

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GAWAIN BAXTER, LAURA BAXTER :
and VALESKA PARIS, :

Plaintiffs, :

v. :

Case No: 8:22-cv-986-TPB-JSS

DAVID MISCAVIGE, CHURCH OF :
SCIENTOLOGY INTERNATIONAL; :
RELIGIOUS TECHNOLOGY CENTER :
(RTC); INTERNATIONAL :
ASSOCIATION OF SCIENTOLOGISTS :
ADMINISTRATIONS (IASA); CHURCH :
OF SCIENTOLOGY FLAG SERVICE :
ORGANIZATION, INC. (FSO); and :
CHURCH OF SCIENTOLOGY FLAG :
SHIP SERVICE ORGANIZATION, INC. :
(FSSO), :

Defendants. :

**Plaintiffs’ Motion for Order Declaring Defendant David Miscavige
Served with Process and in Default**

Plaintiffs Gawain Baxter, Laura Baxter, and Valeska Paris respectfully move the Court for an Order declaring Defendant David Miscavige served with process and entering default against him on the docket, pursuant to Federal Rule of Civil Procedure 55(a). Plaintiffs engaged in diligent efforts to locate and personally serve Miscavige, and when those efforts failed due to his intentional concealment of his location and evasion of service, Plaintiffs

served Miscavige by substitute service of process upon the Florida Secretary of State pursuant to Fla. Stat. § 48.161. Plaintiffs have fully complied with the requirements of that statute, Miscavige has been served and he is in default.

I. FACTS

On April 28, 2022, Plaintiffs filed a complaint against Miscavige pursuant to the Trafficking Victims Protection Reauthorization Act (“TVPRA”), 18 U.S.C. §§1581-1597. Plaintiffs filed an Amended Complaint on August 2, 2022, containing allegations concerning Miscavige’s deliberate attempts to evade service, bringing Miscavige within the purview of the Florida substituted service statute. See Fla. Stat. § 48.161. On September 9, 2022, the Court entered an order finding that the Amended Complaint adequately alleged facts supporting the conclusion that Miscavige was evading service, and directing the Clerk to issue a summons for Miscavige in care of the Florida Secretary of State. (Dkt. 97).

A. Plaintiffs’ Investigation and Attempts at Personal Service

Plaintiffs’ have engaged in diligent efforts to locate Miscavige for personal service, and to ascertain a mailing address for him at which waiver requests and notices may be sent. This includes public records searches, review of court dockets in other cases in which service has been attempted, inquiries of former Sea Org members, and searches of public information on

the internet. (Dkt. 141 ¶¶ 4-6, 8-13). In addition, Plaintiffs requested that Defendants provide either Miscavige's location or at least his mailing address, but Defendants declined to provide any information. (Dkt. 141 ¶ 14). Plaintiffs' investigation and service attempts are further outlined in Plaintiffs' motions for extensions of the deadline to effect service upon Miscavige (Dkt. 76, 98), the First Amended Complaint (Dkt. 79), and Plaintiffs' Affidavit of Compliance with Fla. Stat. § 48.161 (Dkt. 141).¹

Throughout the decades during which Miscavige has been the head of Scientology, he has resided and worked in properties owned by Defendants. (Dkt. 141 Ex. 1 Rinder Dec. ¶15). Plaintiffs are informed that Miscavige relocated to the Clearwater, Florida area, where he now works and resides, including regularly appearing at Scientology events. (Declaration of Aaron Smith-Levin ¶12, attached hereto as Exhibit B). (Dkt, 141. Ex 2). Plaintiffs have found no information reflecting Miscavige being located anywhere other than Florida during the past two years. Plaintiffs' process servers attempted to personally serve Miscavige at five Clearwater, Florida addresses: 551 N. Saturn Avenue, the residential complex in which Defendants maintain a residence for Miscavige; 118 N. Ft. Harrison Avenue, a building listed on an

¹ In addition to attempting to personally serve Miscavige, Plaintiffs sent Miscavige requests to waive service, each containing a complete set of the documents required in Fed. R. Civ. P. 4(d), via both Federal Express and U.S. Postal Service Priority mail. (Dkt. 79 ¶ 10). All attempts to deliver were refused.

RTC website as one of its office addresses; 215 S Ft. Harrison Avenue, Scientology's spiritual headquarters (in which Plaintiffs are informed that Miscavige's primary offices is located); 210 S. Ft. Harrison Avenue, FSO's Fort Harrison Building, at which Defendants have promoted Miscaviges' regular appearances at Scientology events; and 200 N. Osceola Avenue, the Sandcastle building where Plaintiffs are informed RTC maintains offices at which Miscavige attends meetings. (See Smith-Levin Decl. ¶¶ 4-12). At each of these locations, Defendants' security staff refused to permit Plaintiffs' process servers to enter and refused to answer any questions about Miscavige. (Exs. 3, 5).

There are no publicly available records of any recent residential address for Miscavige, but his last known address is 6331 Hollywood Boulevard, Los Angeles, California, which is also the address for Defendant Church of Scientology Internaitonal's corporate headquarters. In 1991 and 1995, Miscavige was cited for traffic infractions in Pinellas County, Florida, and those records list his address as 6331 Hollywood Boulevard. (Declaration of Zahra R. Dean, attached hereto as Exhibit A (the "Dean Declaration"), Exhibit 1 (1991 and 1995 traffic citation records from Register of Actions for Pinellas County, Florida)). Public records searches conducted by Plaintiffs Counsel through Westlaw and Lexis indicated that 6331 Hollywood

Boulevard is the last known address for Miscavige, (Dkt. 141, ¶¶ 5, 7), as did a search of proprietary databases and open source intelligence conducted by Plaintiffs' private investigator, Keck Investigation Service, LLC. (Dkt. 141, ¶ 9, Dean Declaration, ¶ 3).

Plaintiffs attempted to serve Miscavige at 6331 Hollywood Boulevard, but their process server was turned away by building security. (Dkt. 141, ¶16.f.). Because he is Defendant RTC's Chairman of the Board, Plaintiffs also attempted to personally serve Miscavige at RTC's headquarters at 1710 Ivar Avenue, Los Angeles, California. Nobody answered the buzzer. (Dkt. 141, ¶ 16.g.). Plaintiffs believe these addresses to be separate entrances for the same building.

B. Substitute Service of Process

On August 31, 2022, Plaintiffs moved the court for issuance of a summons directed to Defendant David Miscavige through the Florida Secretary of State to perfect substituted service upon Miscavige pursuant to Fla. Stat. § 48.161. (Dkt. 93). On September 9, 2022, the Court granted Plaintiffs' motion, finding that the Amended Complaint alleged facts supporting the inference that Miscavige was concealing his location to evade personal service. (Dkt. 97.)

On September 14, 2022, Plaintiffs served Miscavige with process through the Florida Secretary of State pursuant to Fla. Stat. § 48.161, by having a process server hand deliver the summons, First Amended Complaint, and a check in the amount of \$8.75 to the Secretary of State's office. (Dkt. 141, Exs 6 and 17).

On September 15, 2022, Plaintiffs sent notice of service and copies of the summons and Amended Complaint by U.S. certified mail, return receipt requested, to Miscavige at his last known address, 6331 Hollywood Blvd., Los Angeles, California; as well as 1710 Ivar Avenue, Los Angeles, California (RTC headquarters), and eight additional addresses Plaintiffs' investigation turned up as associated with Miscavige: 551 N. Saturn Avenue, Clearwater, Florida, 33755 (Sea Org residential complex where Miscavige's residence is located); 215 S. Ft. Harrison Avenue, Clearwater, Florida, 33755 (the Scientology Flag Building, where Miscavige's primary office is located); 210 S. Ft. Harrison Avenue, Clearwater Florida, 33755 (FSO's building, the Fort Harrison, where Miscavige appears at weekly Scientology gatherings); 118 N. Ft. Harrison Avenue, Clearwater Florida, 33756 (RTC offices); 200 N. Osceola Avenue, Clearwater, Florida, 33756 (Sandcastle building, where RTC also has offices); 4810 Sunset Boulevard, Los Angeles, California, 90027 (the Church of Scientology of Los Angeles); 1306 L Ron Hubbard Way, Los Angeles, California 90027 (the Church of Scientology Advanced Organization

in Los Angeles); and 1721 N. Sycamore Avenue, Los Angeles, California, 90028 (Miscavige's former Los Angeles residence)).

Plaintiffs also sent the notice, summons and Amended Complaint to Miscavige's California counsel, who represents him in litigation challenging substituted "drop" service in state court actions against him and several of the Defendants herein, and requested that the attorney provide those papers to Miscavige. (Dkt. 141 ¶ 24).

On October 10, 2022, Plaintiffs filed their Declaration of Compliance with Florida Statute Section 48.161 for Substitute Service on David Miscavige and informed the Court that the notice mailed to Miscavige at 6331 Hollywood Boulevard, Los Angeles, California, was in the Postal Service system en route back to Plaintiffs' Counsel. (Dkt. 141 ¶ 22.f.). Plaintiffs also provided copies of return receipts returned by the Postal Service and other information about the parcels mailed to Miscavige, and informed the Court that they were awaiting additional documentation from the Postal Service. On December 5, 2022, Plaintiffs filed their Supplemental Declaration with additional return receipts. (Dkt. 151). As set forth in the Supplemental Declaration, on November 12, 2022, Plaintiffs' Counsel received the parcel sent to 6331 Hollywood Boulevard from the Postal Service, marked "returned to sender." (Dkt. 151, Ex. 1). U.S.P.S. was unable to deliver any of the ten parcels. (Dkt. 141 Ex 7-16 and Dkt. 151 Ex 1-5).

II. ARGUMENT

“The rules governing service of process are not designed to create an obstacle course for plaintiffs to navigate, or a cat-and-mouse game for defendants who are otherwise subject to the court’s jurisdiction.” *Ali v. Mid-Atlantic Settlement Services, Inc.*, 233 F.R.D. 32, 36 (D.D.C. 2006). Neither those rules nor Constitutional requirements of due process place Plaintiffs “entirely at the mercy of elusive defendants . . . who becloud[] [their] whereabouts” *National Labor Relations Board v. Clark*, 468 F.2d 459, 464 (5th Cir.1972).² “[D]ue process does not require receipt of actual notice in every case,” *id.*, and “there is an exception to the statutory service requirements where a party actively evades service by fleeing the process server or purposefully isolating himself.” *Mcgee v. Cook*, No. 8:09-CV-2543-T-27TGW, 2011 WL 1365024, at *3 (M.D. Fla. Apr. 11, 2011). Florida courts strongly disfavor such “gamesmanship.” *Bonafide Properties, LLC v. Bank of New York Mellon*, No. 5:21CV54-TKW-MJF, 2021 WL 1186332, at *1 (N.D. Fla. Mar. 29, 2021). In such circumstances, as is the case here, service of process standards are relaxed and substituted service or notice by other means is permitted. *United States v. Todd*, No. 3:11-MC-52-J-37TEM, 2012 WL 13136992, at *2 (M.D. Fla. Feb. 7, 2012), *report and recommendation*

² In *Bonner v. City of Prichard*, 661 F. 2d 1206, 1209 (11th Cir. 1981) (*en banc*), the Eleventh Circuit adopted as binding precedent all decisions of the former Fifth Circuit handed down prior to October 1, 1981.

adopted, No. 3:11-MC-52-J-37TEM, 2012 WL 13136993 (M.D. Fla. Mar. 5, 2012); *see also McGee*, 2011 WL 1365024 at 3 (same).³

Rule 4 of the Federal Rules of Civil Procedure provides that a defendant can be served with process pursuant to state law. Fed. R. Civ. P. 4(e)(1); *Manufacturers Hanover Trust Co. v. Ponsoldt*, 51 F.3d 938 (11th Cir. 1995). Under Florida law, personal service for a defendant who intentionally evades service may be made on the Secretary of State pursuant to Fla. Stat. § 48.161. Plaintiffs bear the burden of proving the defendant's evasion of personal service, and before they can avail themselves of the statutory procedure in § 48.161, they must allege in their complaint (or amended complaint) facts sufficient to support the inference of the defendant's concealment or evasion. (Dkt. 97 at 2) (citing *Dixon v. Blanc*, 796 F. App'x 684, 687 (11th Cir. 2020) (citing *Wiggam v. Bamford*, 562 So. 2d 389, 390 (Fla. Dist. Ct. App. 1990)).

The Court has already found that the Amended Complaint alleges sufficient facts to meet this requirement. (Dkt. 97 at 3) (citing *Verizon Trademark Servs., LLC v. The Producers, Inc.*, No. 8:10-cv-665-T-33EAJ 2011 U.S. Dist. WL 3296812 (M.D. Fla. 2011)). As set forth above, Plaintiffs have submitted declarations and exhibits supporting those allegations and

³ This has long been the rule in Florida. *See, e.g., Robb v. Picarelli*, 319 So.2d 645, 647 (Fla. 3d DCA 1975); *Olin Corp. v. Haney*, 245 So.2d 669, 671 (Fla. 4th Dist. Ct. App. 1971); *Lieberman v. Com. Nat. Bank of Broward Cnty.*, 256 So. 2d 63, 63 (Fla. Dist. Ct. App. 1971).

setting forth additional facts concerning their diligent, but unsuccessful efforts to locate and serve Miscavige. There is more than enough evidence to demonstrate that he has intentionally concealed his location and erected obstacles to evade personal service of process. (Dkt. 141 ¶¶ 4-6, 8-14, 16-19, 21-22, 24-25, and Exs 3-5).

According to Michael Rinder, the former head of Defendant's Office of Special Affairs, who was responsible for overseeing all legal matters for Defendants, Miscavige's evasion of service of process is systematic and routine: pursuant to Miscavige's direction, measures are taken to shield him from service of process, including directing security guards to refuse entry to anyone seeking to serve him and to refuse to divulge any information about his whereabouts or to answer any question with anything other than "I don't know, please leave." (Dkt. 141, Ex. 1, ¶15). This is precisely what Plaintiffs' process servers encountered in this action, (Dkt. 141, Exs 3-5), and affidavits of service filed in other civil actions show that process servers have encountered similar obstacles.⁴ (Dean Declaration, Exhibits 2-5).

⁴ In both *Jane Doe v. Church of Scientology International, et al*, 19stcv21210 (Superior Court of the State of California, County of Los Angeles) and *Chrissie Carnell Bixler, et al. v Church of Scientology International, et al*, 19STCV29458 (Superior Court of the State of California, County of Los Angeles), counsel for Miscavige specially appeared and moved to quash the affidavits of service for failing to follow California procedures applicable to substitute "drop" service. Those procedures are not applicable here.

In evaluating whether a plaintiff's unsuccessful efforts to serve a defendant were adequate enough to justify resort to substituted service, the question is "not whether it was in fact possible to effect personal service in a given case, but whether the [plaintiff] reasonably employed knowledge at [plaintiff's] command, made diligent inquiry, and exerted an honest and conscientious effort appropriate to the circumstances, to acquire information necessary to enable [plaintiff] to effect personal service on the defendant." *Verizon.*, 2011 WL 3296812 at *3 (citations omitted). *See also Gulf Winds Fed. Credit Union v. Bldg. Comm., Inc.*, Case No. 3:07-cv-468/RS-MD 2009 WL 10676622 (N.D. Fla. 2009) (finding "ample evidence on the record of due diligence on the part of [plaintiff] in searching for [defendant]"). Plaintiffs exercised reasonable diligence in their efforts to serve Miscavige and he has intentionally and successfully evaded service. Plaintiffs were thus entitled to serve him through the Secretary of State, which they accomplished by delivering to the Secretary of State a copy of the summons addressed to Miscavige in care of the Secretary of State, along with a copy of the Amended Complaint and a check for the required processing fee. (Dkt. 141 Exs. 6 and 17).

Once service has been effectuated, the statute requires the following additional steps: "(1) the plaintiff must send notice of service and a copy of the process by registered or certified mail to the defendant at his "last known

address”; (2) the plaintiff must file the defendant's return receipt; and (3) the plaintiff must file an affidavit of compliance.” *See Verizon*, 2011 U.S. Dist. WL 3296812 at *4 (citations omitted).

As described above, Plaintiffs sent notice documents by certified mail to Miscavige at his last known address, 6331 Hollywood Blvd., but it was returned to sender with the unsigned return receipt. (Dkt. 141, Ex. 12; Dkt. 151, Ex. 1). The parcel sent to Miscavige at RTC’s corporate headquarters, 1710 Ivar Avenue, was refused on September 19, 2022, and then lost in the Postal Service system. (Dkt. 141, Ex. 13; Dkt. 151, Ex. 4). The Postal Service was unable to deliver any of the other parcels. (Dkt. 141, Exs. 7-16; Dkt. 151, Exs. 1-5).

Plaintiffs submit that further efforts are not required and would be fruitless. For decades, Miscavige has both resided and worked in properties owned by Defendants. (Dkt. 141, Ex. 1 , Rinder Dec. ¶ 15.). There are no publicly available records associating Miscavige with any address other than a Scientology-owned location. Although the corporate Defendants are clearly in the best position to know, their respective counsel informed Plaintiffs Counsel that their clients declined to provide a mailing address for Miscavige. (Dkt. 141 ¶ 14).⁵

⁵ As noted above, nor would counsel representing Miscavige in his challenges to service in the California state court actions, and Plaintiffs do not know if he shared the notice papers sent to him with his client, Miscavige.

However, while Miscavige and the Defendants have made it virtually impossible to deliver any papers to him, there is no room to doubt that he is aware of this action and the fact that he is named as a defendant in it. This is a high-profile civil action against the Church of Scientology International and four of its most significant operating entities, and its leader, David Miscavige. Plaintiffs allege that Miscavige and the corporate Defendants committed serious federal crimes that caused the Plaintiffs to suffer serious injuries. The case has been widely reported in the media, and the Defendants have issued public statements in response.⁶

Furthermore, Miscavige closely monitors and directly involves himself in legal proceedings involving Scientology. As former OSA head Michael Rinder attests, Miscavige not only is directly involved in the management of Defendants' operations, but he oversees their legal matters. (Dkt. 141 Ex. 1). According to declarations from several top-level Scientology officials who report directly to him, Miscavige has long been involved in directing Defendants' legal strategy. As far back as 1986, Miscavige handled legal strategy for lawsuits against Scientology. (Dean Declaration, Ex. 6,

⁶ See, e.g. Tracey McManus, *3 former Scientology workers sue, saying they were trafficked as children*, TAMPA BAY TIMES, April 28, 2022, <https://www.tampabay.com/news/clearwater/2022/04/28/3-former-scientology-workers-sue-saying-they-were-trafficked-as-children/>; Sarah Do Couto, *3 ex-Scientology workers sue, claiming they were subject to severe abuse*, GLOBAL NEWS, April 29, 2022 12:14 pm, <https://globalnews.ca/news/8796965/scientology-sued-workers-child-trafficking-sea-org/>.

Declaration of Lyman D. Spurlock, pg.4 ¶15). A senior RTC officer, Anna Joasem, explained that “having worked for Chairman of the Board [Miscavige] for 22 years, I know first-hand that Mr. Miscavige has always been working relentlessly to end all legal battles for the Church so that he could concentrate his time and energy on the expansion of the Scientology Religion.” (Dean Declaration, Ex. 7, Declaration of Anna Joasem, p.2 ¶8) Miscavige’s direct involvement in litigation against Defendants includes directing settlement negotiations “of all legal cases.” (Dean Declaration Ex. 8, Declaration of Greg Wilhere, ¶14). He has even removed from their duties subordinates responsible for direct supervision of litigation and stepped into that role himself, going so far as to “spen[d] all of 1999 and again large portions of 2000 through to 2003” living in Clearwater to directly supervise litigation, while continuing “to also put on and hold many major international events each of those years, all of which were associated with dissemination and expansion campaigns and properties.” (Dean Declaration Ex. 8 ¶20).

“Mr. Miscavige is Scientology.” (Dean Declaration Ex. 8 p.2 ¶¶2,8). “And just as Mr. Hubbard was no armchair philosopher, Mr. Miscavige is always hands-on in getting the job at hand done.” (Dean Declaration Ex. 9, Mark Ingber Declaration, p.3 ¶10). It beggars belief that Miscavige could be anything but fully informed of every detail of this case, let alone the basic

information required to put him on notice so he can appear and defend himself against Plaintiffs' claims.

The purpose of service of process, whether personal or substituted, is to satisfy the Constitutional due process requirement that the defendant be "give[n] knowledge of the proceedings and an opportunity to be heard[.]" *Ali*, at 464, but "due process does not require receipt of actual notice in every case[.]" *Clark*, 468 F.2d at 464. Where defendants conceal their location and frustrate reasonable efforts to deliver notice of substituted service pursuant to Section 48.161, "[c]ourts may dispense with the filing of a postal receipt . . ." *Wise v. Warner*, 932 So.2d 591, 593 (Fla. Ct. App., Fifth Dist. 2006). Under these circumstances, courts have not hesitated to deem the statutory requirements to have been met and declare the defendant to be on notice of the action and that they have been served. *See, e.g., United States v. Shiffman*, No. 6:20-cv-1747-PGB-DCI, 2021 WL 4208697, at *4 (M.D. Fla. April 16, 2022) (failure to file return receipt excused and defendant deemed served where defendant concealed location). Where, as here, a defendant who has been served in accordance with Florida Statute 48.161 "fails to plead or otherwise defend" against a lawsuit, the appropriate remedy is entry of default on the docket, pursuant to Fed. R. Civ. P. 55(a). *Hansen Bev. Co. v. Consol. Distribs.*, 11-cv-329-Orl-22DAB, 2012 WL 12903172 at *3 (M.D. Fla. 2012); *Verizon*, 2011 WL 3296812, at *6. *See also, Frank Keevan & Son, Inc.*

v. Callier Steel Pipe & Tube, Inc., 107 F.R.D. 665, 668, 671 (S.D. Fla.1985) (denying motion to set aside default and final default judgment against chair of the board and principal shareholder of corporation who was sued in his individual capacity, where, among other things, it was obvious that the defendant company’s lawyer would have notified its chairman that he was named in the lawsuit).

Miscavige cannot be permitted to continue his gamesmanship. Plaintiffs have complied with the requirements of Florida Statute 48.161. The parcel containing the notice mailed to Miscavige at his last known address was returned to sender on November 12, 2022. (Dkt. 151, Ex. 1). Every other parcel was refused and returned. Miscavige has been served and he has “failed to plead or otherwise defend[.]” Fed. R. Civ. P. 55(A). Accordingly, the Court should declare Miscavige to be in default.

III. CONCLUSION

For the reasons set forth above, Plaintiffs respectfully request that the Court enter an Order declaring Defendant David Miscavige to have been served by means of substituted process as provided in Florida Statute 48.161, and directing the Clerk to enter default against Miscavige on the docket.

LOCAL RULE 3.01(g) CERTIFICATION

Plaintiffs have been unable to contact Defendant Miscavige and do not know of any counsel representing him in this matter. Plaintiffs therefore ask

that they be excepted from Local Rule 3.01(g).

Dated: December 13, 2022

/s/Neil L. Glazer

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EXHIBIT A

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GAWAIN BAXTER, LAURA BAXTER :
and VALESKA PARIS, :

Plaintiffs, :

v. : Case No: 8:22-cv-986-TPB-JSS

DAVID MISCAVIGE, CHURCH OF :
SCIENTOLOGY INTERNATIONAL; :
RELIGIOUS TECHNOLOGY CENTER :
(RTC); INTERNATIONAL :
ASSOCIATION OF SCIENTOLOGISTS :
ADMINISTRATIONS (IASA); CHURCH :
OF SCIENTOLOGY FLAG SERVICE :
ORGANIZATION, INC. (FSO); and :
CHURCH OF SCIENTOLOGY FLAG :
SHIP SERVICE ORGANIZATION, INC. :
(FSSO), :

Defendants. :

**Declaration of Zahra R. Dean in Support of Plaintiffs' Motion for
Order Declaring Defendant David Miscavige Served with Process
and in Default**

I, Zahra R. Dean, declare the following:

1. I am an Attorney at Kohn, Swift & Graf, P.C., and I represent the
Plaintiffs in this action. I make this declaration based on my personal
knowledge.

2. Attached hereto as Exhibit 1 is a true and correct copy of records

from the Register of Actions for Pinellas County, Florida, showing that David Miscavige received traffic citations in 1991 and 1995, which list his address as 6331 Hollywood Boulevard Los Angeles, CA 90028.

3. I have reviewed the public records searches by Plaintiffs' Counsel through the Westlaw and Lexis databases and report prepared by Plaintiffs' private investigator and they each reflect 6331 Hollywood as Miscavige's most recent known or likely address. Plaintiffs' Counsel have retained the reports in their files.

4. Attached hereto as Exhibit 2 is a true and correct copy of the October 17, 2019, affidavit of service in *Chrissie Carnell Bixler, et al. v. Church of Scientology International, et al.*, 19STCV29458, in which the process server recounts the difficulties encountered in attempting to serve David Miscavige at 6331 Hollywood Boulevard, Los Angeles, CA 90028.

5. Attached hereto as Exhibit 3 is a true and correct copy of the April 27, 2021, affidavit of service in *Chrissie Carnell Bixler, et al. v. Church of Scientology International, et al.*, 19STCV29458, in which the process server recounts the difficulties encountered in attempting to serve David Miscavige at 6331 Hollywood Boulevard, Los Angeles, CA 90028 and 1710 Ivar Avenue, Los Angeles, CA 90028.

6. Attached hereto as Exhibit 4 is a true and correct copy of the October 17, 2019, affidavit of service in *Jane Doe v. Church of Scientology*

International, et al., 19stcv21210 in which the process server recounts the difficulties encountered in attempting to serve David Miscavige at 6331 Hollywood Boulevard, Los Angeles, CA 90028.

7. Attached hereto as Exhibit 5 is a true and correct copy of the September 16, 2014, affidavit of service in *Nat'l Ass'n of Forensic Counselors, Inc. v. Narconon Int'l*, Case No. CIV-14-187-RAW (E.D. Okla. Mar. 31, 2015), in which the process server recounts the difficulties encountered in attempting to serve David Miscavige at 6331 Hollywood Boulevard, Los Angeles, CA 90028.

8. Attached hereto as Exhibit 6 is a true and correct copy of a July 28, 2009, declaration by Lyman D. Spurlock.

9. Attached hereto as Exhibit 7 is a true and correct copy of a July 28, 2009, declaration by Anne M. Joasem.

10. Attached hereto as Exhibit 8 is a true and correct copy of a July 28, 2009, declaration by Greg Wilhere.

11. Attached hereto as Exhibit 9 is a true and correct copy of a July 28, 2009, declaration by Mark Ingber.

12. As reflected in Plaintiffs previous supplemental declaration (Dkt. 151 ¶ 3.b.), the Postal Service tracking report showed that the status of the parcel mailed to Defendant David Miscavige at 1721 N. Sycamore Avenue, Los Angeles, CA 90028, was unknown. On December 12, 2022, Plaintiffs'

Counsel received this parcel from the Postal Service, marked returned to sender. Attached hereto as Exhibit 10 is a true and correct copy of the envelope and return receipt.

Executed on this 13th day of December, 2022 in Philadelphia,
Pennsylvania.



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EXHIBIT B

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

GAWAIN BAXTER et al.,

Plaintiffs,

v.

Case No.: 8:22-cv-00986-TPB-JSS

DAVID MISCAVIGE et al.,

Defendants.

_____ /

Declaration of Aaron Smith Levin

1. I am a resident of Florida, currently residing in Clearwater.
2. I was a member of the Sea Org from 2002 to 2006.
3. Between 1993-1998, I lived in the Sea Org housing at the Hacienda Gardens, located at 551 N Saturn Avenue, Clearwater Florida.
4. Hacienda Gardens is a gated, residential complex where about 1,000 Sea Org Members live. There are security cameras mounted inside and around the perimeter of the property, and security guards are present inside the property, behind the gates.
5. David Miscavige lives in the Hacienda Gardens, on the north side of the property, in a unit that was renovated specifically to serve as a residence for Miscavige.
6. This has been his Clearwater residence since at least 1993.

7. In 2020, on or around March, I was driving on N. Keene Road with my wife Heather Smith-Levin, when my wife saw a black four door Cadillac followed by two black SUVs pull out of the gate of Hacienda Gardens and called it to my attention. The gate was guarded by two security guards, one on each side. From my personal prior knowledge, I knew that when Miscavige travels between Scientology buildings, he is accompanied by security.

8. I identified the driver of the first vehicle as David Miscavige and followed him to the Flag Building, located at 215 S Ft Harrison Ave Clearwater, FL 33756. Miscavige pulled into the building via the large loading doors at the southeast corner of the building.

9. David Miscavige's primary offices are located at the top of the northwest tower of the Flag Building located at 215 S. Ft. Harrison Avenue in Clearwater Florida. Miscavige works 7 days per week when he is in Clearwater. His private office space in that tower of the building includes a private bedroom, closet and shower in case he needs to sleep / freshen up without returning to the Hacienda Gardens.

10. There is a residential penthouse suite in the Fort Harrison that is available to be used by Miscavige whenever he chooses.

11. The Flag Building is connected to the Fort Harrison building, located at 210 S. Ft Harrison Ave, Clearwater Florida, by a pedestrian

bridge. This bridge allows Miscavige to cross between the buildings without using the public street.

12. Miscavige regularly appears and speaks at Scientology events at the Fort Harrison, including at weekly ceremonies honoring Scientologists who are graduating from programs they have attended at Flag Base.

13. RTC has offices in the West Coast Building, located at 118 N. Ft. Harrison Ave and at the Sandcastle building located at 200 N Osceola Ave.

14. RTC's offices in Los Angeles are located at the Hollywood Guarantee Building located at 6331 Hollywood Boulevard. RTC also has offices at the Advanced Org building of Los Angeles located at 1306 L. Ron Hubbard Way, Los Angeles, CA 90027. 4751 Fountain Avenue is connected to/part of the same building as 1306 L Ron Hubbard Way.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 13th day of December, 2022.



Aaron Smith Levin

EXHIBIT 1

REGISTER OF ACTIONS

CASE No. 910018801TE



STATE OF FLORIDA vs. MISCAVIGE, DAVID

§
§
§
§
§
§

Case Type: **TRAFFIC INFRACTION**
Date Filed: **05/10/1991**
Location: **Traffic**
Judicial Officer: **JUDGE, DEFAULT CONVERSION**
UNIFORM CASE NUMBER: **521991TR045923XXXXXX**

PARTY INFORMATION

DEFENDANT MISCAVIGE, DAVID
6331 HOLLYWOOD BV
APT 1100
HOLLYWOOD, CA 90028

Male White
DOB: 04/30/1960
6' 0"

Attorneys

STATE STATE OF FLORIDA
14250 49th STREET NORTH
ROOM 1000
CLEARWATER, FL 33762

CHARGE INFORMATION - ([CHECK PCSO FOR CUSTODY INFO](#))

Charges: MISCAVIGE, DAVID	Statute	Level	Date
1. SPEED/POSTED/MUNICIPAL ROAD	316 189 01	UNKNOWN DEGREE	05/10/1991

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

06/03/1991 **Disposition**
1. SPEED/POSTED/MUNICIPAL ROAD
PAID FINE OR CIVIL PENALTY

OTHER EVENTS AND HEARINGS

06/03/1991 **PAID CIVIL PENALTY**
PAID CIVIL PENALTY \$ 114.00

REGISTER OF ACTIONS
CASE No. 9500468812P



STATE OF FLORIDA vs. MISCAVIGE, DAVID

§
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§
§
§

Case Type: **TRAFFIC INFRACTION**
 Date Filed: **11/13/1995**
 Location: **Traffic**
 Judicial Officer: **JUDGE, DEFAULT CONVERSION**
 UNIFORM CASE NUMBER: **521995TR082631XXXXXX**

PARTY INFORMATION

DEFENDANT	MISCAVIGE, DAVID 6331 HOLLYWOOD BV APT 1100 HOLLYWOOD, CA 90028	Male White DOB: 04/30/1960 6' 0"	Attorneys
STATE	STATE OF FLORIDA 14250 49th STREET NORTH ROOM 1000 CLEARWATER, FL 33762		

CHARGE INFORMATION - ([CHECK PCSO FOR CUSTODY INFO](#))

Charges: MISCAVIGE, DAVID	Statute	Level	Date
1. UNLAWFUL SPEED	316.183 2	UNKNOWN DEGREE	11/13/1995

EVENTS & ORDERS OF THE COURT

DISPOSITIONS	
12/11/1995	Disposition 1. UNLAWFUL SPEED PAID FINE OR CIVIL PENALTY
OTHER EVENTS AND HEARINGS	
12/11/1995	PAID CIVIL PENALTY PAID CIVIL PENALTY - \$138.75
11/22/1995	TRAFFIC CITATION - CIVIL PENALTY DUE \$ 138.75 CIVIL PENALTY DUE 121395

FINANCIAL INFORMATION

DEFENDANT MISCAVIGE, DAVID	
	Total Financial Assessment 138.75
	Total Payments and Credits 138.75
	Balance Due as of 08/25/2022 0.00
11/22/1995	Transaction Assessment 138.75
11/22/1995	COUNTER PAYMENT Receipt # 20268045 MISCAVIGE, DAVID (138.75)

EXHIBIT 2

ATTORNEY OR PARTY WITHOUT ATTORNEY: Robert Thompson, Esq. (SBN 250038) Thompson Law Offices 700 Airport Boulevard Suite 160 Burlingame, CA 94010 TELEPHONE NO.: (650) 513-6111 FAX NO.: (650) 513-6071 ATTORNEY FOR: Plaintiff	FOR COURT USE ONLY
LOS ANGELES COUNTY SUPERIOR COURT, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street, Los Angeles MAILING ADDRESS: 111 North Hill Street, Los Angeles CITY AND ZIP CODE: CA, 90012 BRANCH NAME: Main	
PLAINTIFF: Chrissie Carnell Bixler, et al DEFENDANT: Church Of Scientology International, et al	CASE NUMBER: 19STCV29458
DECLARATION OF DUE DILIGENCE	Ref. No. or File No.: BIXLER, ET AL

1. I Robert Hall, am at least 18 years of age and not a party to this action.
2. Documents to be served:

Summons; Complaint; Civil Case Sheet; Civil Case Cover Sheet Addendum And Statement Of Location, Notice Of Jury Fee Deposit, Notice Of Case Management Conference
3. Party to be served:

David Miscavige, 6331 Hollywood Boulevard, Los Angeles, CA 90028
4. Details of diligence:

10/17/2019 10:20 AM Defendant not in. Security did not want to accept documents. Left with his knowledge.
10/15/2019 9:20 AM Defendant not in.
10/10/2019 10:37 AM Defendant not in.
10/07/2019 4:20 PM Subject not in. The security is very evasive with their answers. It is believed that Mr. Miscavige lives on this property and defendant Masterson is an employee. No known home address is known for either defendants.
5. Person attesting to diligence:

Name: Robert Hall
Firm: Are You Being Served?, Inc.
Address: 1325 Howard Avenue, PMB 507, Burlingame, CA 94010
Telephone Number: (650) 348-7378
I am a registered California process server: independent contractor
Registration No.: 6932
County: Los Angeles

The fee for service was: \$117.16

PLAINTIFF: Chrissie Carnell Bixler, et al DEFENDANT: Church Of Scientology International, et al	CASE NUMBER: 19STCV29458
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6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: *October 17, 2019*

Robert Hall

(PRINTED NAME)



Robert Hall

(SIGNATURE)

EXHIBIT 3

1 Robert W. Thompson, Esq. (SBN: 250038)
2 Casey A. Gee, Esq. (SBN: 284830)
3 THOMPSON LAW OFFICES, P.C.
4 700 Airport Blvd., Suite 160
5 Burlingame, CA 94010
6 Tel: (650) 513-6111 / Fax: (650) 513-6071

7 Brian D. Kent, Esq. (*Pro Hac Vice*)
8 M. Stewart Ryan, Esq. (*Pro Hac Vice*)
9 LAFFEY, BUCCI & KENT, LLP
10 1435 Walnut Street, Suite 700
11 Philadelphia, PA 19102
12 Tel: (215) 399-9255 / Fax: (215) 241-8700

13 Attorneys for Plaintiffs

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 FOR THE COUNTY OF LOS ANGELES - UNLIMITED CIVIL JURISDICTION

16 CHRISSIE CARNELL BIXLER; CEDRIC
17 BIXLER-ZAVALA; JANE DOE #1; MARIE
18 BOBETTE RIALES; and JANE DOE #2;

19 Plaintiffs,

20 vs.

21 CHURCH OF SCIENTOLOGY
22 INTERNATIONAL; RELIGIOUS
23 TECHNOLOGY CENTER; CHURCH OF
24 SCIENTOLOGY CELEBRITY CENTRE
25 INTERNATIONAL; DAVID MISCAVIGE;
26 DANIEL MASTERSON; and DOES 1 – 25;

27 Defendants.

Case No.: 19STCV29458

Assigned to Hon. Steven J. Kleifield, Dept. 57

**DECLARATION OF CARLOS FERNANDEZ
ISO PLAINTIFFS' OPPOSITION TO
DEFENDANT DAVID MISCAVIGE'S
MOTION TO QUASH SERVICE OF
SUMMONS AND FIRST AMENDED
COMPLAINT**

Date: May 12, 2021
Time: 8:30 a.m.
Dept. 57

Action Filed: August 22, 2019

Reservation No. 368970839993631373510631

1 I, Carlos Fernandez, declare:

2 1. I am a private investigator in the State of California and employed by Intellectual Property
3 Enforcement Company, Inc. I am licensed under California P.I. #17676. I have personal knowledge of the
4 facts set forth in this declaration and, if called as a witness, could and would testify competently to such
5 facts under oath.

6 2. Plaintiffs hired me to serve process on Defendant David Miscavige. Plaintiffs, nor their
7 counsel, specified the dates or time frame for when I should attempt service on David Miscavige. I have
8 never met David Miscavige. I did not know, and was not otherwise informed, that David Miscavige was
9 purportedly in Clearwater, Florida at the time of my service attempts.

10 3. On November 21, 2020 and November 25, 2020, I attempted to serve process on David
11 Miscavige at the addresses of 6331 Hollywood Boulevard, Los Angeles, CA 90028 and 1710 Ivar Avenue,
12 Los Angeles, CA 90028. My service attempts at each address were made in close proximity in time
13 because the addresses belong to the same building. During these service attempts, I was carrying the
14 service documents in the backpack I was wearing while I attempted to locate David Miscavige or an
15 individual who could accept service on his behalf. My backpack is readily apparent in the surveillance
16 photographs taken by the Defendants. I am aware of no law or requirement that I must carry the service
17 documents in my hand, as opposed to my backpack, as I attempt service of process.

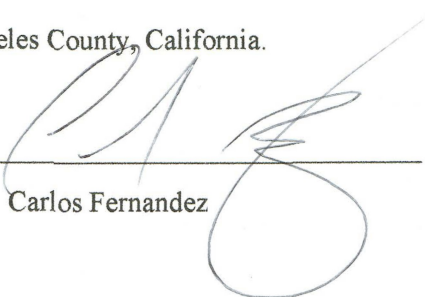
18 4. On November 25, 2020, I attempted service on David Miscavige at approximately 12:46
19 p.m. When I asked the employee at that location, identified by Defendants as Shun Tokunaga, if David
20 Miscavige was there, he said “no.” Mr. Tokunaga did not ask who David Miscavige was or give any other
21 indication he did not know to whom I was referring. Given Mr. Tokunaga’s response of “no,” not
22 questioning who David Miscavige was, and David Miscavige’s alleged importance in the Church of
23 Scientology and Religious Technology Center (Mr. Tokunaga’s employer), I reasonably assumed Mr.
24 Tokunaga knew who David Miscavige was.

25 5. On December 2, 2020, I attempted service of process on David Miscavige a third time at the
26 address of 1710 Ivar Avenue, Los Angeles, CA 90028. I asked the two male employees at that location,
27 identified by Defendants as Ervin Kisded and Davide Greco, if David Miscavige was in. I told them I was
28 serving David Miscavige and placed the service documents on a shelf near them labeled, “Mail Packs.”

1 The service documents, including the Summons and First Amended Complaint, were not in an envelope or
2 otherwise concealed from view, but were readily apparent as legal documents. In addition to the clearly
3 visible legal documents I placed next to them and informing Messrs. Kisded and Greco that I was serving
4 David Miscavige, I reasonably believed they understood I was serving process on David Miscavige based
5 on their response that they were not allowed to accept service. True and correct copies of photographs I
6 took on December 2, 2020, which show the "Mail Packs" shelf before and after I served the Summons and
7 First Amended Complaint are attached hereto as Exhibit A.

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
9 and correct.

10 Executed on April 27, 2021, at Los Angeles County, California.

11
12 
13 _____
14 Carlos Fernandez

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Exhibit A



FREIGHT

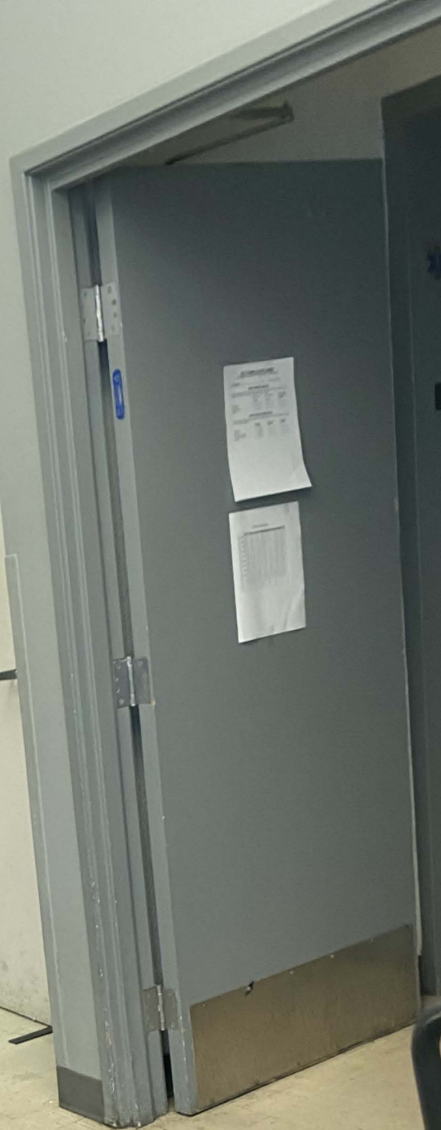




EXHIBIT 4

ATTORNEY OR PARTY WITHOUT ATTORNEY: Robert Thompson, Esq. (SBN 250038) Thompson Law Offices 700 Airport Boulevard Suite 160 Burlingame, CA 94010 TELEPHONE NO.: (650) 513-6111 FAX NO.: (650) 513-6071 ATTORNEY FOR: Plaintiff	FOR COURT USE ONLY
LOS ANGELES COUNTY SUPERIOR COURT, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street, Los Angeles MAILING ADDRESS: 111 North Hill Street, Los Angeles CITY AND ZIP CODE: CA, 90012 BRANCH NAME: Main	
PLAINTIFF: Jane Doe DEFENDANT: Church Of Scientology International, et al	CASE NUMBER: 19STCV21210
DECLARATION OF DUE DILIGENCE	Ref. No. or File No.: Haney

1. I Robert Hall, am at least 18 years of age and not a party to this action.

2. Documents to be served:

Complaint; Civil Case Sheet; Notice Of Jury Fee Deposit, First Amended Complaint, Notice Of Confirmation Of Filing (6), Memorandum Of Points And Authorities In Support Of Application For Admission Of Marci Hamilton Pro Hac Vice, Notice On Hearing On Application For Admission Of Marci Hamilton Pro Hac Vice, [Proposed] Order Granting Admission Of Marci Hamilton Pro Hac Vice, Verification And Declaration Of Marci A. Hamilton In Support Of Application For Admission Pro Hac Vice, Declaration Of Robert W. Thompson ISO Application For Admission Of Jeffrey P. Fitz Pro Hac Vice, Memorandum Of Points And Authorities In Support Of Application For Admission Of Jeffrey P. Fitz Pro Hac Vice, Notice Of Hearing On Application For Admission Of Jeffrey P. Fitz Pro Hac Vice, [Proposed] Order Granting Admission Of Jeffrey P. Fitz Pro Hac Vice, Verification And Declaration Of Jeffrey P. Fritz In Support Of Application For Admission Pro Hac Vice, Declaration Of Robert W. Thompson ISO Application For Admission Of Brian D. Kent Pro Hac Vice, Memorandum Of Points And Authorities In Support Of Application For Admission Of Briand D. Kent Pro Hac Vice, Notice Of Hearing On Application Of Brian D. Kent Pro Hac Vice, [Proposed] Order Granting Admission Of Brian D. Kent Pro Hac Vice, Verification And Declaration Of Brian D. Kent In Support Of Application for Admission Pro Hac Vice, Declaration Of Robert W. Thompson ISO Application For Admission Of Ricardo Martinez-Cid Pro Hac Vice, Memorandum Of Points And Authorities In Support For Admission Of Ricardo Martinez-Cid Pro Hac Vice, Notice Of Hearing On Application For Admission Of Ricardo Martinez-Cid Pro Hac Vice, [Proposed] Order Granting Admission Of Ricardo Martinez-Cid Pro Hac Vice, Verification And Declaration Of Ricardo Martinez-Cid In Support Of Application For Admission Pro Hac Vice, Standing Order Re: Personal Injury Procedures - Central District, Certificate Of Mailing

3. Party to be served:

David Miscavige, 6331 Hollywood Boulevard, Los Angeles, CA 90028

PLAINTIFF: Jane Doe DEFENDANT: Church Of Scientology International, et al	CASE NUMBER: 19STCV21210
--	-----------------------------

4. Details of diligence:

10/17/2019 10:20 AM Defendant not in. Security did not want to accept documents. Left with his knowledge.
 10/15/2019 9:20 AM Defendant not in.
 10/10/2019 10:37 AM Defendant not in.
 10/07/2019 4:20 PM Subject not in. The security is very evasive with their answers. It is believed that Mr. Miscavige lives on this property and defendant Masterson is an employee. No known home address is known for either defendants.

5. Person attesting to diligence:

Name: Robert Hall
 Firm: Are You Being Served?, Inc.
 Address: 1325 Howard Avenue, PMB 507, Burlingame, CA 94010
 Telephone Number: (650) 348-7378
 I am a registered California process server: independent contractor
 Registration No.: 6932
 County: Los Angeles

The fee for service was: \$144.58

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: *October 17, 2019*

Robert Hall

 (PRINTED NAME)

Robert Hall

 (SIGNATURE)

EXHIBIT 5

AFFIDAVIT OF SERVICE

STATE OF CALIFORNIA)
) ss. DAVID MISCAVIGE
COUNTY OF LOS ANGELES)

I, Harold Karaka, being first duly sworn says: that at all times herein Affiant was over 18 years of age. That Affiant received this subpoena on the 5th day of September 2014, and served on the 12th day of September 2014, by delivering a copy to the person staffing the security post located at 6331 HOLLYWOOD BOULEVARD, LOS ANGELES, CA 90028 as SUBSTITUTE SERVICE.

The following is a true and accurate description of service attempts at the above location, where entry to Suite 1100 was denied on two (2) occasions by uniformed and armed security personnel (guards) present at the entrance to the location at 6331 Hollywood Boulevard, Los Angeles, CA 90028.

On the 11th day of September 2014, at approximately 4:20 PM, I was able to by-pass the uniformed and armed security guard on duty at that time and gain entry into the lobby area and approach an un-manned podium inside the building entrance. I was immediately blocked further access to Suite 1100 by the same security guard. A second uniformed and armed security guard joined the first security guard and both demanded that I leave the building at once. I notified them that I was an officer of the court (I offered identification but both refused to look at my private investigator’s state issued identification card or the cover sheet of the subpoena) and according to California Code of Civil Procedure, I was legally entitled to serve the person named in the Subpoena based upon the following sections - **410.10**. *A court of this state may exercise jurisdiction on any basis not inconsistent with the Constitution of this state or of the United States, and furthermore, 413.10. Except as otherwise provided by statute, a summons shall be served on a person:*

(a) *Within this state, as provided in this chapter.*

1 And wherein, **415.10**. *A summons may be served by personal delivery of a copy of the*
2 *summons and of the complaint to the person to be served. Service of a summons in this*
3 *manner is deemed complete at the time of such delivery.*

4
5 As I was attempting to communicate the code authority, both of the uniformed and armed
6 security guards, almost in unison, began to repeat themselves, over and over, for a period
7 not less than 7 minutes, stating that I should do my job by finding the agent for service
8 and they were not accepting service. I attempted numerous times to again explain the
9 purpose and authority for the process of service, whereas they then demanded that I
10 leave the building. I cooperated and left the building at approximately 4:30 PM.

11 On the 12th day of September 2014, at approximately 1:30 PM, I returned to the 6331
12 Hollywood Boulevard, Los Angeles, CA 90028 address and attempted to enter the same
13 lobby area where I was the previous day but was physically blocked and pushed back by
14 the uniformed and armed security guard, who was also the same individual that
15 confronted me on the previous day's attempt to complete service. I notified the
16 uniformed and armed security guard that I was there as an officer of the court and was
17 attempting to serve a person located at that address. Having attempted a total of three
18 times to serve the subpoena, two (2) by myself and one (1) by a licensed process server
19 on the 28th day of May 2014, at approximately 4:20 PM, I then informed the uniformed
20 and armed security guard that I was affecting substitute service upon him, advising him
21 of the authority to do so by paraphrasing the following California Code of Civil Procedure
22 sections - **415.20**. *(a) In lieu of personal delivery of a copy of the summons*
23 *and complaint to the person to be served as specified in Section*
24 *416.10, 416.20, 416.30, 416.40, or 416.50, a summons may be served by*
25 *leaving a copy of the summons and complaint during usual office*
hours in his or her office or, if no physical address is known, at
his or her usual mailing address, other than a United States Postal

1 *Service post office box, with the person who is apparently in charge*
2 *thereof, and by thereafter mailing a copy of the summons and*
3 *complaint by first-class mail, postage prepaid to the person to be*
4 *served at the place where a copy of the summons and complaint were*
5 *left. When service is effected by leaving a copy of the summons and*
6 *complaint at a mailing address, it shall be left with a person at*
7 *least 18 years of age, who shall be informed of the contents thereof.*
8 *Service of a summons in this manner is deemed complete on the 10th*
9 *day after the mailing.*

10 *(b) If a copy of the summons and complaint cannot with reasonable*
11 *diligence be personally delivered to the person to be served, as*
12 *specified in Section 416.60, 416.70, 416.80, or 416.90, a summons may*
13 *be served by leaving a copy of the summons and complaint at the*
14 *person's dwelling house, usual place of abode, usual place of*
15 *business, or usual mailing address other than a United States Postal*
16 *Service post office box, in the presence of a competent member of the*
17 *household or a person apparently in charge of his or her office,*
18 *place of business, or usual mailing address other than a United*
19 *States Postal Service post office box, at least 18 years of age, who*
20 *shall be informed of the contents thereof, and by thereafter mailing*
21 *a copy of the summons and of the complaint by first-class mail,*
22 *postage prepaid to the person to be served at the place where a copy*
23 *of the summons and complaint were left. Service of a summons in this*
24 *manner is deemed complete on the 10th day after the mailing.*

25 The uniformed and armed security guard refused to accept the subpoena documents included in the service of process documents, and as instructed by attorney Heidi Shadid, I placed the documents upon the feet of the uniformed and armed security guard. At that

1 time a second uniformed and armed security guard arrived to the front of the entry way
2 to the building and advised me that neither he nor the other guard were accepting
3 service. I stated that the substitute service had already been affected and proceeded to
4 walk away from the area.

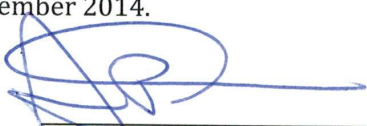
5
6 At the intersection of Ivar Avenue and Hollywood Boulevard, while waiting for the
7 control signal to indicate it was safe to cross Ivar Avenue, the second uniformed and
8 armed security guard walked up hurriedly behind me and proceeded to forcibly shove
9 the just deposited subpoena documents under my left armpit, causing surprise, as well as
10 some discomfort, to my left under arm. I took no retaliatory action at that time in order
11 to avoid any conflict but the actions taken by the uniformed and armed security guard, on
12 a public access, which could have been construed as a physical assault. These documents
13 were taken into my possession, and as requested by attorney Heidi Shadid, returned to
14 the law firm of Keesling Law Group, PLLC 401 S. Boston Avenue, Mid-Continent Tower,
Suite 450 Tulsa, OK 74103.

15 None of the uniformed and armed security guards had name a tag attached to their
16 uniforms and all refused to identify themselves.

17
18 Mailing of a copy of the subpoena was completed in compliance with California Code of
19 Civil Procedure section **415.20 (b)**, by first-class, pre-paid postage on this date.

20
21 I declare under penalty of perjury under the law of the State of California, that the
22 foregoing is true and correct.

23 EXECUTED this 16th day of September 2014.

24 

25 HAROLD KARAKA
PRIVATE INVESTIGATOR
CALIFORNIA LICENSE NUMBER: PI 12863

EXHIBIT 6

DECLARATION OF LYMAN D. SPURLOCK

Lyman Spurlock, hereby declares and states as follows:

1. I am 64 years old, of sound mind and body, and not under the influence of any drug or other substance that would affect my memory or ability to tell the truth. I have personal knowledge of the facts that I set forth in this Declaration, and if called as a witness in any proceeding, I could and would competently testify to those facts.

2. I have prepared this Declaration by choice, not compulsion, as an exercise of my own free will, and without any pressure, coercion, or duress concerning its content or preparation from anyone.

3. I have read the July 22, 2009 letter to Tommy Davis from Joe Childs and Tom Tobin of the St. Petersburg Times. I address below the allegations made by Claire Headley and Jeff Hawkins about incidents of physical violence against me by Mr. Miscavige.

4. These incidents never happened. Specifically, I was never pushed to the floor of my office by Mr. Miscavige in 2002, 2003, nor at any other time. I was also not struck by Mr. Miscavige during any meeting at the Base or, for that matter, any other time. In fact, I have never seen Mr. Miscavige engage in physical violence toward anyone.

5. I am, however, well familiar with Claire Headley. She had a personal vendetta against me and falsified auditing worksheets in November 2001 to get me in trouble and removed from RTC. Falsifying worksheets is, in Scientology, one of the worst imaginable ecclesiastical crimes and can result in expulsion. That she blew, is now suing the Church and is trying to bolster her case by lying about Mr. Miscavige is entirely consistent with the Claire Headley I knew and despised.

6. As to Jeff Hawkins, I was never in a meeting with Mr. Miscavige where Hawkins was present. I was on Legal and Accountancy while Hawkins was

in Marketing and our paths rarely, if ever, crossed. I can't even recall ever having a conversation with Hawkins that rose above small talk. So not only is the allegation that I was "struck" by Mr. Miscavige not true, the alleged meeting also never happened.

7. I am the Chief Accountant in the International Reserves Office of the Church of Scientology International. From this position, I am responsible for the accounting, financial statements, and tax compliance of every Scientology Church and related corporation and trust in the world. From this position, I also am intimately involved with finance systems, establishing prices for materials and donation rates for services, cost accounting, and investment decisions.

8. I have been a Scientologist since 1969, my final year in graduate school at the University of California at Berkeley. In 1972, I became a Certified Public Accountant, licensed as such by the State of California.

9. I am also an ordained Scientology minister, a Class IX auditor; I have attained the spiritual level known as OT V, and studied much of L. Ron Hubbard's management technology. Mr. Hubbard ("LRH") is the founder of the Scientology religion.

10. When I joined the Sea Organization or "Sea Org," Scientology's religious order in 1977, I went straight to La Quinta, near Palm Springs in Southern California, where I worked on the production of training films for auditors. It was in this capacity that I had the honor and pleasure of working for and getting to know LRH in person. It was an intense and very productive time. LRH directed us for 10 hours and then went to his office to put in yet another full day. We shot the first major film in just two weeks despite the fact that we were all new to cinematography and LRH often had to bypass us and perform many functions himself to get a shot – even down to fixing an actor's make-up. In this way LRH trained us and we formed into a team while shooting that first film.

11. On the set was 17-year-old David Miscavige. From the first day I knew there was something very different about him. He was head and shoulders

above the rest of us in learning the skills of cinematography from scratch. There was no mistaking how much LRH respected him and appreciated his work. He was well on his way to becoming LRH's right hand man even then. In fact, no one was closer to LRH from that point on than Mr. Miscavige.

12. In October 1981, I went to work in what was then known as the Special Project, and later became Author Services Inc. ("ASI"), under Mr. Miscavige. My primary responsibilities were, with the assistance of trusted attorneys, to facilitate Mr. Hubbard's estate plan to leave the bulk of his fortune, including his invaluable trademarks and copyrights, to the Scientology religion, and to revise the corporate structure of the Church so that it both dovetailed with the estate plan and was transparent and easily understood as a non-profit religious corporate hierarchy qualifying for tax-exempt status.

13. During this estate and corporate planning phase, I had meetings with Mr. Miscavige every few days and received invaluable direction from him. All of these meetings were focused solely and exclusively on finding the optimum solution to carry out Mr. Hubbard's intentions. Personal position and authority were simply not at issue, the concentration being 100% on the protection of Mr. Hubbard's technologies and the long-term expansion of the religion to ultimately achieve a new civilization on Earth.

14. In or about late 1984, Marty Rathbun transferred to ASI as Legal Director and became my direct subordinate. He evinced a "tough guy" image and appeared to be dedicated to winning the legal battles that plagued us at the time. But his tough guy attitude sometimes got in the way of accomplishing better, more peaceful resolutions of legal matters. In particular, I recall that prior to the start of a civil trial in 1985 with Larry Wollersheim as the plaintiff, we had a chance to settle the case for essentially a nuisance value figure as a result of a judicially supervised settlement conference. Rathbun was adamantly opposed to any such settlement. As he was in charge of litigation I, unfortunately, acceded and let him have his way. The result was a lengthy heresy trial with Scientology on trial and a

runaway verdict and years of litigation on a matter that could have been settled before trial for a small fraction of that amount and none of the accompanying problems.

15. In 1986, Mr. Miscavige decided enough was enough and set a course for ending all lawsuits so that we could devote our time and energies to expanding the religion. Everyone I knew, including the attorneys, were elated at the prospect of peace, except for Marty. He was so upset with the prospect of losing his “game” that he had to get religious counseling to cool off. In retrospect, this should have been enough warning to remove Marty because, left to his own devices, he had no intention of ending any external disputes other than by what amounts to a legal fight to the death.

16. By 1988, I was experiencing personal difficulty. Mr. Miscavige, then in the position of the Chairman of the Board of RTC, took me under his wing and arranged that I get religious counseling, followed by the Officer Training School aboard the *Freewinds*, followed by a resumption of my auditor training and internships at the Church of Scientology Flag Service Organization, in Clearwater, Florida.

17. Rejuvenated from the program Mr. Miscavige arranged for me, I returned to upper management in the position of Corporate Coordinator in the Church of Scientology International in late 1991. In that capacity, I specifically was responsible for written submissions to the IRS during the negotiations – compiling the largest record of any applicant for tax-exempt status in their history. I answered directly to Mr. Miscavige and had numerous meetings with him in which he directed these submissions. He at all times insisted upon open and forthright answers – often going beyond the four corners of IRS communication to address concerns the IRS might have had but failed to articulate.

18. By contrast, I never once heard from or met with Rathbun on these written submissions, even though he was nominally in charge of external legal matters such as this and even though he attended the settlement meetings.

According to the written and oral accounts of the meetings I received, Marty did no negotiating and, indeed, said almost nothing. In fact, I have no indication that Marty even read the written submissions. Marty disappeared one night in late 1993, shortly after we celebrated full religious recognition and tax-exempt status and the end of the IRS war – by any measure the most significant external win in the history of the Church. He simply left and did not tell anyone where he was going. He surfaced some time later and was placed on sabbatical aboard the *Freewinds*.

19. After spending two years on that sabbatical, Rathbun returned to RTC and worked his way up to an internal Ethics Officer function in the Inspector General Network, a position that included giving confessional procedures. I have personally experienced Rathbun's brand of "confessionals," which bear little or no relationship to standard Scientology technology. In the course of doing my confessional, he resorted to badgering me for hours on end going late into the night, trying to get me to confess to things I didn't do and hadn't done. What he was doing had nothing to do with Scientology. He was essentially a thug with an e-meter, using his position as an Inspections/Ethics Officer in RTC to abuse staff members and remove them from post for being "out ethics" whether they were or not. I well remember him at RTC staff musters proudly announcing those he had removed from post that day. His message was that staff members were incorrigible and that only he had the skills to get to the bottom of their out-ethics.

20. In all my 32 years in the Sea Org I have almost never witnessed or experienced physical assault or intimidation. The singular exception is Rathbun, who once grabbed me by the jaw and forcibly held me against the wall, and whom I once saw severely rough up a staff member who was perhaps two-thirds his size.

21. These policy and technical violations I describe in the preceding two paragraphs reflect the opposite of RTC's purpose. Rathbun's removal from RTC in late 2003 was not only warranted, it was mandatory. Mr. Miscavige did so to protect the Church, the staff, and the public when he found out what Rathbun had

been and was doing. I am not surprised Rathbun again deserted as soon as his abuses were exposed and addressed. He had made many enemies on staff and no longer had any status or position to hide behind. He must have been terrified that others would treat him as badly as he treated them when he had the upper hand.

22. From 1994 to 2004 I was in RTC overseeing tax compliance and corporate affairs, as well as the pursuit of religious recognition and tax exemption in various countries outside the United States. During this time I had innumerable meetings with Mr. Miscavige in which he provided help and direction. Regardless of the mood or circumstances, whether or not my work product was satisfactory, Mr. Miscavige always pushed in the direction of achieving the desired result. Never in my wildest imagination would I have expected, and at no time was I ever subjected to even a threat of physical violence from him, no matter how poor my performance was or how upset he was with it. The only upbraidings I ever received were focused on getting me to do more, do it better, and to take a greater role and more responsibility. Like LRH, Mr. Miscavige manifests the belief that people are much more capable than they themselves think, and he pushes his subordinates to achieve their full potential.

23. I have been acquainted with Mike Rinder for almost 20 years, since 1990 when we were both at the International Church Base. But I really got to know him when he was the Commanding Officer ("CO") of the Office of Special Affairs International ("OSA") (a division of the Church of Scientology International) from early in the 1990s through the turn of the century. We were never friends, because I was fortunate enough to learn early on that he was not to be trusted. By way of example, when he was CO OSA, one of his juniors was a pleasant, pretty, talented girl who was absolutely terrified of him and literally shook in his presence. Instead of getting in communication and encouraging her as Mr. Miscavige or LRH or any decent person would have done, Rinder appeared to enjoy her distress and continued to needle her until she ran away in tears. I saw him do this with her more than once, and also saw him belittle and denigrate other

staff members over the years, always those who were junior to him and couldn't fight back or even respond appropriately to such abuse. I was never junior to Rinder; he treated me with some deference.

24. Taking credit for work done by others was Rinder's modus operandi. For example, when given the task of editing one of LRH's books in 2004, he reassigned this to an attorney and ran up an unauthorized \$40,000 bill. When forced to edit an LRH book himself, he had to have a staff member assigned to watch him to make sure he did not fall asleep, but nevertheless did a worthless job of it. He was even too lazy to consult the written manuscript made of LRH's dictation to ascertain authenticity.

25. Rinder is not a Scientologist now, and I don't think he ever really was. The fundamental characteristics of any real Scientologist are concern about the well being of others and a willingness to do something to improve conditions. I never saw Rinder exhibit one scintilla of those qualities. That is why I held him in contempt even before he abandoned his family and commitments and disappeared.

26. As to Tom DeVocht, I participated in the audit of the costs of building construction he was overseeing. Tom wasted several million dollars in unauthorized change orders and contracts on one building in gross violation of LRH finance policies. He then did the same on the Golden Era Productions berthing and only later was found to have had a history of similar overspends and finance policy violations when he was at Flag. He deserted after Mr. Miscavige removed him from any position where he could do more damage.

27. With DeVocht gone, Church construction and renovations are now done professionally. Full designs and architectural planning are done to the last nail. Detailed construction documents are made and the jobs are bid by several qualified contractors and then side-checked by professionals to guarantee that we get the best possible price. The new construction or renovations projects are now done on schedule within budget with almost no change orders and no redoes. And

the results are spectacular – witness the Fort Harrison or the Oak Cove or any of the new Ideal Orgs (Organizations) such as Dallas, Nashville or Malmo.

28. As to Amy Scobee, I observed as early as 1990 that she seemed to be a person of low intelligence and ability, with a penchant for complaining about things she either did not perceive or understand. She never was really on my radar screen because I did not regard her as a resource for anything due to my experience and the impressions of her I drew from that experience.

29. I am personally very glad that Rathbun, Rinder, DeVocht, and Scobee are gone. With Rathbun and Rinder no longer creating external legal and public relations disasters, Mr. Miscavige has had time to take the Church to a whole new level of growth and expansion. I know with complete certainty that everything he does is to implement the strategies LRH set forth. I have read most of the many communications from LRH to Mr. Miscavige as well as all the key LRH strategies and policies. He is doing *exactly* what our Founder would have done and done so brilliantly.

30. Under Mr. Miscavige's leadership, the Sea Org, Class V org and mission staff, and our parishioners have aligned and cohered into a unified force. We are now creating Ideal Orgs just as LRH described and which seemed out of reach just a few years ago. In the past five years, with Mr. Miscavige directing every major step, some 70 buildings have been purchased for orgs and test centers and over a dozen have been renovated and opened with some 500,000 square feet of Ideal Org buildings under renovation at this writing. To that is added the interior build out of the over 380,000 square foot Tech Delivery Building across the street from the Fort Harrison. Our corps of Volunteer Ministers spans the globe as the largest group of its kind. We now have massive and effective campaigns to deal with drug addiction, illiteracy, immorality and to restore human rights. Dianetics and Scientology have now become household words and a widely recognized force for good in the world.

31. The Church's growth is at a time when most organizations are downsizing and trying to merely survive the economic catastrophe gripping the world. Others are suffering through bankruptcy. The Church is immune to de-leveraging because LRH's finance policies contain basic common sense economics – income must be greater than expenses, pay cash, and remain debt free. As a result, we own our buildings and other assets outright. We invest only in the expansion of the religion. The Church is, under Mr. Miscavige and current Church management, flourishing in the teeth of the worldwide economic meltdown.

32. Mr. Miscavige has been able to accomplish all of this because he has a full and complete grasp of Scientology – the product of years studying LRH's writings and lectures (far more than anyone else) – with an unsurpassed level of understanding and an unlimited willingness to do whatever it takes to make LRH's strategies a reality.

33. I am grateful for having had the opportunity to serve under Mr. Miscavige for much of the past thirty years and I am doubly honored to contribute now that we are expanding so rapidly. I am not alone. Staff members and Scientologists everywhere listen to him and follow his lead because he has proven by his actions time and again that his sole purpose is identical to that of LRH – to get everyone to reach spiritual freedom.

I declare under penalty of perjury that the foregoing is true and correct.

Date 28 July 2009

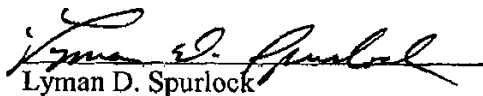

Lyman D. Spurlock

EXHIBIT 7

DECLARATION OF ANNE M. JOASEM

1. I, Anne M. Joasem, declare and state as follows:
2. I am a French citizen as well as a legal resident of the United States and California. I am 43 years old. I am of sound mind and body and make this statement of my own free will.
3. I have been in Scientology since 1971. I have been a member of the Sea Organization for 26 years and have worked for the Religious Technology Center (RTC) for 22 years. I have also known Mr. Miscavige and worked under him for these 22 years. I am a Class IX auditor and have attained OT VII. I was Deputy Inspector General for the Flag Land Base from 1997 through 2005 and since then I have been posted as the Deputy Inspector General for Representatives, in charge of RTC Representatives in all Advanced Organizations in the world.
4. I was married to Mark C. Rathbun, also known as Marty Rathbun, for 15 years from July 1989 to December 2004. Having been married to Marty Rathbun for so many years, I came to know him intimately and have direct knowledge of his personal and professional activities between 1989 and 2004.
5. In the 15 years I was married to Marty, I have *never* witnessed Mr. Miscavige commit any sort of act of violence against Marty or anyone else for that matter. Marty never told me about anything like this happening either. He would have told me if it had happened.
6. I can positively state that Marty Rathbun's allegations that he was working toward peace during his tenure in Religious Technology Center and that Mr. Miscavige wanted "war" are utterly and completely false. In February 2004, Marty told me himself that he is and always has been "a fighter and a warrior." Marty also described how he was the one actively seeking and creating such wars and fights in 2003.
7. In the 15 years we were married, I *never* heard Marty say or even imply that he wanted to end legal battles or "wars" so that he could concentrate on the expansion of Scientology. Not once. To the contrary, he said that he was a warrior and all he wanted to do was fight. The fact that he is now saying otherwise is a lie, as proven by the very attacks he is waging through the press, which are the antithesis of peace for Scientology.

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8. Moreover, having worked for Chairman of the Board for 22 years, I know first-hand that Mr. Miscavige has always been working relentlessly to end all legal battles for the Church so that he could concentrate his time and energy on the expansion of the Scientology religion. He has stated so more times than I can count in conversations with me.
9. As regards Marty Rathbun's training and certificates in Scientology, I was senior to Marty in this regard, being more highly trained than he was. He never audited in an HGC and never did an internship, which means he has no technical qualifications whatsoever and no valid certificates. So when I hear that he is currently auditing and even solo auditing, putting aside the fact that L. Ron Hubbard's policy forbids him to do so, he simply is unqualified and is again in violation of all of Mr. Hubbard's technical materials as well.
10. By engaging in auditing without Church authorization he is violating the Auditor's Code and he is also violating trademark and service mark laws, which he is fully aware of from having worked in RTC. In other words, he is violating the very thing he was charged with preventing while working in RTC. He knows RTC's purpose is also to protect the purity of LRH's Advanced Technology, that we own the Advanced Materials of Scientology and moreover, he knows that I am the one responsible for it in RTC. He never had anything to do with the delivery of these Advanced Levels and has no clue how to deliver them. He never trained to the level he is saying he is solo auditing on, *never*. He doesn't even know how to audit it, he's never even done the course.
11. Marty Rathbun is therefore what we call a *squirrel*, someone who pretends to be applying Scientology while actually doing something else and calling it Scientology and is doing so with no authorization from the owners of the marks. This is not only a high crime in Scientology, it is in violation of the law.
12. So Marty's recent activities in the press, on the Internet and in his squirrel activities are an attack on me and my entire post and frankly an attack on all Scientologists. I was outraged to hear he told reporters that he considers himself a practicing Scientologist. No practicing Scientologist would ever go to the press to attack their own religion. It's the antithesis of Scientology and actually violates our most basic codes and justice policies, written by L. Ron Hubbard. If he had factual complaints, there were exact procedures within the Church he could have used as recourse. He knew exactly what these were, yet he never used them or attempted to in any way, shape or form.

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13. Immediately following the Church receiving full tax exemption and religious recognition in 1993, Marty deserted his group and me. This would have been the time where he could have dedicated himself to keeping the peace and expanding Scientology as the rest of us did. Instead, he took off one morning in late 1993 after lying to me that he was going to make an early phone call. I didn't hear from him for days and days and was quite upset and traumatized by it. This is when I first came to realize something was very wrong with Marty Rathbun. It is not "normal" behavior for anyone to walk out on his job, his group and on his wife with no forewarning or explanation.
14. Once Marty did get back in touch, COB arranged for him to get a sabbatical on the *Freewinds*, in the Caribbean, so he could rest, study and receive auditing. Marty did some auditor training as part this program, although not in any professional capacity. His auditor certificates were never validated, meaning they became invalid after a year, which would have been in 1997.
15. While Marty Rathbun was on his sabbatical, I took care of his dying father, who adored me. I went to see him regularly, helped him with anything he needed, gave him assists, brought him food he liked, etc. After he passed away in 1994, I also handled his will and all estate matters. I was taking care of these matters so Marty could just stay on his sabbatical on the *Freewinds* as long as he needed.
16. Marty returned to California in early 1996 and was mainly dealing with security and external/legal matters, in an Ethics Officer capacity. However, this is when his propensity for violence and fighting really became manifest. From this position, he admitted himself that he would intentionally undermine staff and executives in order to "take out" anyone who might oppose or expose him.
17. It's inconceivable to me that Marty is asserting he was high up in the structure. The truth is that when he was around Clearwater with COB, that was because he had failed on his own responsibilities and duties and COB had to intervene to get these external matters handled.
18. Between 1999 and 2003 Marty came to Clearwater frequently to work on legal matters.
19. Toward the end of 2003, Marty was alone in Clearwater handling legal matters once more. Marty told me he created a legal catastrophe for the Church and he had no one to blame but himself. He said it was a disaster.

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20. Marty then returned to California and took off for a second time shortly thereafter. I read his allegations as to what he is now claiming precipitated his desertion -- that he had been hit and had witnessed Tom De Vocht getting hit also. This is a blatant lie. Marty called me not long after he took off, flew down to Clearwater to meet me there and we spoke at length about what happened. Not once during our conversations did he bring up anything like this happening or being the reason for his departure.
21. What Marty *did* tell me after he took off in 2004 was that we were entering in a critical mass zone of expansion and we, the Church, would become a threat and he will be a step ahead and will take care of business and look out for us. He said, and I quote, that he is "a fighter, a warrior, a mercenary" and that he will always fight. He said he's removing himself so things can move forward and when he's needed, he'll be there.
22. He added that Chairman of the Board and I were the only people he cared about and there was no doubt that we were his friends.
23. And COB indeed went out of his way to yet again help him by having me set up a full program for Marty so he could rest and get a new start. That is one thing that is special about Mr. Miscavige. As long as I have known him, he has always been willing to give people many chances.
24. We were worried that Marty was on thin edge. These "warrior" comments were concerning and he has a family history too. So I set up for him to get a whole medical handling under the best doctors we could find. His varicose veins had been giving him quite some pain and these were fully handled with the latest technology. We also did a handling for his gallstones, a colonoscopy (during which polyps were removed) as well as dentist and chiropractic treatments. Concurrently, he was doing daily exercise, was getting a full night sleep every day and was on a balanced nutrition and vitamin regimen.
25. I asked him whether he wanted to work at the Mill or in the org at Flag while doing the program and he stated he wanted to work at the Mill. He worked there 5 hours a day. He could do whatever he wanted the rest of the time, he had no pressure and no other obligations. This went on for 10 months.
26. When his medical issues were handled, I asked him several times what his plans were and what he was going to do. He said he would work for me, in my office. I told him this was not possible, as he was not qualified.

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27. He wanted to be in a position of power again. I had seen him operate with staff earlier and observed his propensity for heavy-handed methods (although I only later found out the full extent of them), which is just not the way we operate.
28. So, I told him to come up with another idea. And that is when he threatened me physically, holding his fist inches from my face.
29. By then I had realized the guy was unstable and violent. A few months earlier, I had seen him get mad on a phone call with Tom DeVocht and put his fist right through a computer screen and shatter it. So I had reasons to be concerned that he'd carry out his threat. Scared for my own safety, I moved to another apartment in the staff apartment complex and locked my door.
30. Marty deserted for the third and last time shortly thereafter. It clearly had nothing to do with alleged "abuses."
31. And as to his allegations, they can best be qualified as revisionist history, at best. He is rewriting history and doing an exact inversion of what actually occurred. The truth is Marty Rathbun is accusing COB of what he himself was doing, as he admitted many, many times both verbally to me and in writing. He's the one who wanted war. If he wasn't fostering it externally, he was fostering it internally. He's the one who was constantly fighting and creating an atmosphere of fear wherever he went. He's the one turning on people who were his friends. Factually, I have never seen Marty help anyone the way COB helped him, ever.
32. I have known Mr. Miscavige for 22 years and he is the most compassionate man I have ever met. He would never walk around doing any of what Marty and his cohorts are claiming. In fact, I have seen the exact opposite many, many times.
33. I have worked under COB for years and have observed him work around the clock, harder than anyone I know. He is the most caring, intelligent and dedicated person I have ever met in my life. He is a brilliant man, in a league of his own. I have never seen anyone produce as much as Mr. Miscavige produces, while constantly raising the bar on quality standards in everything he does for Scientology.
34. Mr. Miscavige lives and breathes getting the pure LRH technology to everyone and getting people rocketed up the Bridge. That has always been his utmost priority. When he was at Flag, COB would always, always be involved in getting public up the Bridge. Even when he was working on legal and external

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matters, I was constantly being directed by him on programs to remove arbitraries on people's progress up the Bridge so that they could reach the highest levels in the fastest, most economical and most standard way. It was a relentless drive and still is to this day. This sped up the Bridge considerably and created huge expansion that first required adding a whole other delivery building to the Sandcastle for the Flag Advanced Org in 2001, then acquiring and renovating the Osceola to handle the huge increase of parishioners and training hundreds of auditors to accommodate the delivery.

35. And since being Deputy Inspector General for Representatives, in addition to being in charge of all the RTC Representatives, I have also been working directly under COB on technical. We have been going through all the LRH materials that exist in the archives meticulously and chronologically, moving forward in time. All the new lectures, all the new issues get verified by RTC, making sure every word is right, every definition is right. This is a project that L. Ron Hubbard wanted forever. We are carrying out LRH's instructions on this to the letter, making all the materials available exactly as he wrote or said them and as he intended to have them. It's a massive project and there is nothing more important in Scientology at this time.

36. Factually, the longer Marty Rathbun has been gone, the more beneficial it has been for Scientology, statistically, financially and in terms of expansion. This level of expansion is absolutely unheard of:

- a. The amount of new Ideal Orgs opened and future ones acquired is unheard of.
- b. The amount of public on course in organizations is unheard of.
- c. The amount of public making it up the Bridge to OT is unheard of.
- d. The amount of people reached and helped by our anti-drug campaign, Human Rights campaign and Volunteer Minister program is unheard of.
- e. The amount of life-changing wins all these people are having are unheard of.

We've *never* had any expansion like we're experiencing now. And what Mr. Miscavige is now doing on the materials and what I am working on under him is going to take everything into the stratosphere by making *all* the technology available to everyone, exactly as L. Ron Hubbard intended it and in a form anyone can understand and apply in their own life and to help others.

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37. If Marty Rathbun were telling the truth and actually cared about peace, about Scientology and about helping his fellow man, he would have helped forward any one of these programs and still would be doing so today. And he certainly would never have started attacking the very people that he used to call his friends and wife who are selflessly working day in, day out to make this technology available to all those who wish to avail themselves of it, to make this planet a better place to live in and to create a civilization *without war* and *without crime* as per the Aims of Scientology. But after all, how could a self-proclaimed warrior and avowed criminal truly want such a civilization? The answer is he never did and he never cared.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of July 2009.


Anne M. Joasem

EXHIBIT 8

DECLARATION OF GREG WILHERE

I, Greg Wilhere, hereby declare and state as follows:

1. I am over 18 years old, of sound mind and body, and not under the influence of any drug or other substance that would affect my memory or ability to tell the truth. I have personal knowledge of the facts that I set forth in this Declaration.

2. I have been a Scientologist for forty years and have been in the Sea Organization for the past thirty-seven years serving much of that time as an executive in the hierarchy of the Church of Scientology.

3. I never witnessed Mr. David Miscavige physically harm, abuse or otherwise injure anyone. He never did mentally abuse Mark "Marty" Rathbun, Mike Rinder, Tom DeVocht or anyone else as they falsely accuse in my presence. However, I did witness Mark Rathbun being physically and mentally violent and abusive with staff.

4. Marc Headley has made an allegation that Mr. David Miscavige grabbed and punched him repeatedly in 2004 while Mr. Miscavige and I were touring the audiovisual facilities at Golden Era Productions and that I witnessed this occurrence. This is a complete lie. No such incident occurred.

5. Bruce Hines has made an allegation that Mr. David Miscavige hit him in the head in late 1994 or early 1995 and I was there when this supposed incident occurred. No such incident occurred. Indeed, I was on the *Freewinds* in the Caribbean Sea throughout all of 1994 until the fall of 1995.

6. Over the years, I have witnessed different individuals who placed their own personal interests over that of the Church's survival and expansion. I have seen this type of character come and go. They were usually discovered and expelled or ran away and deserted the Church. Rathbun, Rinder and their accomplices have been engaged in an orchestrated attack to undermine the Scientology religion, the Church's leader, Mr. David Miscavige, through vile falsehoods to cover up their long-term covert criminal activities within the Church, which were discovered within the Church's justice system leading to their summary removal from their posts and their desertion from the Sea Org.

7. I personally worked with Mr. L. Ron Hubbard aboard the flagship *Apollo* in the 1970s and my relationship and experience in working for him reaffirmed my dedication to the Scientology religion. I knew him on both a personal and an organizational level and witnessed his sincere dedication to the religion of Scientology and to Mankind. He lived Scientology in everything he did. Having witnessed this, I decided my life's work would be forwarding the Scientology religion for the sake of Mankind's future survival. I have no doubt of the validity and workability of Scientology as I have experienced it personally and have also counseled hundreds of others throughout my many years as a Scientology auditor. I am a trained Class XII auditor, the highest level of auditor training.

8. I have worked with Mr. Miscavige for approximately twenty-five years. I also knew and worked with Rathbun and Rinder for the same time period and therefore have witnessed much concerning each person.

9. I first began working with David Miscavige in 1984 at Author Services Inc. (ASI), and in 1987 I worked under him at Religious

Technology Center (RTC). I have worked by his side, attending countless meetings, traveling many thousands of miles with him and sharing whatever free time we had. I have witnessed his life and his work.

10. I have known and worked with Mark Rathbun for over twenty years. I was his senior when he was in RTC. He was unpredictable and erratic in his behavior. Though we worked in the same office complex for those twenty years, I did not accompany him, as I did Mr. Miscavige, in his activities. He tended to seclude himself in his office and did not encourage social chats. He always portrayed himself as a man “too busy for others” and that he was always handling legal disasters which necessitated and justified his antagonistic and belligerent attitude. In 1987, Mr. Miscavige, Rathbun and I assumed positions in Religious Technology Center. Mr. Miscavige, as Chairman of the Board, appointed me as the Inspector General with various Inspector Generals who worked under me. One of these inspectors was Mark Rathbun, who assumed responsibility over the external affairs sector.

11. I have known Rinder since the early 1970s when we were both on the flagship *Apollo*. I interacted with him rarely then and it was not until the late '80s that I began to interact with him more as he held a PR position in the Church when I was the Inspector General RTC. I became very much aware of him as he was responsible for creating a number of PR fiascos which involved both him and Rathbun.

12. Throughout the 1987—1993 time period, I have witnessed Mr. Miscavige almost single-handedly carry the ultimate responsibility of protecting and expanding the Church and the Scientology religion. I witnessed hundreds of times, Mr. Miscavige working with many executives

and staff in all aspects and at all levels of the Scientology structure, from the very top to the very bottom, in helping, everyone to do their jobs better. I also witnessed Rathbun and Rinder causing legal and PR debacles and then expecting Mr. Miscavige to save the day. Time and time again, Mr. Miscavige pleaded with them to get their areas under control.

13. Rathbun never seemed to get legal affairs under control. He was constantly screaming and yelling over the phone at legal staff or attorneys, which was disturbing to those of us in nearby offices. I did not witness any violence during this 1987-1993 time period, but I did witness his constant verbal abuse and threats to others who got on his wrong side.

14. Mr. Miscavige, in my presence, advised Rathbun on many occasions to end or negotiate settlement of all legal cases. Rathbun ignored this advice and would prolong and exacerbate legal situations, eventually dragging Chairman of the Board RTC into them. Rathbun loved to fight; he loved war. That was his life style. I can't count the number of times that Mr. Miscavige told him to knock it off and get off his warlike mentality.

15. In October 1993 when Mr. Miscavige settled with the IRS and ordered the end to all legal cases through mediation and settlement, this caused much concern for Rathbun. As he put it in his own words then, "I am going to be out of a job." He informed me that it only left him routine trademark legal actions when he preferred the battle type litigations. Unexpectedly, Rathbun deserted, leaving his wife and the Church. Mr. Miscavige was very concerned that something might have happened to him.

16. Rathbun eventually called and asked for some assistance as he, in his words—"lost it." I informed him of Mr. Miscavige's concern to which Rathbun immediately called Mr. Miscavige to tell him what had happened and asked for help, which Mr. Miscavige gave immediately. He personally flew to New Orleans to meet with Rathbun and then took him to the *Freewinds* so he could get rest and assistance. Mr. Miscavige asked me to go to the *Freewinds* to stay and assist Rathbun, which I did. Mr. Miscavige granted Rathbun a two-year sabbatical so he could get back on his feet and so I spent two years of my life with him there—to help and care for him. The compassion given Rathbun by Mr. Miscavige was enormous. He frequently wrote Rathbun to find out how he was doing and if there was anything needed. He would send him photos and videos of friends wishing Rathbun well, photos of numerous renovations and upgrades of the base facilities, as well as birthday cards and presents.

17. Rathbun and I berthed together aboard the *Freewinds* for those two years. We did just about everything together. Rathbun expressed to me many times, during our stay on the *Freewinds*, his appreciation of Mr. Miscavige's help and also his remorse for having left behind him legal messes which Mr. Miscavige now had to deal with. I informed Mr. Miscavige of Rathbun's concern to which Mr. Miscavige immediately wrote Rathbun informing him to no longer be concerned about the cases he left behind as they were being dealt with.

18. When Mr. Miscavige came to the *Freewinds* in June '94 and '95 for the Maiden Voyage Anniversaries to do the international Scientology events that were done at these times, he spoke with Rathbun and briefed him up on legal

victories and Scientology expansion activities occurring internationally. That meant a lot to Rathbun.

19. I find it hard to comprehend Rathbun's current attitude and denigration of Mr. Miscavige, for I witnessed over the years, Mr. Miscavige helping Rathbun on many occasions. When Rathbun broke his leg in a bike accident in 1991, it was Mr. Miscavige who immediately arranged for the best medical service to get Rathbun back on his feet. When he had severe intestinal problems in 1995, it was Mr. Miscavige who had me take him to medical specialists and to spare no cost in seeing that he was given the best treatment.

20. Rathbun and I finally departed the *Freewinds* in the fall of 1995, after he professed he achieved rehabilitation and that he got his ethics in and was ready to move on. We went to the Flag Service Organization in Clearwater, Florida where he was going to be trained and apprenticed as an Ethics Officer. I then returned to the International Base. Unbeknownst to me at the time, Rathbun had lied to those at Flag that he had completed all his auditor internships on the *Freewinds*. When he returned to the International Base, he lied to others that he had done his auditor internships at Flag. And now he professes to be some highly trained auditor which is a complete falsehood. When it was later found out that he was abusive and challenging in his auditing of others, I know why—he falsified his credentials.

21. Throughout the 1996 to 2001 time period, I never witnessed any violence or physical abuse of anyone on the International Base by anyone. I worked with Mr. David Miscavige throughout these years, attending hundreds of

meetings and inspecting various production units throughout the International Base. Mr. Miscavige was involved in so many production activities that he was seeing many staff and executives. Never once was there any physical violence. It wasn't even part of our reality or operating basis.

22. During the 2003 time period, Rathbun and Rinder were off and on at the International Base. Coincident with their appearance, there were reported incidents of them taunting and antagonizing different executives and staff. These were sporadic incidents. These incidents became more frequent with Rathbun, when more and more reports were accumulating on him. These included embellishing and falsifying reports he wrote on others to justify his removal of them from post and transferring personnel.

23. In June of 2003, Rathbun was removed from all legal affair lines and stripped of any authority and position by Mr. Miscavige after it was discovered that Rathbun had single-handedly lost an important legal case through irresponsible mishandling. Rathbun returned to the Base in disgrace. It was not long after this that Rathbun originated a confession of what he had been up to and the destructive actions that he had committed in losing legal cases and also in harming staff and executives on the Base.

24. Mr. Miscavige had not known of Rathbun's incidents of abuse of executives and staff at the International Base as he was not there very much during that 2001-2003 time period. When Mr. Miscavige returned in December of 2003 and heard of and read reports on Rathbun's physical abuse, Mr. Miscavige immediately stripped Rathbun of any rank, removed him from RTC and made it known to all that Rathbun had absolutely no authority whatsoever.

Still Mr. Miscavige gave him his last chance to reform by facing his peers that he abused by his bully tactics.

25. In early January 2004, Rathbun was sent to confront his peers and those that he had physically abused. Rathbun didn't consider he had any peers, so begrudgingly, he went to face those executives who wanted to hear what he had to say for himself and account for his actions. I witnessed Rathbun's resentment and what happened next. Before he stepped forward and accounted for himself, Rathbun went psychotic and without any warning or provocation he physically attacked Rinder in front of 30 or so people. He jumped Rinder, threw him to the ground and started strangling him. It stunned and shocked everyone. A few others and I grabbed and pulled Rathbun off Rinder. It was shortly after this that Rathbun stormed out of the building and blew, never to be seen at the Int Base again. I wondered at the time, why he would attack Rinder as I considered them to be partners over so many years.

I declare under the penalties and pains of perjury that the foregoing is true and correct.

Date:

28 July 2009


Greg Wilhere

EXHIBIT 9

DECLARATION OF MARK INGBER

I, MARK INGBER, hereby declare and state as follows:

1. I have personal knowledge of the facts that I set forth in this Declaration.
2. I have prepared this Declaration by choice, not compulsion, as an exercise of my own free will, and without any pressure, coercion, or duress concerning its content or preparation from anyone.
3. I am a staff member of the Church of Scientology International (CSI). I have been a Church of Scientology staff member since December 1968 and have resided at the Gilman Hot Springs facility since 1979, except on rare occasions when on remote duty.
4. I looked at the allegations being made by Rathbun, Rinder, De Vocht, Scobee and other apostates. The comparison between their allegations and the truth is shocking. I know what their game is—they are trying to fabricate an image of Mr. Miscavige and the Church and its senior staff that, does not exist—except in the minds of these apostates. They claim that Mr. Miscavige has physically abused me at least 10 times. That is an outright lie. It never happened. Likewise, the allegation that Mr. Miscavige beat up Mark Fisher in August 1990 is in fact a lie. In fact, Mr. Miscavige has never exhibited any violence with me nor physically anyone. The people who have been violent, with me and others, are the very ones making the false accusations about him.
5. I began my staff career as a Sea Organization (“Sea Org”) member aboard the *Apollo* in December 1968 after having been a public Scientologist starting in June 1967 in Los Angeles, California.

6. I am a member of the Watchdog Committee (WDC) of CSI and have been a member of the WDC since 1979, with rare and brief exception. My specific position at this time is as WDC member for our Liaison Offices located in Los Angeles and in each Continental zone. I am responsible for their establishment and for seeing that they are providing management in their zone in exact accordance with the policies established by Scientology Founder, L. Ron Hubbard.

7. In my 30 years as a member of WDC, I have also been responsible for the financial management of CSI and the reserves of our Churches.

8. I have had the privilege and honor of knowing and working with L. Ron Hubbard and his emissary, Mr. David Miscavige, over an extensive period of time. I worked close to L. Ron Hubbard from the day I joined the Sea Org on the Apollo in 1968 on into the 1980s. I did everything from working directly with him in establishing the Flag Land Base in Clearwater, Florida in 1975–1976 to purchasing and setting up the Pacifica Complex (Cedars) in Los Angeles in 1976–1978 and then in being a Commodore’s Messenger in the years following.

9. I have also come to know Mr. Miscavige extremely well. I have worked as his direct junior starting in 1979, and I have worked on many projects and posts under his supervision and in close association with him for more than 30 years. In those three decades plus, I have seen Mr. Miscavige work harder and more effectively in carrying out L. Ron Hubbard’s intentions than anyone else without question or exception. He moved up in the ranks not from any quest for power, but because of his peerless dedication and unique competence in bringing L. Ron Hubbard’s technology to the people of this planet.

10. L. Ron Hubbard set the goals and developed the technology, and Mr. Miscavige has dedicated himself to getting done exactly what Mr. Hubbard wanted done and has thereby been fully applying the fundamental Church policy, Keeping

Scientology Working. That is why Scientology is expanding at an incredible rate, and that is why Mr. Miscavige is the acknowledged and trusted leader of our religion. Mr. Miscavige is also a very close friend of mine and has helped me in many ways personally and in my work. He is someone who truly cares about people with a level of compassion only seen in great humanitarians such as L. Ron Hubbard himself. And just as Mr. Hubbard was no armchair philosopher, Mr. Miscavige is always hands-on in getting the job at hand done.

11. It is with considerable asperity that I look upon the handful of ex-Scientologists who are spreading lies to the media about Mr. Miscavige. That is not an attack just on Mr. Miscavige. It is an attack on L. Ron Hubbard and the Scientology religion. I say that because Mr. Miscavige is L. Ron Hubbard's emissary and is doing exactly what Mr. Hubbard wanted done. Of that I am certain.

12. Anyone looking at the documentation of the ecclesiastical crimes and high crimes committed by Mark (Marty) Rathbun, Mike Rinder and Tom De Vocht will see through the falsity of their assertions. The violence and abuses they claim were being done were actually being done by them. It started with them and once they left, it ended.

13. Rathbun, Rinder, De Vocht and Amy Scobee are also trying to make it sound as if we in International Management spend our days, morning to night, in some weird, degraded world of violence. That is not my world. I live at what could best be described as an oasis near Los Angeles. It was previously a popular health spa and golf resort. It is a place my parents brought me with them for vacations when I was a child. I have beautiful quarters, the meals are far beyond average and nearly everything is organic. I work long hours, but that is by my own choice, a choice I made 42 years ago to do everything possible to help Mr.

Hubbard so we can have a civilization without war, crime and insanity, where people could rise to greater heights and abilities.

14. In late 1978, I was promoted to the Commodore's Messenger Organization ("CMO", "Commodore" being L. Ron Hubbard) and went to work directly for L. Ron Hubbard at La Quinta, California. This was an incredible opportunity, to say the least, and I learned even more about L. Ron Hubbard and his virtues.

15. In mid-1979, I was posted in the Operations area where I worked directly with Mr. Miscavige until mid-1980. He was the Action Chief of CMO International ("Int") and I was his assistant that handled the various steps to send a mission out. In that period, we ran the most productive Action Bureau in history, with a very high success rate, and we handled situations for which Mr. Miscavige was routinely commended by Mr. Hubbard. It was clear that Mr. Hubbard depended on Mr. Miscavige for far more than his normal post duties. Mr. Hubbard routinely was addressing him on handling the Cine organization, audio, marketing, as well with regards to the Flag Service Organization, our Sea Org Organizations, and the Publications Organization, in addition to the routine of dealing with management units. While it would be usual in Action to be sending out perhaps two or three new missions in any given week, we would often be sending out that many in any given day. While I prided myself in my knowledge and application of Mr. Hubbard's technology for running missions, Mr. Miscavige stood a cut above me. We were a great team and I was proud of it.

16. There was something very special about the relationship between L. Ron Hubbard and Mr. Miscavige. They were clearly friends of the highest order. I have no question but that Mr. Hubbard saw in Mr. Miscavige someone who stood

out amongst all others as the one he could go to when he had something of extreme importance or urgency.

17. I have known Mr. Miscavige for over 30 years and in that time have personally worked with him literally hundreds of times for thousands of hours. To say I know him well would be an understatement. I have the highest regard for his know-how, competence, compassion and high ethical standards. Anyone who knows Mr. Miscavige well could tell you that the allegations of abuse are a complete lie.

18. Mr. Miscavige is Mr. Hubbard's most trusted emissary, works only for Mr. Hubbard and gets done exactly what Mr. Hubbard wanted done. I have personal knowledge of the following examples of what Scientology has accomplished over the last few years under Mr. Miscavige's guidance:

- a. Completing the library of L. Ron Hubbard's basic books (18) and accompanying lectures fully verified and corrected to duplicate Mr. Hubbard's original writings and recordings and released in 16 languages in Summer 2007 with over 60 million books and lectures into public hands in just the last 2 years.
- b. Originating and implementing the strategy of establishing Ideal Scientology Organizations ("Ideal Orgs") in every Church location—organizations that are examples in every detail of what Mr. Hubbard describes in his policies, bulletins and lectures, where the delivery of all Dianetics and Scientology services could be carried out in the volume and quality L. Ron Hubbard intended. As a result, Ideal Orgs have now been opened in Johannesburg, Tampa, Madrid, London, Buffalo, San Francisco, Stevens Creek, Los Gatos, Mountain View (Test Center), New York, Dallas, Nashville and Malmo. Similarly, there have been new buildings

located, renovated and opened for various social betterment organizations, including new headquarters for The Way to Happiness Foundation, Citizen's Commission on Human Rights, Narconon International and Applied Scholastics International.

- c. Completely restoring and refitting the *Freewinds*.
- d. Expanding the Flag Land Base with the Oak Cove fully renovated and opened in early 2008 and the Fort Harrison Hotel completed to Five-Star standards in March 2009.
- e. Doubling Church property holdings since 2004 with over 70 new properties procured for Church expansion to establish Ideal Orgs.
- f. Doubling of public service delivery in International Scientology in the last two years.
- g. Expanding of our Volunteer Minister program to a force of 196,000 helping people in time of need with L. Ron Hubbard technology in 116 nations.
- h. Translating Mr. Hubbard's materials into 52 languages, more than 10 times the total of the previous 50 years combined.
- i. Reaching over 1.5 billion people just in the last year through our humanitarian campaigns.
- j. Launching the Scientology website that was visited by over 12 million people from 234 countries in the past year.
- k. Achieving religious recognition for Scientology in Kenya, Sri Lanka, Nicaragua, Portugal, Spain, South Africa and Argentina.

l. Establishing Bridge and New Era Publications organizations in Los Angeles and Copenhagen as world industry leaders in digital publishing.

m. Producing every major Scientology event for over 20 years as a primary means of keeping our parishioners briefed on what has been accomplished and where we are heading—a vital matter for a religious movement that now spans every continent on the planet.

19. These apostates are accusing others of what they have done. I'll give just a few examples. In 1998, Rathbun walked into my office (I was the Commanding Officer of CMO International) and out of the blue, and with no expressed reason, walked up to me, grabbed me and pulled me out of my chair, shoved me into a wall and then walked out. He was steaming and looked insane but said nothing.

20. Then in January 2004, I witnessed Rathbun punching and choking Rinder, requiring more than five men to pull Rathbun off Rinder.

21. In 2004, I saw Rinder drag a staff member across a room and slam him into a wall.

22. De Vocht, in January 2004, punched me full force in the chest twice without any warning or reason given.

23. All through Rinder's time in the Office of Special Affairs ("OSA"), I was on the Watchdog Committee, which meant I was on the finance lines for authorization of OSA expenses. With Rinder in OSA, the finances were handled in an off-policy, improper manner. Almost every month Church finance policy was violated by committing to more expense than authorized. This was not a minor matter, as the amounts would often add up to \$100,000 or more per month. There was no gradient of ethics and justice application that would bring this under

control. What was so outrageous was that while Rinder would try to justify the need for the extra funds, it was consistently Mr. Miscavige who had to step in and handle the major legal situations to terminate them and thereby reduce the costs. All in all, the waste totaled millions of dollars, just in attorney fees alone. As Rinder later confessed, “I always wanted Mr. Miscavige to be involved in external flaps—by this I mean it was always easier when Mr. Miscavige was directly involved.” He also admitted that “I refused to handle finances in OSA.” Misuse of parishioner donations (exactly what he was doing) is one of the most severe crimes in Scientology.

24. When I found out that Rathbun was claiming that he was going to take over the Church and become its new leader, I gasped. Just how outrageous this is, is hard to express. It is unreal in the *extreme*. Rathbun even stated in a blog that he didn’t quite agree with L. Ron Hubbard. As a trained auditor, I know that the way in which Rathbun performed services did not even resemble LRH’s Standard Technology. I also experienced some of this myself with “ethics interviews” from him at least twice in which he would scream and pound the table, walk in and out of the room and threaten that I better confess or I’d be in deep trouble and other violations of the Auditor’s Code.


25. I also knew De Vocht. He was a walking financial irregularity, mainly related to construction projects. He arrived at the International Church premises in March 2001 and went on a nonstop binge of violations of L. Ron Hubbard Finance Policies. He blatantly overspent on construction budgets and committed to expenses without prior authorization in spite of being fully aware of Church policy forbidding this. A tally shows over \$10 million in such irregularities by De Vocht between 2001 and 2003 alone. That does not include \$2 million required to handle shoddy workmanship in New York that he was responsible for. Nor does that include the \$1 million lost in a property purchase he

arranged through a known convicted felon in Clearwater. With De Vocht removed from any position of authority, Mr. Miscavige completely reorganized the renovations and construction operation resulting in buildings getting done faster, with no substandard results and at reduced costs.

26. The future under Mr. Miscavige's leadership can be foreseen to be one of even greater expansion as a result of what he is currently accomplishing—putting in the full array of LRH services for new public and for those higher on the Bridge and through massive public campaigns now begun and which will continue to expand. Every organization will become an Ideal Org and every major city in the world will have such an Org, just as Mr. Hubbard intended. These are not just hopes and dreams. These are predictable realities based on hard, cold statistics and firm plans. It is all described in L. Ron Hubbard's technical Bulletins and Administrative Policies and is what Mr. Miscavige is applying to achieve these results you see. It is the world of Scientology L. Ron Hubbard described in his 1970 Policy Letter, The Ideal Org.

I declare under the penalties and pains of perjury that the foregoing is true and correct.

Dated: July 28, 2009



Mark Ingber

EXHIBIT 10

1600 MARKET STREET, SUITE 2500
PHILADELPHIA, PA 19103

CERTIFIED MAIL



7019 0160 0000 6732 8442

IA

David Miscavige

1701 N G
-R-T-S- 900285228-1N

12/07/22

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UNABLE TO FORWARD
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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
David Miscavige
1721 N. Sycamore Avenue
Los Angeles, CA 90028-8607



9590 9402 7097 1251 1517 42

2. Article Number (Transfer from service label)

7019 0160 0000 6732 8442

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- D. Is delivery address different from item 1? Yes
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