

1 CUMMINS & WHITE
2 BARRY VAN SICKLE - State Bar No. 098645
3 1600 Wilshire Bouleva-rd
4 Suite 300
5 Los Angeles, California 90017-1695
6 (213) 413-3600
7 Attorneys for Plaintiff Roxanne Friend

FILED
DEC 28 1990
FRANK S. ZOLA, COUNTY CLERK
R. Burt
BY R. BURT, DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 BC018003

11 ROXANNE FRIEND, an individual,)
12 Plaintiff,)

13 vs.)

14 CHURCH OF SCIENTOLOGY)
15 INTERNATIONAL, a corporation;)
16 ADVANCED ORGANIZATION OF LOS)
17 ANGELES, a corporation; FLAG)
18 SERVICE ORGANIZATION, a)
19 corporation; FLAG SHIP SERVICE,)
20 ORGANIZATION, a corporation;)
21 AMERICAN SAINT HILL ORGANIZATION,)
22 a corporation; CELEBRITY CENTER,)
23 a corporation; SEA ORG, an)
24 unincorporated association; and)
25 DOES 1 through 100, inclusive,)

26 **Defendants**)

CASE NO. U%J

COMPLAINT FOR:

- 1) ASSAULT AND BATTERY
- 2) WRONGFUL IMPRISONMENT/
ASSAULT
- 3) INVASION OF PRIVACY
- 4) FRAUD/FALSE ADVERTISING
- 5) BREACH OF EXPRESS AND
IMPLIED COVENANTS
- 6) INFLICTION OF EMOTIONAL
DISTRESS

DEMAND FOR JURY TRIAL

**Case assigned
to Judge JONES, C.**

23 Plaintiff Roxanne Friend alleges as causes of action against
24 the named defendants as follows:

25 1. At times herein material, Plaintiff Roxanne Friend, an
26 individual, was a resident of the County *of* Los Angeles, State of
27 California. Some of the acts underlying plaintiff's complaint
28 occurred in Los Angeles County.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SECOND CAUSE OF ACTION

(Wrongful" Imprisonment/Assault)

7. Plaintiff re-alleges all paragraphs above and incorporates them herein by reference.

8. In or about January 1990, agents of Scientology defendants herein forcibly removed Plaintiff Roxanne Friend from her apartment in Los Angeles, California. Said agents put plaintiff in a vehicle and drove her to Florida where she was held by Scientology defendants against her will. At times herein material, including January 1990, Plaintiff Roxanne Friend was held against her will by various agents of Scientology defendants. During said captivity, she was under guard and subjected to physical and mental coercion.

9. By reason of the foregoing, plaintiff has suffered serious injury including, but not limited to, severe emotional distress, loss of income and loss of earning capacity.

10. The above-mentioned conduct is outrageous and malicious, justifying the imposition of punitive damages.

THIRD CAUSE OF ACTION

(Invasion of Privacy)

11. Plaintiff re-alleges all paragraphs above and incorporates them herein by reference.

12. As set forth above, at various times herein material Scientology defendants have assaulted plaintiff, made threatening comments to her and held her against her will. Scientology

1 defendants have further caused plaintiff to be watched and spied
2 upon. Scientology defendants have otherwise outrageously
3 interfered in plaintiff's personal and-business life to such an
4 extent that it raises to the level of invasion of privacy as
5 defined in California law.

6 13. By reason of the foregoing, plaintiff has suffered
7 damages including, but not limited to, emotional distress, loss of
8 income, loss of earning capacity and loss of funds taken from her
9 by various Scientology defendants. Said damages are presently not
10 computed, but are believed to be in excess of \$100,000. Plaintiff
11 will seek leave to amend the complaint to set forth damages with
12 particularity as they are ascertained.

13 14. The above alleged conduct is malicious and outrageous,
14 thereby justifying the imposition of punitive damages against said
15 defendants.

16
17 FOURTH CAUSE OF ACTION

18 (Fraud/False Advertising)
19

20 15. At various times herein material, starting sometime in
21 the early 1980s and continuing through various dates in 1990,
22 Plaintiff Roxanne Friend was induced to make payments to
23 Scientology defendants named herein and sued herein as Doe
24 defendants. Plaintiff has paid approximately \$60,000 to Flag
25 Service Organization and \$6,200 to Flag Ship Service Organization.
26 The Advanced Org L.A. has taken approximately \$15,000 from
27 plaintiff. Plaintiff is presently uncertain as to the amount
28

1 taken from her by these organizations. Plaintiff will seek leave
2 to amend when said amount is ascertained.

3 16. Plaintiff was induced to - pay monies to various
4 Scientology entities by -reason of various misrepresentations,
5 false claims, and extortionate processes employed by Scientology.
6 For example, and not by way of limitation, when plaintiff told
7 Scientology's agents she was ill, the typical response was that
8 she was not ill, but in need of Scientology auditing, for which
9 Scientology charges substantial, excessive sums.

10 17. Plaintiff Friend was induced to make various payments to
11 Scientology entities by various false statements, representations
12 and promises concerning the background, quality and attributes of
13 Scientology's founder, L. Ron Hubbard, the purported scientific
14 basis for Scientology's methods, the purported verifiable benefits
15 of Scientology, the purported value of Scientology services, the
16 purported research and development behind Scientology, the
17 purported quality of Scientology services and processes, and the
18 purported results and benefits guaranteed to plaintiff if she
19 would purchase Scientology services.

20 18. Various representations made to plaintiff were false,
21 misleading, or severely exaggerated in numerous respects,
22 including, but not limited to, representations concerning the
23 qualifications of L. Ron Hubbard, the scientific basis for
24 Scientology, the nature and quality of Scientology services, the
25 "scientific" underpinning, and the true nature of the beast known
26 as Scientology.

27 19. By reason of Scientology's fraud and misrepresentations,
28 plaintiff was induced to spend the amounts alleged herein, all to

1 her damage. Further, plaintiff has suffered additional damages
2 for emotional distress, loss of income, -and loss of earning
3 capacity,.

4 20. The above alleged acts perpetrated by Scientology
5 defendants were outrageous and malicious, thereby justifying
6 punitive damages.

7

8

FIFTH CAUSE OF ACTION

9

(Breach of Express and Implied Covenants)

10

11 21. Plaintiff realleges all paragraphs above and
12 incorporates them herein by reference.

13

14 22. One of the inducements made to entice Plaintiff Friend
15 to part with her money for purported Scientology goods and
16 services was a course of representations to the effect that
17 Scientology refunds money to dissatisfied customers or victims.

18

19 23. It is a practice of Scientology organizations to
20 represent to the public, and individuals such as plaintiff, that
21 they will refund money to those who are dissatisfied with
22 Scientology's services. While that is a purported policy of
23 Scientology, Scientology organizations, including defendants,
24 frequently attempt to avoid implementation of this policy and make
25 it as difficult as possible for Scientology victims to recover
26 their funds.

27

28 24. For example, one claim made in Scientology advertising
and promotional programs is that a dissatisfied customer can
obtain a refund. Such promises are an inducement to victims of

29

1 Scientology who reasonably rely on such promises, representations
2 and claims-made by Scientology entities.

3 25. In addition to refund claims-, Scientology makes other
4 covenants, both express and implied in law, which it breached with
5 respect to plaintiff. By reason of the foregoing, plaintiff has
6 claims founded upon contract, implied covenants of good faith and
7 fair dealing, fraud, false advertising, and estopped, among other
8 potential causes of action, for a full refund of all monies taken
9 from her by various Scientology organizations, as well as
10 consequential damages.

11 26. The conduct engaged in by various Scientology defendants
12 as alleged herein is malicious and oppressive, justifying the
13 imposition of punitive damages.

14
15 SIXTH CAUSE OF ACTION

16 (Infliction of Emotional Distress)

17
18 27. Plaintiff realleges all paragraphs above.

19 28. As alleged herein, Plaintiff Friend has been the victim
20 of numerous inappropriate acts at the hands of Scientology.
21 Plaintiff has been assaulted, held and transported against her
22 will, manipulated, mislead, subjected to crude efforts of thought
23 and behavioral control, and made generally treated in an
24 outrageous, wrongful manner by Scientology defendants. This has
25 caused her severe emotional distress, which was intended or
26 reasonably expected by Scientology defendants.

27 29. By reason of the foregoing, plaintiff has suffered
28 economic injury and severe emotional distress.

1 30. Said behavior on the part of Scientology defendants was
2 malicious- and outrageous, "thereby justifying the imposition of
3 punitive damages.

4
5 WHEREFORE, plaintiff seeks:

- 6 (1) damages for personal injury in excess of the
7 jurisdictional limit of this court;
8 (2) damages for economic loss, including loss of
9 income and loss of earning capacity in excess
10 of the jurisdictional minimum of this court;
11 (3) a full refund or reimbursement of all monies
12 paid to defendants;
13 (4) punitive damages as may be awarded by a jury;
14 and,
15 (5) such other relief as may be warranted by the
16 evidence herein.

17
18 Dated: December 27, 1990

CUMMINS & WHITE

19
20 By: 

BARRY VAN SICKLE

21
22 Attorneys for Plaintiff
Roxanne Friend

DEMAND FOR JURY TRIAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiff hereby demands a trial by- jury on her complaint
against defendants herein.

Dated: December 27, 1990 CUMMINS & WHITE

By: Barry Van Sickle
Barry Van SICKLE

Attorneys for Plaintiff
Roxanne Friend