

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KENNAN G. DANDAR,
and DANDAR & DANDAR, P.A.,

Plaintiffs,

v.

Case No: 8:12-cv-2477-T-33EAS

CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION,
INC., F. WALLACE "WALLY" POPE,
JR., ROBERT V. POTTER, JR., and
JOHNSON POPE BOKOR RUPPEL &
BURNS L.L.P.,

Defendants.

**NOTICE OF FILING EXAMINATION UNDER OATH
IN SUPPORT OF MOTION FOR
EMERGENCY PRELIMINARY INJUNCTION**

Plaintiffs, KENNAN G. DANDAR and DANDAR & DANDAR & DANDAR, P.A.,
hereby give notice of filing the attached Examination Under Oath of Mark "Marty" Rathbun
in support of their Motion for Emergency Preliminary Injunction.

I HEREBY CERTIFY that on November 15, 2012, I electronically filed the foregoing
with the Clerk of the Court by using the CM/ECF system which will send a notice of
electronic filing to the following: F. WALLACE POPE, ESQ. and ROBERT POTTER,
Attorneys for Defendants.

/s/ KENNAN G. DANDAR
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MARK "MARTY" RATHBUN

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UNITED STATES DISTRICT COURT
for the
Middle District of Florida

KENNAN G. DANDAR and DANDAR)
& DANDAR, P.,)
Plaintiff,)

v.) Civil Action No.
) 8:12-CV-2477-T-33EAJ

CHURCH OF SCIENTOLOGY FLAG)
SERVICE ORGANIZATION, INC.,)
et al.,)
Defendant.)

EXAMINATION UNDER OATH
OF
MARK "MARTY" RATHBUN
NOVEMBER 9, 2012

A P P E A R A N C E S:

ATTORNEY FOR PLAINTIFF (VIA TELEPHONE):

MR. KENNAN G. DANDAR
DANDAR & DANDAR, P.A.
5509 WEST GRAY STREET, SUITE 201
TAMPA, FLORIDA 33609

EXAMINATION UNDER OATH OF MARK "MARTY" RATHBUN,
taken by KENNAN G. DANDAR, commencing at 10:59 a.m.
on the 9th day of November, 2012, before WENDY A.
LUND, a Certified Shorthand Reporter in and for the
State of Texas, and also videotaped by Videographer,
ART CARROLL, at the Offices of DepoTexas-Corpus
Christi, 615 N. Upper Broadway, Suite 1450, Corpus
Christi, Texas.

MARK "MARTY" RATHBUN

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1 THE VIDEOGRAPHER: Okay. Today's date
2 is November the 9th, 2012. The time is approximately
3 10:59, and we're now on the record.

4 MR. DANDAR: Okay. Swear in the
5 witness, please.

6 (Witness sworn.)

7 MARK "MARTY" RATHBUN,
8 having been first duly sworn, testified as follows:

9 EXAMINATION

10 BY MR. DANDAR:

11 Q. Please state your full name.

12 A. Mark Charles Rathbun, also known as Marty.

13 Q. And what is your address?

14 A. It is 115 Bayshore Court, Ingleside on the
15 Bay, Texas, 78362.

16 Q. Okay. Could you give us a -- a description
17 of your history with the Church of Scientology?

18 A. Well, I joined the Church of Scientology in
19 1977. I joined what's called the C Organization,
20 which is its priesthood, in January, 1978, and I
21 served there until December 12th, 2004. From
22 approximately 1982 until I left in December, 2004, I
23 answered to nobody other than David Miscavige, who
24 was effectively the Supreme Leader of all Scientology
25 organizations.

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1 Q. What was your title, if you had one, and I'm
2 sure you did, in 2000 -- uh, let's say 2000 to 2004?

3 A. I was Inspector General of the Religious
4 Technology Center. And the Inspector General is the
5 second highest ecclesiastical position in all of the
6 Scientology network, answers only to the Chairman of
7 the Board, Religious Technology Center, which is
8 David Miscavige.

9 Q. All right. So is it fair to say you worked
10 hand in glove with David Miscavige?

11 A. Yes, on a daily basis.

12 Q. All right.

13 All right. I'm going to direct your
14 attention now to the Lisa McPherson case.

15 A. Okay.

16 Q. And let's start off with Exhibit No. 1.

17 A. All right.

18 Q. And just take a look at that. I think
19 you'll see it's your blog or is that your website?
20 I'm not sure how you call it, what you call it.

21 A. It's a blog, yeah.

22 Q. Okay. And Exhibit No. 1, is that your
23 writing that is contained in this entire article
24 until you get to Mike Rinder's comments section at
25 the last page?

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1 A. Yes, it is.

2 Q. Okay. And, as you know, you're under oath
3 today, so I've got to ask you this question. Is
4 everything that you wrote in this blog, Exhibit No.
5 1, true?

6 A. Yes.

7 Q. Okay. Is it based upon personal knowledge?

8 A. Yes.

9 Q. Okay. So let's look at this for just a
10 little bit.

11 A. All right.

12 Q. And go ahead.

13 A. No. I said all right. I'm sorry.

14 Q. I'm sorry. Okay. On the second page, which
15 says "First order of business..."; you see that?

16 A. Yes.

17 Q. Okay. A Republican political consultant by
18 the name of Mary Repper was hired. Who decided to do
19 that?

20 A. David Miscavige.

21 Q. And how did he know about Mary Repper?

22 A. Um, we had known about her because, you
23 know, in the Church of Scientology, there's this
24 branch called Office of Special Affairs or OSA. I
25 call it the -- I think the best description of it is

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1 the, uh, dirty tricks and propaganda arm of the
2 Churches of Scientology. It does all of their
3 external facing business. OSA is constantly working
4 on what's called a power communication lines
5 database, which is a computer database that culls
6 from every source of information they can find,
7 through going out and doing public record checks,
8 through an intelligence network, through parishioner
9 files, through counseling folders, through everything
10 to find every connection they can find from a
11 Scientologist or people hired by Scientology to
12 people in positions of power in Scientology
13 communities.

14 So in Clearwater, Florida, Mary Repper
15 was known for years prior to any retention being
16 done. In fact, she was the subject of a number of
17 these OSA power communication database analyses,
18 which showed she was one of the top movers and
19 shakers in the Pinellas County community, who for
20 many years leading up to around 2000, she was
21 considered and labeled as a -- somebody who was anti
22 Scientology and was a key player in the community
23 that had to be dealt with one way or another.

24 Q. All right. So -- so was it you or David
25 Miscavige or someone else that made the decision to

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1 meet with her and sway her to come over to the
2 Scientology side, for lack of a better phrase?

3 A. Yeah. You know, he makes the decision on
4 all these -- any matter of that import, and
5 particularly since he was there at the meeting, um,
6 you know, he makes the deci -- he makes the ultimate
7 decision. I don't recall exactly, precisely what led
8 up to that, whether -- I know Tom DeVocht was
9 involved somehow because Tom DeVocht was the -- it's
10 D-e-v-o-c-h-t -- Tom DeVocht was the, um, the head of
11 the Flag Land Base, the Clearwater operation. And,
12 um, and he was responsible for putting all the
13 buildings together and dealing with contractors, so
14 he had a lot of contacts with the outside world,
15 lawyers, real estate, uh, lawyers, that sort of
16 thing. And Tom, I remember, had come across some
17 communication line to Mary Repper, and it was in
18 conjunction with Bennetta Slaughter, who was a
19 Scientologist doing a bunch of PR activities in
20 Clearwater on behalf of the church, and those two
21 somehow came up with this communication line to Mary
22 Repper. And, um, and we got a report back, Miscavige
23 and I, from -- from -- from the both of them, from
24 DeVocht and Slaughter, that Mary Repper wasn't so --
25 necessarily so antagonistic after all.

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1 And so a meeting got set up for her to
2 meet with Miscavige at the Hibiscus Restaurant, which
3 is on the premises of Flag, Flag Land Base in
4 Clearwater, and David Miscavige said by all means.
5 You know, he felt he could, uh, personally sway her
6 with his -- with his charisma and make her an ally or
7 friend of Scientology.

8 Q. And, in fact, that's what he did do,
9 correct?

10 A. Well, not exactly. What he did --

11 Q. Oh.

12 A. -- what he did do was retained her at a --
13 at a pretty hefty, uh, flat rate retainer. Um, she
14 had a monthly retainer, as I recall, in the, um,
15 thousands of dollars, you know, per month. I don't
16 remember --

17 Q. How much was it?

18 A. I don't remember exactly what it was, Ken.
19 I know it was several thousand dollars per month.
20 And she was all too happy to have a, you know, a
21 retainer like that. Um, so, um, why I say not
22 exactly is because, you know, he was going to -- you
23 know, he characterized that he was going to win her
24 over with his charisma, but I think he really won her
25 over with his dollars.

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1 Q. Okay. Now, one of the things she did, she
2 was the campaign manager for the State Attorney in
3 Pinellas County, Mr. McCabe; is that right?

4 A. Correct.

5 Q. Okay. So she set up these dinners at her
6 house, and the Scientology movie stars were invited
7 to come and woo the politicians?

8 A. Yes.

9 Q. Okay. So those -- those Hollywood stars you
10 name on Page 2 is Tom Cruise, John Travolta, Greta
11 Van Susteren, and soap star, Michelle Stafford.

12 A. Yes. Correct.

13 Q. Were there any others?

14 A. Those are the ones I recall.

15 Q. Okay. All right. And you really did get
16 the Pinellas County Sheriff and the Public Defender
17 and the Mayors of Tampa and Clearwater to show up at
18 these events?

19 A. Yes. In fact, the, uh, the sheriff, Rice
20 was his name, was -- was really Repper's first major
21 target because she was really tight with him and had
22 been for decades. Um, and that was the first person
23 she sort of won over to being friendly with
24 Scientology.

25 Q. Okay.

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1 A. And that was -- that was directly. And
2 everything at that time, you know, from '96 through
3 2004, really, was directed first and foremost at
4 getting rid of the McPherson criminal case, getting
5 rid of the McPherson civil case, and patching up the
6 bad public relations damage that it had done, so
7 that's why she was brought in.

8 Q. What do you know about how the Church of
9 Scientology got the Medical Examiner, Joan Wood, to
10 change her opinion on the cause of death of Lisa
11 McPherson?

12 A. Well, it's a long story, but, um,
13 essentially Lee Fugate, who's job was really -- I
14 mean, he was -- his job was not lawyering. He did
15 very little lawyering. He did mostly public
16 relations work. And part of his public relations
17 work was to mosey up to and become friendly with Joan
18 Wood's attorney, Jeffrey Goodis, out of St.
19 Petersburg. And he arranged a personal meeting
20 between David Miscavige and Jeffrey Goodis, which I
21 attended with Lee Fugate. And, um, essentially,
22 David Miscavige created this little bonding, um,
23 scenario with, uh, with Goodis over months. Um,
24 that's how the -- that's how the thing essentially
25 went down. And what he -- what he essentially

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1 accomplished over probably a year period in the year
2 1999-2000, I guess, was -- or an eight-, nine-month
3 period was essentially, really, to get Goodis to
4 actually be representing Miscavige's interests
5 against Joan Wood's, quite frankly. I mean, he had
6 Goodis on such good terms that Goodis would consult
7 with Dave Miscavige on how to convince Joan Wood of
8 certain things.

9 Q. Was he being paid by David Miscavige?

10 A. No, he was not. But he did receive a lot of
11 perks.

12 Q. Such as?

13 A. Such as, uh, 50-yard line Super Bowl tickets
14 when the Bucs went to the Super Bowl. Uh, such as
15 cufflinks that, uh, were probably worth a couple of
16 thousand dollars, like really over-the-top cufflinks.
17 Miscavige found out he had somewhat of a cufflinks
18 fetish and, um, at least gave him at least two pair
19 that I know of. Um, and then he got
20 red-carpet-rolled-out treatment at the events at the
21 Flag Land Base at the Fort Harrison Hotel that this
22 church put on in the early 2000s to try to woo the
23 local populous. They put on these big gaudy galas.
24 And, um, Miscavige found out through bonding with,
25 uh, Goodis that his wife and he both were sort of

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1 goo-goo ga-ga over John Travolta. So Dave very
2 carefully arranged that Travolta would go up to their
3 table and give them personal face time and make them
4 feel like they were personal friends. I mean,
5 those --

6 Q. Now, I heard --

7 A. Yeah.

8 Q. -- and tell me if I'm wrong, but I heard
9 that Joan Wood, the Medical Examiner, had a relative,
10 either a brother or a cousin, who had some type of
11 pressure put on him or her that caused Joan Wood to
12 change her opinion on the cause of death.

13 A. Ken, I don't know anything about that.
14 Never heard of it even.

15 Q. Okay.

16 A. Yeah. I know -- I watched the whole thing.
17 Look, Miscavige and I met with Jeffrey Goodis on
18 probably between one and two dozen occasions in
19 Jeffrey Goodis' office in St. Petersburg, and these
20 are like anywhere from an hour to three-hour-long
21 meetings in his conference room, personally going
22 through the evidence that we were specifically
23 tailoring to impinge on Joan Wood. And then having
24 strategy sessions on how Jeff might be able to push
25 her personal, professional, and emotional buttons to

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1 get her to accept these ideas.

2 Q. Okay.

3 A. And that's how -- that's how it went down.
4 I don't know about any cousins or anything like that.

5 Q. Okay. All right. Let's talk about the
6 judges now.

7 A. All right.

8 Q. What do you know about -- was it Miscavige's
9 idea? Is he the one that was, again, in charge of
10 trying to influence judges involved in the Lisa
11 McPherson cases?

12 A. Absolutely. And, uh --

13 Q. All right.

14 A. -- and that really began with -- with Judge
15 Schaeffer. Um, in fact, that was Lee Fugate's --
16 that's why he was hired in the first place. Look, I
17 was one of the first responders on this Lisa
18 McPherson situation, um, when she -- when she passed
19 away. Um, and one of the first things that Miscavige
20 ordered me to do was to get with Jerry Feffer. Jerry
21 Feffer is senior partner -- or was a senior partner
22 at Williams & Connolly in Washington, D.C. He was
23 David Miscavige's personal attorney. David Miscavige
24 had, uh, credited him with, um, credited Jerry Feffer
25 with knocking out a number of criminal investigations

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1 on David Miscavige, personally, and the Church of
2 Scientology from the mid '80s all the way up into the
3 2000s. And so one of the first things he did was
4 order me to get ahold of Jerry Feffer to get us, uh,
5 some rainmaker counsel to make this case go away.

6 And --

7 Q. Who was that?

8 A. And that was Weinberg, Sandy Weinberg, of
9 Zuckerman, Spaeder. And, uh, and his big -- his big
10 line into handling this thing behind the scenes was
11 he had Lee Fugate, who was a former State Attorney's
12 Office attorney in the Pinellas County office --
13 Pinellas-Pasco office, um, who was investigating this
14 case. Lee Fugate was a former prosecutor there and,
15 according to Weinburg and according to Feffer, um,
16 had the, uh, the, uh, credibility, um, and the
17 influence there to, um, sufficient to make this thing
18 go away.

19 Q. So what was the plan to make the McPherson
20 case go away?

21 A. Well, I mean, the first plan was to, uh, try
22 to open up a line of communication with the State
23 Attorney's Office and prevent it from getting to the
24 point of indictment. And so -- and so Lee Fugate,
25 um, he ran into a lot of antagonism from McCabe and

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1 Doug Crow, who was the deputy and who was in charge.
2 of the case. But the line prosecutor -- can't
3 remember his name, but if I had some time, I could
4 look it up -- uh, was good pals with Fugate, and was
5 in -- and Fugate was in constant communication with
6 him during the deposition period, pre-indictment, um,
7 and reporting back on the sentiment and where the
8 State Attorney was going and -- and strategizing
9 directly with Miscavige and myself on how to
10 influence it not to get to the point of indictment.

11 Q. Did you know that the FDLE, the Florida
12 Department of Law Enforcement, as well as the
13 Clearwater Police Department wanted the prosecutor to
14 file murder charges?

15 A. Yes.

16 Q. And was Lee Fugate charged with making sure
17 that didn't happen?

18 A. Well, that was part of it, yeah. I mean,
19 we -- we -- we wanted nothing to be, um -- you know,
20 we wanted no indictment. But, yeah, as you know, it
21 ultimately led to abuse and neglect -- criminal abuse
22 and neglect.

23 Q. Well, the first judge in the case was over
24 at Hillsborough County, Judge Moody. Was there any
25 contact -- ex parte contact with Judge Moody?

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1 A. Well, you're talking about the civil case
2 now.

3 Q. Yes

4 A. Yes. And --

5 Q. I'm switching. I'm sorry.

6 A. Yeah, and the answer to that is no.

7 Q. Okay.

8 A. But once the indictment was -- was done, the
9 case was assigned to Schaeffer. She then became the
10 target of Fugate and a lot of other, um, you know,
11 type -- PR type of activity.

12 Q. So did he meet with Judge Schaeffer when she
13 served on the criminal bench in the Lisa McPherson
14 case?

15 A. Yes.

16 Q. And these were ex parte contacts?

17 A. Well, Lee was always trying to get that
18 done, but I think Schaeffer was, um, she was friendly
19 with Lee, but she was, um, she was pretty, um,
20 meticulous about -- about drawing the line. And I
21 think it was just a -- I think he had trouble getting
22 her to talk about the case. I think he did, um --
23 see, Lee was using her, um, Schaeffer's partner in
24 life and her assistant, Sue -- can't remember her
25 last name.

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1 Q. Right. Sue.

2 A. And -- and Lou -- and Lee was seeing her
3 every week, um --

4 Q. All right.

5 A. -- always going back ex parte and this and
6 that. And once in a while, I think he reported on,
7 you know, bumping into Schaeffer. But she -- but
8 Schaeffer, he really had a difficulty getting a line
9 into her.

10 Now, when it got into the civil case, a
11 couple years later when Schaeffer had the civil
12 case --

13 Q. Right.

14 A. -- um, at David Miscavige's direct
15 direction, Lee was attempting to get Schaeffer to
16 meet ex parte with David Miscavige. And he worked on
17 that for weeks or months and finally got the -- got
18 it to -- you know, he worked on Sue, um, to get her
19 to give the idea to Schaeffer. And I think ult -- I
20 don't know what ultimately happened, um, how they got
21 the word to her, whether -- whether Lee just outright
22 asked her, but she said can't do -- I'd love to do
23 it, it'd be fascinating, but it's not proper. And so
24 she -- she did not have that meeting.

25 Q. Right, right. So part of your article here

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1 says that the lawyers were paid handsomely to meet ex
2 parte with the judges involved in the McPherson case.
3 What does that mean?

4 A. Well, what it means --

5 Q. How handsome?

6 A. Well, what it means is, is that, uh, Pope --
7 the Pope firm, um, the first guy we hired was Ed
8 Armstrong, um, who was doing a lot of real estate
9 work, and he started building some PR bridges. Okay?
10 He was sort of like this consigliere role as opposed
11 to -- he was not hired for any particular, uh, for
12 any particular litigation, but he was hired to sort
13 of make Clearwater a, quote, unquote, "safe point for
14 Scientology." And Ed was connected, and Ed knew and
15 was personal friends with Judge Greer, who was on the
16 probate case --

17 Q. Right.

18 A. -- the -- the Lisa McPherson Estate probate
19 case, and had a number of conversations with Greer
20 about Scientology. How much they got into the case,
21 I don't know. But I know I got reports back from
22 Armstrong, in the presence of Miscavige, where he
23 would talk about how he laid in some bad news about
24 Ken Dandar being a sleazy ambulance chaser and
25 unethical lawyer, and, uh, and then some things

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1 about, you know, some positive stuff about the
2 church.

3 See, this was the whole program. This
4 is what I put in my post. It was sort of this
5 thing --

6 Q. Right.

7 A. -- where it wasn't, hey, go tell George
8 Greer to rule this way on this motion. I mean, these
9 guys are judges. You know, they're -- they have --
10 you know, they have some standards. And, uh, so you
11 couldn't be that crass. But Armstrong, and later
12 Wally Pope was brought in, were, um, constant -- or
13 consistently reporting on having met with Greer
14 and -- and made positive statements about Scientology
15 to him ex parte, um, while the guy was sitting on the
16 case, um, as well as -- like I said, it was this
17 two-fold thing, denigrate and, um, and demonize
18 Dandar and that whole family and, uh, idealize and,
19 uh, make good Scientology. So these impressions,
20 that was their job was to get those impressions
21 across.

22 Q. All right. And these reports were in
23 writing, correct?

24 A. No.

25 Q. Oh?

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19

1 A. No.

2 Q. The report from Armstrong or Wally Pope to
3 David Miscavige?

4 A. No. These are personal in person. David
5 Miscavige, you've got to realize, in 1998 when the
6 indictment happened, he was there pretty much from
7 November, '98, through the dismissal of the criminal
8 case in mid 2000. I mean, there were periods where
9 he would leave for a month or two or whatever, but he
10 was pretty much stationed in Clearwater so he could
11 do all his business that he does, while keeping a
12 tight micromanagement of everything going on in the
13 McPherson matter.

14 So -- so they had numerous -- they had
15 complete access to him. He'd walk in. We'd meet in
16 the conference room over at the, uh, Clearwater Bank
17 Building of the church's, the big conference room
18 there. Many times Miscavige would walk in and talk
19 to Pope, Armstrong. Fugate, specifically. I mean,
20 Fugate was -- you know, that was a daily meeting
21 situation for the last six months of the criminal
22 case.

23 Q. Let's talk about Judge Beach.

24 A. Okay.

25 Q. What -- what contacts were made with Judge

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20

1 Beach?

2 A. Okay. Now, I can't recall exactly how it
3 was that Beach got his way on to that and whether the
4 church influenced that or not.

5 Q. Well, let me -- let me give you the
6 background.

7 A. Well, let me give you my background first so
8 you're not -- you're not -- and then you can tell me,
9 um --

10 Q. Okay. Go ahead.

11 A. -- you can direct me by question. But --
12 but Beach came on as a discovery referee, correct?

13 Q. Yes, yes.

14 A. Okay. And -- and -- see, all I can -- what
15 I can't remember is whether Fugate somehow
16 influenced -- and I -- what I can't remember is
17 whether he came -- he came on during Schaeffer's era
18 or Frank Quesada's era.

19 Q. He came -- he came on when Schaeffer was the
20 judge, and I asked for a referee.

21 A. Okay.

22 Q. We had one, and then Schaeffer appointed
23 Judge Beach to replace the attorney from Tampa.

24 A. Right. Now, here's what I can't remember
25 but I know this happened. I'll tell you there's

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1 two -- there's two -- at a certain point, Fugate
2 engineered Beach requesting to be put on the case.
3 Now, I can't recall whether that was just -- whether
4 it was initially to come on as the discovery referee
5 or whether it was later when he became the judge for
6 all purposes, the retired judge for all purposes. I
7 think it was the latter. But I do know this. From
8 the second Beach was on, Lee Fugate was meeting
9 him -- with him ex parte. He's an old bud of Beach's
10 going way back. And he was reporting on meeting him
11 down at a bar down, um, um, down in St. Petersburg,
12 and, uh, and, uh, you know, extensive contacts, and,
13 again, extensive debriefs -- and this is directly to
14 myself, Miscavige, Mike Rinder -- extensive debriefs
15 about, uh, about Fugate telling him what a criminal,
16 quote/unquote, you were, um, Ken Dandar, the lawyer
17 on the other side, and how you can't believe anything
18 he says, you know. And then on the other side,
19 Scientology is making such huge advances in
20 Clearwater, um, you know, they're pals with everybody
21 now, namedropping, you know, all these people that
22 we're having over at Repper's house, et cetera. So
23 that was his mission, and he was in very tight
24 communication with Beach, according to his own
25 debriefs to us. Of course, we weren't there when he

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1 was having those meetings, but he would -- but he
2 said, look, I'm gonna get -- I've got Beach on this
3 thing and he's gonna -- he's gonna get on this case
4 for all purposes. He's gonna make the request to
5 Schaeffer, which will -- which will, um -- you know,
6 he played Schaeffer because Schaeffer wouldn't --
7 wouldn't -- wouldn't deal directly with -- with him.
8 And so that's how I remember that specifically, that
9 he had to -- that this was a big coup that he got
10 Beach to reach out to her. And, of course, any judge
11 who's got a case that complex and that, uh,
12 time-consuming is going to jump to that opportunity.
13 So that's what happened.

14 Q. Okay.

15 A. That's what happened. That's how it got
16 shifted to Beach for all purposes.

17 Q. Yeah. Do you know why Shafer recused
18 herself?

19 A. Um, boy, when -- when was that?

20 Q. I think it was '03. She recused herself and
21 then Beach got appointed to take over.

22 A. Boy, I tell you, Ken, I mean, this guy --
23 Fugate was so -- this thing went on for so long, this
24 engineering Beach to take the case over, that --

25 Q. Okay.

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1 A. -- that, um, I am sitting here and my
2 impression today is, is that she assigned it to him,
3 um, so --

4 Q. Either she did or she had the chief judge do
5 it.

6 A. Yeah, or maybe what happened was is that she
7 prearranged it with the chief judge and then recused
8 herself, um --

9 Q. Well, in your -- in your blog, you talk
10 about, um, Judge Beach was instructed -- or I may be
11 using the wrong words. You help me out here. -- but
12 he was instructed to make sure that the McPherson
13 family knew it was never going to go to trial and
14 they'd better settle.

15 A. Right.

16 Q. Something to that effect.

17 A. Right.

18 Q. Tell me about that.

19 A. Well, Fugate was, you know, reporting that
20 that's where he was -- you know, he was -- over time,
21 he was convincing Beach this case had nothing to do
22 with justice. It had nothing to do with recompense.
23 It had to do with a bunch of money-hungry relatives
24 who didn't care about McPherson, with an
25 ambulance-chasing attorney, and they're going to tie

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1 up the courts, and this thing's going to -- you know,
2 he got Beach on board to -- to consider this case
3 something that just ought to be settled because it's
4 all about money. And so, I mean, they were so tight
5 that -- that, um, that, um, the objective was -- and
6 I'll -- I'll tell you who else was involved in this
7 was Monique Yingling, Jerry Feffer's wife. Um,
8 because once it got into the -- anything ever gets
9 into settlement stage, Miscavige has her come in
10 directly and deals with her and runs her directly.

11 Um, and -- and so I remember a number
12 of times when -- when we discussed this, Miscavige,
13 myself, Monique Yingling, Lee Fugate, um, was Lee
14 working on getting Beach to, um, understand that the
15 only way to get this thing -- that the people who are
16 being unreasonable was your side and not the Church,
17 and the Church was being eminently reasonable, and
18 the Church was doing everything it could to sort of,
19 um, bend over backwards to, um, to pay more nuisance
20 value than was reasonable for a frivolous case,
21 position it like that. And this was done behind the
22 scenes. This wasn't done -- this was done ex parte,
23 um, between Fugate and -- and Beach, and he reported
24 on it in detail and regularly on his mission of
25 accomplishing that. And, of course, I know it

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1 happened because, um, you know, I was dropping these
2 guys off at the settlement meetings when it was going
3 down in '03 -- '02, '03, I guess. Um --

4 Q. Well, the final -- yeah, there was some in
5 '03, and the final one was in May of '04.

6 A. Well, of course, Ken, you know why it
7 finally settled in May, '04 is because I took off --
8 I escaped the International Base in February, and I
9 came back to Clearwater to do -- to try to sort
10 things out with my wife. But Miscavige knew the
11 handwriting was on the wall and I was a loose cannon,
12 free agent, and who knows what I'm going to say.
13 That's why that thing -- that's why they finally
14 ultimately settled with you.

15 Q. Wow. Let me ask you this. In an open
16 courtroom, and I have it in a transcript, um, Judge
17 Beach looked at Wally Pope and said, "Why hasn't this
18 case settled?"

19 And Wally Pope said, "As long as Dandar
20 is the attorney, it will never settle." And Judge
21 Beach removed me as the lead attorney and appointed
22 my attorney, Luke Lirot, as lead counsel.

23 A. That was all engineered. That was all --
24 you just -- you refreshed my recollection. That was
25 all engineered. Um, and, um, that idea was

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1 originated by either Monique Yingling, David
2 Miscavige, or Lee Fugate, or maybe even me. But it
3 was in -- it was -- it was the brain child of those
4 strategy meetings when -- when Lee Fugate had that
5 direct line to Judge Beach.

6 Q. Well, let me ask you this. Is Luke Lirot
7 getting paid or influenced by Scientology?

8 A. No, but -- not getting paid, but, again, Lee
9 Fugate -- listen, Lee Fugate, his value was the
10 schmooze. As a matter of fact, that's the word that
11 David Miscavige and myself used. Let's get Lee to
12 schooze. Let's get Lee to schmooze. And Lee
13 schmoozed a bit with Lirot and reported back that
14 Lirot is not -- I don't know what word we used -- but
15 you were considered to be a true believer, meaning,
16 um, somebody who was out on principle out to get
17 Scientology or to punish it on principle, whereas
18 Lirot wasn't in it for the principle. And that's --
19 that's sort of what Lee Fugate was reporting. He
20 wasn't -- he wasn't a zealot, let's put it that way,
21 um, from our perspective, and so --

22 Q. Well --

23 A. -- and so -- and so it was considered
24 that -- that Luke Lirot -- and, in fact -- in fact,
25 he may even have got -- in fact, this was the way Lee

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1 operated. I think Lee may have even floated the idea
2 of settlement by Lirot, drove a little bit of a wedge
3 in between you and Lirot, and, um, and then -- then
4 we -- he passed on this idea to Beach that, hey, this
5 whole thing could go away if you just get Lirot in
6 there. But -- but -- but, Ken, I don't know anything
7 about Lirot being, um, being given anything, um, or
8 being offered anything, other than, um, he's going to
9 get something out of the settlement. Um, okay? I
10 mean, I'm just telling you straight up. I don't --
11 yeah.

12 Q. I just felt to be on the, uh -- so it's
13 across the board, we look at everybody involved.

14 A. Yeah. Yeah.

15 Q. And, um, the question is what was Wally
16 Pope's role then after that with Judge Beach?

17 A. Well, um, after that.

18 Q. Was Pope involved because of his political
19 connections with the Florida Bar, the -- the, uh,
20 JQC, Judicial Qualification Commission, politics in
21 Clearwater? You mentioned something about the good
22 ol' boy network.

23 A. Oh, absolutely, yeah. I mean, he was
24 brought in exactly for that. And -- and I don't
25 remember the timing exactly on the civil case, but

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1 now that I think about it, I think there was some
2 sort of resistance he had because it was a long -- it
3 wasn't 'til late in the game just prior or just --
4 once settlement got started, I think, that Pope
5 actually -- as a matter of fact, I don't think he
6 came in for -- I don't think he came in for any other
7 purpose except to settle it. He didn't -- I don't
8 think he -- I think he resisted going on record. He
9 didn't want to get involved in that case. He didn't
10 want to be, um, litigating that case.

11 Q. Okay. You said you left on December 12th of
12 '04.

13 A. Correct. Correct.

14 Q. The McPherson case settled in May of '04, so
15 you were still there when it settled.

16 A. Right. But, Ken, you've got to understand.
17 I escaped the International Headquarters on February
18 the 3rd, 2004, on my motorcycle. I then -- I
19 contacted my wife, who was working at the Flag Land
20 Base. I told her I got -- you know, what's going on
21 at the International Headquarters under Miscavige is
22 complete insanity. It's a prison camp, it's a
23 torture chamber, and it has nothing to do with
24 Scientology, and I'm out and I'm never going back
25 there. She said, "Hey, what about me?"

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1 I said, you know, "What about you?" I
2 said, you know, "I'm just telling you, I'm never
3 going back to the Int Base again."

4 She said, "Please come back to
5 Clearwater. I'll get okay." She got okay from
6 Miscavige for me to go to Clearwater, instead of
7 going back to the Int Base. I was there on a
8 program, a medical program -- I had a lot of medical
9 problems, um, at that time -- and a physical fitness
10 program and a program, um, that was supposed to be,
11 you know, designed to get me to change my mind about
12 leaving. It didn't really work. It didn't take. I
13 was there, though, for nine months, but I wasn't in
14 the loop on anything, Ken. The minute I left on --

15 Q. Okay.

16 A. -- on the 2nd -- the 3rd of February, 2004,
17 I wasn't let in on anything. I read about the
18 settlement in the St. Pete Times, um, and I went, oh,
19 I get it. There's a precedent for that, um, but --
20 but I -- I understood. I could connect the dots.
21 Miscavige is afraid that, you know -- he doesn't
22 know -- he knows I'm not under control and I'm not
23 getting under control, so he better get rid of his
24 biggest threat that he's got, which is the McPherson
25 case. So -- so I don't know what happened. I don't

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1 know the particulars. You'd have to talk to Mike
2 Rinder about the particulars of the settlement.

3 Q. Was he involved back then?

4 A. Yes.

5 Q. Mike Rinder?

6 A. Yes.

7 Q. Okay. All right. So, um -- all right. So
8 we identified Exhibit 1. Let's look at Exhibit No.
9 2.

10 A. All right.

11 Q. Exhibit No. 2 -- before we get to Exhibit
12 No. 2, you mentioned something, uh, in the, uh,
13 response to Mike Rinder at the end of Exhibit 1, or
14 Mike Rinder mentions about Lee Fugate and Judge
15 Quesada spending a lot of time on Anna Maria Island.

16 A. Right.

17 Q. What's that about?

18 A. Uh, Lee Fugate -- I don't know how -- I
19 think he had some hand in getting Quesada assigned in
20 the first place, but I know -- but I can't -- I can't
21 recall exactly how that went down; but I know for a
22 fact that once he was on, um, Fugate had a number of
23 ex parte communications with Quesada about the case
24 because Lee Fugate and Frank Quesada were roommates
25 when they were young prosecutors in the State

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1 Attorney's Office. They were bosom buddies that went
2 back to the beginning of their careers, drinking
3 buddies.

4 Q. Okay.

5 A. So, um -- so, uh, he says Santa Maria
6 Island. I don't know about that, Maria Island. I
7 know, um, Fugate would go down there. Maybe he met
8 with him there. I don't know exactly where they met.
9 But Lee Fugate reported on a number of occasions
10 having went out drinking with Quesada, um, and
11 talking about the case, and, again, pushing the same
12 agenda: Ken Dandar is evil. Ken Dandar is an
13 ambulance chaser. The family are ambulance chasers.
14 Scientology's good. It's becoming influential. It's
15 this, it's that, celebrities, blah, blah, blah. So
16 he was running that whole program on Frank Quesada
17 while he sat on the case.

18 Q. All right. And that's what's basically you
19 talk about in Exhibit 2 in The Village Voice, that's
20 just confirming Exhibit 1 about how they were set up
21 with the Scientology movie stars to influence the
22 local politicians and the State Attorney?

23 A. Yeah. Well, see, that was the whole Repper
24 program was running in conjunction and parallel with
25 the Fugate program.

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1 Q. All right. So Exhibit 2, is that an
2 accurate copy of The Village Voice article?

3 A. Looks like it.

4 Q. Okay. Look at Exhibit No. 3. Now, this
5 involves you and the destruction of the last three
6 days of the Lisa McPherson caretaker notes.

7 A. Right.

8 Q. My question is, Why did they have to be
9 destroyed?

10 A. Um, because they, um, they showed that
11 Heather Hoff very explicitly was demanding that
12 medical treatment be, um, um, be gotten.

13 Q. And who is the person saying no to her
14 request?

15 A. Well, I don't know. You know, Ken, I've got
16 to tell you, you know, I've described this scenario.
17 Um, it was pretty -- it was pretty much of an anarchy
18 towards the end, um, but, I mean, Janice Johnson had
19 sort of -- had some influence. Alain Kartuzinski was
20 supposed to be, you know, where the buck stopped, but
21 he was actually being micromanaged by Angie Trent,
22 who was the Religious Technology Center
23 representative at the Flag Land Base. And so, I
24 don't know, you sort of had this troika of people who
25 were supposed to be in charge, and everybody was

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1 pointing fingers at each other. So, really, those --
2 those three together were sort of working on this.
3 So, I guess, I mean, in a way, I guess I would say
4 Angie -- Angie Trent really.

5 Q. Well, did David Miscavige have a role in
6 this?

7 A. No. David Miscavige -- you know, I've
8 written about this elsewhere. I mean, David
9 Miscavige -- and I didn't find this out until after I
10 left and -- and connected up with Tom DeVocht and,
11 um, a couple other people, Debbie Cook and Don Jason.
12 All three of them corroborated this for me, um, was
13 that David Miscavige was the person that was
14 programming Lisa McPherson from way back in the
15 spring of the year she died, and so his
16 fingerprints --

17 Q. Right.

18 A. -- were all over her in terms of her descent
19 into this psychosis that she went into.

20 Q. All right.

21 A. And I -- I spent -- you know, I spent six
22 years and 28, 30 million dollars, um, defending that
23 case and was never even aware of that. I mean,
24 that's how good Miscavige was at -- at
25 compartmentalization of information; so...

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1 Q. Wait a minute. You said you spent
2 \$38 million?

3 A. I said I think it was -- the figures 28
4 million and 30 million come to mind, um, and -- and I
5 don't -- I don't know exactly what it was, but it was
6 tens of millions, Ken. It was definitely between 20
7 and 30 million dollars, um, were spent on the
8 whole -- the criminal and the civil cases.

9 Q. Was any of that 30 million spent on the
10 private investigators that came after me?

11 A. Yes.

12 Q. What was that for? What were you -- what
13 was the point of that?

14 A. Well, um, you know, there's this whole
15 reference about noisy investigations, and -- and --

16 Q. Yes.

17 A. -- and it's part of OSA's policy, and it's
18 this idea that Hubbard had. You know, and, to me,
19 you know, there's -- there's some truth to it, but
20 it's also an anachronism, but he's talking about in
21 the 1950s, you know, people who were attacking
22 Scientology, 19 out of 20 cases, when you turn around
23 and investigate them, they've got so much -- they've
24 got some hidden agenda behind this, and they've got
25 more, um, bad motives, you know, than you could --

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1 you could imagine. And if you investigate them, just
2 the fact of investigation many times gets them to --
3 to go off. And so it's part of a thing called noisy
4 investigation, which is to make you -- rattle you,
5 get in your head and make you think, you know, maybe
6 this isn't worth it. Maybe -- maybe they'll find
7 this out about me, you know, um -- that's --

8 Q. Listen, when the -- the Clearwater judge,
9 Douglas Baird -- Douglas Baird had a case where
10 they -- that was the case they sued me personally in
11 Clearwater.

12 A. Yes.

13 Q. And Douglas Baird, uh, what do you know
14 about him? Did he have any ex parte contacts with
15 either Mr. Pope or Rosen or Lee Fugate?

16 A. Yeah, the funny thing about Baird is, you
17 know, it's just -- it's just -- you would -- you
18 would think that based on the result and the
19 treatment you got, but, quite frankly, Baird, for
20 whatever reason, um, no, there was no ex parte.
21 Baird was the kind of guy that I think if you tried
22 that, that you'd end up in front of the Bar. I mean,
23 he was a tough, tough guy, you know, tough
24 conservative, straight ahead guy. And he just, for
25 whatever reason -- I don't -- I don't know the

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1 answer, Ken -- he just didn't like you in that case.

2 Q. And, Marty, let's -- let's make sure the
3 record's clear.

4 A. Yes.

5 Q. You and I have had no social contact
6 whatsoever, correct?

7 A. None whatsoever. The only contact we've had
8 is I phoned you to please put me in contact with your
9 client, um, the aunt and executor --

10 Q. Yes.

11 A. -- of Lisa McPherson's estate so that I
12 could apologize for my role in what I did, and -- and
13 you told me that you would pass that request on. And
14 that -- and then you got back to me -- this was in
15 2009 -- and you got back to me and told me that she
16 didn't want to talk, but she appreciated, um, my, um,
17 thoughtfulness. And so that's the only -- and that's
18 the only contact we've ever -- we've ever had, except
19 in trying to, um, um, talk about getting -- getting
20 this on the record, what we're talking about today.

21 Q. Yeah, and that's Dell Liebreich, by the way,
22 and she passed away in November of 2 -- of last year.

23 A. I'm sorry to hear that. Yeah, well, thank
24 you.

25 Q. Okay. So now I have some investigators

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1 whose names popped up here from somebody on the
2 inside, allegedly.

3 A. Okay.

4 Q. And I don't know if this is -- but here's
5 some names. Let me see if you know them. Gregg
6 Colton in Dunedin.

7 A. Uh, rings a bell, familiar, um, but I never
8 dealt with him personally, but I believe that he does
9 and has worked for the Church of Scientology. As a
10 matter of fact, I associate that name with somebody
11 who did security during the Lisa McPherson, um, Trust
12 protest era or did security.

13 Q. Yeah?

14 A. Yeah.

15 THE COURT REPORTER: I'm sorry.

16 Q. (BY MR. DANDAR) And there's a Terry --

17 THE WITNESS: I'm sorry. She --

18 THE COURT REPORTER: You said Greg

19 Colton in --

20 MR. DANDAR: What?

21 THE WITNESS: Dunedin. Dunedin,
22 Florida.

23 MR. DANDAR: Yeah, Dunedin.

24 THE WITNESS: D-u-n-e-d-i-n or
25 whatever. You can look it up.

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1 THE COURT REPORTER: Okay.

2 MR. DANDAR: D-u-n-e-d-i-n.

3 THE WITNESS: Okay.

4 MR. DANDAR: On Bayshore Boulevard.

5 THE WITNESS: All right.

6 Q (BY MR. DANDAR) Another one is Terry
7 Rothler.

8 A. Don't know him.

9 Q. How about Lindsay Colton?

10 A. Yeah. Lindsay, yeah. Again, I -- go ahead.

11 Q. Go ahead.

12 A. I said I associate that with the security,
13 um, work on the Lisa McPherson Trust.

14 Q. All right. And what about, um, Lee
15 Schroeder? Lee Schroeder -- is that a name you
16 recognize?

17 A. No.

18 Q. Okay. All right.

19 A. But, you know, Ken, I didn't -- I didn't
20 deal with a lot of those logistics, um, but, you
21 know, I know there was investigators.

22 A. Well, I had investigators contact clients of
23 mine and actually got one client to file a bar
24 complaint against me. Do you know anything about
25 that?

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1 A. Uh, yes. Um, that was a Ben Shaw operation.
2 He was on that, um, extensively. Um, and, um, I
3 don't know the receipt -- the problem is I don't know
4 the resources he used. Um, I just know that he was
5 reporting on, um, on somebody, a resour -- he
6 called -- they call it a resource, right? So I don't
7 know if it's a PI or a Scientologist or -- or what
8 they're using. But that means an agent, an
9 intelligence agent.

10 But they -- he reported over a period
11 of time, um, that he was working on this -- well,
12 there was a number of former clients he was working
13 on, um, but I do recall one in particular that --
14 that he reported on had actually filed a bar
15 complaint, and he was trying to get him hooked up
16 with an attorney to sue you.

17 Q. Okay.

18 A. And Ben Shaw is the -- Ben Shaw was the head
19 of the Office of Special Affairs at the Flag Land
20 Base branch of the Office of Special Affairs, just so
21 the record's clear.

22 Q. And are you aware that he actually escaped
23 at one time and they brought him back?

24 A. I know all about it. You know who they used
25 to -- to get him to come back, who ran --

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1 Q. No.

2 A. -- who ran that operation? Debbie Cook.

3 And --

4 Q. Really.

5 A. And you know who was micromanaging her on an
6 hourly basis?

7 Q. Who?

8 A. David Miscavige.

9 Q. Wow. So he is really a micromanager.

10 A. Oh, the worst kind.

11 Q. All right.

12 A. I'll tell you what, by the way, I should
13 state for the record that the Church does have
14 effective notice of this because they have a house
15 across the street from mine that has three
16 high-powered cameras that are trained on my front
17 door and my living room and my carport and are, uh,
18 hooked to a computer for -- for 24/7, 365 upload.
19 And on top of that, I was followed down here today.

20 Q. Oh, well, listen, how about my phones?
21 While you were active and inside Scientology as
22 number two worldwide, was my office or telephones
23 bugged?

24 A. No. Um, the only thing you'd have to worry
25 about is if you had a radio phone. Um, that's the

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1 only -- you know, that -- that -- we had -- we had
2 done that to at least one person I know of, um,
3 arranged to have them be given a gift of a radio
4 phone, which is a, you know, a remote phone in your
5 home, which, um, sends -- you can walk around with
6 the receiver not connected to the -- with the
7 headphone not connected to the receiver, and it sends
8 a radio thing. But as long as I was there, um,
9 nobody was permitted to engage in wiretapping.

10 Q. How about the, um, the entry into my office
11 on O'Brien over the Christmas holidays?

12 A. Again, Ken -- again, Ken, I can't -- again,
13 I will tell you, I mean, under my watch, um, things
14 that were overt felonies like that were not
15 permitted. But, you know, I can tell you that there
16 were a number of PIs who went to virtually all of
17 your clients -- your former clients that could be
18 found, who talked them up just like the same program
19 I told you about with the judges, you know, try to
20 buddy up to them, try to get them to detest you or to
21 criticize you, and if they could get -- if they could
22 drive a wedge, they'd work on it over months and
23 years to get them to turn on you. And that -- that
24 happened with virtually, you know, virtually every
25 client that we could discern, um, potentially may

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1 have had a disagreement or was disappointed in any
2 way with -- with their services or what they got out
3 of the cases with you. We had you overtly followed
4 to try to get you to -- you know, to get into your
5 head, because that's part of the policy of this noisy
6 investigation I was telling you about. And, um --
7 but, you know, as -- I can tell you this, too. I'm
8 sure we got your phone records. Okay? Because
9 that's a -- that's an automatic. In fact, the FBI's
10 investigating the obtaining of my phone records by
11 the Church of Scientology right now as we speak, um,
12 because they've gotten them from T-Mobile, which is
13 my carrier. Um, but that's done as a matter of
14 course with somebody -- with an enemy of your
15 stature. We find out everybody who you're calling.
16 Okay? And then a whole investigation is done into
17 all those people. So, you know, it's quite possible
18 they could have even prevented you from getting
19 clients by finding out who you were in touch with and
20 then, you know, influencing potential new cases.

21 Q. What about putting in plants or paying
22 people who worked for me to spy?

23 A. You know, I don't know about that. But,
24 again, you know, we have -- there's a whole thing.
25 There's overt data collection and then there's covert

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1 data collection. You know, overt -- overt data
2 collection I described a little bit at the outset of
3 this deposition. It's like you find every single
4 potential person who knows anything about the person,
5 and then you check every public record or every
6 record that's -- that's obtainable. That's overt
7 data collection.

8 Then you have covert data collection,
9 and, yes, that involves infiltration. But when I get
10 the reports on covert data collection, they don't say
11 who the resource is or where -- who it's coming from.
12 They just say it's been heard that Ken Dandar is
13 thinking about, you know, um, taking on a new case
14 about such and so. But the resources are never in
15 those reports. So I wouldn't know. But, um, it's
16 definitely within the, um, the permissible, uh,
17 arsenal of the Church to do that. They do that
18 quite -- quite often.

19 Q. How did they get Bob Minton to turn against
20 me?

21 A. Long story. You're going to have to ask
22 Mike Rinder, um, because -- because Mike Rinder, you
23 know, did -- did the whole thing. But, you know,
24 part of it was -- I mean, I do know the first side of
25 it, which is the three years leading up to him

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1 breaking, and that is, again, all these forms of
2 pressure, um, that I was describing to you that
3 you're familiar with that were directed against you
4 by virtue of bringing a case against Scientology.
5 All of that pressure, I was very much involved in
6 that. I mean, we -- we were investigating him back
7 to the doctor that delivered him, um, and, um, and
8 we -- and we got it to a point where we had, uh, we
9 had gotten to a point where we had, um, actually got
10 some of the funds -- some of his funds frozen, um, by
11 a governmental body or a banking commission, either
12 in Switzerland or somewhere in Europe, Luxembourg,
13 whatever it was, and that freaked -- and that freaked
14 him out. That was the -- that was the straw that
15 broke the camel's back.

16 And then I was in Los Angeles, um,
17 serving as the auditor for Tom Cruise, while Mike
18 Rinder was in Clearwater with David Miscavige. So
19 Mike Rinder, um -- you know, Minton reached out, and
20 Mike Rinder was the one that went in there with
21 Monique Yingling, and they -- they worked out how to
22 turn him.

23 Q. Hey, when the -- the McPherson case finally
24 settled in May of '04, did, uh, did Judge Beach get
25 any special accolades or gifts or anything like that?

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1 A. I don't know. I wasn't -- like I said, I
2 wasn't privy to what --

3 Q. You were gone.

4 A. -- went on at that time, yeah.

5 Q. Who else was -- besides you, who else was
6 aware of the destruction of the caretaker notes of
7 Lisa McPherson?

8 A. Uh, Elliot Abelson, who was a lawyer,
9 in-house lawyer -- well, in-house general counsel.
10 He was for the Church of Scientology. I think he was
11 busted after the Debbie Cook, uh, blowup. But Elliot
12 Abelson was in-house counsel, Mr. Fix it, in Los
13 Angeles. Um, he -- he was involved in the decision
14 making, and, um, you know, he was right there
15 reviewing the documents and deciding what needed to
16 go and didn't. And then, also, Lynn -- Lynn Farney,
17 F-a-r-n-e-y, who was a legal, um, staff member at
18 the -- at the Office of Special affairs.

19 Q. Okay.

20 A. And David -- and David Miscavige.

21 Q. All right. Um, I think we're about over,
22 even though it's not even an hour yet. You promised
23 an hour.

24 A. Well, you've got ten minutes. What else do
25 you want to know?

MARK "MARTY" RATHBUN

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1 Q. Well, what about the, uh, Exhibit 3; is that
2 a true and correct copy of the Internet Village Voice
3 where you talk about the attorney, Abelson,
4 supervising the destruction of records in the Lisa
5 McPherson death case?

6 A. It looks like it. I don't, um, I don't, uh,
7 I haven't read this in detail, and I'll tell you, um,
8 I don't always agree with, um, Tony Ortega. I think
9 he's a fine investigator and writer, but I don't
10 always agree with the way he, um, quotes things. But
11 it looks like it's -- it looks like his -- his
12 writing.

13 Q. And that's your video that's right on that
14 first page.

15 A. Yeah.

16 Q. So that is you, correct?

17 A. Yeah, looks like it.

18 Q. Okay.

19 A. It's not a -- not a very becoming shot, but
20 it is me.

21 Q. All right. Okay. Um, I believe this will
22 conclude -- wait a minute. I've got to look at one
23 more thing here. Let's see. Oh, have you heard
24 through any source whatsoever why the state court
25 proceedings against me that were in front of Judge

MARK "MARTY" RATHBUN

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1 Beach, now in front of Judge Crockett Farnell,
2 another retired judge, are sealed? The press isn't
3 allowed in the courtroom. The documents are sealed
4 at the courthouse. Do you know anything about that?

5 A. Which proceeding is this?

6 Q. This is after the McPherson case settled,
7 and they -- they claim that, uh, the settlement
8 papers include a practice restriction so that I'd
9 never sue Scientology again.

10 A. Right.

11 Q. Of course, that -- I objected to a practice
12 restriction.

13 A. Right.

14 Q. But, you know, they're going after over a
15 million dollars in damages against me because I sued
16 them again, the Brennan case. And I just want to
17 know if you know anything about it, why the -- why
18 the courthouse is sealed up in reference to that?

19 A. I have no idea.

20 Q. Okay. And, um, Mike Rinder posted on
21 your -- your blog that David Miscavige is the kind of
22 person that would pay a million dollars just to have
23 me sanctioned \$10,000. What do you say about that?

24 A. Have you ever been sanctioned by the Church
25 of Scien -- in a Church of Scientology case?

MARK "MARTY" RATHBUN

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1 Q. Um, let me think. Yes, the one up in the
2 federal court out of Texas.

3 A. In Tyler, Texas?

4 Q. Yeah.

5 A. Well, let me -- let me put it this way. Um,
6 your question is would he spend a million dollars to
7 get you sanctioned for ten thousand?

8 Q. Yeah.

9 A. Yeah. I think it's an underestimate. I
10 think he would spend \$5 million to get you sanctioned
11 for anything because --

12 Q. Wow.

13 A. -- because -- by the way, Ken, um, I mean,
14 David Miscavige supervised me on that case, too, you
15 know. And, um, when -- when that -- you know, and
16 the idea was is that I was to handle it in the same
17 way we were handling everything down in Clearwater.
18 And so Sandy Rosen came up with this recommendation
19 for Gil -- Gilchrist and -- and whatever that firm
20 was out of Dallas, second or third biggest law firm
21 in, uh, in, uh, Texas.

22 A. Yeah.

23 Q. And the partner who was on the case came
24 down with an associate, and I told him straight
25 outright, I said, "Look, if you -- can you get us

MARK "MARTY" RATHBUN

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1 local counsel, um, that can talk to the judges ex
2 parte? You know, we want -- we need the kind of
3 people that are going to have the access to go in
4 there and can have lunch with the judge or can walk
5 into his chambers."

6 And, um, they told me, "Look, we
7 understand exactly what you want. We'll get -- we're
8 pretty sure." They went back to Dallas. Three days
9 later, he told me, yeah. And, in fact, um, that's
10 who we hired as local counsel in, uh, through, um,
11 Gilchrist and whoever, Gilbertson or whatever it was.
12 Gilbert & Gilchrist? Um, and so -- and so we -- the
13 fix was on in Tyler, Texas, is what I'm trying to
14 tell you.

15 Q. Now, why did that judge -- that was a
16 federal judge.

17 A. I mean, the Fifth Circuit saw how fixed it
18 was. I mean, your client wasn't even allowed to
19 testify in her own defense.

20 Q. Right.

21 A. So, I mean, I think they saw it on its face
22 as -- as it was pretty -- pretty absurd. But I'm
23 just letting you know that we paid probably
24 \$5 million, um, you know, for the privilege of having
25 the case in the tank from the get-go.

MARK "MARTY" RATHBUN

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1 THE VIDEOGRAPHER: Excuse me, Counsel.

2 Q (BY MR. DANDAR) What was the name of the
3 attorney in Dallas?

4 A. Um, the --

5 THE VIDEOGRAPHER: Excuse me, Counsel.
6 This is the videographer. There's three minutes left
7 on the tape.

8 MR. DANDAR: Okay. I think we may end
9 it in three minutes. I might be overoptimistic.

10 THE WITNESS: It's -- it's --

11 Q (BY MR. DANDAR) What was the name of the
12 firm in Dallas?

13 A. I think it's Gilbert & Gilchrist.

14 Q. Okay.

15 A. Um, Gilchrist is definitely one of the two.
16 I think it's Gilbert & Gilchrist. They're on record.
17 I mean, they were of record in that case.

18 Q. Okay.

19 A. Yeah.

20 Q. All right. Anything else you want to tell
21 me?

22 A. Um, yeah. You know, your -- your
23 persistence is admirable, but you never should have
24 signed that stupid release. I mean, I don't think
25 it's enforceable, um, and maybe that's why you signed

MARK "MARTY" RATHBUN

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1 it because you know it's not enforceable. I don't
2 know.

3 Q. I signed it as counsel.

4 A. You know, I will say this, though, Ken I
5 told Ray Jeffrey from the word go, this guy that
6 represented Debbie Cook and represented those PIs, I
7 said the only way you will ever settle -- that David
8 Miscavige will ever settle is if he gets you to sign
9 a, uh, a never to litigate again thing. And he said,
10 well, that -- you can't -- he says it'll never
11 happen. But --

12 Q. Right.

13 A. -- I'm telling you, given, um, given your
14 circumstances down there and given how much was
15 invested into that case, 20 to 30 million dollars, I
16 don't think you could have settled that case for your
17 client, knowing David Miscavige and knowing the
18 22-year history of litigation leading up to that, and
19 being in charge of it under the direction of
20 Miscavige, I don't think there's any way he would
21 have settled that case unless you signed that thing.
22 In other words, your client would be dead without
23 having, um, gotten anything if you didn't sign that.
24 I think you -- I think that -- that you would have
25 had to, um -- created a disservice to your client,

MARK "MARTY" RATHBUN

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1 um, by not doing so. I'm just saying that for the
2 record. That's my opinion.

3 MR. DANDAR: All right.

4 THE WITNESS: Okay?

5 MR. DANDAR: I appreciate that.

6 THE WITNESS: All right.

7 MR. DANDAR: Okay. The deposition's
8 over. You have the right to read and sign it. Do
9 you want to waive it or do you want to actually read
10 it to see if any mistakes were made by the court
11 reporter?

12 THE WITNESS: Oh, I want to read it.

13 MR. DANDAR: Okay.

14 THE WITNESS: Yeah.

15 MR. DANDAR: I'll send you a copy
16 anyway.

17 THE WITNESS: Okay.

18 MR. DANDAR: You want to read it to
19 change it, to make changes if you think there's a
20 mistake in the transcription?

21 THE WITNESS: Yeah, exactly, because I
22 talk real fast, so --

23 MR. DANDAR: Okay. And we've got it on
24 tape.

25 THE WITNESS: Yeah.

MARK "MARTY" RATHBUN

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THE VIDEOGRAPHER: You ready?

MR. DANDAR: Okay. That -- that concludes the deposition, the Statement Under Oath.

THE WITNESS: Great.

THE VIDEOGRAPHER: The time is -- the time is is 11:58. We're going off the record.

(The Examination Under Oath concluded at 11:58 a.m. on November 9, 2012.)

Addendum – Corrections deposition of Mark Rathbun

Page 2: line 19, "C" should be "Sea"

Page 16: line 2, "lou" should be "Lee"

Page 26: line 12, "schooze" should be "schmooze"

Page 38: line 22, "A" should be "Q"

Page 39: line 3, "receipt" should be "resource"

Page 40: line 14, after the word "this" should include the word "deposition"

Page 41: line 8, "thing" should be "signal"

Page 50: line 16, "Gilbert" should be "Jenkins". The firm is "Jenkins and Gilchrist"

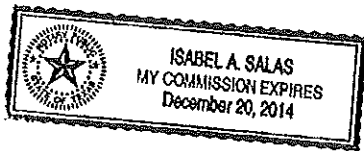
1 I, MARK "MARTY" RATHBUN, have read the foregoing
2 Examination Under Oath and hereby affix my signature
3 that same is true and correct, except as noted above.

4 *with addendum*
5 *corrected sheet* 
6 MARK "MARTY" RATHBUN, Witness

7 STATE OF TEXAS
8 COUNTY OF San Patricio

9 Before me, Isabel A. Salas, on this day
10 personally appeared MARK "MARTY" RATHBUN, known to
11 me (or proved to me under oath of through
12 Texas D.L. (description of identity card or
13 other document) to be the person whose name is
14 subscribed to the foregoing instrument and
15 acknowledged to me that they executed the same for
16 the purposes and consideration herein expressed.

17 Given under my hand and seal of office this
18 13 day of November, 2012.



19 Isabel A. Salas
20 NOTARY PUBLIC IN AND FOR
21 THE STATE OF Texas
22
23
24
25

MARK "MARTY" RATHBUN

1 THE STATE OF TEXAS)
2 COUNTY OF NUECES)
3

4 I, Wendy Lund, a Certified Shorthand Reporter in
5 and for the State of Texas, do hereby certify that
6 the facts stated by me in the caption hereto are
7 true; that the foregoing Examination Under Oath of
8 Mark "Marty" Rathbun, the witness hereinbefore named,
9 was at the time named, taken by me in stenograph, the
10 witness having been by me first duly cautioned and
11 sworn upon his oath to tell the truth, the whole
12 truth, and nothing but the truth, and later
13 transcribed from stenograph to typewriting by
14 computer-aided transcription.

15 I further certify that the above and foregoing
16 Examination Under Oath as set forth in typewriting is
17 a full, true and correct transcript of the
18 proceedings had at the time of taking said
19 Examination Under Oath.

20 I further certify that I am neither attorney or
21 counsel for, nor related to or employed by any of the
22 parties to the action in which this Examination Under
23 Oath is taken, and further that I am not a relative
24 or employee of any attorney or counsel employed by
25 the parties hereto, or financially interested in the
action.

WITNESS MY HAND, this the _____ day of November
A.D. 2012.

Wendy Lund



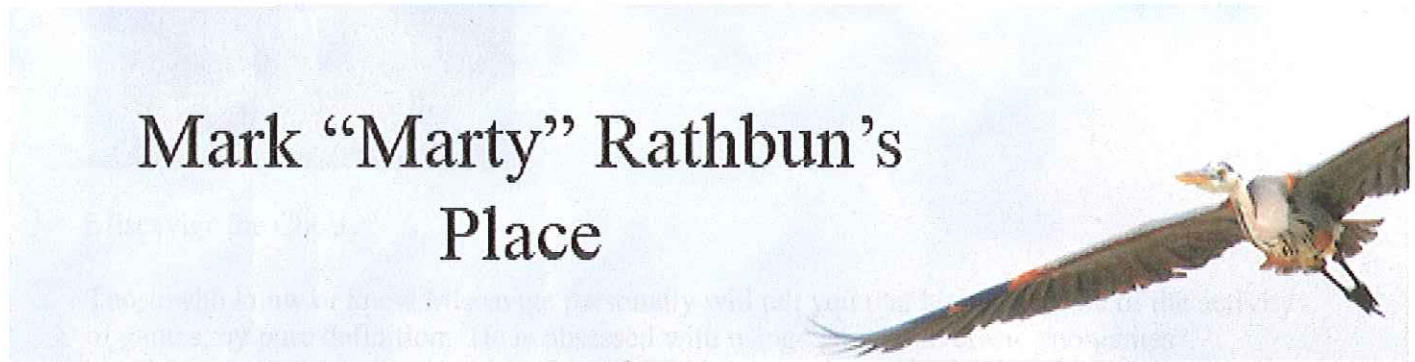
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EXHIBIT ONE

<http://markrathbun.wordpress.com/2011/08/03/david-miscavige-the-cheater/>

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← [Miscavige's OT IX Release](#)
[David Miscavige the Coward](#) →

David Miscavige the Cheater

Posted on [August 3, 2011](#) by [martyrathbun09](#) | [317 Comments](#)

One of the essences of Reverse Scientology as practiced in the Radical Corporate organization is to indoctrinate through the CULTure there that life is not a game. No, they are taught that life is a deadly serious activity. They are conditioned to believe that life is an arduous struggle against evil enemies intent on enslavement – and that any lapse in seriousness about this is a transgression requiring adjustment of attitude. Adjustment toward a much more solid, black and white, us vs. them, seriousness. The Radical Corporate Scientology view is that of its leader David Miscavige. Win at any cost; defeat the designated enemy by any means necessary. Become whatever it is that the leader has you resist. And above all, NEVER question the enemy status of anyone Botox Dave fingers. Thus, the cult has become a sorry example of that which Scientology once served as an alternative to: intolerant, warring institutions.

First order of business was hiring – at a very handsome salary – the number one Republican political consultant (in an historically Republican region) in Pinellas county, one Mary Repper. The program Mary and I developed under Miscavige’s direct supervision was simple.

First, Mary finds out the favorite Scientology celebrity of each influential person in Pinellas County politics and government (including law enforcement).

Second, I contact that celebrity and close him/her to come to Mary Repper’s home for a dinner with a collection of those local officials who happen to love that particular celebrity. The targets are won over by intimate face time with someone he or she is giddy over.

The Mayor of Clearwater, the Mayor of Tampa, County Supervisors, the Pinellas County Sheriff, the Pinellas County Public Defender, many prominent lawyers, and a number of other local public figures attended these special evenings with a star.

Tom Cruise, John Travolta, Greta Van Susteren, and soap star Michelle Stafford each had their own special audiences appear to be spellbound face to face at the home of Ms. Repper.



Michelle Stafford with Mary Repper

We then used a number of the people so wowed at these events to get footholds in with judges in the Pinellas county courts – infiltrating the courts indirectly with the messages that “Scientology is good and being discriminated against”, “McPherson’s lawyers and family were bad, gold diggers exploiting Lisa’s death.” For those who haven’t read the complete St Petersburg Times Truth Revealed articles, Lisa McPherson was killed on church premises on David Miscaviges causation.

We also hired lawyers who knew judges assigned to our cases in Pinellas County, and paid them so handsomely they were willing to make ex parte contact with and inculcate the judges directly with those same messages. That occurred with Judge Beach who was assigned to the civil case, Estate Of Lisa McPherson vs Church of Scientology, and Judge George Greer, Church of

Scientology vs. Executor of the Estate of Lisa McPherson in Pinellas county probate court. The lawyer involved with Judge Beach was Lee Fugate of Zuckerman, Spaeder (Tampa Office), <http://www.zuckerman.com/tampa/>. The lawyers involved with George Greer were F. Wallace Pope and Ed Armtrong of [Johnson, Pope, Bokor, Ruppel & Burns, LLP](#).

So effective were Fugate's many ex parte, casual meetings with Judge Beach that Beach effectively extorted the McPherson family into accepting a settlement on terms they felt degraded and disappointed with having to accept. And that is the end product of Miscavige's "game" – no game, no rules, just application of overwhelm by any means necessary to make the other side feel degraded and so that he can stand, chest out, boot on the necks of his prey.



Miscavige the "conquerer"

As I have noted before, David Miscavige once told Tom Cruise "I wouldn't mind George Bush being our Constantine" (the first "Christian" Roman Emperor, who converted in a deal with the "churchies" at the time by negotiating what is and isn't Christianity and then enforcing the "faith"); because Miscavige admired Bush's alleged lack of intelligence and willingness to enforce ideas no matter how thick headed. In other words, his "perfect dissemination program": force Scientology (read, Miscavige's Papacy) down the throats of the populace at gunpoint.

The ultimate "product" of the church of Scientology is someone firmly in Miscavige's valence, with no conscience, programmed to do the dictator's bidding regardless of the merits or ethics of the matter. Devotion and surrender to the "winning" SP valence. And that product is one hundred and eighty degrees diametrically opposed to what the churches promise and what the technology in good hands can deliver.

Remember that life is a game. The references within Scientology are legion on this fact. One I recommend in particular is Professional Auditor's Bulletin 86 Causation and Knowledge, 29 May 1956. It is a very concise and clear sum up of what Scientology is and what it seeks to achieve. This has all been lost on Radical Corporate Scientologists. Yet, it is so central to what the subject is about, the fact that Miscavige has put his no-games-condition, overwhelm at all costs attitude in at all levels of Scientology, is the death knell of the subject (absent an outside agent picking up the pieces).

mrinder | [August 3, 2011 at 5:09 pm](#) | [Reply](#)

Marty,

I could fill a book with Miscavige “cheating” stories. Pinochle, cribbage, basketball, golf — anything. (The only one he could not cheat at was chess, and as soon as someone beat him, he stopped playing — he wasn't very good, and most that played against him deliberately lost to keep the peace as save hours of additional sec checking/FPRD).

I can fully confirm everything you say about Mary Repper — as you know, after Tom DeVocht originally set up the meeting, you, me and Miscavige ate lunch with her in the Hibiscus and that was the start of the program. She was retained and after a while she invited me to dinner at her home (Tom also attended a dinner at her home with me).

The photo of her and Michelle Stafford is at a CC Int Gala. She had been flown out to attend and I arranged for her to meet Michelle as she and her sisters were huge soap opera fans. Mary was so blown away meeting Michelle she called her sister on the East Coast in the middle of the night so she could put her on the phone with Michelle!

As for judges, the other significant one was Frank Quesada who spent his days off with Lee Fugate on Santa Maria Island. Judge Quesada also presided over church litigation.

This reminds me of a lot of things....

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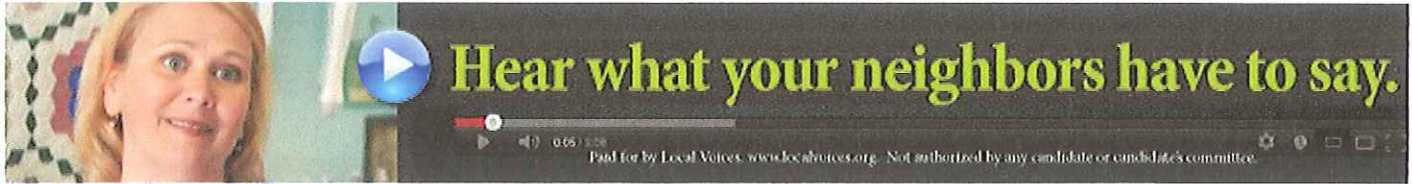


• *martyrathbun09* | [August 3, 2011 at 6:40 pm](#) | [Reply](#)

Thanks Mike. The three of us need to get together. Between us the whole story can unfold, it is far more creepy, illegal, and dark than so far revealed. But, between the three of us we have the entire thing covered.

EXHIBIT TWO

http://blogs.villagevoice.com/runninscared/2011/08/scientology_use.php



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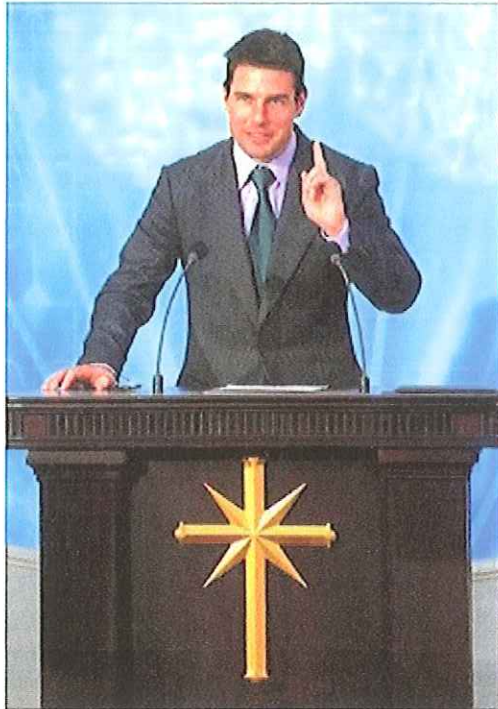
Scientology Uses Its Movie Stars to Woo Politicians, Says Former Top Exec (OR: Tom Cruise Loves Coconut Cake!)

By [Tony Ortega](#) Wed., Aug. 3 2011 at 1:43 PM

[119 Comments](#)

Categories: [Scientology](#), [Tom Cruise - Mr. Scientology](#)

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Want to have Tom over to your place for dinner? Apparently all it takes is some yummy coconut cake.

Another revelation this afternoon from Marty Rathbun, formerly one of the highest executives in Scientology who defected in 2004 and since 2009 has been criticizing church leader David Miscavige at his blog, ["Moving On Up a Little Higher."](#)

Rathbun once worked very closely with Miscavige, [who today he describes](#) as a man who sees everything as a game, and one that he wants to win at any cost. (Miscavige himself has not given a press interview in many years.)

In particular, Rathbun mentioned a concerted campaign by Scientology, as it was suffering one of its worst public relations disasters after the death of parishioner Lisa McPherson, to go on a charm campaign to woo and influence Florida public officials.

How did the church intend to loosen up Florida's pols? By setting up lunches and dinners with its stable of celebrities.

This is very relevant today, when in Los Angeles, [Scientology's influence over Sheriff Lee Baca](#) has suddenly become a news item.

But in the period of 1999 to 2003, Scientology's need for damage control was particularly critical. McPherson had died in 1995, but it wasn't until a year later that the public started to become aware of her unusual death at the Fort Harrison Hotel in Clearwater, Florida -- one of Scientology's most important landmarks. (For the best write-up of McPherson's entire history, make sure you pick up a copy of Janet Reitman's compelling history, *Inside Scientology*, [which we reviewed in June.](#))

The Church of Scientology was indicted on two felony counts in 1998 over the death of McPherson. Through the next year, press attention on the church was unsparingly negative. Rathbun says it was the third worst tidal wave of bad press in Scientology's history, after the 1977 FBI raids following [Scientology's widespread infiltration of government offices](#), and the 1982 lawsuit filed by Ron DeWolf (formerly L. Ron Hubbard, Jr.) for control of his father's estate.

As the criminal case and a civil wrongful death suit made their way through the courts, Rathbun says the church hit on the idea of trying to influence Florida's opinion leaders.

"The point was to win these people over to Scientology, and support it politically and get the word back down to the courts," he says. (The state dropped its criminal case in 2000, but negative publicity over McPherson was still a problem for several years as the civil case continued.)

The best way to counter the negative press, he adds, was with Scientology celebrities like Tom Cruise, John Travolta, Greta Van Susteren, and soap star Michelle Stafford.

But Rathbun says the church needed help bringing together its stars with Florida's political influencers. For that help, Scientology turned to Republican operative Mary Repper.

In 2003, the [St. Petersburg Times](#) reported that Repper had held a dinner at her house that brought together Tampa's mayor at the time, Pam Iorio, and Scientology's biggest star, Tom Cruise:

Repper met Cruise about a year ago at a political function sponsored by the Church of Scientology at the Fort Harrison Hotel in Clearwater. Cruise is one of Scientology's most famous believers, and Repper has helped the church build political contacts.

Repper denied then to the *St. Pete Times* that the church had anything to do with setting up the dinner, and she told me that as well, this morning, by telephone from her Florida home.

She told me she was embarrassed that the *St. Pete Times* story reported the dinner, and denied that the church had anything to do with it.

"That isn't true. I wasn't working for them. That's a lie," she told me. "How it happened was, I had met Tom Cruise and some discussion ensued about a coconut cake. Jeez, I said, I make a great coconut cake. He said, 'That's my favorite cake in the world.' About two months later he was in town. He called me. I can't tell you how excited I was getting a call from Tom Cruise. He said he wanted the coconut cake. I intended to bring it down to the Fort Harrison Hotel, but he said he'd come over. While he was there at the house, my son said, 'If you love her cake, you'd love her dinners.' He said, 'But I've never been invited.' And that's how it happened. It was certainly nothing about the church."

"So if that's true, how did [Tampa mayor] Pam Iorio show up?" Rathbun counters with a laugh after hearing Repper's version of events.

Iorio herself, now a few months out of office after eight years as Tampa's mayor, says she doesn't remember Rathbun being at the dinner. She remembers Tom Lee, a Florida state Senator, attending with his girlfriend, and Iorio was there with her husband, and Tom Cruise. (The *St. Pete Times* story also indicates that an attorney named Stephen Mitchell attended.) I didn't get a chance to ask Repper if Rathbun was present, and she didn't answer a second phone call.

"Mary Repper is a political consultant. She called me up one day and said she was having Tom Cruise to dinner and invited me and my husband," Iorio told me. Repper never worked for her, and Iorio says she never had a relationship with the Church of Scientology during her eight years as mayor. During the dinner Cruise did mention Scientology, she says, but what she remembered most was his talk about movies.

"He had just filmed *The Last Samurai*. He had brought some footage and was showing it to us. That's what I remember more than anything," Iorio says.

I also asked Repper if she was involved in bringing together Florida politicians with Greta Van Susteren, John Travolta, and Michelle Stafford.

She denied that she had Travolta to dinner at her house. (Rathbun, however, says she did have him over for an afternoon lunch. "She didn't have him for dinner. She had him for an afternoon with about 30 women politicians," Rathbun told me. I asked him if he attended the lunch. "Absolutely.")

Rathbun says Greta Van Susteren sailed a boat down to Clearwater and then hosted dinners on the craft. Among the people Rathbun says she was asked to sway was Barry A. Cohen, a larger-than-life defense attorney in Tampa. (I put in a call to Cohen and am waiting for a reply.)

Repper denied that she had anything to do with arranging Van Susteren's events. "They invited me to come to dinner. That happened a couple of times," she says.

As for Michelle Stafford, the soap star? "I had a brunch for her with all my sisters, who were all big fans. I met her at an event. I asked her. I was never affiliated with the church at that point," Repper says.

"She's such a liar. We hired her in, it must have been 1999," Rathbun says.

That's also the recollection of Mike Rinder, who was Scientology's chief spokesman until he left the church in 2007.

"I introduced Mary Repper to Michelle Stafford at a Hollywood Celebrity Centre event, and it was the biggest day of her life," Rinder told me by telephone today. "She was flown to Los Angeles for a gala event. I was her host...I'd been to her house a few times, too, when I was the chief spokesman for the church. I actually took Tom deVocht to dinner at her house one day. Anyway, that's an absolute -- I'm not sure what the correct word for it is. It's just lying, that's the correct word," he says, about her claim that she wasn't "affiliated" with Scientology when the politician charm campaign was happening in 2003.

"I remember hiring her in 1998 or 1999. Marty is absolutely right. He was there and so was [church leader David] Miscavige. There was a lunch in the Hibiscus room in the Fort Harrison Hotel. It was Miscavige, Marty and, me, and that was her first time at the hotel," Rinder says.

Choosing Repper to help them with Lisa McPherson damage control was no accident, Rinder says. "She was the campaign manager that ran Bernie McCabe's election campaign. He was the state's attorney bringing the state's case against the church at the time...There needed to be influence, there needed to be ways of controlling the process. The police department was going after the church, the FDLE was going after the church, the state's attorney was going after the church, Ken Dandar in the civil case was going after the church. It's true probably anywhere, but particularly in a community that has an old boys' network, if you're not in the 'in crowd,' you're a nobody. If you're in the 'in crowd,' you get a lot more leeway and respect."

Rathbun and Rinder both say Repper was hired to help the church influence political leaders in 1998 or 1999, and the state eventually dropped its criminal case in 2000.

"Honestly, I don't think she had any influence [on the state dropping the case]," Rinder adds -- the state's case fell apart when medical examiner Joan Wood changed the cause of death to an "accident."

Still, Repper was something of a "kingmaker" in Pinellas County, Rinder says, and the church found her useful. He didn't think much of her story of how Tom Cruise and major local pols ended up in her dining room:

"Tom Cruise just happened to hear about her coconut cake, and then he called her up and asked to be invited over. Nothing to do with Scientology whatsoever," he says sarcastically.

Repper denied that she was affiliated with Scientology at the time of the dinners, but she says she is working for Scientology today. "I do work for them now, yes. After I retired, I moved up here to Hernando County. I do whatever I can to help them because I believe in them. I think they're good people. The people in that church, I'm proud to know them. I used to be proud of Marty."

EXHIBIT THREE

http://blogs.villagevoice.com/runninscared/2012/08/scientology_marty_rathbun_eliot_abelson.php

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Scientology

Marty Rathbun: Scientology's Attorney "Supervised" Destruction of Records in Lisa McPherson Death

By Tony Ortega Fri., Aug. 24 2012 at 7:00 AM 476 Comments
Categories: [Scientology](#), [This Week Aboard the Apollo](#)

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Knowledge Report: Marty Rathbun on Lisa McPherson Share More info



For the last year or more, Mark Bunker has been releasing short excerpts from his upcoming Scientology documentary *Knowledge Report*, and yesterday, he released a doozy.

Bunker had told me that he'd interviewed former church executive Marty Rathbun, and in this excerpt, we see Rathbun addressing the kinds of things many have wanted him to talk about: what happened with Lisa McPherson, a parishioner who died in a Scientology hotel in 1995? I have a feeling his responses here will cause as much skepticism as anything else, but what he has to say about Scientology attorney Elliot Abelson should cause an

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[Woods at the Music Hall of Williamsburg](#)

uproar.

McPherson died after she was held for 17 days at the Fort Harrison Hotel in Clearwater, Florida following a mental breakdown. As [Janet Reitman](#) describes in rich detail in her 2011 book *Inside Scientology*, McPherson had been a dedicated Scientologist whose life had increasingly spun out of control. Her death became the church's biggest crisis to that point, leading to a criminal investigation and years of civil litigation.

Rathbun was one of the top church officials whose full time job between 1996 and 2000 was dealing with that crisis. (He later left the church in 2004.)

Rathbun has previously admitted to destroying evidence in the case. But in this video, he provides more detail, and implicates Abelson.

In another interview with Mark Bunker, [former top church spokesman Mike Rinder](#) had characterized Abelson as "just a name," an attorney whom private investigators could say they were working for as they performed operations for the church.

But in this account, Rathbun says Abelson was more of an actor, claiming that the attorney "supervised" the destruction of evidence, and in Abelson's own office on Hollywood Boulevard.

Bunker tells us he's on his way to Oklahoma for [this weekend's big protest](#) at the Narconon Arrowhead center. But he sure dropped a bomb on his way out of town!

Lawsuit Filed Against Scientology's Oklahoma Drug Rehab

Jarrel Wade of the *Tulsa World* [is reporting this morning](#) that the parents of Hillary Holten have filed a lawsuit against Narconon Arrowhead, Scientology's flagship drug treatment center in eastern Oklahoma, where three patient deaths have occurred since last October. Holten, 21, died on April 11 after she had spent just two days at the facility.

Wade writes that Holten's parents accuse the Narconon center of accepting Holten as a patient without being able to adequately handle her medical condition, congenital adrenal hyperplasia, which required daily medication.

Colin Henderson, another former patient at the center, says he left it when he could not get his blood pressure medicine while he was being treated -- Narconon's anti-drug approach even applies to prescription medicines, he claims, which can be risky for some patients.

Meanwhile, Narconon Arrowhead executive director Gary Smith has put out [an open letter](#) about the recent deaths. In it, he says that the Scientology teachings being utilized in Narconon treatment have been "completely secularized and contain no religious philosophy."

We're going to discuss that howler at more length soon.

Scientology on the High Seas!

In November the Voice obtained hundreds of copies of L. Ron Hubbard's previously unpublished "Orders of the Day," which he gave to crew members as he sailed the Atlantic and the Mediterranean on the yacht Apollo. Our documents cover the period from late 1968 through 1971, and this time we're looking at what was happening the week of August 19-25 during those years.

This week: Squirrels, rumors, hatting -- a Commodore's job is never done...

1969



Stand Up Comedy Meets the Presidential Election



New Yorkers Party on Election Night 2012

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EXTREME SAVINGS
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August 23: Another LRH humblebrag

SESSIONS

I have C/Sed 1,912 sessions since the beginning of the Standard Dianetics Programme, I am told.

People were singing at renovations -- one not minor result!

There has been this year a tremendous lot of research development. Dianetics was made totally workable.

Last year was the Class VIII development.

There were 2 100-percent result programmes. They are inter-dependent. Between them, with earlier work, there are no barriers now to a totally sane and healthy society.

We have not done an institutional programme because we have no facilities to do it but we have the answers even there.

Tech is the theta thrust into the society. All new civilizations progressed on new technology.

In the main we face what is called a "cultural lag". The mental health field is stuck about 1450 AD. Dungeons, torture, illegal seizure, the "best" people. We are rolling at about 2050 AD. This time gap makes it nearly impossible for the society's witch doctors (untrained in logic or mathematics) to grasp what is going on. They lack even a purpose to make anyone well. Not even up to that. So we are impeded by a "cultural lag". By tying a bridge to medicine and healing we can overcome this to some degree.

Therefore the Standard Dianetics Programme was an enormous advance for us, not just in tech but in social advance.

So we are doing very well really.

LRH, COMMODORE

1970

August 19: LRH does a little Black PR

SQUIRRELS

Been hearing reports on a couple squirrels -- Bernie Green (in NY) and Jack Horner (in LA). They've been goofing it up for ages. Typical no case gain cases, up to their ears in undisclosed overts. They'd sell their grandma for a fast buck.

Horner is wildly opposed to organizations or systems of any kind. He has the trick of talking somebody off the third dynamic into the first dynamic. He shows them how the system is doing them in and how it should all be only for No. 1. B. Green evidently got that way as a Terrorist in the Middle East. Horner totally flipped when he ruined one too many women. The first dynamic and the fast buck and how all systems are bad seem to be a common denominator to these poor nuts.

...

Hope you're enjoying Liberty and the Port.

LRH, Commodore

1971

August 19: So many enemies

villagevoice Fuel Rationing Now Called "Temporary Gasoline Management Plan" -- And It Will Be In Full Effect Tomorrow
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RUMOURS

Heavy and bunch of bunk rumours on the lines that the State Dept is "out to get us". The story behind it is we stepped on the tail, hard, of a vice consul who threatened us and stepped hard. So now he's screaming. Just before his removal we hope. We reported him to his superiors.

The world has in it sharks, disease, consuls, falling trees, CIA, car wrecks, State Depts, lightening and other natural threats. You learn to live with them and stay alive by being alert.

EXCHANGE

We lost \$2,000 yesterday on exchange due to the US dollar flap. A higher exchange was reported available.

Be careful with Exchange rate.

LRH, COMMODORE

August 20

WHY HATTING

HCO P/L 29 Jul 71 Issue I WHY HATTING? is truer than I knew.

Musical Chairs in life is the mechanism below ARC Brks in Grade III! To unstabilize gives ARC Brks!

Whole staff can be put into a sad effect!

This is the mechanism govts use.

It's the basic tool of the socialist. If he can just unstabilize everyone he can kill them with degrade.

It's a basic tool of the insane to maintain their own stability by unstabilizing everyone else.

There's more to it, but its a major discovery that effects even the ARC Brk rud and affects the no case gain case.

So that's where I've been working lately in research and wow is it paying off!!!

It began when I assumed that the musical chairs we get in orgs was a social aberration not an admin error. From there it's been discovery all the way.

I'll have to write HCO Bs and P/Ls on it but wanted you to know the research line was making bulldozer progress.

...

LRH, COMMODORE

August 25

LIBERTY

Hope you had a nice liberty those that went and that you will have one, those going today.

All is calm in port.

Even the dollar stabilized.

Enjoy your day.

LRH, COMMODORE

More 1970s Awesomeness!

After L. Ron Hubbard had moved HQ from the yacht Apollo to the Florida coast, Advance! magazine was thrilling Scientologists with tales of "OT Phenomena." Those church members who had reached the higher levels of spiritual training shared their stories of superhuman powers with fellow dupes -- er, enthusiasts. This excerpt is from Issue 47, July/August 1977. (And another cover featuring a photo by the Commodore!)



A few weeks after returning from the AO, having completed full OT VII, I received a call from Leslie Bertarand, who had herself just returned from doing the full OT VII. We talked for a bit, and in the course of the conversation, she asked me how my love life was. "Funny you should mention that," I replied, "All my other dynamics are steadily flowering, but the second is completely zip."

She laughed and said, "Well, we're a couple of OT VIIIs, and we should be able to create a 2D for you. I agreed, and she asked just exactly what I was looking for. I began seriously thinking about the actual specifics of my desired 2D, something I've never done before, and told Leslie my ideal scene.

Eight days later, I walked into the Mountain View Mission to do a Sunday service for them, and there my postulate stood, greeting people as they came in. I took one look and knew exactly who she was.

24 hours later, we were engaged. I've been looking for her for 25 years this lifetime alone, and all it took was OT VII and a superbly clean postulate.

Now *that's* what I call an OT win! -- *Eric Barnes*

Recently, my wife Nancy went to England for training. It's the first time I've been separated from her since we got together. Now I see that we're not separated at all. At first, I was kind of sad until I noticed that I was flying over on the airplane with her. Since then, our comm line has gotten increasingly better. I find that I can even carry on conversations with her to some degree, and almost always know what she's doing and where she is. It's very nice when she calls me or writes me and confirms that she was doing what I thought she was and that she did receive the comm that I gave her, and see the things that I saw with her! -- *Joe Hochman*

OT Romance! You wonder why you don't hear more about it. I mean, if you have the power to alter matter, time, and energy, just think of the dating applications!

See also:

"Tom Cruise worships David Miscavige like a god"

Scientology's president and the death of his son: our complete coverage

What Katie is saving Suri from: Scientology interrogation of kids

Scientology's new defections: Hubbard's granddaughter and Miscavige's dad

Scientology's disgrace: our open letter to Tom Cruise

Scientology crumbling: An entire mission defects as a group

Scientology leader David Miscavige's vanished wife: Where's Shelly?

Neil Gaiman, 7, Interviewed About Scientology by the BBC in 1968

The Master Screenplay: Scientology History from Several Different Eras

And a post that pulls together the best of our Scientology reporting

Please check out our [Facebook author page](#) for updates and schedules.

Tony Ortega has been the editor in chief of the Village Voice since March, 2007. He started writing about Scientology in 1995. You can reach him by e-mail at tortega@villagevoice.com, and if you ask nicely he'll put you on his mailing list for notifications of new stories. You can also catch his alerts at Twitter ([@VoiceTonyO](#)), at his [Facebook author page](#), on [Pinterest](#), a [Tumblr](#), and even this new [Google Plus](#) doohickey.

New readers might want to check out our primer, "What is Scientology?" Another good overview is our series from last summer, "Top 25 People Crippling Scientology." At the top of every story, you'll see the "Scientology" category which, if you click on it, will bring up all of our most recent stories.

As for hot subjects we've covered here, you may have heard about [Debbie Cook](#), the former church official who rebelled and was sued by Scientology. You might have also heard about the [Super Power Building](#), Scientology's "Mecca," whose secrets were revealed here. We also reported how Scientology [spied on its own most precious object, Tom Cruise](#). (We wrote [Tom an open letter](#) that he has yet to respond to.) Have you seen a Scientology ad on TV lately? We debunked some of the claims in that [2-minute commercial](#) you might have seen while watching *Glee* or *American Idol*.

Other stories have looked at Scientology's policy of "disconnection" that is tearing families apart. You may also have heard something about the Sea Org experiences of the Paris sisters, [Valeska](#) and [Melissa](#), and their friend [Ramana Dienes-Browning](#). We've also featured [Paulette Cooper](#), who wrote about Scientology back in the day, and [Janet Reitman](#), [Hugh Urban](#), and the team at the [Tampa Bay Times](#), who write about it today. And there's plenty more coming.

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SeaCricket

Tony O. may be departing the VV, but that doesn't mean we can't keep talking about CO\$. If you've enjoyed the commenting community here and would like to stay informed and involved, here's a link to a google group started by some VV regulars. Recommended that you create a new gmail account without any personally identifying information if you are concerned about revealing your identity. Hope to see you there!

<https://groups.google.com/forum/?hl=en&fromgroups#!forum/Scientology-Rodeo-Watchers-From-the-Village-Voice>

2 MONTHS AGO

Like Reply



Soother

As usual in these frantic frothings, we wait in vain for one shredded shred of hard evidence.

Wouldn't you have stuffed a few strands of this allegedly shredded paper into your pocket?

2 MONTHS AGO

Like Reply



PreferToBeAnon

Dodo and anyone else who happens to be awake at this hour, here is news from the NN protest today: <http://www.newson6.com/story/19376792/narconon-ceo-talks-about-allegations-as-protesters-gather>

2 MONTHS AGO

Like Reply



DodoTheLaser

Tony, did you invent this - "Another LRH humblebrag"? Old man defined. It's freaking awesome!

2 MONTHS AGO

? Like Reply



PreferToBeAnon

➔ Spot on word! From the urban dictionary, humblebrag: (1) Subtly letting others know about how fantastic your life is while undercutting it with a bit of self-effacing humor or "woe is me" gloss. (2) When you, usually consciously, try to get away with bragging about yourself by couching it in a phony show of humility.

2 MONTHS AGO

Like Reply



DodoTheLaser

➔ Nice. Thank you Anon!

2 MONTHS AGO

Like Reply

ClamOnAHalfshell

Gee, "Advance!" what about all the OT divorces?



2 MONTHS AGO



Like Reply



SvenBoogie

➔ **ClamOnAHalfshell** That was the psychs!!!!

2 MONTHS AGO

Like Reply



ClamOnAHalfshell

➔ **SvenBoogie** Bwahaha! Blame it on the psychs, yeah, yeah...

2 MONTHS AGO

Like Reply



DodoTheLaser

➔ **ClamOnAHalfshell** Let me try to explain it to you, my friend Clam.

Once you reach OT VIII it's truly a breath taking experience, you are at a total cause over matter, energy, space and time - you are a "baby OT" on top of the world. BUT, if you have overts or even misunderstood words you failed to look up, you might get an unfortunate divorce here and there, common cold, bad vision and a parking lot rape (it happened to OT VIII). You get the point.

2 MONTHS AGO

Like Reply



Plutarch

Scientology lacks its identity

2 MONTHS AGO

Like Reply



media_lush

➔ **Plutarch** and you can fuck off, too!

2 MONTHS AGO

Like Reply



SvenBoogie

➔ **Plutarch** Your skull lacks its brain.

2 MONTHS AGO

Like Reply



ClamOnAHalfshell

➔ **Plutarch** Scientology lacks a lot of things.

2 MONTHS AGO

Like Reply

This comment has been deleted



SvenBoogie

➔ **Gerome** I'm surprised you would actually be as brash as to suggest self reflection to anyone, seeing as you clearly have none.

2 MONTHS AGO

Like Reply



media_lush

➔ **Gerome** I really think you should go fuck yourself.....

2 MONTHS AGO

Like Reply

**ashura**

media_lush Gerome

hahahaha!

2 MONTHS AGO



Like

Reply

**SvenBoogie**

media_lush Gerome Apparently he liked your suggestion...

2 MONTHS AGO



Like

Reply

**Gerome**

God, what the hell has happened to this place, it's like OSA Central. 70% of the posts would have your average reader more concerned about Rathbun than Scientology. Hopefully readers will focus on what Tony Ortega has to say, and ignore the OSA commenters trashing "apostates."

3 MONTHS AGO



Like

Reply

**WhereIsSHE**

Gerome- People here who are expressing concern about Rathbun are people who are expressing concern about the spread of the unsavory practices of scientology (vs. attacking Marty just for the sake of trashing him, a la OSA black PR). I haven't seen one comment --let alone a slew of them--from critical thinkers here which could be likened to "OSA commenters trashing 'apostates'".

The overarching concern is that the abusive policies, practices and tactics of the CoS/Hubbard/Miscavige come to an absolute end.

If people are willing to pay him to counsel them, so be it.

If he is aiming for something else (something many here consider may be a more sinister goal), then he is going to be called out about it here.

2 MONTHS AGO

2 MORE



Like

Reply

**Gerome**

WhereIsSHE

OK, once again back to the abuses, why would someone create a distraction that the FZ are committing abuses, that seems to be what you are doing.... what is your motivation for creating that distraction

2 MONTHS AGO

Like

Reply

**AussieCase**

Gerome WhereIsSHE I have a distraction, I believe it describes the practice and philosophy of Scientology succinctly.

<http://www.youtube.com/watch?v=7DJv0rx5g-c>



2 MONTHS AGO



ashura

➔ **Gerome** ➔ **WherelsSHE** There is genuine interest in what the FZ or indies are doing given everything we know about cults, mind control, and the the reality of who Hubbard was and what he created.

2 MONTHS AGO



Gerome

➔ **ashura** ➔ **WherelsSHE**

Yes, but wouldn't it make sense to focus on the actual documented abuses, rather than the hypothetical ones?

2 MONTHS AGO



ashura

➔ **Gerome** ➔ **WherelsSHE**

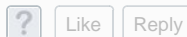
Your complaint is unnecessary.

There are many different places on the web to have such discussions, including here. If you want to discuss the abuses in this comment section, then by all means, jump right in and write something about it. I am sure you'll get responses.

Many here just so happen to be discussing Marty right now because 1) the blog post was about him and 2) Marty has written some posts on his blog that have struck a chord with people.

Just because people are discussing Marty right now doesn't mean they've dropped the ball or forgotten about the abuses (just go look at previous threads).

2 MONTHS AGO



Gerome

➔ **ashura** ➔ **WherelsSHE**

Yes indeed, I think it is great that Marty is contributing to the demise of the corporation by his videotaped declaration.

2 MONTHS AGO



Gerome

➔ **ashura** ➔ **WherelsSHE**

I have read every thread, every post here for years. The anti-indie vitriol, however, is unprecedented and suspicious for the

"long-con."

2 MONTHS AGO

Like Reply



SvenBoogie

➔ **Gerome** ➔ **ashura** ➔ **WherelsSHE** The only person it would even seem 'suspicious' to would be someone who is still unable to shake their clam programming, and can't comprehend the idea that someone could disagree with their view without there being some vast, organized, sinister conspiracy behind it.

2 MONTHS AGO

Like Reply



ashura

➔ **Gerome** ➔ **WherelsSHE**

Perhaps for others here who were in the cult and escaped and came to their senses, there is a real interest in the indies and maybe why it is that they don't reject scientology and all its trappings.

But otherwise, I think you are making a federal case out of non-issue.

2 MONTHS AGO

Like Reply



Gerome

➔ **ashura** ➔ **WherelsSHE**

You could be right.

2 MONTHS AGO

Like Reply



Gerome

➔ **SvenBoogie** ➔ **ashura** ➔ **WherelsSHE**

I'm Hindu. Jeez

2 MONTHS AGO

Like Reply



ashura

➔ **Gerome** ➔ **WherelsSHE**

Like I said, if you you want to have a discussion about the abuses in scientology, make a comment about the abuses in scientology and then wait and see what others write so you can then respond. That's how it works.

Otherwise, you have made probably a dozen comments about how people are discussing Marty and not the abuses in the cult, which itself is just commenting on comments that are not about what you want to discuss...which is also rather absurd given the substance of your past comments.

2 MONTHS AGO

Like Reply

DeckardCain



👉🔥 **Gerome** 👉🔥 **WhereIsSHE** You can't be serious with that question.

Scientology's structure has evil built into its DNA. Most of us don't give a shit what anyone believes but care when how they act put others' well-being at risk.

Auditing, regardless of where it is done, is a risky and dangerous practice. Some of us believe it to be medical quackery dispensed by sadly ill-trained individuals.

Others here also criticize Marty because he's a fucking criminal that deserves to be in prison. He broke many wog laws while he was the mob enforcer and some of us like to see justice.

2 MONTHS AGO



Like Reply



PreferToBeAnon

👉🔥 **DeckardCain** 👉🔥 **Gerome** 👉🔥 **WhereIsSHE**

Marty and the indies are not benign. As Denise has pointed out, psychotic breaks are common whilst auditing. Do you think we should just cross our collective fingers that when it happens that whomever is around will do better than the Three Stooges act that happened at Flag with Lisa?

2 MONTHS AGO

1 MORE



Like Reply



Capt._Howdy

👉🔥 **Gerome** Gee, good thing most of us just started this thing yesterday and you came along in all of your earnestness to show us where we went astray.

Whew !

2 MONTHS AGO

1 MORE



Like Reply



Gerome

👉🔥 **Capt._Howdy**

Read the comments. Most of them are obsessing about Rathbun. Is that your target?

2 MONTHS AGO

Like Reply



ashura

👉🔥 **Gerome** 👉🔥 **Capt._Howdy**

More like having a discussion about MR and the implications for what he is doing. Given that thread is on blog post about Marty, how is this obsessed?

The gentlemen doth protest too much, me thinks.

2 MONTHS AGO



Like Reply



Gerome

👉🔥 **ashura** 👉🔥 **Capt._Howdy**

That's fine, but when people become overly focused on Rathbun, it is rational to assume they are OSA

2 MONTHS AGO

Like Reply



Gerome

➔ 🔥 Capt._Howdy

That is icky and doesn't rhyme

2 MONTHS AGO

Like Reply



Capt._Howdy

➔ 🔥 Gerome Sure if you're " Michael Hobson "Independent Scientologist" . LOL

2 MONTHS AGO

Like Reply



Gerome

➔ 🔥 Capt._Howdy

OK, how many many people are currently imprisoned by the Indies? And how super excited are the SCNs that you are focusing on Marty?

2 MONTHS AGO

Like Reply



Capt._Howdy

➔ 🔥 Gerome Oh, so I'm chief of the anti-Marty brigade around here ? You're too silly for words kid. Goodnight and maybe go surf for some porn and take care of your "withholds".

2 MONTHS AGO

Like Reply



ashura

➔ 🔥 Gerome ➔ 🔥 Capt._Howdy

Gerome, I haven't been posting here all that long. Maybe a few weeks at most. And from the regulars I see here, none of them seem associated with scien any longer (if they were) and others, like myself, are just scien watchers who were never in. It usually isn't too hard to figure out when there are "rogue" posters. Just sayin...

2 MONTHS AGO



Like Reply



Gerome

➔ 🔥 ashura ➔ 🔥 Capt._Howdy

That being said, it is normal to suspect that those who derail the topic may be OSA. It is really depressing to come upon a blog where the majority of people are focusing their ire on ex-scientologists, when there is so much work to be done to dismantle Scientology.

2 MONTHS AGO

Like Reply



Gerome

➔ 🔥 Capt._Howdy

Let's reboot. I think the format of this discussion doesn't lend itself to listening. One tends to respond too quickly (myself included).

I despise Scientology and it's abuses. I also suspect there is a real risk that that there may be posters here that are trying to distract the newly interested public and press from this trove of information Tony has created.

The best way to distract people would be to create a myriad of other "criminals" just like Freedumb magazine has done for years. And that seems like what is happening when we have an article where Rathbun is bashing Scientology, and the majority of posts are about what a jerk he is. It's simply counter-productive, and even suspicious.

2 MONTHS AGO

Like Reply



Capt. Howdy

👉🔥 **Gerome** Well that's your opinion and you're entitled to it , but if you think you're going to come around here and put people's "ethics" in about how to be a "proper" scientology critic/Anon, you're sadly mistaken my friend. Goodnight.

2 MONTHS AGO



Like Reply



Gerome

👉🔥 **Capt. Howdy**

Fair enough.

2 MONTHS AGO

Like Reply



ashura

👉🔥 **Gerome** 👉🔥 **Capt. Howdy** You are the only one derailing topics here, kiddo. Think about it.

2 MONTHS AGO



Like Reply



Gerome

👉🔥 **ashura** 👉🔥 **Capt. Howdy**

Actually, I was trying to create discussion. There was no discussion this AM

2 MONTHS AGO

Like Reply



ashura

👉🔥 **Gerome** Perhaps, wouldn't it be better to comment about the abuses rather than complain ad nauseum about how others aren't commenting about the abuses?

2 MONTHS AGO

Like Reply

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