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IN THE UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA

RELIGIOUS TECHNOLOGY CENTER, A)
 California Corporation, et al.,) CV 85-711 JMI (Bx)
 Plaintiffs,)
) CV 85-7197JMI (Bx)

VS.)
)

ROBIN SCOTT, an Individual,)
 et al.,)
)

RELIGIOUS TECHNOLOGY CENTER, A)
 Religious Technology Center,)
 Plaintiffs,)
)

VS.)
)

LARRY WOLLERSHEIM, An)
 Individual, et al.,)
 Defendants.)

AND RELATED COUNTERCLAIMS)

 ORAL DEPOSITION OF RICHARD N. AZNARAN
 NOVEMBER 9, 1989

ANSWERS AND DEPOSITION OF RICHARD N. AZNARAN,
 produced as a witness on behalf of the Defendants
 and Counter-Claimants, taken in the above-styled
 and -numbered cause on the 9th day of November,
 A. D., 1989, before Lori A. Belvin, a Certified
 Shorthand Reporter in and for the State of Texas,
 in the conference room of CLARK, WEST, KELLER,
 BUTLER & ELLIS, 4800 Renaissance Tower, City of
 Dallas, County of Dallas, State of Texas, in
 accordance with Federal Rules of Civil Procedure.

ORIGINAL

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APPEARING FOR DEFENDANTS AND
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JOHN NELSON, HARVEY HABER,
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WRIGHT and McRAE
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BY: MS. KAREN E. McRAE

APPEARING FOR WITNESS,
RICHARD N. AZNARAN

ALSO PRESENT: Aron C. Mason, Representative
of Church of Scientology
International
Lynn Farny, Representative
of Church of Scientology

I N D E X

Examination of Richard N. Aznaran

Direct by Mr. Bright	Page	4
Direct by Mr. Fagelbaum (Cont.)	Page	130
Cross by Mr. Heller	Page	153

E X H I B I T S

<u>Number</u>	<u>Marked</u>	<u>Identified</u>
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DEFENDANT'S

Exhibit 1 -- Deposition Subpoena

9

9

SEALED EXCERPT

<u>PAGE</u>	<u>LINE</u>
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1) Q. What was the nature of the information that had been culled from Mayo's PC folders?

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(Sealed Excerpt separately bound at the request of Counsel pursuant to the protective order.)

P R O C E E D I N G S

1 ~ ~

2 (Time: 9:30 a.m. - Present are
 3 Jerold Fagelbaum and Gary Bright.)
 4 (Time: 9:45 a.m. - Lawrence Heller,
 5 Lynn Farny, Aron Mason present.)
 6 (Time: 10:00 a.m. - Commencement of
 7 deposition.)

RICHARD N. AZNARAN,

8 having been first duly cautioned and sworn to
 9 testify the truth, the whole truth and nothing but
 10 the truth, testified on his oath as follows:

DIRECT EXAMINATION

BY MR. BRIGHT:

11 Q. Mr. Aznaran, would you state your name
 12 for the record and spell your last name.

13 A. Richard Aznaran, A-z-n-a-r-a-n.

14 Q. Mr. Aznaran, I take it you know most of
 15 the people in the room. Let me start just to make
 16 sure you're aware of who everybody is and who they
 17 represent. The court reporter, named Lori, is
 18 taking down everything that's being said in the
 19 room, both my questions to you and your answers
 20 back.

21 Mr. Fagelbaum who represents the
 22 Defendants David Mayo and Church of the New
 23 Civilization is seated immediately to my right.
 24 My name is Gary Bright. I also represent David
 25

1 Mayo and the Church of the New Civilization, as
2 well as other Defendants such as John Nelson,
3 Harvey Haber, Vivian Hartog, and Dede Reisdorf.

4 Seated immediately to my left is Larry
5 Heller who represents Cross-Defendant CST
6 Corporation or Church of Spiritual Technology.

7 Seated to his left is Lynn Farny, who is a
8 representative of the Plaintiffs, who I'm sure
9 you've met before, and Aron Mason is seated to
10 your left at the end of the table who also
11 represents the Plaintiffs, Religious Technology
12 Center, Church of Scientology International, and
13 Church of Scientology California.

14 And I'll note for the record that you're
15 accompanied today by Ms. Karen McRae, who I
16 understand represents your interest in this
17 matter. Is that correct?

18 A. Yes, it is.

19 Q. Have you had an adequate opportunity to
20 consult with Ms. McRae previously to coming here
21 this morning to testify about the purposes of the
22 deposition and some of the procedures involved?

23 A. I suppose. I mean I didn't realize
24 there was a lot I had to talk about.

25 Q. You've had your deposition taken on

1 several occasions in the past in various
2 Scientology litigations; is that correct?

3 A. Yes, I have.

4 Q. So you're generally familiar with the
5 procedures involved in taking a deposition?

6 A. Yes.

7 Q. And you understand if anytime you want
8 to consult with Ms. McRae, you can ask for a pause
9 and we'll go off the record and allow you to
10 consult either here with your attorney or
11 privately outside the room.

12 A. Sure.

13 Q. All right. You also understand that
14 everything that you say both back in response to
15 my questions as well as any questions that anybody
16 poses to you today is being transcribed in a
17 booklet, and at the end of this session that will
18 be transcribed and you'll have an opportunity to
19 review it and make any changes you want. You
20 understand that?

21 A. Yes, I do.

22 Q. But you also understand that if you do
23 make changes, any attorney or any party may
24 comment on the fact that you made changes and that
25 may prove embarrassing to either yourself or some

1 other party in the litigation?

2 A. Yes.

3 Q. So the object is to attempt to get the
4 record as clear as possible this morning.

5 Therefore, if you do not understand one of my
6 questions or one of the questions of any of the
7 other attorneys that's being posed to you today,
8 I'd ask you to let us know that you didn't
9 understand the question or you want it rephrased
10 it, and we'll be more than happy to accommodate
11 you.

12 A. Okay.

13 Q. You'll do that?

14 A. Sure.

15 Q. You haven't consumed any drugs or
16 alcohol or anything of that nature that would
17 impair your ability to give your testimony this
18 morning?

19 A. No.

20 Q. And you're in good health at this time?

21 A. Yes.

22 Q. All right. Is there any questions you
23 have of me before we get started?

24 A. No.

25 Q. Would you state your address for the

1 record, please, and a business address would
2 suffice, if you prefer?

3 A. Okay. It's 5521 Greenville Avenue,
4 Suite 104, Dallas, Texas, 75206.

5 Q. And that's your business address?,

6 A. Yes.

7 Q. And you do business under the fictitious
8 name of Phoenix Investigations?

9 A. Actually, at this time Phoenix
10 Investigations is a domestic corporation in the
11 State of Texas.

12 Q. But that's how you do business as
13 Phoenix Investigations?

14 A. Oh, yes.

15 Q. And do you plan to remain in the Dallas
16 area at least for the foreseeable future?

17 A. Yes.

18 Q. And generally you can be reached at the
19 address you previously stated for the record?

20 A. Absolutely.

21 Q. And you're currently employed?

22 A. Yes.

23 Q. In what capacity?

24 A. I'm the investigative manager for
25 Phoenix Investigations.

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Q. And that's basically a private investigation firm?

A. Basically.

Q. Are you currently married?

A. Yes, I am.

Q. What's your wife's name?

A. Vicki.

Q. Vicki Aznaran?

A. Yes.

MR. BRIGHT: I'd ask the court reporter to mark the copy of the subpoena.

(Exhibit 1 marked.)

(Off-the-record discussion.)

Q. Mr. Aznaran, I'm drawing your attention to what's been marked for identification in your deposition as Exhibit 1. Do you recognize that document?

A. Yes, I do.

Q. An did you receive a copy of this document on or about July 19, 1989?

A. Yes, I did.

Q. And was witness fees tendered to you at that time?

A. Yes.

Q. And are you here testifying today

1 pursuant to that same document?

2 A. Yes.

3 Q. Are you familiar with the Church of
4 Scientology?

5 A. Yes.

6 Q. Have you ever been a member or employed
7 by the Church of Scientology?

8 A. Yes.

9 Q. When did you first become involved in
10 the Church of Scientology?

11 A. 1972. A little bit in '71, but really
12 involved in '72.

13 Q. Would you go through chronologically the
14 various positions that you held while you were
15 employed by the Church of Scientology?

16 A. Okay.

17 Q. Why don't you go slowly, so I can take
18 some notes and then come back and follow-up.

19 A. All right. I joined staff in December,
20 1973. Initially, it was very a small organization
21 in Dallas, Texas, known as Scientology of the
22 Southwest. Executive director was a man by the
23 name of Dean Stokes.

24 Originally, there were only four or five
25 of us and we didn't really have formal positions.

1 Within a few weeks I was running the whole
2 franchise because everybody else had gone to
3 California for training. This wasn't because I
4 had no training to do something like that, but
5 none of us did, except for Stokes, so I was simply
6 put in charge while he took everybody out to get
7 more training.

8 Q. Did you remain in that capacity
9 throughout the year 1973?

10 A. Actually, that didn't occur until '74.
11 That was early '74, and most of '74, yes.

12 Q. What was the next position you held in
13 the Church of Scientology?

14 A. Well, during that period I gave
15 myself -- I was reading various Scientology policy
16 letters, and I gave myself the title of deputy
17 executive director simply because I had to be
18 called something. And since I was doing
19 everything, it sounded good to me.

20 Anyway, so --

21 Q. Let me stop you there. The Church of
22 Scientology of the Southwest, was that affiliated
23 with any Scientology organization?

24 A. Yes. It was a member of the franchise
25 office, also known as Mission Office Worldwide.

1 Q. And was it basically an independent
2 mission that was affiliated with the church at
3 that point?

4 A. Well, I mean it was independent, yes,
5 but they were expected to tithe to the mother
6 church. The franchise office was run and operated
7 by the guardian's office in England.

8 Q. And who did the Church of Scientology of
9 the Southwest pay tithes or payments to in the
10 formal organization of Scientology?

11 A. These went to the franchise office,
12 ultimately the guardian's office.

13 Q. And how do you know that?

14 A. Well, I just know that's what they told
15 us. I mean I can't vouch for where the money
16 ended up personally. That's what was -- we were
17 told to send it to the franchise office and that
18 the money was used in Scientology legal defense
19 and so forth.

20 Q. And that was in 1974?

21 A. Yes.

22 Q. What was the next position you held in
23 Scientology?

24 A. Well, I more or less stayed at that
25 position, although, my actual functions would

1 change from time to time. I stayed on start there
2 through '77. During that time I've held a
3 multitude of posts, probably every post within the
4 organization from case supervisor, lead auditor,
5 public registrar, Division 2 registrar, ethics
6 officer, marketing, as well as guardian liaison
7 with the local guardian's office in Austin, Texas.

8 Q. When did you become guardian liaison?

9 A. That would have probably been during
10 1974.

11 Q. Did the affiliation of the Church of
12 Scientology of the Southwest remain the same
13 throughout the period 1973 to 1977 to the best of
14 your knowledge?

15 A. You mean connected to the franchise
16 office?

17 Q. Yes.

18 A. Yes.

19 Q. And the nature of that did not change
20 during that time period to the best of your
21 knowledge?

22 A. No.

23 Q. What's the next position you held
24 subsequent to 1977 with the Church of Scientology?

25 A. I joined the sea organization in

1 Clearwater, Florida. My initial posting, once I
2 completed your basic training or whatever, was
3 personal public relations officer for L. Ron
4 Hubbard at the Flag Land Base, which was the
5 installation there at Clearwater.

6 Q. Did that represent a promotion within
7 the organization to transfer to Clearwater,
8 Florida, and join the sea org?

9 A. Oh, yes, very much so.

10 Q. Who granted you that promotion?

11 A. LHR granted the position of personal
12 public relations officer for the Flag Land Base in
13 early 1979.

14 Q. How were you aware that he was involved
15 in your promotion?

16 A. Through telex traffic that went back and
17 forth between Sue Anderson, personal public
18 relations officer international, and L. Ron
19 Hubbard; also through communications, personal
20 communications with Sue Anderson, as well as LRH's
21 personal secretary, and LRH's personal
22 communicator, who was the senior person at Flag
23 outside of the CMO at that time.

24 Q. And would you please describe your
25 duties as personal public relations officer at

1 Flag Land Base?

2 A. At the Flag Land Base initially at that
3 time L. Ron Hubbard was very upset with the amount
4 of money being made by the Flag service org and
5 not being able to get, I guess, what he felt were
6 proper responses to his orders to the Flag Land
7 Base.

8 Mr. Hubbard sent me -- I was basically
9 operating off of his personal orders and
10 directives initially. In other words, he wrote to
11 me and told me that he was very upset with the
12 other people at Flag, and that he wanted me to be
13 his personal eyes and ears and mouth, and to act
14 on his behalf at the base.

15 He would give me instructions. The idea
16 being to bring about an environment where L. Ron
17 Hubbard would get what he considered proper
18 compliance to his orders and directives into the
19 base.

20 Q. Where was Mr. Hubbard located at the
21 time you were stationed at the Flag Land Base in
22 Clearwater, Florida, to your knowledge?

23 A. At that time I had no personal knowledge
24 of where he might be. I later came to find out
25 that he was in Southern California.

1 Q. Did you ever meet him personally aZ That
2 period of time?

3 A. Face-to-face, no.

4 Q. How did you know these were Hubbard's
5 orders that you were carrying out?

6 A. Well, there's several ways. They were
7 identified as such, number one. They were signed
8 by him, number two. And, number three, after
9 you've been around awhile, you learn to recognize
10 a certain flavor or -- I don't know -- I guess the
11 nature of his communications were beyond what
12 anybody else would have had the audacity to
13 communicate in writing.

14 Q. You earlier described that Hubbard was
15 upset with the performance of the Flag service
16 org. What was the function of that organization
17 to your understanding?

18 A. Well, I guess the formal function as
19 presented to public scientologists is that the
20 Flag service org was the mecca, that's their term,
21 of standard tech, meaning that if you were to get
22 auditing and other lower organizations and you
23 weren't happy or felt you wasn't totally as
24 groovie as it should be, that you should come to
25 Flag and they would fix you right up.

1 There was also levels of auditing or
2 counseling that were only available at Flag at
3 unbelievable prices. And there was also Flag at
4 that time -- the Flag service org at that time was
5 also the place where staff for missions and
6 organizations came to train, and -- well, public
7 as well actually.

8 Q. Did you have any functions with the
9 Scientology Technology or materials as of your
10 assignment in 1979 at Flag?

11 A. I don't understand the question.

12 Q. Well, Scientology is a religious
13 organization, correct?

14 A. Well, I don't agree with that, but
15 that's what they say, yeah.

16 Q. That was your understanding in 1979,
17 correct?

18 A. Yeah.

19 Q. And as part of the dissemination of
20 their religion, they have various bulletins or
21 issues in which the ideas and philosophies of the
22 religion are expressed?

23 A. Well, they have -- I assume you're
24 talking about red on white H -- Hubbard
25 communications office bulletins as opposed to

1 policy letters. There's also tape-recoraea
2 lectures from Hubbard, books, all that.

3 Q. Did you have any duties in respect to
4 the red on white Hubbard's communication office
5 bulletins?

6 A. Yes.

7 Q. What was the nature of your duties?

8 A. Well, I guess initially was when I was
9 in the public relations office Hubbard would write
10 to me and tell me he was coming out with some such
11 and such bulletin, and that I was to do a PR
12 campaign to make sure it was well received by
13 staff. I don't know if that really is what you're
14 talking about. But, anyway, I did that at first.

15 A little later on he had what was called
16 a TR's mission at Flag, or TR stands for training
17 routines, where some of his messengers from
18 Southern California were there acting on his
19 behalf operating a pilot program on outer org
20 staff members. Outer org meaning people from the
21 lower level organizations. That mission became
22 bugged, and I was asked to do an investigation as
23 to why it was bugged, which I did, and reported
24 directly to Hubbard on it.

25 There were also times when I was asked

1 as public relations officer to act as an
2 intermediary with David Mayo and then senior
3 cramming officer, Dennis Earlich. So as far as
4 having something to do with the technology, those
5 are the initial things at Flag.

6 Later after, I guess, approximately
7 1980, mid, early, mid '80 I became a case
8 supervisor at Flag where I personally trained
9 under Ray Mithoff, who at that time was the senior
10 case supervisor of the Flag Land Base. I was
11 later promoted to the position of senior case
12 supervisor for all Flag staff, again personally
13 trained by Mithoff.

14 At that time my training advanced to the
15 level of solo co-supervisor NED for OT'S. NED
16 standing for New Era Dianetics for OT's, case
17 supervisor and a sundry other courses in there.

18 Q. When did you act as an intermediary for
19 David Mayo?

20 A. In -- I'm sorry. That isn't actually
21 worded correctly. At the time I'm thinking of
22 Mayo was actually at the same location as
23 Hubbard. Jeff Walker was the senior CS for the
24 Flag service org. Jeff Walker was involved in
25 extracurricular sexual activities for which he was

1 assigned to the rehabilitation project force. Atlanta
2 during that time Mayo or during that time Dennis
3 Earlich was also assigned to the rehabilitation
4 project force or RPF.

5 MR. HELLER: What was that last name?

6 MR. BRIGHT: Earlich, I believe.

7 THE WITNESS: Earlich, E-a-r-l-i-c-h, I
8 believe. And Mayo at that time sent
9 communications down to the base indicating that
10 this was -- actually, he sent communications to me
11 indicating that these guys, meaning Earlich and
12 Walker, had been set up by the administrative
13 personnel. Set up meaning like picked on or
14 framed or whatever. And that he didn't feel like
15 this was just, and that I was to do an
16 investigation, which I did. And I concurred with
17 the original findings, I guess, with them being in
18 the RPF, and I reported as such to Hubbard and
19 played down this polarization between
20 administrative and tech personnel.

21 Hubbard then had me personally deliver
22 messages to Earlich and to Walker taking them out
23 of the RPF and granting them another chance, and
24 so forth.

25 Q. Was that communication from David Mayo

1 concerning Mr. Earlich and Mr. WalJcer the first
2 formal communication you had with Mr. Mayo to the
3 best of your recollection?

4 A. Yeah, with the term formal, I guess,
5 being the key word there.

6 Q. Approximately what was the date of that?

7 A. That would have been, I believe, early
8 .79.

9 Q. And what was Mr. Mayo's post in early
10 1979 to the best of your recollection?

11 A. Senior case supervisor international.

12 Q. And where was Mr. Mayo stationed?

13 A. He was with Hubbard.

14 Q. Was Mr. Mayo ever stationed at Flag Land
15 Base at Clearwater during your tenure there?

16 A. Yes. In fact, he was the senior case
17 supervisor international stationed there at the
18 Flag Land Base when I first arrived in late '78.
19 Very shortly after that he was sent for by Hubbard
20 to come out and audit Hubbard. I believe Hubbard
21 was ill at the time.

22 Q. Now you said you participated in certain
23 counseling and training activities with the Church
24 of Scientology while you were employed; is that
25 correct?

1 A. Yes.

2 Q. Pursuant to that, were you ever audited
3 or received counseling on what is known as NOTs or
4 NED for OT's?

5 A. Yes, I did.

6 Q. When did you receive that auditing?

7 A. From -- let's see. NOTs, I believe, was
8 released -- when the hell was it released?
9 December of '78. And I think I received some NOTs
10 auditing in '79, and I received NOTs auditing in
11 some form or fashion up until the point where I
12 left the church, which was April of whatever year
13 it was, '87. '87. Are you paying attention?

14 MS. McRAE: Uh-huh.

15 MR. BRIGHT: As much as ever.

16 Q. Do you have any information concerning
17 the authorship of NOTs materials?

18 A. Yes.

19 Q. How did you acquire this information?

20 A. From the different positions I held
21 during my tenure within the sea organization.

22 Q. And specifically what are those
23 positions?

24 A. Well, okay. As a NOTs case supervisor,
25 as a senior auditor at Gilman Hot Springs in 1981

1 and '82, later through ethics handlings that were
2 taken on Mr. Mayo, and through seeing
3 communication both from Hubbard -- well, from
4 Hubbard, as well as other senior Scientology
5 executives as well as personal communication with
6 these individuals.

7 Q. Do you have any information where the
8 original NOTs bulletins were authored?

9 A. Yes. They were authored -- I'm trying
10 to think of the name. I don't remember the actual
11 building, but they were authored there at Gilman
12 Hot Springs.

13 Q. And do you know the approximate date
14 they were authored?

15 A. Well, they originally issued in late,
16 very late '78, and then there were revisions which
17 occurred after that. So I mean I don't know how
18 to answer that, I guess.

19 Q. Do you have any information as to how
20 the original bulletins were created?

21 A. Oh, sure.

22 Q. What information is that?

23 A. Well, Hubbard had done some tapes, and
24 from those tapes, David Mayo put together the NED
25 for OT's bulletins. In fact, even when I was back

1 at the Flag Land Base as a NED for OT's auditor
2 and case supervisor, this was common knowledge
3 because the original bulletins that Mayo put out
4 were signed by L. Ron Hubbard with a colon and
5 David Mayo's initials after that. And the ones --
6 there were a few that were actually written by
7 Hubbard which did not have David Mayo's initials
8 on them.

9 Q. How many original NOTs bulletins were
10 there to your recollection?

11 A. God, I don't remember. There was a
12 bunch.

13 Q. Do you have an estimate?

14 A. Original ones?

15 Q. Yes.

16 A. I mean like original meaning like the
17 actual first time NED for OT*s hit the streets?

18 Q. Yes.

19 A. Twenty. I'm kind of guessing, but I
20 couldn't be off by more than ten or so.

21 Q. And of those do you know how many beared
22 Mayo's initials and how many beared Hubbard's
23 signature without Mayo's initials?

24 MR. HELLER: Before you answer, I move
25 to strike that last answer. That's speculation.

1 He said he was guessing.

2 THE WITNESS: Fair enough, but it's an
3 educated guess.

4 MR. HELLER: It's almost a hypothesis.

5 THE WITNESS: No, not a hypothesis. You
6 need to look that up.

7 MS. McRAE: Rick, you can answer Gary.

8 MR. BRIGHT: Let's reread the question.

9 MS. McRAE: That's one of Heller's
10 favorite objections.

11 (Off-the-record discussion.)

12 MR. BRIGHT: Let's take a short recess.

13 (Recess - Time: 10:37-10:46 am.)

14 MR. BRIGHT: Back on the record.

15 Q. Mr. Aznaran, I believe you testified
16 that it was your understanding during the creation
17 of the NOTs materials L. Ron Hubbard had dictated
18 some tapes. Is that accurate?

19 A. Yeah.

20 Q. Did you ever hear those tapes?

21 A. I heard parts of them.

22 Q. And where and in what capacity were you
23 stationed when you listened to the L. Ron Hubbard
24 tapes?

25 A. I was at Gilman Hot Springs. Ray

1 Mithoff was there and Ray Mithotr naa the
2 transcripts of the tapes as well as the tapes in a
3 safe, which he kept in his office. Those were
4 highly protected objects; and as any NED for OT's
5 auditor at that time, it was kind of like being
6 able to hear part of those tapes would be like --
7 I don't know -- some high level spiritual
8 experience.

9 Q. Did you recall the date?

10 A. Boy, let's see. It was after Mayo was
11 in trouble.

12 Q. When to your knowledge was Mayo in
13 trouble?

14 A. Well, that began in '82 -- or did it
15 begin earlier than that? Let me think about it.
16 '82, yeah. So it would have been, I think,
17 probably '83 that Mayo was probably already gone.

18 Q. Who was the senior case supervisor
19 international at the time you heard the portions
20 of the L. Ron Hubbard tapes?

21 A. Ray Mithoff.

22 Q. Do you know who prepared the transcript
23 of the tapes?

24 A. Those were prepared by a unit that was
25 there that churned out policy letters and

1 bulletins in Hubbard's name, and I can't
2 remember -- let me think what they called it --
3 and books, by the way, LHR compilations or
4 something like that. I don't recall the exact
5 name.

6 Q. Do you know of the names of any
7 personnel assigned to transcribe the tapes?

8 A. No -- well -- no. I just know some of
9 the personnel who were in there. I don't know
10 exactly who transcribed them. Wait a minute.
11 Yes, I do. It was an elderly lady there by the
12 name of Phoebe, I think her last name was, Maurer.

13 As I recall, she had -- within that unit, she had
14 handled the tapes because I think she was the only
15 one who was on that level, achieved that level of
16 spiritual freedom, and able to listen to those
17 tapes.

18 Q. How many tapes were there to your
19 knowledge?

20 A. I don't recall.

21 Q. And what type of tapes were they,
22 meaning cassette tapes, videotapes?

23 A. Well, no. They were audio tapes, and I
24 don't recall what their format was, and I don't
25 even know whether I had ever seen the originals to

1 be honest.

2 Q. Was Mr. Mithoff present when the tapes
3 were played, or were you allowed to play them on
4 your own?

5 A. Oh, no. Mithoff was doing it. He was
6 just -- we were playing around in his office, and
7 I was like semi-begging him to let me listen to
8 them and he'd play little bits and then turn it
9 off just kind of playing back with me.

10 Q. Was anyone else present?

11 A. No.

12 Q. Were you able to recognize the voice of
13 L. Ron Hubbard on the tapes?

14 A. Oh, yeah.

15 Q. Had you heard his voice previously to
16 hearing those tapes?

17 A. Zillions of times.

18 Q. Did you hear any other voices on the
19 tapes?

20 A. All he played for me was a little piece
21 of Hubbard talking. It was my understanding,
22 though, that Mayo was on the tapes.

23 Q. Did you hear Mayo on the tapes?

24 A. No.

25 Q. Did you ever see a copy of the

1 transcript of the tapes?

2 A. I saw copies of what was identified as
3 copies of the transcripts of the tapes.

4 Q. When did you see those?

5 A. They were in Mithoff's office.

6 Q. And did the transcripts reflect the
7 presence of the people or persons?

8 A. I wasn't allowed to look at them.

9 Q. Do you know Melanie Murray?

10 A. Absolutely.

11 Q. How do you know Melanie Murray?

12 A. Melanie Murray -- I first met Melanie
13 Murray she was Hubbard's messenger who oversaw
14 tech, and she was one of the two messengers sent
15 to Flag on that TR's mission I referred to
16 earlier. And that's where I first met her.

17 Q. Did you know if she had any involvement
18 in the authorship or creation of the original NOTs
19 bulletins?

20 A. Yes. It was my understanding that
21 Mayo -- yes. She did have some influence on
22 their -- I don't know whether Mayo had -- he'd
23 send them through her when he finished writing
24 them or what have you.

25 MR. HELLER: I move to strike based on

1 lack of foundation. TE appears to be a
2 speculative answer.

3 Q. To your knowledge --

4 A. I know she collaborated. I don't know
5 in what capacity.

6 Q. To your knowledge, did Melanie Murray
7 ever work for David Mayo in his post as senior
8 case supervisor international?

9 A. Not that I know of. You mean was she
10 case supervisor international at anytime?

11 Q. No, no. I'm sorry. Let me start
12 again. To your knowledge, did Melanie Murray ever
13 work for Mr. Mayo when he was the senior case
14 supervisor international?

15 A. Worked for? I mean I don't know about
16 worked for. Worked with, yes. They worked with
17 each other quite regularly.

18 Q. So it's your understanding she worked
19 with Mr. Mayo?

20 A. Yeah. I mean she was commodore's
21 messenger, which is LRH's direct representative.
22 Okay. Per LRH's policy and directives, she had
23 all the authority that Hubbard himself had. And
24 her area of expertise was tech. And then from
25 that position, she worked with Mayo on pilots, and

1 I believe that she was the approval -- at that
2 time approval -- final approval authority on
3 bulletins before they were issued and so forth.

4 Q. At the time that you're referring to,
5 are we talking 1978 again?

6 A. No. We're talking 19 -- early '81.

7 Q. I want to go back to the time when the
8 NOTs bulletins were originally issued in 1978.

9 A. Okay. Right.

10 Q. Are you aware of any role of Melanie
11 Murray as of that date?

12 A. Yes. But I wasn't aware of any role of
13 hers up until -- I mean before 1981 where I became
14 aware that she had worked in some capacity
15 collaborated with Mayo on these things.

16 Q. As of 1978 did you acquire knowledge
17 that Mr. Hubbard was in poor health?

18 A. Yes.

19 Q. Do you know the nature of his illness?

20 A. No.

21 Q. How did you acquire the knowledge?

22 MR. HELLER: I object to the question
23 based on relevance to the issues in this case.

24 THE WITNESS: Based on communication
25 between Hubbard's messengers at his location in

1 California and Hubbard's messengers in
2 Clearwater.

3 Q. And how were you privy to those
4 communications between his messengers at the two
5 locations?

6 A. Because I was his personal public
7 relations officer, I would often be infoed on
8 these communications, and because my wife was a
9 member of the commodore's messenger organization
10 at Clearwater and held a high position and was
11 privy to such information.

12 Q. Do you have any information that David
13 Mayo was sent from his location of Clearwater,
14 Florida, to California because of Hubbard's ill
15 health?

16 A. Yes, he was. From my understanding, he
17 was sent there specifically to audit Hubbard.

18 Q. And were you present at anytime during
19 that auditing process?

20 A. No. One other thing referring a little
21 more answer to an earlier question on how did I
22 know. Mayo and Mithoff who had taken over as
23 senior case supervisor at Flag Land Base were in
24 constant communication. And as a public relations
25 officer and later as a case supervisor, Mithoff

1 would give me information.

2 Q. Do you recall Mr. Mithoff telling you
3 that Hubbard was sick and Mayo was being sent
4 there to audit him?

5 A. I don't remember specifically Mithoff
6 saying Hubbard is sick. I do specifically
7 remember sitting down with him and asking him in a
8 concerned manner if he knew how the auditing was
9 going, and if everything was going okay, and being
10 assured that it was.

11 Q. Now, is it your understanding that it
12 was during this auditing process of Mr. Hubbard
13 that the original NOTs bulletins were being
14 created?

15 A. No, not that those bulletins were being
16 created at that time, but that the technology
17 itself was being developed.

18 Q. And who, if anyone, was developing that
19 technology?

20 A. Well, Mayo was the one who was the case
21 super -- he was having to act as case supervisor
22 for his own auditing and standard Scientology --
23 per standard Scientology, what's known as the case
24 supervisor series, a preclear never has any
25 involvement in the case supervising of his own

1 auditing, so I surmised from that that it was
2 Mayo.

3 MR. HELLER: Move to strike on
4 speculation.

5 THE WITNESS: It could have been
6 Melanie, but I don't think so.

7 Q. Do you know John Nelson?

8 A. Yes.

9 Q. How do you know John Nelson?

10 A. John Nelson was the commanding officer
11 of the commodore's messenger org international
12 after David Miscavige removed all the former
13 executives in 1981.

14 Q. How do you know that Mr. Miscavige
15 removed executives and which executives were
16 removed?

17 A. Dede Reisdorf was the commanding officer
18 up until that point. God, I'd have to sit down
19 and think about all these people's names. There
20 was a real thorough house cleaning done. Melanie
21 Murray was removed right in there about that
22 time. So was -- oh, God. It was a real pretty
23 red-headed girl from South Africa. I can't
24 remember all their names. I think her last name
25 was -- to help further identify her, it was her

1 sister, one of them was married to Marty Rathbun,
2 but I can't think of her name. Lois, maybe. No,
3 I don't remember.

4 Anyway, Dede's sister who was, I
5 believe, the deputy commanding officer.

6 Q. Any others that you can think of now?

7 A. No.

8 Q. How did you know that it was
9 Mr. Miscavige that caused these officials to be
10 removed?

11 A. Well, at that time Hubbard had, again,
12 removed himself to a remote location where he was
13 not in direct communication with anyone and only
14 operated through intermediaries. Miscavige had
15 reported up to Hubbard. Hubbard acting -- Pat
16 Broeker and Ann Broeker, but mostly Pat Broeker
17 was the intermediary at that time and all the way
18 up until Hubbard's death.

19 Hubbard was extremely upset about the
20 guardian's office. He had been extremely upset
21 and stewing about the criminal raids and the
22 subsequent information that became available to
23 the Feds back in late '77, I guess. And he was
24 upset at his wife, who was the controller and the
25 senior person over the guardian's office. In

1 fact, she was also removed by Miscavige.

2 Q. But getting back to my original
3 question, how did you know David Miscavige
4 called --

5 A. I'd hear daily reports about it. I
6 mean, you know, the fact that there was a big riff
7 between the senior people and the commodore's
8 messenger org. I was on a mission being run out
9 of commodore's message org international at the
10 time and it was kind of like wondering on a
11 day-to-day basis who was going to be what, you
12 know.

13 Q. Did you see any written communications
14 from Mr. Miscavige or in the removal of these
15 people?

16 A. No.

17 Q. What was Mr. Miscavige's position with
18 the Church of Scientology at the time he
19 effectuated the removal of these officials?

20 A. I believe it was right at that -- well,
21 okay. He had been the -- what do you call it?
22 The senior mission Ops, which means that he had
23 ran all the missions being run out of the CMO
24 international. And then after that, I believe it
25 was right around that time he became special

1 project Ops.

2 Q. And what was the approximate date that
3 Mr. Miscavige became special project Ops?

4 A. I believe it was mid-'81.

5 Q. How long did he hold that position to
6 your knowledge?

7 A. To my knowledge, he still holds it.

8 Q. What was the capacity of special project
9 Ops in Scientology?

10 MR. HELLER: I'm going to object. It's
11 vague and ambiguous.

12 MR. BRIGHT: I'll strike the question.

13 Q. What was the job of the special projects
14 Ops in the Scientology organizations?

15 A. Well, project Ops effectively was the
16 senior person within Scientology outside of
17 Hubbard. I mean the title and everything, as I
18 understand it, at the time or understood it at the
19 time evolved because they were setting up a new
20 organization to their taking over all these
21 functions from the guardian's office, like all the
22 legal cases, the running of the intelligence
23 operations, and all that sort of thing.

24 And a special project was set up to run
25 these things during the period where immediately

1 following, I guess, the taking over the guardian's
 2 office in July I believe of '81. The fact was
 3 that as special project Ops he had authority to do
 4 anything in any organization, issue orders
 5 directly or not, anything that he particularly
 6 took an interest in.

7 MR. HELLER: I move to strike the
 8 initial part up until he had authority as
 9 nonresponsive to the question.

10 Q. To your knowledge, was the --

11 MR. HELLER: I'm sorry. Also lack of
 12 foundation on the question because there's no
 13 foundation given in that answer.

14 Q. To your knowledge, was the Church of
 15 Scientology reorganized in the early 80's, perhaps
 16 1982?

17 MR. HELLER: Object as vague.

18 THE WITNESS: Well, I understood it.
 19 Yeah.

20 Q. Are you familiar with the Religious
 21 Technology Center?

22 A. Sure.

23 Q. When was that corporation created?

24 A. Oh, I couldn't tell you the exact date.
 25 It was --

1 Q. Can you give uli approximately?

2 A. It would have been '82, maybe early
3 '83. I don't know at what point the corporate
4 papers were filed and all that sort of thing. I
5 mean I was there during its evolution whereas it
6 came into being, but I don't recall -- I mean I
7 wasn't privy to, you know, that specific
8 information.

9 Q. Do you know who was responsible for the
10 organization of Religious Technology Center?

11 A. It seemed to mostly be -- well, of
12 course, David Miscavige ran everything, but it
13 seems that most of its responsibility was assigned
14 to Lyman Spurlock.

15 MR. HELLER: I object on lack of
16 foundation and it appears to be a speculative
17 answer.

18 Q. How were you aware of the Mr. Spurlock's
19 involvement with the creation of Religious
20 Technology Center?

21 A. Well, my wife was one of the initial
22 people in RTC, and I was up to a point where I
23 went to the RPF and then became a part of it again
24 afterwards.

25 Q. what was the date you went to the RPF?

1 JT. The exact date?

2 Q. Approximate date.

3 A. About the second week in May of 1982,
4 and I was in for ninety-nine days.

5 Q. Does RPF stand for rehabilitation
6 project force?

7 A. Yes.

8 Q. Is that a form of discipline within the
9 Church of Scientology?

10 A. Yeah.

11 Q. Were you removed from your active post
12 at the time you were assigned to the RPF?

13 A. Yes.

14 Q. Were you reinstated to any post within
15 Scientology upon your removal or completion of the
16 RPF?

17 A. I got another post when I got out. Is
18 that what you're asking?

19 Q. Yes.

20 A. Reinstated, I don't know if you mean did
21 I have the same one when I came out that I had
22 going in.

23 Q. What was your new post when you came
24 out?

25 A. Safety officer.

1 Q. And what was the approximate date you
2 became safety officer?

3 A. About ninety-nine days after the second
4 week in May.

5 Q. How about a month and a year?

6 A. How about October -- wait a minute.
7 No. It would have to be earlier than that.
8 August, September, '82.

9 Q. What was your next assignment after
10 August or September of '82?

11 A. I was safety officer in its different
12 evolutions up until I went to Hubbard's ranch upon
13 his demise.

14 Q. And that was in 1986?

15 A. Yeah.

16 Q. Where was your primary location while
17 you were safety officer in Scientology?

18 A. Primary would have been Gilman.
19 Secondary would have been LA because I went back
20 and forth a lot.

21 Q. And what was your job description as a
22 safety officer?

23 A. Well, this post evolved. Initially
24 prior to going to the RPF, I was doing various
25 missions, overseeing renovations projects

1 occurring at Gilman. During that time it was
2 decided by Norman Starkey and Pat Broeker that I
3 would be Hubbard's personal bodyguard when Hubbard
4 returned to -- out of seclusion.

5 I then went to the RPF. And, in fact, I
6 was giving a briefing or a lecture at that time
7 about how I disappointed everybody and how they
8 had been counting on me to be Hubbard's
9 bodyguard.

10 Anyway, when I got out of the RPF, I was
11 given the title, formal title safety officer. The
12 function -- the initial -- okay. The idea was
13 that I would still be LRH's bodyguard. Then I was
14 given the function of overseeing Mayo and some
15 other people who were considered, quote, unquote,
16 crims by current Scientology management.

17 Q. Crims stands for criminals?

18 A. Yeah. And then after that immediately
19 right in there I was given the function of
20 overseeing and then a week later establishing a
21 security force for Gilman. Now that may seem out
22 of sequence, but there was a rudimentary security
23 force, which was somewhat dissolved and I had to
24 put a new one together.

25 Q. Earlier you described you were *aware* of

1 the creation of the Religious Technology Center,
2 correct?

3 A. Yes.

4 Q. About the same time was Church of
5 Scientology International created?

6 A. No. I mean I don't know. I have no
7 idea.

8 Q. What corporation, if any, were you
9 affiliated with in your capacity as safety
10 officer?

11 A. I don't know. I mean I know now looking
12 back that it was RTC. At the time I mean you
13 don't have any -- your average run of the mill
14 staff member doesn't have any knowledge of
15 corporations. Corporations don't actually exist
16 except in the legal arena, and in the real life of
17 issuing orders and all this sort of thing there is
18 a separation.

19 MR. HELLER: I move to strike as
20 nonresponsive to the question asked.

21 Q. Were you paid a salary as safety
22 officer?

23 A. They don't call it salary. They call
24 it -- what do they call it? Well, I was given
25 money in any case.

1 Q . Was it paid weekly, montniyi

2 A. Weekly.

3 Q. How much were you paid?

4 A. Well, let's see. You're only talking
5 about once I became safety officer?

6 Q. Yes.

7 A. You know, I want to say seventeen
8 dollars and twenty cents a week, but in actuality
9 we may have gotten a raise up to twenty.

10 Q. Per week?

11 A. Yeah.

12 Q. And room and board?

13 A. Yes.

14 Q. And who paid the actual money that you
15 received weekly?

16 A. RTC.

17 Q. Did you receive it in cash or check
18 form?

19 A. Well, both.

20 Q. When you received it in checks, who
21 signed the checks?

22 A. I don't recall.

23 Q. How do you know RTC paid your salary?

24 A. Well, I don't know. I guess impressed.
25 I can't really guarantee they did.

1 Q^ Was there any writing on the check that
2 indicated on whose account the check was being
3 drawn?

4 A. I'm having a little trouble with the
5 time. I mean later on, yes, there was regular
6 RTC, you know, Religious Technology Center, but
7 during the period you're talking about, I don't
8 really recall.

9 Q. When do you recall receiving RTC
10 checks --

11 MR. HELLER: I move to strike part of
12 that as nonresponsive, the first part before I
13 don't really recall.

14 Q. When do you recall receiving RTC checks?

15 A. About late '84 or '85 I'm sure I would
16 have seen Religious Technology Center's checks in
17 common use.

18 Q. Now, did David Miscavige retain the
19 designation special project Ops throughout your
20 tenure as a safety officer in the Church of
21 Scientology?

22 A. Yes, amongst others.

23 Q. If I understand that, that was from
24 approximately 1982 or '83 through 1987?

25 MR. HELLER: I want to object to the

1 question prior to this one. It was ~~rather~~ a quick
2 answer for lack of foundation. And this one for
3 leading.

4 Q. Do you have the --

5 A. Actually, I think I -- I thought I said
6 '81.

7 Q. Okay. Then I stand corrected. Let me
8 strike the last question and pose another
9 question. Do you recall if Mr. Miscavige retained
10 his designation special project Ops during the
11 time period you were a safety officer, which would
12 have included 1981 through sometime in 1987,
13 correct?

14 A. I quit being --

15 MR. HELLER: It misstates the evidence.

16 THE WITNESS: I effectively, although
17 not formally, quit being safety officer when
18 Hubbard died. But up until that point and up to
19 the time I left the church, yes, I do know and,
20 yes, he did.

21 Q. Who actually paid you in your capacity
22 as safety officer?

23 MR. HELLER: That's been asked and
24 answered.

25 THE WITNESS: Actually, not totally

1 because this doesn't -- safety officer, its
 2 location within the organizational structure of
 3 the management changed from time to time,
 4 depending on whether David Miscavige was mad at me
 5 or something.

6 Q. Do you recall the names of anyone that
 7 ever actually handed you cash or a check for your
 8 job performance as a safety officer?

9 A. Actually --

10 MR. HELLER: Move to strike the last
 11 answer as nonresponsive. I didn't hear what you
 12 said. I'm sorry.

13 THE WITNESS: I don't think I said
 14 anything. Or what did I say? Did I saying
 15 anything?

16 MR. HELLER: I thought we were talking
 17 over each other and you said something as I was
 18 moving to strike.

19 THE WITNESS: I thought I just quit. I
 20 started to and then I think I gave you the floor.

21 MR. HELLER: I appreciate it.

22 MR. BRIGHT: Could we go back and have
 23 the last question read?

24 (Question read.)

25 THE WITNESS: There were -- God, I mean

1 a lot of people gave me checks. Yeah, there
2 was -- well, what's that -- there were various
3 treasury personnel within RTC that gave me checks
4 and/or cash. There was people in OSA
5 international who gave me checks and/or cash.
6 There was people in commodore's messenger
7 organization international that gave me checks or
8 cash. There was people in commodore's messenger
9 organization Golden Era Productions that gave me
10 checks and/or cash.

11 There was personnel in executive strata
12 who gave me cash and/or checks, and I don't know.
13 It'd take me awhile to -- if the actual names are
14 important, I can sit here and try to figure some
15 out, but I don't really -- Gilliam's wife in exec
16 strata. I don't remember what her name was and --

17 Q. The organizations you've just described
18 they're all within the formal organization of the
19 Church of Scientology, correct?

20 A. Yeah. I was also given large, extremely
21 large sums of money from time to time from Marc
22 Yager, who was I believe the watchdog committee
23 member in charge of finance.

24 MR. HELLER: Are you finished?

25 THE WITNESS: Yeah.

1 MR. HELLER: Okay. I'm going to move to
2 strike as nonresponsive. I don't even know if
3 there was a question pending on that one.

4 THE WITNESS: I was still answering the
5 question about who or what people had given me
6 cash and/or checks during my period as safety
7 officer. I thought that was quite responsive.

8 MR. BRIGHT: It's really better if we
9 don't debate these things since we don't have any
10 judges present. Mr. Moxon couldn't be here today.

11 Q. What I want to focus on is your payments
12 when you were receiving the seventeen or twenty
13 dollars per week as part of the RTC.

14 A. Right.

15 Q. Do you recall that period of time?

16 A. Sure.

17 Q. Do you recall the identities of anybody
18 that actually handed you the seventeen or the
19 twenty bucks?

20 A. Not by name.

21 Q. Do you recall the office of the person
22 that handed you the money?

23 MR. HELLER: Back to the first question
24 as part of RTC, I think that states facts not in
25 evidence. I object to it.

1 MR. BRIGHT: That he can't recall the
2 names states facts not in evidence.

3 MR. HELLER: No. We're going back two
4 questions so that the record was clear where you
5 said when you were a safety officer part of RTC.
6 I don't recall that being part of the evidence
7 that's been given in this deposition. That's my
8 objection.

9 MR. BRIGHT: I don't recall getting an
10 answer in this critical area of testimony. So can
11 you go back and read the last question?

12 MR. HELLER: Just for the record before
13 you do that, the reason I'm not interjecting
14 objections a lot of times is -- and it's not
15 reflected on the record, but the colloquy back and
16 forth is quite quick. And I often don't have a
17 chance to get an objection in, so I'm moving to
18 strike at points where perhaps I should get an
19 objection in. But I don't mean where the witness
20 starts to answer to cut him off, and I don't want
21 to do that by saying hold on, et cetera, et
22 cetera.

23 THE WITNESS: I appreciate that.

24 (Off-the-record discussion.)

25 (Question read.)

1 MR. BRIGHT: Strike the last question.

2 Q. During the exchange here you say you now
3 recall the name of a person who actually handed
4 you the checks or cash while you were employed by
5 RTC?

6 A. Yes.

7 Q. And who was that?

8 A. This is one of the persons amongst many
9 and his name is Paul Schroer.

10 Q. And Mr. Schroer's position with the RTC
11 at the time he was paying you, if you recall?

12 A. He was --

13 MR. HELLER: I'll object. It states
14 facts not in evidence. Go ahead.

15 THE WITNESS: He was a member of RTC at
16 the time and his post was deputy commanding --
17 let's see. Wait a minute. Deputy inspector
18 general internal, I believe.

19 Q. Was he your immediate supervisor?

20 A. No. He oversaw -- no.

21 Q. What was the approximate date do you
22 recall receiving checks or cash from Mr. Schroer
23 as your performance as a safety officer?

24 A. '85. No. Wait a minute. Let me take
25 that back. Early '84.

1 Q. And were you still stationed at Gilman
2 at that time?

3 A. Primarily, yes.

4 Q. Now you mentioned earlier in your
5 testimony at times you received large amounts of
6 money from Marc Yager in his capacity as chairman
7 of the watchdog committee?

8 A. Yes.

9 Q. Do you know what corporate --

10 MR. HELLER: Objection. Assumes facts
11 not in evidence on the prior question.

12 Q. Do you know what corporation the
13 watchdog committee was assigned in Scientology?

14 A. They were members of commodore's
15 messenger organization international, and, as I
16 understand it, that was within the Church of
17 Scientology International.

18 Q. Do you know why Mr. Yager paid you large-
19 sums of money?

20 MR. HELLER: Lack of foundation.

21 THE WITNESS: Does that mean I go ahead
22 and answer?

23 MR. HELLER: Yeah. So that you
24 understand, it's my job, one of the reasons I'm
25 here, Mr. Aznaran, so I can make a record. And we

1 are treating this deposition may be differently
 2 from any other depositions you've been in. We
 3 made a statement way back in August, the beginning
 4 of Mrs. Aznaran's deposition, that these may be
 5 used for trial purposes. So the objections are a
 6 little bit expanded into trial objections. So as
 7 you may feel right, wrong, indifferent, as well as
 8 the other attorneys may feel such --

9 MR. BRIGHT: No. I feel you're wrong
 10 every time, if you're asking my opinion.

11 MR. HELLER: Okay. One of my functions
 12 here is to make certain objections and that is
 13 what I do, and I do them as I think the proper
 14 time comes. And at some point should this be used
 15 as trial testimony, a Judge will rule on those
 16 objections and whether your responses can be
 17 admitted in evidence or not.

18 THE WITNESS: Great.

19 MS. McRAE: The only time you don't
 20 answer is if I instruct you not to or they get
 21 into something on their protective order which,
 22 Mr. Bright, and Mr. Fagelbaum, and I'm sure
 23 Mr. Heller will jump up and holler before you
 24 answer.

25 MR. HELLER: Right. Or if we feel

1 you're getting into some attorney/client privixege
2 we'll discuss it. We'll have a colloquy and come
3 to some sort of conclusion.

4 THE WITNESS: So other than than,
5 Mr. Heller, I am to ignore your originations.

6 MR. HELLER: Ignore them except to the
7 extent that, if possible, allow a second to go by
8 so that I can make the objection if I'm going to,
9 and that way I also get my objection in, but we
10 make it easier for the court reporter because we
11 have a tendency to kind of step on each other.
12 You know, when two airline pilots key the mic at
13 the same time.

14 THE WITNESS: No problem.

15 MR. BRIGHT: Can we read the last
16 question back?

17 (Question read.)

18 THE WITNESS: Yes, I do.

19 Q. Why did Mr. Yager pay you large sums of
20 money?

21 MR. HELLER: Lack of foundation.

22 THE WITNESS: Mr. Yager -- I'm sorry.
23 Did I say Yager? I didn't mean Yager. That is *my*
24 mistake. It was Mark Ingber, I-n-g-b-e-r.

25 Q. Is it your understanding that Mark

1 Ingber was affiliated with the watchdog committee?

2 A. Yes, he was. Everything I said was the
3 same. I just got the last name confused.

4 Q. And what was the approximate date do you
5 recall payment of money from Mark Ingber to
6 yourself?

7 A. Well, there was several.

8 Q. What's the first occasion?

9 MR. HELLER: Object on relevance.

10 THE WITNESS: I believe it would have
11 been 1984 -- wait a minute. Maybe it was '83. I
12 don't know. '83 or '84.

13 Q. Why were you paid money by Mr. Ingber on
14 that occasion?

15 A. Hubbard had relayed instructions to me
16 via Pat Broeker through John -- what the hell was
17 his name? John Brousseau that he wished -- he
18 wished to have an armor plated bullet car prepared
19 for his use. I was to go to Ingber to get the
20 money from sea org reserves, which I did. I
21 subsequently purchased a vehicle in the name of
22 Golden Era Productions, took it to Texas, and had
23 it armor plated.

24 The total cost was probably eighty to
25 hundred thousand, between eighty to hundred

1 thousand dollars for which I was given cash to
2 conduct these transactions.

3 Q. Did Mr. Ingber actually give you --

4 MR. HELLER: Let me move to strike it af
5 not relevant. I don't see what this actually has
6 to do with the issues and my main complaint
7 certainly not prior to crossing.

8 Q. Did Mr. Ingber actually give you the
9 cash?

10 A. Yes.

11 Q. And you recall it was approximately a
12 hundred thousand dollars?

13 A. Between eighty and a hundred thousand
14 dollars.

15 Q. How do you know he acquired that from
16 sea org reserves?

17 A. Because that's where I was instructed to
18 tell him to take it from.

19 MR. HELLER: I'm going to object on this
20 entire line of questioning on relevance. And if I
21 may voir dire for one question: What was the time
22 period?

23 THE WITNESS: I answered that earlier,
24 but that was '84 or '83.

25 MR. HELLER: So it would most likely be

1 out of -- by way of relevance, it would most
2 likely be out of the time period of what this
3 lawsuit's concerned with as well as being relevant
4 to the subject matter or the issues.

5 MR. BRIGHT: Well, I disagree, but you
6 made your record.

7 MR. HELLER: Well, I'm making the record
8 and one day we'll have an opportunity to find
9 out.

10 MR. BRIGHT: I know.

11 Q. What was the next occasion you required
12 receiving a large amount of money from Mark
13 Ingber?

14 A. From Mark Ingber?

15 MR. HELLER: Object to relevance.

16 THE WITNESS: That would have been
17 approximately a year after the first time and it
18 was for the purchase of another armor plated
19 vehicle.

20 Q. For whose use?

21 A. Hubbard. Actually, if I could reword
22 that. It wasn't for the purchase of the vehicle.
23 The vehicle had already been purchased. It was
24 for making it armor plated.

25 Q. And what was the next occasion?

1 MR.HELLER:Object to relevance again.

2 THE WITNESS: I don't recall any others
3 offhand now.

4 Q. For the armor plating of the vehicle in
5 1985, how much did you receive from Mr. Ingber?

6 A. I don't know. It was '84, '85.

7 MR. HELLER: objection. Nonresponsive.

8 THE WITNESS: I'm tending to think the
9 first one was '83 and the second was '84, but I
10 may be wrong.

11 Q. How much did you receive on the second
12 occasion?

13 MR. HELLER: Objection on relevancy.

14 THE WITNESS: It would have been in the
15 neighborhood of probably the same amount.

16 Q. Approximately a hundred thousand?

17 A. Between eighty and a hundred thousand.

18 Q. Did you have occasion to receive any
19 other large denomination cash payments from anyone
20 in Scientology other than Mr. Ingber?

21 A. Yes.

22 Q. What was the nature of that occasion?

23 A. During the time when I was operating as
24 the -- there was a period where we renamed the
25 position of safety officer, and it was deputy

1 investigations secretary within office or special
2 affairs international. In this capacity in
3 addition to my functions as security, I was to set
4 up and oversee several intelligence operations run
5 by the church.

6 During this period of time it was quite
7 common for me to be given various sums of money.

8 Q. What period of time are we talking
9 about?

10 MR. HELLER: Before you answer, I'm
11 going to move to strike the last answer as not
12 relevant, and I didn't make the objection after
13 the question because I didn't know what the answer
14 was and whether it related to the issues in this
15 lawsuit. The question was what period of time.

16 THE WITNESS: Oh, that would have been
17 also in '84, I believe.

18 MR. HELLER: Move to strike for
19 relevance. It appears to be outside of the time
20 period as well of this lawsuit.

21 Q. In 1984 was the office of special
22 affairs to whom you were assigned affiliated with
23 any of the Plaintiffs in this action, which are
24 Religious Technology Center, Church of Scientology
25 International or Church of Scientology California?

1 A. oh, yeah.

2 Q. Which organization?

3 A. All three.

4 MR. HELLER: Move to strike for lack of
5 foundation.

6 Q. Are you familiar with Church of
7 Spiritual Technology?

8 A. Yes.

9 Q. At anytime was the office of special
10 affairs affiliated with Church of Spiritual
11 Technology?

12 A. Yes.

13 Q. What was the nature of the affiliation
14 to your knowledge?

15 A. I know personal affiliations when I was
16 within the office of special affairs international
17 I often acted as a security consultant for CST.

18 Q. What was the nature of your duties as
19 security consultant for CST?

20 A. I simply advised CST management on
21 possible solutions to security problems they would
22 apprise me of.

23 Q. And what is the approximate date you
24 served as security advisor for CST?

25 A. Okay. But I have to say it was not just)

1 limited to the time period I was assigned to
2 office of special affairs international.

3 Q. Okay. When do you first recall serving
4 as security advisor for CST?

5 A. I'm trying to think of what his name
6 was. The commanding officer of CST would summon
7 me to his office to discuss the fact that CST was
8 purchasing property or had property and they were
9 concerned about its security. The first time
10 would have been, I think, '84, but I couldn't
11 swear to that. It's kind of mused together all
12 the time periods.

13 MR. HELLER: Move to strike up to the
14 first time would have been as nonresponsive.

15 Q. Do you know an individual named Lyman
16 Spurlock?

17 A. Very well.

18 Q. How did you come to know Lyman Spurlock?

19 A. In 1981 when I was transferred from
20 Clearwater and began operating missions for
21 commodore's messenger organization international
22 during what became known as the GO takeover,
23 meaning the takeover of the guardian's office,
24 Spurlock was identified to me as the person in
25 charge of working out all the new corporations and

1 so forth.

2 Q. Did Mr. Spurlock have an affiliation
3 with Church of Spiritual Technology to your
4 knowledge?

5 A. Yes. Church of Spiritual Technology was
6 one of the corporations.

7 Q. Did --

8 MR. HELLER: Move to strike as
9 nonresponsive after yes.

10 Q. Did Mr. Spurlock hold an officership or
11 directorship or some other position with Church of
12 Spiritual Technology to your knowledge?

13 A. It was my understanding that he did, and
14 I have to clarify that a little bit for you, in
15 that on these various senior corporations often
16 had common trustees and all the power was in ASI
17 or under special project, meaning David Miscavige,
18 Lyman Spurlock, Norman Starkey. So it wasn't just
19 that. It was more of a common knowledge sort of
20 thing as opposed to somebody sitting down and
21 saying, okay, Rick, these are the trustees of
22 CST.

23 Q. Did you ever personally provide any
24 security services for Mr. Spurlock?

25 A. Oh, sure.

1 Q. What was the nature of those services?

2 A. Oh, gosh. Spurlock, Starkey, Miscavige,
3 Vicki, Yager, these guys would go off and give
4 lectures from time to time or go on a tour giving
5 lectures. I would set up security for the events
6 and run the security to make sure that -- you want
7 to know the nature of it or just that I did it?

8 Q. Let me start again. Focusing just on
9 Mr. Spurlock, do you recall rendering security
10 services for just Mr. Spurlock?

11 A. Without anybody else? In other words,
12 him just by himself?

13 Q. Do you recall rendering any for just
14 Mr. Spurlock alone?

15 A. No.

16 Q. Do you recall rendering services for
17 Mr. Spurlock in connection with services rendered
18 for other people as well?

19 A. Yes.

20 Q. What was the nature of the first
21 occasion you recall rendering security services
22 where Mr. Spurlock was present and the recipient
23 of those services?

24 A. Again, they were events, Scientology
25 events, taking place in various parts of the

1 ~~I world. I don't know which was -- I don't recall~~
 2 ~~which one was the first one, so I don't know if~~
 3 ~~I --~~

4 Q. Do you recall any such events occurring
 5 in the year 1984?

6 MR. HELLER: Are you talking about
 7 events where he acted as some sort of security --
 8 in some sort of security function?

9 MR. BRIGHT: (Nods head.)

10 THE WITNESS: I would say, yes, but I
 11 can't say, oh, yeah, we did this one in London as
 12 opposed to actually it was '83 or '85 or
 13 whatever. I mean there was just a lot of events.

14 MR. HELLER: Let me just interject
 15 something at this point. I move to strike that.
 16 I don't know if this has been explained to you in
 17 prior depositions, but Mr. Bright is entitled to a
 18 reasonable estimation of any dates or remembrances
 19 you have so long as you understand the caveat of
 20 that you should state that as an estimation you're
 21 not sure. But if as in my estimate, this last
 22 question you really don't know. It could have
 23 been '83, it could have been in '84 or you're not
 24 really sure --

25 THE WITNESS: Actually, it was both.

1 MR. HELLER: Okay. Then say it, but
2 don't guess. Because it kind of came out as a
3 guess. And then you sort of took a stab at it.
4 That you shouldn't do. If you know, you know. If
5 you don't, you don't.

6 THE WITNESS: Fine. Well, he's asking
7 me the first and I guess that's the --

8 MR. HELLER: I understand it's not easy
9 to come up with that answer either. On the other
10 hand, if you don't know, you don't know and that's
11 an acceptable answer. And if you can give an
12 estimate, that's fine, too, as long as you state
13 that.

14 MR. BRIGHT: Why don't we take a very
15 short recess.

16 MR. HELLER: Sure.

17 (Off-the-record discussion.)

18 (Recess - Time: 11:38-11:46 a.m.)

19 MR. BRIGHT: We'll just go for about
20 fifteen or twenty minutes and break for lunch. Is
21 that fine with everybody?

22 MR. HELLER: Fine.

23 MS. McRAE: Fine.

24 Q. Mr. Aznaran, earlier in your testimony
25 you described an assignment with the office of

1 I special affairs, and I believe your 3 ob
2 description was deputy investigative secretary; is
3 that correct?

4 A. Uh-huh.

5 Q. Was part of your duties as deputy
6 investigative secretary to conduct various
7 investigative surveillance on various individuals?

8 A. Sure.

9 Q. What period of time are we talking about
10 now?

11 A. I believe a period was late '83 or early
12 '84, maybe to mid-'84.

13 Q. Did any of those assignments include
14 surveillance or intelligence gathering of any of
15 the Defendants in this case?

16 MR. HELLER: Does he know who the
17 Defendants are?

18 Q. Let me ask that question first. Earlier
19 I told you who Mr. Fagelbaum and I myself
20 represented. Do you have those individuals and
21 entities in my mind or would you like for me to go
22 through them again?

23 A. Well, I remember the ones I knew,
24 anyway, so they're the ones I would know anything
25 about.

1 Q. Let me go through each one. Did you
2 ever gather intelligence or ever surveil David
3 Mayo?

4 A. No.

5 Q. John Nelson?

6 A. Yes.

7 Q. What was the nature of your surveillance
8 of John Nelson?

9 A. I was sent to join another private
10 investigator who was following John Nelson around
11 the orient and not getting any results.

12 Q. What was the name of the investigator
13 you were sent to join?

14 A. Rory Wagner.

15 Q. Is that R-o-y?

16 A. R-o-r-y.

17 Q. Excuse me. And what was the approximate
18 date of your assignment with Mr. Wagner?

19 A. '84, I believe.

20 Q. And at that time you were affiliated
21 with office of special affairs?

22 MR. HELLER: That's a leading question.

23 THE WITNESS: It was either right at the
24 end of my tenure with OSA. Either right before
25 the end of it or right after the end of it.

1 Q. Who were you employed by after your
2 employment with OSA?

3 A. Well, during this period I'm talking
4 about I don't believe I had any formal
5 organization.

6 Q. Were you paid for your services in
7 respect to Mr. Nelson?

8 A. Sure.

9 Q. Who paid you?

10 A. It was either OSA or RTC.

11 Q. How much were you paid?

12 A. Twenty dollars a week.

13 Q. And do you recall what individual of
14 personnel issued the payments to you?

15 A. No.

16 Q. Who gave you your assignment with
17 respect to Mr. Nelson?

18 A. Warren McShane and Greg Rierson.

19 Q. Do you know what Mr. McShane's job
20 description was when he gave you the assignment or
21 his post?

22 A. I don't remember the official title. I
23 do remember the functions.

24 Q. Do you know who employed Mr. McShane at
25 the time he gave you the Nelson assignment?

1 A. RTC.

2 Q. And what were Mr. McShane's functions
3 with the RTC at the time he gave you the Nelson
4 assignment?

5 MR. HELLER: Objection. Lack of
6 foundation.

7 THE WITNESS: Mr. McShane at least part
8 of his functions were overseeing litigation and
9 intelligence operations against the, I guess,
10 Mayo's and Nelson's and people involved with the
11 AAC.

12 Q. Do you have any knowledge if a lawsuit
13 was being contemplated at that time against
14 Mr. Nelson?

15 MR. HELLER: Just, again, to caution you
16 if, in fact, you should have acquired that
17 knowledge in discussions where attorneys were
18 present, we claim that there is a privilege and
19 we're not asking for that communication.

20 (Off-the-record discussion.)

21 THE WITNESS: Actually nice try, but
22 there were none. There's a lot of things they
23 didn't want the attorneys to know about.

24 MR. HELLER: Well, I trust suing one of
25 them is on the line.

1 MR. BRIGHT: All right. Just so we
2 don't have another good time on the record, let's
3 just forget about my last question.

4 Q. What was the nature of your assignment
5 with Mr. Nelson?

6 A. The purpose -- I guess to understand the
7 nature of my assignment you'd have to understand
8 the nature of the whole mission, in other words,
9 what the PI had been sent to do and I was sent to
10 fix what he was sent to do, if that makes sense.

11 Q. What was the mission Mr. Wagner was sent
12 to do with respect to Mr. Nelson to your
13 knowledge?

14 A. Intelligence received through plants
15 within the Mayo organization indicated that Nelson
16 was going to be traveling in the Far East. The
17 purpose of the mission was to stalk and conduct a
18 surveillance on Mr. Nelson while he was in the Far
19 East and document his activities, hopefully
20 finding him making some kind of drug connections
21 or drug buys and so forth.

22 Q. Did you have any other job duties in
23 respect to Mr. Nelson?

24 A. Well, just the ways that we would do
25 that.

1 QT What ways were those? ~~~

2 MR. HELLER: I'm going to move to strike
3 as nonresponsive. I object to the answer.

4 THE WITNESS: Okay. Well, the idea was
5 that hopefully he would go over there and, like I
6 say, make drug buys and be involved in some kind
7 of criminal activity, to document and find that
8 out, to bug his rooms, and, like I say,
9 surveilling, and just see who -- we used local
10 investigators in the area and so forth. If we
11 didn't catch him doing anything such as that, then
12 the idea was to possibly set him up to get caught
13 for doing something like that.

14 Q. And who told you that if you could not
15 find him engaging in illegal or criminal
16 activities you were attempt to set him up in
17 illegal or criminal activities?

18 A. That conversation took place just prior
19 to my departure from Los Angeles, and Marty
20 Rathbun, Warren McShane, and Greg Rierson were
21 present.

22 Q. Where was the conversation held?

23 A. The conversation was held in the legal
24 offices of RTC, what they called their legal
25 offices, not where attorneys were.

1 Q. Were any attorneys present?

2 A. No.

3 Q. Did any attorneys communicate with the
4 meeting by phone or by writing or by telex or
5 anything of that nature?

6 A. Not to my knowledge.

7 Q. What do you recall of the discussion
8 that occurred between Mr. Rathbun, Mr. McShane,
9 Mr. Rierson, and yourself?

10 A. Well, I was -- it's common practice
11 before any mission goes out, they have what's
12 called their final briefing where the missionary
13 in this case me is, you know, checked to make sure
14 that he knows what he's supposed to be doing and
15 kind of pumped up to, you know, go out and kick
16 ass or whatever.

17 Q. Do you recall any specific language used
18 by Mr. Rathbun at the meeting?

19 A. Mr. Rathbun alone, not the other two?

20 Q. Yes. Right.

21 MR. HELLER: Objection as to relevance
22 as the question is phrased.

23 THE WITNESS: He expressed agreement and
24 communication being delivered by the other
25 personnel there, and in addition to that stated

1 wordsto theeffect that we're counting on you to
2 get this guy, we want his ass, that sort of
3 stuff.

4 Q. Did anyone preside or appear to preside
5 over the meeting?

6 A. That would have been -- Marty was the
7 senior person there, although, he did not do the
8 most talking. The most talking was actually done
9 by, I believe, Warren McShane.

10 Q. Who originated the idea that if you
11 could not find Mr. Nelson engaging in criminal
12 conduct on his own you were to attempt to set him
13 up for criminal conduct?

14 MR. HELLER: Objection. It's leading.
15 Assumes facts not in evidence.

16 THE WITNESS: It was not worded that
17 way. It was not that simple. It was more
18 intimated that that is what was to occur.

19 Q. Do you recall any of the specific
20 language that was used by anybody else at the
21 meeting which conveyed that impression to you?

22 A. Yes.

23 Q. What language was that?

24 A. It was basically -- I was being told to
25 follow them and try to catch him doing something,

1 and then to get the local police involved. And
2 this was communicated as this would be like a very
3 serious thing because some of the countries we
4 were going to, for example, Singapore has very
5 serious laws against drug smuggling and so forth,
6 and that there would be different ways to do
7 that.

8 We could use local operatives,
9 investigators, and so forth to assist us. We
10 should check -- you know, find out who the -- try
11 to do it from both angles. In other words, try to
12 find who the bad guys were so that we could
13 watch -- we would be alerted to -- we could
14 communicate with them to hopefully get it in with
15 them so that we would know if Nelson approached
16 them, if that makes sense. I don't know if I said
17 that right.

18 Q. How was it communicated to you that if
19 you were unsuccessful in your surveillance in
20 discovering criminal activity you were to create
21 criminal activity?

22 A. Make it up.

23 MR. HELLER: This has been asked and
24 answered now this is probably the third or fourth
25 time.

1 Q. Who stated that specifically?

2 MR. HELLER: I think that's been asked
3 and answered, and the answer was it was not stated
4 specifically.

5 THE WITNESS: It was we know he's doing
6 something illegal over there. Your job is to
7 catch him doing it. Okay. Make it go right,
8 which is a common term in Scientology.

9 Q. Who used that term to your recollection?

10 A. Greg Rierson.

11 Q. And what was Mr. Rierson's position at
12 the time?

13 A. He also oversaw litigation and
14 intelligence operations on behalf of RTC.

15 Q. Were you given a budget to complete this
16 mission?

17 MR. HELLER: It's been asked and
18 answered.

19 THE WITNESS: I haven't been asked
20 that.

21 MR. BRIGHT: You don't have to respond
22 to his objections. All you have to do is listen
23 to your own Counsel in that regard.

24 THE WITNESS: Okay. I was given several
25 thousands of dollars in cash to take with me. And

1 if I needed more, I was to let them know.

2 Q. When you traveled to surveil Mr. Nelson
3 in the orient, what activities did you undertake
4 with respect to Mr. Nelson?

5 A. I hired local contacts and
6 investigators. For example, in Singapore I met up
7 with some individuals who I took to dinner and
8 talked with, and they told me that it was not an
9 uncommon thing for Americans to be -- if
10 Americans -- how do you put it? Basically, if
11 they got mad at somebody what they would do is
12 plant drugs on them, so they got in trouble, okay,
13 and that they would be willing to do that sort of
14 thing for X amount of dollars.

15 Q. Did you come to any agreement with these
16 people that they would undertake any specific
17 activity in respect to Mr. Nelson?

18 A. No. Because at that time -- this is
19 when I first got there and it wasn't known whether
20 I could find him doing something without having to
21 do that. And I had not even yet caught up with
22 Mr. Nelson.

23 Q. At some point did you come to the
24 conclusion that Mr. Nelson was not going to engage
25 in criminal activity on his own volition?

1 A. Yes. That was later in the mission.

2 Q. How long did it take you to come to that

3 conclusion?

4 A. The best way for me to place that in

5 time is to give you just a short chronology.

6 Okay. It was during the time when we were in Hone

7 Kong.

8 Q. Was it several weeks, several months?

9 A. No. Ten days, two weeks.

10 Q. After the expiration of ten days or two

11 weeks, did you ever undertake to set Mr. Nelson up

12 for any criminal activity?

13 A. No.

14 Q. Did Mr. Wagner undertake any?

15 A. No. In fact, it was probably Mr. Wagner

16 is probably the reason why we didn't undertake

17 any.

18 Q. Did you express the desire to set

19 Mr. Nelson up in criminal activity?

20 A. Yes.

21 Q. And at that point Mr. Wagner

22 interdicted?

23 A. Yeah. That's putting it mildly, but,

24 yeah.

25 Q. In other words, he communicated the idee

1 that he could not be involved in such activity?

2 A. He went bozo. He just passed his bar
3 and I guess he wasn't putting any of that on the
4 line.

5 Q. What specifically did you suggest to
6 Mr. Wagner that you were willing to undertake on
7 behalf of the Church of Scientology that
8 Mr. Wagner vetoed?

9 MR. HELLER: Objection. Assumes facts
10 not in evidence. It's also leading.

11 THE WITNESS: We were in Hong Kong. We
12 had a local guy working for us. We were, the
13 three of us, were briefing, debriefing, one of our
14 meetings, whatever. The local contact indicated
15 that he had a personal association with a local
16 triad leader. This was in response to a question
17 of mine.

18 I had told him to find out if it would
19 be possible to set up a meeting between myself and
20 this person. Rory asked me why I wanted to meet
21 with this guy, and I said, well, if we get this
22 guy on our side, we can arrange it so that he'll
23 tell us if Nelson approaches him or any of his
24 representatives on anything concerning drugs, and
25 that, you know, if not, maybe we could set

1 something up.

2 MR. HELLER: Would you read the last
3 answer back, please.

4 (Answer read.)

5 MR. BRIGHT: Mr. Heller, that's it. You
6 just wanted the answer read back?

7 MR. HELLER: Yeah.

8 MR. BRIGHT: No objection, no motion to
9 strike, just read it back?

10 MR. HELLER: Yeah. Well, wait a minute
11 because I don't want to disappoint you

12 (Off-the-record discussion.)

13 Q. You mentioned in that answer a local
14 triad leader; is that correct?

15 A. Yes.

16 Q. How do you spell triad?

17 A. T-r-i-a-d.

18 Q. And what does that mean to your
19 knowledge?

20 A. It's my understanding that in Hong Kong
21 organized crime is broken up into territories,
22 each territory or area having its own local crime
23 boss. And the triad, as I understand it, is the
24 term used for the organized criminal activity over
25 there.

1 Q Did you ever pay on behalf of the Church
2 of Scientology or the RTC any money to any of
3 these local "crime leaders"?

4 A. No.

5 Q. Now I want to draw your attention, back
6 to Gilman Hot Springs in the early 80's,
7 approximately 1983. Were you stationed at that
8 location at that time?

9 A. Yeah.

10 Q. Was Mr. Mayo also present at Gilman Hot
11 Springs at approximately that period of time?

12 A. Early '83, yeah.

13 Q. And 1982 as well?

14 A. Yeah.

15 Q. After that point in time was Mr. Mayo
16 ever assigned to the RPF?

17 A. That's an interesting question.
18 Formally assigned I don't really know. For all
19 intensive purposes, yeah.

20 MR. HELLER: Move to strike as
21 nonresponsive.

22 Q. Where is Gilman Hot Springs located?

23 A. Ninetyish miles east of LA, east of
24 Riverside out in the desert.

25 Q. Are there any nearby towns?

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A. H e m e t .

Q. Is Hemet the closest town?

A. San Jacinto I think is right next to Hemet, I think a little bit closer.

Q. How do you spell San -- Jacinto is it?

A. S-a-n, next word, J-a-c-i-n-t-o.

Q. How far away is Hemet, the one I can pronounce?

A. I don't know, five, ten miles.

Q. Is the area in between the Gilman Hot Springs location and Himmet sparsely populated?

A. Yes.

Q. Would you describe for me the area at Gilman Hot Springs, the physical attributes of the area?

A. All right. It's located on Highway 79. It's what used to be an old -- what used to be a golf course. The total property, as I recall, at that location was five hundred or five hundred and fifty acres. Probably a couple hundred of those acres were within chain link fence and surrounded by high technology security equipment to prevent -- to alert security personnel if anybody should try to come or go. It's divided in two by Highway 79.

1 Q. Is this a facility maintained by some or
2 any of the organizations encompassed by the Church
3 of Scientology?

4 A. Several, yes.

5 Q. Which organizations have an interest in
6 Gilman Hot Springs as of 1982, early 1983?

7 MR. HELLER: Objection as to relevance
8 and also it's ambiguous, and lack of foundation as
9 to the witness is able to answer the question as
10 interpreted.

11 Q. Go ahead.

12 A. What was the question? Organizations,
13 okay. Let's see. RTC was located there, its
14 headquarters. Commodore's messengers organization
15 international was headquartered there. Golden Era
16 Studios later known as Golden Era Productions was
17 located there. L. Ron Hubbard's residence and
18 personal staff were located there. Commodore's
19 messenger organization for S was located there. I
20 should define that S. That S was an early term
21 used for Gilman within the organization and stood
22 for summer headquarters.

23 Q. The various organizations you just
24 described they actually had physical offices at
25 the Gilman Hot Springs location, correct?

1 A. Absolutely, sure.

2 Q. And inside buildings at the location?

3 A. Yeah.

4 Q. Was there one specific compound at the
5 location wherein all these offices and buildings
6 were housed?

7 A. No. There's several buildings there.

8 Q. Are those buildings adjacent to each
9 other --

10 A. Oh, sure. Yeah.

11 Q. --or are they spread over the whole
12 five hundred acres?

13 A. No. They're within the two hundred
14 acres I described as being within the fenced
15 perimeter. The office buildings were on the, I
16 believe, east side, the side toward the mountains
17 in any case, and that's where all the office
18 buildings were.

19 Q. Is that also the area that's contained
20 by a chain link fence?

21 A. Yes.

22 Q. Is that area guarded by guards?

23 A. Yes.

24 Q. Who employed the guards?

25 MR. HELLER: I object to --

1 THE WITNESS: Meaning who gave them
2 their money?

3 MR. BRIGHT: Strike the question.

4 Q. Do you know who employed the guards at
5 Gilman Hot Springs?

6 A. Sure.

7 Q. Who?

8 MR. HELLER: I'm going to object really
9 to the whole line of questioning on the basis of
10 relevance to the issues in this lawsuit.

11 THE WITNESS: When you say employed, I'
12 ask that you be a little more specific because
13 they were paid by one group and run by another
14 group.

15 Q. Who paid the guards at Gilman?

16 A. They received their pay from Golden Era
17 Studios.

18 Q. And who ran the guards at Gilman?

19 A. I did.

20 Q. Is it basically your testimony that you
21 were in charge of your guards and the security at
22 Gilman Hot Springs?

23 A. Absolutely.

24 Q. And what was your job description at th
25 time you were in charge?

1 A. Well, I was in charge for just about an
2 that period from 1982 forward to Hubbard's
3 demise.

4 Q. And was this in your capacity as
5 security officer?

6 A. Safety officer.

7 Q. Excuse me. Safety officer?

8 A. Yes.

9 Q. And who within Scientology paid you for
10 your activities as a safety officer at Gilman?

11 A. Okay. Initially -- initially, I don't
12 know where the money came from, just prior to RTC
13 being formally established. Then it was by RTC.
14 Later it was OSA International, CMO International,
15 CMO Gold.

16 Q. What determined which organization would
17 actually pay your salary, if you know?

18 A. Well, I know, but I don't know if I
19 can -- I mean it's not a facetious answer. The
20 honest to God truth would be depending on how
21 pissed off DM was at me at any particular given
22 moment.

23 Q. DM stands for David Miscavige?

24 A. Yeah.

25 Q. So he had the authority to assign you

1 various posts in your capacity as safety officer
2 depending upon what he felt you should be doing?

3 A. Or as -- no. As opposed to what kind
4 of -- okay. Yeah, I'll go along with that.

5 Q. And at that time Mr. Miscavige was
6 continuing to function as special project Ops?

7 A. Among other things, yes.

8 Q. Do you recall any other assignments
9 Mr. Miscavige had at that time?

10 A. Yes. He was the chairman of the board
11 for ASI, also probably his most illustrious title
12 of all was simply DM. In fact, on the computer
13 network he was identified as either chairman of
14 the board, special projects Ops or DM.

15 Q. And Mr. Mayo was also present, I
16 believe, you testified earlier at Gilman Hot
17 Springs 1982, 1983?

18 A. Yes.

19 Q. At some point did Mr. Mayo fall into
20 disfavor with Mr. Miscavige? .

21 A. Absolutely.

22 Q. And what was the approximate date that
23 that occurred?

24 A. That actually occurred during the period
25 when I was in the RPF in 1982.

1 Q. What does it mean to be assigned to the
2 RPF in Scientology?

3 MR. HELLER: Objection. It's a vague
4 question.

5 THE WITNESS: It means that one is
6 removed from one's position within the
7 organization. One is stripped of any rank, any
8 rating, any position, any dignity, assigned to a
9 group of persons who are considered and treated as
10 outcasts, made to wear a special uniform
11 identifying themselves as a member of this
12 particular group.

13 They are forced to do hard labor from -j-
14 work very, very long hours even longer than normaJL
15 staff. They are assigned a condition -- they are
16 allowed to arise to no condition above liability.
17 They're initially assigned a condition of at least
18 treason.

19 They're forced to basically get clothes
20 out of trash cans and so forth, that they're not
21 allowed to wear their normal clothes. They're not
22 allowed to eat normal rations. They're forced to
23 eat whatever may be left over from other crew
24 eating. Early on they were actually assigned to
25 chain lockers aboard ships.

1 MR. HELLER: Before you ask your next:
2 question, we're about twenty minutes or so,
3 Counsel, when you were going to break for lunch.
4 It's now over that time.

5 MR. BRIGHT: Why don't I go for about
6 another ten minutes and we'll break at 12:30.
7 How's that?

8 MR. HELLER: Okay.

9 Q. You, yourself, were assigned to the RPF
10 for ninety-nine days at Gilman Hot Springs?

11 A. Exactly ninety-nine days.

12 Q. Was Mr. Mayo assigned to the RPF at
13 Gilman Hot Springs?

14 A. Oh, I'm sorry. Did I say Gilman for
15 me? No. I was actually sent to Los Angeles and
16 did the RPF there.

17 Q. Did you ever observe Mr. Mayo assigned
18 to the RPF?

19 A. Okay. I want to cooperate with your
20 question, but I mean you're kind of like a little
21 off base there.

22 Q. Tell me why my question is off base.

23 MR. HELLER: I'm going to move to strike
24 as nonresponsive. The question I heard was a yes
25 or no question.

1 THE WITNESS: Well, I'd rather just give
2 you information.

3 MS. McRAE: Now you can answer his last
4 question.

5 THE WITNESS: The point is -- okay. At
6 that particular time okay there was no formal RPF
7 at Gilman. Okay. When somebody was assigned to
8 the RPF from Gilman Hot Springs, they were
9 normally sent to Los Angeles. Mayo and others,
10 okay, seniority when they were assigned to that
11 particular status, they were not allowed to go to
12 Los Angeles or any other RPF's because of their
13 prior positions. Okay. So they were kept there
14 on the base.

15 Now, that contradicted Hubbard's earlier
16 orders of not having an RPF at the base, so they
17 didn't call it an RPF even though effectively it
18 was the same thing.

19 MR. HELLER: Move to strike as
20 nonresponsive. Also it consists of hearsay.

21 THE WITNESS: I was there.

22 Q. Was there such a thing as a restricted
23 list at Gilman?

24 A. Oh, yes.

25 Q. What was the restricted list at Gilman

1 Hot Springs?

2 A. Anytime a person was below the condition
3 of normal, okay, if you happened to be familiar
4 with ethics conditions, if one was below a
5 condition of normal, one was put on the restricted
6 list. He was considered a risk and not allowed to
7 leave the base.

8 Q. Did you have any duties in respect to
9 the restricted list?

10 A. Yes. It was my job to oversee that it
11 was in force.

12 Q. Now, the ethics conditions that you
13 described specifically liability and treason,
14 would a person so labeled be considered a threat
15 to the organization of Scientology?

16 A. Absolutely. In fact, that's why they're
17 termed liability; below liability, enemy; below
18 enemy is treason.

19 Q. Do you know what ethics condition --

20 A. There's doubt in there, too.

21 Q. Do you know what ethics condition, if
22 any, was assigned to Mr. Mayo while he was
23 performing these RPF like activities at Gilman Hoyt
24 Springs?

25 MR. HELLER: Object. Lack of

1 foundation.

2 THE WITNESS: I know that Mr. Mayo was
3 on the restricted list and in lower conditions, I
4 was not personally involved in his ethics handling
5 and cannot tell you exactly what condition.

6 Q. Was Mr. Mayo free to come and go while
7 he was on a lower ethics condition assignment?

8 A. Absolutely not.

9 MR. HELLER: Objection as to lack of
10 foundation.

11 Q. Who instructed you to restrict
12 Mr. Mayo's movement in and out of Gilman Hot
13 Springs?

14 MR. HELLER: Objection. Assumes facts
15 not in evidence as well as lack of foundation.

16 THE WITNESS: David Miscavige, Steve
17 Marlow, Pat Broeker.

18 Q. And did you attempt to carry out their
19 wishes in regards to restricting Mr. Mayo's
20 ingress and egress from Gilman Hot Springs?

21 A. Sure.

22 Q. How did you do that?

23 A. Well, as I stated earlier, I oversaw the
24 security force. I issued orders concerning
25 Mr. Mayo not being able to leave.

1 Q. What did you tell the security personnel
2 concerning Mr. Mayo's ability to come and go
3 freely?

4 A. That he was restricted.

5 Q. Did you tell them to forcibly stop him
6 from leaving if he tried?

7 MR. HELLER: Objection. Leading.

8 THE WITNESS: I don't recall
9 specifically saying that, although, it was
10 understood.

11 Q. Were these security personnel armed?

12 A. They carried -- yes, they were. They
13 carried PR 24 police batons, which were originally
14 known as -- well never mind. Anyway, PR 24's.
15 They carried handcuffs. They carried Mace and
16 they had access to firearms.

17 Q. When you say had access to firearms, did
18 each security officer have his own firearm or was
19 there a central location where they were kept?

20 A. There was central locations within the
21 security office where assault rifles, .45
22 automatics were kept, and, I'm sorry, and
23 shotguns.

24 Q. Did the security guards under your
25 command at Gilman Hot Springs have use of guard

1 dogs?

2 A. It wasn't under my command initially,
3 but, yes.

4 Q. Are you familiar with the term running
5 program?

6 A. Yes.

7 Q. Did you ever see Mr. Mayo assigned to
8 the running program at Gilman Hot Springs?

9 A. Oh, yes.

10 Q. Define what it entailed to be assigned
11 in the running program at Gilman Hot Springs.

12 A. Okay. Also, I know firsthand of this
13 because I was a case supervisor for the running
14 program. The running program was a breakthrough
15 by L. Ron Hubbard whereby a person was required to
16 run around a brightly colored pole approximately,
17 if I recall correctly, fifty feet from the pole in
18 one direction and one direction only for the
19 entire day, meaning we're talking about fifteen *oif*
20 so hours per day.

21 When the person was no longer physically
22 capable of running, he was to walk until he
23 recuperated enough to be able to run. This was to
24 be done all day, every day, regardless of whether
25 it was freezing outside or a hundred and fifteen

1 degrees. And this was to be continued - the
2 running program had a specific person known as the
3 running program IC who was out there to oversee
4 that these people did run and continued to run, to
5 ensure that if they sat for more than ten minutes
6 or so at any given time, they were to be gotten up
7 and forced to continue running.
8

9 This process was to continue for weeks
10 and months until the person had achieved the
11 desired result, which could vary from person to
12 person, but was generally put into, I guess, what
13 could be charitably called an amenable state of
14 mind.

15 Q. By amenable state of mind, you mean
16 amenable to the wishes of the Scientology
17 organization?

18 A. Exactly.

19 Q. Which at that time would be David
20 Miscavige?

21 A. Yes.

22 Q. Pat Broeker?

23 A. Yes.

24 Q. Steve Marlow?

25 A. Yes.

Q. Did you personally observe Mr. Mayo in

1 the running program at Gilman Hot springs?

2 A. Yes. In fact, Mr. Mayo was one of the
3 first, if not the first person, ever put on a
4 running program. And, in fact, when a couple of
5 people were put on the running program with, him,
6 Mr. Mayo was considered such a dastardly
7 individual that he was forced to run around a
8 separate pole from everybody else.

9 Q. Who gave you the orders to put Mr. Mayo
10 on the running program?

11 A. I did not put Mr. Mayo on the running
12 program.

13 Q. Do you know who did put Mr. Mayo on the
14 running program?

15 A. I know that his running program was
16 technically overseen by Ray Mithoff.

17 Q. Who actually physically monitored his
18 progress on the running program?

19 A. I don't recall. There was somebody out
20 there who had to just sit out there and -- their
21 whole function was to watch David Mayo run.

22 Q. What type of activities did you observe
23 Mr. Mayo perform while on the running program?

24 A. I personally saw Mr. Mayo run.

25 Q. From early in the morning until late at

1 night?

2 A. Yes.

3 Q. Around a pole?

4 A. Yes.

5 Q. In the desert?

6 A. Brightly colored pole. Yes.

7 Q. With no breaks?

8 A. No. Like I said, if he just became so

9 exhausted he couldn't possibly run, he was

10 expected to walk. If he was so exhausted he

11 couldn't even walk, then he would be allowed to

12 sit for short periods, possibly ten minutes or

13 so.

14 Q. To the best of your recollection, how

15 long was Mr. Mayo assigned to the running program's

16 A. In like weeks? I don't know. I don't

17 recall exactly. I can tell you that it was at

18 least months, meaning a couple of months.

19 Q. Did you observe any changes in

20 Mr. Mayo's physical health while he was on the

21 running program?

22 A. Oh, yes. He became emaciated.

23 Q. How much would you estimate Mr. Mayo

24 weighed when he started the running program?

25 A. I don't feel qualified to answer that.

1 I mean I know he lost weight. I don't know now
2 much to how much or anything like that.

3 Q. Did he appear to you to be healthy at
4 the conclusion of the running program?

5 A. Oh, absolutely not.

6 Q. What did you observe about his physical
7 appearance that made you feel he was not in a
8 healthy physical state?

9 A. He was gaunt, emaciated, appeared to
10 have aged fifteen years. I mean he walked with a
11 considerable stoop. He looked like some kind of
12 refugee from Auschwitz or something.

13 Q. Did Mr. Mayo have any vehicles while he
14 was at Gilman Hot Springs?

15 A. Yes. He had a car and a motorcycle.

16 Q. Was he allowed the use of his car or
17 motorcycle while he was at Gilman Hot Springs?

18 A. No. In fact, the keys were taken from
19 him and kept by security. In fact, David
20 Miscavige went so far as to order that the
21 batteries be removed from the vehicles.

22 Q. Did you have any duties in respect to
23 depriving Mr. Mayo from access to his car or
24 motorcycle?

25 A. He had already been deprived when I came

1 along. I was to ensure that this deprivation
2 continued.

3 Q. Did you, in fact, carry that out?

4 A. Absolutely.

5 Q. How about use of the telephone, did
6 Mr. Mayo have use of any phones at Gilman?

7 A. Not at all.

8 Q. How about the ability to receive mail or
9 send mail, did he have the ability to do that?

10 A. No.

11 MR. BRIGHT: I don't think I have
12 anything further. Why don't we break for lunch
13 like we indicated and I'll resume when we get
14 back.

15 (Recess - Time: 12:30-1:50 p.m.)

16 MR. BRIGHT: All the parties have been
17 here, and the Plaintiff's and their counsel have
18 been here since 1:38 p.m., and we've have been
19 here for the record at 1:30, and the witness is
20 not present.

21 (Off-the-record discussion.)

22 MR. BRIGHT: Back on the record.

23 Q. Do you understand even though we've
24 broke for lunch you're still under oath,
25 Mr. Aznaran?

1 A. Yes, I do.

2 Q. Are you familiar with the name AAC Santa
3 Barbara?

4 A. Sure.

5 Q. And do you know what organization was
6 named the AAC Santa Barbara?

7 A. Well, if I remember correctly, that's
8 the Advanced Ability Center, I think, and founded
9 by David Mayo in Santa Barbara. I think it was
10 Dede Reisdorf was up there and John Nelson and
11 several Scientology plants.

12 Q. Now, when you say several Scientology
13 plants --

14 MR. HELLER: I want to strike everything
15 as nonresponsive after, yes, I do, and then he
16 explained, and I think it was Advanced Ability
17 Center.

18 Q. When you say several Scientology plants,
19 these are various individuals from the Church of
20 Scientology that were sent there to surveil the
21 AAC?

22 A. No. It was not limited to
23 surveillance.

24 Q. What individuals do you consider plants
25 at the Advanced Ability Center Santa Barbara?

1 h~. well, there was Mithoff's brother. wnat
2 the hell was his name? We used to call him TH,
3 which was for trojan horse. That was his code
4 name. Then there was his wife. I believe her
5 name was Sammie. And there was other people that
6 would be sent to the Sunday services from time to
7 time, but I don't recall anybody specifically by
8 name.

9 Q. Do you recall the approximate time
10 period the Advanced Ability Center Santa Barbara
11 was established?

12 A. Well, yeah. It was -- well, I mean --

13 MR. HELLER: Objection for lack of
14 foundation.

15 THE WITNESS: It was right in '83 or
16 '84. I mean I don't remember the exact day or
17 anything like that. I would tend to think it
18 would be '83.

19 Q. And was that still while you were -- I
20 forgot your post at the time.

21 A. Safety officer.

22 Q. Safety officer. You were still a safety
23 officer at the time?

24 A. Yeah.

25 Q. Did you ever receive any official

1 assignments or duties in respect to Advanced
2 Ability Center or any of the individuals you've
3 described including David Mayo, Dede Reisdorf or
4 John Nelson?

5 A. Not other than following Nelson around
6 in the orient that I can recall right now,
7 anyway.

8 Q. Did you ever physically go to Santa
9 Barbara to surveil the Advanced Ability Center?

10 A. No.

11 MR. BRIGHT: Let me consult.

12 (Off-the-record discussion.)

13 Q. Earlier you testified that you believe
14 an individual named Mithoff was assigned as a
15 plant at the Advanced Ability Center, correct?

16 A. That is correct.

17 Q. Would the name Bob or Robert Mithoff
18 refresh your recollection?

19 A. Yes, it would.

20 Q. And it's your understanding that Bob or
21 Robert Mithoff is Ray Mithoff's brother?

22 A. Absolutely.

23 Q. And what was Ray Mithoff's post in
24 Scientology at the time Bob Mithoff was assigned
25 at the Advanced Ability Center?

1 T. Senior CS international, David Mayo's
2 old post.

3 Q. Are you personally aware of any covert
4 operations undertaken by the Church of Scientology
5 against the Advanced Ability Center Santa Barbara?

6 A. Yes.

7 Q. How are you aware of these operations?

8 A. I attended meetings with people who were
9 running those operations where they'd be laughing
10 about them.

11 Q. Do you recall the time period you
12 attended these meetings?

13 A. '83, '84, I believe.

14 Q. And where were the meetings held?

15 A. Okay. Sometimes the meetings would be
16 held over at ASI, Author Services. Sometimes
17 they'd be at RTC. Sometimes they would be at OSA,
18 sometimes at Gilman, sometimes in Los Angeles.
19 Sometimes the purpose of the meeting would be
20 something else and then the people there just
21 happened to be the same people so it would come up
22 in conversation.

23 Q. How many meetings do you recall
24 attending at ASI in which the subject of the
25 Advanced Ability Center covert operations came up?

1 A. At least four or five.

2 Q. And were these meetings typically
3 attended by the same people?

4 A. Yes.

5 Q. And who would those people be?

6 A. Well, the ones at ASI you're talking
7 about?

8 Q. Yes.

9 A. Yes.

10 Q. Who would those people be?

11 A. David Miscavige, Norman Starkey, myself,
12 well, obviously the ones I attended, Jesse Prince,
13 Marty Rathbun.

14 Q. And who, if any, among that group is
15 affiliated with ASI?

16 A. Marty Rathbun, David Miscavige, and
17 Norman Starkey.

18 MR. HELLER: Objection to lack of
19 foundation and also vague.

20 Q. How was David Miscavige affiliated with
21 ASI at the time of those meetings?

22 A. He was chairman of the board and he had
23 officed there and ran the place.

24 Q. And where were the ASI facilities in
25 which the meetings were held?

1 A. They weredownonSunsetBoulevard. I
2 don't recall the exact address.

3 Q. How was Norman Starkey affiliated with
4 ASI?

5 A. Some of the time he was special project
6 L.

7 Q. Special project -- I didn't catch the
8 last part.

9 A. L.

10 Q. What did the L stand for?

11 A. Legal. Some of the time he was
12 executive director of ASI. And then there was
13 other times when -- what's her name? Terry
14 Gilliam took over as executive director of ASI.
15 And, let me see, what was Starkey's post then?
16 I think it was just mainly special project L.

17 Q. How was Marty Rathbun affiliated with
18 ASI at the time of the meetings?

19 A. He later became special project L. I
20 don't recall his PR title, but he was --
21 functionally he was over intelligence operations,
22 ASI's intelligence person, I guess.

23 Q. Did the special project L have a
24 specific area of responsibility?

25 A. All the legal litigation and so forth

1 that the church was involved in.

2 Q. And what was the role of that group in
3 response to legal litigation?

4 A. Ask me that again.

5 Q. What role did the group special project
6 L --

7 A. Special project L was a person.

8 Q. Strike that then. What was the special
9 project L's job description in terms of legal
10 litigation?

11 A. Well, originally, the purpose was to get
12 what they termed an all-clear for Hubbard, meaning
13 to get all litigation and potential litigation
14 against Hubbard disposed of. And later, I mean,
15 he just was over -- I would say a lot of the
16 litigation was run out of OSA Int., OSA U.S.,
17 RTC. He would specifically to my knowledge anyway
18 oversee things going on in OSA and RTC.

19 Q. Specifically as to the AAC, what were
20 the job responsibilities of special project L?

21 A. To see that AAC was wiped out.

22 Q. And who formulated that job assignment
23 to your knowledge?

24 A. Ultimately Hubbard.

25 Q. How did he make that intention known?

1 A. Well, he was furious. He was enraged.
2 I saw a communication from Hubbard where he was
3 really off the wall, bouncing off the wall about
4 the fact that Mayo was up there being somewhat
5 successful and successfully competing with the
6 church.

7 Q. Was the communication you observed from
8 Hubbard written or oral?

9 A. Written.

10 Q. In what form was the communication?

11 A. Dispatches is that what you mean?

12 Q. Well, was it a telex? Was it a letter?

13 A. No. Dispatches.

14 Q. And what's a dispatch?

15 A. Oh, outside of the church I mean I
16 suppose you're right, I'd call it a memo type
17 communication.

18 Q. How do you know the memo was from
19 Hubbard?

20 A. Because it carried designation that had
21 been assigned to identify Hubbard's
22 communication.

23 Q. What designation was that?

24 A. Well, when Hubbard went underground and
25 was trying to hide the fact that he was running

1 the church, they changed it so that instead of
2 putting love Ron or that sort of thing at the end
3 of a dispatch, they'd put three pound symbols
4 evenly spaced across the bottom. The dispatch
5 would be done in a certain way, I mean, certain
6 margins, certain indentations. The way it was
7 laid out was totally specific to Hubbard's
8 communications.

9 Q. Do you recall the approximate date that
10 you observed the dispatch from Hubbard which
11 indicated the AAC should be wiped out?

12 A. Well, it was more than one dispatch and
13 it would have been -- when I actually saw those
14 things, it would have probably been in early '84,
15 maybe still in '83.

16 Q. Do you recall any of the specific
17 content of the dispatches?

18 A. If you mean word for word, no.

19 Q. Do you recall the subject matter?

20 A. Oh, yeah. He was really going on about
21 AAC, I mean, just really being pissed off.

22 Q. Do you recall any of the specific
23 language that he used?

24 A. To just get off of this for one second,
25 I just thought of something you asked me earlier

1 about verbal communication. There was some verbal
2 communication passed on to me from Hubbard, but
3 that's a separate thing.

4 Q. All right.

5 A. Hubbard believed and stated in policy
6 that anybody who splintered from Scientology and
7 formed what they called a squirrel group was doomed
8 to failure. If indeed Mayo was not failing, but
9 in fact was being successful, it was viewed by
10 Hubbard as a failing on the part of management.
11 Okay. I mean it couldn't be that you could just
12 be up there and be successful. It had to be
13 because he wasn't being taken out. And so he was
14 very pissed off about the whole thing.

15 MR. HELLER: Move to strike as
16 nonresponsive to the question, which I think asked
17 for specific words.

18 Q. So you don't recall any specific
19 language, I take it?

20 A. Specific words, no.

21 Q. Did any of the dispatches indicate a
22 desired course of action you were to follow in
23 implementing the order?

24 A. Not that I recall.

25 Q. Did any of the dispatches assign

1 personnel to implement the wiping out of the AACi

2 A. Well, the personnel had already been
3 assigned simply by virtue of their post.

4 Q. When you referenced meetings at the RTC,
5 were those meetings attended by the same
6 individuals as you previously described at
7 meetings at ASI?

8 A. Not always, no.

9 Q. Were there any additional individuals?

10 A. Yes.

11 Q. What individuals were they?

12 A. Vicki, my wife, who was then inspector
13 general for RTC or deputy inspector general for
14 RTC; Jesse Prince, who was deputy inspector
15 general external for RTC; Paul Schroer, who was
16 deputy inspector general internal for RTC; Warren
17 McShane, who oversaw legal matters; Greg Rierson,
18 who oversaw legal matters; Marty Rathbun; a guy by
19 the name of Mike -- I can't think of his last name
20 right this second, but he was over OSA
21 international.

22 Q. Were any attorneys present at the
23 meetings at RTC?

24 A. Not that attended.

25 Q. During the meetings you attended at RTC,

1 were any specific courses of action against the
2 Advanced Ability Center Santa Barbara discussed?

3 A. Yes.

4 Q. What is the first specific course of
5 action that you recall being discussed in the
6 meetings at the RTC?

7 A. Okay. The first time I was made privy
8 to any of this was because I had read a dispatch
9 that was signed TH or I'm sorry it wasn't a
10 dispatch signed TH. It was a report sent by
11 Rierson to Vicki concerning the subject of TH.
12 And upon reading the dispatch, I happened to be in
13 Vicki's office and I just read the dispatch, kind
14 of like just because it was sitting on the desk.
15 And I asked about it because it was obvious from
16 the reading of the dispatch there was somebody
17 planted within AAC. That was my first time I
18 found out about any of that kind of stuff.

19 Q. Just to establish a date, that would be
20 in late '83 or early '84?

21 A. I believe. And I mean it's like -- I
22 cannot a thousand percent vouch for these dates to
23 be exact.

24 MR. HELLER: There was a quick question,
25 two questions that I want to move to strike as

1 nonresponsive to the question asked.

2 Q. TH stood for trojan horse?

3 A. That's correct.

4 Q. And that designated Robert Mithoff?

5 A. Y e s .

6 Q. What were the contents of the dispatch
7 you observed?

8 A. If I recall, I believe it was
9 communication about TH's wife, meaning Sammie
10 Mithoff, basically trying to get Julie Mayo
11 stirred up concerning information that had been
12 culled from Mayo's PC files, folders.

13 Q. What was the nature of the information
14 that had been culled from Mayo's PC folders?

15 A. (Answer contained in the Sealed Excerpt
16 in compliance with the protective order.)

17 MR. BRIGHT: I'm going to ask that that
18 question and answer be sealed pursuant to the
19 protective order that's in place in this matter,
20 which means it should be separately transcribed in
21 a separate booklet. The legend should indicate
22 that it is subject to the protective order in this
23 case and --

24 THE WITNESS: Should I not have answered
25 it or said that?

1 MR. BRIGHT: No. That's fine.

2 MR. HELLER: I have no objection to the
3 sealing. I think it's an automatic sealing,
4 anyway, if I read the order correctly yesterday.

5 MR. BRIGHT: That's true.

6 MR. HELLER: That's information that
7 came from the PC folder.

8 THE WITNESS: Could I see that? I
9 didn't know there was a --

10 MR. HELLER: What's that? The order?

11 THE WITNESS: Yes.

12 MR. HELLER: I don't have a problem with
13 it.

14 MR. FAGELBAUM: Off the record. Can we
15 do that later?

16 (Off-the-record discussion.)

17 Q. Do you recall any other specific courses
18 of action which were the result of meetings held
19 at the RTC?

20 A. Oh, yes.

21 Q. What other courses of action?

22 A. People were sent to -- he used to have
23 what he called, I think, Sunday barbecues or
24 Sunday services or whatever where we, meaning
25 Scientology, would have people in attendance sent

1 there to report to us as to what was occurring, *Et*
2 disrupt the meetings. There were -- I don't
3 remember what they were called, but some type of
4 newsletter or something that was put out by the
5 AAC. One of the operations that we run against
6 the AAC was that somebody printed up bogus
7 newsletters that were designed just to make fun of
8 the AAC and Mayo. And they were made to look
9 like, you know, the original -- like they were
10 actually come from the AAC and so forth.

11 Q. Was it necessary to pay for any of these
12 activities?

13 A. Trojan horse was given money.

14 Q. Do you know who paid the trojan horse?

15 A. Just speaking from my experience in
16 running those operations, I'd have to say that it
17 would have gone through several hands before it
18 ever got to him, and I don't know would have --
19 you know, who eventually would have-given it to
20 him.

21 MR. HELLER: Move to strike everything
22 before -- no. I move to strike the entire
23 answer.

24 Q. Do you recall any other courses of
25 action besides the trojan horse activities and the

1 activities with Sammie Mithoff and Julie Mayo?

2 A. And the barbecues and the newsletters?

3 Q. Correct.

4 A. Well, I know that trojan horse and
5 Sammie were -- I mean that was one of the things
6 they were supposed to on our continual level was,
7 you know, push these guys' buttons and get them
8 stirred up. The Scientology term is third party,
9 which means act as an external influence to cause
10 problems between two or more people.

11 Q. And is it your recollection that
12 information taken from PC folders was used to
13 supply trojan horse and Sammie Mithoff?

14 A. Absolutely.

15 MR. HELLER: Lack of foundation.

16 Q. Did you say absolutely?

17 A. Absolutely.

18 Q. How do you know information was taken
19 from PC files?

20 A. What's her face? Heber Jentzsch's wife
21 worked on that, culling his folders.

22 Q. Is the name Karen Jentzsch familiar?

23 A. Yeah, that's it, Karen.

24 Q. Do you know specifically that Karen
25 Jentzsch took information from Mr. Mayo's PC

1 folder?

2 A. Oh, yeah. I'm sorry. I was thinking.
3 Yeah.

4 Q. How do you know that?

5 A. I remember when his list of quote,
6 unquote, buttons was being passed around, and the
7 origin was identified as being the origin of
8 those.

9 Q. In what format was --

10 MR. HELLER: Move to strike as
11 nonresponsive.

12 Q. In what format did you see the list of
13 Mr. Mayo's buttons being passed around?

14 A. Eight and a half by eleven. I don't
15 know.

16 Q. Was it basically a memo?

17 A. No. I mean the kind of thing that
18 typically in Scientology if like I was sending you
19 a report, I'd say Dear Mr. Bright attached is
20 David Mayo's buttons. Boom. And so that would be
21 the attachment.

22 Q. Do you know who originated the document?

23 A. Karen Jentzsch is who it is attributed
24 to.

25 Q. Do you know the intended distribution of

1 the document?

2 A. Yeah. It was very, very limited. Only
3 the people working on intelligence operations, and
4 legal senior people over intelligence operations,
5 and legal activities against Mayo.

6 Q. Would those include the individuals
7 you've previously named as attending the ASI
8 meetings?

9 A. Oh, sure.

10 Q. And those individuals you've previously
11 named as attending the RTC meetings?

12 A. Yes.

13 Q. Do you know of any other instances
14 wherein people affiliated with the AAC had their
15 PC files culled by Church of Scientology personnel
16 for the purpose of using it against them?

17 A. Nelson, at least Nelson.

18 Q. How are you aware that Mr. Nelson's PC
19 file was culled?

20 A. I heard discussion. I attended a
21 meeting, I guess, where these things were
22 discussed.

23 Q. And what was the approximate date of the
24 meeting, if you recall?

25 A. '83, »84 .

1 Q. Where was it held?

2 A. ASI.

3 Q. And was that attended by the previous
4 individuals you've already listed?

5 A. Y e s .

6 Q. And what specifically was said about
7 Mr. Nelson's PC folder if you can do so without
8 disclosing the contents of the folder?

9 A. Well, I don't recall specifics on that.
10 What I do recall out of that conversation was
11 David Miscavige insisting that Nelson's real
12 buttons or whatever were all centered around his
13 being in the Army and in Vietnam.

14 Q. And the intent was to use this
15 information to cause Mr. Nelson's problems?

16 A. Yes.

17 Q. How would that information be used?

18 A. There's earlier guardian's orders.
19 Guardian's orders are policy letters written by
20 Hubbard, which contain, I guess, guardian office
21 policy concerning legal and intelligence type
22 activities. He laid out culling the PC folders,
23 and the use of buttons to the detriment of
24 Scientology's enemies.

25 Q. Do you recall specifically how the

1 Nelson information was intended to be used, it at
2 all?

3 A. Well, I know their purpose. I don't
4 have a specific, you know, you go down in front of
5 Nelson and say, you know, long live Ho Chi Minh or
6 something.

7 Q. You don't recall any discussions in
8 which the subject of how to implement the
9 information that was in Mr. Nelson's PC files?

10 A. No. This particular meeting was just on
11 the subject of the buttons themselves, and the
12 fact that they were to be used. But that was
13 tactical as opposed to strategic, which is what
14 this meeting was more concerned with.

15 Q. Do you know of any effort to utilize
16 information in Dede Reisdorf's PC files?

17 A. I was thinking about that a minute ago,
18 and I don't think I can be definite about that.

19 Q. Do you know Harvey Haber?

20 A. Yes.

21 Q. Do you know of any effort to use
22 information in Mr. Haber's PC files?

23 A. Directly, no.

24 Q. Do you know Vivian Hartog?

25 A. No.

1 Q. Now, you've previously described
2 meetings at OSA which stands for office of special
3 affairs?

4 A. Yes.

5 Q. Who attended those meetings?

6 A. Linda Hamill -- God, this other guy.
7 There was a period of time there before I became
8 deputy inves sec where I reported to this other
9 guy and I can't think of his name, thin guy,
10 blondish hair. Damn. What's his name? He was
11 directly under Linda Hamill and maybe a couple
12 other people from OSA. I don't recall.

13 Q. These meetings were held late '83, 1984
14 to the best of your recollection?

15 A. Yeah.

16 Q. Why were you present at the meetings
17 concerning office of special affairs?

18 A. Because at that time I was working for
19 them.

20 Q. And did you receive any job assignments
21 in connection with the Advanced Ability Center?

22 A. No.

23 Q. Were you aware of OSA personnel who did?

24 A. Yeah.

25 Q. Who?

1 A. Those two people.

2 MR. HELLER: Object for lack of
3 foundation.

4 THE WITNESS: Those two people I was
5 just talking about.

6 Q. Linda Hamill and --

7 A. Yeah. And I can't think of his damn
8 name.

9 Q. And the blonde individual?

10 A. Yeah.

11 Q. Do you know of your own knowledge what
12 their job assignment was as to the Advanced
13 Ability Center?

14 A. No. That was compartmentalized.

15 Q. Concerning the meetings held at Gilman,
16 who attended those meetings?

17 A. That would have been Vicki, Jesse, Paul
18 Schroer.

19 Q. Let me ask you to use full names so
20 there's no confusion. Vicki Aznaran?

21 A. My wife, Vicki Aznaran, Jesse Prince,
22 and Paul Schroer. Possibly Warren McShane and/or
23 Greg Rierson.

24 Q. Same time period?

25 A. Yeah.

1 Q. No attorneys present?

2 A. No.

3 Q. What was the purpose of those meetings?

4 A. The meetings I recall in Gilman at RTC I
5 can't even really say specifically what the
6 purpose would have been, other than that's a
7 subject that just came up for discussion, I mean,
8 just as to what was going on with that area.

9 Q. At any of the meetings in which you were
10 personally present conducted either at ASI, RTC,
11 OSA or Gilman was the subject of obtaining the
12 AAC's financial information discussed?

13 A. Yeah. Well, wait a minute. Wait a
14 minute. Wait a minute. I'm thinking of a
15 different financial thing. Just a second. Yes.

16 Q. What was the nature of that discussion?

17 A. Well, it was a problem because they were
18 trying to get the information. There just had
19 been a recent flap where an ex-guardian office
20 staff member by the name of Tom Armstrong had used
21 the services of an FBI agent to try to get
22 financial information on another group considered
23 an enemy to the church. And so that was
24 basically -- he went to the RPF as a result. That
25 whole line of activity, in other words, using the

1 FBI agent and stuff was basically considered
2 closed, I mean, not a resource. So they were
3 trying to figure out some other way.

4 MR. HELLER: Move to strike as
5 nonresponsive.

6 Q. Where specifically were the meetings
7 held in which the AAC's financial information
8 was --

9 A. Those particular meetings would have
10 been at RTC in LA.

11 Q. Why was it important to the people at
12 RTC to obtain the AAC's financial information?

13 MR. HELLER: Objection. Assumes facts
14 not in evidence.

15 THE WITNESS: In reality I don't know.
16 I mean there was more or less kind of a compulsion
17 to just have to know those sort of things. I
18 mean -- don't know. I know that they used that
19 type of thing, the getting of financial records to
20 view the status of an enemy as to how much of a
21 threat he can be or how much of a legal response
22 he can mount, that authority type of thing.

23 MR. HELLER: Move to strike as
24 speculative and nonresponsive.

25 Q. To your knowledge, was any efforts made

1 to obtain the names of parishioners at the AAC?

2 A. Oh, that was done routinely. Sure.

3 Q. What was the purpose in gathering that
4 information, if you know?

5 A. Well, files were made on all those
6 people.

7 Q. For what purpose, if you know?

8 A. Yeah. Hubbard in various guardian
9 orders had laid out the importance of their filing
10 system and keeping files on all these people who
11 were considered enemies or potential enemies or
12 threats and what not.

13 And the importance of keeping everything
14 filed and cross-filed so that you could then view
15 how big of a threat a person was by the size of
16 his file. In other words, if you just attended a
17 meeting, then that was noted in the file. That
18 was one more sheet of paper in your file. Do you
19 see what I'm saying? And then as your file got
20 thicker and thicker, you were, viewed as more and
21 more of a threat.

22 Q. Was David Mayo in late '83 and 1984
23 considered an enemy of the Church of Scientology?

24 A. Oh, absolutely. Probably one of his
25 biggest, yeah.

1 Q. How about John Nelson?

2 A. That whole activity, the AAC.

3 Q. Harvey Haber?

4 A. Not at much as the other two, but sure.

5 Q. Dede Reisdorf?

6 A. Yeah.

7 Q. Did the designation of being an enemy of
8 Scientology allow the application of any
9 retributive conduct against those people?

10 A. Yes, of course, standard policy.
11 Suppressive person is declared as fair game, that
12 sort of thing.

13 Q. What was your understanding of the
14 status suppressive person declared?

15 MR. HELLER: Lack of foundation.

16 THE WITNESS: I know that's not supposed
17 to -- I'm supposed to answer, but that always
18 blows my train of thought. Anyway --

19 MR. HELLER: I'm not doing it for that
20 purpose. You can always have him repeat the
21 question to you.

22 THE WITNESS: Actually, we need to on
23 this one.

24 Q. I'll interpose another question. While
25 you were in the Church of Scientology, you were

1 aware of a policy called suppressive person
2 declared?

3 A. Uh-huh.

4 Q. What was why understanding of the
5 meaning of that policy?

6 A. In it's fullest sense, okay, Scientology
7 views itself as the only savior mankind has.
8 Anybody who has anything going on that's counter
9 to Scientology is considered like to counter
10 mankind survival and a suppressive person. The
11 worst kind of, you know, the worst kind of being
12 there is.

13 Q. in other words, an enemy of Scientology?

14 A. Oh, yes.

15 Q. Now, is it sufficient that the enemy
16 simply goes his own way?

17 A. Oh, no. Depending on how much of an
18 enemy he is, he has to be destroyed per their own
19 teachings.

20 Q. Are you aware of a policy called the
21 fair game doctrine?

22 A. Oh, yeah.

23 Q. What was your understanding of the fair
24 game doctrine?

25 MR. HELLER: Lack of foundation.

1 THE WITNESS: Oh; yeah. Okay. Well,
 2 basically Hubbard stated in the fair game policy
 3 letter that anybody who was, you know, a
 4 suppressive person declared fair game. Those go
 5 hand in hand. That person could be -- I can't
 6 quote it, but lied to, cheated physically,
 7 financially destroyed, et cetera, et cetera. I
 8 mean it quite thoroughly covers the whole area of
 9 wiping the person out.

10 Q. Were the meetings you attended at office
 11 of special affairs, RTC, Author Services, Inc.,
 12 efforts to implement these policies against
 13 Mr. Mayo and his associates at the AAC?

14 A. Absolutely.

15 MR. HELLER: Calls for a conclusion. I
 16 interpose an objection.

17 Q. Were Mr. Mayo, Mr. Nelson, Ms. Reisdorf,
 18 and Mr. Haber all to your knowledge suppressive
 19 persons from the time they left the church?

20 MR. HELLER: Lack of foundation and it's
 21 vague.

22 THE WITNESS: Yes.

23 Q. And was fair game applied to them to
 24 your knowledge from the time they left the church?

25 MR. HELLER: Vague and lack of

1 foundation and compound.

2 THE WITNESS: Actually, I'd have to say-
3 to my knowledge I did not become aware of it
4 immediately upon their leaving. Wait a minute. I
5 take that back. I did with Nelson.

6 Q. Would you say it's a true statement that
7 Mayo, Nelson, Reisdorf, and Haber were the
8 recipients of suppressive person declared fair
9 game policy from the time they formed the Advanced
10 Ability Center until the time it closed?

11 A. Absolutely.

12 Q. And that never stopped?

13 A. No.

14 Q. And that's per policy?

15 A. Oh, yes. Sure.

16 MR. BRIGHT: I don't think I have any
17 further questions that I want to pose at this time
18 because of the time constraint. So I want to
19 interrupt my examination. I know Mr. Fagelbaum
20 has a couple of areas that he wants to cover ver[^]i
21 quickly and afford you an adequate opportunity to
22 cross.

23 THE WITNESS: Can I say something?

24 MR. HELLER: What time is it?

25 MR. BRIGHT: It's 2:30. Let's take a

1 short break.

2 (Recess - Time: 2:30-2:35 p.m.)

3 MR. HELLER: Back on the record. This
4 happened yesterday in Vicki Aznaran's deposition
5 as well, and I want to make my position clear.
6 Mr. Bright, I don't mind if you cease your
7 questioning so Mr. Fagelbaum can get a chance to
8 question and then you want to question again,
9 that's fine. You can divide your time up between
10 the two of you as you like.

11 But when you say you're stopping and
12 then you're going to have further questions later
13 on, my job here and what I'm allowed to do is to
14 cross-examine your direct examination. I don't
15 intend to do that and then to cross-examine what
16 you have done so far and then you have other
17 questions later on, which I have not had an
18 opportunity to cross-examine.

19 And I think we all know that at least
20 every deposition I've been in, unless there's a
21 stipulation otherwise, the procedure is the person
22 noticing the deposition examines their witness and
23 then all other parties, adverse or not, get a
24 chance to cross-examine, and that's what I want to
25 follow here.

1 MR. BRIGHT: Let me explain my comments
2 so there's no misunderstanding on the record.

3 MR. HELLER: All right.

4 MR. BRIGHT: What I'm making clear by
5 saying I have more questions is I felt compelled
6 by the time constraints that we have imposed upon
7 us to afford you adequate opportunity to cross.
8 And because of the geographical location of the
9 deposition being several thousands miles away from
10 where we all practice law, I feel compelled to
11 afford you that opportunity.

12 Now what I'm indicating by my comments
13 is there's others I would like to cover. But
14 because a certain amount of time has elapsed, I
15 feel for me to cover them now would interrupt
16 effective cross-examination on your part, so,
17 therefore, I am willing to rest subject to
18 Mr. Fagelbaum covering a few areas. If, however,
19 we did come back, I would want the right to resume
20 my examination.

21 MR. HELLER: And I can accept that,
22 whether I waive my objection to your right to do
23 so or not. Of course, I would then want the right
24 to do a cross-examination on anything. But what
25 you say does bring me to my second point which

1 is: Under any circumstances even if I start Tt
2 now, as I fully suspect that I'm not going to be
3 able to finish today.

4 And I think in all fairness the same
5 thing with Mrs. Aznaran's deposition, you've taken
6 now and rightly so it's your privilege, I'd say
7 something like four plus hours or three and a half
8 to four and a half hours of deposition testimony.
9 I'll probably be left with that tops only a couple
10 of hours. I won't be able to finish today, and I
11 know we did have a dispute with regard to whether
12 we would complete Mr. Aznaran's deposition
13 tomorrow, and it is my position that we do so or
14 no deposition takes place.

15 MR. BRIGHT: All right. Let's proceed
16 now and we'll deal with our disputes off the
17 record at the conclusion of the testimony.
18 Mr. Fagelbaum.

19 DIRECT EXAMINATION (CONT.)

20 BY MR. FAGELBAUM:

21 Q. Good afternoon, Mr. Aznaran.

22 A. Mr. Fagelbaum.

23 Q. Mr. Aznaran, a little earlier Mr. Bright
24 reviewed with you a number of meetings you held
25 with various organizations ASI, RTC, OSA, some

1 meetings which occurred at Gilman Hot Springs, and
2 in LA where the subject matter of the AAC came
3 up. Do you recall that?

4 A. Yes.

5 Q. At any of those meetings was Lyman
6 Spurlock present?

7 MR. HELLER: That's been asked and
8 answered. Go ahead.

9 THE WITNESS: A little problem with
10 definition. Okay. I mean it's like I'm trying to
11 stick with using the term meeting to me is kind of
12 like you and I are going to get together at 2
13 o'clock and discuss such and such as opposed to we
14 ran into each other in the John and started
15 talking about, you know, the Redskin's game last
16 year. I mean it's -- yeah. Did we have a meeting
17 then about the Redskin's or were we in there
18 taking a leak. I mean I don't know how you want
19 me to answer that. I've heard Lyman talk about
20 it, yeah. Those particular meetings that I was
21 talking about, no.

22 MR. HELLER: Move to strike everything
23 before those particular meetings that I was
24 talking about, no, which I understood was the
25 question that was asked.

1 Q~. However you've just indicated that you
2 had discussions with Lyman Spurlock concerning
3 covert operations directed against the AAC?

4 A. I am saying that he was there at times
5 when IT came up, yeah.

6 MR. HELLER: I'm going to interject.
7 Misstates the testimony.

8 Q. Mr. Spurlock was present where there
9 were discussions?

10 A. Sure. I mean this is what we did for a
11 living. I mean it's not like-- you know, it was
12 talked about all the time.

13 Q. Are you familiar with a communication
14 system known as INCOMM?

15 A. Yes.

16 Q. Have you had any involvement with the
17 system designated INCOMM?

18 A. Yes.

19 Q. What was the nature of your involvement?

20 A. Security.

21 Q. When was your responsibility regarding
22 security relating to the INCOMM system?

23 A. When was it?

24 Q. Yeah. What period of time did that
25 cover?

1 A.Well, I don't remember exactly when
2 INCOMM -- let's see. That would have been I'd say
3 • 84.

4 MR. HELLER: I'm sorry. I missed the
5 last --

6 THE WITNESS: '84.

7 Q. Did the time parameter of your
8 involvement just include 1984, or is that when it
9 started?

10 A. Can I clarify one thing?

11 Q. Sure.

12 A. Because I don't think we're
13 understanding each other. As safety officer I was
14 ultimately responsible for security throughout the
15 Scientology organizations. When I say I was
16 involved in security at INCOMM, I don't mean that
17 in January I started and that's all I did in
18 January and that was the end of that. I mean
19 whenever there was anything to do with security
20 at INCOMM I was involved.

21 Q. As part of your responsibilities
22 regarding safety officer?

23 A. Yeah.

24 Q. Was part of that responsibility
25 providing security for INCOMM?

1 A. Yes.

2 Q. During what period --

3 A. It evolved into that, yes, starting
4 around '84.

5 Q. Lasting until when?

6 A. Until Hubbard died.

7 Q. And that's 1986?

8 A. Yeah.

9 Q. And when I say INCOMM --

10 A. International Network of Computerized
11 Organization --

12 Q. Management?

13 A. Management, whatever, yeah.

14 Q. Did that involve computers?

15 A. Absolutely.

16 Q. Did it involve computer terminals?

17 A. Absolutely.

18 Q. Did it involve computer tapes?

19 A. Absolutely, as well as physical
20 security. I mean as well -- you know, involved,
21 yeah.

22 Q. Now, as part of the INCOMM facility,
23 were computer tapes generated?

24 A. Yes.

25 Q. Did you have any responsibility for the

1 storage of those tapes?

2 A. Yes.

3 Q. Can you explain what the storage
4 procedures were?

5 A. Yes.

6 MR. HELLER: Object on relevance.

7 Q. When a computer tape was full, what
8 happened then?

9 A. No. No. That's not the way it works.
10 That's wrong.

11 Q. All right.

12 MR. HELLER: Are you answering now the
13 initial question?

14 THE WITNESS: I don't know. I'm just --
15 the concept's wrong.

16 MR. BRIGHT: Let's go back so we can
17 have a clear record for you to answer.

18 MR. HELLER: I want to get a -- for
19 everyone's benefit a question for you to answer.

20 MR. BRIGHT: Why don't you rephrase the
21 question, Jerry, and start over.

22 Q. Were you responsible for the storage of
23 computer tapes generated by the INCOMM system?

24 A. There came a time, yes, when I was
25 ordered to take that responsibility, yes.

1 Q. Approximately when was that?

2 A. That, I believe, would have been in
3 1984.

4 Q. And who ordered you to do that?

5 A. David Miscavige.

6 Q. Was that order verbal or in writing?

7 A. It was verbal.

8 Q. Anyone else present?

9 A. Yes.

10 Q. Who?

11 A. Vicki, Jesse Prince, Marc Yager, Norman
12 Starkey.

13 Q. What were you ordered to do?

14 A. And Lyman.

15 Q. Lyman Spurloek?

16 A. Yes.

17 Q. What were you ordered to do?

18 A. There was a problem. We were having --
19 there was an IRS CID investigation going on.
20 There was concern at least the information
21 contained in these tapes could possibly be seized
22 and become evidence used against the church. I
23 was to come up with a plan to ensure that didn't
24 happen.

25 Q. What was your plan?

1 A^ Okay. Part of it had already been done,
2 okay, meaning we had put steel reinforcement
3 inside walls so that if they had a raid like they
4 did in '77, they couldn't use chain saws to get
5 through the walls. We put up bullet proof glass
6 back in the computer room rated for 7.62 NATO
7 rounds, so that if they came at that glass with
8 anything they could, you know, it was all put in
9 there as to delay people from getting inside. We
10 put up cameras that were monitored twenty-four
11 hours a day in case anybody came to a door trying
12 to serve a warrant or something so that all of our
13 destruct sequences could go into effect.

14 All steel in the walls, steel doors,
15 bullet proof glass, all of that was to delay
16 federal officers from gaining access prior to the
17 time the tapes themselves could be destroyed. If
18 a situation came up where that had to go into
19 effect, we didn't want it where this information
20 now that it had been destroyed would no longer --
21 I mean that would be it. It would be gone. You
22 know what I mean. There would be no more.

23 So my plan at that point was to work out
24 a plan concerning backup tapes. We started doing
25 backup tapes -- these are big tapes. They're like

1 twelve, fourteen, sixteen inches. I don't know.
 2 I had gotten what are called degouzing machines.
 3 They're simply machines that demagnetize tapes and
 4 take all the information out of them. They were
 5 the biggest and the best you could buy. They were
 6 about -- shoot, three feet by three feet with a
 7 belt that went across the top. And you sit the
 8 tape on top and it went across the belt, fell off
 9 the other side blank. Okay.

10 We set up a rack of four of these
 11 machines, I believe it was, in Los Angeles and one
 12 or two of them in Gilman. Everything I'm
 13 referring to in LA is also duplicated in Gilman.
 14 What we did is we then -- this whole thing was
 15 rather complicated, but it was actually kind of
 16 ingenious how it worked. They did daily backups
 17 and they did weekly backups. On weekly backups
 18 that meant that there would be a set of tapes
 19 which contained all of the information available
 20 in the computers period. Okay. I'm sorry. It
 21 also concerned ASI. I left them out of it. They
 22 had a separate computer back there.

23 Now, these tapes like on a Saturday,
 24 okay, everything that's on the tapes was copied on
 25 these backups. Okay. Then sometime the next

1 couple of days -- well, okay. What we had done US
 2 we had gone out to three counties. The reason we
 3 used different counties was hopefully to throw in
 4 jurisdictional problems with law enforcement. So
 5 we had Ventura County. We had Orange County. We
 6 had Riverside County. All of them outside of LA
 7 County being where the tapes were originated from,
 8 so hopefully this could screw everybody up.

9 What we did is we picked storage areas
 10 in all three of these areas, and we made them --
 11 fixed them up so that you could store tapes in
 12 them. Okay. You know, like put wooden platforms
 13 down and so forth to keep them off the ground in
 14 case they got water in there and all this sort of
 15 stuff.

16 So on Saturday or Sunday a guard in
 17 regular civilian clothes and so forth would take
 18 just plain-looking boxes and load them into a
 19 vehicle. The vehicle would change on a regular
 20 basis and would just leave. Make sure he wasn't
 21 being followed and go to one of these three
 22 locations. We rotated the three locations.
 23 Okay. We never used two of them in a row.

24 They would go to that location and drop
 25 off this week's backup tapes. He would then pick

1 ~|rp last week's backup tapes, bring them back to
 2 the base. We would take them into the computer
 3 room. We would then have a drill where the tapes
 4 would be put up just like they're regular computer
 5 tapes, and we'd have a raid drill where the people
 6 would have to take the tapes and get them all
 7 erased real quick. And then we'd time it to make
 8 sure, you know, we were ready to do this at a
 9 moment's notice and do it within the time we'd
 10 allotted ourselves, you know, due to all these
 11 barriers we put up.

12 Q. Stop just for a second. Are you saying
 13 that after one week tapes that were -- at one time
 14 were your backup tapes were now erased?

15 A. Yes.

16 Q. So then you had no further backup tape?

17 A. No. No. No. You weren't following
 18 us. There was a new set of backup tapes replaced
 19 those. When you went out to the storage area, you
 20 left the new backup ones and picked up last week's
 21 backup ones.

22 Q. The new backup tapes --

23 A. Had everything.

24 Q. They were cumulative?

25 A. Yes.

1 Q. So they had what was on the previous
2 backup?

3 A. Yes. They had everything from day one.
4 And that way even if we had a raid and were forced
5 to destroy all the documents -- everything that
6 was on the tapes, we would never be in a position
7 where we were more than seven days out of date
8 with all our tapes.

9 Q. Now you say you had such storage
10 locations in Ventura, Orange, and Riverside
11 County?

12 A. Yes.

13 Q. Were these public storage facilities?

14 A. Yes.

15 Q. Were they still in existence when you
16 left the church?

17 A. I don't know because I quit having
18 anything to do with them when Hubbard died.

19 Q. Up through 1986 these three storage
20 facilities?

21 A. Yeah, absolutely. Well, we also
22 routinely changed storage facilities.

23 Q. But you had three separate storage
24 facilities for the tapes?

25 A. Yeah. And I think after a couple of

1 years we started slacking off and only having like
2 a couple or one instead of three. But, yeah, the
3 basic plan stayed in effect.

4 Q. Now, what was the daily backup plan?

5 A. There was none.

6 Q. Would you say there were both weekly and
7 daily backups?

8 A. Yeah. The daily backups -- okay. Do
9 you know how computers work and stuff? Okay.
10 Like you have a computer. Okay. You come to work
11 today and you work on your computer. All right.
12 Now at the end of that day, all that work that you
13 just did is -- you do a backup, so that's saved.
14 So if anything happens, you've still got that
15 tomorrow morning. Okay. Now, in the weekly
16 backup, this Saturday when you do a backup, that
17 daily backup then becomes superfluous.

18 Q. So what were the daily backups, floppy
19 disks?

20 A. No. These were not IBM PC's. These
21 were like gargantuan Wycat -- Wycat computers.

22 Q. When were the daily backups destroyed?

23 A. They were rotated on a regular basis. I
24 think they kept three sets of daily backups or
25 something like that.

1 Q. Were they always kept on-site or were
2 they at anytime shipped off-site, the daily
3 backups?

4 A. No. They were just kept on-site.
5 That's what I'm saying. You could never lose --
6 the absolute worse scenario is you'd get raided on
7 Saturday morning and lose everything since last
8 Saturday night. But that's all you'd lose.

9 Q. Were you also responsible for tape
10 retrieval or document retrieval?

11 A. What does that mean?

12 Q. If you wanted to see a certain dispatch
13 or a certain report that was contained on a tape
14 and somebody ordered that and it was on a tape
15 that was in one of the remote storage
16 facilities --

17 A. No. There was nothing at that remote
18 storage facility that was not right here and now.

19 Q. Because the tapes that were on-site had
20 the cumulative knowledge that you needed?

21 A. Yes, all the way up until right this
22 minute.

23 Q. So it was not necessary to go to the
24 remote site?

25 A. No.

1 Q. It would be only necessary if the
2 on-site material was destroyed?

3 A. Correct.

4 Q. Now, when L. Ron Hubbard died in 1986,
5 why did your responsibility regarding tape
6 security change?

7 A. Because I was sent to Creston, the
8 location of Hubbard's last upper level process and
9 put in charge of security there and in charge of
10 the other ranches.

11 Q. Do you know who took your place with
12 respect to the responsibility for the computer
13 tapes?

14 A. Phillip Jepson, Jepson -- whatever the
15 guy who was in charge of security in LA.

16 Q. Can you spell his name to the best of --

17 A. J-e-p-s-o-n, I believe, Jepson. As
18 safety officers, he was my LA rep or whatever.

19 Q. Can you give me some idea of the volume
20 of tapes that we're talking about at least as of
21 1986 stored at the three storage facilities?

22 A. God, I don't know. It seems like it
23 would be at least ten boxes and each box would be
24 a pretty good size. You know, it could probably
25 hold at least five or six tapes each box.

1 Q. So between fifty and sixty tapes?

2 A. I can remember when we'd do our drill to
3 destroy them, we'd put them on a rack. They had
4 these special racks that hold computer tapes and
5 they'd all be across there. There'd be at
6 least -- oh, yeah, sure.

7 Q. And would these ten boxes be distributed
8 among the three storage facilities?

9 A. Negative. One storage facility for one
10 week. Oh, I actually left out one little twist on
11 this, which was that we rotated the three
12 locations. In other words, if I went out to
13 Orange County and dropped off the tapes today I'd
14 pick up the old ones and bring them back, drill,
15 and destroy them. Next week I'd pick up the
16 tapes, the new ones, take them to Riverside
17 County, drop them off, pick up the old ones, and
18 then the next week Ventura. Well, then if you're
19 following what I'm saying that first week in
20 Orange County didn't get destroyed for three
21 weeks.

22 Q. And what was the reason for that?

23 A. Well, number one, we didn't want to go
24 to one location more than once a week -- I mean
25 more than twice -- more than -- we didn't want to

1 go anywhere twice in a row number one. And it's
2 considered good policy when you're dealing with
3 backups to have more than one set of backups in
4 case there's anything wrong. This is common in
5 the computer industry.

6 Q. When you had the responsibility of being
7 the safety officer, which included the
8 responsibility for tape security in storage, who
9 did you report to on this responsibility?

10 A. Well, I was given that function by Davidj i
11 Miscavige. I was to report back to him with a
12 plan. I think it was the next day I reported
13 back. We had the same meeting, same people
14 attending, and I told him my plan and, great,
15 implement it.

16 Q. And was it necessary for you to
17 continually report on an ongoing basis on the
18 status of storage facilities and retention?

19 A. No.

20 Q. What if something happened to you, who
21 else knew about the locations of the storage
22 facilities and the status of the computer tapes?

23 A. There was only two through -- let's
24 see. Phillip Jepson knew. He was the safety
25 officer LA. And I can't remember the INCOMM

1 security chief, but he was a tall blondish sort of
2 guy. I can't remember his name. He knew about
3 it. There was a guy by the name of Eric Irgens in
4 Gilman. We used to call him his nickname
5 fingers. And --

6 MR. HELLER: What was his name, Eric
7 what?

8 THE WITNESS: Irgens, I-r-g-e-n-s or
9 maybe E-r. I'm not sure. And Kenny Seybold, who
10 I kept trying to make him my deputy safety
11 officer, and so I had him briefed on it. And
12 then, I guess, that's about it. Oh, I had another
13 guy work for me. His name was Charlie -- what the
14 hell was his name? Anyway, he knew -- I think he
15 knew at least part of it.

16 Q. Did you call him Charlie or Chuck?

17 A. Charlie, I think.

18 Q. Did you have anybody working for you by
19 the name Paul Kellerhaus?

20 A. Oh, sure.

21 Q. Did he also know?

22 A. I don't recall him knowing, but he may
23 well have before it was all over with.

24 Q. Why do you say that? What was his --

25 A. Because he was the deputy security chief

1 in Gilman, and he would have probably known so
2 that he could take action in the event that Kenny
3 Seybold wasn't around.

4 MR. HELLER: Strike as speculative
5 answer.

6 Q. Do you know if there were any index to
7 the various computer tapes?

8 A. I don't know what you mean by --
9 necessarily what you mean by index.

10 Q. So that somebody would know what was on
11 each computer tape.

12 A. Well, it would be on the computer tape
13 itself.

14 Q. It would have an index on it?

15 A. Yeah. That's the way computer
16 information --

17 Q. A menu so to speak?

18 A. If you want to get technical, they're
19 called FAT tables, F-A-T, which stands for file
20 allocation tables. And it's what tells the
21 computer how to -- where to find whatever it is
22 you're looking for on the floppy disk tape or
23 whatever.

24 Q. And each one of the tapes would have one
25 of these?

1 A. Well, that wouldn't have been actually
2 the tape. It would have been -- one of the tapes
3 in the series would have had the file allocation
4 tables, which would have told the computer where
5 to look on what tape to find what piece of
6 information.

7 Q. Was this tape the one containing the FAT
8 tables handled specially?

9 A. No. No reason to.

10 Q. Was it identified in any way so that
11 they knew that was the tape to go to in order to
12 find whatever information?

13 A. No. It doesn't -- no.

14 Q. If you wanted to find a particular
15 document, dispatch, report or communication, how
16 would you go about finding it?

17 A. You load up the tapes, you go into that
18 particular program, and you ask for it and there
19 it is.

20 Q. And was there one particular tape that
21 you had to go to that would have all these FAT
22 tables in them?

23 A. You're getting into technical things
24 that I'm just not educated enough on, I think, to
25 answer you.

1 (Off-the-record discussion.)

2 Q. Were you aware of any orders which
3 directed you not to make such tapes available in
4 case they were requested in litigation?

5 A. That would be like being told that you
6 had to eat breakfast. I mean that's like, are you
7 kidding. I mean that's like nobody would even
8 entertain such a thought.

9 MR. HELLER: Move to strike as
10 nonresponsive.

11 Q. Were you aware of these tapes ever being
12 reviewed to determine whether they had any
13 communications that were responsive to document
14 requests in litigation?

15 A. First of all, information that was of a
16 sensitive nature was not made privy to everybody
17 just coming down the road who had a computer
18 terminal on their desk. Okay. There were
19 security levels and you had passwords and so forth
20 to access different information. This
21 information, the type of information that you'd be
22 talking about would only have a select handful of
23 people that would have access to it, and it's just
24 never going to happen.

25 MR. HELLER: I meant to interject an

1 objection before the question was answered. It
2 was answered rather fast. Lack of foundation.

3 Q. Were you ever asked to help participate
4 in responding to any document request in
5 litigation?

6 A. No. I was asked to destroy documents
7 from time to time, but I was never asked to give
8 up any for litigation purposes.

9 MR. HELLER: Move to strike everything
10 before I was never asked.

11 (Off-the-record discussion.)

12 MR. FAGELBAUM: Given the constraints of
13 time and our desire to make you available for
14 everyone, at least on this trip, I'm going to
15 conclude my direct exam now and allow Mr. Heller
16 to take your cross-examination.

17 MR. HELLER: I understand you're through
18 with your direct?

19 MR. FAGELBAUM: At this time.

20 MR. HELLER: Meaning you intend to
21 continue questioning or --

22 MR. BRIGHT: Why don't we dispute the
23 logistics afterwards. Let's just start your
24 cross.

25 MR. HELLER: No. I want to get this *on*

1 the record now in case there is no afterwards.

2 MR. BRIGHT: There will be an
3 afterwards. Let's just not waste time. We've
4 already brought this up three or four times on the
5 record. The record speaks for itself. It's your
6 turn to cross-examine. There's no reason to argue
7 at this point.

8 MR. HELLER: Is Mr. Aznaran going to be
9 available here tomorrow to continue his
10 deposition? That's the question I've got now and
11 then I can move from there.

12 MR. FAGELBAUM: It's our expectation to
13 resume the Vicki Aznaran deposition tomorrow.

14 MR. HELLER: Well, we won't be here for
15 that. Mr. Aznaran is here. Because I'm not going
16 to go from deposition to deposition and one cross
17 and this and that, et cetera. Mr. Aznaran is
18 here.

19 MR. BRIGHT: We'll debate all of this at
20 the conclusion today on the record, if you wish,
21 but let's not waste time now.

22 MR. HELLER: Well, we'll stop at about
23 five or ten til. Because if, in fact, Mr. Aznaran
24 is, (sic), going to be back, I'm going to catch a
25 plane out of here today.

1 MR. BRIGHT: If he is going to be back
2 or if he's not going to be back?

3 MR. HELLER: I think I said not. If I
4 didn't, I meant it.

5 THE WITNESS: You said is.

6 MR. HELLER: Did I say is? That slips
7 sometimes.

8 CROSS-EXAMINATION

9 BY MR. HELLER:

10 Q. Mr. Aznaran, I was formally introduced
11 to you at the beginning of the deposition and then
12 we chatted for a minute or so.

13 A. I believe we've met prior, anyway.

14 Q. And I think we've met once before
15 exactly. And I'm Larry Heller, as you know, and
16 what you may or may not recall is that I represent
17 Church of Spiritual Technology. In the case
18 pursuant to which your deposition is now being
19 taken they are not a Plaintiff as are some other
20 church entities, but rather just a
21 Counter-Defendant for your information, meaning
22 they have been sued by the AAC and Mr. Mayo and
23 perhaps another entity that I've forgotten.

24 What I would like to do is --

25 A. Can I ask you a question about that?

1 Q. Certainly.

2 A. Does that mean you're only going to ask
3 me questions concerning CSC (sic)?

4 Q. CST I think is what you meant to say,
5 right?

6 A. Yeah. I thought I did.

7 Q. I have generally been limiting my
8 questions to some extent dealing with CST,
9 however, there's an overlap as you'll see as I go
10 through these things, which tends to occur, just
11 because of the way the direct examination is
12 structured. So the answer to that is as usual
13 lawyers answer yes and no.

14 A. Great.

15 MR. FAGELBAUM: Before you start, I just
16 wanted to note on the record that I completed my
17 direct at 3 o'clock.

18 MR. HELLER: It's actually about five
19 after three, but who wants to quibble.

20 THE WITNESS: (Indicating.)

21 MR. HELLER: Mr. Aznaran indicates three
22 after.

23 Q. Mr. Bright went rather quickly through
24 the posts that you held in Scientology, and what I
25 would like to do and to move things along we could

1 do it in a narrative if there are no problems with
2 that is if you would start with the first post.
3 Now that's when you came on staff in Scientology.
4 Tell me each post you had. We'll start with that
5 as well as the years that you held that post.

6 A. In the sea org or prior included.

7 Q. From the very beginning, not when you
8 were a part of what might be classified as public
9 or just taking courses, but when you actually
10 started working on behalf of Scientology or some
11 entity therein.

12 A. Okay. In 1973 approximately December I
13 joined staff at the Church of Scientology Mission
14 of the Southwest, Dallas, Texas. At first we more
15 or less had a kind of hey-you type organization
16 with no official posts. Dean Stokes was executive i
17 director and the rest of us were gophers.

18 In the spring, late winter, spring of
19 1974 Dean Stokes took the other staff to Los
20 Angeles for training and left me in charge of the
21 mission. Gary Nelson and Hazel Nelson, who are
22 old time scientologists, would come in
23 occasionally. Gary Nelson was auditing me on some
24 simple processes and Harriet Nelson was handling
25 the bookkeeping. Other than that, I was in

1 charge.

2 At that time I had just assumed the
3 status of deputy executive director so that I
4 could answer people's letters and so forth and,
5 you know, was some kind of title.

6 Q. How long did you hold that particular
7 post?

8 A. Okay. I held that post, I guess, up
9 until at least late '74, at which point I was
10 being trained as an auditor by Stokes. And then
11 my post became -- I was also at the same time a
12 registrar and my function was to get money in the
13 door. I also had the function of auditor. I also
14 had the function of ethics officer.

15 Q. At some point Mr. Stokes --

16 A. And supervisor.

17 Q. At some point Mr. Stokes did, in fact,
18 come back while you held this rather self, if I
19 may, self-run organization?

20 A. I'm sorry. I'm already up to that.

21 Q. Well, you missed that part. When did he
22 come back?

23 A. He would have come back in late '74,
24 maybe fall.

25 Q. And is that when he began training you

1 as an auditor and when you started in the capacity
2 of registrar and ethics officer, et cetera?

3 A. Yes, around that time. And then it
4 wasn't until, I don't think, '75 that we
5 actually -- well, was it even -- yeah, I think it
6 was probably around '75. By that time we had
7 grown enough to be a little more official as to
8 our post titles and so forth.

9 And at that point Stokes decided to
10 expand the mission. I became the Div. 6, Division
11 6 public registrar. My job was to get new people
12 in the door and get them on courses. And I also
13 was, of course, supervisor, and then I'd also be
14 their ethics officer when they got in trouble, I
15 mean, and then I'd audit them. God. I don't
16 know. It was still pretty loose, I guess,
17 actually looking back on it.

18 Q. Did Mr. Stokes train you in these
19 various positions such as the registrar case
20 supervisor auditor?

21 A. Okay. On my training as registrar, for
22 example, I was sent to Orange County, California,
23 where there was a successful mission being run
24 by -- I can't remember his name, some guy, and I
25 was sent out there to train as a public registrar.

1 Q. When was that?

2 A. That would have been '74. It wasn't a
3 long period, maybe three weeks something like
4 that. We were not as official. I mean up there
5 in the franchise world as they are in the sea
6 org. I mean it's kind of like -- as far as posts
7 and all that kind of stuff.

8 Q. I understand.

9 A. I did end up becoming executive director
10 of the mission around '77. At that point stokes
11 had gone like totally bozo, was off doing
12 something else, and I was kind of left with the
13 mission.

14 Q. How was he going totally bozo?

15 A. He was having these whole track
16 realizations, whole track reverse like past lives,
17 and so forth where that he had realized that
18 actually -- it's almost -- but, anyway, he was
19 realizing that he had played a pretty big part in
20 mankind's state today and that as a result of
21 that, he could get them out of it. And he decided
22 that he would start singing songs, and that people
23 would hear these songs and go clear. And so he
24 took all the money out of the franchise and went
25 off and bought recording equipment and set it up

1 on one of the floors.

2 And this would really -- you'd realize
3 how absurd this was if you'd ever heard him sing.
4 I mean the concept doesn't do it justice. I
5 mean -- but anyway --

6 Q. Getting back to your positions. That
7 was in approximately 1977 and that was when you
8 officially became the head of the mission as
9 executive director?

10 A. Yeah.

11 Q. And how long did you hold that post?

12 A. One we kind of jumped over something,
13 which is just prior to that I went to Los Angeles
14 and trained under Ray Mithoff as an auditor and as
15 a case supervisor. At that time he was the senior
16 CS for Celebrity Center in LA. And I trained
17 under him, and it was soon after my return that I
18 was made executive director.

19 Q. When did you go out to Los Angeles to
20 train?

21 A. That was '77.

22 Q. And that was to train under Mr. Mithoff?

23 A. Yes.

24 Q. And how long were you out there?

25 A. I was out there probably at least three

1 or four months.

2 Q. As I understand it, there are different
3 levels of auditing that you were trained to do as
4 an order?

5 A. Y e s .

6 Q. What level did you go to at that point?

7 A. Expanded Dianetics which is one level -
8 at that time one level above Class IV.

9 Q. We are now up to your return in 1977 and
10 Mr. Stokes going, as you said, bonkers, and you
11 taking over executive director during that year.
12 And what part of the year did you first start as
13 executive director?

14 A. It would have been late '77, end of '78,
15 I believe.

16 Q. How long did you hold that position?

17 A. Right up until the time I left.

18 Q. How many people on the staff under you
19 at that time?

20 A. Thirty.

21 Q. So the mission had expanded considerably
22 since you joined it back in 1973?

23 A. Yes, yes.

24 Q. And what generally without going into
25 incredible detail what were your functions as

1 executive director?

2 A. I just oversaw all the -- everything. I
3 started the day with product conferences where I
4 talked to all the divisions¹ secretaries, and, you
5 know, it was my job to get the organizations
6 products, product officer for the organization.

7 Q. And I'm sorry if I asked this. You held
8 that position until when?

9 A. Until such time as I left.

10 Q. Which was?

11 A. '78.

12 Q. What part of '78?

13 A. Mid probably.

14 Q. And where did you go from there?

15 A. From there, I went to Houston and I
16 stayed in Houston for probably a couple of months
17 auditing and so forth. At which time I activated
18 a contract with the sea organization that I had
19 actually signed in '77.

20 Q. What organization did you work for in
21 Houston, if any?

22 A. There was none. I was more or less a
23 field auditor.

24 Q. I see. So there wasn't even a mission
25 out there at that time?

1 A. No. In fact, Vicki and I were in the
2 process of opening one when we decided to join the
3 sea organization.

4 Q. Now, you say you had signed a sea org
5 contract in 1977, and you first began to actively
6 work under that contract, if I understand your
7 testimony, in '78?

8 A. Yes, August, September.

9 Q. How long were you a field auditor in
10 Houston?

11 A. Not more than a couple of months.

12 Q. You said that. I'm sorry. At that
13 point what did you do?

14 A. Went to Clearwater.

15 Q. This is still 1978, by the way?

16 A. Yeah. Went to Clearwater. I did the --
17 what do they call it? You know, that first
18 whatever it is you do when you join the sea
19 organization. It was right after the Flag radius
20 unit. It was called the --

21 Q. I'd help you out, but I'm not positive.

22 A. I was going to ask them, but they never
23 answered. Anyway, whatever the hell it is. You
24 do staff status -- no, no. They don't call it
25 staff status in the sea org. Anyway, your basic,

1 you know, welcome to the sea org kind of
2 bullshit.

3 Q. Is it common to go to CW when you first
4 join the sea org for this --

5 A. No, no -- for what?

6 Q. For this particular training or course
7 that you're talking about?

8 A. No.

9 Q. You just happened to choose you and
10 Mrs. Aznaran to do that?

11 A. Yes.

12 Q. How long did you spend in -- let's go
13 off the record a second.

14 (Off-the-record discussion.)

15 Q. How long did this course take that you
16 took in Clearwater?

17 A. Well, it was not a course. It's -- what
18 do they call it? Products, is that what they call
19 it? Yeah, products. Products zero. That was
20 where you -- it was just these several little
21 courses that you did introducing one to the sea
22 organization and so forth. And, anyway, so I
23 finished that little series of courses by -- I
24 went through them real quick. I mean I would say
25 probably October.

1 Q. And did you remain down in Clearwater
2 after that?

3 A. Yeah. I became personal public
4 relations officer for Flag, which we talked about
5 earlier with crew.

6 Q. How long did you hold that position?

7 A. I held that position up until 1980. I
8 want to say '80. Then Sue Anderson who was
9 personal public relations officer international
10 was removed from post, and I was promoted into her
11 place. Maybe even '79 I think that occurred.

12 Q. And generally what were your functions
13 as personal public relations officer while you
14 were down at Flag commencing in 1978?

15 A. As LRH's personal public relations
16 officer with Flag crew my job was to basically
17 make sure that LRH's PR was so good that people
18 would do what he said.

19 And when people didn't comply with his
20 orders, it was viewed as a -- amongst other
21 things, I mean as well as out ethics and all that
22 other nonsense, it was viewed as a public
23 relations problem.

24 Q. Were you responsible for compliance with
25 LRH orders for the entirety of the Flag Land Base?

1 A. From that aspect, if it makes sense.

2 Q. Well, I'm not sure. Maybe what the
3 problem is I'm saying compliance with LRH's
4 orders. Is that the aspect you're talking about?

5 A. Y e s .

6 Q. So if there was an LRH --

7 A. And policy.

8 Q. So any LRH order or policy you were
9 responsible for compliance in that capacity?

10 A. Okay. Yeah, but it's a different sort
11 of --

12 MR. BRIGHT: Well, wait a minute.
13 You're not defining the capacity, so, therefore,
14 I'm objecting. It's vague and ambiguous.

15 MR. HELLER: Well, we are talking about
16 when I say capacity so the record is clear LRH
17 personal public relations Flag crew. And I think
18 that's what we've been dealing with.

19 Q. Is that your understanding?

20 A. Yeah. I can explain this to you. It's
21 kind of from the side. Okay. Like let's say that
22 Lynn's giving you orders, and let's say it's
23 Lynn's job to get compliance to issue those
24 orders. It's his job. He's expected to get
25 compliance from you. Let's say that you're not

1 complying to those orders. All right. Now that
2 would be considered that -- okay. There would be
3 several kind aspects of that. Number one,
4 obviously, Lynn doesn't have enough ethics
5 presence to get you to comply. Lynn's public PR
6 with you would be out because if you thought well
7 enough of Lynn, you'd be getting those orders
8 done, wouldn't you. That's where I came in.

9 So if like LRH's orders weren't getting
10 done while everybody was down there getting beat
11 over the head for not getting them done,
12 somebody's going to kind of hit me along side of
13 the head along with everybody else because I must
14 not be doing my job or this situation wouldn't
15 exist.

16 Q. Were you brought in when there was a
17 problem with compliance only or initially when an
18 order came down to make sure there was compliance?

19 A. I was not involved with just the nuts
20 and bolts compliance of every order, but more as a
21 general rule. For example, there was what was
22 called the Flag LRH -- the LRH COM office at
23 Flag. This is the LRH communications office in
24 there, communicator office in Flag.

25 This was a whole -- this is where LRH

1 communicators, the office they operated out of
2 with one or two assigned every organization there
3 at Flag. Okay. Now one of their functions was to
4 get compliance to LRH orders. Okay. As they
5 failed and were not getting that compliance, I was
6 then given the problem of getting the LRH COM's,
7 quote, unquote on source so that they would be in
8 turn getting compliance to these orders. It's
9 all -- it's kind of like they tried to get
10 compliance this way. That didn't work. So they
11 backed up and tried to get it this way.

12 I mean you had LRH COM's initially
13 supposed to get compliance of LRH orders in the
14 organizations. They failed. Out of that evolved
15 the commodore's messenger organization. It was
16 their job to get orders. The personal office, it
17 was their job to give out orders. I mean it was
18 all just from different views, I guess, to get the
19 same job done.

20 Q. How would you go about getting
21 compliance when it was a necessity for you to do
22 so?

23 A. Oh, what I would be expected to do is
24 put together a program outlining what steps I felt
25 would be -- or, you know, should be taken. I

1 would submit this to my seniors and generally up
2 to LRH, and then it would come down to LRH program
3 looks good, get it done, more or less. So as an
4 example, LRH came out with an executive directive
5 numbered -- Number 302, and it was called -- oh,
6 God. What the hell did they call it? Debug
7 technology. I mean, in other words, how to get --
8 when you're trying to get something done and it
9 was just bugged and you couldn't get it done
10 you're supposed to go through these steps and that
11 would get you through it.

12 So the idea was LRH made this
13 breakthrough on this debug tech. It was my job to
14 present this breakthrough to the staff in such a
15 way so that they would all just run out and do it,
16 and all this stuff would get accomplished, and
17 everything would be wonderful. Okay. So I had to
18 put together this whole program complete with
19 posters on the wall and slogans and, you know, all
20 kinds of crap.

21 Q. I think I follow through your example.

22 A. That's just one example. There would be
23 others.

24 Q. I understand. Did --

25 MR. BRIGHT: Let me ask if the court

1 reporter's doing okay. Because it's great to hav[^]
2 narrative testimony, but it's exhausting for the
3 reporter.

4 MR. HELLER: We can take two minutes.

5 (Off-the-record discussion.)

6 (Recess - Time: 3:12-3:17 p.m.)

7 MR. HELLER: Back on the record.

8 Q. As I understand it, when you put
9 together a program, somebody communicated it up to
10 LRH and then you received through somebody
11 communication back from LRH either okaying or
12 modifying the program in some manner?

13 A. Not all of them would be sent to him,
14 but some of them would be. I mean it would depend
15 on whether he gave the original orders or not, and
16 it would be a dispatch cover sheet that would be
17 routed to Joe, Bill, LRH. In other words, it
18 wouldn't be like -- it would be passed on.

19 Q. Did you ever directly communicate with
20 L. Ron Hubbard?

21 A. All the time.

22 Q. Through what manner?

23 A. Telex and dispatch.

24 Q. Now, when I say directly, I mean not
25 through another party?

1 A. Well, I didn't hand him the piece of
2 paper if that's what you mean.

3 Q. Well, let's start from the get-go. Have
4 you ever met him?

5 A. Not before his demise.

6 Q. Have you ever spoken with him?

7 A. No.

8 Q. Have you ever seen him actually write a
9 dispatch, actually seen him put pen to paper and
10 write a dispatch?

11 A. In a movie.

12 Q. But not in person?

13 A. No.

14 Q. And you've never seen him sign his name?

15 A. No.

16 Q. Have you ever received a communication
17 from him in what you believed was his own
18 handwriting?

19 A. Only the signature.

20 Q. Usually, was it a general rule that it
21 would be typed and then the signature on the
22 bottom?

23 A. Absolutely. LRH didn't even light his
24 own cigarettes, much less write a dispatch.

25 Q. So it was your understanding that he die

1 not type it himself?

2 A. That's right.

3 Q. We are going through a chronology and we
4 were up to 1978 when you were LRH personal public
5 relations with Flag crew. How long did you hold
6 that position?

7 A. Up through mid to late '79.

8 Q. And what position did you take then?

9 A. Personal public relations officer
10 international, the head of the public relations
11 office.

12 Q. Were you still located in Clearwater?

13 A. Uh-huh.

14 Q. Did your functions differ at that point
15 then when you were LRH personal public relations
16 with Flag crew?

17 A. Yes.

18 Q. And why don't you describe your
19 functions then.

20 A. Well, I oversaw all of the public
21 relations programs. Public relations office was
22 broken down into various publics. There was crew,
23 there was Flag, there was FCCI's, there was
24 Scientology public. Each one of these was
25 supposed to have somebody assigned to it. And as

1 public relations officer international, I oversaw
2 all of it.

3 Q. So you then had the heads of each of
4 these, if I'll call them divisions, I assume that
5 would be correct, report to you?

6 A. Yeah.

7 Q. Who did you report to?

8 A. I reported at that time to LRH's
9 personal communicator.

10 Q. And what functions did you perform in
11 overseeing these different sections?

12 A. And we also had a couple of newsletters,
13 I didn't mention, that were issued out of the
14 office, and I had to oversee them as well.

15 Q. Who was the LRH communicator at that
16 time, by the way?

17 A. John McGinley.

18 Q. Spell the last name.

19 A. M-c -- capital -- G-i-n-l-e-y.

20 Q. Was there more than one LRH communicator
21 at that time?

22 A. Not more than one LRH personal
23 communicator.

24 Q. Where was he located?

25 A. Flag.

1 Q. Now, what functions did you actually
2 perform in the course of overseeing those
3 different sections?

4 A. Well, we were undermanned so a lot of
5 those functions I had to handle myself personally,
6 for example, the editing of newsletters. One of
7 them was actually a newspaper. Writing and
8 executing a public relations programs having to do
9 with those various publics and approving the
10 programs of the personnel below me.

11 Q. So they would submit plans to you and
12 you would approve them?

13 A. (Witness nods head up and down.)

14 Q. Did you have to resubmit those plans to
15 the LRH personal communicator?

16 A. Probably some of the time.

17 Q. How long did you hold that position?

18 A. Early '80.

19 Q. So approximately a year?

20 A. I beg your pardon?

21 Q. Or approximately a half a year or less?

22 A. Well, maybe nine months, something like
23 that.

24 Q. And in early '80 what position did you
25 take?

1 A. I then became staff -- I became case
2 supervisor for staff.

3 Q. What particular staff?

4 A. Flag staff.

5 Q. So you were still down in Clearwater?

6 A. Yeah.

7 Q. What did that entail, that position?

8 A. I was the -- let's see. First, I was
9 the grade force -- no. Let's see. Wait a
10 minute. Let me think. First I was the grade --
11 no. Wait a minute. I was the grade force and NEE
12 for OT's case supervisor for staff. I oversaw
13 their counseling.

14 I was originally under a guy by the name
15 of David Ziff. I later was promoted to senior
16 case supervisor for staff. It wasn't just Flag
17 staff. It was outer org staff that were there for
18 training and they had their auditing conducted.

19 Q. What staff?

20 A. Outer org.

21 Q. Did you get any special training in
22 order to take this position?

23 A. Yes.

24 Q. And what was that?

25 A. Are you talking about the senior case

1 supervisor?

2 Q. Yes.

3 A. I did a course known as the senior Flag
4 case supervisor's course, and I did an
5 apprenticeship under Ray Mithoff.

6 Q. Was he your direct superior?

7 A. At that time technically, meaning as far
8 as technical matters were concerned, yes.

9 Q. And how long did you hold that position?

10 A. Until October, November of '81,
11 somewhere in there.

12 Q. Then what did you do?

13 A. I went to Los Angeles.

14 Q. Did you take staff position in Los
15 Angeles at that time?

16 A. Yes. Well, not exactly. I was on a
17 mission.

18 Q. Were you sent on that mission from
19 Clearwater?

20 A. No. I was sent to Clear -- excuse me.
21 I was sent to Los Angeles where I was put on the
22 mission there.

23 Q. Who asked you to come up to Los Angeles
24 or who sent you up to Los Angeles?

25 A. Shoot. I don't remember. It would have

1 been -- I can't remember her name. She was Terry
2 Gilliam's sister, married to a guy named Paul.
3 What the hell was her name? Janice Grady.

4 Q. Was she in Los Angeles?

5 A. She was at Gilman.

6 Q. She was at Gilman. Was Janice Grady
7 also the individual that sent you out on your
8 mission?

9 A. Yeah. Well, in actual fact I don't know
10 if she's the one who handled the nuts and bolts
11 part of me getting to Los Angeles, but I was sent
12 to Los Angeles to go on a mission for her.

13 Q. And what was the nature of the mission?

14 A. It was part of the GO takeover. My job
15 was to see -- to start with to audit and later to
16 do a process that was called rollback on
17 guardian's office personnel who had -- so that I
18 could more or less round up how much criminality
19 had actually occurred. In other words, nobody
20 really knew.

21 Q. So they wanted to make a determination
22 how much criminality occurred in the GO?

23 A. Who had done what, you know, all that
24 sort of thing. Who had told who to do what.

25 Q. In the GO'S office?

1 A. Yeah.

2 Q. Who wanted to determine the extent of
3 the criminality in the GO's office, if you know?

4 A. Well, I know that the original thing was
5 being run by David Miscavige on a local level, and
6 that they're basically just trying to figure out,
7 you know, how much trouble were they in.

8 Q. What do you mean by when they say how
9 much trouble were they in?

10 A. Well, because here the FBI would run off
11 with ten zillion docs, and they weren't really
12 aware -- didn't like -- it was kind of like what
13 have we done that they might know about.

14 Q. So when you say what we have done,
15 meaning what did the GO do which the people who
16 sent you didn't know about; is that your
17 understanding of what you were to find out?

18 A. Well, that's just part of it. It was
19 also -- on the rollback part it was to find out
20 who said to do what.

21 Q. So is it your understanding that there
22 were at least some criminal acts, if not extensive
23 criminal acts, that may have been performed that
24 the people who sent you on this mission did not
25 know about and wanted to learn about?

1 A. Yeah.

2 MR. BRIGHT: I'm going to object.

3 Assumes facts not in evidence and you're leading
4 the witness and mischaracterizing his testimony
5 all at the same time.

6 MR. HELLER: I mean I'm cross-examining
7 him, and I just asked a question.

8 MR. BRIGHT: Okay. And you're
9 mischaracterizing the testimony and assuming facts
10 not in evidence.

11 (Off-the-record discussion.)

12 Q. How long were you on that mission?

13 A. Well, that actually encompassed several
14 missions and, for example, part of that same
15 original -- or actually -- well, no. There were
16 several missions there. There was probably about
17 three missions to do with the guardian's office.
18 One of the missions was also to -- I was
19 auditing -- what's her name? Jane Kimber.

20 Q. Was that also to determine what criminal
21 acts she may have been involved in?

22 A. No. It was just she was a defendant in
23 the case. You know what I mean. It was to like
24 make sure that she just stayed under control, you
25 know, that sort of thing.

1 Q. How do you mean stayed under control?

2 A. Stayed amenable to instructions that she
3 was receiving. All this was taking place during e
4 time when there was a lot of stress on her, I
5 guess, you'd say.

6 Q. Well, what was the third mission? You
7 said there were about three.

8 A. One of them was sec checking, one of
9 them was rollback, and then I guess just more sec
10 checking.

11 Q. Was rollback what you previously
12 described as trying to determine the criminal acts
13 that had been performed?

14 A. No. That was to find out who all knew
15 about them, trying to find out -- and it was all
16 just basically aimed at establishing how much
17 threat there was. In other words, if -- let's say
18 you had committed a crime. Well, who all knew
19 about it. I mean how much in risk are we here, I
20 mean, you know, is Lynn going to blow the
21 whistle.

22 Q. Right. So part of it was finding out
23 what crimes were committed and another part was
24 finding out who knew about it?

25 A. Yeah, determining what level of threat

1 or whatever.

2 Q. Is my characterization correct: One,
3 find out what happened, what crimes were
4 committed; two, find out who knew about these
5 crimes?

6 A. Well, they kind of went hand in hand,
7 but, yeah.

8 Q. Was your investigation generally limited
9 to the GO?

10 A. Only initially. This was the same time
11 where I guess, what's his name, Tom Armstrong and
12 his whole thing and Laurel Sullivan, the whole
13 thing was starting to blow up.

14 Q. Did you form the impression in
15 performing these functions that you've described
16 in this mission that the individuals who sent you
17 on the mission did not know the full extent of any
18 crimes that may have been committed?

19 MR. BRIGHT: I'm going to object to the
20 question, the whole line of questioning as
21 leading, exceeds the scope of direct. There has
22 been a whole area that you've gone into that's not
23 touched on the direct testimony at all. It's your
24 time do with it as you wish. But I'm saying it's
25 a waste of time. It's not relevant in the areas

1 in which we've called this witness.

2 MR. HELLER: Just for the record, I
3 respect your objection, but you went very quickly
4 through different posts, titles and functions.
5 And I just want to get a little more detail on it,
6 if in nothing else, as a matter of background.

7 Q. Do you recall the question I asked? If
8 not, let me have her read it to you.

9 A. No. I think I recall it. I can tell
10 you the whole thing. The whole thing of it was
11 we'd had these raids. There was criminal
12 indictments. There was unindicted co-conspirator
13 abounding, everybody from L. Ron Hubbard to
14 Kendrick Moxon. They was trying to figure out
15 that all this was coming from Hubbard. I mean
16 Hubbard was nervous as a pregnant cat. And I mean
17 we're talking like the Feds were out with big
18 guns, and it was trying to just figure out how
19 much threat there was, get everything under
20 control, and quash to protect Hubbard.

21 Q. But my question to you is a little more
22 limited than that. Did you form the impression
23 that the people who sent you that you directly
24 dealt with did not know the extent of the criminal
25 acts that had taken place?

1 A. No, not necessarily. I got the feeling
2 that it was just a big major cover your ass kind
3 of operation.

4 Q. But they did send you in for one purpose
5 to find out what criminal acts --

6 A. To find out who -- yeah. Not just what,
7 but who all knew, and then to go to them to make
8 sure that they were happy little scientologists
9 and not upset and all that kind of stuff so that
10 they wouldn't come up as some government witness.

11 Q. What acts and who performed them?

12 A. And who knew about them.

13 Q. And who knew about them?

14 A. Absolutely.

15 Q. When you went off to the orient, do you
16 remember testifying about that?

17 A. Sure. Absolutely.

18 Q. Were you on a mission at that point as
19 well?

20 A. Yeah.

21 Q. You characterized it as such?

22 A. Yeah.

23 Q. What was communicated to you by those
24 who sent you on the mission as to what acts they
25 thought Mr. Nelson was or would be involved in in

1 the orient?

2 A. Drugs.

3 Q. Why did they think that?

4 MR. FAGELBAUM: Calls for speculation.

5 Q. If you know, and there are many ways for
6 to form an impression as to that, as you know.

7 A. I formed an impression of that, yeah.

8 It was basically, I guess, you know, you've got --

9 I mean, you know, if it ain't stereotypes, it's

10 probably drugs. That's kind of like what's

11 happening over there.

12 Q. Meaning you -- and I don't mean to

13 characterize your testimony, but do I understand

14 you to be saying that you had no other -- you know

15 of no other purpose for Mr. Nelson to go over to

16 the orient?

17 MR. BRIGHT: I'm reserving an objection

18 on an attempt to show bad character and character

19 to show conduct.

20 THE WITNESS: What was the question?

21 MR. HELLER: Read the question back

22 (Question read.)

23 MR. BRIGHT: Also calls for

24 speculation.

25 THE WITNESS: Okay. It's kind of

1 like -- other than illegal activity, the answer's
2 no. Anybody who's against Scientology is a
3 criminal by LRH policy and it's just your job to
4 uncover their fucking crimes. That's the bottom
5 line. You know that. I know that. That's it.
6 So if you're against them. You've got to have a
7 crime and it's your job to find them.

8 Q. Did you formulate an opinion that he was
9 going over there for some reason related to drugs?

10 A. Did I formulate that or was I told
11 that?

12 MR. BRIGHT: Lack of foundation.

13 Q. Did you formulate it?

14 A. Me individually independently and
15 whatever?

16 Q. Yes, sir.

17 A. Shit, no. I liked ol' John. We were
18 buds. I'm the one who broke up him and his wife
19 for Christ sake's.

20 (Off-the-record discussion.)

21 Q. Do I understand that Rory Wagner was
22 already in the orient by the time you got over
23 there?

24 A. Yeah.

25 Q. And how long had he been there?

1 A. Oh, man, I don't know, a week, ten days]
2 two weeks.

3 Q. To your understanding, was Mr. Wagner a
4 licensed private investigator?

5 A. He definitely was a licensed private
6 investigator.

7 Q. By the State of California?

8 A. By the State of California.

9 Q. To your knowledge, did Mr. Wagner send
10 any reports back respecting Mr. Nelson from the
11 orient?

12 A. Verbally, yes. We used to use the
13 phones exclusively.

14 Q. Was it you who communicated with him by
15 phone?

16 A. Negative.

17 Q. Who did?

18 A. It would have been Warren McShane or
19 Greg Rierson.

20 Q. Did they communicate to you what report
21 were coming back about Mr. Nelson from Mr. Wagner?

22 A. Oh, yeah. I'd be getting kind of -- I'd c
23 be asking like, hey, how's it going over there.
24 How come I don't ever get to go to the orient, you
25 know, what's going on. And they'd be like, you

1 know, they haven't caught him doing anything.
2 He's just being a tourist, bummer.

3 Q. Was it your impression that Mr. Wagner
4 was not doing his job properly when he was over
5 there from the reports you were getting?

6 A. Yeah. I mean that's always the
7 assumption. Okay. It goes back to what I was
8 telling you about if you're against Scientology,
9 you're a criminal, you've got criminal acts, I
10 don't care if you're an attorney, if you're a
11 baker, whatever you are, and it's intelligence job
12 to uncover those. And so, therefore, if he wasn't
13 uncovering them, he wasn't doing his job. It
14 could not be as simple as he wasn't doing
15 anything.

16 Q. Well, do you know what, in fact, he did
17 by way of investigating Mr. Nelson while he was in
18 the orient prior to your arriving there?

19 A. Other than follow him around?

20 Q. Yes, sir. Follow him one thing.
21 Anything else?

22 A. No, not that I know of.

23 Q. And you did learn of reports dealing
24 with what Mr. Nelson was doing from Mr. Wagner?

25 A. Say that again.

1 Q. I say Mr. Wagner did report back --

2 A. Yeah.

3 Q. -- what Mr. Nelson was doing?

4 A. Right. And Warren and Greg were unhappy
5 about the results as was Marty.

6 MR. FAGELBAUM: Marty who?

7 THE WITNESS: Rathbun, I'm sorry.

8 MR. HELLER: Off the record.

9 (Off-the-record discussion.)

10 Q. How long were you in the orient on this
11 particular mission?

12 A. I thought we covered that. But I think
13 it was ten days to two weeks.

14 Q. Yeah. I was looking at my notes. I'm
15 sorry. I didn't find it. About ten days to two
16 weeks?

17 A. Yes.

18 Q. Why did you come back?

19 A. I had to. No. Nelson came back.

20 Q. Nelson came back and you came back about
21 the same time?

22 A. Yeah.

23 Q. Now, when you were in the orient, did
24 you report Nelson's activities to anyone in
25 Scientology?

1 A. Yeah. Strictly by phone with Warren
2 McShane, Greg Rierson.

3 Q. Did you also report or at least discuss
4 Mr. Nelson's activities with your wife?

5 MR. BRIGHT: That's a yes or no. You
6 can advise the witness about the marital
7 privilege.

8 THE WITNESS: All I was going to say --
9 I mean I'll answer it the way I was going to
10 answer it before you say anything. But the answer
11 is only in passing mainly because cost of
12 telephone calls and all that. I mean we mostly
13 just talked personal stuff.

14 Q. How often did you speak to her on a
15 daily basis?

16 A. No, not that much. But at least every,
17 you know, several days. I mean it might be three
18 days in a row and then not for two days.

19 Q. Where was she when you were talking to
20 her when you were telephoning her?

21 A. LA.

22 Q. Did you write her at all?

23 A. Not that I recall.

24 Q. When you phoned, reported back, were you
25 on the speaker phone at any times on the other end?

1 that you know of?

2 A. Not that I know of.

3 Q. Was your wife in the room?

4 A. Not that I know of.

5 Q. Did you discuss the trip with her when
6 you came back?

7 A. Yeah. I was in trouble when I came
8 back.

9 Q. With your wife?

10 A. No. With Marty and DM and all those
11 guys.

12 Q. Did Mr. Wagner while the two of you were
13 in the Far East speak with any of those
14 individuals displaying his objection to trying to
15 plant any sort of incriminating evidence on
16 Mr. Nelson?

17 A. Yeah.

18 Q. Were you a party to any of those
19 conversations?

20 A. No.

21 Q. How do you know they occurred?

22 A. Because after that conversation, which
23 described earlier, where I brought it up to him,
24 well, after we left, that guy that we'd hired --
25 okay. We were back up -- I think we were in my

1 hotel room.

2 Q. Hang on one second. What guy?

3 A. Well, I don't know. Whoever he was.
4 The guy we hired in Hong Kong.

5 Q. You mean the guy who you wanted to get
6 in touch with the triad organization?

7 A. Well, we were using him for surveillance
8 and all kinds of things.

9 Q. Okay. Go ahead.

10 A. We went upstairs and we were in my hotel
11 room and he was all mad. And he ended up
12 calling -- you see, during this period of time
13 he -- after I got over there, they mostly talked
14 to me, meaning Warren and Greg as opposed to
15 talking to him. So he was a little bit pissed off
16 about that. In other words, he was the PI and I
17 was the deputy, but here I was, I was kind of
18 being the middleman and all that, if you
19 understand what I'm saying.

20 So then when this whole thing was
21 suggested and so forth, he was all upset. Okay.
22 At that time when he got upset, I knew that I was
23 in trouble. Because, see, one thing, if you had
24 got along with him that'd been cool, but in actual
25 fact it was kind of violating church policy to

1 discuss that sort of thing with an outsider
2 anyway, if you understand what I'm saying. He
3 wasn't, you know, a trusted person. He was a
4 hired gun. You know what I'm saying.

5 Q. Yeah. Let me try to get you back, to the
6 original question. How did you know that he had
7 conveyed any objections or displeasure he had with
8 attempting to plant incriminating evidence over to
9 any of the group in Los Angeles?

10 A. Okay. At the end of our conversation I
11 had tried to gloss it over with him, but he was
12 still like really upset. I mean he had been over
13 there about a week longer than he wanted to be
14 over there, anyway. Okay. He was an upset
15 looking for something to happen about. He was
16 wanting to go home. Okay. So he was all upset
17 about this when he left my room and went to his
18 room. I sat around and I thought about it and I
19 realized I was in a world of shit with Marty,
20 okay, for having dumped this on him, anyway.

21 Q. Did he tell you at that point that he
22 had already spoken with Marty?

23 A. No. He hadn't spoken to him yet. I
24 then got to thinking about it and I realized he is
25 going to call. Okay. He is upset. I have not

1 handled this. So I called. Okay. Ana I saia,
2 hey, listen, he's going to call and I'm trying to
3 kind of head it off at the pass, if you see what
4 I'm saying. But he'd already called, so I was
5 kind of in a world of shit. Well, I wasn't, really
6 because he hadn't really dumped on him. He just
7 kind of sort of dumped on him, and I was like
8 glossing it over. And, you know, I'd handle it
9 and smooth it over and it was all cool and there
10 was no flaps. But he wasn't the same after that.
11 He was real upset.

12 Q. Do you know he spoke with Marty because
13 when you spoke with Marty, Marty indicated he had
14 already had called?

15 A. It wasn't Marty. It was actually Warren
16 or Greg I would have spoken to. And I'm not sure
17 whether he talked to Marty or to Warren and Greg.
18 I know that he did talk to Marty along the way.

19 Q. Now, what did Warren and Greg tell you
20 he spoke to either Marty or either of them about?

21 A. That he was upset and that I had
22 suggested this.

23 Q. And what was their response to him as
24 you understood it?

25 A. Call me, yeah, okay, you know, no, we

1 don't want to do that, no, no, no.

2 Q. As far as you know, they told him, no,
3 we're not going to do that?

4 A. Well, no. I don't know what they told
5 him. I just know they tried to smooth his ruffled
6 feathers. You'd have to ask him.

7 Q. Did he seemed smoothed, though, when you
8 spoke with him later?

9 A. No. No.

10 Q. During your phone conversation -- I'm
11 sorry. Who was it with? It was either with
12 Warren or --

13 A. Warren or Greg.

14 Q. Warren McShane or Greg Rierson?

15 A. (Witness nods head up and down.)

16 Q. During your conversation with him at
17 this point -- you know the phone conversation I'm
18 talking about?

19 A. Y e s .

20 Q. Did they ask you to come back?

21 A. No.

22 Q. Did they at some subsequent time ask you
23 to come back?

24 A. Well, not until it was obvious when
25 Nelson went back.

1 Q. So you werenotasked, you just went
2 back automatically because Nelson went back, your
3 mission's over?

4 A. Yeah. Which fortunately -- I mean it
5 probably would have gotten worse, but fortunately
6 that was only a few days away.

7 Q. Did Warren McShane or Greg Rierson
8 exhibit displeasure at you because you had
9 discussed planting illegal evidence on Mr. Nelson
10 with Mr. Wagner?

11 A. No.

12 MR. BRIGHT: Vague and ambiguous. Call
13 for speculation.

14 THE WITNESS: No. Not at that time,
15 no. In fact --

16 Q. Did they ever?

17 A. No. I mean the only one -- the only
18 thing that flapped was just the virtue of me
19 talking to him, and I got a sec check when I came
20 back. Well, there was also a whole thing about I
21 bought all these bugs for use in the U. S. and
22 shipped them back.

23 Q. Bought them while you were over in Hong
24 Kong?

25 A. Yeah. And that was cool except that I

1 let Wagner know about it. So then when Wagner was
2 making a big to do after we got back, then they
3 all had to be destroyed and all and convince him
4 that it was all cool. And we would never really
5 do anything bad. We were really okay.

6 Q. What do you mean by that? You mean
7 that's what they told Wagner?

8 A. You know, just like they tell you, that
9 they don't ever commit illegal acts.

10 Q. Yeah. And I want to understand that
11 that's what you understand they told Wagner when
12 he discussed the bugs that you had purchased?

13 A. Oh, yeah.

14 Q. You were never specifically told go over
15 to the orient and plant drugs or incriminating
16 evidence on John Nelson by anybody, were you?

17 A. It was intimated, as I stated earlier.

18 Q. And if I recall your testimony as I was
19 looking this over, the way you said it was
20 intimated was they said --

21 MR. BRIGHT: Let me save you the effort
22 because you can't preface your question with how
23 you recall the testimony. You can't ask the
24 witness to comment on what you recall the
25 testimony was.

1 MR. HELLER: That's a good point, so let
2 me rephrase. I wrote down the quote that you
3 either quoted or paraphrased.

4 THE WITNESS: Yeah, I don't believe I
5 quoted anything.

6 Q. You said they had never actually said it
7 and then you said, this was your quote, we know
8 he's doing something illegal, your job is to catch
9 him, make it go right?

10 A. And it wasn't limited to that. We're
11 talking about a half hour conversation here. I
12 mean it was not just some little minor kind of
13 innuendo kind of thing. I mean it was like this
14 was very heavy. They had spent a lot of money
15 sending Rory over there. All of this was going to
16 flap if David Miscavige found out about it not
17 being successful and spending so much money.
18 Everybody was kind of -- this was like a -- me
19 going over there was like a salvage operation.

20 Q. Did you understand at any point from
21 speaking with Rory that he had been told by anyone
22 in Los Angeles to plant incriminating evidence?

23 A. No. In fact, when I arrived in the
24 orient carrying remote transmitters for the
25 purpose of bugging Nelson, he was not real excited

1 about it.

2 Q. So was it your understanding that he had
3 been told that everything he should do should
4 conform to the law or at least the law in Hong
5 Kong?

6 MR. BRIGHT: Objection. Misstates the
7 testimony.

8 MR. HELLER: I asked a question. I
9 wasn't --

10 THE WITNESS: Well, anyway, no. I mean
11 that never even came up.

12 Q. So you weren't specifically told that?

13 A. That he'd been told not to break the
14 law?

15 Q. Yes.

16 A. No.

17 Q. Did you form that impression from the
18 fact that he got so upset when you discussed
19 planting incriminating evidence on Mr. Nelson?

20 A. No.

21 MR. BRIGHT: Objection. Misstates the
22 testimony.

23 THE WITNESS: No. I thought that was
24 because he had integrity. I didn't think it was
25 because somebody told him that. I mean when

1 you're in there and you've got to understand this
2 is not -- you're in a whole different position.
3 But I've just got to tell you, you know, your
4 state of mind and so forth against people who are
5 attacking the church and stuff it's kind of like
6 some kind religious GI men. I mean, you know,
7 they were talking pretty nutty.

8 Q. I want to stick with what Mr. Wagner
9 might have been told. Was it your understanding
10 that Mr. Wagner was told to do anything illegal?

11 MR. FAGELBAUM: Asked and answered.

12 THE WITNESS: That's speculative to me.
13 Tell him that's speculation. Calling for
14 speculation or whatever.

15 MS. McRAE: I think he's already
16 answered your question.

17 MR. HELLER: I'm sorry. I thought when
18 I asked it the first time whether he was told to
19 do something illegal.

20 Q. Have I also asked legal already?

21 A. Well, I don't know that he came up one
22 way or the other. I wasn't there when he was
23 briefed. I don't know what the hell he was told
24 except follow this guy around and catch him doing
25 illegal shit.

1 Q. Did you meet with Marty Rathbun when you
2 came back from the orient?

3 A. Yeah.

4 Q. What did Mr. Rathbun say to you at that
5 time, respecting your trip to the orient, if
6 anything?

7 A. Well, I didn't exactly meet with him
8 like that actually. I mean I met with Greg and
9 Warren.

10 Q. Let's stop there. Was Mr. Rathbun at
11 that meeting?

12 A. I don't recall one way or the other. I
13 mean pretty quick after my return I was thrown
14 into full-time sec checking under Marty's orders.

15 Q. When you talk about meeting with Greg
16 and Warren, are you talking about the sec check
17 you had with them or you had a meeting besides?

18 A. A meeting besides.

19 Q. Let's go with the meeting.

20 A. It's normal procedure when you return
21 from a mission you debrief as to what occurred.

22 MR. BRIGHT: Let me just interject. He
23 keeps using the term sec check many times. Maybe
24 we should get that defined for the record because
25 I don't know whether that's been done.

1 MR. HELLER: And I will do that. 1 Just
2 want to -- and sometimes I interrupt you and one
3 of the reasons for that is I'm trying to keep it
4 focused to the actual question that's being asked,
5 and that's why I'm going to wait to do that until
6 we get into that period.

7 MR. BRIGHT: Well, he brought it up
8 again and I think now's a good time to do it.

9 MR. HELLER: Well, I understand, but I
10 want to talk about the meeting. And after all,
11 it's my part of the deposition, anyway.

12 MR. BRIGHT: Yes, it is.

13 Q. You debriefed as to what happened in the
14 orient?

15 A. Yeah.

16 Q. During that meeting, correct?

17 A. Yeah.

18 Q. As part of that debrief you mentioned
19 that Mr. Wagner was upset and you discussed the
20 reasons why?

21 A. Yeah.

22 Q. As you've already testified?

23 A. Yeah.

24 Q. Anything else discussed in that meeting?

25 A. What occurred.

1 Q! Well, which is part of the debrief?

2 A. Yeah.

3 Q. Was any displeasure -- well, first of
4 all, was displeasure exhibited by either
5 Mr. Rierson or Mr. McShane because you had told
6 Mr. Wagner to -- that you were planning on --

7 A. That I'd considered, that we had
8 considered.

9 Q. Let me strike the question and I'm
10 sorry. Was displeasure expressed by either
11 Mr. Rierson and/or Mr. McShane because you had
12 told Mr. Wagner that you considered planting
13 illegal evidence on Mr. Nelson?

14 A. No.

15 Q. They weren't upset that you had told a
16 non-scientologist this?

17 A. Well, they were a little bit, I guess.
18 You couldn't say they were happy about it, but
19 their view was more like he was a
20 non-scientologist shithead, I mean, you know.

21 Q. As opposed to a regular
22 non-scientologist?

23 A. There's no such thing.

24 Q. Well, I just had to ask, anyway.

25 A. They're wogs.

1 Q. Did you initially hire Wagner
2 Investigations?

3 A. Yes and no.

4 Q. Explain that, if you would.

5 A. Wagner was Gene Ingram's deputy. Gene
6 Ingram being a long-term super sleuth employed by
7 the church, owner, manager of Ingram
8 Investigations. Well, I had used Ingram and
9 Wagner on different occasions. And when I was
10 safety officer and so forth, I started using
11 Wagner to assist me in training security guards,
12 okay, due to his experience as a Riverside deputy
13 sheriff.

14 Later, I was still safety officer.
15 There was a payroll robbery from Bridge
16 Publications, okay, a twenty thousand dollar
17 payroll robbery.

18 Q. When was that?

19 A. Boy, I don't know.

20 Q. Can you give me a year?

21 A. '84 .

22 MR. FAGELBAUM: Object as to relevance.

23 MR. HELLER: I'm sorry?

24 MR. FAGELBAUM: I object as to
25 relevance.

1 MR. HELLER: I just asked did he hire.
2 He said yes or no. I asked him to explain. So I
3 don't know where he's going with his explanation,
4 but I do want to understand what he means by his
5 yes or no answer. I think that's relevant to
6 this. So just by way of response to the
7 objection, why don't you continue. I assume
8 you're going to get to the --

9 THE WITNESS: Yes. There was this
10 payroll robbery. So then I went to LA and the
11 first thing I did was I called up Rory because I
12 knew Rory had gotten his own PI license and was
13 not required to work under Gene. And I said, come
14 on, hey, let's go catch this bad guy. Okay.

15 So we went out and we conducted this
16 investigation and sure enough we catch the bad
17 guys. And then I decided that, hey, you know,
18 this was a great idea. We're going to have our
19 own little PI operations. So open one up, got OS2
20 to finance it, and we got an office down in
21 Hollywood, I think, where their -- since then,
22 have gotten made in a museum and all that shit.

23 So to answer your question, I hired him
24 from that point of view, but he was already -- I
25 mean I didn't go out and find this guy. He was

1 already working for the church.

2 Q. I understand. Is it correct to say that
3 you hired him in the capacity to work with OSA?

4 A. It would be correct to say that we hired
5 him so that we would have somebody with a license
6 that we could work under, in other words, we were
7 scientologists acting like we were just regular
8 ol' Pi's in a PI office, kind of to put it all at
9 arm's length.

10 Q. Now you're a private investigator in the
11 State of Texas, correct?

12 A. That's correct.

13 Q. And licensed by the State of Texas?

14 A. Yeah.

15 Q. Now, was it your understanding at the
16 time that if anyone of the personnel from OSA did
17 an investigation and said that they were working
18 under the purview of Wagner Investigations or Rory
19 Wagner, they would be considered to be licensed
20 investigators within the State of California?

21 A. Yes.

22 MR. FAGELBAUM: Lack of foundation.
23 Calls for a legal conclusion.

24 MR. BRIGHT: Misstates the testimony as
25 well.

1 Q. That was your understanding and you said j
2 yes?

3 A. Yeah. We had identification cards.

4 MS. McRAE: I think you're trying to --
5 well, wait.

6 (Off-the-record discussion
7 between the witness and counsel.)

8 THE WITNESS: Are you intimating that I
9 was already licensed in Texas?

10 MR. HELLER: No. No, not at all. I was
11 laying a foundation that you had some
12 understanding, and I wasn't intimating that.

13 Q. You became licensed in Texas at what
14 time?

15 A. Not until after I left.

16 MR. HELLER: Let's take a five minute
17 break.

18 (Recess - Time: 4:10-4:21 p.m.)

19 (Off-the-record discussion.)

20 Q. Let's go back to your posting. We left
21 off October, November, 1981, when you went to Los
22 Angeles and you talked about being on a combined
23 three missions regarding generally the GO?

24 A. Yeah.

25 Q. How long were you on those three

1 missions?

2 A. Up until early '82 -- or wait. Yeah,
3 right in there somewhere.

4 Q. Now, are you able to segment the end of
5 one of those three missions that you described in
6 the beginning of another or were they all just
7 kind of combined?

8 A. Well, no. Those three are kind of
9 confused together. Because they were just one
10 after another, boom, boom, boom. It was like you
11 just come in debrief, rebrief> and go back out. I
12 went all over the U. S. and Canada interviewing
13 people, sec checking them, all that kind of
14 stuff.

15 Q. I see. You were not just limited to
16 talking necessarily to persons within the GO about
17 what might have occurred?

18 A. These were GO personnel.

19 Q. All of the ones you spoke with?

20 A. And public personnel who had worked for
21 the GO under the actual mission Ops.

22 Q. Did you ever summarize any of your
23 findings in those missions in written documents?

24 A. Yeah. There would have been a written
25 and a verbal debrief. Now the information

1 concerning crime and so forth was not in there
2 simply because that was evidence. I mean that
3 was --

4 Q. I understand. Who were you reporting
5 back to when you were coming in and being
6 debriefed at the end of each of these missions?

7 A. The actual mission Ops was Janice Grady,
8 as I recall.

9 Q. Anyone else you were reporting to?

10 A. Well, yeah, I reported to all kinds of
11 people. I mean there were other missions that
12 were senior to my mission. You know, I mean we
13 all sort of liaised. I was on the bottom of the
14 liaised stack, I think.

15 Q. Can you recall who was on any of those
16 other missions that you've just testified were
17 related to your mission?

18 A. Well, DM was the head honcho running the
19 other ones.

20 MR. FAGELBAUM: Is that David
21 Miscavige?

22 THE WITNESS: David Miscavige. And
23 there was a mission to handle Mary Sue Hubbard.
24 There was another mission to handle Dede and all
25 the former execs, and there was a mission down at

1 LA. Well, there was about three, four, five. I
2 don't know how many missions in LA. I mean there
3 was just guys in little blue suits running around
4 all over the place.

5 Okay. There was people, a Marian Dindu,
6 I don't remember what her name used to be. She
7 was one of the people. Vicki was one of them. I
8 was one of them. Another guy Chuck something or
9 another was a cramming officer. God, I don't
10 know, people who just kind of came and left out of
11 my life. You know what I mean. I don't remember
12 who they were.

13 Q. Do you know either specifically or
14 generally what the intent of these other missions
15 that were related to yours were at that time?

16 A. Well, they were all to handle different
17 aspects of getting rid of the Scientology senior
18 execs and the guardian senior execs who had
19 allowed LRH to come into risk or whatever,
20 danger.

21 Q. How had they allowed him to come into
22 risk and danger?

23 A. Leaving documents and stuff around and
24 getting picked up by the bad guys.

25 MR. FAGELBAUM: Again, I'm going to

1 object to the line of questioning. it exceeds the
2 scope of direct.

3 Q. By the bad guys, as you're
4 characterizing, being the FBI in the raid?

5 A. Yeah. I'm sorry. I should be more
6 specific. Now, I think they're the good guys.

7 MR. BRIGHT: Is that a quiet question
8 there? I didn't quite hear it all. May I have
9 that read back?

10 (Question read.)

11 Q. Now, you stopped in early 1982 as far as
12 these missions were concerned?

13 A. Yeah.

14 Q. What did you do next?

15 A. Next I did the same kind of rollback
16 mission, myself and a guy by the name of Mike
17 Eldridge, and we did that into the base there at
18 Gilman. We were being run by Shelly Miscavige.

19 Q. What was the nature of this rollback
20 mission?

21 A. It was to -- LRH was really pissed at
22 Gold because he'd written all these movie scripts
23 and this, that, and the other. He wasn't happy
24 with the results that they had gotten with them
25 and, oh, he just -- I mean he just come down with

1 just, God, several dispatches just frying them. I
2 mean just really all over them. I mean it was
3 some serious bad news. I mean the whole base was
4 in deep shit. Everybody's pay got reduced to five
5 dollars a week.

6 Q. What was he unhappy with the scripts
7 about, that the movies weren't being produced?

8 A. Well, they weren't being produced. He
9 didn't like the way they did them. He didn't like
10 the acting. He didn't like the directing. He
11 didn't like the lighting, all this movie stuff. 3
12 don't anything about. He just didn't like none of
13 it.

14 Q. And these are movies being made based on
15 scripts that he had written?

16 A. Yeah. Oh, and there had also just been
17 a big flap where they decided to have an amnesty
18 and, they said, okay, anybody who wants to leave
19 can leave and they won't be declared, and half the
20 people left. And that was all like, oh, you know,
21 they were really upset about that. They thought
22 maybe one or two people would leave or something.
23 It's kind of like East Germany or something.

24 Q. And those people are not declared?

25 A. No.

1 Q^ And whose idea was the amnesty?

2 A. It was LRH's. It was part of his clean
3 house program, but I mean that's kind of like when
4 the shit hit the fan. I mean it didn't really go
5 the way he'd expected it. It was kind of like the
6 Alamo, you know, when they drew the line.

7 Q. Sort of. How long were you on this
8 mission when it began in early 1982?

9 A. Just probably a month or so.

10 Q. And then what did you do?

11 A. Then I did a renovations mission to --
12 LRH was expected back in about three weeks or four
13 weeks or something, an absurd, and I was supposed
14 to rebuild Gilman. And so I was sent on this
15 mission to do all this renovation and get all this
16 stuff done, and then I --

17 Q. You mean -- I'm sorry. Go ahead. Do
18 you mean renovate for Mr. Hubbard to live at
19 Gilman?

20 A. That was part of it, yeah.

21 Q. That was the kind of --

22 A. I mean just everything. I mean the
23 studios so he could work in it, do this, do that.
24 I mean it was everything from repaving roads to
25 building buildings, rebuilding buildings, turning

1 an Olympic size swimming pool into a Caribbean --
2 some kind of lagoon, you know. Have you been out
3 there? Have you seen the ship? We built that
4 thing. It was a ship out in the middle of the
5 thing. You just wouldn't believe. We did that.

6 Q. So that was a general renovation of the
7 property. And how long did you spend on that?

8 A. Until I went in the RPF.

9 Q. Which was when?

10 A. May.

11 Q. May of 1982?

12 A. Yeah.

13 Q. Now Mr. Hubbard to your knowledge never
14 did live out in Gilman Hot Springs, correct?

15 A. No. That's my understanding that he did
16 visit and stay there a couple of times prior to
17 that.

18 Q. Let's go with subsequent to the point
19 where you went through the renovations. Did he
20 ever go through out there?

21 A. No. He was just issuing the orders as
22 to what had to get done out there so that he could
23 come back.

24 Q. And to your knowledge he never made use
25 of the studios out there?

1 A. No.

2 Q. However, there were films made in the
3 studios?

4 A. Yeah.

5 Q. And those were --

6 A. Eventually.

7 Q. Eventually. For the most part
8 Scientology promotional films?

9 A. Not for the most part. I mean I think
10 that was probably about it.

11 Q. And there is a sound studio out there,
12 too; is that correct?

13 A. Multi-million dollar sound studio, yes.

14 Q. And are those Scientology sound records
15 promotional sound records that were made to your
16 knowledge while you were out there in the studio?

17 A. Are you talking about cassettes?

18 Q. Are they strictly cassettes?

19 A. To my knowledge, yes.

20 Q. So at the studio they don't do any
21 pressing out there. They just make the recording?

22 A. They might now. I mean when I was there
23 it was just cassettes.

24 Q. All the questions I'm going to ask are
25 only your personal knowledge while you were out

1 there.

2 A. Okay.

3 Q. And were those promotional tapes sound
4 tapes?

5 A. Well, they were tapes to be used in
6 courses and just all kinds of different uses.

7 Q. So the master tapes in effect would be
8 made there and then they would be copied somewhere
9 and distributed, these course tapes?

10 A. Well, there's copy masters as opposed to
11 masters. I mean there's all these different
12 generations of tapes and your master masters you
13 never use.

14 Q. Those are stored away?

15 A. Yeah.

16 Q. Did L. Ron Hubbard ever use the sound
17 studio out there to your knowledge?

18 A. Well, he never visited it, but he gave
19 orders telling him to do things there and then
20 they would do it, and they'd send it to him and
21 say okay or not okay. I mean I would say, yes, h[^]
22 used it quite extensively.

23 Q. And he gave orders and used it as you
24 testified for purposes of making course tapes for
25 Scientology?

1 h. And for purposes of putting together
2 LRH's brand of music, you know.

3 Q. For what use?

4 A. Just to demonstrate to the world how
5 it's supposed to be done.

6 Q. Not for any particular Scientology
7 promotional use in that instance?

8 A. Well, I suppose you could call it
9 promotional use unless you heard it.

10 Q. Without commenting on your -- I'm trying
11 to get a specific question. So I'm saying without
12 commenting on your evaluation of the music, I'm
13 now asking about what it was being used for or
14 contemplated to be used for, either one. Was it
15 for the promotion of Scientology?

16 A. It was to make money. I mean to sell
17 these things.

18 Q. Money for Scientology?

19 A. Yeah. Well, and Hubbard because he'd be
20 the --

21 Q. The licensee on these?

22 A. Yeah.

23 Q. Now, if I'm correct, you started doing
24 this in May of 1982. Is that what you testified
25 to?

1 A~! Wo~. I believe I said I went to tne Kjf* .

2 Q. I'm sorry. You did this until May of
3 1982?

4 A. Yes.

5 Q. And then you went to the RPF?

6 A. Yes.

7 Q. And you testified you spent ninety-nine
8 days in the RPF?

9 A. Ninety-nine days.

10 Q. And were you on a running program as
11 well?

12 A. Nope.

13 Q. Where was the RPF at that time?

14 A. Where I was, it was LA.

15 Q. Was that in the blue buildings?

16 A. Yes.

17 Q. Did you mix with the general populous
18 there?

19 A. No.

20 Q. Did you take Scientology courses while
21 you were out at the RPF?

22 A. Occasionally.

23 Q. What were the nature of those courses?

24 A. Did I take any courses? Yeah. I must
25 have taken some. I mean I'm sure ethics courses,

1 you know, that sort of thing. I had already done
2 most of the courses that you have to do when you
3 go to the RPF, which is why I was out there in
4 ninety-nine days instead of two or three years.

5 Q. And what was the reason you were given
6 being put in the RPF?

7 A. I was told it was because -- well, in
8 public or private?

9 Q. Well, the reason you were given.

10 A. The reason I was given?

11 Q. Yes.

12 A. It was because I wasn't getting the job
13 done fast enough.

14 Q. Which job?

15 A. The renovations.

16 Q. Did you agree that you weren't getting
17 the job done fast enough?

18 A. Oh, shit. Man, I mean, at that point we
19 were going days without sleep and all that kind of
20 stuff. I figured the RPF was going to be a
21 vacation. I just wanted out.

22 Q. Were you right? Was it a vacation
23 compared to the work that you were doing?

24 A. In some aspects. Well, mainly I didn't
25 have to --

1 MR. FAGELBAUM: I'm going to object.

2 Again, this has nothing to do with scope of
3 direct. It's your cross-examination. Spend it
4 the way you want, but for the record this has
5 nothing to do with the scope of direct. You're
6 just wasting time here.

7 MR. HELLER: I must have been in another
8 room for the last four days where I heard about
9 fifteen hours worth of testimony dealing with the
10 RPF, and now I've asked about fifteen minutes and
11 we have nothing do with direct.

12 MR. FAGELBAUM: Well, is this Dallas or
13 Hollywood?

14 MR. HELLER: Well, it doesn't matter --

15 MR. FAGELBAUM: We've listened to about
16 movies. We've listened to about, you know, music.
17 Where did you find that in direct exam with Mr.
18 Aznaran?

19 MR. HELLER: Well, I assumed -- well,
20 let's not go back into history. I assume you're
21 now objecting to me asking about his experiences
22 in the RPF. Now I listened all about the RPF, and
23 I'd like to ask some questions about the RPF
24 myself.

25 MR. FAGELBAUM: Okay. Fine.

1 MR. HELLER: Thank you.

2 Q. I think I was at the point where you
3 said in some instances it was a vacation because
4 you're working so hard at Gilman in the
5 renovations. By that did you mean to say that the
6 work was easier?

7 A. No.

8 Q. You got more sleep?

9 A. No. In fact, when I got to Los Angeles
10 they were doing renovations there and we went days
11 without sleep. However --

12 Q. So you're a renovation expert at that
13 point?

14 A. Absolutely. The main difference and
15 this is the part that I'm referring to is the fact
16 that in Gilman I was the one in charge, and I was
17 the one forced in my eyes to be committing
18 atrocities over the people who were working for me
19 to try to get the job done. Whereas in Los
20 Angeles, I was just a flunky, so I didn't have
21 that side of it to contend with.

22 Q. Did you also sleep somewhere in the blue
23 buildings as well, and the whole RPF took place in
24 the blue buildings?

25 A. I'm trying to think where we did *sleep*.

1 Q ^ What I'm trying to get to is: Did you
2 go off of these premises for any of this work that
3 you did?

4 A. No. It was the basement or something.
5 I don't remember.

6 Q. You were separated from the public in
7 some manner?

8 A. Yeah.

9 MR. FAGELBAUM: Scientology public or
10 people in the street public?

11 THE WITNESS: Well, we were separated
12 from everybody.

13 Q. Scientology public is what I'm talking
14 about that went in and out?

15 A. Yeah. You know, I told you we had to
16 wear the nasty-looking clothes and eat by
17 ourselves and go through all that, everything I
18 described earlier. Public didn't have to do
19 that.

20 Q. Now, could you have left the RPF when
21 you were there anytime you wanted to?

22 A. How do you mean? I mean could I say,
23 okay, I'm done?

24 Q. Bye boys, I'm walking --

25 A. Or do you mean bluff?

1 Q^ Well, without defining it, let me put TZ
2 this way: Could you have gotten up and walked out
3 the front door and got on a bus and left?

4 MR. BRIGHT: I'm going to object as to
5 relevance. As you know, Mr. Mayo's RPF which by
6 the earlier testimony was attributed to was at
7 Gilman Hot Springs, and he's talking about an
8 entirely different location. You've made no
9 effort to tie up the two were similarly run,
10 similarly constituted, and there's no foundation
11 whatsoever.

12 MS. McRAE: And I'd also would like to
13 add, Mr. Heller, and I'm not accusing you of doing
14 this, but if it's your attention to get some
15 discovery or something in any of the other cases,
16 that's not what we're here for today. Then I'm
17 going to instruct him not to go any further.

18 MR. HELLER: Let me say two things:
19 Number one, I didn't think about any other case.
20 Number two, I promise you, Mr. Bright, I will get
21 to Mr. Mayo in the RPF in due time. So if that
22 helps tie it in, that will tie it in.

23 MR. BRIGHT: It doesn't. But with my
24 objection, go ahead.

25 MR. HELLER: I think I had a pending

1 question. Maybe not. Let's take a look.

2 (Question read.)

3 THE WITNESS: Okay.

4 Q. Physically?

5 MR. BRIGHT: Also calls for speculation.

6 THE WITNESS: I can't just say yes or
7 no. I can say yes I could have left all of my
8 worldly possessions, my clothes, my dogs, my wife,
9 and physically walked out the door and disappeared
10 into never never land, yes. But I mean by that
11 you mean to imply that it was just some free and
12 easy kind of thing that, well, gee guys, you know,
13 I'd really not do this and, you know, escape
14 unscathed, no.

15 Q. No. I didn't mean to apply that. What
16 I really meant to ask you was: Whether you were
17 physically restrained in that building?

18 A. Aside from the fact that I didn't even
19 have enough money for that bus you're talking
20 about, yeah, I could have definitely walked off
21 and joined the ranks of the homeless or
22 something.

23 (Off-the-record discussion.)

24 Q. The question I meant to ask and I wanted
25 to make it clear. We were talking about off the

1 record about possible implications in my question
2 the question which I didn't mean. The question I
3 wanted to ask is and limit it strictly to: Were
4 you physically restrained in the RPF?

5 A. No.

6 Q. Was it your understanding that if you
7 left that your wife would not come along with you?

8 A. It was my understanding that they would
9 do everything in their power to keep her from
10 coming with me.

11 Q. And you didn't have an understanding one
12 way or another whether she would respect that and
13 come with you or not?

14 MR. BRIGHT: Objection. Speculation.
15 Also relevancy.

16 THE WITNESS: I mean I don't know what
17 I --.I mean it was not something I was interested
18 in putting to the test I can tell you that.

19 Q. Did you have the possessions that you
20 owned -- and, by the way, did you own a car at
21 that point in time?

22 A. I don't remember. I don't think so.

23 Q. Did your wife own a car?

24 A. Wait a minute. Wait a minute. No, we
25 sold that. No. She wouldn't have owned one if I

1 didn't own one.

2 Q. Well, I guess that's what I wanted to
3 make sure. But you had one previous to that that
4 you had sold while you were in Scientology?

5 A. At Clearwater, the one we brought with
6 us when we joined the sea organization.

7 Q. When you came up to Los Angeles?

8 A. When we went to Flag.

9 Q. When you came to Los Angeles, is that
10 how you got up there, you drove your car?

11 A. No.

12 Q. You sold it before you left Flag?

13 A. (Witness nods head up and down.)

14 Q. And you kept the money from the sale of
15 the car?

16 A. Yeah.

17 Q. You didn't have a car, but you had other
18 possessions, and those I take it were with you in
19 the RPF?

20 A. No.

21 Q. Where were they?

22 A. They were up at Gilman.

23 Q. And it was your understanding that had
24 you left you would not have been able to either
25 get those possessions or have them sent to you?

1 A. Absolutely.

2 Q. Were you told this?

3 A. Well, that's standard policy to this
4 day.

5 Q. Were you told it?

6 A. Well, I didn't ask it. Let's just say I
7 knew it.

8 Q. But my question was: Were you told it?

9 A. Were I told it? Again, you -- I don't
10 know.

11 Q. You've made your explanations, but I
12 want you to answer my question now.

13 A. No. I was not specifically told, okay,
14 Rick, we're sending you to the RPF and we're
15 keeping your dog and we're keeping your this and
16 your that, no. Had I seen it that's the way it
17 was run and that was the way it operated, yeah.

18 Q. You had a dog in Gilman. Was that dog
19 specially trained in any way?

20 A. That was not one of the security dogs at
21 that time, no. It was a puppy.

22 Q. Later on it was, though?

23 A. Well, later on they went out and bought
24 two Dobermans.

25 Q. You didn't buy one?

1 A. No. They bought those.

2 Q. But this dog you're talking about, the
3 puppy, was your dog there?

4 A. Yeah.

5 Q. You were there for ninety-nine days. I
6 guess I got one more question. What sort of
7 work -- you say you did renovations there. What
8 did that entail?

9 A. We were renovating a suite of offices
10 for Hubbard there in the building that the
11 messenger org was in.

12 Q. You're familiar with what's known as
13 routing out, correct?

14 A. Sure.

15 Q. After you got out of the RPF, did you
16 attempt to route out?

17 A. Huh-uh.

18 Q. That's a no?

19 A. No.

20 Q. Could you have routed out?

21 MR. BRIGHT: Objection. Speculation.

22 MR. FAGELBAUM: Vague and ambiguous.
23 Can you define the term?

24 MR. HELLER: That's a good idea. I was
25 going to ask.

1 Q. Define routing out for me.

2 A. Okay. Routing out is when a person
3 expresses a desire to leave Scientology staff. He
4 is put on a check sheet, which gives different
5 number of steps which one has to go through to
6 leave amicably supposedly. Amongst this is all
7 kinds of auditing that you have to go through,
8 ethics handlings that you have to through, PTS,
9 which is potential trouble source handling you
10 have to go through, all these different things
11 that you have to go through before you can get
12 out. I've seen people take over six months trying
13 to get out doing one of those things. I mean it's
14 not as easy as it sounds. Could I have?

15 Q. Yes.

16 A. Well, also, I have to say that
17 everything on that checklist is designed to try to
18 keep you from leaving. So when you get on that
19 checklist, the fact that you've got on that
20 checklist does not mean that you can successfully
21 complete it because everybody's trying to keep you
22 from leaving.

23 Q. Do you consider that when you left from
24 Scientology you routed out?

25 A. When I left?

1 Q. Yes, sir.

2 A. When I left, it was kind of like one of
3 those kind of miracles, you know what I mean. It
4 was kind of one of those things where it just
5 never happened before out of the annals of
6 Scientology.

7 Q. Did you consider you routed out?

8 A. I would not have used that word. I mean
9 I can use that word loosely, I guess, but not per
10 the standard what would be standardly known as
11 routing out within the church, but that's our
12 case.

13 Q. You answered it. Okay. Would you say
14 that when you left it was a lot quicker than the
15 normal routing process that you had been exposed
16 to that you just testified about?

17 A. No. That's my case. That has nothing
18 to do with this that I know of.

19 MS. McRAE: Mr. Heller, if you'll
20 explain to me what this has to do with this case,
21 and I don't think it will take a big explanation,
22 because I really fail to see it and he's not
23 here --

24 MR. HELLER: Okay. And I will and I
25 understand your point because you're concerned

1 that I'm talking about his case, and I don't know
2 if this has been covered in your case or not. I
3 haven't read your depositions in that case. But
4 in this case there has been testimony with regard
5 to Mr. Mayo leaving Scientology. There has been
6 testimony that I've heard and it's gone both ways
7 as a matter of fact as to how Mr. Mayo left
8 Scientology.

9 I am going to ultimately get to what
10 this witness knows about Mr. Mayo leaving
11 Scientology. I think it's relevant with regard to
12 his experiences of being able to leave Scientology
13 and leaving Scientology regarding the general
14 practice, which is, I think, what we've been
15 testifying to here as well as the specific facts
16 of Mr. Mayo leaving Scientology.

17 Now, if it reassures you all, I will
18 tell you that I don't intend to get too deeply
19 into this. I'm maybe going to ask another
20 question or two. In fact, I may just kind of --
21 depending on the answer, leave it at that
22 question.

23 MS. McRAE: I think he said his
24 experience was unique and so, yeah, if you've got
25 one more question, go ahead. But wait a minute

1 and let me hear it. And I'm sure if it's answered
2 or not, let's move on and you'll be happy. And if
3 it wasn't, it wasn't.

4 MR. HELLER: And I understand what your
5 concern is.

6 (Question read.)

7 THE WITNESS: Yes.

8 Q. You did not leave Scientology after you
9 got off the RPF?

10 A. No.

11 Q. Did you go back on another post?

12 A. Yes.

13 Q. And what post was that?

14 A. Safety officer.

15 Q. And that's the one you held in one form
16 or another up until the time that you left
17 Scientology?

18 A. Negative. Up until the time Hubbard
19 died.

20 Q. I'm sorry. Which was in January of

21 .8 --

22 A. '6.

23 MR. HELLER: Let's take a one minute
24 break.

25 (Recess - Time: 4:46-4:50 p.m.)

1 (Off-the-record discussion.)

2 MR. HELLER: Back on the record. My
3 understanding is that Mr. Aznaran will be here
4 tomorrow morning and everyone has agreed to that.

5 MS. McRAE: That's correct.

6 MR. HELLER: Why don't we call it a day
7 then.

8 MR. BRIGHT: So we're adjourned then
9 until tomorrow morning at 9:30.

10 (Whereupon the deposition was
11 recessed until November 10, 1989.)
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1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 I, Lori A. Belvin, Certified Shorthand
4 Reporter, duly qualified in and for the State of
5 Texas, do hereby certify that, pursuant to the
6 agreement hereinbefore set forth, there came
7 before me, RICHARD N. AZNARAN, who was by me duly
8 sworn to testify the truth, the whole truth and
9 nothing but the truth of his knowledge concerning
10 the matter in controversy in this case; and that
11 he was thereupon carefully examined upon his oath
12 and his examination reduced to typewriting by me;
13 that the deposition is a true record of the
14 testimony given by the witness, same to be sworn
15 to and subscribed by said witness before any
16 Notary Public, pursuant to the Stipulation of the
17 parties.

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

In witness whereof, I have hereunto set
my hand and affixed my seal this the 17th day of
November, 1989.



LORI A. BELVIN,
Certified Shorthand Reporter
in and for the State of Texas.
Certification No. 2572
Expires December 31, 1989
3616 Maple Avenue
Dallas, Texas 75219
Telephone (214) 748-3382.

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IN THE UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA

RELIGIOUS TECHNOLOGY CENTER, A)
 California Corporation, et al.,) CV 85-711 JMI (Bx)
 Plaintiffs,)
) CV 85-7197JMI (Bx)
 VS.)
)
 ROBIN SCOTT, An Individual,)
 et al.)
 Defendants.)

RELIGIOUS TECHNOLOGY CENTER, A)
 California Corporation, et al.,)
 Plaintiffs,)
 VS.)
)
 LARRY WOLLERSHEIM, An)
 Individual, et al.,)
 Defendants.)

AND RELATED COUNTER-CLAIMS)

**SEALED EXCERPT OF RICHARD N. AZNARAN
 NOVEMBER 9, 1989**

ANSWERS AND DEPOSITION OF RICHARD N. AZNARAN,
 produced as a witness on behalf of the Defendants
 and Counter-Claimants, taken in the above-styled
 and -numbered cause on the 9th day of November,
 A. D., 1989, before Lori A. Belvin, a Certified
 Shorthand Reporter in and for the State of Texas,
 in the conference room of CLARK, WEST, KELLER,
 BUTLER & ELLIS, 4800 Renaissance Tower, City of
 Dallas, County of Dallas, State of Texas, in
 accordance with Federal Rules of Civil Procedure.

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JOHN NELSON, HARVEY HABER,
VIVIAN HARTOG, DEDE REISDORF

WRIGHT and McRAE

3411 McKinney Avenue
Dallas, Texas 75204

BY: MS. KAREN E. McRAE

APPEARING FOR WITNESS,
RICHARD N. AZNARAN

ALSO PRESENT: Aron C. Mason, Representative
of Church of Scientology
International
Lynn Farny, Representative
of Church of Scientology

SEALED EXCERPT

1 The following excerpt is contained in the oral
2 deposition of Richard N. Aznaran taken on
3 November 9, 1989. By request of Counsel and
4 pursuant to the protective order, this portion, of the
5 testimony has been deleted from the transcript and
6 is contained as follows:
7

8 PAGE LINE

9 111 13

10 Q. (By Mr. Bright) What was the nature of
11 the information that had been culled from Mayo's
12 PC folders?

13 A. The fact that he was impotent and trying
14 to use what Scientology terms are buttons, you
15 know, to get somebody upset.

16 MR. BRIGHT: I'm going to ask that that
17 question and answer be sealed pursuant to the
18 protective order that's in place in this matter,
19 which means it should be separately transcribed in
20 a separate booklet. The legend should indicate
21 that it is subject to the protective order in this
22 case and --

23 MR. HELLER: I have no objection to the
24 sealing. I think it's an automatic sealing,
25 anyway, if I read the order correctly yesterday.

1 MR. BRIGHT: That's true.

2 MR. HELLER: That's information that
3 came from the PC folder.

4 (End of sealed excerpt.)
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1 STATE OF TEXAS J

2 COUNTY OF DALLAS)

3 I, Lori A. Belvin, Certified Shorthand
4 Reporter, duly qualified in and for the State of
5 Texas, do hereby certify that, pursuant to the
6 agreement hereinbefore set forth, there came
7 before me, RICHARD N. AZNARAN, who was by me duly
8 sworn to testify the truth, the whole truth and
9 nothing but the truth of his knowledge concerning
10 the matter in controversy in this case; and that
11 he was thereupon carefully examined upon his oath
12 and his examination reduced to typewriting by me;
13 that the deposition is a true record of the
14 testimony given by the witness, same to be sworn
15 to and subscribed by said witness before any
16 Notary Public, pursuant to the Stipulation of the
17 parties.

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

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In witness whereof, I have Hereunto set

my hand and affixed my seal this the 18th day of _____

November, 1989.



LORI A. BELVIN,
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in and for the State of Texas.
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Expires December 31, 1989
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