

U.S. Granted Access to Some Scientology Papers

By MYRNA OLIVER, *Times Staff Writer*

The U.S. government won access Monday to six sealed letters and memos concerning the Church of Scientology and its founder, L. Ron Hubbard, and failed in its attempt to see 11 others.

Los Angeles Superior Court Judge Paul G. Breckenridge Jr. had placed the 17 items under seal in June at the end of a civil trial in which he absolved former church archivist Gerald Armstrong of taking documents belonging to the organization. He sealed the items largely because they involved privileged or private communications between Hubbard and his

attorneys or his wife, Mary Sue Hubbard.

(At the same time, Breckenridge released hundreds of other exhibits in the non-jury trial, which were quickly resealed and remain cloistered under higher court orders. Federal authorities have not yet sought to review those materials.)

Government officials wanted the 17 letters, tapes and other items to aid in defense of a 1978 civil suit by the church that accuses the FBI, the Internal Revenue Service and others of unconstitutionally conspiring to destroy a religion.

The suit seeks to prevent government officials from collecting or

using information about the church and to force them to expunge dossiers on the organization and its members.

Federal attorneys said the material may be relevant to Hubbard's statements in the federal case, his control over the church and the church's attempts to avoid law enforcement.

Obtained by the government were a file on the founder's son, L. Ron Hubbard Jr.; two Hubbard orders dated Jan. 22, 1978, regarding his legal fees; a letter dated March 22, 1978, about the mayor of Clearwater, Fla.; a letter dated Feb. 16, 1978, concerning whether Hub-

bard received money from the church, and a letter dated Dec. 23, 1977, about Hubbard's health and attempts to avoid service of lawsuits.

John Toothman, attorney for the U.S. Department of Justice, and Michael Lee Hertzberg, attorney for Mary Sue Hubbard and the church, said they will take Breckenridge's ruling to the Court of Appeal.

Breckenridge stayed his order 10 days to permit appeal and specified that government officials cannot publicize the six documents he allowed them to use in preparation of the federal case.