

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

JOHN G. CLARK, JR., M.D.,	:	
Plaintiff	:	
	:	
v.	:	Civil Action No,
	:	
LAFAYETTE R. HUBBARD,	:	
a/k/a L. RON HUBBARD,	:	
Defendant	:	

COMPLAINT

I. INTRODUCTION

This action seeks damage for acts perpetrated against the plaintiff, who is a physician specializing in psychiatry, by defendant and his individual and organizational agents and employees, pursuant to a conspiracy to "destroy" the plaintiff, personally and professionally. The conspiracy alleged has been carried on as a result of plaintiff's publicly stated positions against the Church of Scientology.

II. PARTIES

1. Plaintiff, John G. Clark, Jr., M.D. is a physician, specializing in psychiatry, licensed to practice in Massachusetts, with offices at 476 Conant Road, Weston, Massachusetts, whose residence is also in Massachusetts.

2. Defendant, Lafayette R. Hubbard, also known as L. Ron Hubbard, resides and is domiciled in California. Defendant's last known residence and domicile was in

Hemet, California. Defendant, who has consistently in the last several years kept his address unknown to all except his confidantes, may, nevertheless, be given notice through:

A. His attorney, Sherman Lenske, of Lenske, Lenske, Heller & Magasin, Woodland West Building, Suite 315, 6500 Canoga Avenue, Woodland Hills, California.

B. His literary and business agent, Lyman Spurlock, at Author's Services, Inc. (AI), a California corporation with a principal place of business at 6464 Sunset Boulevard, Los Angeles, California.

C. His trusted associate and friend, David Miscavige, through ASI.

D. The Church of Scientology of California, Inc. (CSC), a California corporation with a principal place of business at 5930 Franklin Avenue, Los Angeles, California.

III. JURISDICTION AND VENUE

3. Jurisdiction of this court is invoked pursuant to 28 U.S.C. § 1332, the matter in controversy exceeding \$10,000, exclusive of interest and costs, and the parties being citizens of different states.

4. The claims hereinafter set forth have arisen

in Massachusetts.

5. At all times material hereto, defendant has done business on a daily basis through the Guardian's Office (GO), individuals more fully described hereinafter, organized to enforce defendant's orders through assistant guardians assigned to each Scientology organization, and also directly through various entities known as the Church of Scientology of California, Inc. (CSC), the Church of Scientology of Boston, Inc. (CSB), Flag Service organization (FSO), Religious Technology Center (RTC), Church of Scientology International (CSI), Author's Services, Inc. (ASI), Citizens Commission for Human Rights (CCHR), Freedom Newspaper, as well as various other organizations and individuals, all of which are called collectively "Scientology Organizations",

6. Defendant has done business, as described in paragraph 5. as follows:

- A. Defendant sells his publications, written, copyrighted, and published by him, including, inter alia, "Dianetics - The Modern Science of Mental Health" and "Battlefield Earth" in Massachusetts and directly receives income from the sale of such publications.
- B. Defendant receives ten percent of all gross income of the Scientology Organization operating in Massachusetts, including the Church of Scientology of Boston.

- C. Defendant personally owns and controls the copyrights^s of all books published and sold by the Scientology organizations. Said books and publications are in excess of fifty and are sold on a daily basis by Defendant in Massachusetts, from which sales Defendant receives an annual gross income in excess of \$1,000,000 per annum.
- D. Defendant has assigned to Religious Scientology Center all Scientology trademarks, which are used to do business and produce income in excess of at least \$1,000,000 per annum, in Massachusetts.
- E. Defendant communicates via Telex to the Church of Scientology of Boston, Inc. and other Scientology organizations in Massachusetts. This network is used on a daily basis by the Guardian Office and by a "Hubbard Communications Office" to receive orders from him and to provide information to him.

IV. STATEMENT OF THE CLAIMS

7. Defendant is the founder, the controlling force, the principal of, and the person with absolute authority over, the Scientology organizations and, as a result, enjoys with them the power, unavailable to him or them as individuals or entities, acting in combination with them, to damage and injure persons believed to be inimical to the goals of defendant and the Scientology organization.

8. Defendant's control of the Scientology organizations is exercised in diverse ways, including:

A. Requiring the directors and officers of the Scientology organization to sign resignations from such offices in advance of or concurrent with their appointments, such resignations to be held by defendant, who, upon a contest of his orders or authority by such officers, has exercised his aforesaid control to remove them or cause them to be removed and replaced by directors and officers who will comply with Hubbard's orders and authority.

B. That the Scientology organizations both enforce and adhere to policies written and copyrighted by defendant, including the "Fair Game Doctrine", which states:

"Enemy: Fair Game, may be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. May be tricked, sued, or lied to, or destroyed."

C. Subjecting directors or officers of any Scientology organization who fail to obey defendant's orders to being declared "suppressive persons" and subsequently attacked pursuant to the "Fair Game Doctrine."

D. The establishment of the "Guardian's Office" (GO) in 1966, with defendant's wife, Mary Sue Hubbard at its head, which thereafter enforced Hubbard's orders

through assistant Guardians, assigned to each Scientology organization, with the power, pursuant to Hubbard's directions, to remove directors and officers at will, such assistant guardians, as defendant's agents, having at all relevant times operated, pursuant to defendant's directions, in Boston, Montreal, England, Germany, and diverse other places, having been trained according to manuals written by defendant and authorized to engage in conduct such as is hereinafter described as having been engaged in against plaintiff.

9. In addition to the "Fair Game Doctrine", referred to in paragraph 8B. hereof, the following written and copyrighted policies were formulated by defendant and carried on by defendant, acting in concert with the Scientology organizations against plaintiff, as more fully set forth hereinafter.

- A. "Don't ever defend. Always attack. Find or manufacture enough threat against them to sue for peace. Originate a black P.R. campaign to destroy the person's repute and to discredit them so thoroughly they will be ostracized."
- B. "The purpose of the suit is to harass and discourage rather than to win. The law can be used very easily to harass, and enough harassment on somebody who is simply on the thin edge anyway, will generally be sufficient to cause him professional decease. If possible, of course, ruin him utterly."

C. "This is the correct procedure:

- (1) Spot who is attacking us.
- (2) Start investigating them promptly for FELONIES or worse using our own professionals, not agencies.
- (3) Double curve or reply by saying we welcome an investigation of them.
- (4) Start feeding lurid, blood, sex crime, actual evidence on attackers to the press. Don't ever submit to an investigation of us. Make it rough, rough on attackers all the way."

D. "The following is a list of the successful...actions used by [our] intelligence [bureau].

Infiltrating in any group with an end to getting documents... Covert third partying with forged or phony signatures. Anonymous third partying. Particularly the Internal Revenue Service... Direct theft of documents... Impersonating a reporter over the phone to get information...

E. "The following are possibilities for collecting data:

- (1) Infiltration
- (2) Bribery
- (3) Buying Information
- (4) Robbery
- (5) Blackmail"

10. Plaintiff, a practicing psychiatrist as aforesaid, is and was at all relevant times a consultant in psychiatry at Massachusetts General Hospital and an assistant clinical professor at Harvard Medical School.

11. In the course of plaintiff's psychiatric practice he had developed a particular clinical interest in the effect on the emotional and mental state of individuals of so-called "cults".

12. Plaintiff has publicly - in legal and legislative forums, and in lectures and articles - stated his opposition to practices of the Scientology organization.

13. As a result of such public statements of opposition to practices of the Scientology organization, defendant perceived plaintiff as an enemy and ordered the "Fair Game Doctrine" and the policies described in paragraph 9. hereof implemented against plaintiff.

14. To implement the "Fair Game Doctrine" and the policies described in paragraph 9. hereof, defendant conspired with the entities and individuals comprising the Scientology organizations to act in concert with them and by such action to silence plaintiff, to inflict severe professional, personal, and emotional injury on plaintiff, and, if possible, to destroy him completely.

15. Plaintiff, in 1976, in testimony before a Special Committee of the Vermont Senate, stated publicly his professional opinions on destructive cults, including the Church of Scientology.

16. The Guardian's Office, having become aware of plaintiff's testimony before the Vermont Senate, opened a file on plaintiff and commenced, pursuant to defendant's aforesaid policies and "Fair Game Doctrine", a covert investigation of plaintiff.

17. Shortly after his testimony as aforesaid before the Vermont Senate, plaintiff received a letter of warning from the Guardian's office, as well as a number of telephone calls from a member of the Guardian's office, acting as defendant's agent, in which plaintiff was told he should change his views on the Church of Scientology.

18. When plaintiff refused to change his views as requested, the aforesaid member of the Guardian's office, acting as agent as aforesaid, threatened plaintiff, saying, "We have to protect ourselves when someone is trying to lie about us."

19. To carry out the objects of the conspiracy described in paragraph 14 hereof, which conspiracy continues to this day, as a result of the plaintiff's refusal to change his views, defendant, acting in concert with the entities and individuals comprising the Scientology organizations, took certain actions against plaintiff described hereinafter. Each of the actions described as taken against plaintiff was taken pursuant to the single continuing conspiracy described in paragraph 14 hereof.

COUNT I

Interference With Contractual and Advantageous Relations

20. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

21. Plaintiff, in 1977, was on the staff of Massachusetts General Hospital, with admitting and other staff privileges, as well as having made available to him Massachusetts General Hospital facilities to conduct his professional research.

22. At the same time, plaintiff was an assistant clinical professor at Harvard Medical School, for which Massachusetts General Hospital is a teaching hospital.

23. At Massachusetts General Hospital, the Comptroller's Department thereof handled and disbursed funds donated to the study of cultic conversions, and plaintiff began the bibliographical aspect of major study.

24. Plaintiff's concurrent appointments to the staff of Massachusetts General Hospital and to the faculty of Harvard Medical School greatly enhanced his professional and academic reputation, as well as his ability to attract private patients.

25. In 1977, one Paul Klopper, an agent of defendant and of the Guardian's office, pursuant to defendant's orders, for the purpose of causing revocation of plaintiff's staff privileges at Massachusetts General Hospital and his removal from the faculty of Harvard Medical School, wrote a letter to the director of the hospital and the dean of the medical school, which letter contained knowingly false and malicious accusations concerning plaintiff, stating inter alia that plaintiff had made a number of anti-religious statements and that he had defamed several churches.

26. The letters referred to **in** paragraph 25. hereof **caused great** damage to plaintiff's **relationship with** Massachusetts General Hospital and Harvard Medical School.

27. The letters referred to in paragraph 25. caused plaintiff great mental and emotional distress and injury in his profession.

28. Agents of the Guardian's Office, pursuant to orders of defendant, and acting in concert with him, interfered with plaintiff's practice of medicine by following certain of plaintiff's patients and telephoning them at their work and at their homes, and, in one instance telephoning one of plaintiff's female patients and intimating that plaintiff had had affairs with other female patients.

29. Plaintiff was caused great mental and emotional distress and was injured in his profession by the aforesaid harrassment of him through his patients.

30. To further harass plaintiff, defendant conspired to cause and did cause Citizens Commission for Human Rights, a Scientology Organization, controlled by the Guardian's Office and by defendant, to bring three spurious complaints concerning plaintiff's professional conduct before the Massachusetts Board of Registration in Medicine.

31. Through unauthorized and illegal access to the files of the Board of Registration, members of Scientology organizations, acting in concert with and under the control of defendant, obtained records of some of the preliminary proceedings in the case of each complaint and publicized these private proceedings.

32. The filing of the complaints against plaintiff before the Board of Registration in Medicine was malicious and as a result of, and in response by defendant and those acting in concert with him, to plaintiff's public opposition to defendant, the Churches of Scientology, and the Scientology organizations.

33. The complaints and the unjustified publicity caused by defendant and those acting in concert with him, in the filing of the complaints, in the unjustified and illegal access to the private files of the Board of Registration in Medicine, in the publicizing of such complaints, and in causing members of said Board, particularly the Chairperson, one George Annas, a reputable professor of law, to give said complaints legitimacy which they did not deserve caused plaintiff mental and emotional distress, damaged him in his profession and caused him to spend large amounts of money to defend himself against the unwarranted charges before said Board until the complaints were eventually dismissed.

34. Defendant and those acting in concert with him in Citizens Commission for Human Rights and other Scientology organizations caused complaints concerning plaintiff's medical ethics to be examined under the rules of the American Psychiatric Association, the Massachusetts Psychiatric Association and the Massachusetts Medical Society, in each of which complaints disciplinary action which would have affected plaintiff's ability to practice his psychiatric

specialty was sought, and none of which was dismissed until October, 1984.

35. The complaints before the Association and Society referred to in paragraph 34. hereof were given extensive publicity by defendant and those acting in concert with him, to wit, Citizens Commission for Human Rights and other Scientology organizations, for the purpose of damaging plaintiff professionally and personally, and, in fact, caused great mental and emotional distress to the plaintiff, damaged him in his profession and caused him to spend large amounts of money to defend against the complaints.

36. Defendant and those acting in concert with him in the Guardian's Office and Scientology organizations embarked upon a plan to injure plaintiff by writing scurrilous, false, and defamatory letters concerning plaintiff to contributors to Boston Personal Development Institute, an organization which paid plaintiff remuneration for his services and which funded a large amount of plaintiff's research, and implemented the plan by trespassing on plaintiff's property, rummaging through his trash, thereby learning the identity of contributors to Boston Personal Development Institute, who were caused by defendant and those acting in concert with him to receive the aforesaid scurrilous, false, and defamatory letters, thereby causing plaintiff great damage in his relationship to the aforesaid contributors.

37. With the same intent and purpose described in

paragraph 25 hereof, defendant, acting in concert with Citizens Commission for Human Rights, a Scientology organization as aforesaid, and with the Guardian's Office and members thereof, initiated a second plan to cause the termination of plaintiff's staff privileges at Massachusetts General Hospital, as well as at Waltham Hospital, another hospital, where plaintiff in fact had no staff privileges.

38. Pursuant to the plan referred to in paragraph 37 hereof, Citizens Commission on Human Rights, acting through individuals purporting to be officers thereof, sent a letter of complaint to one Martin Bander, Assistant Director of publications and publicity at Massachusetts General Hospital.

39. Members of the Guardian's Office, acting in concert with defendant, caused "demonstrations" against plaintiff and picketing of Massachusetts General Hospital and Waltham Hospital to take place outside each hospital, in which, by placard, leaflet, and word of mouth, the aforesaid members of the Guardian's Office falsely and maliciously accused plaintiff of improperly advocating the use of and employing electroshock therapy, characterizing plaintiff's actions as criminal.

40. Although members of the Guardian's Office represented at the aforesaid "demonstrations" and picketing that the "denonstrations" and picketing represented a public outcry against plaintiff's alleged conduct, in fact, the only persons who "demonstrated" and "picketed" were

members of the Guardian's Office and of Scientology organizations.

41. Those "demonstrating" and "picketing" acted in concert with defendant and under his orders for the purpose of intimidating the two hospitals referred to to terminate plaintiff's staff privileges and to alienate potential and present patients of plaintiff.

42. Each of the actions of those acting as aforesaid in concert with defendant, as alleged in paragraphs 20 through 41 hereof were intentional and wilful acts calculated to damage plaintiff in his lawful business and professional capacity, without right or justifiable cause, and did indeed cause actual damage and loss as hereinbefore alleged, and each such action constituted a malicious interference with plaintiff's contractual and business relations.

43. The aforesaid actions, as alleged in paragraphs 19 through 39 hereof have damaged plaintiff in the amount of five million dollars (\$5,000,000).

COUNT II - INVASION OF PRIVACY

44. Plaintiff realleges each of the allegations maintained in paragraphs 1 through 19 hereof.

45. Acting pursuant to the policies described in paragraphs 8B. and 9 hereof, defendant, acting in concert with the entities and individuals described in paragraph 14 hereof, in 1978 commenced an investigation of plaintiff's personal and private life, in order to find information to use against him.

46. In order to carry out the investigation referred to in paragraph 4 5 hereof, agents of the Guardian's Office, acting in concert with the defendant,

- A. Covertly communicated with neighbors and patients of plaintiff;
- B. Gave false information to such individuals, in attempts to elicit incidents of unprofessional or improper conduct upon plaintiff's part;
- C. Concealed their true identities, pretending to be students, journalists, or survey takers;
- D. Trespassed upon plaintiff's property, to steal trash and waste, and thereby learned personal and private information concerning plaintiff's finances and other personal affairs, and concerning his children, his patients, and others with close relationships to plaintiff; and
- E. Trespassed upon the property of Boston Personal Development Institute to steal trash and waste and thereby obtained other personal information concerning plaintiff's personal affairs.

47. One Kevin Tighe, a Guardian's Office agent, acting in concert with and under the direction of defendant, and pursuant to defendant's policies, stole from the Lindemann Mental Health Center plaintiff's employment

records, which contained information concerning plaintiff and his psychiatric practice.

48. Based on information obtained pursuant to the actions described in paragraphs 46 and 47 hereof, persons in the Guardian's Office, acting in concert with and under the directions of defendant, wrote an anonymous report, which contained large amounts of personal information concerning plaintiff and members of his family and distributed it to each member of the Massachusetts Legislature.

49. In 1984, the defendant, acting in concert as aforesaid with Scientology Organizations, caused an investigator, one Ingram, to visit plaintiff at his residence and communicate with plaintiff by telephone, without identifying his principal, whereupon, upon plaintiff's refusal to talk with said Ingram, one Peterson, an attorney employed by defendant, called plaintiff on the telephone purportedly to identify said Ingram and his mission, without stating that he and Ingram were employed by defendant and Scientology Organizations.

50. In 1984, a male individual who did not represent himself as representing defendant or a Scientology organization, but in fact acting under their direction, called a physician who is well acquainted with plaintiff, asking, in substance, for information concerning plaintiff, but said physician refused to respond.

51. In 1984, an individual, representing himself

to be an "investigator" and giving as a justification that plaintiff was a public person, called McLean Hospital in Belmont, Massachusetts, a hospital which maintains professional records concerning members of its staff, of which plaintiff is and was one, and asked for information in McLean Hospital's records concerning plaintiff, which was refused.

52. The actions described in paragraphs 44 through 51 inclusive hereof constituted unreasonable, substantial and serious interference with plaintiff's privacy, insofar as they were intentional intrusions upon plaintiff's solitude and his personal affairs, and have caused him mental and emotional distress and anxiety.

53. The aforesaid actions as alleged in paragraphs 44 through 51 damaged plaintiff in the amount of five million dollars. (\$5,000,000).

COUNT III - DEFAMATION

54. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

55*. Defendant, acting in concert with Scientology organizations, and for the purposes set forth in paragraph 14 hereof, since 1978 until the present, has maliciously caused to be published, written and oral false statements concerning plaintiff, knowing the statements to be false or with reckless disregard for the truth, including the following:

- A. That plaintiff's research is unprofessional and that plaintiff consistently violates standards and procedures governing professional research;
- B. That he has connections with the Nazi (German) party and believes in Nazi ideology;
- C. That he favors electroshock treatment and believes it to be a satisfactory method to "deprogram" individuals caught in cults;
- D. That he frequently uses electroshock treatment on his patients;
- E. That he is a leader of the Anti-Religious Movement in America;
- F. That the plaintiff believes that religious conversion is a mental illness.
- G. That the plaintiff falsely claims to be associated with Massachusetts General Hospital.
- H. That plaintiff advocates use of psychotropic drugs and involuntary deprogramming as an answer to religious conversion.
- I. That plaintiff's professional research is fraudulent and dishonest; and
- J. That plaintiff believes that the worship of Satan is therapeutic and that the worship of God is destructive.

56. The means by which the foregoing defamatory publications have been made include the following:

- (1) Letters from Paul Klopper, an agent of the **Guardian's** Office to **Dean Ebert** of the Harvard Medical School and to the Director of Massachusetts General Hospital in 1977.
- (2) Two anonymous reports sent to members of the Massachusetts Senate Subcommittee studying the problem of cults.
- (3) Letters sent to the Home Secretary and the Department of Health and Social Security of the United Kingdom seeking to have the plaintiff deported, when plaintiff was visiting his daughter in Great Britain.
- (4) Leaflets distributed by the Guardian's Office to persons who attended two lectures given by the plaintiff in Montreal.
- (5) A spurious article submitted to the American Journal of Psychiatry, not published in the Journal, but sent to many leading figures in the psychiatric community while being screened for publication.
- (6) A German newspaper distributed by the German Scientology organizations throughout Germany.
- (7) Numerous editions of Freedom newspaper, the latest such publication being in May, 1984,

a newspaper distributed by the Scientology Organizations, written by Guardian's Office members, and distributed across the United States, the February, 1982 edition of Freedom, of which copies of excerpts therefrom are attached as Exhibit "A", being a particularly virulent attack on plaintiff.

- (8) Comments made by Guardian's Office members on the Pat Whitley Show on WITS radio in 1980;
- (9) A letter to Martin Bander, Assistant Director in charge of publication and publicity of Massachusetts General Hospital in 1981;
- (10) Leaflets distributed during organized demonstrations and picketing by Citizens Commission for Human Rights outside of Massachusetts General Hospital and Waltham Hospital;
- (11) A press packet sent to Boston area religious ministers, including a chaplain at the McLean Hospital in Belmont, Massachusetts;
- (12) Letters to plaintiff's backers and supporters, and others contributing financial support to Boston Personal Development Institute;
- (13) Press packets distributed to all regional newspapers, radio and television stations;
- (14) An article in the Medford Mercury newspaper based on the press kit sent out by the

Scientology organizations;

- (15) A major press conference held by Church of Scientology, Boston in the Boston Sheraton in August of 1981;
- (16) Comments by Heber Jentzch, president of the Church of Scientology of California on a radio show broadcast by WXKS-FM radio in July, 1984.

57. Defendant and those acting in concert with him, in the foregoing publications held plaintiff up to contempt, hatred, scorn or ridicule and impaired his standing in the community. The allegations were intended to discredit him in the minds of a considerable and respectable class in the community.

58. Defendant and those acting in concert with him have injured plaintiff by the afore-described publications which subjected him to public hatred, disgrace, contempt and ridicule, have damaged his professional reputation, and have caused him to suffer extreme mental distress and anxiety.

59. The aforesaid actions, as alleged in paragraphs 54 through 58 inclusive, have damaged plaintiff in the amount of five million dollars (\$5,000,000).

COUNT IV

Malicious Prosecution

60. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

61. For the purposes set forth in paragraph 14 hereof, as well as pursuant to the policy set forth in paragraph 9.B hereof, defendant and those acting in concert with him caused two actions to be brought against plaintiff, to wit, Paula Pain v. John G. Clark, Jr. et ali., U.S.D.C. Central District of California, Civil Action No. 82-1443-WMB and Steven Miller v. John G. Clark, Jr., U.S.D.C. Central District of California, Civil Action No. 81-4275.

62. The two actions referred to in paragraph 56 hereof were brought maliciously and without probable cause, which defendant and those acting in concert with him well knew, and were summarily dismissed and terminated in favor of plaintiff, defendant in each action.

63. Plaintiff was obliged to defend himself in each case at substantial expense for attorney's fees and incidental costs and suffered mental and emotional injury.

64. The aforesaid actions, as alleged in paragraphs 60 through 63 hereof have damaged plaintiff in the amount of five million dollars (\$5,000,000).

COUNT V

Abuse of Process

65. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

66. For the purposes set forth in paragraph 14 hereof, as well as pursuant to the policy set forth in paragraph 9.B hereof, defendant and those acting in concert with

him caused two actions to be brought against plaintiff, to wit, Paula Pain v. John G. Clark, Jr., et ali., U.S.D.C. Central District of California, Civil Action No. 82-1443-WMB and Steven Miller v. John G. Clark, U.S.D.C. Central District of California, Civil Action No. 81-4275.

67. Process in these two actions was used, not for the purpose for which it was designed, but, as aforesaid, for the purposes set forth in paragraph 14 hereof and to implement the policy described in paragraph 9.B hereof, each an ulterior purpose.

68. Plaintiff was obliged to defend himself in each case at substantial expense for attorney's fees and incidental costs, and suffered mental and emotional injury, including injury as a result of extensive publicity given to said actions, an exmple of which is attached hereto as Exhibit B.

69. The aforesaid actions, as alleged in paragraphs 65 through 68 hereof, have damaged plaintiff in the amount of five million dollars (\$5,000,000).

COUNT VI

Intentional Infliction of Emotional Distress

70. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

71. Defendant and those acting in concert with him, including the entities and individuals comprising the Scientology Organizations, took or caused to be taken each of the actions described in Counts I through V (each

of which counts, other than the separate claims for damages therein, are incorporated in this Count) hereof for the purposes set forth in paragraph 14 hereof and to implement the policies set forth in paragraphs 8.B and 9 hereof, and, in particular, intending to inflict emotional distress on plaintiff and knowing that emotional distress would be the likely result of such conduct.

72. In addition to the conduct alleged in paragraph 71 hereof, and for the purposes and with the intent and knowledge set forth therein, defendant and those acting in concert with him, including the individuals and entities comprising the Scientology organizations, and as a part of the continuing conspiracy alleged, took and caused to be taken the following actions:

A. For the purpose of preventing plaintiff from visiting his daughter in the United Kingdom, letters were written in 1978 by agents of Scientology organizations to the Home Secretary and to the Department of Health and Social Security of the United Kingdom containing false pomplaints concerning plaintiff's activities, including allegations that he had ties to the Nazi party.

B. Agents of Scientology organizations attempted to infiltrate plaintiff's office or to pose as patients of plaintiff, either seeking plaintiff out as purported counseling assistants, the role of one Ford Schwartz, who posed as an ex-Scientologist, working with a California cult-counseling center, or purporting to seek advice on

"deprogramming", the role of one Chuck Malone, who pretended to be a private investigator seeking to work with those who opposed Scientology, when in fact the object of such attempts was to obtain personal information concerning plaintiff or to entrap him in questionable legal situations.

C. In 1981, agents of Scientology organizations and the Guardian's Office passed out leaflets in front of Massachusetts General Hospital, which leaflets offered a reward of \$25,000 for information which would lead to a criminal conviction of plaintiff, defendant and those acting in concert with him well knowing plaintiff had never committed a single criminal act, but, nevertheless, causing the distribution of such leaflets to defame plaintiff and intimidate him.

D. In 1981, the Guardian's Office held an "ethics" trial of plaintiff, assembling a tribunal of Scientologists, issuing a "finding" that plaintiff was a "suppressive person", as described in paragraph 8.C hereof, even though plaintiff was not a member of a Scientology organization, and thereby subjecting him to the "Fair Game Doctrine" described in paragraph 8.B hereof, and writing plaintiff a letter, which advised him that he had been declared a "suppressive person", thereby, according to the letter, subjecting him thenceforth to the rules of Scientology "ethics".

73. The conduct alleged in paragraphs 70 through 72 hereof was so outrageous in character, and so extreme

in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community and thereby caused plaintiff great emotional distress. This conduct has damaged plaintiff in the amount of five million dollars (\$5,000,000).

COUNT VII

Conspiracy

74. Plaintiff realleges each of the allegations contained in paragraphs 1 through 19 hereof.

75. Defendant has combined with the individuals and entities comprising the Scientology organization and with the individuals named herein and with others at present unknown to the plaintiff to accomplish the unlawful purposes set forth in paragraph 14 hereof, to wit, to silence plaintiff, to inflict severe professional, personal, and emotional injury on plaintiff, and, if possible, to destroy him completely, by unlawful means, namely, interference with plaintiff's advantageous and contractual relations, invasion of plaintiff's privacy, trespass, defamation, malicious prosecution, abuse of process, and the intentional and knowing infliction of emotional distress upon plaintiff.

76. As briefly set forth in paragraph 7 hereof, the creation by defendant of the Guardian's Office and the nationwide communications network provided by the individuals and entities comprising the Scientology organizations

afforded defendant and those acting in concert with him a peculiar power of coercion over plaintiff when acting in combination, which a single individual standing in a similar relationship with plaintiff would not have had, for example, the power to bring a fraudulent complaint against plaintiff, as alleged in paragraph 30. hereof and thereafter, as alleged in paragraph 31., to obtain unauthorized access to and publicize the private records of proceedings on such complaints the power; as alleged in paragraphs 49., 50., 51. hereof, to conduct spurious investigations of plaintiff and to attempt to legitimize such investigations through attorneys, the power, as set forth in paragraphs 61., 62., 63., 65., 66., and 67., and in Exhibit B to this Complaint, which are extracts from a Scientology newspaper, "Freedom", the February, 1982 issue, to harass plaintiff by unfounded legal actions and thereafter publicize such actions, the foregoing examples being by no means all-inclusive, but set forth only to demonstrate the peculiar power of coercion of the afore-described combination of defendant and those acting in concert with him.

77. As alleged in paragraph 19. hereof, defendant and those acting in concert with him have carried out the actions described in Counts I through VII hereof in order to accomplish the objects of the conspiracy alleged in paragraph 14. hereof and, to the date of filing of this action, have continued to attempt to accomplish the objects of the conspiracy, the most recent overt

acts known to plaintiff pursuant to such conspiracy being
alleged in paragraphs 49., 50., and 51.

WHEREFORE, plaintiff demands judgment against defendant
in the sum of thirty-five million dollars and costs.

By his attorney,

William P. Homans, Jr.
HOMANS, HAMILTON, DAHMEN & MARSHALL
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Plaintiff claims trial by jury.