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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CLAIRE HEADLEY,
Plaintiff,
vs.
CHURCH OF SCIENTOLOGY
INTERNATIONAL, a corporate entity,
RELIGIOUS TECHNOLOGY
CENTER, a corporate entity AND
DOES 1-20,
Defendants.

CASE NO. CV09-3987 DSF (MANx)
**DECLARATION OF MARK
"MARTY" RATHBUN
SUBMITTED IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO
DEFENDANTS' JOINT MOTION
FOR SUMMARY JUDGMENT**
DATE: August 2, 2010
TIME: 1:30 p.m.
DEPT: 840

1 purposes is allegedly "to protect the public by ensuring that only authorized church
2 organizations use the identifying Scientology religious marks." That is public relations
3 speak for "closing down anyone who practices Scientology who is not toeing the white
4 line with RTC." RTC has sent private investigators to intimidate all of the people I
5 have ministered Scientology to over the past year, including twice confronting my wife,
6 each time interrogating them about my practice of Scientology. Yet, not once in the two
7 years I have been practicing has McShane, nor Miscavige, nor any lawyer working for
8 them bothered to communicate a single objection to my practice to my face. So, much
9 for the first purpose of RTC. I address below the other alleged purpose RTC serves, "to
10 protect the religion by enforcing orthodox application of Mr. Hubbard's religious
11 technologies" (para 54 McShane declaration of 24 January 2010).

12 3. After three and one half years of service in the Sea Org, in summer
13 of 1981 I was appointed to an operation called Special Project. Headed by David
14 Miscavige, our job was to attain an "All Clear" for Scientology Founder L. Ron
15 Hubbard. An All Clear was defined as a state of legal affairs wherein it was safe for L.
16 Ron Hubbard to return to the International Management Base near Hemet, California
17 with no danger of being dragged into ongoing litigation. For the next five and one half
18 years I worked around the clock coordinating the defense of litigation across the United
19 States and world. The successful termination of said litigation would amount to an All
20 Clear. In January 1982 I expressed the idea that settling the litigation for the 1.6 million
21 dollars the plaintiffs' attorneys had suggested six months earlier was a bargain and a fast
22 route to All Clear. When David Miscavige learned I had made this suggestion he
23 ordered I be severely disciplined for harboring intentions that ran counter to his own.
24 While the quest for an All Clear was in progress, in May 1984 I was posted as the Legal
25 Executive Author Services. The All Clear was never attained in L. Ron Hubbard's
26 lifetime. He passed away in January, 1986. Shortly after Hubbard's death, after having
27 spent upwards of \$100 million in pursuit of All Clear, and now finding himself as the
28 litigants' main target, Miscavige ordered all the pending litigation settled. We spent

1 more than \$100 million for the privilege of settling the litigation - that we could have
2 settled five years earlier for \$1.6 million - for \$2.6 million, in order to have an "all
3 clear" for Miscavige.

4 4. In March 1987 I participated in a mission headed by David
5 Miscavige to take over Religious Technology Center. It was an integral move in
6 Miscavige's running feud with one Pat Broeker for unfettered control over all churches
7 of Scientology and related organizations. Miscavige created the position of Chairman
8 of the Board (a post and position that did not previously exist) Religious Technology
9 Center (RTC) . I became a Director and President of RTC at that time. I also assumed
10 the post of Inspector General for Ethics. My job was to control all matters of Ethics
11 internationally, including all external facing affairs (Legal, Public Relations,
12 Intelligence and Security).

13 5. In the late eighties I played a prominent role in Miscavige's strategy
14 to "take out" his rival for power Pat Broeker. In the course of that power struggle, at
15 Miscavige's direction I coordinated a team of private investigators to monitor every
16 move Broeker made over a five year period. No expense was to be spared. I dutifully
17 reported Broeker's moves to Miscavige. I also passed on to Miscavige audio tapes of
18 all of Broeker's phone conversations which Miscavige had directed I record. By in or
19 about 1990 Miscavige had rendered Broeker powerless and out of the church. While I
20 continued to monitor all of Broeker's moves and words, it was clear Miscavige's
21 unfettered power was secure. Consequently, Miscavige's behaviors became
22 increasingly erratic, self-centered, paranoid and non-religious. Religious Technology
23 Center went the route of Miscavige.

24 6. As Inspector General Ethics I directed and coordinated a
25 broad-based attack on the Internal Revenue Service. The purpose of the campaign was
26 to put the IRS into a more amenable frame of mind so that they would relent in their
27 own decades long refusal to grant tax exempt status to the churches. In late summer
28 1991, when sufficient pressure was accomplished, Miscavige and I directly approached

1 then-IRS Commissioner Fred Goldberg to open settlement negotiations. Those
2 negotiations were initiated and conducted over the next two years. Miscavige and I
3 traveled across the country together to meet with the IRS regularly until October 1993
4 when the IRS granted tax exempt status to all churches of Scientology and related
5 organizations.

6 7. Miscavige directed large bonuses be paid to Religious Technology
7 Center executives during the first several years of his reign as COB RTC. He justified
8 it based on policy within the church and Sea Org by the founder L. Ron Hubbard which
9 stated he wished to see the day when Scientology staff were well paid. Accordingly, the
10 fact was not hidden that CSI and RTC executives were well paid in the late eighties and
11 early nineties. Of course, Miscavige's pay was consistently higher than anyone's. In
12 fact, he had to have other executives being paid something in the neighborhood of his
13 own pay until tax exemption was attained as the IRS required detailed reports on the
14 pay of RTC highest executives. The IRS record reflects that during the years 89-91
15 RTC executives received salaries ranging from the low tens of thousands to mid tens
16 of thousands per years. Miscavige reported salaries from the mid tens of thousands to
17 the high tens of thousands. When that issue seemed to be settled to the IRS' satisfaction,
18 Miscavige canceled bonuses for all RTC and CSI executives. At one point when the
19 IRS wanted some more current information on executive salaries, Miscavige's wife and
20 Assistant Shelly severely rebuked me for having refused a bonus as I considered it
21 unearned. Under pressure I relented and went ahead and received the bonus so as to
22 "protect COB." Once exemption was attained, high bonuses for CSI and RTC
23 executives were virtually wiped out. With one glaring exception. David Miscavige and
24 his wife continued to be paid a combined salary upwards of one hundred thousand
25 dollars for years to come. Other RTC and CSI staff and executives were for the most
26 part paid fifty dollars per week.

27 8. Shortly after tax exemption was obtained and announced and the
28 record of the negotiated settlement became public, reporters began focusing on David

1 Miscavige's and Shelly Miscavige's combined six figure salary. I was fielding calls
2 from the New York Times, LA Times, and St Petersburg Times on that narrow subject.
3 Miscavige began making insane demands that I spike the stories. He became abusive
4 and violent toward me as if I could make the cold, hard facts go away. Because of that,
5 combined with Miscavige's increasingly lavish lifestyle, his unnatural obsession with
6 actor Tom Cruise, and his increasingly abusive behavior toward staff and myself, I
7 began to question whether the long, hard fight with the IRS was about protecting the
8 religion or instead about protecting Miscavige's personal power and lifestyle choices.

9 9. In the first week of November, 1993 I escaped the Int base on my
10 motorcycle. I intended to see my father before he died, he was chronically ill with lung
11 cancer at the time. When I phoned my father the next morning, he told me that former
12 RTC Inspector General Greg Wilhere and Miscavige secretary, and my then-wife, Anne
13 Rathbun were at his bedside, wanting to talk to me. I decided to ride across country and
14 visit an old friend until Miscavige tired of having a stake out at my father's death bed.
15 I phoned my father each day, exchanged communications, then listened as Wilhere and
16 Anne attempted to have me return to the International base. For seven days this went
17 on. Finally, Wilhere told me Miscavige was remorseful for how he had treated me and
18 others on the base, and pleaded with me to take a call from him. I finally spoke to
19 Miscavige by phone from San Antonio, Texas. Miscavige literally begged me to meet
20 with him. I agreed to meet him in New Orleans two days later. Miscavige flew out alone
21 and met with me for an entire evening. He apologized for his self-centered, erratic, and
22 violent behaviors, swore he would reform and offered me a reward for having
23 spearheaded the largest external facing accomplishment in Scientology history, IRS tax
24 exemption. The reward was a couple year sabbatical on the church's ship the
25 Freewinds, moving up the Scientology counseling Bridge, and training as an auditor
26 (Scientology counselor). I accepted.

27 10. From mid-November 1993 until late summer 1995 I audited and
28 trained on the Freewinds. I became a Class V grad auditor. I later trained to be a Class

1 IX auditor. In compliance with Miscavige's directives I also trained on a read it-drill
2 it-do it basis through Class XII so that I could personally handle the many VIPs at
3 upper levels who were dissatisfied with their church services at the church's Celebrity
4 Center, Flag Service Organization, and Flag Ship Service Organization (aboard the
5 Freewinds). By the end of my training, my skills at application of the scriptures, as
6 defined in the McShane declaration as "the written and recorded spoken words of L.
7 Ron Hubbard", were so far superior to anyone else in any church of Scientology that
8 David Miscavige personally assigned me to re-train all of the most highly trained
9 auditors and C/S's, those who had attained Class XII, at the church's Flag Service
10 Organization in Clearwater, Florida. Miscavige also personally assigned me to audit,
11 case supervise, or use whatever scriptural tools necessary, to handle the lives of the
12 church's top VIP members. Thus, he assigned me to personally counsel Tom Cruise,
13 John Travolta, Lisa Marie Presley, Kirsti Alley, Isaac Hayes, Greta Van Susteren, Billy
14 Sheehan, and others. Miscavige also personally appointed me to the highest position
15 besides his own within the entire Scientology network, Inspector General RTC.

16 11. Upon my return to the International Headquarters base after my
17 training in January 1996 I was briefed personally by COB RTC David Miscavige and
18 his wife and COB Assistant RTC Shelly Miscavige on priorities. The briefings were
19 almost exclusively focused on the protection of Miscavige. I was briefed that the entire
20 organization of RTC had taken on the first and foremost job of protecting and
21 forwarding the image and power of David Miscavige. I learned that there were a
22 number of significant changes made in RTC during my two-year absence from the
23 International base. First, top priority for RTC was to assure there were no departures
24 of staff from the base. RTC was alerted immediately if anyone left the base
25 unannounced. That was done despite the fact CSI had more than a dozen full time
26 security personnel to keep people in and to hunt people down. RTC then mustered a
27 number of people to supervise what was known as the "blow drill." A "blow" is
28 defined as an unauthorized departure in the Scientology vernacular. That entailed

1 mustered even more CSI staff to: a) thoroughly examine personnel and others files for
2 the purpose of predicting where the escapee might flee, b) thoroughly examine pre
3 clear (or counseling) files for the same purpose and the additional purpose of finding
4 personal "buttons" (matters of high emotional potential) of the individual so that when
5 located he or she could be manipulated to return, c) gather all bank account and credit
6 card information available and use it to find out daily expenses so as to pinpoint the
7 blown person's whereabouts, d) contact Scientologist relatives and persuade them to
8 work on the church's behalf to make the person return, e) contact non-Scientologist
9 relatives of the blown person and do public relations capers on them to garner their
10 assistance on getting the person to return, f) put together a phone bank of individuals to
11 phone every motel on whatever route we determined the blown person most likely took,
12 (decided by analysis of a-e above), g) put a number of trusted individuals into a number
13 of vehicles to hit the road and attempt to locate the blown person. As many as two
14 dozen people could work on the blow drill for days and even weeks until the blown
15 person was located and returned.

16 12. Those who work at Gold Base, such as Marc and Claire Headley
17 once did, are not free to leave when and how they choose. If they leave, it is considered
18 a "blow" and vigorous efforts are made to retrieve them. We counseled people
19 participating in the blow drill to use whatever persuasive or coercive means possible
20 to get the blown person to return to the Int base. We did counsel that they should refrain
21 from physically restraining a blown person once located. However, the intensity of the
22 push generated by RTC, emanating from the Miscaviges and many times relayed
23 through me was so intense that physical restraint was sometimes resorted to. The
24 Miscaviges made it very clear that if anyone posed a heightened security threat to
25 Miscavige personally, by virtue of having close working contact with him over time,
26 such persons were to be returned to the Int base by any means necessary. Accordingly,
27 at Miscavige's urging I once physically assaulted a blown RTC staff member at LA
28 International airport. I lifted him off his feet by the neck of his shirt, slammed him onto

1 his back on the hood of a cab, held him firmly by the neck with one hand, cocked my
2 other arm with clenched fist, and threatened to knock the fellow's block off. I was
3 highly commended by Miscavige for taking such measures. Miscavige instructed me
4 and other RTC executives that under no circumstances would it ever be acceptable for
5 an RTC staff member to blow.

6 13. From 1992 forward Miscavige required that RTC implement
7 measures to make leaving the Int base next to impossible for the several hundred RTC,
8 CSI and Gold staff. We set up security watch at staff apartments in Hemet, California.
9 The purpose of the security guards and watches was to make sure nobody left in the few
10 hours staff generally had for sleeping away from the Int base. The security force on the
11 base met with members of personnel and training divisions responsible for the personal
12 enhancement and schedules of staff. They called this the "perimeter council." Its job
13 was to put a monitoring system on any staff member on the Int base who might show
14 the slightest sign of disaffection with life there. It was security's job to keep a close eye
15 on them; never letting such people leave the base for any reason. RTC usually had a
16 representative sit in on Perimeter Council meetings. If any staff member expressed the
17 desire to leave, or if Miscavige or anyone in RTC even suspected as much, the person
18 was assigned to the Old Gilman House. It was a group of dilapidated structures off in
19 a remote corner of the property where extra security was stationed throughout the night
20 to prevent any departures. Fences encircled the Int compound which were outfitted
21 with motion detectors. When the motion detectors alerted Security to any movement
22 they arrived at the scene of the movement within minutes to find any escaped staff
23 member and return him to the compound.

24 14. The strength of measures RTC and CSI will apply is illustrated by
25 the case of Don Jason. In 1998 when Jason - then a senior executive of the Flag Service
26 Organization, and a witness to Miscavige's personal involvement in the death of a
27 parishioner - suddenly parted that organization, I was directly run by Miscavige to hunt
28 him down and return him to Clearwater. When I did so, Miscavige ordered me to have

1 Jason sent to the church's ship the Freewinds in the Caribbean for months of heavy
2 labor and confessions. I was told that the purpose of that location was so that he could
3 not possibly escape, since the Freewinds could control Jason's movements by locking
4 up his passport. When Jason managed to escape the Freewinds, and persuade Customs
5 officials to let him back into the US without a passport, Miscavige directly managed my
6 second mission to get Jason to return. I flew from Clearwater to Jason's hometown
7 outside of Milwaukee, Wisconsin. I befriended Jason's non-Scientologist mother and
8 elicited her support in getting Don to cooperate with me. As Jason refused all pressure
9 to return, Miscavige ordered that I get Jason to sign documents that would discredit him
10 in the future should he criticize the church or Miscavige publicly. I did so.

11 15. RTC and I directed many blow drills between 1996 and 2004. As
12 Miscavige's direct subordinate, and while senior to every other executive in any church
13 of Scientology including CSI, I was required to report directly to Miscavige the moment
14 any one of the several hundred Int base staff blew. Almost daily from 1996 to 2004
15 Miscavige asked me the same question first thing upon his arrival to the office, and last
16 thing before he retired to his quarters at night, "any blows?." If the answer to
17 Miscavige's question was "yes", I was required to report in painstaking detail what had
18 been done to recover the individual and return him or her back to the Int base.
19 Miscavige's Assistant and wife many times camped out in my office for hours on end,
20 micro managing me as I micro managed blow drills - the only break coming when she
21 would periodically return to Miscavige's office to report on the status of the blown
22 individual. Miscavige and his Assistant on many occasions discussed with me how
23 whoever blew at any given time might pose a threat, public relations-wise or legally,
24 to Miscavige himself. That was the sole concern ever expressed by either of them.
25 Neither of them ever expressed a concern for the well-being of the church or RTC, let
26 alone the well-being of the individual who had blown.

27 16. When I returned to RTC at the Int base in January 1996 after
28 working on other projects I was immediately ordered by Miscavige to engage in

1 interrogations with the e-meter. These were not "confessionals" nor "security checks"
2 as Mr. McShane laboriously described as central religious tenets of Scientology. They
3 were browbeating sessions where staff were put on the e-meter and coerced to confess
4 transgressions against the intentions, plans and programs of Miscavige. Sometimes one
5 or more people would accompany the investigator with the meter in the interrogation
6 process. I was required to train all RTC "auditors" and even non auditors in this
7 technique by Miscavige. I resisted initially but was threatened with removal from RTC
8 by COB Assistant Shelly Miscavige who told me on more than one occasion that every
9 order she ever gave me was directly from COB RTC, that she simply served as his
10 messenger. I knew that such removal would also mean my then-wife, who was a
11 long-term RTC staff member, would be coerced to divorce me. I complied and trained,
12 among others, Claire Headley in these techniques. In order to comply with these
13 techniques, Claire and others similarly situated, had to eschew virtually all of the
14 "scriptural" doctrine McShane detailed in paragraphs 5 through 48 of his declaration
15 of 24 January 2010 and paragraphs 7 through 21 of his declaration of 19 May 2010,
16 both filed with this court. All technically trained individuals within RTC ultimately
17 were forced to do precisely that, and by 1998 the vast majority of RTC's activity
18 consisted of executing and perpetrating these decidedly non-religious, and morally
19 reprehensible practices. Claire Headley was not engaged in Scientology auditing when
20 engaged in this type of activity as suggested in McShane's declaration.

21 17. Miscavige made a regular practice of assaulting and battering staff
22 of both RTC and CSI. I saw Miscavige physically beat directors of CSI, members of
23 WDC (Watchdog Committee, the highest governing group within CSI), and members
24 of Golden Era Productions regularly. Such conduct became progressively more frequent
25 between 1996 and 2000. Miscavige loudly and persistently rebuked me on many
26 occasions for being weak and out to get him because of my reluctance to get physical
27 with staff whom he fingered for some perceived slight. He did the same with a number
28 of staff, pummeling an executive in the International HQ offices of WDC and ESI (the

1 second highest governing group within CSI), then loudly lamenting that he is the only
2 one who ever puts ethics in on anyone. Over time a number of other executives,
3 including myself were browbeaten into physically assaulting and battering others.
4 Accordingly, in the late nineties through mid 2001 I physically assaulted and shoved
5 and/or punched a number of RTC and CSI executives and staff.

6 18. A specific example of how the events of paragraph 17 played
7 themselves out involved a party to the instant cases, Marc Headley. It is only too
8 typical of the daily affairs of an RTC staff member between 1996 and 2004. One day
9 in the late nineties David Miscavige called me into his office. He told me a dramatic
10 tale about how Marc Headley had allegedly trapped a skinny teen-age staff member in
11 a Golden Era Productions costume so that his arms were immobile and proceeded to
12 beat the youngster to a pulp. He demanded that I have one of the young RTC
13 interrogators get a confession from Headley to the effect his alleged assault was
14 intended to be a strike at Miscavige. Miscavige insisted that Headley was out to
15 destroy Miscavige, an allegation he made very regularly toward anyone who did not
16 show him fawning deference at all times. I was further instructed that if Headley doesn't
17 willingly comply with the demand I was to do to Headley what he had allegedly done
18 to the victim of his alleged battery. I was specifically prohibited from independently
19 investigating such matters and any attempt to do so by anyone in RTC was treated as
20 treasonous toward Miscavige. I put Marc in a room with a young interrogator, where
21 Marc was required to hold the electrodes of the emeter. I watched the event
22 surreptitiously through a close-circuit camera system. I whispered instructions to the
23 interrogator through an ear piece she wore while interrogating Marc. Marc expressed
24 incredulity at the allegations and protested that he was being falsely accused. After the
25 interrogator struggled for some time to break Marc down, I burst into the room, grabbed
26 Marc by his shirt and marched him outside. I turned him around and without warning
27 punched him full force in the jaw. I told Marc, "now you are going to come clean."
28 Marc said, "yes, Sir" and proceeded back into the interrogation room. While Marc never

1 confessed to Miscavige's liking, Miscavige gave me a "well done" for having popped
2 Marc in the jaw.

3 19. From approximately August 1998 through June of 2000 I was
4 stationed a great deal of the time in Clearwater Florida handling the defense in a
5 criminal case brought against the Church of Scientology Flag Service Organization.
6 The case revolved around the death of a woman named Lisa McPherson who had died
7 on church premises in 1995. As the case brought international news media attention,
8 and because David Miscavige had personally supervised the handling of Lisa
9 McPherson in the months leading up to her death, Miscavige was there in Clearwater
10 during a great deal of that same time period micromanaging the defense. On many
11 occasions during that period Miscavige called me into his office's adjoining conference
12 room to listen in on conference calls he was having with RTC staff and multiple
13 members of CSI's highest management bodies, Watchdog Committee (WDC) and
14 Executive Strata International (ESI). On most of these occasions Miscavige barked out
15 series of orders to CSI executives. Most of those calls included lengthy profanity-laced
16 diatribes of Miscavige attacking individual CSI executives of "WDC", "ESI", "Gold",
17 or "Int" in general. Periodically, Miscavige would interject orders to staff attending the
18 meetings to physically slap or hit one or another person. I heard Miscavige also
19 institute what he called "seances". These were group confession sessions, where
20 members of WDC and ESI would be required to rise before the others assembled and
21 confess his or her shortcomings, errant behaviors, and intentions contrary to the
22 survival of Miscavige personally. Sometimes Miscavige would listen into these
23 sessions by instructing an RTC staff member on the scene to put a conference phone
24 on so he could hear. When he heard something that piqued his interest, he would have
25 his Assistant reach one of those RTC staff members through a separate phone, and then
26 bark instructions to that staff member. Many times the instruction would have to do
27 with making the confessing person give more details about his or her transgressions,
28 particularly alleged sexual ones. Miscavige would then continue to listen surreptitiously

1 through the conference phone to assure his order was complied to satisfactorily.

2 20. Mr. McShane's declaration of 19 May 2010 covers the alleged
3 "central role of Ethics in the Scientology Religion" in paragraphs 7 through 21.
4 McShane's descriptions on their face, including the quotations from the writings of L
5 Ron Hubbard, are for the most part an accurate outline of what Scientology writings say
6 Ethics is supposed to consist of. Unfortunately, from 1996 till the end of 2004 COB
7 RTC David Miscavige implemented the polar opposite of McShane's description. In the
8 following paragraphs I will detail how Miscavige reversed the high sounding Ethics
9 principles of Hubbard and turned the International Headquarters base (consisting of
10 RTC, CSI management, and Gold) into an unethical, commercial outfit working to
11 defeat the religion of Scientology.

12 21. "One of the most fundamental discoveries of Mr. Hubbard is that
13 man is basically good" writes McShane at paragraphs 8 and 12. Granted, that is the
14 principle upon which all the rest of Scientology stands on, it is the sine qua non of
15 Scientology; without that principle in practice the religion ceases to exist. However, in
16 practice, I do not believe a single day went by between January 1996 and February
17 2004 when I left the Int base that I did not hear David Miscavige rant at length about
18 how everybody on the Int base (several hundred people) was evil. Between 1998 and
19 2004 Miscavige regularly toured about the base and fingered people for incarceration
20 and hard labor, coerced confessions and ultimate dismissal. I heard his multiple rants
21 about each person so fingered as I was assigned to keep an eye on the round up and
22 dismissal process. Miscavige ranted about how each and every one of them made a
23 mistake intentionally so as to "get at" Miscavige, or gave him an answer - or even
24 simply gave him a look - that told him the person was a security threat to himself. By
25 the end of 2003 the prison camp for people to be dismissed numbered close to 200
26 inmates. In June 2000 Miscavige ordered me to figure out what to do with each person
27 he had designated for dismissal. He wanted a plan for each of those he designated as
28 "offloads". For the next four years I submitted dozens of plans to Miscavige. All

1 submissions complied with his directive that each person had to remain on staff in some
2 remote Scientology organization and be restricted to manual labor for the rest of his or
3 her career. Miscavige routinely would wait several months to return the submission to
4 me. Each one he rejected by pointing to the proposed disposition of a single person and
5 how what was proposed might have him "see" that person again, if say, he might visit
6 that location in the world, or that the person would not be under control enough to
7 where I could prevent them from leaving and disclosing to the outside world what
8 Miscavige was up to, having attained that knowledge from being on the international
9 base. Miscavige on many occasions told me Warren McShane himself was out to get
10 Miscavige, was a criminal, and could not be trusted. None of the activity detailed in
11 this paragraph is justified by any of the "scriptures" as defined by McShane himself. In
12 fact, they are strictly forbidden by a great deal of Mr. Hubbard's work.

13 22. McShane describes a system of gradient levels of discipline
14 culminating in justice procedures applied so that no injustices could occur, paras 18-20.
15 From 1998 on there was no justice whatsoever within the Religious Technology Center,
16 CSI and Gold. There were no committees of evidence. Miscavige routinely meted out
17 draconian penalties with no gradients applied whatsoever, and absolutely no recourse
18 possible. Those penalties included being locked up for months at a time, being
19 physically beat, being hazed with hours of denigration in front of one's peers, being
20 incarcerated in Miscavige's labor camp, and being made to work multiple days with no
21 sleep. All executives and Ethics personnel on the base were required to apply "too
22 gruesomes", penalties that would make someone think twice about doing the same
23 perceived transgression again, consisting of the punishments listed above. From the late
24 nineties on, virtually no "ethics" was applied that did not involve a perceived slight or
25 insult, or non-compliance to a Miscavige dictate. None of the activity detailed in this
26 paragraph is justified by any of the "scriptures" as defined by McShane himself. In fact,
27 they are strictly forbidden by a great deal of Mr. Hubbard's work.

28 //

1 23. McShane sums up the "ethics" dissertation in para 21 with "As the
2 attached materials make clear, the undeviating emphasis throughout this vast literature
3 is that one must maintain a very high standard of ethics, that one must treat one's fellow
4 man with dignity and respect and that one must obey the laws and act in harmony with
5 the codes of the society." From 1996 through 2004 all executives and staff of RTC, CSI
6 and Gold were progressively deprived of this common decency. From 2001 to 2004
7 RTC staff were for the most part put under house arrest. On numerous occasions I was
8 upbraided by Miscavige for allowing an RTC staff member to leave its small, cramped
9 offices. Miscavige enforced the same for WDC and ESI of CSI. Matters came to a head
10 toward the end of 2003 when Miscavige ordered WDC and ESI and some Gold and
11 RTC staff to be confined to the double wide trailers that served as CSI headquarter
12 offices. Miscavige assigned one person randomly at any given time to serve as the "In
13 Charge" of this space, which he dubbed "the hole." That person was instructed to
14 conduct group confessions all day and all night long, week after week. Miscavige
15 encouraged staff to initiate physical violence in the hole. Miscavige periodically would
16 meet with messengers outside the hole and get detailed debriefs of what had gone on
17 in there for the past several hours. He would specifically ask about details about
18 violence that had been inflicted on confessing staff members. If he felt the violence was
19 not sufficient to suit his liking, he would berate the messengers and threaten them with
20 being put in the hole themselves.

21 24. In late January 2004, because I did not perpetrate and instigate
22 violence to his level of liking - among other perceived shortcomings - Miscavige
23 rammed my head against a steel wall, hit my ear with a cuffed palm (tearing the ear
24 drum), and assigned me to the hole. There were between 80 and 100 people sentenced
25 to the hole at that time. We were required to do group confessions all day and all night
26 long. We were only allowed to leave the premises for 15 minutes each morning to get
27 a shower. Food was eaten in the office spaces. We were required to sleep on the floor
28 each night, women and men, under office tables in the hole. During my stay in the hole

1 I physically assaulted Mike Rinder - Director of CSI and long-term spokesman for the
2 church - on the insistence of Miscavige. During one evening and night in the Hole
3 Miscavige spent several hours directing a "game" of musical chairs. All members of
4 international management and executives of Gold and RTC were required to participate.
5 Miscavige announced that the only person who would remain on the base would be the
6 single, last standing person in the game. Miscavige announced that the dozens of
7 people who had spouses who were not participants would have their marriages
8 terminated. Miscavige encouraged violence, and violence broke out. A chronic lower
9 back injury of mine was re-injured, making it difficult to move around in the violent
10 atmosphere and sleep on the floor. A couple nights later after Miscavige severely beat
11 a friend of mine, I escaped the base on my motorcycle. Miscavige's response to my
12 departure was to have visible metal bars welded across the doorways of the hole. None
13 of the activity detailed in this paragraph is justified by any of the "scriptures" as defined
14 by McShane himself. In fact, they are strictly forbidden by a great deal of Mr. Hubbards
15 work.

16 25. Between 2000 and 2004 any personal time off for any staff on the
17 base was canceled by David Miscavige. Miscavige took personal time off quite often,
18 each night retiring to a well appointed lounge to watch movies and listen to music on
19 his expensive stereo system. He began drinking liquor regularly during his evening
20 retirements. He also often went off to spend time with Tom Cruise at his LA mansion
21 or his mountain retreat in Colorado. Very few staff members at the Int base could afford
22 a vehicle. Miscavige had a battery of expensive motorcycles and another battery of
23 expensive cars. Miscavige maintained a personal chef, a personal steward, a personal
24 house keeper, and had a professional hair dresser and a professional chiropractor travel
25 around the world with him and the rest of his personal entourage. While Miscavige had
26 all 80-100 members of CSI International Management stuffed into two double-wide
27 trailers, he had a seventy-million dollar palace built for himself and his personal
28 secretarial staff. Miscavige had lavish quarters built for himself at great church expense

1 in Los Angeles, Clearwater Florida, England, and aboard the church's ship in the
2 Caribbean Sea.

3 26. Between approximately 1993 when IRS tax exempt status was
4 obtained and the present David Miscavige has been executing a program of his own
5 design that has transformed the church of Scientology from a recognized religious
6 organization into a commercial operation devoted almost exclusively toward increasing
7 his own wealth, entertainment, comfort, and power. Between 1993 and the present
8 Miscavige converted the Gold organization away from its stated purpose to make
9 technical training films and public promotional films for Scientology, and directed it
10 increasingly to serve glorifying his personal image and duping Scientologists into
11 paying hundreds of millions of dollars, not in exchange for religious services as the
12 "scriptures" call for, but to make Miscavige a power player in the world. Since 1993
13 Gold has worked almost exclusively on five to six annual "events" and promotional
14 films and videos that Miscavige plays at events. Miscavige routinely has Gold produce
15 TV commercials and then fraudulently implies to the public that they have been aired
16 broadly. He then lies outright and tells them their "contributions" will make it possible
17 to have the ads air around the world for months to come to inform the world about
18 Scientology. After collecting tens of millions of dollars in such contributions,
19 Miscavige then routinely prohibits funding of the promised airings. Gold produces
20 huge, Hitlerian sets for each of the events for Miscavige. Gold produces videos that
21 introduce the events and are played throughout them. They routinely contain flat out
22 false reports about what Scientology is allegedly engaged in. They routinely contain
23 lies about the numbers of people allegedly coming into Scientology as a result of
24 Miscavige's "programs". They routinely give false propaganda about social betterment
25 programs the church engages in, and they all position Miscavige as the messiah who
26 creates these fantasy scenarios. Miscavige uses the events to collect hundreds of
27 millions of dollars from Scientologists to further his alleged programs. He created two
28 vehicles for collecting such funds, both of which are strictly prohibited by the

1 "scriptures" McShane swears that Miscavige and RTC exist solely for the purpose of
2 enforcing. Miscavige is the only person who personally benefits from these vast
3 reserves of money collected. Miscavige has told me that he does the events for the
4 benefit of his celebrity friends. He takes great joy in entertaining the entertainers, and
5 basks in the adoration they shower him with, impressed with all the lies he bombards
6 them with dressed up and made to look credible by the audio-visual experts at Gold.
7 Miscavige is so fastidious about his preparations for his events that he has tanning
8 tables installed for his personal use at his quarters in Clearwater Florida and Hemet
9 California for pre-event cosmetic touch up, regularly receives facials and extensive
10 professional hair care prior to each event.

11 27. While McShane takes pages of his declaration to describe RTC's
12 role as the keeper of the central technology of ethics, RTC in fact serves to cover up the
13 criminal activity of David Miscavige. For example, Miscavige once ordered me to keep
14 his sister's involvement in a stock market fraud out of the press. Miscavige's sister,
15 Denise, had partnered with a Scientologist named Brian Zwan in a company called
16 Digital Lightwave in Clearwater Florida. A whistleblower from the company disclosed
17 to the media and SEC that Denise Miscavige and Brian Zwan conspired to defraud the
18 public by falsely reporting Digital's production on Wall Street. Zwan made hundreds
19 of millions of dollars by manipulating the stock in that wise. When I investigated and
20 briefed Miscavige on these facts, he ordered that I keep his sister out of the way of SEC
21 subpoenas. I complied. A year later, having successfully evaded SEC prosecution
22 because of his own perjury and because of my work on behalf of David Miscavige,
23 Brian Zwan applied for admittance to the highest level services in Scientology at
24 Clearwater Florida. As Inspector General of RTC, being intimately familiar that Zwan
25 had obtained his wealth through fraudulent conduct, and had survived scrutiny by
26 obstructing justice, I denied Zwan admittance to the course because of insufficient
27 evidence of a high level of Ethics. At one of Miscavige's events in Clearwater, Zwan
28 walked up to Miscavige and bragged how he had just contributed \$5 million to one of

1 Miscavige's pet slush funds. Miscavige shook Zwan's hand and commended him. As
2 Zwan walked away Miscavige turned to my subordinate and then-wife and told her to
3 authorize Zwan to take the highest level Scientology course. In front of me, Miscavige
4 proceeded to tell my wife that I was "a suppressive person", that I "was dedicated to
5 stopping Miscavige", and that Zwan was to be treated as VIP by the church. That is the
6 Ethics of David Miscavige and Religious Technology Center.

7 28. Miscavige's penchant for intimidation against staff who have
8 departed has apparently been taken to a whole new level. In late April 2010 the Estates
9 Secretary Religious Technology Center, also known as Miscavige's Personal Engineer,
10 one John Brousseau, blew the Int base. He came to my home in Texas for refuge,
11 arriving just a few days after he left the Int base. Knowing the "blow drill" as described
12 in this declaration, I took numerous security precautions to carry out John's expressed
13 wish to be protected from harassment to return. First, I had John's personal vehicle
14 stored at a friend's remote, country home an hour away from my home. Second, I had
15 a motel room reserved for him on the credit card of another friend. Neither of those two
16 friends had any connection with Scientology whatsoever. The motel was twenty miles
17 from my home. After being in a bed for the first in a week for only two nights, John
18 was assaulted at 5:30 am by four Int Base staff members, lead by church spokesman
19 Tommy Davis. John phoned me for assistance. As I headed from my home in my pick
20 up truck, four vehicles blocked the road in front of me. Each vehicle was occupied by
21 four people. One man whom I recognized as Tom Cruise's long-time personal assistant
22 Michael Doven jumped out of the first vehicle and attempted to engage me in
23 conversation while the doors of the other vehicles flew open. Recognizing they were
24 diverting me from helping John, I sped off toward John's motel. I phoned 911 on the
25 way to report the matter to the police. The local police were with John when I arrived,
26 Tommy Davis and his team apparently having scattered upon their arrival. The police
27 escorted us out of town. Later that day John and I drove to the Corpus Christi airport
28 to pick up former CSI Director Mike Rinder who had flown in to see us from Florida.

1 Just as I approached the gate to pick up Mr. Rinder, Micheal Doven called me on my
2 cell phone and again began a diversion conversation. I continued to approach the
3 arriving passengers gate while speaking to Doven. I saw Mike Rinder pinned against
4 a wall by a portly man and a videographer and three women screaming at Rinder. They
5 were all identified as church of Scientology members. As I assisted Mr. Rinder, the
6 portly man put his face up against John's and started cursing at him, calling him a traitor
7 to Miscavige, and telling him he would rot in hell if he didn't return and repent. I had
8 to physically relocate the portly man to end his assault of John. John has continued to
9 be tailed by teams of private investigators. I have helped to establish an Scientology
10 underground railroad, modeled on the original underground railroad to deliver slaves
11 to freedom, to prevent Miscavige's troops from assaulting and coercing escaped staff
12 to return to imprisonment. John has been on he underground railroad for two months
13 now and is still being pursued aggressively by Miscavige.

14 29. Mr. McShane's declarations assert a great distinction between CSI
15 and RTC, portraying an image of corporate separateness. There is no corporate
16 separateness nor integrity between RTC and CSI. McShane may produce a board
17 minutes book to help forward his false description. But he most certainly will not share
18 the fact that for virtually every board minute during the times I served on the board
19 from 1987 through 2004, not a single board meeting was ever held. Most of the
20 minutes were done months after the fact, usually just before some official filing was
21 required, or in preparation for the ongoing IRS negotiations from 1991 through 1993
22 or just before the annual report the IRS required each year throughout the rest of the
23 nineties. The Chairman of the Board of Religious Technology Center never called nor
24 chaired a Board meeting in his life. I also served as a Trustee of Church of Scientology
25 International for several years. The board of Trustees is supposed to deliberate upon
26 and decide changes in the make up of the board of directors of CSI. Not once were any
27 such deliberations conducted. Minutes were prepared after the fact of a director being
28 removed from his or her ecclesiastical post, usually at the order of and always with the

1 approval of COB RTC David Miscavige, that was passed around to the Trustees to sign
2 also removing the person as a director, and usually replacing him or her with whoever
3 took over that person's ecclesiastical post.

4 30. David Miscavige micro-manages CSI operations. He has held most
5 CSI managers as prisoners since the beginning of this decade prohibiting them for
6 engaging in management functions. I need not describe this in great detail, because
7 more than two dozen RTC and CSI staff have recently done so under the pains and
8 penalties of perjury. In 2009 when Miscavige learned that I had spoken to the St.
9 Petersburg Times about his felonious behavior, the church provided the Times with
10 twenty-five sworn declarations signed under the pains and penalties of perjury. In his
11 inimitable style, Miscavige was convinced my speaking to the Times proved I was
12 attempting a palace coup to unseat him. He therefore had the highest twenty-five
13 officials of RTC and CSI execute declarations that detail how "indispensable"
14 Miscavige is to the operation of CSI. Nearly all of them detail how David Miscavige
15 micro manages every detail of CSI's operations, including those of Gold.

16

17 I declare under penalty of perjury under the laws of the United States of
18 America that the foregoing is true and correct.

19

20 Executed July ____, 2010, at _____, _____.

21

22

Mark "Marty" Rathbun

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