

DECLARATION OF HEBER JENTZSCH

In writing the attached affidavit I wish to make a brief statement about the religion to which I belong. The Church of Scientology has a long history of creating freedom of thought. It has created a great deal of good in the society for a number of years. It has fought against the depersonalizers (psychiatrists) that have tried to destroy minds. It must be realized that Scientology tries to create good and has no interest in destroying others. The psychiatrists (depersonalizers) who work against the good of Man have no right to create obstacles to efforts to explore the dark places in men's minds. They have no right to destroy freedom of thought just because they wish to dominate.

Scientology has worked ambitiously over the years and has achieved splendid things in the fields of education and drug rehabilitation. It has wisely used its resources in order to bring good to the society. The energy of the church used in bringing about good conditions is well known to all of the parishioners and to many opinion leaders outside the church. The church will expend the time and the effort to bring about a goal of "a world without insanity, without war, without criminals and where honest men will have rights."

As a religion, Scientology has brought reason into philosophy, health into peoples' lives and taught people how to survive. It is our intent to help religion and to help people. Therefore it is necessary that the following piece be written to describe the protracted conflict against the good that Scientology represents so that courts can

1 understand the actual issues at hand. Whatever the outcome, Scientology
2 will continue to be a symbol of good.

3 I, Heber Jentzsch, hereby declare and state as follows:

4 This declaration reviews in detail information contained in
5 sworn deposition testimony, documents authored by or for Michael Flynn
6 himself, his brother Kevin, or other FAMCO (Flynn Associates Management
7 Corporation) employees, court proceedings, newspaper reports and other
8 sources which shed a different light on Flynn's and FAMCO's intentions
9 than they would have the public believe is true. Many of these
10 materials are set forth as exhibits and explained or examined below. It
11 is submitted that this material shows that the Flynn brothers used and
12 intended to use FAMCO in a manner which one could conclude was
13 definitely manipulative and self-serving, and even illegal.

14 1. The purpose of this declaration is to delineate for the
15 courts the pattern of harassment and abusive conduct instigated and
16 executed against the Churches of Scientology by Boston lawyer Michael J.
17 Flynn and a number of co-conspirators operating as a front group called
18 the Flynn Associates Management Corporation (FAMCO). Said harassment
19 and abusive conduct included, inter alia: 1) conspiracy in the form of
20 a moneymaking scheme in which Flynn and FAMCO promised investors up to a
21 400 per cent quick return on their dollars; 2) intention to abuse the
22 law by the building of FAMCO, a front group, in order to sell shares to
23 finance litigation; 3) collaboration with forces trying to destroy
24 freedom of Religion and Churches in American life and close work with
25 others engaged in the destruction of belief in America; 4) collaboration
26 with and funding of agents and operatives using brutal "deprogramming"
27 techniques; 5) extensive, personal and malicious harassment of
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1 individual members of the Church of Scientology and of members of the
2 Church in general in order to deprive them of their legal rights; 6)
3 abuse of the judicial process by inundating the courts with massive
4 docket filings as well as apparently frivolous, unfounded and
5 duplicative lawsuits; 7) use of lies in order to manipulate media and
6 government and thus influence pending litigation; 8) use of libel,
7 forgery and other improper means in order to influence pending
8 litigation; 9) repeated and frequent fraudulent representations of
9 activities of himself and associates.

10 2. Having worked in the office which coordinates legal affairs
11 for the Church of Scientology International for approximately the last
12 two years, I am familiar with Michael Flynn and FAMCO and their
13 activities and have personal knowledge or information and belief as to
14 all charges and allegations as contained herein and Mr. Flynn's
15 opposition to Scientology's creation of Religious Freedom.

16 3. On August 28, 1980, FAMCO's incorporation papers were filed
17 with the Commonwealth of Massachusetts. (Exhibit 1) The incorporators,
18 as listed on the Articles of Organization (Exhibit 2), were Kevin Mark
19 Flynn, Cheryl Flynn, wife of Kevin, and Michael J. Flynn. FAMCO's
20 stated purposes (Exhibit 2) were as follows:

21 "1. To carry on and entertain any business, undertaking,
22 transaction, or operation commonly carried on or undertaken by
23 capitalists, promoters, financiers, contractors, merchants,
24 commission men, and agents, and in the course of such business
25 to draw, accept, indorse, acquire, and sell all or any
26 negotiable or transferable instruments and securities,
27 debentures, bonds, notes and bills of exchange.

1 "2. To issue on commission, subscribe for, acquire, hold,
2 sell, exchange, and deal in shares, stocks, bonds, obligations,
3 or securities ...

4 "3. To form, promote, and assist financially or otherwise,
5 companies, syndicates, partnerships, and associations of all
6 kinds, and to give any guaranty in connection therewith or
7 otherwise for the payment of money, or for the performance of
8 any obligations or undertaking.

9 "4. To acquire, improve, manage, work, develop, exercise
10 all rights in respect of, lease, mortgage, sell, dispose of,
11 turn to account, and otherwise deal with property of all kinds,
12 and in particular business concerns and undertakings."

13 4. An analysis of documents and sworn depositions from
14 numerous persons reveals that the actual intent of FAMCO was utterly
15 different from its stated purpose. The Flynn brothers instead used
16 FAMCO as a vehicle to destroy. In addition to:

17 1. Sell shares in hopes of rapidly raising \$180,000
18 to finance litigation against the Church. A "get rich quick"
19 scheme promising \$4 for for every \$1 invested was designed to
20 lure investors.

21 2. Solicit clients in hopes of having 1,000 lawsuits
22 in progress against the Church by the end of 1981.

23 3. Solicit co-counsel based on a fee-splitting
24 system.

25 4. Arrange for new clients through oppressive, forcible
26 "depersonalizations" designed to make Church members betray
27 their religion and then bring suit for ostensible "damages."
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1 5. Manipulate the news media in order to attempt to create
2 poisonous publicity problems so that the Church would be forced
3 into a settlement.

4 6. Instigate prejudicial government attacks on the
5 Church's Religion by means of lies and false reports.

6 7. Destroy the future of the Church financially by
7 creating a large number of individual lawsuits to victimize the
8 Church in inconvenient jurisdictions, solicited illegally using
9 a single person "class action" suit as a front.

10 5. Flynn has repeatedly sought court orders in federal and
11 state court which would prevent the church from using these documents.
12 These efforts have failed time and again. Indeed, in April 1982, Flynn
13 sought a preliminary injunction against use of these documents. His
14 request was denied by the court less than one week later. The Church
15 has been using the documents in order to show Flynn's campaign against
16 First Amendment and the Church of Scientology. Exhibit 3 shows that
17 three separate courts have upheld the Church's use of the documents.

18 6. The numerous acts against the Religion of the Church of
19 Scientology undertaken by Flynn and his brother, Kevin, via the FAMCO
20 front group, are described in this declaration and are based in part on
21 the poisonous FAMCO documents. The FAMCO documents show that Michael
22 and Kevin Flynn's attempts to perpetrate one of the greatest abuses upon
23 the courts in the history of modern jurisprudence have destroyed
24 countless thousands of hours of court and lawyer time. Their numerous
25 misrepresentations are described in detail in this declaration.
26 Psychiatrist John Clark was part of FAMCO's operation. Clark, who has
27 published poisonous articles against religion in The American Atheist
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1 and elsewhere, was used as FAMCO's propagandist. Michael Flynn's role
2 was summoning up lies, hatred and invective and targetting them to
3 destroy a religion. Michael and Kevin Flynn and psychiatrist Clark
4 worked together to destroy freedom of religion and to bring a First
5 Amendment institution to its knees and to plunder its assets in order to
6 greedily line the Flynn's own pockets.

7 7. In viewing many pages of documents dealing with FAMCO's and
8 the Flynn's work against the Religion of the Church of Scientology, one
9 overriding theme emerges: moneymaking; the FAMCO front group was to be
10 used in an "all out" effort against the Church of Scientology in order
11 to rip off upwards of \$200 million. As described in "Scientology -
12 Review and Planning" (attached as Exhibit 4) and other FAMCO documents,
13 FAMCO was started as a chaos machine to sell shares in the litigation
14 and to solicit and exploit gullible and money-motivated co-counsel.

15 8. Although Michael Flynn has tried to escape blame for FAMCO
16 by laying it at his brother's doorstep, the facts remain that 1) Michael
17 Flynn was listed as an incorporator on FAMCO's Articles of Organization
18 (see Exhibit 2); 2) Michael Flynn has pursued to the letter the basic
19 FAMCO strategy as outlined in the FAMCO documents. There were four
20 basic goals in this strategy, all aimed to create unhappiness and
21 destroy religious freedom. As shown in "Scientology - Review and
22 Planning" (Exhibit 4), these four basic goals were:

- 23 1. Closing Scientology organizations
- 24 2. Adverse media
- 25 3. Adverse public reaction
- 26 4. Federal and state attacks.

27 The FAMCO plan had as its "primary purpose ... to position ourselves
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1 such that to fight us would be cost ineffective." Attacks against the
2 religion would come from "feeding" media and governments with false and
3 misleading information about the Church and thus influencing them to
4 undertake investigations of the Church. Although Michael Flynn has
5 vigorously denied the implementation of the FAMCO plan as described in
6 "Scientology - Review and Planning," his actions belie this. As is
7 clearly demonstrated in this declaration and attached exhibits, Flynn
8 has been caught pressing an all-out assault to destroy the existence of
9 Religion the Church of Scientology in the four areas listed above.
10 Flynn's associates Thomas Hoffman and Thomas Greene have been in the
11 thick of the litigation with him through the years; they knew of FAMCO
12 and its plans yet apparently did nothing to steer away from the course
13 set by Michael and Kevin Flynn.

14 9. Michael and Kevin Flynn created in FAMCO perhaps the only
15 business venture in the history of the United States openly dedicated to
16 the destruction of a First Amendment institution. The attached
17 proposal, called the "Class Action Case Development Program," (Exhibit
18 5) was sent by Michael Flynn with a cover letter to numerous attorneys
19 around the country in hopes of getting them to join his anti-religious
20 extortionistic war. The proposal forecast "one thousand lawsuits
21 [against the Church of Scientology] ... by the end of 1981." (Exhibit 5)

22 10. Solicitation took various forms, including personal sales
23 pressure by Michael Flynn. Clearwater, Fla. businessman Jim Grey has
24 stated in a sworn affidavit that Michael Flynn visited him in his office
25 and endeavored to enlist him to sell shares in litigation. Flynn
26 offered Grey the position of "Trustee of ... FAMCO in the Clearwater
27 area." As described in his affidavit (Exhibit 6), Grey was told by
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1 Flynn that his duties as trustee would be to "receive, raise and
2 disburse monies which would be used to file suits against the Church of
3 Scientology around the country and therefore break the Church
4 financially." (Emphasis added.)

5 11. Another example of FAMCO's outrageous activities is shown
6 in Exhibit 7, a memorandum from an attorney, Chuck Diamond. The
7 memorandum from Mr. Diamond illustrates what Flynn represents FAMCO to
8 be all about. The memo asserts that Diamond's old schoolmate, Flynn,
9 "has made a substantial living suing the Church of Scientology." The
10 memorandum indicates that there would be openings for "lawyers in the
11 Los Angeles area who would be willing to undertake the joint prosecution
12 of some of these claims [Flynn's clients'] on a contingent fee basis."
13 It was apparently not mentioned to Mr. Diamond that neither Flynn nor
14 FAMCO ever won a cent from the Church in nearly four years of
15 litigation, and thus Flynn's "prior successes" alluded to in the memo
16 are nonexistent; they are in fact complete and utter delusions. An
17 attorney beguiled into "joining forces" with Flynn because of these
18 "prior successes" and the lure of "a substantial living" as mentioned in
19 the Diamond memo would have linked up based on totally false information
20 and promises. The term "church-busters" as used in the memorandum is
21 appropriate to the context; FAMCO's campaign against the Church comes
22 across as a vigorous attempt to harm and destroy a religion.

23 12. Flynn's operation against the Church of Scientology was
24 also broadly implemented in the Clearwater, Fla. area, where he actively
25 spread malicious lies and false reports. As stated in the attached
26 declaration (Exhibit 8), Virginia Snyder met with a Clearwater city
27 official and was informed that Michael Flynn had said he hoped and
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1 expected "to get 10 or 12 lawsuits 'going' against the Church [in the
2 Clearwater area] as soon as possible." The official explained that
3 "Flynn's strategy was that if there were enough lawsuits brought against
4 the Church with accompanying expenses that would exceed the Church's
5 income, this would result in achieving the goal of breaking the Church
6 financially." (Emphasis added.)

7 13. Michael Flynn made bold and sweeping promises to those who
8 might possibly work for or invest in FAMCO. An April 22, 1981 letter
9 (Exhibit 9) dangled "the opportunity to earn substantial monies" as a
10 lure to potential co-counsel in Flynn's cases against the Church.
11 Another FAMCO document (Exhibit 10) promised FAMCO "investors" between
12 \$2 and \$4 for every \$1 invested in FAMCO shares.

13 14. Up to Dec. 13, 1979, Flynn's law practice had centered on
14 medical malpractice. This changed when Flynn filed a so-called "class
15 action" suit against the Church of Scientology of California.
16 Strangely, this "class action" suit had just one party, a disgruntled
17 former Scientologist by the name of Lavenda Van Schaick.

18 15. While the "class action" suit was pending, Flynn initiated
19 a series of virtually identical individual lawsuits. Using the Lavenda
20 Van Schaick "class action" suit as a front, Flynn solicited clients who
21 ultimately filed separate lawsuits in remote, inconvenient jurisdictions
22 rather than joining the single member "class." These suits were brought
23 by 27 different persons even though, as stated in the attached affidavit
24 by attorney Nancy Gertner (Exhibit 11), the claims "involve virtually
25 identical complaints, causes of actions, and indeed, verbatim pleadings"
26 as the original, one-person "class action" suit. It is in keeping with
27 Michael Flynn's misleading tactics that he has not filed the motion in
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1 the Van Schaick suit which would legally establish the existence of the
2 "class" claimed to require the "class action" suit. Any good attorney
3 can tell you that filing such a motion is not a difficult process, but
4 winning the motion requires that Flynn satisfy very particular rules.
5 It certainly seems likely that Flynn is afraid to file the motion
6 because he will lose it. Then FAMCO will be unable to hustle more
7 lawsuits using the "class action" suit as bait.

8 16. The Gertner affidavit also pointed out how Flynn's suits were
9 "designed to tax the Church of Scientology to the breaking point, to
10 inconvenience and harass that institution so that it will be forced to
11 settle with counsel for the plaintiffs [i.e., Flynn and his associates]
12 and to maximize the profits that will accrue to the lawyers." (Emphasis
13 added.)

14 17. As part of Flynn's "Class Action Case Development Program"
15 (Exhibit 5), he even planned "the organization of international lawsuits
16 in England, Sweden and other countries." (Exhibit 5)

17 18. In the United States, Flynn planned an enormous volume of
18 litigation in the form of what he called "turnkey" or pre-packaged
19 lawsuits. Via FAMCO, aggressive, far-reaching solicitations were made
20 to attract attorneys to join Flynn's anti-Scientology campaign. "We
21 provide the clients, the damages, the pleadings, the memoranda, the
22 documents, the witnesses and virtually everything required for an
23 instantaneous trial with little or no necessity for discovery," boasted
24 a FAMCO promotion proposal to attorneys (Exhibit 5, p. 13). "This
25 preparation has taken thousands and thousands of man hours of work and
26 hundreds of thousands of dollars," the proposal claimed.

1 19. These ostensibly valuable fruits of FAMCO's labors were
2 promised to a handful of lawyers who would choose to link up with
3 Michael Flynn in his aggressive attacks against the Church and its
4 religion. Wayne B. Hollingsworth is an example of an attorney that has
5 sought to work with Michael Flynn. As alleged in the attached
6 affidavits and complaints, Hollingsworth repeatedly reneged on
7 agreements with his former partner, attorney Gary A. Pappas. According
8 to Pappas' affidavits, Hollingsworth made off with key assets of their
9 firm and also wrongly appropriated approximately \$750,000 from
10 collections and accounts receivable. Pappas is suing Hollingsworth for
11 an accounting of the assets of their partnership; Pappas claims a 50 per
12 cent interest in the partnership, which he estimates had assets
13 totalling \$980,000. Pappas succeeded in getting attachments placed on
14 at least \$200,000 worth of Hollingsworth's property. (Exhibit 12)

 Hollingsworth is also being sued by attorney Philip F. Mulvey, Jr. for
 activities that sound very similar. According to Mulvey's affidavit
17 (Exhibit 13), Hollingsworth violated their employment agreement, taking
18 for himself in July 1982 monies Mulvey had won in one of his personal
19 cases. Mulvey protested Hollingsworth's action, and when Hollingsworth
20 insisted on keeping the substantial sum Mulvey was due, Mulvey indicated
21 he would not continue their association. He began packing his files and
22 personal items, left the office briefly and came back to find his
23 personal belongings in a pile outside the office and his files
24 "missing." Mulvey is suing to recover his files, his money and for
25 other damages as described in Exhibit 13.

26 20. "Turnkey publicity" was another documented abuse of
27 FAMCO. FAMCO was to provide a "press package" of poisonous material to
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1 lawyers who agreed to participate in "turnkey" lawsuits. FAMCO
2 documents (Exhibit 14) show that manipulation of the media was vital to
3 the success of the litigation; "Future Adverse Publicity" was to
4 coincide with the "Filing of future cases by city and state," and
5 consultations were promised on "effective handling of media."

6 21. Adverse publicity was a major weapon in Flynn's attack on
7 the Church as graphically demonstrated by the five-page summary attached
8 as Exhibit 14. The multi-pronged anti-Scientology media thrust planned
9 and implemented by Flynn and FAMCO included newspapers, national
10 magazines, wire services, local and national television programs -- even
11 provisions for "Book and Film Rights" -- all aimed at "Loss of Income
12 and Business" for the religion of the Church of Scientology, as stated
13 on the document.

14 22. In effect bragging that he had the media in his pocket,
15 Flynn claimed responsibility for an incredible amount of publicity
16 adverse to the Church. FAMCO documents listed fifteen separate detailed
17 examples under a section entitled "National Media attention attributable
18 to our office." (Exhibit 14), (Emphasis added.) These include a highly
19 defamatory segment on "60 Minutes," an article in Reader's Digest in
20 which Flynn's name appeared as an advertisement for future suits, wire
21 stories on both Associated Press and United Press International and a
22 sensationalized article in the National Enquirer.

23 23. The FAMCO documents show beyond the shadow of any doubts
24 that Flynn's motives went beyond merely pressuring the Church of
25 Scientology to settle his client's alleged claims against it. Thus, in
26 a section captioned "Loss of Business to Scientology" in Exhibit 14,
27 Flynn called for an "increased rate of defection" among existing members
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1 of the Religion of Scientology, and described how he proposed to bring
2 that about, including efforts to "influence" Church members "by [a]
3 continual onslaught of bad publicity." It was also hoped to create a
4 deterioration in the Church's image so that "new membership prospects
5 are impaired." (Exhibit 14)

6 24. The campaign has gotten down to specific tactical targets;
7 as described in Paragraph 8 of this declaration, Michael Flynn has
8 called for specific destructive actions against the rapidly growing
9 Church, including loss of income and closing down five separate
10 Scientology organizations in the United States. One of these so
11 targetted is the Church's splendidly large international training center
12 in Clearwater, Fla. (Exhibit 14)

13 25. The strategy of endeavoring to bring on prejudiced
14 governmental attacks, spelled out in the "Scientology - Review and
15 Planning" document (Exhibit 4), surfaced again in a FAMCO document
16 describing the "March [1981] Conference." (Exhibit 15) From this
17 document, Flynn's plans to coordinate and promote government and media
18 attacks are obvious. Listed under the heading of "Lead Counsel" are
19 "representatives of Internal Revenue Service and United States
20 Attorney's Office." These "Lead Counsel" are described in the
21 conference notes as "attornies [sic] experienced in handling Scientology
22 litigation."

23 26. In an overt display suggesting utter contempt for the U.S.
24 Constitution and the First Amendment, Michael and Kevin Flynn plotted
25 how the power of government could be used prejudicially against the
26 Church. Kevin Flynn wrote in the March Conference notes (Exhibit 15)
27 that "issues [at the planned March conference] include ... integration
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1 of government and private sources" for data collection and exchange. He
2 proposed "development of routine litigation support and consultation
3 service between private and government attorneys [sic] engaged in
4 Scientology litigation." In the same seminar, he included a segment on
5 "integration of organizational file data" -- this data to come from not
6 only the IRS, but from several other U.S. governmental departments as
7 well. Of note is that Michael Flynn had worked in an IRS office just a
8 few short years earlier.

9 27. "First Amendment" is listed as a seminar issue on the
10 "March Conference" document: another issue listed in the same section
11 is "state court jurisdiction over Church of Scientology of California."
12 Flynn's attitude over the years has been to view the First Amendment as
13 a mighty barrier to be surmounted in his campaign against the Church, so
14 it is not surprising to see these seminar issues tied together. Nor is
15 it surprising to see that the chief purpose of the "March Conference,"
16 as stated on the document, was to "establish efficient communications,
17 data collection and data exchange among government and private attorneys
18 presently engaged in litigation with Scientology organizations and
19 investigation of Scientology activities." (Emphasis added.) These
20 documents make clear that the Flynn brothers' FAMCO, set up as a
21 profit-making corporation, was proposing and seeking direct government
22 collusion to destroy the existence of a recognized religious group.

23 28. The "Class Action Case Development Program," (Exhibit 5),
24 enumerates the prejudicial government agencies and "numerous
25 media" Flynn and FAMCO have been in contact with regarding the
26 Religion of Scientology, and he boasts that in a certain IRS case
27 involving the Church of Scientology "most of the individuals
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1 testifying are our clients." It seems obvious that the "all out,"
2 the anything goes strategy as described in "Scientology - Planning
3 and Review," was put into effect, despite Flynn's vehement denials.

4 29. The same sleazy document boasts that "Since the
5 initiation of the [Lavenda Van Schaick] class action suit, our group
6 has generated extensive media attention about Scientology including
7 publication of an extremely cogent Reader's Digest article, programs
8 on '60 Minutes,' 'Prime Time,' forthcoming programs on ABC, as well
9 as various local television programs throughout the country and
10 thousands of newspaper articles." Flynn's own words defeat him
11 here, as once again it is seen that the "all out" destructive FAMCO
12 strategy against the Scientology Religion was put into effect.

13 30. Part of FAMCO's "all out" strategy is demonstrated by
14 the effort to incite federal and state governmental attacks against
15 the Church. Attorney Stephen P. Delinsky, former head of the
16 criminal division of the Massachusetts State Attorney General's
17 Office, was recently quoted in the May 31, 1983 Boston Globe as
18 being sharply critical of Flynn for "trying to use a possible
19 prosecution of Scientologists to assist his own civil litigation."
20 (Exhibit 16) Such efforts by Flynn were candidly described by
21 attorney Delinsky: "I felt that was not the proper use of the
22 criminal justice system, and I felt uncomfortable." Flynn has tried
23 the same technique of lighting legal brush fires elsewhere. In
24 Arizona, it recently came to light that Flynn had spread the rumor
25 that an investigation was underway in the state, and that
26 indictments would be handed down on faithful Scientologists by the
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1 Attorney General's Office there. It appears that Flynn, through his
2 favorite client, Ronald DeWolf, was the source of this fictional
3 information. In lieu of having proper cases, and pursuing them
4 according to established legal procedures, it appears that Flynn
5 prefers to launch a whisper campaign that an investigation of the
6 Scientology religion is occurring and that indictments will be
7 handed down soon and arrests will be made. This occurred in
8 Arizona, in Boston, in Florida, in Los Angeles and even in open
9 court in Riverside, Calif. (see Exhibit 17). Once the poisonous
10 rumor has been launched, his clients or others are induced to call a
11 key government office in the area where the investigation is
12 supposedly underway, and make unfounded complaints about the
13 Scientology Religion. Repeated efforts to stir up investigations of
14 the hugely successful Scientology Religion and to deliberately
15 inflame public opinion against it have occurred in several areas.
16 Such endeavors enhance Flynn's chances in whatever litigation might
17 be underway by poisoning the public's understanding and opinions.
18 Once the rumor of "governmental investigation" gets going, the next
19 step is the tactic of telling faithful members of the Church that
20 indictments will be handed down and that arrests will be made.

21 31. A document prepared in early 1981 showed that Flynn's
22 plans were such that he looked to get more than \$200 million from
23 the various suits he had filed against the Church. (Exhibit 18)

24 32. Progress in his various cases did not go as Flynn
25 expected. On June 2, 1981, he wrote to one of the Church's counsel,
26 Jay D. Roth, and proposed to settle "all existing cases" for \$1.6
27 million. Included in Flynn's offer was a threat. Unless the Church
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1 made a proposal to him "within the next 14 days," it could expect an
2 "additional 8-10 cases ... commenced in Washington, New York and
3 Los Angeles." (Exhibit 19) Fifteen days later, he wrote again to
4 Jay Roth, this time saying that he was planning "20 additional law
5 suits" and that unless a settlement were made quickly, "we will be
6 left with the sole option of increasing the litigation as rapidly
7 and in as great a number as possible." (Exhibit 20) Such a demand,
8 coupled with consequent filings, suggested both a serious abuse of
9 the judicial process and an apparent proposal to sell his clients
10 down the river. Having ostensibly obtained the trust of 20
11 additional "clients" and convinced them that it was in their best
12 interests to file suit against the Church, he was nonetheless
13 proposing to drop them cold in order to get money by settling cases
14 already pending, in effect using the existence of these future
15 claims to settle pending claims. It might be readily deduced that
16 Flynn's real aims were not in line with the best interests of his
17 clients, whatever he might be telling them.

18 33. The Church's legal department discovered something
19 that could account for Flynn's strange behavior in working against
20 his clients' best interests as well as against the Church. In 1979,
21 prior to the filing of the first suit against the Church -- the
22 Lavenda Van Schaick single claimant "class action" suit -- Flynn had
23 been in touch with psychiatrist John Clark. Clark heads a
24 psychiatric front group called the American Family Foundation (AFF),
25 a group whose name belies the fact that it has supported violent
26 depersonalizations and brainwashing techniques to destroy freedom of
27 thought in order to bring about enforced religious "conversions."
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1 Clark's anti-religious stance is well known. In 1981, Clark's
2 attacks on new religions appeared in a Massachusetts newspaper
3 article (Exhibit 21) which quoted him as saying that "Born Again
4 Christians are playing with fire." More recently, in 1982, Clark
5 described some activities of certain Roman Catholic orders as
6 "culty." (Exhibit 22) Clark's intention to destroy religious
7 freedom and create hate appears quite clear from these and other
8 statements.

9 34. Investigation revealed that the Clark-Flynn
10 relationship began as early as mid-1979 and that the two men had met
11 "many times," according to Flynn himself. (Exhibit 23) In early
12 November 1979, Church attorney Ralph Sullivan reported that Michael
13 Flynn had implied to him that John Clark was planning on financing
14 LaVenda Van Schaick's suit in whole or in part. In the same
15 conversation, Flynn told Sullivan that Van Schaick was "debriefing"
16 to a psychiatrist, and he implied that Clark was the one.

17 35. The covert extent of the Clark-Flynn collaboration
18 was demonstrated a short while later when the Lavenda Van Schaick
19 "class action" suit was filed. When Flynn filed the suit, he quoted
20 Clark's "dissociation" theory virtually verbatim within the
21 complaint. Curiously, while entire passages were taken from Clark's
22 work, no mention was made of Clark in the pleading, possibly in an
23 effort to conceal Clark's influence and his depersonalizing
24 techniques. (Exhibit 24)

25 36. The significance of the Clark-Flynn connection looms
26 even larger when one considers that the Church of Scientology has
27 for years sought to expose the evils of psychiatry -- that
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1 psychiatry seeks to destroy worship, to create evil, to create hate
2 and to destroy religious freedom. Indeed, in his 1950 epochal
3 bestselling book, Dianetics: The Modern Science of Mental Health,
4 L. Ron Hubbard, the founder of Scientology, specifically decries
5 brutal psychiatric depersonalizing treatments and describes a humane
6 yet effective method of showing people how they can help themselves
7 and others. Given the historical context of previous attacks on the
8 Church, it is reasonable to suspect that the animus behind the
9 Flynn's and FAMCO's attacks on the Church of Scientology is
10 motivated by pro-psychiatry loyalties.

11 37. The Clark-Flynn connection turns up again in the
12 "depersonalizations" paid for and carried out by FAMCO.
13 "Deprogramming" is the euphemistic word used to describe a forcible
14 attempt to depersonalize a person and change his or her religious
15 beliefs. John Clark, a vociferous advocate of depersonalizing, was
16 a key factor in by FAMCO's depersonalizing efforts. He delivered
17 psychiatric counselling to many of the former Scientologists
18 connected with Michael Flynn, including Lavenda Van Schaick. The
19 FAMCO-supported depersonalizations played an important role in the
20 entire moneymaking scheme. A person would be kidnapped, held
21 against his or her will, subjected to frightening threats and
22 intimidation and -- if the person was coerced into changing his
23 beliefs -- then brought in to meet Michael Flynn to discuss
24 litigation. One of the persons victimized by Flynn and FAMCO in the
25 depersonalizing scheme was a Scientologist named Steve Miller. As
26 graphically described in his affidavit and his lawsuit against the
27 Flynn brothers, FAMCO and others (Exhibit 25), Miller
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1 was held against his will and harassed, badgered and threatened
2 relentlessly for three days by three men in a vain attempt to get
3 him to destroy the existence of his religious beliefs. The three
4 depersonalizers allowed Miller no privacy, going so far as to remove
5 the bathroom door from its hinges so that, in Miller's words, there
6 was "a clear and unobstructed view of all portions of the
7 bathroom." (Exhibit 26) Kevin Flynn, president of FAMCO, who
8 simultaneously acted as private investigator for his brother,
9 candidly admitted in deposition testimony that the unsuccessful
10 depersonalizing of Miller cost Miller's parents approximately
11 \$10,000, FAMCO's "fee" for its "services" in arranging to have Steve
12 Miller "confronted" by depersonalizers, (Exhibit 27).

13 38. In depersonalizing, the violent tools of psychiatry have
14 been turned loose against all religions. Religious leaders of all
15 faiths have decried the brainwashing, mind control attempts to
16 destroy freedom to believe that has occurred during the process
17 cleverly mis-named "deprogramming." Like Nazi torturers,
18 depersonalizers wage a constant assault to destroy the mind of their
19 victims by as many channels as possible. This all-out assault
20 includes forbidding their victims to eliminate their waste without
21 permission, not addressing the victim by his or her proper name,
22 stripping the victim of his or her clothing and placing the victim
23 where he or she cannot clean himself or herself. This
24 "re-education" process also frequently has included violence.
25 Beatings and rapes are common, as indicated by articles and
26 affidavits attached as Exhibit 28. Thomas Ward, for example, a Phi
27 Beta Kappa graduate of Notre Dame, stated that depersonalizers
28

1 "punched and beat me until my face was swollen and bloody." Arthur
2 Roselle was jumped by a depersonalizing party of 12 men who smashed
3 him to the floor, cutting and bruising his face. His hands were
4 bound tightly behind his back for three days, and he was beaten in
5 the face. Monte Pelto was taped to a bed so tightly that his feet
6 literally turned blue. He was kept motionless on the bed for seven
7 days, his captors loosening his bonds only long enough for him to
8 roll over and urinate into a cup. Lark Brightman suffered a broken
9 leg and a severely sprained ankle in the course of her violent
10 abduction. A pregnant woman in California was assaulted, stripped
11 to her underwear, thrown against walls, and when she tried to
12 escape, dragged on her back by four depersonalizing thugs -- each of
13 whom pulled on one of her limbs. The atrocities of depersonalizing
14 have been condemned by innumerable groups such as the National
15 Council of Churches and the American Civil Liberties Union, and by
16 such prominent individuals as Billy Graham and Archbishop Fulton J.
17 Sheen, who described it as "brainwashing, often done for huge profit
18 and ... sinister and violent." (Exhibit 28)

19 39. The man known as "the father of deprogramming" is Ted
20 Patrick, a thrice-convicted felon who views virtually every group,
21 from the U.S. Marine Corps to the Roman Catholic Church, as a
22 "cult." Patrick has worked closely with John Clark, the FAMCO
23 psychiatrist. Patrick also personally deprogrammed Joey Flanagan,
24 who subsequently took up the same venal practice for FAMCO.
25 Flanagan was paid by FAMCO to perform depersonalizations, and was
26 one of the three men involved in the failed depersonalizing of Steve
27 Miller described in Paragraph 37. Flanagan has admitted in sworn
28

1 deposition that he personally brought at least five persons to
2 Michael Flynn after they had been deprogrammed. (Exhibit 29) At
3 least two of these were influenced to bring suit against the Church
4 of Scientology after being put into a suggestible state following
5 days of torturous depersonalizing not unlike the insidious, painful
6 "brainwashing" techniques used on American servicemen by Chinese
7 Communists during the Korean War.

8 40. Considerable pressure was brought to bear by the
9 FAMCO depersonalizers to get persons to renounce their religious
10 beliefs. Christopher Lloyd Garrison and Ellen Lee Garrison were two
11 such persons victimized by FAMCO, the Flynn brothers and Joey
12 Flanagan in a deprogramming attempt. On August 9, 1980, upon
13 entering the home of relatives, the Garrisons were surrounded by 10
14 persons, including strong-armed goons, one of whom hovered over Mr.
15 Garrison "menacingly, in a fixed karate stance." (Exhibit 30) The
16 goons and depersonalizers were led by Joey Flanagan, who was working
17 directly for Kevin Flynn, president of FAMCO. All were being paid
18 by FAMCO. What followed for the Garrisons was a nightmare in which
19 they were kidnapped, held against their will, threatened and
20 terrorized continually for nearly two days. After being forcibly
21 imprisoned by Flanagan and his henchmen, they were taken away in the
22 back of a truck against their will to a remote cottage where they
23 were held under close guard. Throughout this time, their beliefs
24 were ridiculed, the founder of their religion vilified. The
25 deprogramming was unsuccessful, yet both Flanagan and Kevin Flynn
26 continued to abuse the Garrisons over the next month. According to
27 the suit the Garrisons filed against Kevin Flynn, Joey Flanagan and
28

1 others, Kevin Flynn repeatedly threatened that they would be
2 arrested "unless they agreed to join as plaintiffs" in Michael
3 Flynn's class action suit against the Church. (Exhibit 30)

4 41. The magnitude of the FAMCO effort to procure persons
5 that would sue the Religion of the Church of Scientology is also
6 shown in the April 13, 1982 deposition of Kevin Flynn, wherein he
7 admits that each week he talked with "as many as five or ten parents
8 or spouses or whatever" who had relatives in the Church. The
9 obvious object of such conversations was to sell the relatives on
10 the idea that something should be done about getting their relative
11 to leave the Church, at which point Michael Flynn would potentially
12 have another depersonalized client. (Exhibit 31)

13 42. Attempts to unravel the bizarre FAMCO scene have been
14 met with a barrage of lies and obfuscation on the part of Michael
15 nn. Faced with a mountain of evidence on the subject of FAMCO's
16 oper and disgraceful activities, Flynn has sought to crawl away
17 from any connection with FAMCO, stating in the June 1, 1983 Boston
18 Globe, for example, that he "rejected" the FAMCO scheme because to
19 have done otherwise would have given "the appearance of
20 impropriety." (Exhibit 32) It is understandable that Flynn was so
21 concerned with the appearance of FAMCO. The reality of the matter
22 of course is that FAMCO was implemented, as additionally evidenced
23 by sworn testimony of Kevin Flynn, (Exhibit 33). Kevin Flynn
24 admitted that FAMCO paid depersonalizers for "the services provided
25 to Mr. Miller" from its own bank account. Joey Flanagan admitted
26 that he was paid by FAMCO's check for "the Steve Miller
27 deprogramming" and for other depersonalizations; Kevin Flynn
28

1 "handl[ed] the money," (Exhibit 34). In fact, Kevin Flynn admitted
2 (Exhibit 35) that others besides Flanagan were paid by FAMCO for the
3 depersonalizations. Just as Michael Flynn cannot change the fact
4 that the FAMCO "all out" effort to destroy the future of religion
5 was implemented, he cannot hide the FAMCO checks written for
6 depersonalizations.

7 43. The Boston Globe article cited in Paragraph 42 also
8 mentions Flynn's claims that he "rejected" the FAMCO idea in June
9 1981. This is another Flynn misstatement, as demonstrated by
10 Exhibit 36, Kevin Flynn's admission that at the time of his sworn
11 deposition on April 13, 1982 -- 10 months after Michael Flynn
12 asserted the idea had been rejected -- FAMCO was still in
13 existence. By June 1981, moreover, FAMCO's dirty hand had been hard
14 at work for more than a year, engaging in depersonalizations and
15 other goals to destroy.

16 44. Michael Flynn's misrepresentations to the media and
17 to the courts have served to distract attention from his own and
18 FAMCO's misdeeds. Recently, for example, in seeking to portray
19 himself as being "harassed" by the Church, he claimed that 12
20 lawsuits have been filed against him by the Church (Exhibit 37) and
21 stated that he has succeeded in getting nine of these dismissed. He
22 does not enumerate any of the 12, and not surprisingly, considering
23 that only seven have been filed by the Church, and that five of the
24 seven are still pending: two for libel, one for theft, one for
25 conspiracy to violate civil rights and one for abuse of judicial
26 process. Flynn misrepresents the number of suits in order to cover
27 up the fact that it is he who is abusing the judicial process, as
28

1 evidenced by the "all out" FAMCO strategy aimed at destroying the
2 courts' time with 1,000 frivolous and malicious lawsuits. (Exhibit
3 38)

4 45. The first libel suit against Flynn was filed in U.S.
5 District Court in Los Angeles, Calif. on Aug. 4, 1983. It charged
6 that he had "intentionally and recklessly" poisoned the good name of
7 the Church by telling a group of persons that the Church had
8 attempted to tamper with his airplane before an October, 1979 flight
9 to South Bend, Ind. Flynn never mentioned the incident until nearly
10 three years after it supposedly occurred. No report of the incident
11 was ever filed with the proper authorities. This failure to report
12 such an incident is a curious anomaly when one considers how
13 litigation-prone Flynn appears to be and how this imaginary
14 incident, if it were real, would have lent itself to a large
15 personal injury claim. Flynn made the statement and "knew it to be
16 false," the complaint states, and the Church is seeking \$2 million
17 in damages. (Exhibit 39)

18 46. On Aug. 15, 1983, the Church filed a second libel suit
19 against Flynn in U.S. District Court in Boston. The suit charged
20 that Flynn knew he was making a false statement when he told a
21 newspaper reporter from the Clearwater Times that the Church of
22 Scientology had "infiltrated the offices of the Volusia County,
23 Florida court system, interfered with the United States mail and
24 intercepted and stole checks he had mailed to the Court in
25 Volusia." (Exhibit 40) These outrageous statements by Flynn were
26 not substantiated with a scintilla of evidence or documentation.
27 Flynn apparently filed no complaint with the U.S. Postal Service or
28

1 with any law enforcement agency concerning the alleged infiltration
2 or missing checks -- a marked inconsistency for a man engaged in
3 such massive litigation against the Church and its work.
4 Scientology tries to create good and has no interest in destroying
5 others.

6 47. Flynn had originally written a check to the Volusia
7 County court system following his being slapped with criminal
8 contempt by Judge J. Robert Durden. This check was reported as
9 being "dishonored," i.e., bounced, in the Nov. 20, 1982 Clearwater
10 Times. (Exhibit 41) In the Times article, Flynn went to great
11 lengths to try to distract attention from his bounced check --
12 seeking to instead turn the public eye on the religion of
13 Scientology. Yet Flynn's financial history reveals that this
14 bounced check was not an isolated episode. In 1976, as the attached
15 affidavit (Exhibit 42) shows, Flynn wrote a bad check for \$6,500
16 from his personal account, even though he knew he did not have
17 enough funds in the account to cover the check.

18 48. The Volusia County episode exemplifies the tactic of
19 "misdirection" frequently used by Flynn in order to evade questions
20 regarding his personal and professional conduct. Other questionable
21 tactics -- adopted by Flynn both inside and outside the courtroom --
22 are described in detail by attorneys that have had to deal with
23 those tactics.

24 49. Attorney Roger Geller noted in an affidavit how, as
25 Flynn's cases have lost ground, Flynn's behavior in the courtroom
26 has become increasingly rude and desperate. Instead of relying on
27 the forces of reasoned arguments and legal precedent, Flynn has
28

1 followed this procedure: "insult defendants, verbally attack their
2 attorneys, and engage in haranguing diatribes against the
3 defendants' religious beliefs and practices ..." (Exhibit 43)

4 50. Attorney Sanford M. Katz has likewise noted that
5 Flynn's tactics have become geared towards destroying time in the
6 justice system as he sees that legal motions have increasingly been
7 in the favor of the Church. The Katz affidavit (Exhibit 44) states
8 that Flynn's "evasive and dilatory tactics have succeeded thus far
9 in bringing the action at bar to a complete halt."

10 51. Flynn's conduct during depositions taken in the
11 Lavenda Van Schaick case finally became so outrageously insulting
12 and objectionable (destroying the time of all concerned) that the
13 U.S District Court in Boston granted a Church motion to appoint a
14 Master -- an officer of the court specifically authorized to take
15 testimony or to perform other functions -- for all depositions and
16 discovery in that case. As the document submitted in support of the
17 Church's motion (Exhibit 45) noted: "all of the depositions taken
18 ... in this case to date in which attorney Michael J. Flynn has
19 participated have been characterized by improper and obstructive
20 tactics by said attorney." Deposition transcripts were "rife with
21 instances of Mr. Flynn's answering questions for the witness,
22 coaching the witness, rephrasing defendant's questions to his
23 liking, and insulting both the defendant and its counsel." Similar
24 obstructive and unprofessional behavior on the part of Michael Flynn
25 in at least three other cases made it necessary to seek the
26 appointment of Masters to supervise depositions in those cases as
27 well. (Exhibit 46) Flynn's conduct in depositions has time and
28

1 time again been rude, obstructive and harassing. Apparently, there
2 is no limit to the destructive conduct of Flynn when depositions are
3 being taken, even though this is a legal arena normally governed by
4 certain closely prescribed rules of behavior. During the July 21,
5 1980 deposition of Tonya Burden, for example, Flynn interrupted the
6 deposition to leap across the table in front of Tonya and rip from
7 her hands the diagram she had just drawn of the crucial area in
8 which she claimed she had "crawled" and "hid" before leaving the
9 main building of the Church of Scientology's International Retreat
10 Center in Clearwater, Fla. Flynn crumpled up the diagram, shoved it
11 into his pocket and refused to allow it into the record. This was
12 an important piece of evidence on a matter in which her testimony
13 had been directly contradicted and refuted by her own uncle, as
14 described further in Paragraph 57. Given this repeated conduct, one
15 could conclude that it is Flynn who has structured his clients'
16 stories and will go to virtually any length to prevent the true
17 facts from emerging, even from the mouths of his own clients.

18 52. Flynn's questionable behavior has been recognized by
19 the courts. One criminal contempt finding against Flynn was
20 mentioned in Paragraph 47 of this declaration. Another contempt
21 finding came recently in the Riverside, California probate case,
22 where Flynn was fined by Superior Court Judge J. David Hennigan for
23 releasing documents the court had sealed. That contempt ruling was
24 upheld, despite Flynn's request for reconsideration, on August 19,
25 1983 and on that same date, Flynn's client, Ronald DeWolf, was found
26 liable to pay court costs in the probate case. Flynn had prepared
27 the original pleading in that case, and naturally pushed it for
28

1 maximum media attention by including an incredible volume of false,
2 scurrilous allegations regarding the founder of Scientology, L. Ron
3 Hubbard, and the Church itself. The invective and poison contained
4 in Flynn's legal papers were spewn out to the news media primarily
5 via DeWolf. The allegations included the vicious lie that L. Ron
6 Hubbard was either dead or mentally incompetent. This lie was
7 exposed when the case was thrown out of court in June (Exhibit 47)
8 and L. Ron Hubbard found to be alive and entitled to his privacy.
9 After Flynn and DeWolf lost the case, their ulterior motives for
10 filing the case were revealed: they wanted to attack L. Ron Hubbard
11 personally and subject him to further litigation. Such an abuse of
12 the judicial process had apparently been organized into two phases
13 or steps long before the original motion came close to a decision.
14 Thus, DeWolf stated in a radio interview on July 14, 1983: "that
15 particular decision really opened up a terrible Pandora's box for
16 [L. Ron Hubbard] in that it now, in the legal sense, makes him
17 quite reachable ...Step One was to achieve a decision of whether he
18 was missing or not and then now we're involved in preparing Step Two
19 which is further litigation." (Exhibit 48) This transparent plan
20 was recognized by the Court when it disqualified Flynn from acting
21 as counsel. The Court found that Flynn purported to be representing
22 Mr. Hubbard's interest in the probate case in order to "protect his
23 estate," yet at the same time was suing Mr. Hubbard in various
24 courts across the land -- an obvious conflict of interest. (Exhibit
25 49) Michael Flynn has already embarked upon Step Two; his most
26 recent spurious suit is described in Paragraph 60.

27 53. DeWolf, L. Ron Hubbard's long estranged, disinherited
28

1 eldest son, had signed his name last November to a declaration
2 written by Flynn containing gross, absurd lies in an attempt to
3 destroy people and life, Scientology and Mr. Hubbard. This
4 declaration ostensibly formed the basis of the probate action
5 seeking control of Mr. Hubbard's assets. While Flynn was able to
6 attract some media attention to the sensational misstatements which
7 were woven into the pleading and the declaration, the light of the
8 legal process disclosed the truth and the case fell to pieces.

9 54. The departure from the facts exhibited in Michael
10 Flynn's probate motion is shown by the document attached as Exhibit
11 50 where DeWolf frankly admitted that he had no direct knowledge
12 regarding Scientology or his father since 1959, and that anything
13 after 1959 DeWolf learned through Michael Flynn. Yet the
14 declaration -- prepared and written by his lawyers -- failed to
15 disclose this crucial fact and left readers with the false
16 impression that it was based on firsthand knowledge and observation.

17 55. By about mid-1982 the Church had turned around a great
18 deal of the litigation that Flynn had brought and it was beginning
19 to win on the legal front. It was around this time that Flynn drew
20 up his plans for the probate motion discussed above. Around this
21 time also, a personal check of L. Ron Hubbard's drawn on a cash
22 reserve management account handled by the Bank of New England in
23 Boston was stolen and a duplicate was made by an offset
24 photolithography technique. The amount of the check and the check
25 number were changed, and the signature was traced in ink. An
26 individual presented the counterfeit check for deposit at a New York
27 City bank. The individual tried to open an account with the check,
28 but was refused because he didn't have proper identification. He

1 strangely left the bank and never returned. The bank in New York City
2 reported the incident to the Bank of New England. After L. Ron Hubbard's
3 personal business managers stopped payment on the check, the Bank of New
4 England immediately started an internal investigation to find out how its
5 security could have broken down. Investigators from Security Management
6 Services, Inc. of Boston found the bank's security to be outrageously
7 weak and reported this to the vice president in charge of the cash
8 reserves management section of the bank. The next day, the investigators
9 were fired. Flynn learned of the events regarding the check and, after
10 omitting vital information and adding sensationalized items with no basis
11 in fact, he wove the tale of the "forged check" into the probate petition
12 and declaration for Ronald DeWolf, as described above in Paragraphs 53
13 and 54. Among the wildly poisonous claims was the assertion, since
14 proven false, that L. Ron Hubbard's own close associates and the Church
15 of Scientology were responsible for the forgery. Because there had
16 actually been an incident involving a forged check for a large amount of
17 money, the false and distorted statements contained in DeWolf's
18 declaration took some time to be exposed, keeping the petition in court
19 for so long. As with other flamboyant Flynn allegations and accusations,
20 this wild charge was geared to attract publicity and served to give the
21 probate filing national media attention. Subsequent inquiry revealed
22 that the initial investigator on the forged check case was a neighbor of
23 Michael Flynn and had dealt with Flynn previously on a disrelated
24 matter. The investigator, Joseph Snyder of Security Managment Services,
25 Inc., was misdirected on his investigation by Flynn, whose
26 "speculations": and suggestions to Snyder on the matter were designed to
27 support Flynn's "theory" as described above. Such speculation ended up
28

1 being transmitted to the Bank of New England as factual information.
2 Further investigation also revealed that Security Management Services,
3 Inc. had an informant in the bank who sometimes worked in the cash
4 reserves management section and who had access to cancelled checks,
5 including those of L. Ron Hubbard, during the time that the check in
6 question would have been lifted out of the cash reserves management
7 section for counterfeiting. Careful investigation furthermore turned up
8 someone who had worked in the bank at the time of the forgery who swore
9 that he had seen Kevin Flynn, president of FAMCO, in the cash reserves
10 management section earlier. Kevin Flynn, for his part, left town and in
11 fact left Massachusetts about the time the investigators came to question
12 him on the episode. Thomas Hoffman, one of Michael Flynn's associates in
13 anti-Scientology litigation, "warned" the investigators that they should
14 stay away from Kevin Flynn, stating that Kevin wanted nothing to do with
15 Scientology anymore. Thus, Kevin Flynn has so far been able to avoid
16 being questioned in the matter. The entire matter of the forged check
17 suggests that efforts to manufacture allegations against the Church and
18 L. Ron Hubbard know no ethical bounds.

19 56. Michael Flynn's misrepresentations occur so frequently that
20 it is difficult to keep tabs on them. For example, although it is
21 welldocumented that Flynn has yet to win so much as a penny from the
22 Church, and he himself has admitted that his cases against the Church
23 have been "an unending continuous loss" (Exhibit 51), he frequently will
24 present information to the media or to others claiming that he has won a
25 motion or that his cases are doing well. An example, curiously, is from
26 the very same speech where he claimed that his record had been "an
27 unending continuous loss" against Scientology. Later in that same speech
28

1 he claimed "Every major motion we have won ... no suit has been
2 dismissed." Exhibit 52 contains a sampling of the many motions Flynn has
3 lost, once again demonstrating his inability to face and handle reality.

4 57. The factual shadings which have come to
5 characterize Flynn's work both in and out of the courtroom are also
6 characteristic of statements from his clients. For example, Tonja
7 Burden, a Flynn client, described in a detailed affidavit how she
8 had "escaped" from the Church of Scientology in Clearwater, Fla. by
9 crawling through an air conditioning duct. (Exhibit 53) The truth
10 of the circumstances of Burden's departure was dramatically
11 different: she was free to go, and simply walked away when she
12 wanted to. The truth was detailed in a sworn deposition by her
13 uncle, Donald G. Burden, who met her at the Fort Harrison Hotel,
14 (the Church-owned building from which Tonja supposedly escaped),
15 waited for her in the lobby, and walked out with her, later
16 returning together to pick up her personal items. (Exhibit 54)

17 58. Tonja Burden's unreliability as a witness can be seen
18 in her original affidavit and subsequent depositions, which are
19 riddled with inconsistencies. Not surprisingly, her affidavit, like
20 that of Ronald DeWolf, was not written by herself. In a deposition
21 on April 22, 1982, Tonja stated that "I don't write any of this stuff
22 up. My attorneys do that because I'm not -- what's the word?
23 Literate enough to do it." (Exhibit 55) The author of the such
24 documents, Michael Flynn, has apparently forgotten that the
25 substance of those complaints should conform to reality. But it
26 should be remembered that FAMCO's "turnkey" lawsuits (see Paragraph
27 18) were ostensibly set up so that "everything required for an
28

1 instantaneous trial" was provided by FAMCO. This included
2 "pre-packaged" claims for damages which -- as can be seen in case
3 after case -- did not hold up once the Flynn FAMCO client was
4 questioned at a deposition. Richard Peterson, for example, had
5 alleged fraudulent misrepresentations in his original complaint,
6 prepared by Michael Flynn. However, in deposition, he directly
7 contradicted what had been charged in the complaint, stating that he
8 felt the Scientologists he had dealt with had been very sincere. He
9 described the people on the staff at the Church of Scientology as
10 "honest, ethical people. They think they are doing the right
11 thing. Most of them are the most wonderful people I have met. They
12 are very nice, polite. They don't commit crimes. They don't harm
13 you. It is a very ethical group." (Exhibit 56) In fact, all the
14 other plaintiffs in that "turnkey" lawsuit -- Jane Lee Peterson,
15 Carol Garrity, Paul Garrity, Thomas Jefferson and Dana Lockwood --
16 making the identical charge, nonetheless admitted to believing that
17 the representations made to them had been sincere, leaving one with
18 the firm opinion that Michael Flynn weaves his complaints from whole
19 cloth.

20 59. One of Flynn's favorite venomous charges against the
21 Church is that the Church allegedly has as a matter of policy
22 violated the priest-penitent privilege by disseminating information
23 obtained from parishioners in the confessional process. However,
24 just as Flynn accuses the Church of numerous wrongful activities
25 which he commits himself, the alleged violation of privileged
26 communications is yet another routine procedure of Flynn's. Thus,
27 as recently as June 25, 1983, Flynn addressed a gathering of persons
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1 and brazenly sought to create negativeness and hostility towards the
2 Church. During this speech, Flynn freely discussed the personal
3 lives of several of his clients and in the process revealed intimate
4 details regarding their personal and sexual lives. Ironically,
5 three of these people -- Lavenda Van Schaick, Janet Troy and
6 Marjorie Hansen -- were the very persons he was claiming to be
7 representing to protect them from these very disclosures. Such
8 conduct is worse than hypocritical -- it causes pain for his
9 clients. The group he was addressing was not in any way connected
10 to or involved with litigation regarding these clients, revealing
11 this information to them was a glaring violation of the
12 confidentiality such clients should have enjoyed. Once again it
13 appeared that his clients' best interests took a back seat to
14 Flynn's frenzied efforts to generate adverse public attitudes
15 towards the Religion of Scientology by any means at hand. Although
16 the Church retains a copy of a transcript of this event, in the
17 interest of protecting the privacy of Flynn's clients which he so
18 cavalierly ignores and preventing them further pain, I will refrain
19 from re-issuing it as an exhibit to this declaration.

20 60. It was not enough for Michael Flynn to launch his "all
21 out" assault against the Church using former Scientologists as
22 pawns. On September 7, 1983, he went into direct competition
23 with his clients, suing on his own behalf using old familiar charges
24 from FAMCO suits. This latest frivolous and malicious lawsuit
25 directly parrots suits he filed earlier on behalf of his clients and
26 appears to be motivated by pure greed. Until Flynn's meritless suit
27 is thrown out by the Court, the Flynn and FAMCO "all out" strategy
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1 of attempting to destroy the future of religion for people by any
2 and all means is still fully operational. Michael Flynn is
3 currently pushing this new case for his own personal gain, and
4 drumming up media publicity for his wild claims. This suit names
5 only the founder of Scientology, L. Ron Hubbard, whom Flynn knows
6 A) has nothing to do with the charges being made and B) is not
7 likely to respond to the outrageous allegations. It is likely that
8 Flynn has named only Mr. Hubbard in hopes of obtaining a quick
9 default judgment rather than be exposed as unable to prove his
10 imaginative allegations. In papers filed in this suit Flynn already
11 has conceded his purpose in the California probate petition to
12 locate Mr. Hubbard so that he could serve him with a subpoena,
13 (Exhibit 57). Again Flynn's collateral purposes for initiating
14 litigation are revealed in his own documents.

15 61. The cumulative effects of Flynn's attacks on the
16 Religion of the Church of Scientology as well as his activities in
17 handling of his own clients have rebounded to his detriment, as
18 witnessed by the contempt rulings in Florida and California (Exhibit
19 58), and by the judgment against his principal client, Ronald
20 DeWolf, in Riverside, ordering him to pay court costs in that
21 much-publicized probate case.

22 62. Michael Flynn's efforts to marshall forces to destroy
23 the existence of a religion are unique not simply because he
24 attacked the Church for money, but because his fundamental goal was
25 to go beyond moneymaking and seek to drive a religious group out of
26 existence. Nearly four years of costly and abusive attacks based on
27 Flynn's scurrilous, venomous and underhanded efforts to prejudice
28

1 public opinion and get media and governmental organizations working
2 against the Church have not daunted the Church's determination to
3 create a brighter future and to continue helping people around the
4 world. The Church at this writing is doing so. (See Exhibit 59)
5 While it is beyond the scope of this declaration to chronicle the
6 grievous damage caused by Michael Flynn's and FAMCO's poisonous
7 activities, destruction of Belief and vituperations, it is sadly
8 true that the distractions and commotion they have created have
9 interfered with the Church's efforts to create good conditions of
10 benefit to all people by devoting all its energies to that
11 objective. Our religion remains dedicated, however, to that end.

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

14 Executed at Los Angeles, California this _____ day
15 of _____, 1983.

16
17 _____
18 Heber Jentzsch
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