

DECLARATION OF VICKI J. AZNARAN

I, VICKI J. AZNARAN, hereby declare as follows:

1. I am over 18 years of age and a resident of the State of Texas. I have personal knowledge of the matters set forth herein and, if called upon to do so, could and would competently testify thereto.

2. From 1972 until 1987, I was a member of various Church of Scientology ("Church") entities. During that time I held a number of important positions in the corporate and ecclesiastical hierarchy of the Church. I was also a devout believer in the religion of Scientology. In March of 1987, my husband Richard Aznaran and I left our positions with the Church and returned home to Texas from California. At the time we left, Richard and I voluntarily executed certain releases and waivers in full settlement of any and all disputes we had with the Church. In April 1988, notwithstanding our execution of those releases and waivers, Richard and I filed a lawsuit against several Church entities and individuals in the United States District Court for the Central District of California.

3. During the time I was a senior Church executive, I gained first hand knowledge of the manner in which some apostate former Church members had pursued civil claims against the Church, and obtained successful verdicts or judgments or favorable settlements notwithstanding the merits. The courts. consistently allowed the Church's adversaries le way to introduce allegations without regard to the normal rules of procedure and evidence. At the time, this was a source of great concern to me, both as a Scientologist and a Church executive, particularly since my staff duties included responsibilities regarding certain areas of litigation.

4. Thus, having participated in Scientology litigation both as a Church executive and as a litigant against the Church, I bring two distinct, but related, perspectives to this declaration from my personal knowledge and observation. First, at the time my husband and I brought our own suit I understood that the legal system

could be used to pursue my position. Later, upon having sued various Scientology churches and having allied myself with other litigants and their counsel suing Scientology churches, I observed first hand the ways in which the legal system is successfully used by litigants and counsel opposing the Church.

5. The fundamental premise upon which the Church's adversaries and their lawyers operate is the likelihood that courts and juries are willing to believe any allegation made against the Church by a former member, without regard to plausibility, contrary evidence or the true facts. That concept was most succinctly expressed, on videotape, by anti-Scientology litigant, Gerald Armstrong, when he stated that a lack of documents or evidence was no impediment to litigating against the Church when the litigant can "just allege it." The active pursuit of that litigation approach has now led to the formation of a small group of disaffected Scientologists who are now employed by an even smaller number of attorneys who are making a practice of litigating against the Church. This stable of witnesses can be relied upon to furnish "corroboration" for any allegation which an attorney wishes to make against the Church in pleadings, at deposition, in affidavits, and ultimately in trial testimony.

6. The abusive device most consistently utilized by litigants and counsel adverse to the Church occurs in connection with the filing of declarations or affidavits. It is common knowledge among the stable of disaffected ex-Scientologists who supply such sworn statements that the attorneys dictate the desired content of such testimony with the primary, often sole, purpose of presenting inflammatory accusations that prejudice the Church in the eyes of the court. In such declarations or affidavits, context, the truth, and relevance to the issues in the case are disregarded altogether. As time has passed and this technique has evolved, anti-Church litigants and their counsel have become more and more emboldened in making such declarations and affidavits because the tactic has proven to be so effective in poisoning courts and juries against the Church.

7. The most common and probably the most devastating manifestation of this tactic is the use of allegations concerning the so-called "Fair Game" policy of the Church. The term "Fair Game" has been misrepresented and repeatedly used by the Church's litigation adversaries as a means to create prejudice against the Church. To accomplish that end, counsel fashions a declaration in which the witness identifies an ugly event -- real, imagined, or just plain invented -- and then alleges that it was a deliberate act which was committed by the Church. The idea is to create the false impression that the Church is committing acts of retribution in pursuit of "Fair Game."

8. A central element of exploiting the "Fair Game" tactic is to make certain that the allegations are crafted so they cannot be objectively disproved. In other words, the declarant makes an allegation of a bad or harmful or harassing act that cannot be documented in a tangible form and then alleges that it was done by the Church pursuant to the Fair Game "Policy." By so doing, the declarant has put the Church in the impossible position of trying to prove a negative and trying to prove it without documentation. It becomes a matter of the declarant's word against that of the Church, and by making the act alleged sufficiently despicable, the result is prejudice against the Church.

9. The Fair Game policy was a policy to forward Scientology's belief that any attacks on Scientology by those seeking to destroy it were to be vigorously defended by legal means and never ignored. It was not a policy condoning or encouraging illegal or criminal activities. The policy was misinterpreted by others and was thus canceled. It has since been used by litigants over the years as a vehicle to give credibility to allegations to try to prejudice courts against Scientology. An event happens such as someone's wife dies in a car accident, and the allegation is made that this is a murder committed by the Church pursuant to "Fair Game" policy. This technique is known to those who attack the Church and so they continue to use this term to try to prejudice the courts. These people feel comfortable making scandalous allegations, knowing that the Church

does not have such a policy. I am unaware of any allegations of "Fair Game" being made by persons who have simply left the Church. Rather, the charges of Fair Care are invariably made by parties who have subsequently become involved in litigation with the Church and who have started working with other anti-Scientology litigants familiar with this tactic.

10. It has been my experience that these litigants and lawyers become emboldened because the history of Scientology litigation demonstrates that virtually any charge leveled against the Church in litigation by an avowed enemy, no matter how outrageous or unfounded, will be accepted and believed. Based on my experience it is a matter of common knowledge that efforts by the Church to refute such prejudicial allegations have commonly not been believed in the courts.

11. Thus, it has become a routine practice of litigants to make accusations against the Church, including even false allegations of threats of murder, which would be summarily thrown out of court as unsupported and scandalous in other litigation. They do it because it works, and they do it by deliberately mischaracterizing the term "Fair Game". They do it as an intentional means to destroy the reputation of the Church in the context of litigation so that they can win money or force the Church to settle.

12. While I was in the Church I witnessed the "Fair Game" allegations made by Gerry Armstrong and Larry Wollersheim in their litigation against the Church. My position in the Church at the time gave me broad access to what was occurring and I would have known were the allegations made by Armstrong and Wollersheim true. Wollersheim, for example, made the allegation that a pipe bomb was found on his parent's lawn and, without any corroboration, blamed the Church. I know from my own personal knowledge that this outrageous allegation of Church involvement is absolutely false. During the Wollersheim trial, rumors began to spread throughout the trial courtroom that Judge Ronald Swearinger

had been followed, his tires had been slashed, and his pet dog had drowned, and that the Church was responsible for that supposed activity. All of those allegations of Church complicity were false, as well, as I now personally attest. Armstrong alleged the Church was trying to kill him and this allegation also was just made up. I know of its falsity of my own personal knowledge. Both Armstrong and Wollersheim continue to make the same type of outrageous allegations of Fair Game to forward their litigation to this day, due in no small measure to the fact that they practiced Fair Game so effectively in their earlier, victorious litigation against the Church.

13. The term "fair game" has become a catch phrase for those who attack the Church. When I was in the Church I never heard it referred to as a policy to be used, the only time it was discussed was in reference to litigation in which it was being alleged by Church adversaries. When I was in the Church, I knew that litigants opposing the Church were constantly making fair game allegations against us and that those allegations were nonsense. I also know the frustration those allegations caused because of the willingness of courts and juries to embrace them. From my experience in litigating against the Church, I can see that nothing has changed in this regard. I also know from my experiences in suing the Church and from my association with other litigation adversaries of the Church that they know that "Fair Game" as they portray it is not Church policy. "Fair Game" exists only as a litigation tactic employed against the Church.

I declare under the penalty of perjury under the laws of the United States of America, and under the laws of each individual state thereof, including the laws of the states of California and Texas, that the foregoing is true and correct.

Executed this 19th day of May, 1994 in Dallas, Texas.

Vicki Aznaran