



Emmett Jordan/Daily News

Church of Scientology protesters piled up their signs outside a downtown Los Angeles court-

house where a hearing of a suit involving the sect's basic beliefs was beginning Tuesday.

Scientology church loses its bid to avoid punitive damages in suit

By IRA RIFKIN
Daily News Religion Writer

Attorneys for the Church of Scientology lost a series of key pre-trial motions Tuesday as a \$25 million lawsuit seeking to challenge some of the controversial sect's most fundamental aspects got under way in a Los Angeles courtroom.

The Superior Court trial began in a circus atmosphere similar to the one that permeated the recent Scientology-related case in Portland, Ore., complete with demonstrators and courtroom outbursts by church supporters.

One ruling by Judge Alfred L. Margolis was to deny a church request to rule out the possibility of punitive damages in the case of 37-year-old Larry Wollersheim, a one-time upper-echelon church member. The decision prompted church attorneys to claim the courtroom atmosphere would be poisoned by inflammatory statements designed to push jurors into punishing an unpopular religion.

In the Portland case, a jury assessed Scientology with a \$39 million judgment, nearly all of it punitive. A judge later voided the award.

"My worst fears have been realized," Scientology attorney Earl Cooley said of Margolin's decision. "The direction the court has taken ... makes it clear a heresy trial will take place with dimensions that boggle my mind."

Wollersheim, an 11-year Scientology member who says he spent \$100,000 on church counseling courses, has charged the church's California branch with "fraud and deceit" because he did not achieve certain mental and physical gains, including supernatural powers and business successes, he says were promised as part of the counseling process.

The suit also claims that the Scientology counseling process known as auditing, in which an electrically charged meter records emotional reactions, is psychological manipulation and that it was performed on Wollersheim in a non-religious context.

Scientology maintains that auditing is central to its religious philosophy and should be excluded from any court case on church-state constitutional grounds. However, Wollersheim's chief attorney, Charles R. O'Reilly, said "the religion of

Scientology is not on trial here," and that testimony would be directed at actions by church members, including the administering of auditing, conducted in an atmosphere "totally devoid of religious beliefs."

As the trial began, following a five-year period during which the church attempted to have the suit dismissed on constitutional grounds, several hundred Scientologists conducted a day-long demonstration and vigil in a plaza area across the street from the downtown Civic Center courthouse.

Scientologists also packed the courtroom and the hall outside and were warned more than once by Margolin to maintain order after several outbursts directed at the judge and opposing lawyers. One Scientologist was wrestled out of the courtroom by bailiffs while yelling that the judge was favoring Wollersheim's attorneys.

Rev. Ken Hoden, a church leader in Los Angeles, said Scientologists would continue to demonstrate throughout the course of the trial, which is expected to take several months.

Pre-trial arguments are to continue today.

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By B.J.
Daily News

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