

Lawyers hassle at Scientology trial

Lawyers in the long-running Scientology fraud trial in Portland traded accusations Monday during an unusual day in which no testimony was presented to the jurors.

Jurors were confined to a small room down the hall while Multnomah County Circuit Judge Donald H. Londer waded through a series of legal issues, including complaints against each other from attorneys leading each side of the case.

Garry P. McMurry, representing a Portland woman suing the Church of Scientology for fraud arising from her involvement with the organization in 1975 and 1976, accused the chief defense lawyer of telling jurors last Thursday about the existence of a videotape that Londer later ruled would not be presented to the jury as e.i-

dence.

McMurry said the "reckless comment" by Boston attorney Earle C. Cooley exceeded legitimate cross-examination. McMurry asked Londer to remove Cooley from the case.

Cooley then accused McMurry of violating a court order by housing some of the plaintiff's witnesses at McMurry's residence, where they presumably would have an opportunity to discuss each other's testimony.

Londer heard an explanation from Cooley in the judge's chambers about why Cooley thought the videotape he mentioned to the jury would be admissible. Londer concluded that Cooley had acted in good faith and rejected the request to remove him from the trial.

Although Cooley objected to McMurry's providing housing for the

out-of-state witnesses who were former Scientologists, he did not ask Londer to make a formal ruling on that point.

Cooley said the videotape, made on two occasions at a Los Angeles park without the knowledge of the witness, Gerald D. Armstrong, contradicted Armstrong's earlier testimony in which Armstrong denied that he had ever planned any covert action against the church in 1984.

Testimony is expected to resume Tuesday with further cross-examination of Armstrong by Cooley. The trial, in which Julie Christofferson Titchbourne of Portland seeks the return of \$3,000 plus punitive damages against the church and its founder, L. Ron Hubbard, is entering its second month.