

CRC 98-20378-C

**IN THE CIRCUIT COURT
FOR THE SIXTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR PINELLAS COUNTY**

SPRING TERM, 1998

**FELONY INFORMATION
CRC98-20378-FANO-K**

STATE OF FLORIDA

VS.

**CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION, INC.,
A FLORIDA CORPORATION,
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG., INC.,
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG.**

SPN: 01980179

- FILED
2:09
1. **ABUSE, AND/OR NEGLECT OF
A DISABLED ADULT, 2° F**
 2. **UNAUTHORIZED PRACTICE OF
MEDICINE, 3° F**

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

**BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of
Florida, in and for Pinellas County, prosecuting for the State of
Florida, in the said County, under oath, Information makes that**

**CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION, INC., A FLORIDA CORPORATION,
a/k/a CHURCH OF SCIENTOLOGY FLAG SERVICE ORG., INC.,
a/k/a CHURCH OF SCIENTOLOGY FLAG SERVICE ORG.**

**in the County of Pinellas and the State of Florida, beginning on or
about the 18th day of November, 1995, and continuing up to and
including the 5th day of December, in the year of our Lord, one
thousand nine hundred ninety-five, in the County and State
aforesaid, did knowingly, willfully, or by culpable negligence
abuse and/or neglect a disabled adult, to wit: Lisa McPherson and
in doing so did cause permanent disfigurement, permanent disability
or great bodily harm to Lisa McPherson; contrary to Chapter
825.102, (1995) Florida Statutes, and against the peace and dignity
of the State of Florida. [37A]**

And the State Attorney aforesaid, under oath as aforesaid, further information makes that CHURCH OF SCIENTOLOGY FLAG SERVICE ORGANIZATION, INC., A FLORIDA CORPORATION, a/k/a CHURCH OF SCIENTOLOGY FLAG SERVICE ORG., INC., a/k/a CHURCH OF SCIENTOLOGY FLAG SERVICE ORG., in the County of Pinellas and the State of Florida, beginning on or about the 18th day of November, 1995, and continuing up to and including the 5th day of December, in the year of our Lord, one thousand nine hundred ninety-five, in the County and State aforesaid, a person or entity not licensed or otherwise authorized by the State of Florida to practice medicine in Florida did practice medicine or attempt to practice medicine to wit: the diagnosis, treatment, operation or prescription for any human disease, pain, injury, deformity or other physical and mental condition in reference to Lisa McPherson; contrary to Chapter 458.327, (1995) Florida Statutes, and against the peace and dignity of the State of Florida. [Y58]

STATE OF FLORIDA
PINELLAS COUNTY

Personally appeared before me BERNIE McCABE, the undersigned State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution.

[Handwritten Signature]

Assistant State Attorney for the Sixth
Judicial Circuit of the State of Florida,
Prosecuting for said State

The foregoing instrument was acknowledged before me this 13th day of November, 1998 by Douglas E. Crow, who is personally known to me and did take an oath.

[Handwritten Signature]

NOTARY PUBLIC
Cora Leigh Gale

INFORMAT.001



Cora Leigh Gale
MY COMMISSION # CC50002 EXPIRES
December 23, 2000
SIGNED WITH TRU-BOND INSURANCE, INC.

**IN THE CIRCUIT COURT
FOR THE SIXTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR PINELLAS COUNTY**

SPRING TERM, 1998

CRC98-~~10317~~CFANO-K

STATE OF FLORIDA

VS.

CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION, INC.,
A FLORIDA CORPORATION,
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG., INC.
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG.
SPN:

FILED
CLERK OF DISTRICT COURT
93 NOV 13 PM 2:27
Robert Johnson
Clerk of Court

SUMMONS TO APPEAR

**IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE
SHERIFFS OF THE STATE OF FLORIDA, THEIR DULY CONSTITUTED DEPUTIES,
THE COMMISSIONER OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT
AND HIS DULY CONSTITUTED SPECIAL AGENTS:**

Pursuant to the direction of the Court, you are hereby commanded to summon:

CHURCH OF SCIENTOLOGY
FLAG SERVICE ORGANIZATION, INC.,
A FLORIDA CORPORATION,
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG., INC.
a/k/a CHURCH OF SCIENTOLOGY
FLAG SERVICE ORG.
c/o Attorney Robert Johnson, Registered Agent
100 North Tampa Street, Suite 3500
Tampa, FL 33602

to appear before the Circuit Court of the Sixth Judicial Circuit of Florida in and for Pinellas County, Florida, at the Criminal Justice Center, 14250 49th Street North, Clearwater, Florida 33762, on the 30th day of November, 1998, at 1:30 o'clock P.M., to answer an Information

filed by the State Attorney for the Sixth Judicial Circuit charging you with the crimes of Abuse and/or Neglect of a Disabled Adult and Unauthorized Practice of Medicine.

WITNESS my hand and the official seal of the Circuit Court of Pinellas County, Florida on this 13th day of November, 1998, at Clearwater, Pinellas County, Florida.

(SEAL)

KARLEEN F. De BLAKER
Clerk of the Circuit Court

By: *Natasha W. Smith*
Deputy Clerk

I, the undersigned, without any commitment as to my guilt or innocence of the above charged offenses, hereby certify that a true and correct copy of the above and foregoing Summons was received by me on the _____ day of November, 1998, at _____ o'clock _____ M.

Individual Accepting Service

Company Title

CERTIFICATE OF SERVICE

I, _____, do hereby certify that I did personally serve a true and correct copy of the foregoing Summons on:

Name: _____

Company Title: _____

a person authorized by Section 48.081, Florida Statutes, to accept service of process on behalf of the defendant, on the _____ day of November, 1998, at _____ o'clock _____ M.

Signature of Serving Officer

COUNTY COURT OR CIRCUIT COURT - CRIMINAL DIVISION
PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA

V.

WITNESS AFFIDAVIT

CHURCH OF SCIENTOLOGY,
FLAG SERVICE ORGANIZATION, INC.

BEFORE ME, A NOTARY PUBLIC, personally appeared Special Agent A. L. Strobe of the Florida Department of Law Enforcement, who being duly sworn says:

Your Affiant is a sworn Special Agent with the Florida Department of Law Enforcement Office and has been so employed for the past ten years. In January of 1997 your Affiant was assigned to assist the Clearwater Police Department in their investigation into the 1995 death of 36 year old Lisa McPherson. Your Affiant has read through the initial police reports of the investigating officers, reviewed transcripts of taped interviews of witnesses, reviewed medical records relating to Lisa McPherson from Morton Plant Hospital and Columbia HCA New Port Richey Hospital in New Port Richey, reviewed autopsy photos and the report of the autopsy of Ms. McPherson, has also personally interviewed numerous witnesses and was present at numerous sworn statements of subpoenaed witnesses taken by the Pinellas County State Attorney's Office. Based upon these sources, your Affiant has reasonable grounds to believe that from approximately November 18, 1995 up to and including December 5, 1995 that the Church of

Scientology Flag Service Organization, Inc., an active Florida Corporation, (herein after referred to as CSFSO), did unlawfully and feloniously engage in or attempt to engage in the illegal, unlicensed practice of medicine, to-wit: the diagnosis, treatment, operation or prescription for any human disease, pain, injury, deformity or other physical or mental condition or did act in this state as a medical doctor in violation of Florida Statute, Section 458.327 (1995). Your Affiant further has reasonable grounds to believe that the CSFSO, an active Florida Corporation, from approximately November 18, 1995 to December 5, 1995 did knowingly, willfully or by culpable negligence abuse or neglect Lisa McPherson, a disabled adult and in doing so caused great bodily harm.

Your Affiant learned through the above-mentioned investigation that Lisa McPherson was a long-term member of the organization known generally as the "Church of Scientology." She had initially become involved many years ago in her home state of Texas and had moved to Clearwater in late 1993 when her employers, who are also Scientologists, moved their business there. During the two years preceding her death, Lisa spent more than \$70,000 for courses, services or auditing at the CSFSO, located at the Ft. Harrison Hotel in downtown Clearwater, and in various other buildings in the immediate Clearwater area. Your Affiant states that at approximately 5:50 p.m., on November 18, 1995 Lisa was involved in a minor traffic accident in Clearwater,

Florida. McPherson, who appeared to be uninjured, talked briefly with Paramedic Bonnie Portolano and EMT Mark Fabyanic before moving her car out of traffic. The paramedics then noticed that Lisa had taken off all of her clothes and was walking past them down the street naked. Portolano stopped Lisa and brought her back to the van and, because of her actions and conversation, became concerned for Lisa's psychological well-being. Lisa consented to be taken to Morton Plant Hospital, which was a short distance away. Portolano estimated Lisa's weight at over 150 lbs. Your Affiant is aware of this information by reading the investigative reports of the officers involved and the transcript of taped interview of paramedic Portolano given to Clearwater Detective Suddler and the transcript of her deposition given in a related civil case.

Your Affiant learned from reviewing the hospital records relating to Lisa's stay and from reviewing police reports or transcripts of taped interviews of Portolano, attending Physician Flynn Lovett, and psychiatric nurse Joe Price that shortly after Lisa's arrival, a number of Scientologists including several high level CSFSO officials showed up at the emergency room and asked to be with Lisa. Despite the fact that Dr. Lovett felt that Lisa was in need of psychological treatment, Nurse Price did not believe McPherson met the criteria for involuntary hospitalization. Lisa was allowed to check out against medical advice and leave with other members of the CSFSO, who had

promised to care for her. Your Affiant further learned that Lisa remained at the Ft. Harrison Hotel until the evening of December 5, 1995. On that date at approximately 9:30 p.m., Lisa arrived at Columbia HCA New Port Richey Hospital in New Port Richey, Florida, a location in Pasco County approximately 20 miles and 45 minutes north of where she had been staying at the Ft. Harrison Hotel in Clearwater, Pinellas County, Florida. Lisa was not breathing and had no heartbeat at the time she arrived. Despite extensive efforts, she could not be resuscitated. Your Affiant was present during and has reviewed the transcript of the sworn testimony of Dr. Minkoff. Dr. Minkoff, the attending physician at Columbia HCA New Port Richey Hospital, who is himself a Scientologist, pronounced Lisa dead. He testified he had spoken to Janice Johnson around seven p.m. on December 5, 1995 about the possibility of Lisa being driven to the hospital for evaluation and treatment, but was shocked at her "horrific" appearance. She appeared to be severely dehydrated and had abrasions or bruises on her body which he believed to be septic petechiae.

As a result of Lisa's death and notification of the Pinellas Pasco Medical Examiner's Office, police were contacted and a criminal investigation was begun. An autopsy performed by Dr. Robert Davis (formerly employed as an associate medical examiner in Pinellas and Pasco Counties) revealed an embolism of the left pulmonary artery which partially obstructed blood flow going from the heart to the left lung for oxygenation. The right pulmonary

artery was unobstructed. A thrombus located behind the knee in the left popliteal vein appeared to be the source of the pulmonary embolus. The autopsy photos showed that Lisa displayed the physical indicia of significant dehydration. Your Affiant has been advised by Chief Medical Examiner Joan Wood that subsequent laboratory tests performed on the vitreous eye fluid from Lisa's body confirmed that Lisa was severely dehydrated. Your Affiant is further aware from talking to Chief Medical Examiner Joan Wood that she has concluded after viewing the body during autopsy, reviewing autopsy photos, reviewing subpoenaed records kept by Lisa's "caretakers" at the Ft. Harrison Hotel and consulting with forensic and clinical experts that Lisa's dehydration was so severe that she would have been symptomatic for days and virtually unresponsive for more than 24 hours prior to her death. Dr. Wood believes that the embolism occurred as a result of the dehydration and Lisa's resulting lethargy and immobility. Dr. Wood does not believe that sepsis (a condition resulting from the presence of pathogens and their toxins in the blood) was a significant factor in Lisa's death. Lisa's body weighed only 108 pounds at autopsy. Dr. Wood has further indicated that the dehydration was so severe and life threatening that in itself it constituted great bodily harm.

Your Affiant states that he has reviewed police reports and transcripts relating to the initial investigation of Lisa McPherson's death including the taped and transcribed interviews

of Alain Kartuzinski and Janice Johnson, both of whom were employees/paid staff members of CSFSO. In these interviews, done in May of 1996, both Kartuzinski and Johnson portrayed Lisa as simply a guest at the hotel who was there to "rest." Janice Johnson's original statement to the Clearwater Police detectives also indicated that "they" were not attempting to treat her (Lisa McPherson's) mental or physical problems, "that is not the point of Scientology, the church does not do that"; she suggested that if they had felt Lisa had serious mental problems, they would have taken her to the hospital to be evaluated, but because she had been checked out at Morton Plant and found not to be a danger to herself they assumed she was all right. She said Lisa was just upset but was "with it." She also claimed that Lisa was taking an herbal supplement on her own, that no one in the Medical Liaison Office would make recommendations of that kind. Thus, the statements minimized the severity of Lisa's mental illness, and omitted both their individual and the "Church's" involvement in Lisa being watched on a 24 hour basis, being kept isolated from any other sources of medical or psychological help, in not allowing Lisa to leave her room, and in medicating her without her consent or appropriate medical intervention.

As the investigation continued, however, and the cause of death became publicly known, your Affiant became aware of and reviewed records supplied under subpoena by the Church of Scientology and was also present when numerous employees of CSFSO

gave sworn testimony. Your Affiant, as a result, became aware that Lisa had been severely psychotic by at least the second day of her stay and continued to be psychotic until her death; she was viewed by her caretakers as someone who was unable to care for herself, talk coherently or make logical decisions; she was watched by employees on a round-the-clock basis, was intentionally isolated by employees who removed the phone from Lisa's room and avoided talking to her or in her presence, never attempted to contact Lisa's next-of-kin, repeatedly prevented Lisa from leaving the premises, and held Lisa down for periods of as much as an hour because she became violent or self-destructive. Your Affiant also learned that employees attempted to treat Lisa's condition by inducing sleep and, in order to accomplish this, medicated her without her consent and without appropriate medical supervision or authorization. All CSFSO employees were represented by counsel and had refused to give sworn testimony before the State Attorney's Office until they were granted use immunity pursuant to Chapter 914. Your Affiant states that he has reviewed records subpoenaed from CSFSO, and was present during the testimony of CSFSO employee and custodian of records Glenn Steilo who indicated that the Ft. Harrison Hotel is owned by CSFSO, and that all the caretakers, Medical Liaison Office employees and Alain Kartuzinski, with the possible exception of Sylvia DelaVega are staff members and paid employees of the CSFSO.

Andrea Sprecher testified in your Affiant's presence that she was approached by Alain Kartuzinski and told to assign Janice Johnson (who was employed by the CSFSO in the Medical Liaison Office) to assist full-time to the task of taking care of Lisa McPherson. Your Affiant further learned from numerous witnesses that other CSFSO employees were organized on a schedule where caretakers watched her 24 hours a day. Most of these caretakers made written reports to Alain Kartuzinski, Lisa's senior case supervisor, as to her condition. Your Affiant, pursuant to subpoenas, obtained and reviewed many of the documents and reports that were made by caretakers and delivered to Alain Kartuzinski. A number of reports made by caretakers, including any and all records relating to Lisa's condition which were created during the last 53 hours of her life, have been lost or destroyed by the "Church."

From the available records and from your Affiant's presence during the sworn testimony of numerous "caretakers", your Affiant learned that Lisa was described throughout her stay as hyperactive, delusional, and hallucinating. She further tried to harm herself and others early in the stay, struck caretakers, engaged in self-destructive behavior, and had to be forcibly restrained on several occasions to prevent injury to herself or other caretakers. After the first week, she routinely urinated and defecated on herself and rarely slept. She had conversations with people who were not there, claimed to be people she was not,

sang and danced around the room as if giving a performance, crawled around on the floor, stood on the toilet, got in the shower fully clothed, tried to walk out of the room in a state of undress, and on at least one occasion drank her own urine. Your Affiant learned from the testimony of caretakers and other employees that Lisa McPherson was undergoing an isolation watch, in the hope that her condition would improve and stabilize, so she could undergo a Scientology procedure known as an introspection rundown. Your Affiant further learned that Lisa was held down and medicated with an irrigation syringe, held down during injections of magnesium chloride, given numerous doses of vitamins and herbal sleep remedies and given prescription drugs even though she was never seen by and had no patient/doctor relationship with the prescribing physician.

Your Affiant has found no indication that the caretakers in charge of Lisa's welfare made any attempt to have her mental and physical condition evaluated or treated by a physician at any time during her stay until her arrival at Columbia HCA New Port Richey Hospital on December 5, 1995. Your Affiant did learn that Janice Johnson, David Houghton, and Alain Kartuzinski had conversations with Dr. Minkoff in which they related to him that Lisa was a "type three" meaning "psychotic" and needed medication to help her sleep. Dr. Minkoff did, in fact, prescribe injectable Valium for Lisa under David Houghton's name on November 20, 1995 and issued a second prescription for the sedative chloral hydrate

on November 29, 1995 in Lisa's name. Dr. Minkoff had never seen or talked to Lisa as a patient. Dr. Minkoff has testified that he was never told the details or severity of Lisa's mental condition and denies prescribing or authorizing magnesium injections or the use of an irrigating syringe to force medicate Lisa with aspirin and Benadryl. Minkoff testified that doing these things without physician authorization would in his opinion be practicing medicine.

Your Affiant further learned from sworn, immunized testimony of the various caretakers and other employees/staff members of CSFSO that several of Lisa's caretakers had some medical training. Janice Johnson had been a practicing, licensed anesthesiologist in Arizona specializing in chronic pain management. Your Affiant has reviewed her licensing file from that state and determined that when she ran into disciplinary trouble in the early 1990's, she surrendered her authority to prescribe controlled substances and in 1994 let her medical license lapse. The Florida Board of Medicine has confirmed to your Affiant that she has never been licensed in this state nor has she applied for a Florida license. Laura Arrunada, another of Lisa's caretakers from the Medical Liaison Office, testified she had graduated medical school in Mexico but had never practiced. Rita Boykin testified she had experience as a nursing assistant. Testimony indicated that Janice Johnson had assumed a supervisory role in caring for Lisa, visited her on numerous

occasions during her stay and issued treatment and medication orders to other caretakers. Moreover, the notes reflect that Johnson was consulted by other caretakers on care and treatment issues and was inappropriately relied on by Dr. Minkoff.

In addition to the above-mentioned testimony of Andrea Sprecher, Judy Goldsberry-Weber, a subordinate of Johnson indicated that Johnson claimed to be in charge of Lisa's care. Weber testified that Johnson was a deputy in the Medical Liaison Office who was responsible for handling staff employees in their dealings with health related professionals. Emma Schamerhorn was the deputy Medical Liaison Office with parallel responsibilities over non-staff parishioners. When Lisa was allowed to leave Morton Plant on Saturday, November 18, 1995, Goldsberry-Weber, a subordinate of Johnson in the CSFSO Medical Liaison Office, had promised Dr. Lovett (who she knew from prior dealings) that Lisa would receive necessary care. Weber testified that she was initially told that Emma Schamerhorn would take care of Lisa the first night. About two days into Lisa's stay, Weber asked Johnson how Lisa was doing. Johnson told Weber to not ask any questions about Lisa that Weber was no longer involved. Some days later, she asked Janice how Lisa was doing in case she ran into Dr. Lovett and he asked about her. According to Weber, they wound up getting in a screaming match after Janice said "you don't have to worry about him, I'm in charge. Butt out."

Leslie Woodcraft testified that on November 23, 1995, around 12:00 midnight Janice Johnson was there when Leslie Woodcraft arrived on her watch. She described Lisa as acting crazy at which time she observed Janice Johnson give Lisa McPherson a small pill that was supposed to calm her.

Patricia Stracener and Anna Pendizini testified that on November 24, 1995 they were briefed by Alain Kartuzinski at around 10:30 p.m., at which time he told them about Lisa's condition and that she had been medicated so that she would go to sleep. During this night of their watch, Lisa woke up and began engaging in bizarre behavior. They observed Lisa McPherson vomit up a dark substance. They further indicated that Janice Johnson showed up later for about a half-hour and checked out Lisa's mouth. She directed them to give Lisa vitamins and water.

Your Affiant learned from the testimony of David Houghton that on November 25, 1995 he administered a dose of Benadryl and aspirin concoction using an irrigating syringe while others held Lisa McPherson down. Houghton testified he had suggested the use of Benadryl (an antihistamine used in over the counter sleep aids) to induce sleep. Alain Kartuzinski forbid the use of the Valium prescribed by Dr. Minkoff because he felt it might prevent the use of further Scientology procedures on Lisa. He directed, after checking Scientology references, that aspirin be included as it might assist in blocking Lisa's formation of mental images. He indicates that he successfully got her to swallow this mixture

of Benadryl and aspirin and he believes that he mentioned this to Janice Johnson. Further, David Houghton testified that he did not ask for consent from Lisa McPherson or explain the procedure to Lisa McPherson because he did not believe that she was capable of understanding. David Houghton further indicates that he administered a second dose of aspirin and Benadryl mixture on November 27, 1995. He indicates that Lisa McPherson was also restrained on this occasion and that she looked sweaty and red in the face and was talking non-sequiturs. On November 28, 1995 he administered a third and final mixture of Benadryl and aspirin to Lisa McPherson again using an irrigation syringe while others held onto her.

Your Affiant states that Judy Goldsberry-Weber, who had years of nursing experience in Oregon before coming to Clearwater, testified that she overheard Houghton and others talk about Lisa being force medicated. She felt this could only be done with a doctors authorization and confronted Janice Johnson about it. Johnson replied that she was in charge and to "butt out". When Weber indicated she thought something was wrong, Johnson said it's not your concern. Weber indicated to Johnson that she had never known Lisa to be violent and Janice responded "Well, you know psychotic breaks."

Valerie Demange testified that on November 29, 1995, she recalls Janice Johnson giving an injection to Lisa's buttocks. She indicates that Janice Johnson told her it was magnesium in

the shot and it was to relax her muscles so she could get some sleep. She further recalls Janice Johnson measuring Lisa's respiration after the shot. During this time frame, Valerie Demange has indicated to your Affiant that she recalls Janice Johnson had called someone who she claimed was a doctor, who Demange believes to have been Dr. Minkoff, for approval prior to this intermuscular injection. Your Affiant has not located any prescription for magnesium, and Dr. David Minkoff indicates that he issued no such prescription to Lisa McPherson or anybody connected with the Lisa McPherson watch.

Your Affiant has also reviewed the notes of Rita Boykin, another of Lisa's "caretakers", which indicated at 1:00 a.m. (apparently on Friday, December 1, 1995) Dr. Johnson just visited and said it was not possible for Lisa McPherson to have anymore chloral hydrate. She further indicates that she needed to get four more Valerian root (an herbal remedy, which is believed to induce sleep) capsules into her and a quart of fluid.

Your Affiant has reviewed a memorandum in handwriting identified in sworn testimony as that of Janice Johnson, dated on December 1, 1995, that indicates that Lisa was given 2mg of MgCL₂ IM (two milligrams of magnisim choloride intramuscular) at 10:30 and two 500mg chloral hydrates. Janice Johnson further notes that Lisa's respiration was between 18 and 24 and that Lisa's extremities were cool but not cold. This note from Janice Johnson further directs that the "plan" is that Lisa needs two

liters of fluid within the next eight hours and when awake they should attempt to feed her.

On December 2, 1995, Laura Arrunada, also a staff member in the Medical Liaison Office, indicates to your Affiant that she gave Lisa chloral hydrate per Janice Johnson's instructions for Lisa McPherson to sleep. Laura indicates this was because Lisa was too active. 11

Your Affiant further learned from Rita Boykin, a caretaker, that she also administered an intermuscular shot to Lisa McPherson on one occasion but does not remember when and where in the "time stream" that this happened. She further indicates that Lisa McPherson didn't know what she was being given or who approved it. Also, Rita Boykin testified that she did not know how the syringe and the bottle got there but assumed that Lisa McPherson was getting it. According to a written request prepared immediately after Lisa's death by CSFSO employee Marcus Quirino, Boykin admitted giving magnesium shots to Lisa including the day of her death. He also quotes Laura Arrunada as saying Lisa was given magnesium injections on Saturday and that this continued over the following two days.

Your Affiant states that the testimony of the caretakers is conflicting as to Lisa's physical decline over the last five days of her life. Janice Johnson acknowledged in her taped statement that she had noticed Lisa's health declining and that she had lost weight the Friday before her death. The caretaker notes

indicate that as of the following day Lisa was too weak to stand; Heather Petzold's testimony confirms that Lisa was too weak to walk on Saturday. While these same witnesses have recently indicated that Lisa improved and regained some of her strength, there is no documentation in the caretaker notes for Saturday and Sunday that this occurred. The previously mentioned report of Marcus Quirino quotes Petzold as saying Lisa had not been active for the last three days and that on the day of her death, "most of the day Lisa was in bed ... not moving, she was beathing." The testimony as to Lisa's condition up until five p.m. is also contradictory with some witnesses describing her as walking and talking and others describing her as unresponsive with eyes fixed or unable to walk. At five p.m. her condition was such that Laura went to notify Janice that something was wrong.

Emma Schamerhorn testified that she talked with Janice Johnson on either Monday evening, December 4th, or Tuesday, morning December 5th, and Janice looked concerned and thought Lisa looked septic. Janet Herring testified that she saw Janice Johnson on Tuesday, December 5th, and talked to her about Lisa McPherson. Janice Johnson told her that she was worried about Lisa and that Lisa was doing worse and she was going to take her to the hospital.

At the time Johnson was leaving the Ft. Harrison Hotel to take Lisa to the hospital, Paul Greenwood helped to carry Lisa from the room to the car. He described Lisa was breathing heavy

with her eyes open, but saw no voluntary movements made by her nor did she even acknowledge his presence.

Dr. Minkoff testified that he received a call around seven p.m., on December 5, 1995 from Johnson and possibly Alain Kartuzinski concerning Lisa McPherson. Johnson reminded him that it was the girl for whom he had issued the prescription. Janice said that Lisa had an infection and complained of a sore throat, had had some diarrhea and lost some weight. She requested he issue a prescription for penicillin, which he refused to do insisting that a doctor see Lisa. He directed her to take Lisa to the nearest hospital if she was very ill (Morton Plant was only a few blocks from the Ft. Harrison) but Janice indicated Lisa was not that sick and she would bring her to New Port Richey. However, Lisa did not arrive at Columbia HCA New Port Richey Hospital until two or three hours after Janice admitted seeing her condition and almost four and a half hours after Laura Arrunada first sought out Janice Johnson. Your Affiant states that this inexcusable delay in seeking emergency help by calling for an ambulance or transporting Lisa to a nearby hospital deprived Lisa of her only opportunity for survival.

Church of Scientology Flag Service Organization, Inc., headquarters is situated in Pinellas County, Florida. The resident agent for the Church of Scientology Flag Service Organization, Inc., is Attorney Robert Johnson at 100 North Tampa

Street, Suite 3500, Tampa, FL 33602 in Tampa, Hillsborough County, Florida.

Your Affiant respectfully requests the issuance of a summons for Practicing Medicine and Abuse/Neglect of a Disabled Adult to Church of Scientology Flag Service Organization, Inc., a Florida Corporation.

The foregoing instrument was acknowledged before me this 13th day of November, 1998 by A. L. Strope, who is personally known to me or has produced as identification and who did take an oath.

A. L. Strope
Affiant
601 CLEVELAND ST # 410
Affiant's Address
727-298-2482
Affiant's Telephone Number

Cara Leigh Gale
Notary Public
Cara Leigh Gale



Cara Leigh Gale
MY COMMISSION # CCS08882 EXPIRES
December 29, 2000
BONDED THRU TROY PAW INSURANCE, INC.

County Court or Circuit Court
Criminal Division, Pinellas County

FINDING OF PROBABLE CAUSE

I, NELLY N. KHOUZAN have reviewed this affidavit and do find ~~there is~~ is not probable cause to hold and bind over for trial the defendant named in this affidavit.

Nelly N. Khouzan
Judge
11/13/98
Date