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16 Church of Scientology of California

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 FOR THE COUNTY OF LOS ANGELES

19 CHURCH OF SCIENTOLOGY OF)
20 CALIFORNIA, a California)
21 Corporation,)

22 Plaintiff,)

23 v.)

24 GERALD ARMSTRONG, et al.,)

25 Defendants.)

CASE NO. C 420153

DECLARATION OF REVEREND
KEN HODEN IN RESPONSE
TO JULY 2, 1985
DISCOVERY ORDER

26 AND RELATED CROSS-ACTION)
27)
28)

I, REVEREND KEN HODEN, declare as follows:

1. I am the President of the Church of Scientology of Los Angeles. I have been a staff minister with the Church of Scientology for the past 11 years and have received and delivered thousands of hours of pastoral counselling (auditing).

2. In its order of July 2, 1985, the Court refers to "verbatim as well as sum and substance type recitals" from

1 the preclear folders. "Verbatim" and "sum and substance type
2 recitals" are not part of the auditing process and do not
3 appear in any of the internal Church scriptures specifying
4 what an auditor writes down in session. The Court specifies
5 material to be turned over including "name of interviewer."
6 An auditing session is not an "interview" and to refer to it
7 as such is a blatant degradation of this religious practice.

8 3. Materials and information stored or recorded within
9 the confessional folders (PC folders) are confidential and
10 privileged. Our religious doctrine prohibits any parishioner
11 or person receiving pastoral counselling (auditing) from
12 viewing the contents of their folders. Our religious
13 doctrines also prohibit any external dissemination of
14 preclear folders. Even our attorneys are forbidden to review
15 these folders. The only people who are allowed to view the
16 pastoral counselling folders are authorized Church ministers.

17 4. I myself have 24 confessional folders (PC Folders),
18 each one containing some 300 pages, and I have never seen
19 the contents of these folders, and I am the President of the
20 Church.

21 5. The Court refers to GO 121669 for justification in
22 saying that the clergymen-penitent does not apply for the
23 time period during which Armstrong was a member of the Church.
24 The Court refers to GO 121669 for justification for
25 abolishing the clergymen-penitent privilege. Yet nowhere does
26 the program call for a) external dissemination of the
27 preclear folder or b) use of information against anyone.

28 6. To cause preclear folders or preclear folder

1 information to be released from the care and control of
2 authorized Church ministers is to cause the destruction of
3 its parishioners' religious freedom and would be a severe
4 violation of Church ecclesiastical policies.

5 Executed this 29th day of July, 1985, in Los Angeles,
6 California.

7 I declare under penalty of perjury that the foregoing is
8 true and correct.

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11 REVEREND KEN HODEN
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