

Judge has L.A. sect testimony

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Testimony has ended in the Los Angeles trial of a former Scientologist charged with stealing thousands of documents, letters and pictures when he fled the controversial sect.

A Superior Court judge is weighing the evidence before handing down a decision.

"The judge (Paul G. Breckenridge) has taken the case under submission, and we don't know how long it will take," Scientology attorney Barrett Litt said Tuesday. "I assume he'll be working on it and we'll hear sometime in the next little while."

Litt represented the Church of Scientology of California and Mary Sue Hubbard, wife of sect founder L. Ron Hubbard, in a suit charging 37-year-old Gerald Armstrong with stealing volumes of recordings and papers.

Armstrong, a Scientologist for 11 years, at the time of his defection was the sect's archivist on the life of Hubbard. The former Scientologist testified he took the contested documents to protect himself against an anticipated lawsuit.

The Church of Scientology is suing for the return of the documents, which the sect contends are "personal and private," and is asking for unspecified damages. Most of the documents are under court seal pending Breckenridge's decision.

During Armstrong's testimony—which took more than a week of the six-week trial—he said much of the public's perception of the 73-year-old Hubbard is wrong because the reclusive author intentionally and systematically misrepresented himself and his accomplishments in a scheme to defraud his followers.

But Litt said Armstrong—"a hostile and bitter man"—stole the documents as part of a preconceived plan to aid his lawyer, Michael Flynn, in numerous suits involving the Clearwater-based sect.

Although Flynn and Litt declined to speculate Tuesday on Breckenridge's ruling, both said they thought they had presented convincing and successful cases.

"The last two weeks (of the trial) really went our way," Flynn said in a telephone interview from his Boston law office. "(Judge Breckenridge) said from the bench that he was prepared to rule that Hubbard is the alter ego of Scientology, which means that Hubbard is responsible for everything the church has done."

But Litt doubts the judge will hand down such a finding.

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"We think that such a ruling would be barred by then First Amendment (of the U.S. Constitution)," he said.

"The judge said that we had proven our case by a preponderance of claims," Litt said. "So the only real question is if Armstrong had some kind of privilege to take the documents. And I think the evidence is quite clear that he took them to use against the church and Hubbard."