

# Cult deprogrammer must pay Scientology attorney's fees

LOS ANGELES (AP)—A cult deprogrammer who violated a woman's civil rights by holding her captive 38 days in 1979 was ordered Monday to pay attorney's fees to the Church of Scientology.

U.S. District Judge William Matthew Byrne Jr. also imposed sanctions against Ted Patrick of San Diego because he allegedly impeded discovery actions in the civil suit, heard in 1984, by his failure to turn over videotapes promptly.

Byrne did not describe the sanctions or disclose the amount of fees being authorized, but Scientology spokesman Donald C. Randolph said Byrne promised to let attorneys know how much would be awarded in fees. He gave no indication of how soon that decision would be reached, Randolph said.

Last June, a federal court jury found that Patrick violated the civil rights of Paula Dain, 29, when he tried to deprogram her in 1979. She was awarded \$7,000 in damages, although the jury found Patrick had not acted maliciously when he tried to persuade Ms. Dain to renounce Scientology.

Ms. Dain initially sued Patrick and three others for \$30 million,

but the other defendants were dropped from the suit a week before a verdict was reached.

The church sought \$350,000 in attorney's fees, although Ms. Dain's attorney, Charlotte Ashmun, said the case cost \$500,000.

Byrne and Ms. Ashmun clashed over the amount of the fees.

"This case clearly was brought by the church and they were going to spend as much money as they can," Byrne said. The case, he said, "never in my wildest mind justifies what you put into it in fees."

Ms. Ashmun countered that the church was "always interested in protecting the civil rights of its members."

In another exchange, Byrne told Ms. Ashmun: "Let me make this clear. My personal views on politics or religion have nothing to do with this."

"I am reassured," Ms. Ashmun said.

"I am sorry you had to be reassured," Byrne replied.

After the verdict was reached last June, Patrick, who acted as his own attorney during the four-week trial, said: "They spent a half-million dollars to get \$7,000, which they're not going to get

anyway. I don't have \$7 to my name." There was no telephone listing for him, so he couldn't be reached for comment Monday.

Ms. Dain told the jury she suffered from nightmares and headaches when she found herself in a place that reminded her of captivity.

She said she pretended Patrick's deprogramming was successful to escape him.

Since 1971, Patrick has been arrested several times on various kidnapping and unlawful detention charges. He has served time in New York, Pennsylvania, California and Colorado.

In September 1980, Patrick was sentenced to a year in jail and five years' probation for the kidnapping of a Tucson, Ariz., waitress in a failed deprogramming effort.

In January, as his probation neared an end, Patrick said he did not plan to take part in any more deprogramming efforts but would concentrate on a book about cults instead.

"The price is just too high. I've paid a heavy price, and it's not worth continuing," he said.

## Hubbard no-show could nix suit

A class-action suit filed by the Church of Scientology against numerous agencies of the federal government is expected to be dismissed because sect founder L. Ron Hubbard failed to appear for a court-ordered deposition last week.

Attorneys for the U.S. Department of Justice, who are representing the federal government in the 1978 case, filed notice Monday that Scientology founder L. Ron Hubbard failed to show up for a court-ordered deposition last week in Washington, D.C.

According to Justice Department attorney John Toothman, U.S. District Court Judge Joyce Green indicated last week that the

case probably would be dismissed if Hubbard did not appear for depositions by Friday.

The class action suit claims that various federal agencies have engaged in unconstitutional activities against the Church of Scientology including harassment through excessive surveillance.

Some of the agencies listed as defendants in the case are the FBI, the CIA, the IRS and the U.S. Army.

Scientology attorneys have argued that they cannot produce Hubbard for depositions and have no way of contacting him, Toothman said. Hubbard has not been seen in public since 1980.

Neither Scientology attorney Tony Bisceglie in Washington,

D.C., nor his two partners could not be reached for comment Monday.

Although Toothman filed notice Monday that Hubbard failed to appear for the scheduled deposition, he said, it is not clear when Judge Green will act on the case.

A U.S. District Court judge in Los Angeles dismissed a \$2 million libel suit filed in 1983 by the Scientologists last week. That dismissal was based on Hubbard's failure to appear March 20 for a court-mandated deposition in that city.

The federal judge in that case, for the first time, ruled that Hubbard is managing agent of the sect.