one of the Hubbard son in laws. However, scientology intervened with a threat to terminate access to his children and a letter to me, from scientology attorney Moxon, that the Hubbard son-in-law was now Moxon's client and that I would be in ethical breach if I had any further direct communication with him (there were no pending matters on which to provide representation!). On the facts Moxons ethics position was fanciful. However, the Scientology threat to prevent my friend from having any access to his three children was very real.

26. Hollywood actor Tom Cruise is said to be the second most important Scientologist in the world. He and David Miscavige, the head of the Church of Scientology, are "best friends." <http://tinyurl.com/62g3dz> It is said that Tom Cruise is now consulted in connection with all major decisions involving the Scientology enterprise. Every year Tom Cruise pays many millions of tax-exempt dollars over to several of the corporations

collectively constituting corporate Scientology. These monies are used to “utterly destroy” those persons (“Suppressives”) who oppose or impede Scientology’s agenda. “I smash Suppressives,” boasts Tom Cruise to other scientologists on a 2004 Church of Scientology recruiting video. David Miscavige personally controls and directs all of the 166 plus corporations of the Church of Scientology despite his public denials. He does so not only through the interlocking directors, officers, legal counsel and other *alter ego* indicia, but also through the para-military Sea Organization which has officers and tentacles in most Church units. This is similar to how the old Soviet Union had a political officer on every naval ship and in every military and civilian installation.

See ‘Updated: The Leader of Scientology (Tom Cruise’s best friend,) physically beating his staff! Hear Senior Staff members tell about the beatings.

<http://factnet.org/?p=289> and <http://www.lermanet.com/exit/miscavige.htm>

<http://www.lermanet2.com/exit/error-page.htm> and <http://tinyurl.com/161>

and <http://glosslip.com/2008/04/28/more-details-of-sadism-from-scientology-church-leader-david-miscavige/> and <http://www.lisamcpherson.org/dm.htm> and

<http://tinyurl.com/58o4yo> And for comic relief see, <http://tinyurl.com/57k8m4>

28. A whole host of former Church Sea Organization members have written of their beatings by Captain Miscavige. For example, one former Scientology employee has publicly described some of this terrible tax-exempt violence that is funded by Scientologists such as Tom Cruise, John Travolta and Fox News’s Gloria Van Susteren. On April 25, 2008 former Scientology “Gold Base” employee Marc Headley said during an interview that he had personally seen David Miscavige physically strike fellow parishioners and employees on at least thirty different occasions.

“In late 2004 I was walking through the main factory facility with David Miscavige and I made a smart-alec response to one of his questions. Apparently he’d not had a good day already and my comment was not well received and proceeded to unload on me. He punched me in the face at least ten times and my glasses fell off. I was thrown up against a desk unit, a counter top, and that was the moment right then when I realized I could go no further down than this, to be beaten by the leader of my so-called church. What else could I do that could get me in a lower status than that? And I decided that I would strike back. As soon as he saw that in my eyes, I was grabbed and escorted out

of the building and made to take a walk for about an hour or so. ... While I was escorted out of the room I heard him say to his staffers, "He was going to hit me back." ... A lot of people don't believe the stuff they read on the Internet, that David Miscavige has done. When I got out of the Sea Org I couldn't believe the amount of stuff that was on the Internet that was absolutely 100% accurate, of the goings on at the international headquarters or Int Base. So yeah, there's a lot of stuff on the Internet and it's absolutely true, pretty much I'd say 99% of it is very accurate."

<http://tinyurl.com/5rn7vj> See also: Church of Scientology used as a private dating service for Tom Cruise, <http://tinyurl.com/6mull8>; and Leader of Church of Scientology has physically abused staff for years, <http://tinyurl.com/5k4kn8>; and More details of sadism from Scientology Leader David Miscavige, <http://tinyurl.com/5ws23a> ; and the second interview with Marc Headley. <http://tinyurl.com/5sfpw3> .

29. There are over a dozen other former Church of Scientology staffers who are willing to testify to witnessing the numerous assaults and batteries which the head of the Church of Scientology apparently believes that he has immunity to commit as the totalitarian leader of a tax exempt "church" that has the most favored tax and government status of any church in the United States. One former Church employee would be expected to testify along the following lines. Note: DM refers to David Miscavige:

"The first time I witnessed DM hitting another staff member was in 1995. ... DM had already been meeting with Ray on technical matters when the rest of us were called to the office. Upon our arrival, I could see that DM was furious at Ray. In a rage, DM took off his name tag and broke it, saying he was going to quit. He kicked a chair into Ray who was sitting at the conference room table and then DM hit Ray on the head with an open hand 3 times. DM then took cash out of his wallet, throwing dollar bills on the table in front of Ray, saying, "Here - take it!" (I guess to give him money for the physical violence, which Ray did not take). DM then proceeded to yell, knocking furniture around in his office saying he's had it. We were all sent off by DM to "go handle Ray", who was eventually assigned to the Rehabilitation Project Force (RPF) by DM, out at the Happy Valley Ranch in Hemet.

- Cathy Rinder and I were working on a submission to DM regarding the church command channels in 1995. As part of

this, we submitted a posting proposal to DM. I was in another room when he came to "reject" the submission, which he threw at Cathy, hitting her arm. This left a red welt, which she showed me after DM left the office. She was in grief about this incident.

- When Mike Rinder was the Watchdog Committee member over the Office of Special Affairs (WDC OSA), DM came into the WDC space where we were all sitting, very upset over something. He went to Mike's desk and grabbed Mike around the neck, slapped him across the top of the head, then tipped over his chair, knocking Mike to the ground. This was in 2000.

- Also in 2000, DM called a meeting with WDC and several other Int executives. Jason Bennick was there. I believe he was holding Manufacturing Sec at this time. During the meeting (with about 25 witnesses present), DM lunged at Jason, grabbed him around his neck and pulled him to the ground.

- DM held a meeting in the WDC space with marketing staff. Jeff Hawkins was sitting about 5 feet from my desk at the conference room table, opposite to DM. During the meeting, DM jumped up onto and across the table and landed on Jeff, knocking his chair backwards and landing on top of him. DM started shaking Jeff and wrestling with him on the ground, tearing buttons off his shirt. I collected up all of the shirt buttons and the change that fell out of Jeff's pockets during this episode and returned it to Jeff, who appeared highly shaken up by the incident. This was mid-2002.

(Note: Jeff has relayed to me 3 other instances where DM physically attacked him, but I was not present for these.)

- I observed Mark Ingber and Guillaume Leserve get slapped in the back of the head by DM while sitting at the WDC conference room table. It appeared to be because DM didn't get the answer he was looking for. This was during one of our numerous meetings regarding command channels.

- Marc Yager was attacked in the WDC conference room. DM ran across the room at him and shoved him into a tall audio-visual/speaker system and shelving unit. Marc fell to the ground as DM kept coming at him, grabbing and shoving him in a violent manner. DM's wife (Shelly) said "Dave!" in an attempt to get him to stop but DM kept attacking him until Marc was lying on the ground, looking up, covering his head with a terrified look on his face like "please stop hitting me". DM ordered him to get up.

- Once in early 2003, Marc came back to his office with cuts all over his face and the top of his head (he is partially bald, so the cuts were easy to see). I asked Marc what happened and he said he "fell into some bushes." His Communicator (Eddy Quillin) told me that she was there and what actually happened was that DM threw Marc into the bushes, which gave him a bunch of cuts/scrapes.

- Another time Marc came into the dining hall with crutches and a cast on his foot. I asked him what happened and Marc told me that he broke his ankle "falling" over the tall drop-off by the Cine castle side entrance onto concrete. Another person who witnessed what actually occurred told me that one of the girls from the Cine Division (Sadie Johannesson, I believe) was ordered by DM to run Yaeger down in her car to which she complied by driving after Marc, and to get out of the way of being hit, he jumped over the drop-off and broke his ankle on landing. This was end June 2003.

- Also in June 2003, Wendell Reynolds (then International Reserves Director) arrived to the Purification center with a bandage on his arm. While sitting in the sauna together, Wendell described to me how DM came charging into his office in a rage, picked up a large 10-gallon water bottle and hurled it across the room at him. The bottle hit Wendell's arm, causing a gash. (Note: While I was witness to another incident Wendell told me about, it should be reported. He said that in a different meeting in the Cine lodges by the dining hall, DM repeatedly punched Wendell in the stomach about 20 times. He kept his stomach tense so he could "take it", but then DM turned away and Wendell relaxed his stomach, at which point DM spun around and slugged him again, knocking the wind out of Wendell who wasn't prepared for the punch.

- A few months before in the WDC conference room, DM jumped across the conference table and knocked Wendell over backwards next to the desk I was sitting at. Wendell lay there on the ground (not knowing if DM was done attacking him) and DM told him to "get up and stop pretending to be hurt." There were at least 10 other witnesses to this incident. ... While not observed personally, I have been informed of different physical attacks by DM on staff member at the INT Base, which should be made known for potential follow-up:

- Marc Headley told me that DM physically attacked him, throwing him back against a wall, knocking his glasses off

his face and repeatedly punched him. This was in 2005 while Marc was posted as Producer Gold.

- Tom DeVocht told me that DM attacked him 3 times. The last time was in the New York church when DM arrived to inspect the status of renovations, which he was not satisfied with. He hit Tom so hard in the chest that Tom thought one of his lungs had collapsed. Tom has also witnessed many instances of physical abuse up until the time he left in 2005.

- Mark Fisher relayed his story of DM knocking him to the ground and repeatedly punching him to the point where his head was bleeding. This was in 1990. There were apparently several witnesses to this act, including Andre Tabayoyan, Mark Ingber and Marty Rathbun.

- Bruce Hines recently described an incident of being hit by DM on a radio show ... I have additionally been in contact with other people who have witnessed DM's physical abuse of staff. This includes Gabrielle Llewellyn who saw both Guillaume Leserve (once) and Ray Mithoff (twice) get hit by DM at meetings. Larry Brennan has reported witnessing physical abuse by DM. John Peeler reported he has also witnessed beatings. ... There are others who are not willing to come forward at this time for various reasons, including potential repercussions by the church for speaking out. ...

It is my view that while David Miscavige is guilty on numerous counts of physical abuse, he has worse crimes in the form of mentally tormenting staff members in ways that have demoralized and crushed people into submission so they are so afraid to speak out against him, which can be similarly documented by several witnesses and victims of such. Having spent __ decades at the INT Base, I witnessed and experienced much of this myself. And I am willing to testify in this regard as well should it be needed. The above is true to the best of my knowledge.”

30. By themselves, these violent and vicious assaults and batteries by David Miscavige, the Pope of Scientology, may be misdemeanors when taken individually but they can each elevate to felonies in other ways. For example, each individual assault charge could be accompanied by a felony charge under Chapter 6 of the California Penal Code for influencing, intimidating or threatening witnesses through the threat of being declared a “Suppressive Person,” subjected to “Disconnection,” terrorized by the “Fair Game” policies for the “Handling of Suppressive Persons” and then denied their “Bridge” and “Eternity” as a Scientologist. See generally, the affidavits of a former deputy

Scientology leader, Jesse Prince. For example, <http://tinyurl.com/5aq6d> and <http://tinyurl.com/583wee>

31. Some of these same former members, who worked closely under David Miscavige for many years, are also willing to testify to a wide range of other abuses, crimes, tax status violations and corporate violations including how David Miscavige personally oversaw and gave the orders on what was done to and with the late Lisa McPherson (see <http://www.lisamcpherson.org/>). They can also testify to personal knowledge as to how the Scientology enterprise's files were (and still are) "vetted" to remove and shred any evidence of his "orders" cross corporate lines and that violate the tax status and corporate integrity of the over 166 supposedly independent corporations and churches of the Scientology enterprise that Miscavige micromanages from Gilman Hot Springs, CA. See also, <http://www.lermanet.com/exit/miscavige.htm>. Although documents and witnesses exist to prove that David Miscavige constantly crosses corporate lines and that he actually runs the churches and corporations of the Scientology enterprise as his own alter ego, the church tries to conceal this evidence. See The Everyday Bypass by DM of Orgs in Power, <http://tinyurl.com/6bpyp8>. This makes a mockery of any semblance of corporate integrity and is irremediable violation of the 1993 secret tax agreement between the IRS and the Scientology enterprise. <http://tinyurl.com/6khv6z>

32. David Miscavige controls and rules the tax -exempt Church of Scientology like a medieval despot and tyrant. He has a personal executive staff of over twenty people. Someone follows him most everywhere capturing every utterance and catering to his every whim. David Miscavige is reported to have told his most senior subordinate officers that public Scientologist Tom Cruise is a far better scientologist than any of them.

33. In addition, David Miscavige has "busted" (or demoted) almost every member of the entire senior management strata of the church down on to "the decks," on to the R.P.F., on to the R.P.F.'s R.P.F. [and that is clearly unlawful imprisonment], or in to "the SP Hall" or "the Hole" at Scientology's "Gold Base" at Gilman Hot Springs near Hemet, C.A. See: The RPFs RPF <http://tinyurl.com/62taxt>; Security Checks and children <http://tinyurl.com/68jtht> ; The RPF and children, <http://tinyurl.com/5weh35> ;

Brainwashing in Scientology's RPF, <http://tinyurl.com/29n8f> and, The RPF as unlawful imprisonment, <http://tinyurl.com/5gfg2m> in Hollywood, CA, <http://tinyurl.com/6m5ewd>

34. As part of David Miscavige's wholesale disregard of the terms and conditions of the 1993 Secret Tax Settlement Agreement between the 166 Scientology corporations and the United States Internal Revenue Service (the "I.R.S."), he has removed almost the entire senior executive strata of the Church and ordered them confined (away from their families) in what is known as "the S.P. hall" or "the Hole" at Scientology's "Gold Base" near Gilman Hot Springs, CA.

35. There are over 40 former senior executives of the Church living in "the Hole" at Gilman Hot Springs. <http://tinyurl.com/6lrwu0>, <http://tinyurl.com/6kapgl> and <http://tinyurl.com/595mn2>. Some have been confined in "the Hole" or "the SP Hall" since the year 2000 when David Miscavige decided to personally assume all of their jobs ("wear their hats"). Here these former senior scientology executives (many in their 50s and 60s) eat, sleep and work at or under their work tables. David Miscavige holds their "Bridge" and their "Eternity" in his sole hands so they daren't risk being formally "Declared a Suppressive Person," or kept on the base indefinitely like some (for example Annie Broecker, a most tragic example <http://tinyurl.com/55u5zd>) or being "off-loaded" like others. In other words, they have been mentally manipulated, or coercively indoctrinated, into complete compliance with the orders and whims of David Miscavige. It resembles the "Stockholm syndrome" and so a few trusted former senior executives serving "lower conditions" have been permitted to leave for a day or two much planned and approved family event and those few have robotically returned (hence the term "Rondroids"). If a Rondroid should start waking up and decide to leave without church permission then it is almost impossible to escape off "Gold Base" itself although there have been some great escapes. For example, see <http://tinyurl.com/5u236u>

36. The Scientology Gold Base is criss-crossed with electronic sensors, listening devices and cameras. At times there have been dangerous attack dogs. In the mid 1990s it was called "armed and dangerous" in the *Church of Scientology v. Fishman and Geertz* case. See http://en.wikipedia.org/wiki/Andre_Tabayoyon . There are still weapons there and there have been several dangerous incidents. If you do manage to escape up the hill

then there is the Eagle's Nest to contend with. <http://tinyurl.com/6cwc68> and <http://tinyurl.com/ypwdt7>

37. There is an Eagle on every "Watch" at "Gold Base." Eagle takes the 30-minute or so climb up the San Jacinto Mountain to Eagle's Nest which is a small gun bunker set into the mountain with an "eagle eye view" over the entire "Gold Base." Eagle has a high-powered snipers weapon. One Eagle had been so brutalized by David Miscavige's brutal physical violence against some of the staff that he kept the cross-hairs of his sniper's rifle trained on David Miscavige's head every where he walked on the Base. When this was discovered, during a Security or Sec check, the Base Security Guard was quickly Off-Post and Off-Base. Ever since then David Miscavige has spent a lot less time on the base and lot more time traveling and vacationing with his best friend Tom Cruise. However, Gold Base remains David Miscavige's address for voter registration purposes. He also has residences in at two locations in Hollywood and in Clearwater, FL. Apparently at each of his residences he has a million dollar plus media and sound system. David Miscavige frequently travels in an armored vehicle and his Gold Base home has been heavily armored to withstand whatever attack may be launched by police, F.B.I., A.T.F., etc.

38. The Eagle sniper guard is not allowed to attend to any toilet functions on the mountain behind "Gold Base." He must "hold it in" until the end of the Watch. One particular Eagle did not "hold it in" and did what some young mother's call "a number two." To try and cover up his "overt," [or wrong] he set fire to the piece of toilet paper he had carried up, "just in case." However, he didn't just destroy the evidence of his "dump." "The whole mountainside went up in flames and poor Eagle was on the E-meter/lie detector for weeks while interrogators ("security checkers") tried to locate his "overts" or wrong-doings. Meanwhile, there is an old red fire truck parked on the base and which has to be pushed or towed where-ever it might be needed. Read about E meters at <http://tinyurl.com/dwoon>

39. If a scientologist from Gold Base did manage to escape up the mountain, he or she would have to pass the guarded Hubbard house and the rear guest house that David Miscavige and Tom Cruise both use when they are at the supposedly secret Scientology base. In Hubbard's house the LRH Household Unit lay out Hubbard's fresh clothes every

morning. After all, Hubbard's return from outer space with his new research is long overdue! Anyway, once the fleeing scientology employee had escaped past the accommodations of David Miscavige and Tom Cruise there would be a continuing climb up and past Eagle's sniper nest. If the escapee avoided Eagle's high-powered telescopic sniper's weapon the escapee would finally go over the top of the San Jacinto Mountains and down the other side to relative safety and freedom. NOT. Most likely he/she would be confronted by the terrifying security teams of a military style base with tunnels drilled deep into the San Jacinto Mountainside. Apparently, when Lockheed-Martin tunneled this secret U.S. military facility into the Riverside County mountainside, they cut through and destroyed the water courses that gave Gilman Hot Springs its name. Despite that, I am told that the then owner of the Gilman desert resort continued to offer "hot springs" from concealed hot water heaters! After that little fraud ran its course, the declining property was purchased by Hubbard's agents using a dummy front company. Now David Miscavige and the Scientology enterprise effectively control the City of Hemet and Riverside County politics, courts and government. Not quite yet.

40. The Base Manager, former Captain Ken Hoden who is now on the R.P.F., was supposed to secure a permanent solution to the periodic problem of pickets and protests outside Gold Base bringing all "production" inside Gold Base to an absolute standstill. For example, in the year 2000 Keith Henson solo-picketed (for the most part) outside Gold Base every day from mid-May to mid- September. Consequently, just one man and his picket sign halted all "production" at Gold Base, the location of which is a secret to Scientologists but easily viewed on Google earth. The Henson matters, and what one Los Angeles Superior Court Temporary Restraining Order led to, is very instructive within the current context and case. See my separate summary: <http://tinyurl.com/5rcg3d> , Sections L & M, attached as Exhibit D hereto.

41. As Exhibit A-C and D, sections L & M, demonstrate, Ken Hoden and four other Scientology Sea Org members went into perjury overdrive and manifest public corruption to secure a "misdemeanor terrorism" and "interfering with a religion" arrest and conviction against Keith Henson. During the course of Mr. Henson's solitary picketing outside Gold Base there had been Internet chatter about "a Tom Cruise missile attack." Twelve hundred Sea Organization members at the Base (seven years later now

down to under 400) were “processed” by Scientology propaganda and coercive indoctrination into being so terrified of one man and his picket sign that highly expensive giant law firms Williams & Connolly and Paul, Hastings, Janofsky & Walker, along with Scientology’s national coordinating attorney Elliot Abelson (formerly a mafia family attorney), were brought into small town Hemet, CA, from Washington D.C. and New York; Riverside County law enforcement and judicial officers were corrupted and Keith Henson went to the Riverside County Jail for six months. Amazingly, Elliot Abelson and Samuel D. Rosen openly supervised and assisted the Riverside County Deputy District Attorney Robert Schwartz who resigned and left the state soon after the highly “irregular” trial was over.

See <http://tinyurl.com/dcox> and <http://tinyurl.com/ytkqb5> . If this matter is to proceed to a full hearing, defendant will seek to enquire into the possibility of similar witness-tampering, mental manipulation and perjury “drilling.” Indeed, on August 22, 2008, Mr. Moxon told me he was “having problems” with one of his clients and needed a continuance of the calendared hearings herein in order to deal with the problem. I refused due to temporary restraining order herein and my imminent consultations with European government prosecutors and officials. See below.

42. Apparently David Miscavige decided that if California State Highway 79 were to be moved from its present route and diverted down the highway beyond the river bed, then the old State Highway could be closed off and closed down, and ‘poof,’ the protest and picketing threat to the mentally-manipulated/coercively indoctrinated “Gold Base” staffers would be permanently solved. The church would not need expenses like eight private investigators parked near then 81 year old Ida Camburn’s home, so they could harass her and her elderly neighbors in the retirement mobile home park to try and cause them to stop providing food and shelter to Keith Henson and other picketers, myself included. This intimidation of elderly citizens has failed! See <http://tinyurl.com/6cc2mm>. At the time I was also doing my own solo pickets at the Gold Base, L. Ron Hubbard Way and 6331 Hollywood Boulevard. Among other things, I found it very therapeutic in the circumstances that the Scientology enterprise had successfully employed against me. Scientology’s public corruption had “utterly destroyed” my life leaving me little else to do but picket the cult! See <http://tinyurl.com/5nffc6> or <http://tinyurl.com/5whht8>

43. Meanwhile, Base Manager Rev. Ken Hoden had failed to adequately “handle” the public service administrators who had decided that the Church of Scientology would not get whatever it wanted on this issue. State Highway 79 would continue its gentle scenic curve through the middle of Scientology’s “Gold Base.” Consequently, in another of his rages, David Miscavige “busted” Ken Hoden on to the Rehabilitation Project Force (R.P.F.), Scientology’s chain of Soviet style gulags: hard labor, re-education and confinement quarters located in Los Angeles, CA, Clearwater, FL, East Grinstead in England and Copenhagen, Denmark. Scientology claims that the R.P.F. is voluntary and one does sign a waiver and consent, but in circumstances that are highly coercive. Google: “rehabilitation project force” <http://tinyurl.com/6ae68x> . The R.P.F. has its own separate punishment gulag, the R.P.F.’s R.P.F. It comes complete with a Master-at-Arms and a Boson to keep every one in line and intimidated. Those on the R.P.F. generally wear black-arm bands, run everywhere, are not permitted to talk on post, do menial work, are not allowed off-Base, liberty (“libs”), etc. Marty Rathbun, who worked with David Miscavige on then-I.R.S. Commissioner Goldberg, was last known to “those in the know,” to be on the R.P.F. at the furniture manufacturing building (“the joinery”). “Aren’t you Marty Rathbun? You’re the Inspector General of RTC [“Religious Technology Center”], whispered one R.P.F.’er. “Not any longer. Now I’m just another shit head.” Marty Rathbun witnessed what went down in 1991, between David Miscavige and then I.R.S. Commissioner Fred Goldberg (now a tax partner at the Skadden Arps law firm in Washington, DC). Marty Rathbun is now feared dead. Another Scientology cancer-related death? However, it now appears he could be alive and working at a senior level of the Obama-Biden Presidential campaign in Texas. The Federal Government should have him in the witness protection program! Interestingly, earlier this year, the Texas Republican Party also called for the revocation of the ill-gotten Church of Scientology tax-exempt status. <http://tinyurl.com/6xaubj>

44. After David Miscavige angrily ordered Ken Hoden to the R.P.F., Ken Hoden was driven from Gilman Hot Springs, CA to PAC Base. PAC Base is the Scientology enterprise’s Pacific Area Command and it is located at L. Ron Hubbard Way in the middle of Hollywood in Los Angeles, CA. L. Ron Hubbard Way bisects the Scientology enterprises “Big Blue” complex of buildings that were once the Cedars of Lebanon

hospital buildings. I am told that there are old hospital tunnels under the street and many hundreds of health, fire and safety building violations. These include over-crowding in the dormitory rooms which are located on Fountain Avenue between L. Ron Hubbard Way and Catalina Street. For example, Berthing or dormitory rooms for four hold six, eight and twelve people. However, when warning of a fire department inspection comes some staffers will avoid sleep for days or sleep at their desks. Other staffers will remove the excess bunks and return the rooms to building code compliance. After the Fire Department departs the over-crowding violations are immediately replaced and all staffers can have their own bunk again. The R.P.F. and the R.P.F.'s R.P.F. in Hollywood, CA is said to be in the old part of Big Blue and on the second floor of the wing facing on to Catalina Street at the junction of Fountain Avenue. Apparently there are over 175 Scientology Sea Organizations confined on the R.P.F. there. Some have been confined there for up to seven years (of unlawful imprisonment). Local, State and Federal Governments just ignore the resulting outrageous criminal, civil and human rights breaches. See the floor plans, etc. here: <http://tinyurl.com/6kkz8k> This is the area that Mr. Moxon called the police to remove the defendant from after serving him with these proceedings, even though that area had been expressly excluded on the face of the courts own temporary restraining order herein.

45. For a horrifying overview of what the Federal Government was overlooking in the United States today, click on <http://tinyurl.com/3oklwx> . On the other hand, there are many who believe that the U.S. Government is using the Church of Scientology in its own “remote viewing” and other M.K. Ultra type projects. Whatever the truth may be, “something is rotten in the state of Denmark.” Shakespeare, Hamlet, Act 1, Sc. 4.

46. Beyond the multi-billion dollar fraud of the 1991-1993 “secret” Scientology tax deal, and the resulting property tax and other on-going revenue losses, the true fiscal cost to the state of all this Church of Scientology state sanctioned psycho-terrorism becomes evident when the following is considered. Wealthy celebrities and business executives, along with W.I.S.E. business licensees of Scientology technology, make tax-exempt fixed donations to the International Association of Scientologists (I.A.S.) U.S. Members Trust to “utterly destroy” the lives, livelihoods and futures of any Americans who dare expose or criticize Church of Scientology human rights abuses, civil rights violations and

criminal conduct, causing some long-term victims to suffer complex post-traumatic stress disorder (PTSD) to the further cost of the state and community (Gerry Armstrong and Lawrence Wollersheim are just two examples of the consequences of being subjected to years of Scientology state sanctioned and tax-exempt psycho-terrorism).

47. In addition, the U.S. immigration laws are being abused by the Church of Scientology bringing in religious volunteers who often change their names and totally disappear. Indeed, at least one German national is working on a long-expired visa for the Church of Scientology, most recently at the O.S.A. management building at 6331 Hollywood Boulevard, Los Angeles, CA. Many of these “religious volunteers” are earning \$46.20 per week (36 cents per hour). They sign contracts to serve the Church of Scientology for at least one BILLION years and they are supposed to receive free Scientology spiritual services. However, if a Sea Organization staffer/religious volunteer decides to leave the enterprise the departing staffer is, among other despicable things, required to repay the cost of all such free Scientology services. This is called a “free-loader debt bill” and it can total over \$70,000. Google: Sea Organization and pay. Moreover, there are many reports that many of the Church of Scientology employees also draw welfare and unemployment benefits from the government. The Church of Scientology is now seeking further tax-exempt and non-reporting benefits for its staff members. For example, see <http://tinyurl.com/6b4jgk>.

48. In mid-1997, one of the most senior and criminally involved Miscavige deputies and then Commanding Officer of the Scientology Office of Special Affairs, Michael Rinder, who Scientology brought to the U.S. from Melbourne, Australia, escaped from the Church of Scientology International’s Office of Special Affairs. Prior to Michael Rinder’s defection from Scientology, and his successful effort to avoid being “recovered/recaptured” by the cult, the BBC’s investigatory program Panorama had just broadcast a very damaging documentary on Scientology. See <http://tinyurl.com/55g486>

49. David Miscavige blamed Michael Rinder for not successfully engaging in whatever means were necessary to kill the broadcast of the BBC Panorama show. In retributive punishment, David Miscavige ordered Michael Rinder to the Scientology Rehabilitation Project Force (“R.P.F.”) facilities at St. Hill near East Grinstead, south of London, England. See <http://tinyurl.com/68r5jb> and <http://tinyurl.com/54vqhp> As the

Commanding Officer of O.S.A., Michael Rinder also worked out of Scientology's "Gold Base" near Hemet, CA and the O.S.A. offices at 6331 Hollywood Boulevard, Los Angeles, C.A. Captain David Miscavige had already ordered about 40 Church of Scientology executives effectively confined/imprisoned at "the S.P. Hall" at "the Gold Base" near Hemet. They include another former O.S.A. Commanding Officer Kurt Weiland who has been convicted of criminally slandering religious opponents of Scientology in Germany. Mr. Rinder had served time on the R.P.F. before. He had even obeyed Captain Miscavige's insensitive command to remain "on post" after the sudden death of his infant child. Now, as one of the most senior Church of Scientology officials he had relative freedom of movement. This time Michael Rinder was not reporting to serve "lower conditions" and "ethics penalties" on the RPF or the RPF's RPF. Instead, Michael Rinder committed the Scientology "crime" of "blowing his post" [leaving without going through the punishing and time consuming "routing out" permission and process and receiving a bill for his "free loader debt"]. Michael Rinder proceeded to the relative haven of Mr. & Mrs. Ronnie Miscavige. Ronnie Miscavige is the brother of David Miscavige. Both Ronnie Miscavige and his wife are former very senior Church of Scientology executives who left in 2000. Like a number of former senior Scientology officials, reliable sources report that they have left with large "gag" payments from David Miscavige. Ronnie Miscavige's daughter Jenna Miscavige, who was born into Scientology before "waking up" and escaping with her husband, has recently been on ABC's Night Line and numerous other media outlets in connection with her establishment of www.exscientologykids.com along with other young former scientologists. They include Astra Woodcraft (whose father blew the whistle on the asbestos ridden M.V. Freewinds) and Kendra Wiseman. Her father Bruce Wiseman is President of the Church of Scientology front group the Citizen's Commission on Human Rights (dedicated to obliterating the mental health profession one practitioner at a time) and he is also President and Treasurer of the National Foundation of Women Legislators. See <http://www.xenu-directory.net/documents/corporate/people.php?n=w>

50. According to a credible affidavit, Ronnie Miscavige's wife was responsible for the Church's April/May 1987 decisions to ignore and conceal the presence of cancer causing blue asbestos on the church's 500 ton cruise ship M.V. Freewinds. Twenty years

later many thousands of scientologists now face the prospect of mesothelioma or asbestosis. <http://tinyurl.com/5z8rsm> and <http://tinyurl.com/5t53ao>. However, the Church of Scientology is intentionally and deceitfully denying the existence of this most serious problem, its current removal and the continuing risks when the church returns the contaminated ship to service next month. Hollywood celebrities such as Tom Cruise and John Travolta have spent many days aboard the blue asbestos ridden death ship. Indeed, the Church and David Miscavige staged a \$100,000 birthday party for Tom Cruise amidst the asbestos laden M.V. Freewinds. These are reasons alone for the requested full congressional investigation into what should be national outrage.

<http://tinyurl.com/5hz72r> <http://tinyurl.com/6mf7z8> and <http://tinyurl.com/5ben6h> and <http://tinyurl.com/55qmrn> and <http://tinyurl.com/5rsalh> Next month a few hundred wealthy scientologists continue their tax deductible Caribbean on the Scientology death ship!

51. Returning to the former Commanding Officer of O.S.A., the honest testimony of Michael Rinder and Mark Rathbun alone, perhaps pursuant to a grant of full immunity contingent upon a full factual disgorgement, would prove the truth of most of the matters herein. His honest testimony would also exonerate me and numerous others including Gerald Armstrong, Keith Henson, Jesse Prince, Mark Bunker, Stephen Fishman, Christian Markert and Robert Minton. Currently Mark C. (Marty) Rathbun and Michael Rinder is/are silenced by, among other things, the “psycho-terror” threats, intimidation and duress of being “declared” a “suppressive person” and an “enemy” by the Scientology organization which also controls any communication between Mr. Rinder and his former wife and child who are still at the church’s Gold Base at Gilman Hot Springs, CA. The Church of Scientology also holds what is clearly a voidable confidentiality agreement, a “free loader debt bill,” and the contents of his auditing and confessional files over his head and in furtherance of the on-going criminal conspiracy obstruction of justice involving certain senior executives within, and certain former executives who were once within, the Scientology enterprise. Many other also people believe that Michael Rinder's full and honest testimony would expose so much official, judicial and attorney crime and public corruption (including within the Los Angeles Federal and Superior Court Houses) that he should be immediately placed in the F.B.I.’s

witness protection program, along with Pat Broecker, Jesse Prince and Mark (“Marty”) Rathbun. Recently another high level and extremely knowledgeable Scientology executive defected. There is little doubt that the recent activities of Anonymous, and the longer term scientology critics, have caused the most serious threat to Scientology’s survival since the U.S. Department of Justice raids and prosecutions of 1977-1979, that Scientology is now imploding from within. Miscavige is now assisted by a very small cadre, each one of whom is a potential Brutus. In connection with the different spies and leaks in Miscavige’s midst, prudent secrecy precludes me from providing any more information to the court at this time.

52. Upon information and belief, Los Angeles resident and O.S.A. in-house attorney Kendrick L. Moxon [[http://en.wikipedia.org/wiki/Moxon & Kobrin](http://en.wikipedia.org/wiki/Moxon_%26_Kobrin)] also paid over one million dollars to certain Maryland private investigators to obtain or manufacture the necessary blackmail information to cause the Commissioner of the I.R.S. to suddenly reverse 25 years of United States Government opposition and litigation relating to the grant of I.R.S. section 501(c)(3) status to the 166 different Church of Scientology organizations in 1993. Upon information recently provided to me, the resulting secret settlement agreement between the Church of Scientology is now amendable to total revocation for many reasons. In that regard, in 1993 David Miscavige stated publicly that the 1993 secret tax settlement agreement saved the Church of Scientology over one billion dollars in past due taxes (interest, penalties and fines would at least triple this liability today). Also, upon information and belief, David Miscavige privately stated that he and his then-top aide Marty Rathbun would go to prison if it were known what they had done to reverse the fervent U.S. government’s opposition to Scientology tax-exempt status. Mr. Mark (“Marty”) Rathbun disappeared from any public view or contact several years ago. It now appears he may still be alive and working at a senior level within the Obama presidential campaign in Texas. Along with Michael Rinder, he is one of the top former Scientology executives who knows of the full the extent of the Church of Scientology’s criminality, public corruption and other illegal activities. <http://tinyurl.com/6agoso> . Like Rinder, Rathbun is also susceptible to blackmail and extortion because of the contents of his “auditing” and “security checking” files that remain in Scientology’s possession. Once a scientologist commits a public crime for the

greater good of Scientology, that person is forever subject to institutional blackmail and extortion.

53. These are not the only Scientology staffers and former Scientology staffers that many fear may be in real present psychological danger from the Scientology enterprise.

Reportedly, David Miscavige's own wife Shelly (formerly his assistant or "communicator") has not been seen in public since David Miscavige joined Tom Cruise and Katie Holmes on their honeymoon aboard Kerry Packer's luxury ship.

<http://tinyurl.com/6jhf8b> Some claim that Shelly Miscavige is also being held in punishing life threatening confinement by the Church. Meanwhile, Australian media magnate and billionaire Kerry Packer, the wealthiest Scientologist in the world, has quietly left the Scientology enterprise during the past few months. Unfortunately, police "welfare checks" of Scientology staffers are usually meaningless without the assistance of an expert in coercive indoctrination and mental manipulation.

54. It is also important for the court to realize that the Church of Scientology is not operated like any other church. It is a totalitarian para-military group controlled by one man (David Miscavige) with total personal control over all operations and assets, and the lives of all Scientologists for the next billion years. There is no discussion, dissent and group decision making. 'Orders come down and money goes up,' eventually to the mysterious Church of Spiritual Technology which is personally controlled by David Miscavige. <http://tinyurl.com/6njgft> .Numerous documents and witnesses can establish that David Miscavige micromanages the entire Scientology Enterprise including the Office of Special Affairs and its lawyers, private investigators and public corruption. In other words, David Miscavige is personally responsible for, personally involved in, personally accountable for and personally punishable for horrific matters set forth herein and his testimony is necessary to this proceeding.

55. For example, Marc Headley recently left the Church of Scientology after many years of labor at the Scientology "Gold Base" near Hemet. As part of Scientology discipline, to try and find an even more outrageous punishment than before, David Miscavige ordered Marc Headley to work in the Gold Base sewage treatment ponds. There Mr. Headley had to labor, day after day, while thigh deep in sewage sludge without any protective clothing or equipment. He now suffers from permanent respiratory

damage, among other things. Only recently, as you will read below, David Miscavige ordered Sea Organization staffers to remove deadly cancer causing blue asbestos from the Church of Scientology cruise liner M.V. Free Winds. For the past 21 years David Miscavige has knowingly exposed thousands of scientologists, including Tom Cruise, John Travolta and many celebrities, to deadly cancer causing blue asbestos on the M.V. Freewinds (because Scientology auditing with the E meter cures all illnesses, physical defects and injuries). <http://tinyurl.com/6yzsuf> About two years ago, when Marc Headley escaped the Scientology “Gold Base” one night, he was about to be “recovered” by a Scientology chase vehicle. City of Hemet police officers intervened on the lonely roadway and gave him a police escort through the City of Hemet, away from town and immediate danger (of “recovery”) from the Church of Scientology.

56. Some of the thousands of other accounts of Church of Scientology unlawful conduct can be read at the following Internet websites:

http://youtube.com/view_play_list?p=E8144F90E7742E40 , <http://tinyurl.com/5ne9a5> , <http://tinyurl.com/6jyuhp>.

THE ORIGIN AND EVOLUTION OF ANONYMOUS

57. Anonymous is a human a civil rights group of concerned global citizens. It is quite possibly the most peaceful, amusing, loving and effective protest movement that the world has ever seen, as The Times of London recently suggested in a comprehensive investigation of Anonymous and it’s tactics. Tactics which the Scientology enterprise has fraudulently labeled as violent terrorism and caused millions of dollars of tax payer money to expended on an international mountain of false police reports. “I just wish they’d stop playing that bloody Rick Astley song,” grouched one London constable. See <http://tinyurl.com/5bbsab> . This is in stark contrast to the Los Angeles Police Department, heavily compromised by former lead Scientology lawyer Gerald Chaleff now serving as the L.A.P.D. s in-house attorney, R.I.C.O. compliance chief and Police Command Team member. In both Washington, DC and New York City the police officers enjoy their Anonymous picket assignments because they are peaceful, fun and the opposite of more vigorous protests against, for example, the World Trade Organization and wars. How-ever, on August 16, 2008 the San Francisco police arrived at the commencement of an Anonymous picket to say they were too busy with real crime than to sit around

because the scientologists feared an incident day after day and month after month. Unfortunately, according to later police information, a San Francisco assistant district attorney and scientologist was inside the Scientology facility advising how to set up the Anonymous protestors in a staged incident. A scientologist did come out for that purpose and proceeded to assault one Tommy Gorman who, in accordance with strict Anonymous picketing rules and “Ghandi Tech” made no response other than to call the San Francisco police which arrived, investigated, arrested the scientologist and carted him off to the station house. There have been other recent assaults by scientologists against Anonymous picketers including Stu Wyatt in Plymouth, England and others mentioned below. A senior German government official recently advised me that the Scientology organization actions against the peaceful Anonymous protestors across Europe were becoming increasingly and alarmingly desperate and dangerous. Similar reports have been coming to me from across the United States and from the South Pacific.

58. Anonymous is the first mass protest movement of the Internet age.

<http://tinyurl.com/6osa8m> On January 15, 2008, Anonymous grew out of, and very quickly grew away from, the Internet IRC channels known as 4chan, 420chan and 7chan.org.

AND SKIPPING TO PAGE OF THE DOCUMENT (WHICH MAY BE ACCESSED IN FULL AT:

http://www.angrygaypope.com/docs/graham_berry_tro/Berry.Declaration.091908.doc

[¶366]

59. In a mere seven months the Anonymous constitutionally protected peaceful First Amendment activity has caused the rapid shrinking and increasing implosion of the Scientology enterprise, at least in its present corporate form. Consequently, as corporate Scientology continues to unravel it becomes desperate, and even more dangerous and deceitful. The current cases against the Defendant should be viewed against the background of inequitable conduct, “unclean hands” and unlawful actions described above. As to the continuing matters described above, they are only representative of many more similar incidents too numerous to mention and too frequent to reasonably provide a comprehensive up to date summary.

60. [¶367]

61. In my experience, very little in O.S.A. happens in isolation. Every legal action is part of a larger legal, intelligence and intimidation operation. Rarely is a Scientology related law suit what it professes to be. The case at bar is no exception.

[¶368]

62. This Declaration does not address events and conduct occurring after August 20, 2008 with the exception of the following. First, as stated in the concurrently filed declaration of Florian Shwarnert, on September 3-4, 2008, Mr. Moxon and five other O.S.A. lawyers followed Jason Beghe, Lawrence Brennan, Marc Headley and me to Hamburg, Germany and tried to prevent and interfere with an international conference the four of us were speaking at. Second, as stated in the concurrently filed declaration of Garry Scarff, on September 18, 2000, he was visited by O.S.A. representatives and a private investigator. They informed Mr. Scarff, a witness herein, that he had been observed entering and leaving my home office twice on September 19, 2008 and that O.S.A. had been listening to his conversations with me in my backyard which is private and secluded. Presumably the listening was done with electronic listening devices. They also served Mr. Scarff with a “cease and desist” letter accusing him of criminal conduct and threatening him with legal action if he continues his protesting against Scientology. A copy of that letter is attached to the concurrently filed declaration of Garry Scarff. Third, on September 18, 2008, another witness herein, known as Anon-orange and who masquerades as Barney the Dinosaur at Anonymous pickets of Scientology, was also served with a “cease and desist” letter despite his carefully maintained Anonymity. Fourth, many other Anon have continued to receive “cease and desist” letters from O.S.A. lawyers; Fifth, the weekly and monthly total closures of L. Ron Hubbard Way have continued through September; Sixth, at the September 13, 2008 Los Angeles location of the Anonymous monthly global anti-Scientology abuses picket, O.S.A. representatives, along with Kendrick Moxon, Esq. hiding behind a screen at L. Ron Hubbard Boulevard, continued to identify and harass individual young participants in Anonymous pickets.

Signed, sworn and filed in Los Angeles Superior Court September 19, 2008.

*

Selling Scientology

A Former Scientologist Marketing Guru Turns Against the Church

by [Matt Davis](#)



Article Tools

In the mid-1980s, more than ever before, television advertising was about big budgets and excess. Bucking that trend was Scientologist and marketing whiz Jeff Hawkins, whose understated, minimalist TV ads for L. Ron Hubbard's *Dianetics* helped launch the book onto the best-seller list—and arguably sparked a worldwide interest in the religion.

Hawkins' ads featured simple questions like, "Why are you unhappy?" in white print against a black background, backed by edgy music supplied by Hawkins' friends, and finally, a shot of the *Dianetics* book splashed against a volcano. The ads cost around \$2,000 to make, yet within months of their first nationwide appearance, *Dianetics* made the *New York Times* Best Seller List for the first time since its initial publication in 1950—and a special commemorative edition of the book was printed to mark the occasion.

Hawkins estimates he made more than \$200 million for the church in his 35 years of marketing *Dianetics*. Nevertheless, he ultimately paid for his success by being thrown out of the church in 2005. Now living in Portland, Hawkins is writing a book about his experiences in Scientology.

And boy, is he pissed....

"Batshit Crazy"

Hawkins joined the church of Scientology in Los Angeles in 1967.

"People ask me, 'Was [Scientology founder] L. Ron Hubbard a genius or a con man?'" says Hawkins. "And I say, 'Yes, he was.'"

"I got into Scientology because it was kinda weird," he says. "I was a hippie at the time in the late '60s, and I'd done the whole drug thing, the whole LSD thing, and so 'weird' was not an issue with me—you know what I'm saying?"

As he worked his way around the world, doing stints at the church's Edinburgh and Copenhagen branches, Hawkins was exposed to more and more weirdness. In 1971 he was invited aboard L. Ron Hubbard's ship, *Apollo*, where he met the Scientology leader and was given the mission of marketing and disseminating the church to the masses, Hawkins says.

At the time, Hubbard had established his own "photography organization" to promote the church—which Hawkins claims consisted of Hubbard dressing up in a khaki suit, pith helmet, and ascot scarf, and staging bizarre photo shoots on beaches around the world whenever *Apollo* would dock. Hawkins also alleges that Hubbard was always accompanied by what he called his "messengers": stunning, provocatively dressed young women.

"He'd establish these sets, somebody would write a script, and L. Ron Hubbard would take these photographs," says Hawkins. "The whole thing would look terrible. But of course you could never say anything negative about Hubbard's work."

As a live-in member of Scientology's Sea Organization—which was decamped to dry land in the late '70s but maintained its naval theme—Hawkins says he was able to reach Operating Thetan Level Four: the fourth of eight levels of psychological "clearance" in Scientology. Hawkins was allegedly able to do so without paying the customary \$250,000 he would've had to pay had he been a "public" Scientologist (someone from the outside world).

Hawkins says Hubbard told him that Earth is a prison planet, and we're all trapped here. What's more, the citizens of the galaxy have also been put here and hypnotized by an intergalactic dictator named "Xenu," and that we are all simply dramatizing the incidents we perceive to be reality. "When you're in, when you believe in it, you think 'Oh, he's this amazing genius who's unlocked these secrets,' and it makes a kind of odd sense," Hawkins admits. "But the minute you break that kind of conditioning, and you really look at it, you go, 'That's absolutely batshit crazy.'"

Mad Men

By 1982, Hawkins says he had already shot his fair share of attention-grabbing ads for the religion—whether they involved complex fly-by shots filmed from airplanes or interviewing celebrity Scientologists like former San Francisco 49ers quarterback John Brodie.

Hubbard's philosophy, says Hawkins, was to use ads to "splash the volcano" at the general public. This was linked to Scientology's belief that the image of a volcano has been embedded in people's minds from an experience in a former lifetime. Hubbard is reported to have said that 75 million years ago, Earth's population was massacred by Xenu, the dictator of the Galactic Confederacy, who stacked us all around a volcano and killed us using nuclear bombs—Hubbard's 1968 lecture on the "Xenu theory" is now publicly available on the Wikileaks website.

"Splashing the volcano at them was supposed to hypnotize people back, or what they call 'key them in' to the whole Xenu incident," says Hawkins. "And then they would be somehow hypnotized to go and buy the book."

Hubbard had also taught Hawkins that it wasn't a good idea to overtly inform the public about Scientology—the best way to market the religion was to find out what was ruining somebody's life, and then tell them, "Scientology can help with that."

For his ads, Hawkins attempted to pique a would-be reader's curiosity using a minimalist campaign that told the viewer a little bit about the religion, thereby encouraging them to find out more.

"I sketched it out on paper first, I had this book in the middle, and I had all these questions around it: 'What makes people angry?' 'Why do people fight?' 'Why do people lose their self-respect?' And I'd look it up in the book and I'd write, 'go to page 42,' 'go to page 43,' and so on," says Hawkins.

When the book hit the *New York Times* Best Seller List, Hawkins was overjoyed.

"I felt great about it at the time because I believed in the subject, I thought it was wonderful, and didn't think it was invasive to just tell a person about a book and have them buy a copy," he says.

"But now I feel bad about it, because I think a lot of people got into Scientology because of my campaigns," Hawkins adds. "And I feel a certain responsibility to correct that. To make the truth about Scientology known."

Savaged by Miscavige

Hawkins is currently 62, soft spoken, and has no retirement savings, having worked 100-hour weeks for the past 35 years for what he estimates was a salary averaging \$2,000 a

year. He moved to Portland with his brother Kimball—also a former Scientologist—and started a design firm.

Hawkins is a member of a Yahoo group called Ex-Sea-Organization, where he is in touch with around 120 friends/former members of the church's management group. Other ex-Sea Organization members vouch for Hawkins' importance to the church.

"He was a giant as far as Hubbard's marketing branch went," says Chuck Beatty, who was a training supervisor in the Sea Organization during his 27 years in what he calls "the cult" from 1975 to 2003.

"He was a long-term trooper of the movement with a huge production record. If you can compare the Sea Organization to Vatican staff, Hawkins was in the marketing and promotion branch of the Vatican for the last 30 years."

"Jeff was very, very high up over marketing," adds Larry Brennan, who was a member of Scientology's Watchdog committee between 1982 and 1984, supposedly comprised of the top 10 members of the church at the time.

"Jeff, probably more than anybody, was responsible for getting *Dianetics* back on the best-seller lists, and he was very closely involved with Miscavige."

Hawkins' own journey out of Scientology began in 1987, a year after Hubbard's death, when Scientology's current leader, David Miscavige, took control of the church. Miscavige placed his brother, Ronnie, in charge of Hawkins' publications organization, and according to Hawkins, began a systematic campaign to discredit his work for the church.

"I think it was because I had been so successful," Hawkins says. "Almost untouchable. Nobody was going to speak out against me, and I think that frustrated Miscavige."

Hawkins thinks Miscavige may have resented "sharing the stage," and the new leader attacked and threw roadblocks in his path. At the end of 2000, Hawkins was allegedly subjected to an "evaluation," where he was accused by Miscavige of wasting \$75 million of church money with bogus marketing.

Hawkins says he survived the evaluation by providing evidence of bringing in over \$200 million to the church, as well as a personal commendation for his efforts from Hubbard. Nevertheless, Hawkins says he was assigned to menial labor, but slowly worked his way back into marketing. Then, after writing an infomercial on *Dianetics*, Hawkins claims he was called into a conference room where Miscavige allegedly hit him in front of 40 people.

"He wasn't even talking to me but he was saying, 'This thing that Hawkins has written is just a piece of trash,'" says Hawkins. "And he'd look at me and say, 'This guy's evil. See

how he's looking at me?' And everyone was saying, 'Stop looking at him like that'—and I'm like, 'What the hell?'"

Miscavige allegedly asked Hawkins to confess to his "crimes"—from his current, and past lives.

"And then all of a sudden he just jumped up, launched himself across the conference room table in front of 40 people, and beat my face," says Hawkins. "I had scratches, and bruising, and my shirt was all ripped. Then he knocked me on the floor, and walked out."

Hawkins is not the only former Scientologist to allege experiencing or seeing violence at the hands of Miscavige. Brennan and Marc Headley—both former Sea Organization members—have made similar accusations.

"Dave would punch or slap people in the face repeatedly when they delivered bad news, or when people talked back with anything other than what he wanted to hear," says Headley. "I would say over a period of five years between 2000 and 2005 I saw him do this maybe 30 to 40 times. I saw him hit Jeff on at least one or two occasions."

Hawkins says Miscavige also punched him in the gut and hit him on the side of the head repeatedly on other occasions.

"There was also a lot of verbal abuse, threats, profanity, and on and on. He was just a bully, basically."

Hawkins was "offloaded" from the base and brought back into marketing three times. "Offloading" meant Hawkins was no longer welcome at the Sea Organization, and that he was in danger of being declared "suppressive," or a threat to the religion. Once someone is declared "suppressive," they are forbidden from having contact with other Scientologists.

Eventually, Hawkins decided he'd had enough and wanted to quit. After announcing his intentions, Hawkins claims he was kept for months in a detention center surrounded by barbed wire fences and security cameras, called the Old Gilman House, on the northwest side of the Sea Organization's base, where he was forbidden departure until he'd gone through "security checks."

"They get every single 'crime' that you've ever supposedly committed—and I think, really, they're collecting potential blackmail material," Hawkins says. "I eventually confessed to whatever they suggested, just to get offloaded. And following all that you have to sign these gag orders promising never to speak about Scientology, which I did."

Hawkins says he signed the agreements under duress, and that he is not afraid to speak out, now. He also says that Scientology's reputation for aggressively pursuing its critics no longer concerns him, because so many people are leaving at once—the base, he says, gradually got more and more restrictive through the 1990s as Scientologists started

leaving in greater numbers. Now, he says, the whole thing is surrounded by barbed wire, and Sea Organization members are prevented from leaving. Another former Sea Organization worker, Shelly Corrias, confirms this level of security on the base.

Hawkins also supplied the *Mercury* with [an alleged map of the base](#), that he cobbled together using images from Google Earth.

Scientology in Portland

"I actually thought that by May, they'd lose interest," says Gwen Barnard, as we sit in the Scientology Church on SW Salmon and Broadway on Saturday afternoon, July 12. Outside, a group of mask-wearing protesters affiliated with the international anti-Scientology protest group Anonymous are waving signs saying things like "Travolta Was Brainwashed" and "Scientology Kills."

Regarding the "kills" allegation: Scientologist Lisa McPherson was an allegedly mentally ill woman who died in Clearwater, Florida, in 1995, under the care of fellow Scientologists who had removed her from a local hospital, telling doctors she "did not believe in psychiatry." The church reached a confidential out-of-court settlement with McPherson's family over the death in 2004.

Barnard has been a Scientologist in Portland for 33 years, and has worked at its downtown church for 22 years. When I tell her I'm writing about the national marketing of Scientology she is kind enough to give me a phone number in California to call. I also promise to read *Dianetics* before finishing my feature. (I did.)

"Most of these kids are young, impressionable people that believe anything they read on the internet," she says. "I mean, if you wanted to know about golf, you'd go and try it for yourself—not picket the golf club."

But outside the church, the protesters are fervent.

"The church has this militant PR policy of 'attack, attack, never defend,'" says Jacob Mercy, one of the young protesters, who describes himself as a freelance writer "taking time off to finish a novel."

"But a lot of their best PR people, their best marketing people are leaving. Hawkins did a great job for them, and now he's left...."

"This whole protest catalyzed in January," says another protester, Peter Lee, "when the church demanded that Google remove that video of Tom Cruise."

The video in question, which is still widely available, features Cruise enthusiastically raving about "LRH" (L. Ron Hubbard), as well as other acronyms, and saying things like, "Being a scientologist, when you drive past an accident, you know you have to do something about it, because you know you're the only one that can really help."

Lee, who describes himself as a "white-collar professional," feels the church preys on people with mental illness and behavioral disorders, and that its marketing is "unethical."

Later, Barnard gives me a DVD about Scientology and tells me there was a cement block thrown through the Portland church's window back in January.

Hawkins says he is not criticizing public Scientologists like Barnard, or attacking their right to believe in the religion. There are, after all, some pretty wacky beliefs in Christianity and Mormonism, and Hawkins isn't speaking out against those.

"Your average Scientologist in Portland doesn't know anything about what went on in the Sea Organization," he says. "The last thing I want to do is impugn the average Scientologist, because they're good, dedicated people."

Hawkins says, instead, that he is happy to meet with any Scientologist to talk to them about his experiences, any time. He simply feels public Scientologists have a responsibility to find out what's going on at higher levels of the church.

His Word Against Theirs

It is, of course, almost impossible to verify all of Hawkins' claims about Scientology, apart from talking with other church members who have since departed. Hawkins predicts that when I call the church's office of special affairs, they will accuse him of being an unethical criminal, and deny all of his claims.

The church's international spokesperson Karin Pouw responded to the *Mercury's* request for comment on Hawkins' allegations in a 14-page letter on July 25.

"Mr. Hawkins' claims against the Scientology religion are evidence of classic apostate behavior, common in disaffected members of all religions," Pouw wrote. "He grossly mischaracterizes the church, its purposes, and activities in an effort to harm its reputation.

"I take personal offense from the allegations being made about Mr. David Miscavige," Pouw continued. "I know him personally, and I can tell you in no uncertain terms that the disgusting claims made by Mr. Hawkins could not be further from the truth. Mr. Miscavige is known by all those who have had the honor of meeting him or working with him as someone dedicated to the well being of staff and parishioners of the Church of Scientology and devoted to his fellow man and the improvement of society."

Pouw wrote that Hawkins' dismissal from Scientology was for reasons which, if disclosed, "would likely impugn his integrity and cause personal embarrassment." She wrote, "Mr. Hawkins' claims that he was the cause of *Dianetics'* success are laughable, if only for the reason that the book was a run-away success long before he had anything to do with it."

Pouw also wrote that Hawkins' complaints about having only been paid \$2,000 a year and working 100-hour weeks in the Sea Organization "[are] tantamount to a de-frocked priest, after years of service to the religious order, publicly complaining that he lived an ascetic life, wore a robe at all times, could not marry, and studied the Bible every day."

Hawkins, Pouw wrote, "knew when he joined [the Sea Organization] that his membership required total commitment to the religion, without any expectation of monetary compensation."

In reference to the alleged advertising technique of "splashing the volcano," Pouw wrote that "no religion should be taken to task about its beliefs nor asked to defend or 'clarify' its beliefs in response to bigoted assaults."

Lastly, Pouw wrote that Hawkins' support of "the religious hate group Anonymous" was evidence of his bias—Hawkins has appeared at some of the group's protests with a sign about Miscavige.

"In forwarding Mr. Hawkins' bigoted agenda, you are also forwarding a plan of hate and crime," she wrote, referring to the *Mercury*.

After getting Pouw's letter, the *Mercury* also received a phone call from Tommy Davis, Pouw's boss at the church. Davis denied that Hawkins was prevented from leaving the base during his offloading process and further denied all of his other allegations.

"I know Hawkins, and I have known Mr. Miscavige for 17 years," Davis told us. "Jeff Hawkins was a copywriter and these weren't his ads. He didn't work with or even report to Mr. Miscavige. There wasn't a connection there. He and Marc Headley and Larry Brennan are flat out, flat out liars. They're opportunists, they're media hounds, and they're liars. They cannot substantiate the things that they're claiming and they cannot even begin to do so. They were dismissed from the church.

"I have no idea why he would choose to turn on and so violently attack his former faith," Davis continued. "To focus on things like this is a shame because there is a much bigger story going on with Scientology right now that is far more interesting."

Davis also forwarded an email from Mitch Brisker, whom he alleged was "the real creator" of the *Dianetics* ads.

"Jeff Hawkins was a soft-spoken and mild-mannered guy who found himself in way over his head in the world of advertising and marketing on a global scale," wrote Brisker.

In regard to Pouw's statement about how it would cause "personal embarrassment" to Hawkins if the reasons for his dismissal were ever disclosed, Hawkins says it "means they've gone back through my private confessional files and culled out anything they think would cause me embarrassment."

"It's blackmail," he says. "It's also character assassination by innuendo. I say, if they actually have something, then produce it, and face a defamation suit. If they have nothing, then they have no right to infer they do."

Hawkins says *Dianetics* may have been successful in 1950, but that was "35 years before I picked it up and remarketed it.

"Pouw says I joined the Sea Organization and therefore have no right to complain," he continues. "Well, I never signed up to be physically and emotionally abused, deprived of sleep, privacy, or basic human rights."

Hawkins also says he is not a member of the Anonymous group, since "I don't wear a mask or hide my identity."

As to Mitch Brisker: "Brisker was a director I hired in the 1980s to film some TV ads I wrote. He never wrote anything. For Brisker to pass judgment on my personality based on a casual business relationship 20 years ago is arrogant to say the least," Hawkins says.

"This is, sadly, a standard response by the Church of Scientology to anyone who lifts the curtain of secrecy and provides a look at the very real abuses that go on behind the scenes," Hawkins says. "First, they categorically deny everything. Second, they 'attack the attacker,' attempting to defame and impugn the character of any critic or whistleblower. It would be refreshing if they devoted at least some of that energy to putting their own house in order."

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Scientology Exposes Polish Workers to Deadly Carcinogen

Scientology's asbestos-laden luxury liner "Freewinds" is back in the news, with a twist. A new report reveals that prior to it being quarantined by Curacao port authorities in April, Scientology had hired a firm to gut and refurbish the whole ship.

The firm, Nordica Engineering, may have been lied to about the pervasive presence of blue asbestos, the most deadly kind. Nordica hired 240

workers from Poland to remove 70 tons of material from the ship. Then the work was stopped by port officials.

The workers, who had no idea about the blue asbestos, are now at great risk for lung cancer. Scientology still owes Nordica \$3.5 million, and refuses to pay. Scientologists believe that disease is caused by "suppressive persons," not germs or toxins.

Source: www.indybay.org

**LAW OFFICES OF
BARRY VAN SICKLE**

September 23, 2008

VIA CERTIFIED MAIL

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California Labor & Workforce Development Agency
801 K Street, Suite 2101
Sacramento, CA 95814

RE: Notice of Intent to Proceed and Seek Civil Penalties
Pursuant to the Labor Code Private Attorneys Act of 2004,
(Labor Code §2698 et seq.)
Employees: Marc Headley & Nicholai Allen
Employer: Golden Era Productions/Church of Scientology International

To Whom It May Concern:

Notice is hereby given pursuant of Labor Code §2699.3(a)(1) on behalf of Marc Headley and Nicholai Allen, former employees, of intent to proceed under the Labor code Private Attorneys Act of 2004. Unless the above stated employer "cures" the labor code violations described herein as required by §2699(d), an employee class action may be filed to seek civil penalties as authorized by Labor Code §2698 et seq.

THE SCIENTOLOGY ENTERPRISE ROUTINELY IGNORES THE LABOR CODE

Both Marc Headley and Nicholai Allen started working for Golden Era Productions/Church of Scientology International (CSI) when minors (Marc Headley started at age 15; Nicholai Allen at age 7). The Labor Code violations started at the beginning and continued throughout their term of employment. They are informed and believe that there are currently minors and adults working for CSI who are toiling under

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illegal working conditions – hours are long, pay is low and a true day off is rare. A list of potential Labor Code violations is attached hereto as an Exhibit.

MARC HEADLEY

Marc Headley was employed by Golden Era Productions from 1989 – 2005. His paychecks were issued by the Church of Scientology International (CSI). Golden Era Productions (Golden Era) is believed to be owned by or otherwise affiliated with CSI.

Mr. Headley started as an electronics technician. He worked on the technical side of preparing videos and films. He held various positions all of which involved making films or videos to be sold at a profit.

For fifteen years, Mr. Headley worked an average of 100+ hours a week. When he left in 2005 he was sleeping approximately 3 – 4 hours per night and working 130 hours per week. He was not paid minimum wage, not allowed breaks, not allowed proper meal periods and was seldom given a day of rest. The work week was seven days, not six as required by law.

Mr. Headley worked as a technician on videos and films that were sold to generate money for the employer. He was confined to the Golden Era Production facilities in Hemet, CA. He had no meaningful freedom over his working hours, working conditions, living conditions or work assignments. Mr. Headley's "official" wage was \$50 per week but he was not even paid that amount. When he inquired about wages, he was told that his employer, the Church of Scientology International, was a church so it did not have to pay minimum wage or comply with labor laws. Mr. Headley accepted that false and fraudulent claim and did not pursue claims for unpaid wages and other benefits. Mr. Headley recently learned that his former employer, CSI, deceived and coerced him into working under illegal working conditions. A Summary of Wage Claims and annual computations are attached hereto as an Exhibit.

NICHOLAI ALLEN

Nicholai went to the "International Ranch" when he was just 7 years old (May 1990). At age seven Nicholai was put to work cleaning bathrooms, gardening and such. The work kept getting heavier as he grew older. He was hauling rocks and weed-whacking by age 10.

At age 10, he was also put in charge of the animal area (cleaning up after horses, goats, ducks, etc). The child hours from ages 7 – 11 were about 12 hour days. He would also "de-weed" (clear the heavy brush) of the mile-plus road that went from the Indian Reservation (and start of our property) to the front entry gate. He would use shovels and hoes to clear the big brush during fire season (when it's hottest out). He would also fight the storms. Nicholai recalls hail and washed out roads and kids running around bagging the chickens and carrying them to safety before the entire chicken coupe was entirely washed away by the storm. They were also doing sandbags (filling and placing).

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Rock hauling and building rock walls became a major part of his labor from ages 11 – 13 years. He found certain sized rocks in the creek that runs through the property and hauled them into a pile. They loaded them into wheelbarrows and hauled another quarter mile and then built rock walls with them.

When he was 13 years old Nicholai started working at Golden Era Productions (in the Film Lab) during the day and then working again at the Ranch at night. Nicholai was trained on the projectors and did a quality control function between the development process and the final film process. Meanwhile at the "Ranch" he was also designing their security systems and installing them (switchboard that controls the alarms, gate, cameras, etc). Nicholai also fixed radios that "were too expensive to fix". He frequently did the burning of confidential documents in the fire pit they had there. Nicholai was also put in charge of fields and did field work, harvesting, planting, as well as building green houses and keeping those up.

This went on for three years and sometimes he was required to do "all-nighters" wherein he would not sleep at all. By the time he was 16, Nicholai had designed and installed security systems and watched over 200,000 feet of film. Between ages 13 and 16 years old he was trained on the Film Processors. He was up all night on many occasions and was made to also mix chemicals for another machine and operate that one. Nicholai was up working at 3am one time and Dave Miscavige (the leader of the enterprise) came in and asked how much sleep Nicholai had gotten. Nicholai told him 4 hours in the past 3 days and Mr. Miscavige said "I've had about 100 all-nighters in my life, I am sure you can handle one". Nicholai worked with the chemicals from ages 13 to 19.

When Nicholai was 19 years old, he was put to work on heavy labor. Sometimes Nicholai would not get paid at all (much like many other staff). He did heavy labor at Golden Era Productions for a year, building rock walls, trenching, irrigation, carpentry, construction (drywall, mudding, tiling, ducting, clean-up, etc), Then Nicholai took care of the "Clipper Ship" which is an extravagantly nice facility at Golden Era where they entertain high-profile guests. Dave Miscavige (Chairman of the Board) hangs out there. Nicholai did everything from feeding the animals, scaling and repairing the masts (they have full on 40' masts sticking out of the ground with yards, lining and all), keeping up the pool, etc. During this time Nicholai served executives, doing cleaning, laundry and other household duties for those at the top of the pecking order.

Nicholai designed and installed audio visual systems for the new buildings being built and also did modifications and installs on the digital sound studios at Golden Era. These were all full time positions and 16 hour days. Nicholai was getting about 5 - 6 hours of sleep and working for the rest of the day, minus 15 – 30 minutes three times a day for meals. This lasted until 2002.

Nicholai was then sent to Florida to do administrative duties. The administrative duties in Florida consisted mainly of keeping track of staff member's productivity, problems they were having and even escorting staff who were being discarded or sent back to their families due to having suicide thoughts. Nicholai did this full time, 12 - 16

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hour days, until 2005 when Nicholai was flown back to LA to go back to Golden Era Productions.

Nicholai left in October 2006 by escaping in the night. In 2007 Nicholai was declared a "Suppressive Person" for leaving scientology. Nicholai was told that he could not speak to any of his scientology friends of family. A Summary of his wage claims and Labor Code violations are enclosed as an Exhibit.

SCIENTOLOGY MUST COMPLY WITH THE LABOR CODE

Golden Era Productions/CSI has had, and still has, employees, including minors, who are working under illegal conditions. The wage, hour, break, record keeping and child labor laws are flagrantly ignored. Historically, the Scientology enterprise claims to be above the law in the name of religion. Marc Headley was told that they did not have to pay him even minimum wage because they were a "church". This ongoing attempt to abuse workers, including minors, in the name of religion must fail. A purported religious entity cannot sexually abuse minors under a religious "exemption" or "privilege". The same principles would apply to violating child labor laws or Labor Code Statutes in the name of religion.

In North Coast Women's Care Medical Group, Inc. v. Superior Court (2008) ___ Cal.App.4th ___ (Case Number S142892) the issue was whether doctors could refuse to impregnate lesbians on religious grounds. The doctors were attempting to use religion as a defense to violating the California Unruh Civil Rights Act. The California Supreme Court rejected claims of religious justification as a defense to conduct that violated the Unruh law.

After reviewing the United States Supreme Court's most recent holdings, the California Supreme Court concluded that there is no federal constitutional right to an exemption from a neutral and valid law of general applicability. (Slip Opinion page 9) The Court reached the same result under the California Constitution. The defendants were not entitled to violate the Unruh law, "a valid and neutral law of general applicability" on religious grounds. (Slip Opinion pages 13 -14) As applied to these facts, there is no constitutional right to violate the California Labor Code.

As recognized in the North Coast decision, it is the law of this state that "valid and neutral laws of general applicability", such as the Labor Code, may not be ignored under the guise of religious "right". As recognized in North Coast, the First Amendment protects religious beliefs. Illegal conduct is another matter. (Slip Opinion pages 7 - 8)

In Tony and Susan Alamo Foundation v. Secretary of Labor (1985) 471 U.S. 290 the U.S. Supreme Court ruled that unpaid associates of a nonprofit religious organization were entitled to the minimum wage, overtime and record keeping requirements of the Fair Labor Standards Act. The Supreme Court noted that the Federal labor act contained no exception for nonprofit or religious organizations and that the Labor Department had consistently interpreted the Act to reach such business. Similarly, the California LBOR Code has no exception for Scientology.

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See also, Catholic Charities of Sacramento, Inc. v. Superior (2004) 32 Cal.4th 527. In that case, the California Superior Court again noted that religious beliefs do not excuse acts contrary to law. (Id at 548)

Given the applicability of the Labor Code as a valid and neutral law of general applicability, the Scientology enterprise may try to claim that Misters Headley and Allen were "ministers" and were therefore somehow beyond the protections of the Labor Code and child labor laws.

Any minister exception claim fails as a matter of law and fact. In the Catholic Charities case, the California Supreme Court noted that the "ministerial exception" as "currently articulated" would be limited to Title VII cases and ministers or "employees with duties functionally equivalent to those of ministers". 32 Cal. 4th at 544

A lower court discussed the minister exception in Hope International University v. Superior Court (2004) 119 Cal. App. 4th 719. The rationale of the minister exception is to avoid litigating religious disputes between a church and a specific minister. The court compared the "minister" rule to the "janitor rule". The "janitor" is entitled to the full protection of the law and courts. Secular work, which is what Mr. Headley and Mr. Allen performed for 100+ hours a week for far less than minimum wage, comes under the janitor rule, not the minister rule.

It should be noted that claimants do not concede that the Scientology enterprise is a religion. It is exposed as a ruthless and money driven business when one considers the full body of secret "doctrines" learned at the higher levels of training. However, that may be a debate for another forum and day. Religion or not, the Scientology enterprise must follow the labor laws.

Mr. Headley submits a Summary Page as Exhibit 1 to this letter. It shows that he worked 76,050 hours and was paid \$29,727. That computes to 39¢ per hour. The difference between what Marc Headley was paid and what was due at minimum wage exceeds \$1.6 million. The work schedule is attached as Exhibit 2. The wage computations are submitted as Exhibit 3.

The numerous Labor Code sections violated by the employer are listed in Exhibit 4. Golden Era and CSI flagrantly violated wage, hour, break and numerous working condition laws in the Labor Code. The Federal law was also violated, however that is beyond the scope of this Notice under California Labor Code §2690.

CONCLUSION

According to claimant Marc Headley's investigation, there may be 25,000 former CSI employees who worked under these illegal conditions and 4,000 to 5,000 current employees who continue to work under these conditions.

The civil penalty for violations of the Labor Code is \$200 per aggrieved employee per pay period. Five thousand current employees working under illegal labor Code conditions and two pay periods per month computes to \$2,000,000 per month in potentially recoverable civil penalties. (§2698(f)(2))

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**How the Scientology Organization uses and exploits
the United States' legal system for its own ends.**

Ladies and Gentleman:

Ten years ago I gave a speech here in Hamburg. That speech was called “The Dark Side of Scientology” and it can be found on the Internet if you are interested. In that speech I said that Scientology could be reduced to three fundamental concepts: Power, Purge and Punish. Power referred to the goal of Scientology to “clear the planet” and eliminate all opposition to Scientology. Purge referred to Scientology removing all critical or negative documents and information from government files and public accessibility. Punish, I said, was the darkest of all sides of Scientology. It took two forms: an internal Orwellian form of eliminating any dissent or critical thought, and an external form of punishing critics and the uncooperative government officials with copyrighted policies of terror and psycho-terror for the “Handling of Suppressive Persons;” persons who oppose or impede Scientology’s objectives. These written policies are loosely called “Fair Game” and they take different forms: intelligence, investigation, intimidation, litigation, fraud and deception. These six forms of Scientology “Fair Game” are the principal means with which the Scientology enterprise uses and exploits the United States legal system for its own ends.

The Church of Scientology has a well deserved reputation for being the most fearsome and intimidating litigant in America. Many lawyers are willing to deal with “hard ball” litigation tactics but few are willing to confront criminal tactics: public corruption, bribery, blackmail, extortion, perjury, obstruction of justice, fraud, false claims, lying, defamation, deception, intimidation and psycho-terror. All of these things are well documented as being the regular litigation tactics of the Church of Scientology, its lawyers and its private investigators.

The fraud starts with the deceitful claim that it is simply a misunderstood peaceful ethical religion. However, only Scientology’s conduct, and not its science fiction, space opera beliefs, is relevant to my own opinions being expressed here today. Scientology’s well documented criminal conduct demonstrates that its religiosity is merely a public relations facade and fraud, along with its many other “false front” tentacles such as W.I.S.E., Narconon and Applied Scholastics. The written policies and records of Scientology demonstrate that it really seeks global totalitarian political domination. One Scientology policy document classifies all governments as Suppressive Persons, to be “utterly destroyed” and “eliminated,” “quietly and

without sorrow.” In 1960 Scientology issued the “Special Zone Plan – The Scientologists Role in Life.” Scientologists who are not on Church staff are ordered to achieve influence in the society at large, by taking positions next to the high and mighty. “Don’t bother to get elected. Get a job on the secretarial staff or the body guard.” For example, Scientologist John Danielson was Chief of Staff to President George W. Bush’s former Secretary of Education Rod Paige. They are still working together as the Chartwell Education Group and they are continuing to support Scientology as “Applied Scholastics” in ten states to receive tax-payer monies as part of the Supplemental Educational Services under the “No Child Left Behind” program. Bruce Wiseman, the President of Scientology’s anti-psychiatry false front, the Citizens Commission for Human Rights (C.C.H.R.), is also the Treasurer of the National Foundation of Woman Legislators. Former lead Scientology lawyer Gerald Chaleff is now the Los Angeles Police Department attorney and command team member. The Los Angeles County Sheriff publicly supports and promotes Scientology. It is said he even tried to introduce scientology training into the Los Angeles sheriffs department. The assistant city attorney in charge of ensuring that the Los Angeles police Department does not engage in any racketeering conduct ironically is a scientologist who is married to OSA legal unit lawyer Ava Paquette.

The list of infiltrated, corrupt and compromised public officials, including judges, is a long and tawdry one. For example, Scientologists are placed into law firm word processing departments, and into congressional mail rooms, to intercept and report on litigation documents and citizen complaints. These people are coercively indoctrinated into ignoring their oaths and obligations of office and to always advance Scientology’s agenda. To them, as written policies demand, the ends really do justify the means. As you know here in Europe, no democratic state can survive such pervasive criminal behavior, but the United States now has an institutional tolerance of Scientology crimes and abuses, frauds and sedition.

In the early 1960s, Scientology also established a Department of Government Affairs. Hubbard wrote that “[t]he goal of the Department of Government Affairs is to bring the government and hostile philosophies into complete compliance with the goals of Scientology. This is done by high level control, and in its absence, by low level ability to overwhelm. Introvert such agencies. Control such agencies.” Later Scientology also established a Department of Official Affairs, to create “[h]eavy influence through our own and similarly minded groups on the public and official mind.” Next came the Scientology “Public Investigations” section. In

1966, these Scientology departments were merged into the Guardian's Office, the church's very own intelligence agency. It handled public relations, litigation, and intelligence gathering. The Intelligence Bureau not only conducted "black ops" but also engaged in intimidation and worse; what has been properly classified here in Europe as "psycho-terror" and even "terrorism," being perpetrated by a California based religious corporation calling itself a church, which now alleges about 50,000 active members worldwide. Falsely inflated membership claims are part of the fraud on the public.

In 1982, as part of Scientology's deceptive and fraudulent corporate re-organization, Scientology's Guardians Office was renamed the Office of Special Affairs or O.S.A. Contrary to sworn representations to the United States government, many Guardian's Office staff continued to work for O.S.A. One example is O.S.A.s lead in-house lawyer Kendrick Moxon who was named in the 266 page Stipulation of Evidence in the case of *U.S. v. Hubbard*, for providing fabricated evidence to the F.B.I. Today, lead Scientology attorney Moxon continues to fabricate evidence, and the Office of Special Affairs is headquartered in Hollywood and Gilman Hot Springs, California. David Miscavige, the totalitarian leader of this para-military cult, lives there in an armored building and often travels by armored vehicle. His actions and orders go out around the world and the money comes back into the United States from around the world, or it flows into bank accounts in Luxembourg and in the Caribbean. Obviously, all the money does not come from church members paying for courses and auditing. The real money comes from other sources and activities. How the money comes and where it goes is another subject for another day.

On October 9, 2001, less than 30 days after the Al Qaeda attacks on the United States, the OSA legal unit known as Moxon & Kobrin renewed the copyright of Scientology's policy document called "Targets Defense." In this church policy and practice document, certain "vital targets" are identified. "T1, Depopularizing the enemy to a point of total obliteration; T2, Taking over the control or allegiance of the heads or proprietors of all news media; T3, Taking over the control or allegiance of key political figures; T4, Taking over the control or allegiance of those who monitor international finance." Hubbard also wrote, "All men shall be my slaves ... all men shall grovel at my feet and not know why."

With Hubbard's Manual on Brainwashing, and his auditing processes and training drills, Scientology enslaves minds, and with Scientology's promises to cure all ills and ailments, it

unlawfully practices medicine; stealing people's health, and sacrificing their lives for more and more auditing dollars, until it is too late for conventional medicine to work. You can read about some of the deaths at WhyAreTheyDead.com. The list of victims, who are dead (often through mysterious and shockingly similar suicides) is long and covers decades. The list of people who have disappeared is also long and likewise covers decades. Meanwhile, the Church of Scientology continues to insist that only Scientology and its auditing processes, and copyrighted procedures such as NOTS 34, can cure physical and mental conditions and diseases. The Church of Scientology is killing people by the unlawful practice of medicine as well as via its Fair Game retaliation against those who impede its goals. Scientology is destroying lives, liberties and the pursuit of happiness of countless people.

If this United States government protected racketeering and terror group was not called a church, it would require medical and other licenses, and the fully informed consent of the medical patient or commercial customer. In fact, instead of full and informed disclosure, the Scientology Enterprise requires its parishioners to sign away all of their civil rights. Scientology killed Lisa McPherson, holding her captive in a room for 17 days, denying her non-scientology medical care, until she was dehydrated, covered with 110 cockroach bites and dead. Dead, as part of a Scientology policy and procedure for handling a person having a psychotic break, or going crazy, while engaged in Scientology mental processing. Scientology's leader, David Miscavige, was personally involved in Lisa's isolation, introspection rundown and death. "People sometimes die," he callously said.

What did this Church do after they had killed Lisa McPherson and paid over \$50 million tax exempt dollars, to defeat the court claims of her family through international public corruption, litigation terrorism, international psycho-terrorism, blackmail and fraud? This Church, claiming to be the most ethical group on the planet, ordered its lawyers to draft, and its parishioners to sign, a new general release and waiver of all liability agreeing that the Church of Scientology is free of any liability for death, "injury or damage suffered in any way or connected with Scientology Religious Services or Spiritual Assistance."

Why should the name "Church of Scientology" be enough to enable the Scientology enterprise to change and waive the laws, rules and consequences that apply to all other organizations including The Roman Catholic Church? The Roman Catholic Church was liable for the sexual abuse perpetrated by its clergy. In fact, the Church of Scientology itself has

repeatedly covered up staff sexual abuse and rape with the use of psycho-terror and gag agreements. Hubbard also wrote that a Scientologist can get away with murder. Amazingly, the one racketeering enterprise in the United States that is now above the law is the Church of Scientology.

Perhaps that is because of the 1993 Secret Tax Agreement between the IRS and Scientology which, in effect, makes Scientology the established state religion of America by giving it tax benefits, global promotion and protection from Interpol. These are unique privileges and government assistance that are denied to all other religions. Last February, in the *Sklar v. I.R.S.* case, where Jewish parents were seeking the same religious education deductions exclusively allowed to Scientologists, a Ninth Circuit Court of Appeals judge said that "...the view of the I.R.S. that it can unconstitutionally violate the Constitution by treating [Scientology] more favorably than other religions in terms of what is allowed as deductions ... does intrude into the Establishment Clause." How did this constitutional outrage happen?

Three decades ago Scientology agents broke into and infiltrated 135 government departments and embassies in Washington, DC, as part of "Operation Snow White," which is an ongoing Scientology project. The worst criminal infiltration of the United States government in our nation's history, was perpetrated by none other than the Church of Scientology. Eleven of Scientology's top executives were convicted. Hubbard's own wife went to federal prison. Scientology's current lead lawyer Kendrick Moxon narrowly avoided a similar sentence. Accordingly, it seems unbelievable that on October 1, 1993, the United States Government, as a result of criminal blackmail, intimidation, litigation terrorism and public corruption, granted the Church of Scientology tax exempt status with unique tax privileges, tax benefits and tax deductions that are expressly and constitutionally denied to all other churches, both by law and the I.R.S. secret agreement with Scientology.

I.R.S. agents and their families had been terrorized. Two died under apparently suspicious circumstances. Scientology had filed over 2,500 law suits against the I.R.S. and Scientology lawyer Kendrick Moxon had reportedly paid over a million dollars to Maryland private investigators to "dig up the dirt" on top I.R.S. officials. Scientology's leader has publicly claimed that this tax agreement, based upon a blatantly fraudulent and "specially handled" application, along with a merely superficial I.R.S. investigation, saved Scientology over one billion dollars in past due taxes, interest and penalties. David Miscavige is also reported as

saying that he and Martin C. Rathbun would go to prison for a very long time if it were ever known how, during one half hour unannounced visit to then I.R.S. Commissioner Fred Goldberg, they reversed twenty five years of Federal Government resistance, and blackmailed the I.R.S. into ignoring the U.S. Supreme Court's decision in the Hernandez case.

The more than 166 corporations and churches of Scientology are an elaborate fraud and religious cloak, designed to shield the true nature of what is really a racketeering enterprise that satisfies all of the elements of the United States Racketeering Influenced and Corrupt Organizations Act, known as R.I.C.O. There is no corporate integrity among this deceptive conglomerate. The conditions of the secret tax agreement are ignored and unenforced. David Miscavige controls and micro-manages the entire enterprise with sole control over the organization and its assets. This tax exempt church is managing agent David Miscaviges' tax free totalitarian empire and gulag, and any time he likes he can run with all the tax free money. This is Scientology in America today, and it adversely affects America's image and reputation around the world.

The U.S. government claims it is fearless and tireless against extremist Islamic terrorism, but it is intimidated, impotent and complicit in matters of Scientology domestic terrorism, crime and abuse. The law in the United States only requires that the government, and the courts, respect freedom of religious belief. The law and the court decisions are clear that wrongful church conduct, whether religiously motivated or not, may be regulated and punished like any other crimes and abuses. Despite that, nearly all complaints about Scientology crimes and abuses are ignored by the Federal and State governments and their law enforcement authorities. Over the past ten years many hundreds of complaints have been made to the F.B.I., the Department of Justice, the I.R.S. and the Congress. All are ignored or rejected with a specious excuse. Outraged government officials take in complaints, input them into the system and then are stunned speechless when higher ups "spike" any investigation or prosecution. In part, it is this official inaction and hypocrisy that is prompting tens of thousands around the world to protest Anonymously against what is widely acknowledged as the world's most dangerous cult.

In the mid 1970s a few brave citizens banded together against cults in general. They formed the Cult Awareness Network or CAN. It provided information and assistance to the families of cult members and to former cult members. To summarize a very long saga, Scientology's O.S.A. infiltrated CAN. Scientology lawyer Moxon devised the "Bowles &

Moxon Plan 100” to have 100 frivolous law suits on file at any one time against CAN. Scientology intended to drive CAN into bankruptcy. Deposition testimony detailed Moxon being involved in plans to murder Cynthia Kissler, the President of CAN, and Ford Greene, an anti-cult lawyer. A former scientology operative has testified he got as far as the CAN offices before deciding to ignore his orders. However, he did infiltrate Ford Greene’s law offices to obtain confidential information. Scientology has infiltrated many government, congressional, media and law offices; even my own former law offices. It has blackmailed and extorted my then law partners and it has intimidated professional associates, clients and friends. Scientology did all of these things in the dozens of cases it filed against the Cult Awareness Network, a non-profit tax exempt charitable organization. Scientology did drive CAN into bankruptcy and then it persuaded the bankruptcy judge to give Scientology the name, postal address and telephone number of the Cult Awareness Network to use itself, which it still does. Worse still, the bankruptcy trustee and judge were persuaded to transfer all of the files and records of the Cult Awareness Network to the Church of Scientology. Those who had sought confidential assistance against Scientology were then subjected to Scientology Fair Game and psycho-terror retaliation and handling.

In the United States, justice and fair play, on a level playing field, are not possible in litigation involving the Church of Scientology. The government, law enforcement, the courts and the media have all been terrorized into abdicating their oaths of office and obligations. A copyrighted Scientology document provides that “[t]he purpose of the law suit is to harass and discourage rather than to win. The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway ... would generally be sufficient to cause his professional demise. If possible, of course, ruin utterly.” Scientology takes this even further by engaging in institutional organized perjury. “The only way to control someone is to lie to them,” wrote Hubbard. He also wrote a document called the “Manual of Justice.” In that document Hubbard wrote: “People attack Scientology ... always even the score ... overt investigation of someone or something attacking us by an outside detective agency should be done more often and hang the expense ... Hire them and damn the costs when you need to ... the critic will sure shudder into silence ... [Scientology] punishment is gruesome ... there are people hiding in terror on Earth because they attacked us. There are men dead because they attacked us.” In another Scientology policy document Hubbard wrote, “We will become interested in the

crimes of people who seek to stop us. If you oppose Scientology we will promptly look up – and will find and expose – your crimes. If you leave us alone we will leave you alone. It’s very simple. Even a fool can grasp that.” There are many dozens of written copyrighted Scientology policies along these lines and even worse. In another Scientology policy document Hubbard directs the church to conduct “wars of attrition on the basis of total attrition of the enemy ... Just go all the way in and obliterate them ... cut off enemy communications, funds, and connections ... raid and harass.”

This past Saturday evening, I received a telephone call from a former Scientologist. This is some of what he told me. He was born into Scientology and he lived within Scientology until his mid twenties. As a child he was repeatedly imprisoned for hours and threatened with the loss of his “eternity,” and “the loss of this planet to the psychiatrists,” if he did not sign a billion year contract to join Scientology’s para-military group the Sea Organization where he would earn \$46.20 per week. He was trained to go out to psychiatrist’s offices where he was to set them up in compromising situations so that complaints could be filed to revoke their licenses. This is called “psych-busting” and I have taken many depositions of Scientologists confirming it. Scientology spent months training him to convincingly lie and perjure himself. They trained him to harass and psycho-terrorize critics of Scientology. Eventually this young man snapped, woke up and left Scientology. Now he suffers from horrible flashbacks and post traumatic stress disorder. This brave, but traumatized, young man was interested in suing Scientology for what they did to him, as well as to focus attention on the conduct the federal and state governments are allowing Scientology to perpetrate on others. This is some of what I told him, based upon my own experience as a lawyer and litigant against the cult.

“It is very expensive to sue Scientology and for lawyers it is worse than fighting the big tobacco companies or the Mafia. Even if a litigant has a million dollar litigation fund, the church will run that litigant out of money. *Time Magazine* spent over \$20 million to prove that its cover story, “Scientology, Thriving Cult of Greed and Power,” was substantially true and not defamatory. In *Scientology v. Yanny* nearly three million dollars was spent to successfully defend Scientology’s former lawyer in two trials and two appeals. In *Scientology v. Fishman & Geertz* nearly \$1.7 million dollars was spent to successfully defend Dr. Geertz against a defamation claim. In the *Scientology v. FACTnet* and *Scientology v. Lerma* over two million dollars was spent to successfully defend and settle fraudulent copyright claims and fraudulent federal search

and seizure orders. These few examples involve the expenditure of insurance proceeds and large corporate funds. Most individuals do not have that sort of money available; however Bob Minton did. He spent over \$10 million dollars before Scientology terrorism, bribery, blackmail and fraud upon the courts forced him into a form of settlement and stand-off. Mr. Minton is so terrorized and threatened, particularly financially and for his children, that he now lives abroad. In the *Lopez v. Scientology* fraudulent investment case, nearly \$500,000 was spent on Mr. Lopez's claims before a Scientology legal team, led by now L.A.P.D. in house attorney Gerald Chaleff, forced Mr. Lopez into a token settlement. The *Pattinson v. Scientology* case had to be dismissed when Scientology engaged in barratry and drove Michael Pattinson, and me, into bankruptcy. In the Christofferson case a jury awarded \$30 million dollars in damages to former Scientologist Julie Christofferson. The church ensured that she never saw a penny. In the Wollersheim case, a jury awarded \$30 million in damages to Mr. Wollersheim. Eighteen years of endless appeals later Mr. Wollersheim netted less than one million dollars. "Not one thin dime to Wollersheim" was the order of David Miscavige who finally paid a much reduced amount on the same morning the fraudulent Scientology corporate structure was to be exposed in a judicial opinion and decision. In 1994, I delivered two boxes of incriminating racketeering testimony to the United States Attorney's office in Los Angeles and was later told that the Federal government did not have the resources to fight crime on the scale that the Church of Scientology engages in. The same office has recently disbanded its "public corruption unit" which makes the situation even worse. However, unlimited tax exempt litigation funds are only part of the picture.

First, the potential litigant has to find a lawyer. There are less than a handful nationwide willing to take on the dangers of Scientology litigation. I know of one law firm who told a Scientology victim that "You cannot afford us and we cannot afford you." A litigant's lawyer can expect the Office of Special Affairs, its lawyers and investigators to immediately investigate his entire life, his family, friends, partners and colleagues. Law partners have been blackmailed and extorted. Clients visited and terrorized. Offices infiltrated with Scientology operatives and "sleeper agents." Defamatory statements spread around the profession, media and internet. During the Wollersheim case, Scientology even placed a microphone under attorney Charlie O'Reilly's bed and he was beaten up the night before a Court of Appeals appearance. Even his medical records were not safe. Over twenty false state bar complaints were filed in the 1980s against attorney Michael Flynn, Esq. Frivolous law suits were filed and false criminal reports

made. In the 1990s over ten false state bar complaints were made against me. There were false police complaints and corroborated documented testimony of blackmail, bribery, obstruction of justice, perjury, fraud upon the courts, bankruptcy fraud and judicial misconduct. Multiple fraudulent law suits were filed against me and the fruits of all that criminal conduct and corruption are still being used against me, with impunity in the Los Angeles courts. Some of our judges are shameless. They are part of the problem.

In the 1980s, the *American Lawyer Magazine* published an article entitled “Scientology’s War against the Judges” today that war still continues. Sadly, I am not just talking about a lawyer leaving a paper bag full of money in the judge’s chambers and commenting that he used to represent the Mafia. Scientology actually investigates these judges and their law clerks. Scientology lawyers have been known to contact these law clerks and threaten them. They have had improper ex parte meetings with judges before a case is filed. They have left on midnight visits to other judges. Cases get reassigned to judges who are in Scientology’s pocket, or who used to be an attorney for Scientology, or who are involved romantically with a Scientologist. Court clerks can be persuaded to receive court filings after hours. In one case, Scientology filed a motion to disqualify every judge in Los Angeles County. In another case they sued the judge for not allowing them to use the Scientology court reporting company of Atkinson Baker; the largest court reporting service in the nation. Using Atkinson Baker, Scientology lawyers have received copies of transcripts long before other counsel. In another Scientology case, there was even a transcript change. In another case, Scientology attorney Moxon was alleged to have drowned the judge’s dog. All this creates a climate of psycho-terror among the judges and that results in blatant miscarriages of justice. Even jury tampering is not out of Scientology bounds, as happened in another recent example involving the wife of an O.S.A. staffer.

Scientology policy documents hold that only Scientologists have civil rights and that those who impede, oppose or sue Scientology have no civil rights at all, and they may be destroyed with impunity. Another Scientology document directs its staff and lawyers to overwhelm an opposing litigant or uncooperative judge into submission. With massive litigation budgets and sometimes hundreds of lawyers, Scientology files endless motions, takes endless depositions and pursues every avenue of appeal. The goal is to delay the resolution of the case as long as possible, to totally frustrate the judge and to grind the opponent into submission financially, physically and emotionally. Some litigants and their lawyers have developed post

traumatic stress disorder. When the case ends, the documents and evidence often gets sealed, witnesses and litigants are coerced into “gag” agreements, access to court files become blocked and documents slowly disappear from those court files.

As I have explained, in my opinion, the Scientology racketeering enterprise now does almost whatever it wants in the Cities of Clearwater in Florida, and Los Angeles and Hemet in California. The last criminal organization to flourish under government and the courts was the Mafia, during J. Edgar Hoover’s reign at the F.B.I. Now the Scientology enterprise flourishes under the Clinton and Bush Justice Departments. How does it do this? The Church of Scientology does it through institutionalized and organized bribery, blackmail, perjury, lying and fraud. It uses criminal infiltration, burglary, false claims of religiosity, fraudulent copyrights, “false front” organizations, intimidation and terror. Terrorism can take many forms; it isn’t always violent and spectacular. In these matters, our government and courts have failed us.

In the case of *Allard versus the Church of Scientology* the court accurately and courageously described some of the documents I have mentioned, and the conduct of a group of Scientologists. The judges said, “... these documents establish beyond question that the defendants, their convicted co-defendants and their un-indicted co-conspirators (including current Scientology lead attorney Moxon) as well as their organization considered themselves above the law. They believe they had carte blanche to violate the rights of others, frame critics in order to destroy them, burglarize private and public offices and steal documents outlining the strategy of individuals and organizations that the church had sued. ... The defendants and their cohorts launched vicious smear campaigns, spreading falsehoods against those they perceive to be enemies of Scientology in order to discredit them and, in some instances, to cause them to lose their employment ... To these defendants and associates ... anyone who did not agree with them was considered to be an enemy against whom the so-called “Fair Game” doctrine could be invoked ... In view of this, it defies the imagination that these [Church of Scientology] defendants have the unmitigated audacity to seek to defend their actions in the name of religion.”
Thank you.

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