

# Clearwater Sun

17 MAY 1984

## On the Armstrong trial

Editor:

*Scient*  
On May 15, 1984, in the Armstrong trial, we heard more testimony concerning Gerald Armstrong's "state of mind." This is, of course, his defense to justify his taking another's property. It is similar to what we see in a criminal case—the "insanity defense"—that one is justified or not responsible for his acts because of his state of mind.

This insanity defense brings to mind the attempted assassination by John Hinckley, a loner, a failure and one trying to make a name for himself and a place for himself in history by shooting President Reagan. One could say Gerald Armstrong appears to be trying to make a name for himself through attempted character assassination of a famous man, in this case L. Ron Hubbard.

It is important in this suit to keep the allegations by Armstrong and Michael Flynn, and reports of such in the press, in perspective. A point not made clear in the local press is that the "documents" used by Armstrong are used only as to Armstrong's "state of mind"—how he perceived them. The court has made it clear that there are no statements being made as to the truth of Armstrong's statements or interpretations of the documents.

So, if we liken Armstrong's "state of mind" defense to the "insanity defense," then we can see that Armstrong's "interpretations" and statements are distortions. In fact during our cross examination of Armstrong, his credibility will be destroyed.

At that time we will see that, unlike Hinckley, Armstrong will not even have wounded his target.

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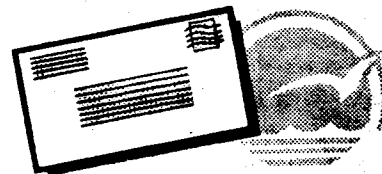
## Scientologist responds to coverage

Editor:

This is the first of what I hope will be a series of "equal space" reports covering the Scientology vs. Armstrong trial taking place in Los Angeles. I appreciate your paper providing our church this opportunity.

In this case, the Church of Scientology of California and Mrs. Mary Sue Hubbard have filed suit against Gerald Armstrong to retrieve valuable materials that he took from the church. Per earlier admissions by Mr. Armstrong, he gave these materials to Michael Flynn for Flynn to use in other cases. Then, in this case, Armstrong states that he took these materials for his own defense. A bit contradictory.

There are other contradictions or facts that have been omitted or not made available in the articles reporting this case in the Sun that have appeared so far. One vital fact is that the value of the materials for which Mr. Armstrong was responsible while a church employee, was into the millions of dollars. One conservative estimate is \$5 million. Testimony



## Letters to the Editor

from Armstrong in court indicated that one manuscript, Excalibur, alone was valued at around \$1 million. Is it any wonder that this was one of the items that Armstrong took from the church? Then we have Mr. Armstrong's "justification defense"—that is, if he can show that he was justified in taking the materials then he would be "off the hook."

A major point in this case has been missed, and that is the court's determination of the plaintiff's case (which is the church's and Mary Sue Hubbard's case) May 9. After our case had been presented, and after Mr. Flynn argued that our attorneys had not sufficiently made their case, Flynn asked for a not guilty verdict. Contrary to Mr. Flynn's request, the court made a significant statement about our case. The court stated, "it is really a very simple case, at least on the plaintiff's case. It appears to me that the plaintiff has preponderated as to whether or not Mr. Armstrong was an employee of the plaintiff church, and it appears to me that while there isn't any permanent deprivation, there is withholding of property and the use of the property outside the scope of what the original purposes were, which he was entrusted with the property, and it seems to me that is really all you need to have ..."

Additionally, the court found that, "There has been a withholding of originals of value and so that

would support the conversion theory, and the breach of fiduciary duty, breach of confidence, essentially misuse of the property that would be entrusted to an employee or fiduciary. And the invasion of privacy ... probably comes under a number of the California constitutional provisions that deal with the misuse of property lawfully acquired."

This is quite significant as we enter the "defense's" case (Flynn's and Armstrong's). In this, we expect the defense to make all manner of misrepresentations about Mr. Armstrong, the church and Mr. Hubbard. The context will be omitted to make for more alarming allegations. However, we heartily welcome the cross examination and hope that Mr. Shelor of the Sun will cover this in as much detail.

In looking back upon Mr. Flynn's record, we see that he is a man with at least two similar strikes against him. First is the 1982 probate case in Riverside, Calif., where Mr. Flynn alleged that L. Ron Hubbard was dead. Ironically, Flynn was representing Gerald Armstrong in 1982 as well, a client then who was saying that he worked for L. Ron Hubbard. This is hard to do if Hubbard was dead. Contradictory? The Riverside allegations were proven to be totally false and the case was dismissed. Now Flynn's former client in the Riverside case is stuck with paying the court costs. The second strike was Mr. Flynn's created and promoted Solicitation Ordinance, for which the city of Clearwater paid him more than \$100,000. The city enacted the ordinance and its first version has been ruled unconstitutional, and the city faces the possibility of paying large fees to the plaintiffs in that case. This Armstrong case is Flynn's third strike in his attempt to "bait and switch" the public. Hopefully for his clients it will be three strikes and you're out.

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