

# Los Angeles Times

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## Scientists Fail to Obtain Hubbard's Files

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Times Staff Writer

A Los Angeles Superior Court judge Tuesday refused to release 21 boxes of personal letters and journals of reclusive Church of Scientology founder L. Ron Hubbard to church officials, despite a handwritten letter purportedly from Hubbard claiming them as his property.

The material is the subject of a lawsuit by the Scientologists against their former member and archivist, Gerald Armstrong, seeking permanent return of the documents. The church claims that Armstrong stole the material. He claims that Hubbard had permitted him to use it under a contract to produce a biography of Hubbard.

Church lawyers had asked Judge Leon Savitch to rescind an order issued last Sept. 24 by Judge John L. Cole placing the documents under the control of the county clerk, with access available only to attorneys in the litigation. The church claimed that Savitch should honor the purported letter from Hubbard delivered to Cole in February. It asked that the documents be returned to the church for safekeeping.

Scientology attorneys Barrett S. Litt and John G. Peterson also argued that Hubbard's wife, Mary Sue, an intervener in the case,

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verified that the documents belong to the Hubbards and requested that they be returned to the church.

But Savitch said the fairest course is to leave the documents in the clerk's hands until a full trial can determine who should have them. That could take four years because of court backlogs.

Church President Hetr Jentzsch said outside court that church lawyers will have to determine whether to appeal Savitch's ruling.

Jentzsch released copies of the letter last February in an effort to quell rumors that Hubbard, who has not been seen in public since 1980, is dead.

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