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2/7/94

9
10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12

13 CHURCH OF SCIENTOLOGY)
14 INTERNATIONAL, a California Non-) CASE NO.
Profit Religious Organization,) CV 91-6426 HLH (Tx)
15)
Plaintiff,) DECLARATION OF MARC YAGER
16)
vs.)
17)
STEVEN FISHMAN and UWE GEERTZ,)
18)
Defendants.)
19)

20 I, MARC YAGER, declare and say:

21 1. I am over 18 years of age and a resident of California.
22 I am submitting this declaration in support of plaintiff's notice
23 of compliance in the matter of Church of Scientology
24 International v. Fishman, Geertz, United States District Court,
25 Central District of California, No. CV 91-6426 HLH (Tx). I have
26 personal knowledge of the matters set forth herein and, if called
27 upon to do so, I could and would competently testify thereto.

28 2. Since joining the Sea Organization, the religious order

1 within the Scientology religion, in the summer of 1974, I have
2 worked in a wide range of administrative positions at various
3 levels of the Commodore's Messenger Organization ("CMO"),
4 including, from 1982 to July 1987, service as the Commanding
5 Officer of CMO International and Chairman of the Watchdog
6 Committee ("WDC"). From July 1987 to June 1993, I held the
7 position of the Inspector General for Administration in Religious
8 Technology Center ("RTC"). The duties of this position were to
9 ensure the purity of the Administrative technology of the
10 Scientology religion. The Church of Scientology International
11 is, and always has been since its inception, the Mother Church of
12 Scientology. CSI sees to the management and operations of
13 Scientology around the world. RTC is concerned with the purity
14 of the religion's theology and practice and ensuring that it is
15 in accordance with the writings and spoken words of Mr. Hubbard
16 that detail the religion of Scientology.

17 3. In June 1993, I resumed the position of Commanding
18 Officer of CMO and Chairman of the WDC. Due to the ongoing
19 expansion of various Churches of Scientology, a great demand was
20 placed at that time on senior CSI officials to accommodate the
21 needs of Scientologists in Churches around the world. Most
22 importantly, this affected the Flag Service Organization--the
23 Church of Scientology delivering the highest levels of the
24 religion in Scientology. To accommodate this expansion, in June
25 1993, CSI requested that certain RTC staff with previous
26 experience in CSI, specifically me and Mr. Mithoff, be available
27 to assist with this expansion. This would allow the then
28 Commanding Officer CMO International and Senior C/S International

1 to engage directly in activities at the FSO. At that time, RTC
2 had just completed a massive project involving me as Inspector
3 General for Administration, Mr. Mithoff as Inspector General for
4 Technology and Mr. Rathbun as Inspector General for Ethics, that
5 entailed the review of all Church scriptures to authenticate them
6 as the original writings of Mr. Hubbard or bring them into accord
7 with Mr. Hubbard's actual writings if any alteration had
8 occurred. This project encompassed over 50 million words
9 comprising 30 encyclopedic-sized volumes, 22 individual books,
10 over 100 individual Scientology training courses and thousands of
11 pages of handwritten materials. At the completion of this
12 project, it was determined by RTC, in consultation with me and
13 Mr. Mithoff, that it would be to the benefit of the religion to
14 accommodate CSI's request.

15 4. As the Commanding Officer of the Commodore's Messenger
16 Organization International (CMOI) and Chairman of the Watchdog
17 Committee (WDC), I am the senior administrator and ecclesiastical
18 authority of plaintiff Church of Scientology International (CSI).
19 In this capacity, I am ultimately responsible for the success of
20 CSI's mission as Mother Church: to ensure the proper expansion
21 and positive influence of the Scientology religion worldwide and,
22 in so doing, to achieve the aims of the religion. Those aims, in
23 the words of the religion's Founder Mr. Hubbard, are a
24 "civilization without insanity, without criminals and without
25 war, where the able can prosper and honest beings have rights,
26 and where man is free to rise to greater heights."

27 5. CSI fulfills the above mission through its
28 ecclesiastical management, including provision of broad planning

1 and direction, to the hundreds of Scientology churches, missions
2 and groups that form the religious hierarchy. While local
3 churches of Scientology are governed by their own boards of
4 directors and officers, CSI, with more than 1500 staff at its Los
5 Angeles headquarters, Golden Era Productions, in Riverside
6 County, California and elsewhere around the world, assists these
7 churches in a number of ways. CSI provides ecclesiastical
8 guidance to each Scientology organization, coordinates religious
9 activities, provides training, spiritual guidance and materials
10 to subordinate churches to assist their growth and meet the
11 demand for Scientology religious services worldwide.

12 6. The Watchdog Committee is the highest ecclesiastical
13 authority in CSI. It is responsible for seeing that all parts of
14 the ecclesiastical hierarchy perform their functions in
15 accordance with the scriptures of the religion.

16 7. As the WDC Chairman and the Commanding Officer CMOI, I
17 direct the activities of a large, international church. I am
18 responsible for the financial planning for CSI and for ensuring
19 the long-term future of the religion through safeguarding its
20 financial reserves. I appoint all senior officials of CSI. I,
21 along with the Executive Director International and the Executive
22 Strata, a division of CSI, also formulate long-term planning for
23 the expansion of all Churches of Scientology. My supervision of
24 the expansion of the religion also extends to the training of
25 ministers and other executives and staff in the hierarchy,
26 providing guidance on the propagation of the religion and, most
27 importantly, the delivery of Scientology's religious services to
28 parishioners. I carry out my responsibilities based on 19 years

1 of experience and training as a staff member of CSI and other
2 organizations within the religion.

3 8. From my 19 years of staff service in Scientology, I
4 have acquired an intimate working knowledge of the administrative
5 policies and practices of the religion, as well as the corporate
6 and ecclesiastical organization and activities of the hierarchy
7 of the Churches of Scientology.

8 9. I have never met defendant Steven Fishman. I have never
9 spoken or corresponded with this individual. I have also never
10 met, spoken or corresponded with defendant Uwe Geertz. I would
11 not know either of them if I saw them. Nor was I involved in any
12 way in CSI's decision to bring this lawsuit. I have had no
13 involvement with this litigation at all, other than preparation
14 of this declaration and making arrangements to be available to
15 testify in deposition in this case.

16 10. I understand that this lawsuit arises out of statements
17 Fishman and Geertz made to Time magazine reporter Richard Behar
18 which were published in the May 6, 1991 issue of that magazine. I
19 recall reading that article shortly after its publication. Both
20 at that time and at all times between then and now, I understood
21 the statements by Fishman and Geertz to refer to CSI.

22 11. I understand that Fishman was convicted of an elaborate
23 mail fraud scheme involving class action lawsuits. His
24 accusation that CSI was involved in any such scheme is false.
25 Based on my extensive experience in the administrative affairs of
26 CSI, I can state that CSI has never engaged in any sort of
27 financial scam. Any such action by any Scientologist would not
28 be condoned by any Church of Scientology. Commission of

1 financial frauds, including the crimes of embezzlement, fraud and
2 the like, carry not only the criminal penalties that society
3 imposes, but also severe ecclesiastical penalties, including
4 expulsion from the Scientology religion.

5 12. I understand that following his 1988 arrest by the FBI,
6 Fishman claimed that he was receiving "threats" or "orders" from
7 staff members of CSI to murder his psychologist, Geertz, and to
8 commit suicide or, as Fishman puts it, "do an EOC" or "end of
9 cycle." There is no such term or phrase as an "EOC" used in
10 Scientology, nor any reference to suicide as "doing an EOC" or an
11 "end of cycle." Moreover, there are no policies or practices in
12 the Church relating to suicide or murder, other than to condemn
13 such actions. The concept of forced suicide or murder is so
14 preposterous it goes against the very Creed of the Church which I
15 have dedicated my life to support. As a senior Scientology
16 executive, I can say that my religion's scriptures are
17 diametrically opposed to and completely at odds with Fishman's
18 false assertions of our beliefs and values.

19 13. I understand that Mr. Fishman claims that in November,
20 1985, Mr. Miscavige and I met with him in Clearwater, Florida. No
21 such meeting ever occurred. I do not know this man and have
22 never met him. The alleged subjects of that Clearwater
23 "meeting," including the "five year plan" for Mr. Fishman,
24 "operation acting classes," Fishman's building of the world's
25 largest privately held library of Mr. Hubbard's writings and
26 Fishman's "de-Christianizing" of the planet, are figments of his
27 imagination. There are no such concepts as "five year plan" in
28 Scientology or any of its churches. I have no idea whatsoever

1 what "operation acting classes" means. Mr. Fishman's claim that
2 we discussed solicitation of donations is preposterous as CSI
3 does not engage in such activity, and I have never been involved
4 in any such activity in all my years as a staff member. I also
5 understand that Mr. Fishman refers to Mr. Miscavige in this
6 alleged November, 1985 meeting as "CO RTC." There has never been
7 such a post title or abbreviation in the history of RTC. In any
8 event, Mr. Miscavige was not employed by RTC until 1987.

9 14. I understand that Fishman also claims to have travelled
10 with me as Inspector General for Administration to the Flag
11 Service Organization in Clearwater in November, 1986. These
12 assertions are false. I never have travelled anywhere with Mr.
13 Fishman and did not become the Inspector General for
14 Administration for RTC until July, 1987.

15 15. I understand that defendants have retained former
16 Scientologists Robert Vaughn Young and Stacy Young as consultants
17 and witnesses in this lawsuit and that the Youngs have made
18 sensational statements regarding CSI, the hierarchy of the
19 religion and some of the religion's leaders and spokespersons.
20 Contrary to their assertions, neither of these individuals has
21 ever held a senior executive or ecclesiastical management post in
22 CSI, RTC or, to my knowledge, any other Church of Scientology.
23 While a great majority of the Youngs' assertions are demonstrably
24 false, one of the more remarkable is Vaughn Young's claim that
25 CSI is a "mere shell," "ruse," "Hollywood set" and the like. From
26 my personal experience with CSI over the past 13 years, this
27 statement is completely untrue. CSI's recognition by the IRS as
28 the tax-exempt Mother Church of the Scientology religion,

1 confirms that CSI is anything but a "shell." CSI manages on a
2 daily basis the exponential growth of a major religion with a
3 staff of 1,500 people.

4 16. I understand that defendants, as well as the Youngs,
5 have made allegations that there is no corporate integrity to the
6 management and organization of Scientology Churches, including
7 CSI and RTC. Having been a staff member of both RTC and CSI, I
8 can state from personal experience that such accusations of
9 "unity of control" and lack of corporate integrity are entirely
10 without basis in fact. RTC is and always has been the holder and
11 licensor of the trademarks and service marks of Scientology and
12 Dianetics (the "marks"), concerned with ensuring the proper
13 maintenance and standard application of Mr. Hubbard's technology.
14 Much of RTC's activities center on the actual registration of the
15 religious marks all over the world. RTC is not part of the
16 management structure of the Church hierarchy. It has the unique
17 mission of safeguarding the proper use of the marks, protecting
18 the public from improper use and ensuring that the marks remain
19 in good hands. David Miscavige, as Chairman of the Board of RTC,
20 is entrusted with primary responsibility in carrying out these
21 tasks and devotes his energies full time to this endeavor.
22 Mr. Miscavige's position requires periodic reports and public
23 presentations to Church members and the media on the religion of
24 Scientology and its expansion around the world. He is not a
25 manager of any other organization in the Church hierarchy,
26 including CSI.

27 17. I have personal knowledge and familiarity with the
28 differences and functions of RTC and CSI. RTC's role is to

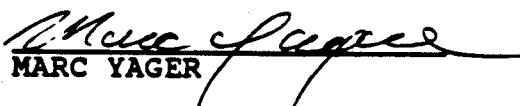
1 ensure that the religion is kept pure. On the other hand, CSI's
2 primary focus is the daily ecclesiastical management of Churches
3 around the world. Several echelons of management exist in CSI to
4 perform such functions, including the: A) Flag Bureaux,
5 responsible for the week-to-week activities of Scientology
6 Churches around the world; B) Executive Strata, responsible for
7 long-term planning and expansion of Churches of Scientology; and
8 C) Watchdog Committee assisted by CMO International which sees to
9 the performance of all such activities. Various other units also
10 exist in CSI to facilitate these activities such as Golden Era
11 Productions which produces Scientology films, and the
12 Translations Unit which translates the materials of Dianetics and
13 Scientology into foreign languages.

14 1. CSI as the Mother Church, carries out all international
15 management functions for the religion of Scientology. RTC's role
16 is entirely different. Anyone with any knowledge of either RTC
17 or CSI would know statements to the contrary are simply false.

18 2. To the best of my knowledge, Vaughn Young and Stacy
19 Young were never employed by either CSI or RTC. If either or
20 both were employed by CSI, it would have been in a low level
21 staff position as they never came to my attention.

22 I declare under the penalty of perjury of the laws of the
23 United States that the foregoing is true and correct.

24 Executed this 7th day of February, 1994 at Riverside
25 County, California.

26 
27 MARC YAGER
28