



Mary Sue Hubbard was unable to say from whom the documents were stolen.

Flynn says archivist entitled to documents

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LOS ANGELES—The lawyer representing a former Scientologist who took thousands of sect documents began chipping away at the prosecution's case Tuesday by trying to show the documents were not personal or private.

Rather, Michael Flynn claims the secret documents contain damning evidence of an elaborate scheme to defraud Scientology members through the misrepresentation of the background of sect found L. Ron Hubbard.

Flynn, who represents former Scientology archivist Gerald Arm-

strong in the non-jury Los Angeles County Superior Court case, used the prosecution's own witnesses—specifically Hubbard's wife, Mary Sue—to begin laying the foundation for the defense.

The sect claims the 37-year-old Armstrong "stole" about 10,000 documents pictures and files when he left the Clearwater-based organization two years ago.

Armstrong, who had been a Scientologist since 1969, was compiling historical data and gathering other material from the church on the life of Hubbard. He was then supposed to aid a writer in the production of a biography of the (Please see * TRIAL, next page)

* Trial

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reclusive 72-year-old science-fiction writer.

Armstrong, however, said he was working at the personal bidding of Hubbard. And it was when he read through the volumes of information, which he claims disprove Hubbard's published background, that he sent the documents to Flynn.

The documents have been sealed by the court since Flynn turned them over to authorities two years ago.

Flynn was instrumental in bringing witnesses to testify in the 1982 Clearwater hearings into the sect's alleged criminal activities.

Mary Sue Hubbard, looking tired and haggard, told Superior Court Judge Paul G. Breckenridge Jr. that she believes the lion's share of the contested documents "are of a private and personal nature (and Armstrong) took and stole the documents and gave them to Mr. Flynn. I consider that theft."

But Mrs. Hubbard was unable

to say from whom the documents were taken. Flynn, on the other hand, says Armstrong had every right to the material.

"He was L. Ron Hubbard's archivist and was personally appointed by Hubbard to collect these documents," Flynn said. "And he did a good job of collecting them.

"And far from being personal and private, many of the secret documents will prove that Hubbard falsified his background, military history, and educational accomplishments in a systematic plan to defraud millions of Scientologists who believed his claims of healing and inner peace."

Holding a copy of Hubbard's book "All About Radiation"—which refers to Hubbard as a nuclear physicist and medical doctor—Flynn asked Mrs. Hubbard whether her husband of 32 years was actually a nuclear physicist.

"No, he wasn't," she replied in a husky voice. "He took a course.

... But he's not a nuclear physicist."

"Is he a medical doctor?" Flynn asked.

"No," Mrs. Hubbard replied quietly, saying that an English physician co-authored the book. She was not able to name the doctor.

Although the documents have been sealed by the court, the *Clearwater Sun* obtained a list of the documents Tuesday—a list referred to in court so the litigants will not speak about the specific contents of the material.

Included in the list were items described as:

- 4-E Hubbard handwriting admissions RE: control over all mankind and naval background;
- 5-O Hubbard RE: forcing mayor to resign 22 March 78;
- 5-S Hubbard's control of US move (Scientology to Clearwater);
- 4-K Hubbard handwriting black magic incantations;
- 6-J Handwritten RE: Pinkerton/Fair game/Brainwashing;
- 6-L Handwritten RE: Open up a total war on IRS Gestapo tactics.

And although Mrs. Hubbard claimed attorney-client privilege on a number of the documents, she later acknowledged that on some of those tapes and papers there was no discussion between herself and any attorney representing her.

Lawyers for Mrs. Hubbard and the Church of Scientology of California petitioned the California Supreme Court for an emergency application to stop the trial. The motion was denied late Monday.

Armstrong is expected to testify today, the fifth day of the trial, which is expected to last through next week.

Flynn also said he may put a "secret" witness on the stand who reportedly has seen the reclusive Hubbard sometime during the past several months and can elaborate on and corroborate Armstrong's claims.