

AFFIDAVIT

Before me, the undersigned authority, personally appeared LaVenda (Van Schaick) Dukoff who, upon being duly sworn, deposes and says:

1. I reside in Tampa, Florida. I am executing this affidavit voluntarily and of my own free will. The statements herein are made of my own personal knowledge and, if called as a witness, I can and will testify competently thereto.

2. In or about June, 1979, attorney Michael J. Flynn of Boston, Massachusetts was retained as my attorney. He was retained to secure for me a refund of monies I had paid to the Church of Scientology. This resulted in the filing, on or about December 13, 1979, of a suit on my behalf seeking \$200,000,000.00 in damages; LaVenda Van Schaick v. Church of Scientology of California, et al., U.S.D.C. Mass. Civil Action No. 79-2491-G. This suit was subsequently settled, on the verge of trial, on or about June 10, 1985.

3. On July 4, 5, 6, and 7, 1982, my deposition was taken in the Van Schaick case in Boston, in the law offices of Silverplate, Gertner, Baker & Fine. (See cover pages to deposition transcripts, attached hereto as Exhibit "A".)

4. On one of these four days, although I cannot now recall specifically which date, I was given access by Mr. Flynn to a number of documents being kept on the third floor



of his law offices at 12 Union Wharf in Boston. These documents were maintained in boxes, some of which had no tops at all and others of which had tops sitting underneath the box. The boxes were scattered around the third floor, and were openly available to anyone with access to the office area.

5. On this occasion, Mr. Flynn pointed these documents out to me. He stated that I would find them very interesting due to my own case against the Church of Scientology and L. Ron Hubbard, the Founder of the religion of Scientology. He stated that the documents included information concerning Mr. Hubbard's record as a Naval officer during World War II, Mr. Hubbard's personal relationships with his wives and other persons, personal writings by Mr. Hubbard, and information concerning the death of Mr. Hubbard's son, Quentin Hubbard. Also present with Mr. Flynn and myself in the office during this conversation was Boston attorney David Banash.

6. Following Mr. Flynn's introduction of these documents, and with his full knowledge and permission, I spent approximately one and one half hours reviewing and making xeroxed copies from these documents. I then took the copies I made home with me, again with the full knowledge and permission of Michael Flynn.

7. In or about February, 1984, I discussed one of the documents I had obtained from Mr. Flynn's office with Warren Friske, another former member of the Church of Scientology, and learned that he, too, had seen this document.

8. On September 20, 1984, pursuant to an order in the

Van Schaick case, I underwent a psychiatric examination in Boston, Massachusetts. (See cover page to examination transcript, attached hereto as Exhibit "B".) I had arrived in Boston early the previous day, September 19th, and had gone to Michael Flynn's office at 12 Union Wharf.

9. Upon entering Mr. Flynn's personal office on the third floor, I noted the same documents I had seen in July, 1982 were still present. They were contained in approximately twenty boxes, located in Michael Flynn's personal office and in the office on the same floor which had previously been occupied by his brother, Kevin Flynn. As before, the boxes were without tops or had tops sitting underneath them, leaving them in plain view. The boxes were labelled "Armstrong Case", which I understood to refer to a case in Los Angeles involving Gerald Armstrong.

10. On this occasion, Mr. Flynn stated to me that he had obtained additional documents since my previous visit. He told me that I should look at these newly obtained materials since I had not seen them before. He also indicated three particular boxes of these documents to me, and stated that they contained financial records which he was still going through. Mr. Flynn told me that he was working with the Internal Revenue Service on those particular documents and that he would rather that I did not look at them. He stated that they were complicated and that I would not understand them. He told me, though, that if I did look at them, to keep them in the same order due to his ongoing work with them.



11. I then spent approximately four and one half hours reviewing and making xeroxed copies of these new documents. I copied approximately 3,500 pages worth of documents. Mr. Banash was again present for much of the time while I was making these copies which I did, as was the case before, with the full knowledge and permission of Michael Flynn. In fact, when I completed my xeroxing, I placed these copies in three suitcases that I had brought with me for my stay in Boston. At the end of the day, around 5:00 p.m., Michael Flynn and David Banash both assisted me in carrying my suitcases out to Mr. Flynn's car. Both Mr. Flynn and Mr. Banash commented as to how heavy my suitcases were, and I told them that they included the copies of the documents which I had made that day. Michael Flynn then drove me to my hotel and assisted me in carrying my suitcases ^{INTO MY HOTEL} ~~up to my room~~. When I returned to my home following the psychiatric examination, I took these copies with me.

12. Although the great majority of the documents which I copied in Mr. Flynn's office were themselves xeroxed copies, at least one particular and personal document pertaining to Mr. Hubbard was an original document. It was handwritten on parchment paper which, due to its age, was beginning to crumble at the edges and was extremely difficult to copy.

13. I did not make any copies of the materials contained in the three boxes specifically indicated to me by Mr. Flynn, but I did review their contents. As he had stated, they contained financial documents referring to transfers of

funds between Church of Scientology organizations, bank accounts in foreign countries, Hubbard Communications Office book accounts, and six or seven cassette tape recordings. Also contained in one of these boxes were several documents, which might have been transcriptions, and which I recall contained the acronym "MCCS".

14. Within just a few days of my return home, David Banash called me and asked me to return the copies that I had made. He told me that the documents were sealed, and that I should not have them. I decided not to return the documents, and did not return them, because I knew something was wrong. I had been given completely free access to these documents by Michael Flynn, and it did not make sense to me that I would have to return them. I felt that Mr. Banash was either confused or was trying to hide the fact that either he or I had these documents, and I was unsure what the best course was for me to take. I felt that I would be safer to keep the documents, and try to find out the facts, than to return them at that time.

15. Within several weeks of my return home, in either late September or early October, 1984, I mailed copies of one of the documents I had obtained from Mr. Flynn's office to Eddie Walters in Las Vegas, Nevada and to Scott Mayer in Los Angeles, California. I also discussed this document with Janie Peterson, who had not seen it. In addition, I also sent copies of several others of these documents which I had obtained from Michael Flynn's office to Eddie Walters.

16. Several months later, in approximately December, 1984, Michael Flynn called me and also asked me to return the copies I had made. Since I had made duplicate copies of the documents when I had originally copied them in Mr. Flynn's offices, I simply pulled out about 45-50 pages of such duplicate copies and mailed these back to Mr. Flynn. I continued to retain copies of these documents in my possession. I did not return all of the copies that I had because I still felt that something was wrong, and I had begun to believe that he was only trying to hide the fact that he had these materials and had given them to me. I did not want to be involved in such a scheme, and I decided to keep the documents until I could decide what to do with them.

17. In June, 1985, I went to Boston for the scheduled trial of the Van Schaick case. While in Boston, I told Michael Flynn that I still had copies of the documents that I had made in his office, but he did not ask for their return. My case was then settled, without going to trial, and I returned home following a severe disagreement with Mr. Flynn regarding his handling of this settlement.

18. Several months later, in August, 1985, Michael Flynn called me and requested that I return to him all of the copies that I had made of the documents. He told me that he had made a mistake; that he should not have allowed me to have access to the documents as they were under seal and he or I could go to jail. I did not return any of my copies to Mr. Flynn as his call confirmed for me that it was illegal for either of us to

have these documents, and that he only wanted to cover up his actions. I no longer trusted Michael Flynn and was frightened that he might try to place all the blame on me if anything went wrong. Mr. Flynn's call convinced me that I was going to have to find my own solution to this problem in which he had gotten me involved.

19. On or about June 2, 1986, I called Michael Flynn's law offices. He was not present, so I spoke with Gerry Armstrong. I told Mr. Armstrong that I had documents which I had obtained from Mr. Flynn's offices, and I described some of these documents to him. I told him of my intention, at that time, to take these documents to representatives of the press. Mr. Armstrong obviously recognized these documents as he became very upset. He told me that exposure of the dissemination of these documents would destroy his court case against the Church of Scientology. Approximately twenty minutes later Mr. Flynn called me. I then told Mr. Flynn that he had better treat his other clients more fairly and ethically than he had treated me, and told him that I was taking these documents to representatives of the press. He accused me of extortion, although I had not requested money or anything else from him. He threatened to have me arrested by the Florida State Attorney's Office. His threat was the final proof to me that I had been right in believing that he would attempt to shift the blame for his illegal actions to me.


20. I believe that the documents which I obtained from Mr. Flynn's office are personal documents which properly

belong to the Church of Scientology. Based on the facts recited above, I also believe that Michael J. Flynn has involved me in a knowing and willful violation of the law which could result in civil or criminal liability for me. Although he was my attorney for much of the time period related above, he deserted me and left me to determine for myself what my potential civil and criminal liabilities might be for the possession of these documents, and of having to extricate myself from this position.

Further affiant saith not.


LAVENDA (VAN SCHAICK) DUKOFF

Sworn to and subscribed before me this 9th day of June, 1986.


Notary Public for the State of Florida

Notary Public, State of Florida at Large
My Commission Expires May 25, 1987