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April 26, 2023

**PRE-LITIGATION CLRA NOTICE AND DEMAND LETTER**  
**By Certified Mail Return Receipt Requested**

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Church of Scientology International, *et.al.*

April 26, 2023

The Commanding Officer  
Church of Scientology American Saint Hill Organization  
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**By First-Class Mail**

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**Re: ROSEMARY CHICWAK**

**III. FACTUAL SUMMARY:**

**A. TIMELINE OF ROSEMARY'S INVOLVEMENT WITH SCIENTOLOGY**

(The dates are approximate).

1. Rosemary was born in Cleveland, Ohio on September 10, 1946. In 1966, she married Robin (Rob) Brown.
2. In 1984, Rob and Rosemary joined the Church's Boulder Mission. In 1987, Rob and Rosemary separated and that same year Rosemary joined the part time staff at the Denver Org while trying to work her job at Mountain Bell (AT&T).
3. In October 1987, while her divorce from Rob was pending, Rosemary signed a Sea Org contract to serve the Church for one billion years, after Richard Nunnelee came to Denver on a CMO International recruitment mission.
4. In February 1988, Rosemary moved to Los Angeles, CA and started the Estates Project Force ("EPF") as a single mother. At the time, her son Michael Brown was required to live with another Scientology family, Yolanda Avila and her two sons, George and Felipe. Michael slept on a mattress on the floor of their living room and was sent to the Cadet Organization, which Yolanda oversaw, daily.
5. In May 1988 at 41 years old, Rosemary, who had never been on full-time Church staff, completed the EPF and was expecting to be assigned to work for CMO Int. However, she was not qualified to be posted there due to her lack of 'production record.' She was reassigned to the Central Marketing Unit (CMU) as Ronnie Miscavige's Communicator (personal assistant). He is the brother of David Miscavige, the managing agent of the potential corporate defendants herein.
6. In early 1989, Ronnie Miscavige was promoted to Marketing Executive International aka "MEI" and assigned to "Senior Executive Strata" at the Gilman Hot Springs Property ("The Int Base" or "GOLD Base"). Ronnie kept Rosemary in the position of his communicator (now Secretary) at this higher-level organization and so she also moved to the Int Base once she completed the security interrogations known as "Int Clearances."
7. Because Rosemary was now located at the Int Base, her son Michael was again required to live with another family in Los Angeles, Harold and Nichole Sims and their two

- sons, Zeb Sims and Ian Pearce. Michael was largely left alone and expected to attend school inconsistently at the PAC Cadet Org. Rosemary was only permitted to see her son on a weekly basis for a few hours, having to travel to the Hollywood location late Saturday night or Sunday morning with Ronnie Miscavige or on the Int. Base mail delivery van.
8. In early summer 1990, Rosemary's son Michael, and other children of Int Base staff, were moved from Los Angeles to a property on the far side of the Soboba Indian Reservation. This property was known as the Castile Canyon School a/k/a The Int Ranch, Happy Valley, Int. RPF, or the Campbell Property. Again, Rosemary was only able to visit Michael on Sunday mornings during Sea Org "cleaning time."
  9. After working at the Int Base for over nine years, Rosemary was removed from her Executive Secretary position working for Ronnie Miscavige because it was discovered by Religious Technology Center ("RTC"), during a "security check," that he had been engaged in improper sexual advances and conduct toward her. Ronnie was exposing his genitals to her and engaging in quid pro quo conduct for her to keep her position. Ronnie's grooming of Rosemary had started as shoulder rubs in the work area when Ronnie was working late, tired and stressed and it later evolved into full body massages that Ronnie would require Rosemary to give him, complaining that he was stressed and needed to relax. On multiple occasions Ronnie would claim he was going into the other room to get ready for a massage and he would then call Rosemary in. After opening the door, she would find him nude and on occasion with an erection. Rosemary would immediately close the door, acting as though she made a mistake and rationalizing that "he was not ready." Rosemary states that she was scared for her wellbeing and for the wellbeing of her son while enduring the sexual and other abuse from Ronnie. She was not comfortable with what was happening but, in all the circumstances, she had no way of getting out of the situation she had been forced into.
  10. When the "security check" and "investigation" RTC conducted uncovered Ronnie's sexual abuse, it was Rosemary who was disciplined for Ronnie's misconduct. She was assigned to heavy manual labor (OGH/Restricted). Ronnie remained in his position of authority and power until such time he and his former wife decided to depart ("blow") the organization.

11. Subsequently, after multiple weeks of interrogation and heavy manual labor, Rosemary was assigned to Golden Era Productions as a housekeeper for the “G-Units” (the condo style rooms reserved for important guests visiting the Golden Era Property and The Int Base). Rosemary worked in this position for the next five years servicing many visitors, the most notable being the late “Danny Sherman,” a writer hired to assemble the LRH biography.
12. In late 2003, Rosemary’s son, Michael, escaped from the Int Base following a discussion with his ex-wife, Samantha. Michael was unhappy with the work conditions and distraught about Samantha being coerced to have an abortion after becoming pregnant the previous year. This was the second abortion she was coerced to have in nine years of working at the Int Base. After he had escaped from ‘the Base,’ Michael was declared a ‘Suppressive Person’ in 2004 but didn’t speak out about Scientology abuse because he didn’t want to adversely affect his mother, Rosemary’s, standing in the organization.
13. In March 2004, Rosemary was added to a punishment list of over one hundred other staff members from Golden Era Productions and other international level organizations at the Gilman Hot Springs Property. These church members were rounded up, loaded into buses, and moved out to the Castile Canyon property (a/k/a “Happy Valley” or “The Int Ranch”) where they were isolated from the rest of the Scientology organization and the community. Although the Happy Valley property was represented to the outside world as a school, it was also the location of the Int. Base Rehabilitation Project Force (the “RPF”). These 100 plus RPFers were informed that they were either being “off-loaded” (excommunicated) from the church or were being sent to the church’s Los Angeles RPF because of their crimes against Scientology, L. Ron Hubbard (“LRH”), David Miscavige (“COB”), and mankind. Rosemary was informed that her crimes were “Out 2-D with Ronnie Miscavige” (Scientology’s way of referring to sex outside of marriage); from sexual abuse over five years earlier that she had already been punished for. Being conditioned by Scientology’s coercive indoctrination techniques to think that she had “pulled it in” and therefore was at fault for the state of Scientology and anything bad that had happened to her, Rosemary agreed to attend the

- Rehabilitation Project Force in Los Angeles (PAC Base RPF) with close to 200 other former members of the Int Base.
14. Prior to being moved from the Happy Valley property near the Int Base to Los Angeles, Rosemary's personal effects were collected, and any photos of her family were burned in front of her in a large bonfire. These included all baby and family photos of her son, all gifts from him, as well as any other item that would remind her of her family. This intentional and outrageous conduct by the Church was very distressing to Rosemary.
  15. In Los Angeles, Rosemary was assigned to Scientology's Pacific Area Command ("PAC Base") located in the former Cedars of Lebanon Hospital Buildings (a/k/a "Big Blue" or "The Complex") at Sunset and Vermont Boulevards. There she lived in severely overcrowded rooms with inadequate bathrooms and bad plumbing. She was confined to, and isolated at, the Rehabilitation Project Force (PAC RPF) for more than five years. During this time, she was not able to speak to other Sea Org Members, was restricted to "The Complex" property, paid \$10.00 weekly (inconsistently), required to find clothes in the trash, and to eat substandard food. No medical treatment or checkups were provided to Rosemary during this time, even after she complained of chest pain and arm numbness (a precursor of her subsequent heart disease).
  16. During the five years that the Church required Rosemary to be on the PAC RPF, she was required to do constant manual labor throughout the day with inadequate personal protective equipment (hard hats or masks), exposed to dust, paint fumes and solvents, conducting removal of asbestos from the Bridge Publications warehouse, etc. She would then spend five hours per day receiving rigorous security interrogations on the Scientology E-meter, and continual thought modification (coercive indoctrination), much of which was focused on what 'crimes,' in thought and otherwise, she was alleged to have committed against Mr. David Miscavige, although she had never committed a such a 'crime.' The invasive security checks also focused on trying to get Rosemary to mentally disavow love for her son Michael. Rosemary has documents summarizing her work on the RPF ("liability formulas" sent to Int Base staff).
  17. Prior to being assigned to the RPF, Rosemary had retained the last name of "Brown" as a family connection to her son, though she had been divorced from Michael's father (Rob Brown) for over 15 years. Shortly after her confinement on the RPF program an

order came down from “Int Base” that Rosemary and two other female members (Vikki Yeah – maiden name “Ferrel” and Adrienne Pavlov – maiden name Ambron) were to file legal documents provided by the RPF In Charge, Alex Meyers, and Office of Special Affairs (“O.S.A.”) legally changing their married names back to their maiden names. They were chastised that keeping the last names of “known SPs” was a personal decision that was not permitted. This was ordered as a stipulation if they wanted to ever complete the RPF program. Rosemary didn’t want to do this but was pressured to do so with the threat of a much longer assignment to the outrageously abusive and punishing RPF program .

- 18.** During her more than five years on the sub-human RPF program, Rosemary struggled with the requirement of running between all locations while conducting the heavy manual labor, experiencing chest pain, and left arm numbness. When she would be moving slowly or trying to catch her breath, in an effort to get the chest pain and left arm numbness to stop, Rosemary was routinely chastised for her inability to keep up with younger RPFers. Instead, the Church should have provided her with immediate specialist medical examination. At the “PAC Main Mess” dining facility Rosemary worked to the best of her ability but she collapsed in September of 2011, due to a heart attack. Scientology had ignored the warning signs whenever she had reported them. Rosemary was admitted to L.A. County Hospital and received emergency triple bypass heart surgery. She was 65 years old at the time of the surgery. Obviously, the many years of the Church’s physical and mental abuse, and inadequate medical care, had contributed to or even caused her heart attack.
- 19.** Following a short stay in the hospital, Rosemary then had a nineteen-day stay in a local rehabilitation facility. This was paid for by insurance but when it ran out the PAC Medical Liaison Officer, Adrienne Pavlov, moved her back into the main complex building’s staff berthing on an upper floor of the ‘big blue building.’ The room was cold and had no heat or central air. Rosemary was infrequently checked on and only brought food if her elderly roommates had time between their Scientology work responsibilities. For over two months, Rosemary lay in this cold room, alone and suffering. The misery was overwhelming. Rosemary describes it as “like being in hell,” She thought she was going to die and had never even gone up the Scientology “Bridge

- to Total Freedom,” despite dedicating over 25 plus years to Scientology and the Sea Org.
- 20.** Rosemary, suffering through a painful recovery with no adequate support system begged to be helped. The year prior she had begun receiving Social Security payments and had accumulated \$12,000.00 in her bank account. Rosemary was made to pay for auditing “to help her with her recovery” as though she was a public scientologist. This practice continued and escalated with the Registrars at the Hollywood Scientology organizations using Scientology’s “hard sell” pressure and institutional duress to force her to pay for more auditing. This practice of having Rosemary pay for “services” that should have been provided free of charge to her as a Sea Org “volunteer” lasted for five to six years.
  - 21.** In addition, four other Sea Org Member’s credit cards were charged for more than \$69,000.00 for Rosemary to get auditing without her consent. Rosemary was made to pay these four persons back, plus interest, month-by-month as she received her social security payments. Church Registrars also made Rosemary incur even more debt by taking out more credit cards in her name while they falsified her income to get increased credit for the Church to access. All these funds were used to pay for auditing services from LA Scientology Organizations or given as “donations” to the International Association of Scientologists (“IAS”). If Rosemary had not complied with these demands she would have been subjected to even more punishment.
  - 22.** The Church’s pattern and practice of extorting money for auditing from elderly Sea Org Members was not limited to Rosemary but also involved dozens of others in her same position. This was a significant source of financial income to these PAC Base organizations as Scientology’s membership numbers continued to significantly decline. Rosemary has specifics on other people in the same situation as she has found herself.
  - 23.** In 2012, Rosemary reached out to her son Michael. She was able to do this using a prepaid cell phone which she had to keep hidden from PAC Base security because she was not permitted to have a cell phone. Communication to anyone outside of the church must first be authorized and even then, it is monitored for content through Church staff eavesdropping. The same applies to the U.S. Mail and to all other mail services.



- 24.** The year prior, in 2011, Michael had returned from a combat deployment in Afghanistan to sit at Rosemary's bedside after the bypass surgery, under the watchful eye of the Sea Org medical chaperones. When Rosemary later told him she was now receiving some Scientology auditing (see below) Michael was genuinely happy for her. However, when Rosemary told Michael that she had to pay for her auditing, he became angry and wrote to the Reports Officer RTC and to Mr. Michael Sutter, one of the most senior RTC staff members who worked directly for Scientology's leader, David Miscavige. Michael's letter to Mr. Sutter was about the sale of auditing to a full-time Sea Org Member. Michael considered the practice senior abuse and highly inappropriate. Rosemary had pleaded with Michael to not make problems with RTC but he insisted on reporting the situation in the hope it would be resolved and the money Rosemary was made to pay be returned to her.
- 25.** A few days later Mr. Mike Sutter <sup>1</sup> ordered Rosemary to provide a full written report of the conversation with Michael. The cell phone was confiscated from Rosemary and she was ordered to redo the PTS/SP course due to her having communicated with her son. Although the auditing payments were not returned to Rosemary, she was not subjected to any more regging/money collections until 2014.
- 26.** During this same time period, a church requirement was enforced where PAC staff were required to make weekly Scientology book sales quotas to the public, totaling a minimum of \$50.00. Strangely, this quota was also the expected weekly staff pay. Rosemary and others, unable to make the sales quotas, would commonly give the money from their own pockets to avoid organizational retribution as a "down stat."
- 27.** Sometime in 2017, someone in the Sea Organization realized that with Sea Org members continuing to leave the organization, the Church was (and still is) subject to criminal liability for the financial extortion that the Church and its responsible staffers had been engaged in. However, David Miscavige apparently placed the blame on the Registrars in the organizations with many being excommunicated or moved to manual labor positions and kept out of sight of potential process and subpoena servers. The same thing had happened when American Express cancelled the Church's merchant card access after "the AMEX card cycle" was discovered. At no time did any of the

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<sup>1</sup> If this claim were to proceed to litigation, R.T.C., Mr. Sutter, and his ultimate senior will be named as defendants.

PAC organizations offer to return the funds that had been unlawfully and unethically taken from Rosemary and these other Sea Org members, and the Church left all these elderly members with the heavy financial debt burdens to solve on their own. All told, between the money the Church had criminally extorted from Rosemary, and the effects of compound interest from the credit cards, Rosemary was forced to pay more than \$163,000.00 over the course of ten years. Rosemary has detailed records of all the money she was made to pay for services and the organizational executives involved.

- 28.** From 2013 to 2021, Rosemary worked in the Advanced Organization Los Angeles (AOLA) as an Extension Course Supervisor. During these years she worked daily on a 100-120 hour weekly schedule, starting early in the morning until late at night, including weekends and holidays.
- 29.** In February 2021, Rosemary's family was notified by PAC Base Medical Liaison Office ("MLO") staff that Rosemary had collapsed again and had been in the ICU at a local Hollywood hospital for over a week. She was not expected to live more than a day or two longer due to the heart condition that had largely gone untreated for the past 10 years. After over a week of unconsciousness, now on oxygen and receiving IV fluids, Rosemary started to come to and slowly recover. Her son Michael flew to LA, once he was notified by family, and visited her in the hospital. Rosemary was found to be in and out of consciousness and very weak. On the second day during Michael's visit, she confided in Michael some of the financial crimes and other abuses that she was being subjected to by the Church. Following some rest and nourishment, Rosemary was moved to the rehabilitation floor of the hospital where she spent forty-five days in recovery and receiving much needed medication, oxygen, and physical therapy.
- 30.** After Rosemary had recovered enough to be discharged from hospital, it was decided by the PAC Medical Office that her condition was such that she was "a risk to keep on the base," meaning that she was no longer allowed to be kept in the 'complex building' due to the fact that if she required medical attention emergency services would have to enter the premises and observe the degraded senior living conditions which violated, among other things, many Los Angeles Municipal Codes. Therefore, Rosemary was moved to a board and care facility in Glendale California, which was paid for by AOLA but not run by Scientology. Though the living conditions and food were not great, this

- new place was a vast improvement to how Rosemary had been made to live for years on the PAC Base.
- 31.** At first, Rosemary was terrified to be away from the communal living that she had been conditioned by the Church to accept. She was being taken care of by “WOG” (meaning non-Scientology) care givers and, due to Scientology’s coercive indoctrination about the dangerous non-Scientists in the outside world, she felt strangely alone and scared that these “WOGs” might harm her. Unlike Int Base and PAC Base, the quiet suburban neighborhood was not ‘controlled’ by Scientology, and she was not frequently monitored and ordered what to do by Scientology staff. Rosemary had been so indoctrinated by Scientology’s mental ‘conditioning’ that she was even afraid to watch TV in case she viewed something negative (entheta”) about Scientology which would then subject her to even more security checking and interrogation upon the E-meter. When Rosemary was told she had time to relax, she did not know what to do with herself. Rosemary had become conditioned to working 100-120 hour plus weeks, from morning until late at night daily, for the past three decades.
  - 32.** To help with her boredom, Rosemary obtained a Kindle from the PAC MLO assistant, Barbel Light. At first, she focused on reading nothing but L. Ron Hubbard books at Barbel’s direction. These were safe to read. Then Rosemary found that the Kindle had an internet connection. She soon discovered that she had access to the unfiltered and uncensored internet for the first time in her life. As Rosemary searched for the good works and expansion of Scientology that staff are routinely briefed on, and that is displayed in spectacular ways at the various Scientology events, she was not finding what she had expected. However, what Rosemary did find were stories of Scientology-related abuse, manipulation and control reported by people that she had known. Rosemary saw and heard them recounting many stories she had firsthand knowledge of to be true, only to have Scientology systematically deny, defame, and try to destroy these people.
  - 33.** Rosemary then reached out to her family in secret, being very careful to not let other Sea Org members in the same facility know of her communication. Over the course of the next nine months, her family was able to help get Rosemary’s medical and legal affairs in order and ensure she was safe to travel. In late March 2022 they picked her

up, with the few belongings she had, and helped her move away from the control of Scientology. Rosemary did not report her departure to anyone in the Sea Org but instead to the owner of the care facility, and only after she knew she was safely on the road away from the Church. The owner probably reported Rosemary leaving to Scientology medical staff as her family then received calls from them trying to learn of her location. In August 2022, Rosemary decided she would resign from the Church of Scientology. She is no longer a Scientologist.

34. After nearly 40 years as a Scientologist and 36 years as a Sea Org member, Rosemary was left with no money and no other assets to survive with. Her body was broken from a long untreated heart condition. Although Rosemary is now with her family, she is not necessarily free from having to suffer the punitive consequences that are frequently imposed on those who the Church determines to be “Suppressive Persons.” They may be “deprived of property or injured by any means, by any Scientologist, without discipline of the Scientologist. May be tricked, sued, or lied to, or destroyed.”
35. It was not until after Rosemary left the Church and was able to gain access to her banking and credit records in August 2022, that she discovered the extent to which she was in severe credit card debt, and that she even had several credit lines and credit cards that the Church had fraudulently taken out in her name without her knowledge.
36. From 1988 until March 2022 when she left the Church, Rosemary could not have reasonably discovered that she had claims at law against the Church because she was in a confidential and fiduciary relationship with the Church which had gradually assumed total control over her finances and had subjected her to nearly 35 years of enforced isolation and coercive indoctrination. Furthermore, Rosemary was entirely dependent on the Church for her sustenance, shelter, and \$50 weekly income. It was only after she had left the Church’s highly controlled environment and nearly 35 years of outrageous mental, emotional and physical abuse, that Rosemary began to ‘wake up’ and realize what the Church had deceitfully done to her legal, human and civil rights.

**B. THE CHURCH SUBJECTED ROSEMARY TO FINANCIAL ELDER ABUSE<sup>2</sup>**

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<sup>2</sup> A document labelled ‘Scientology Financial Summary Rosemary Chicwak,’ and two related documents, are enclosed with this letter as Attachments 11-13. They provide additional financial information and more names of some of those involved in the financial frauds described herein. See also, California Penal Code §§368(d)-(e), 484(e)-(j), 530.5.

1. In September 2011, Rosemary turned 65 years old and applied for social security, a pension, and Medicare health insurance. Shortly thereafter, Rosemary underwent triple bypass surgery. For the past 23 years she had received little to no healthcare services in her time as a member of the Church. Although Medicare paid for most of Rosemary's surgery, she was still left to pay the remaining copay. Scientology Medical Liaison Officer, Adrienne Pavlo, who was also Rosemary's Medical Power of Attorney, informed her that the Church, in its' Financial Planning Department, could not cover her medical bills due to the Church having insufficient funds.<sup>3</sup> She was told she needed to use her personal money for the copay. Plaintiff paid the required amount of about \$2,500.00 to settle the medical expense and avoid collection efforts.
2. As part of their commitment to the Church as "volunteers," Sea Org members are promised that they will not be required to pay for certain Scientology services like "Auditing." Despite this promise, which must be implied into any Church staff contracts, most of the staff that worked in the Sea Org did not receive the free auditing they were promised as a condition of their employment. Rosemary was one of them.
3. Emmitt Bond, another Sea Org member who worked as a "Registrar" in the Church's American Saint Hill Organization (hereinafter referred to as "ASHO"), approached Rosemary while she was still in a weakened state after her surgery. Mr. Bond manipulated her to write a check for roughly \$12,000.00 to ASHO in order for her to receive auditing. After Rosemary recovered enough to not be considered an "Illegal PC," the auditing she received mainly consisted of 'assists' to help her recover from the heart surgery.
4. In May 2012, Rosemary reached out to her son Michael. She was able to do this using a prepaid cell phone which she had to keep hidden from PAC Base Security because cell phones or other means of communication with those outside of the Scientology Org were not permitted. The year prior, Michael had returned from a combat deployment in Afghanistan to sit at Rosemary's bedside after her heart bypass surgery, while she was also under the watchful eye of the Sea Org medical 'chaperones.' Rosemary told him of the auditing. When she told him that she had paid for auditing he became angry. He wrote to the Reports Officer RTC and another RTC staff member,

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<sup>3</sup> The Church is reputed to have US\$2-3 billion in financial reserves plus a vast real estate portfolio.

- Mr. Mike Sutter, regarding the sale of auditing to a full-time Sea Org Member. Michael considered the practice senior abuse and highly inappropriate. Rosemary had pleaded with Michael not to make problems with RTC but he insisted on reporting the situation in the hope it would be resolved and the \$12,000.00 returned to Rosemary.
5. A few days later Mr. Mike Sutter ordered Rosemary to provide a full written report of her conversations with Michael. She was made to relinquish the cell phone and ordered to redo the PTS/SP course due to having unauthorized and unmonitored communication with her son. The funds were not returned. Rosemary was not subjected to regging/money collections again until 2014. However, a requirement was enforced where PAC Base staff were required to make weekly book sales quotas to the public, totaling a minimum of \$50.00. Strangely, this quota was also the expected weekly staff pay (which wasn't always paid). Rosemary and others who were unable to make the sales quotas would commonly give the money from their own pockets to avoid organizational retribution as a "down stat."
  6. In November 2014, Rosemary was working as the Extension Course Supervisor for the Advanced Organization of Los Angeles when she was approached by the Captain of AOLA, Mr. Solange Padva and a Reg from the International Association of Scientologists, Mr. Ted Bragin, to demand she donate \$20,000.00 to the International Association of Scientologists ("the IAS").<sup>4</sup> Rosemary had again been saving her Social Security and pension money in her personal bank account but somehow these executives knew exactly what she had in those savings.<sup>5</sup> At first, Rosemary refused to give the money to the Church but she soon found herself alone in a closed door room with the two church executives; the other staff having been made to leave the room. Over the next several hours all manner of interrogation and extortion tactics were used between love bombing her with cookies and trinkets to pounding fists on the table and yelling about how "the SPs need to be stopped." Eventually, this duress, intimidation and institutional pressure overwhelmed Rosemary and she was forced to agree to give

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<sup>4</sup> If this claim were to proceed to litigation, the three IAS entities may also be named as defendants. Necessarily, this demand letter would be Exhibit A to the operative pleading (s).

<sup>5</sup> Apparently from opening her mail [another violation of Federal law] that comes to a central address and is first read and reviewed by Scientology security. Consequently, member's mail is often confiscated as it comes in or is about to go out [also a violation of Federal law, and another matter of interest to the Postal Inspectors].

- the IAS all of the remaining money that she had. Rosemary's savings, in the amount of \$20,000.00, were extracted from her bank account in \$5,000.00 increments over the course of the next few days.
7. In December 2014, Rosemary was ordered to physically report to the Church of Scientology Los Angeles (the "L.A. Org.") by Public Officer AOLA, Carlos Colon. Rosemary was required to speak with a team of three "Reges:" Sherri Bloomfield, Jackson Walker, and Joel Foss. The three AOLA Reges heavily pressured Plaintiff to buy even more auditing that should have been free, given her status in the Sea Org. Rosemary did not want to attend this meeting and she felt extremely pressured to pay for something she did not want. Furthermore, she now had no money left and she told them so. After Rosemary refused to purchase the additional auditing, she was moved to a large conference room and confronted by the Commanding Officer of the Pacific Area Command Base, Jason Hemphill. He continued to pressure her to purchase the course. Rosemary repeatedly refused because she did not want to pay upwards of \$50,000.00 that she did not have.
  8. The very next day, on December 31, 2014, Rosemary received a call from Sherri Bloomfield who informed her the Church had found a way to get the money for auditing from another Sea Org member named Kiril Chang-Gilholy. Chang-Gilholy was a member of the L.A. Org. who Rosemary had not met before. Rosemary approached Chang-Gilholy about the transaction. Not only was he unfamiliar with the charges already placed on his behalf but he explicitly told Rosemary that he would not authorize such a payment. Rosemary and Kieil approached Sherri Bloomfield and the L.A. Org Chaplin about the issue multiple times. Both informed Rosemary and Kiril that it was too late and the sale and credit card charges could not be reversed. Chang-Gilholy's Bank of America credit card had been charged \$52,500.00 without his knowledge or consent. Rosemary did not know about this criminal transaction prior to it happening. When she complained that she did not want this further financial burden she was informed that it was already done, it was irreversible and the \$52,500.00 plus interest debt was hers to pay. This extortionate practice happened again without Rosemary's consent on three more occasions where other staff members with lines of credit were

- illegally charged for auditing in Rosemary's name and she was left with the bills. Rosemary begged for it to stop, but it just kept happening, as will be explained below.
9. When Rosemary went to L.A. Org to receive the auditing that she was now being made to pay for, she was informed that all previous auditing progress she made up the "Bridge to Total Freedom" had to be redone from the very bottom as recent improvements had been made by RTC. Prior to joining the Sea Org while a public scientologist, Rosemary had paid for and completed auditing through "Grade 4." The previous sale and delivery of these services would not be honored now. The "new and improved" auditing was much slower and more expensive, rapidly depleting the funds charged to Chang-Gilholly's credit card.
  10. On or about June 4, 2015, Rosemary was told the Church needed more money from her to continue with the services that she received from Chang-Gilholly's transaction. The Church illegally charged another Sea Org members credit card, Tina Noeske, \$13,500.00 without her prior knowledge or consent for more auditing for Rosemary. Noeske, informed after the fact, was very upset that Rosemary could not pay her back immediately and complained to the Church. Ultimately, the Church had the outstanding balance transferred to the accounts of Miguel Estrada, who had agreed to assume Rosemary's debt. Rosemary, in addition to her debt to Chang-Gilholly, now owed Estrada \$13,500 plus \$4,877.00 in interest and additional charges, which she began to pay monthly using her remaining social security and small pension dollars.
  11. On or about October 22, 2015, the Church again collected money from another staff member, Suzanne Justice, for Rosemary to receive auditing services in the amount of \$1,750.00. In typical fashion, Rosemary was informed of this transaction after the fact and was told she needed to pay the amount back plus interest.
  12. On or about April 18, 2017, Rosemary was approached by Reges at ASHO immediately after completing New Era Dianetics (NED) auditing. She was told she needed to continue auditing now at ASHO as she exhausted the auditing services L.A. Org could provide and she still had not attained the "state of clear." For years now, Rosemary had been forced to pay for services that she had been told would be free. The cost of these services had placed her in severe debt without her consent. Rosemary was told she



- needed to receive services from ASHO for an auditing process referred to as “Power” or “Grade 5.”
- 13.** Rosemary was ordered to report to ASHO for additional services. When she arrived there on a Wednesday afternoon the ASHO Reg Carey Green told Rosemary she was going to start auditing there. When Rosemary informed Green that she didn’t have any money and was buried in debt owed to other Sea Org Members, he told her that the funding had already been resolved. This time two credit cards had been illegally opened in her name, without her prior consent or knowledge. The two credit card loans that the Church had opened in her name totaled over \$12,000.00. Rosemary was left to pay for these loans in full including interest with her meager social security, small pension, and her meager weekly pay from AOLA in the amount of \$50.00. Because of the credit and compound interest, Rosemary had to pay much more than the original loan over many years.
  - 14.** Rosemary was now 70 years old and the Church had taken every dollar of her money for services despite the fact that she had been promised free services for life as a member of the Sea Org. Furthermore, Rosemary now owed over \$50,000.00 exclusive of interest to other Scientologists who had also been defrauded by the Church on her behalf without her consent.
  - 15.** On or about March 21, 2017, Rosemary was unknowingly approved for a credit card with a \$1,700.00 credit limit with a 16.99% APR. The credit card application indicated that Rosemary maintained a credit score of 644 and her annual salary was \$49,200.00; both of which were false. The same application indicated Rosemary’s housing type as “free and clear” and that her monthly housing payments were \$0.00.
  - 16.** Approximately six (6) months later, Rosemary unknowingly had another credit card request submitted under her name on September 29, 2017. This time, Rosemary’s credit application limit was \$15,000.00 which was approved. However, in the span of six months, Rosemary’s falsified salary had been increased from \$49,200.00 to \$69,600.00. Meanwhile, her housing type was switched from “free and clear” to “renting” at a cost of \$250.00 per month. Moreover, despite maintaining the same employer name, the Church’s falsified application had switched her years at her job from thirty (30) to four (4).

17. On or about December 29, 2017, an executive at AOLLA, Michael Kerner, applied for another credit card for Rosemary under the guise that he could secure her a 0% interest loan to help her consolidate her debts; debts which the Church had forced upon her. Kerner applied for these credit cards from Navy Federal Credit Union (“NFCU”). Given her outstanding bills, income, age, and credit score, Rosemary did not think she would get approved. However, to her surprise, she was subsequently approved for two more credit cards. Rosemary received her new NFCU cards in January of 2018 and that same day she found the cards had been charged in the amount of \$14,500.00 by AOLLA. Rosemary also noted that the names that were on the two cards were for “Rose M. Chickwak,” even though her name is “Rosemary Chicwak.” Also, she does not have a middle name. Rosemary approached Kerner about the unauthorized charges but he refused to speak with her on the matter.
18. On or about February 12, 2018, Rosemary was ordered by a Flag Banking Officer of AOLLA, to call NFCU and verify the charges were from AOLLA. The very next day, Rosemary was ordered to call NFCU to dispute said charges and request new cards. Upon receipt of the new cards, Rosemary recognized that her name was incorrectly spelled. She then called NFCU and asked for cards with her correct name. The new cards had limits totaling over \$16,000.00.
19. Similarly, on March 19, 2018, another fraudulent application was submitted on Rosemary’s behalf. While the salary from the second application remained the same, her years of employment, despite the same employer of AOLLA remaining the same, was changed from four (4) to zero (0).
20. On or about March 29, 2018, a balance transfer was placed on Rosemary’s NFCU credit card in the amount of \$7,800.00. Just three weeks later, another balance transfer was added totaling \$3,100.00. Neither balance transfer was made by Rosemary or with her knowledge and consent. Apparently, these illegal balance transfers were from other staff members’ credit cards whom the Church had required to pay for auditing services for Rosemary without her knowledge or authorization.
21. On or about January 18, 2019, again upon the Church’s orders, Rosemary consolidated \$7,000.00 from the AARP Chase Credit card she had been making payments on since May 2017, as a balance transfer on to one of the NFCU cards.

22. On or about January 21, 2019, a fraudulent application was approved by Navy Federal Credit Union (“NFCU”) for Rosemary with a credit limit of \$15,000.00. However, Rosemary’s falsified annual salary had increased to \$75,000.00 and her housing type was switched to “Not Responsible for Housing.” Despite keeping the same employer on all four applications, Rosemary’s credit card application indicated she was only there for 0 years.
23. In January of 2019, Tours Reg, Mr. Derek Meyers, had charged a new card in Rosemary’s name for \$10,000.00 while out on a tour to a local Scientology Class V Org. Rosemary did not know of the existence of the new NFCU card until she received it in the mail along with a January 2019 statement showing the balance.
24. Immediately thereafter, Rosemary approached Kerner about the new card. He quickly dismissed her. Kerner told her to take the issue up with Meyers. Rosemary then demanded Myers return the money illegally charged to her account. Instead of returning the money, Meyers made another illegal balance transfer for \$4,986.00 on February 28, 2019, to this same card. Rosemary did not authorize the balance transfer, and the balance transfer was not from a card that belonged to Rosemary.
25. Rosemary continued to complain about the \$10,000.00 balance transfer issued on January 31, 2019 and was finally given a cashier’s check for that amount on April 10, 2019. She deposited the money and used it to pay off the still outstanding bills to Chang-Gilholy and Miguel Estrada. Rosemary was now able to consolidate the debt, which was now just unpaid interest, from Chang-Gilholy on to the new NFCU card, that she applied for, due to the promise the card carried a 0% interest rate. However, after just 90 days, this 0% interest rate ballooned to 14.99%, leaving Rosemary with even higher interest debt.
26. At all relevant times, Rosemary was an unqualified candidate to receive the credit card financial services from the various credit card companies due to her age, income, credit score, and outstanding debt. Rosemary had received these financial services without her knowledge or consent. As explained herein, once AOLA had access to the credit card numbers, they continued to illegally run up charges on the cards. When Rosemary approached the Director of Inspections and Reports AOLA, Mr. Josh Palmer, (the staff member responsible for organizational ethics) regarding Kerner and Meyers making

- fraudulent charges, he indicated he would investigate the matter and asked for the credit card numbers. Shortly thereafter Rosemary received a security alert from the credit card company about additional unauthorized charges that were tracked back to Josh Palmer. The very person responsible for “ethics” was himself defrauding Rosemary after she asked for help.
- 27.** Due to being constantly monitored by security and having limited access to phones, Rosemary found herself having to ask the very people that were committing financial crimes and frauds against her to help her solve the repayment problems. She was afraid of the authorities, after years of Scientology conditioning to distrust and not report anything to law enforcement,<sup>6</sup> and she was unaware of who to even ask for help. That has now changed as Rosemary concurrently considers and consults her law enforcement options.
- 28.** All told, over the course of 11 years Los Angeles Scientology organizations treated Rosemary like a bank ATM machine and had extorted all the money Rosemary had through all manner of confusing, criminal, and illegitimate schemes. Social security payments, a small pension from a company she had worked for prior to joining the Sea Org, an inheritance from her late mother, and even her \$50.00 a week pay all went into satisfying these credit card bills. After adding up everything from the ledger Rosemary kept, and comparing bank and credit card statements, the funds involved total over \$163,378.64 - all while actively serving as a Sea Org Member and unknowingly accumulated against her will, most often without even her knowledge or consent.
- 29.** The Church had given Rosemary just enough auditing services to ensure that she would not have one single dollar left by the time she made it up the Bridge, only she never made it up the Bridge. The Sea Org work schedule had made that impossible.
- 30.** In February 2021, Rosemary collapsed while working on post in AOLA and she was rushed to a nearby hospital. Rosemary was dehydrated, suffering from pneumonia and unresponsive. Her initial prognosis was that she was expected to die, given the heart condition that had largely gone untreated for the past 10 years.

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<sup>6</sup> Reporting the criminal conduct of the Church or a Scientologist to law enforcement authorities, such as the Church perpetrated upon Rosemary, is a “high crime and misdemeanor” in Scientology which will result in the person doing the reporting to being declared an SP and subjected to severe discipline or “Fair Game” destruction.

**C. THE CHURCH ENGAGED IN IDENTITY THEFT**

1. Reference is made foregoing paragraphs regarding elder financial abuse. The Church, in using Rosemary's "personal identifying information" ... "to obtain credit, goods, services," etc., engaged in "identity theft" under California Penal Code §530.5 and, because the wires were used, under Federal law 18 U.S.C §§1028-1029, 1341, 1343-1344, and 408 [identity theft, credit card fraud, mail fraud, wire fraud, bank fraud, and social security fraud] and 18 U.S.C §1-28A [aggravated identity theft] .
2. In addition, the Church and it's responsible individuals are subject to Rosemary's civil law remedies for Identity Theft as set forth in California Civil Code §§1798.92-1798, and for Coerced Debt as set forth in California Civil Code §§1798.97.1, *et. seq.*

**D. CONSPIRACY TO COMMIT CONVERSION**

1. Reference is made to the foregoing paragraphs regarding financial elder abuse. The Church and it's responsible individuals, in engaging in the criminal credit card conduct set forth above, also engaged in a criminal conspiracy as provided in California Penal Code §§182(a), 31-32 and 664.
2. In the doing of the conduct set forth above, the Church and it's responsible directors, officers and employees also engaged in a civil conspiracy with its related claims of aiding and abetting, and vicarious liability.

**E. THE CHURCH SUBJECTED ROSEMARY TO PHYSICAL ELDER ABUSE**

1. After working at the Int Base for over nine years, Rosemary was removed from her Executive Secretary position working for Ronnie Miscavige because it was discovered during a "security check" conducted by RTC that he had been engaged in improper sexual advances and conduct towards her. For the next several months Rosemary, the victim and not the perpetrator, was punished by being confined to a small section of the Int Base, made to do heavy manual labor (OGH/Restricted), and to sleep in a trailer without plumbing or heat.
2. In March 2004, Rosemary was added to a punishment list of over one hundred other staff members from Golden Era Productions and other international level organizations at the Gilman Hot Springs Property. Staff were rounded up, loaded into buses, and moved out to the Castile Canyon property (a/k/a "Happy Valley" or "the Int Ranch") and isolated from the rest of the Scientology Int Base organization (which was largely

- isolated from the outside world). Rosemary was informed that her crimes were “Out 2-D with Ronnie Miscavige” (Scientology’s way of referring to sex outside of marriage); from abuse over five years earlier and that she had already been punished for.
3. In Los Angeles, Rosemary was assigned to Scientology’s Pacific Area Command (“PAC Base”) located in the former Cedars of Lebanon Hospital Buildings (a/k/a “The Complex”) at Sunset and Vermont Boulevards. There she lived in severely overcrowded rooms with inadequate bathrooms and bad plumbing. She was confined to, and isolated within, the Rehabilitation Project Force (PAC RPF) for more than five years. During this time, she was not able to speak to other Sea Org Members, was restricted to (and isolated at) “The Complex” Property, paid \$10.00 weekly (inconsistently), required to find clothes in the trash, and to eat substandard food. No medical treatment or checkups were provided to her during this time, even after she complained of chest pain and arm numbness. Rosemary was required to do constant manual labor throughout the day and then spend five hours per day receiving rigorous security interrogations on the Scientology E-meter, and continual thought modification (coercive indoctrination), much of which was focused on what ‘crimes,’ in thought and otherwise, she was alleged committed against Mr. David Miscavige, although she had never committed such a ‘crime.’ The security checks, which were also mind-numbing abusive interrogations, also focused on trying to get Rosemary to mentally disavow love for her son Michael. Rosemary has documents summarizing her work on the RPF (“liability formulas” sent to Int Base staff).
  4. During her more than five years on the sub-human and outrageous RPF program, Rosemary struggled with the requirement of running between all locations while conducting heavy manual labor, experiencing chest pain, and left arm numbness. When she would be moving slowly or trying to catch her breath in an effort to get the pain to stop, Rosemary was routinely chastised for her inability to keep up with younger RPFers. Rosemary worked to the best of her ability but collapsed in September of 2011 due to a heart attack. She was admitted to L.A. County Hospital and received emergency triple bypass heart surgery. She was 65 years old at the time of the surgery. Obviously, the many years of physical abuse had contributed to, or even caused, her heart attack.

5. Following her hospitalization and subsequent stay in a local rehabilitation facility, the Medical Liaison Officer, Adrienne Pavlov, moved her back into the main complex building's staff berthing on an upper floor of the 'big blue building.' The room was cold and had no heat or central air. Rosemary was infrequently checked on and only brought food if her elderly roommates would have time between their work responsibilities. For over two months, she lay in this cold room, alone and suffering. The misery was overwhelming. Rosemary describes it as "like being in hell," "She thought she was going to die."
6. From 2013 to 2021, Rosemary worked in the Advanced Organization Los Angeles (AOLA) as an Extension Course Supervisor. During these years she was required to work daily, starting early in the morning until late at night including weekends and holidays.
7. The entire time that Rosemary was at AOLA on L. Ron Hubbard Way, she was 'berthed' in a severely overcrowded room on the second floor of the complex main building. Room 206, referred to as "the medical dorm," also housed 13 other elderly Sea Org Members. Occupants slept on stacked bunkbeds, often 12 or more to a room, despite their age or physical limitations, and they were chastised if they displayed photos of loved ones or family. The room appeared to be a repurposed mechanical room that had no windows, ventilation, or climate control. Rosemary and the other occupants pooled their money to purchase an off the shelf air conditioning unit, as one was never provided, and that unit had to be vented through one of the walls into the elevator shaft. The room was one of few that had a small toilet and shower for over a dozen occupants. However, the shower was not handicap accessible requiring Rosemary and others to walk down the corridor to clean themselves using an open bay shower. The showers frequently were uncleaned with drains backed up. The water temperature was hard to control frequently being too hot or too cold with mildew visible on the walls and floor. There were an insufficient number of showers and the toilets often lacked toilet paper. Rosemary and her roommates would put toilet paper in their pockets from other buildings to be able to clean themselves. The elevators were frequently inoperable requiring her to use the stairs to get to other floors. The laundry facility was on an upper floor of a different building, a considerable distance away, with insufficient machines

for the crew. As a result, Rosemary and her roommates would often go weeks wearing the same soiled clothing. She also had to struggle down three flights of stairs to the basement level to access the tunnel system underneath L. Ron Hubbard Way to get to further stairs and then the AOLA building. Rosemary and other Sea Org members were required to use the tunnel for access between the buildings and not the street for two main reasons: first, if they were permitted to use the street they would have to go in twos and threes to reduce the possibility of an escape from Scientology; and second, it was better to have the struggling pitiful elderly staff out of the public's sight on the street level of L. Ron Hubbard Way. So, Rosemary had to struggle down, along the tunnels, and up into the AOLA building (without a walker or supplemental oxygen) to her office which was an interior room with one small window that she was not permitted to open. Following the COVID lockdowns, Rosemary and her roommates were confined to their room for months while still being made to grade public extension courses for AOLA. Rosemary was unable to ventilate her room following an industrial grade disinfectant (Decon 7 or "D7") being fogged daily into the halls and confined living space, further exacerbating her lung condition. As a result, for years Rosemary never had access to sunlight or fresh air.

8. From late 2011 following Rosemary's bypass surgery until February of 2021, Rosemary was not provided consistent and required medical care even though the services would be covered by Medicare and Medical insurance plans due to her income level. Only after she was admitted to the hospital ICU in 2021 and expected to die, and later placed in hospice care, was she able to get a Cardiologist assigned to help her manage her condition. The Sea Org MLO staff, who were Rosemary's medical power of attorney until her family was able to help her escape, did not work to provide her the care she needed even though it would have not placed any financial burden on the organization.
9. In February 2021, Rosemary's family was notified by PAC Base Medical Liaison Office ("MLO") staff that Rosemary had collapsed again and was in the ICU at a local Hollywood hospital. Obviously, the many years of physical abuse were either the cause or significant contributing factors.



10. The insanity and outrage of what the Scientology enterprise did to Rosemary is reflected by Hubbard Communications Office Policy Letter of 5 January 1968, “Overfilled In-Basket, Bad News” which states in part, “MAKE THE PENALTIES OF NONCOMPLIANCE AND FALSE REPORTS TOO GRUESOME TO BE FACED AND ENFORCE THEM (emphasis in original).” According to the Random House Unabridged Dictionary of American English (2023) gruesome is defined as “causing great horror; horribly repugnant; grisly.” The definition of grisly is even more “terrifying.” Indeed, the Church often subjected Rosemary to secular psycho-terror.

**F. ROSEMARY WAS SUBJECTED TO SEXUAL ABUSE & PUNISHED FOR IT**

1. During the nearly 11 years that Rosemary worked for Ronnie Miscavige Jr. she was subjected to frequent sexual harassment and eventually sexual assault. The abuse started shortly after Rosemary was assigned to work for Ronnie as a junior Sea Org Member. Ronnie would order that Rosemary give him arm, shoulder and back massages claiming he was stressed and needed to continue to focus on work. He was a high-ranking senior executive; brother of the leader and Rosemary was terrified to disobey.
2. As time passed Ronnie’s advances and his demands became increasingly perverse. In one instance, he sent Rosemary to his residence at night to clean and iron his clothes. Ronnie came home early, shortly after Rosemary arrived and before she was able to finish her duties. When Rosemary attempted to leave he ordered her to stay to give him a massage. When Rosemary entered the room, Ronnie exposed himself to her, nude with an erection at which point Rosemary backed out of the room, closed the door, and departed the residence. A few days later, on a Friday morning, Rosemary was required to prepare Ronnie’s uniform before he went to work. He ordered her to enter the room where Rosemary found him laying down, instructing her to massage his arms. A few seconds later Ronnie pushed his hand into Rosemary’s blouse, under her bra and started groping her breast. Rosemary pushed his hand away and ran out of the room feeling violated, confused, and fearful.
3. When it happened, Rosemary was intimidated by Ronnie and fearful noncompliance would result in her being sent to the RPF, not having a home for herself or her son. After all, Ronnie Miscavige was the brother of David Miscavige who is the leader of

the Church. Looking back now on the indoctrination she received on the EPF as a new Sea Org Member, Rosemary realizes that there is no system in place for a victimized staff member to report sexual abuse of this nature without the threat of reprisal and punishment by the Church. Now that Rosemary has access to the outside world, she has seen movements where women in a similar situation have spoken out. Their courage in standing up to their attackers has helped give Rosemary the strength to now do the same.

4. In 1998, Ronnie Miscavige was investigated and interrogated by members of the Religious Technology Center (“RTC”) and the sexual abuse was discovered. Rosemary was subsequently interrogated for multiple days with the technique known as Security Checking which also includes the E-meter which scientologists are conditioned to believe can also detect lies. The Church investigators continued to interrogate Rosemary as though she was having an affair with Ronnie even though she was clearly just explaining the abuse he had subjected her to. Between one of these Sec Checking sessions, Rosemary went to the Executive Director International Mr. Guillaume Lesevre, the Church executive directly over Ronnie, to plead for his help. He told Rosemary that he believed her story but was unable to help her as the RTC oversaw the investigation and he had no say in the matter. Ronnie’s brother David Miscavige is the Chairman of the Board (“COB”) of RTC.
5. In this case, like Rosemary has observed other situations requiring the application of Scientology and Sea Org justice, “findings” and “justice actions” being dictated by RTC executives before the facts were even found out, resulting in individuals being punished even if they were the victims.

**G. THE CHURCH SUBJECTED ROSEMARY TO EMOTIONAL DISTRESS**

1. During much of her time in the Sea Org, Rosemary was subjected to outrageous conduct, directed at her or that occurred in her presence that the Church either intended to cause severe emotional distress, or it acted with reckless disregard of the probability that Rosemary would suffer emotional distress. The Church’s conduct was a substantial factor in causing Rosemary severe emotional distress. The Church’s outrageous conduct is detailed in the preceding paragraphs.

2. Among other things, the outrageous conduct occurred in connection with her punishment for being sexually abused by Ronnie Miscavige and in relation to the Church engaging in the processing out of her emotional attachments to her son Michael.
3. Another example of the Church's outrageous conduct occurred prior to Rosemary being moved from the Happy Valley property near the Int Base to Los Angeles. Rosemary and others were informed that they were either being "off-loaded" (excommunicated) from the church or were being sent to the church's Los Angeles RPF because of their crimes against Scientology, L. Ron Hubbard ("LRH"), David Miscavige ("COB"), and mankind. Rosemary was informed that her crimes were "Out 2-D with Ronnie Miscavige" (Scientology's way of referring to sex outside of marriage); from the sexual assaults by Ronnie over five years earlier that Rosemary, the victim, had already been punished for.
4. A further example of the Church's outrageous conduct also occurred prior to her being moved from the Happy Valley property near the Int Base to Hollywood, Los Angeles. Rosemary's personal effects were collected and any photos of family were burned in front of her in a large bonfire. These included all baby and family photos of her son, gifts from him, as well as any other item that would remind her of her family.

#### **H. BREACH OF FEDERAL AND STATE COMMUNICATIONS LAWS**

1. For nearly 35 years, the Church intercepted, monitored and controlled all mail received or sent by Rosemary. This 'postal interception' is a serious violation of 18 U.S. Code §§1701-1702 and of California Penal Code §530.5(e).
2. For nearly 35 years, the Church controlled all access Rosemary had to the telephone or the internet. It prevented her from having a cell phone or from accessing the phones. It obstructed her incoming and outgoing telephone traffic. The Church eavesdropped on the communications it allowed Rosemary to receive or to make. Among other things, this violated the Federal Communications Privacy Act (18 U.S.C. §§2510-2523) and California Penal Code §632.
3. Rosemary's Church auditing sessions were supposedly confidential. However, unbeknownst to her, they were recorded and monitored by concealed audio and visual devices which enabled Church staffers (sometimes David Miscavige in the case of celebrities) to eavesdrop on the auditing session.

4. Rosemary's Pre-Clear (PC), Ethics, and Student folders and files were represented to be confidential but were in fact accessed and available to many Church personal and public members of Scientology who would often be required to work on the files. Although it hasn't happened to Rosemary, at least yet, the contents of these folders and files are also made available to Church lawyers to use in discrediting, embarrassing, upsetting, unnerving, or 'restimulating traumatic incidents,' of former Scientologists engaged in litigation against the Church.

#### **I. BREACH OF CONTRACT**

1. Rosemary was recruited by the Church in 1987 when she was forty-one (41) years old. During the Church's recruitment of Rosemary, she was led to believe that her life at the Church's facilities would remain relatively normal, free from criminal and fraudulent conduct, and that she would receive free training and auditing that would allow her to move "up the bridge" of Scientology. Rosemary therefore signed a "billion-year contract" with the Church. This was an implied term in all the Church contracts that Rosemary had to subsequently sign. Instead, over the years, Rosemary had to pay the Church at least \$168,378.44. Furthermore, if Rosemary had been informed of the outrageous and abusive conduct that the Church would subsequently subject her to, as described above, she would have responded "hell no," and not signed the purported agreements.
2. It was also an implied term in any and all agreements that Rosemary may have signed with the Church, that the Church would not breach the implied covenant of good faith and fair dealing that the law implies into every agreement entered into within the State of California, and that Rosemary would receive free training and auditing while a member of the Sea Org. This implied term especially applies where one party is invested with a discretionary power affecting the rights of another such as the Church assumed over Rosemary.
3. Once Rosemary began living at the Church's facilities, the Church isolated Rosemary and severely restricted her access to the outside world. Rosemary had limited and restricted access to email, telephones, the internet, or uncensored television. When she was allowed a telephone call the Church "eavesdropped" on the communication. The Church opened, read, and censored all of her mail.

4. Rosemary's access to her son was restricted after he escaped from the Church in October 2003.
5. The Church commanded a rigid work schedule for Rosemary, despite her age, where she worked seven days a week, often for 100-120 or more hours per week. During Rosemary's "employment" with the Church, she was routinely and consistently deprived of her sleep and required to stay up for days on end.
6. The Church forbade Rosemary from reading or thinking anything negative about the Church or its leader David Miscavige. This was enforced through the isolation and thought control tactics described above.
7. The conduct described herein breached the implied covenant of good faith and fair dealing, breached the other implied terms, and frustrated the performance of the contracts. These breaches of contract not only provide a civil remedy in damages for Rosemary but they also provide her with the option of attacking the very validity of those purported contracts. In addition, in the procuring of Rosemary's signature to any purported contracts, the Church also acted through duress and undue influence. None of the criminal, fraudulent and other secular misconduct set forth herein is within the scope of any alleged adhesive arbitration agreement, and as a matter of public policy all of it is secular in nature and subject to the jurisdiction of the federal and state criminal and civil authorities and courts. As a matter of public policy, the Church cannot adjudicate the criminal conduct that is described herein. E.g., see, *Molko v. Holy Spirit Assn.* (1988) 46 Cal. 3d 1092, 1112. Rosemary is no longer a Church member and has a constitutional first amendment right to be free from religion and religious rituals.

#### **IV. THE CHURCH'S UNCONSCIENABLE CONTRACTUAL PROVISIONS**

Certain of the provisions of every Church contract purportedly signed by Rosemary are "so one-sided as to be unconscionable under the circumstances existing at the time of the contract," and they are therefore void or voidable on the grounds of duress and unconscionability (E.g., Civil Code §1670.5; Civil Code 1770(a)(13) [price reductions], (14) ["advance payments" and/or "monies on account"], (19) [When signing purported contracts, not being permitted to carefully read their provisions, discuss their provisions with an attorney, or friend, etc., or to have a copy of the document themselves, and receiving misrepresentations as to the content by the person insisting that the document be signed immediately and without being permitted to take the time to

Church of Scientology International, *et.al.*  
April 26, 2023

read the contents, or all of the contents, of the document and to reflect thereon, or permitted to cancel within three business days].

Consequently, any contracts (or the relevant provisions of any contracts) that Rosemary may have signed were done so under circumstances amounting to institutional duress, undue influence, oppression and unfair surprise, and are therefore unconscionable and void/voidable.

One of the leading California cases on unconscionable contractual provisions is *Sonic-Calabasas A, Inc. v. Moreno* (2013) 57 Cal. 4<sup>th</sup> 1109. There the Court held that “ ... the core concern of the unconscionability doctrine is the ‘absence of meaningful choice on the part of one of the parties together with contract terms which are unreasonably favorable to the other party.’” Citations omitted. *Id.* at 1145. *See also, Sanchez v. Valencia Holding Co., LLC.*, (2015) 61 Cal. 4<sup>th</sup> 899.

Although a review of the contracts that Rosemary purportedly signed is made more difficult by the Church’s invalidating general practice of not permitting its members to review or to seek advice from third parties before signing, or to have a copy of the purported agreement that the member signed, there are generic copies available of some of the contracts that Rosemary would probably have been ordered to sign. These contracts include the following documents: Religious Services Enrollment Application, and General Release; Agreement and General Assistance Regarding Spiritual Assistance; Agreement Regarding Confidential Religious Files; Attestation of Religious Belief Regarding the Religious Film called Orientation; Religious Covenants of Confidentiality and Silence; and the Religious Covenant of Non-Disparagement.

Despite sworn denials by CSI secretary Lynn R. Farny, it is understood that the Church introduced these mandatory and adhesive contracts, with mandatory religious arbitration provisions, after the 1995 death of Scientologist Lisa McPherson while she was undergoing a Scientology practice and procedure (the “Introspection Rundown”) on Church property. According to published accounts, Lisa McPherson’s “Introspection Rundown” was personally handled by Scientology leader David Miscavige who is also understood to be personally familiar with the “AMEX card cycle and the subsequent “CHASE WAVE.” Therefore, he would also be potentially subject to suit and or deposition on these and other pertinent issues.

**V. THE CHURCH ALSO VIOLATED THE ELDER ABUSE STATUTE.**

At the time of much of the Church’s criminal, fraudulent, and other wrongful conduct as

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described herein, **Rosemary was/is a Senior Citizen as defined in Civil Code §1761 (f)** [anyone over 65]. Rosemary had been a member of the Church in the early 1980s. Therefore, the Church had prior knowledge of her age which was 65 in 2011 when the Church's targeted and extorted Rosemary for further auditing and training. The Church then used hard sell and high pressure sales techniques to sell her Church goods and services by either assisting her or opening on her behalf without her knowledge or consent, many new credit cards; after engaging in credit card application fraud, other credit card fraud, identity fraud and bank fraud. In so doing the Church engaged in civil financial exploitation and violated California's Elder Abuse statute, California Welfare & Institutions Code §15610.30 (a)(3), (b) & (c). In addition to other remedies, Civil Code §1780 (b) (1) provides, in pertinent part, that: "Any consumer who is a senior citizen or a disabled person, as defined in subsections (f) and (g) of Section 1761, as part of an action under [Civil Code §1780] subdivision (a), may seek and be awarded, in addition to the remedies therein, up to five thousand dollars (\$5,000) ... ."

## **VI. SCIENTOLOGY HAS A HISTORY OF CREDIT CARD APPLICATION FRAUD**

The Church has a long history of involvement in parishioner credit card application fraud that stretches back at least thirty years to the early 1990s.

### **A. The AMEX CREDIT CARD CYCLE:**

In the 1990's, the Church had been engaged in the same type of credit card "Application Fraud" in connection with its Merchant Account privileges, as explained above in relation to Rosemary. Eventually, in mid-1992, American Express learned that it was being subjected to credit card fraud by the Church and its members and in 1994 it cancelled the Church's 'Merchant Account' for policy reasons and lying. Some years later, American Express reinstated the Church's 'Merchant Account' privileges.

### **B. The SONENFILD HAT PACK**

In 1998 David Sonenfiled, a Church of Scientology Body Registrar, wrote a Hat Writeup of the post of Scientology Body Registrar ("the Sonenfiled Hat Pack"). The Sonenfiled Hat Pack instructs Scientology Registrars on how to control and sign people up for expensive Scientology products, and how to find every possible source of available funds a person may have to pay for those courses.

### **C. THE "CHASE WAVE"**

1. In the 2000's, as a result of its high pressure "hard sell" and "crush regging" Tactics, Church Registrars resumed the type of credit card 'application fraud' practices that had led to American Express cancelling the Church's Merchant Account access in the 1990's. The new version of this old scheme has been referred to by many as the "Chase Wave" and it is described in numerous media and other reports. Apparently, upon being apprised of the "Chase Wave," Chase Bank cancelled the Church's Merchant Account access. Rosemary was also the subject of "crush regging" in regard to a Chase Bank credit card. Amazingly, the Church committed this fraudulent and criminal scheme to writing and this is also set forth below. Also see, 'Michael Silverman,' by Mike Rinder, November 22, 2017, at Michael Rinder's blog.

2. **The Chase Wave instructions:**

1. Choose the best intro APR card for your needs. The staple card has been the Freedom for 5% cash back on select categories, but the Slate card is perfect for balance transfers and the new Freedom Unlimited pays 1.5% on any charges. So be sure to pick the right card for your needs:

- a. Chase Freedom Unlimited <https://creditcards.chase.com/credit-cards/chase-freedom-unlimited>

- b. Chase Freedom <https://creditcards.chase.com/credit-cards/chase-freedom>

- c. Chase Slate <https://creditcards.chase.com/credit-cards/chase-slate>

2. Apply for the card online through the Chase website. The links provided will take you to the information on the card and you can apply from there. Some important points on the application:

- a. Kind of obvious but really important – make sure there are no mistakes/typos in the personal contact info (name & address) and on the social security number.

- b. On the 2nd page of the application be sure to "check" (click) that you have a checking and savings account. These get missed sometimes.

- c. Your annual income reported needs to be as much as possible. Read the disclosure Chase highlights in the field. Include "household" (anyone you live with). Include your relationship



income if they're ok with it. If you're applying to let someone else use the card, include his or her income as per the final disclosure from Chase. Emphasis added.

**3.** Do not add an authorized user or any balance transfers at this time. You can do so later if you want.

**4.** Check the agree box and submit the application. Do not go back or click out of the screen. Wait while it processes it. Two things can happen at this point:

**a.** You're approved! Note down the amount and what the APR will go to after 15 months. Go to step 6 if this is the case.

**b.** Your application goes pending. The screen says they need more time to review the application and you will get a letter within 7-14 days.

**5.** If the application goes pending: this means a credit analyst needs to review your application. You're going to call them (888-270-2127) and find out what they need. The analyst has the ability to approve or disapprove your application. It is important that you establish whether or not they are a social personality or anti-social. To do this you simply say: Hello I applied for a credit card online and would like to get a decision on it today – can you help me? If the analyst sounds robotic or unhelpful in his response (example: no ack – what is your social security number so I can look it up?), hang up and call back. Do this until you find someone who says yes and sounds sincere. Here are some further steps on this once you establish the social analyst:

**a.** Give them your social security to look up the application.

**b.** One of three scenarios will now happen:

**i.** You've been declined. Find out why exactly. They can tell you the reasons. If you disagree or feel there is false information, then ask them to reconsider. Explain what the inaccuracies are. For instance, recently a person paid off over \$19,000 in credit card debit. Chase did not see this payment on Experian so they "cross pulled" credit reports with the other two bureaus, this showed they had paid that much and the analyst turned the decision from denied to approved. Moral of the story: don't be dismayed if initially denied – the analyst can reconsider and overturn the denial. Note: the only denial they cannot reconsider is if you have opened more than 5 cards within the last 2 years.

ii. They need to review your application and see if you're a good credit risk. They will ask you questions about your application (job and income) and data on your credit report and history. Don't be thrown off by personal information they have from your credit report. Sell them that you're a good risk – have always paid on time, pay more than enough, pay off balances each month, etc. however you handle your credit cards explain that. You should be able to get approved. If they deny you, get the data and hang up. Talk to a reg who knows credit analysts. Come up with the correct handling and then call back explaining what happened and asking for a reconsider. Multiple times people have gone from denial to approval this way. Stay Positive! Emphasis added.

c. You need to get verified by their Identity Verifications Dept. This is good – it means you are approved pending identity verification. Take down the ref number and phone number. Call IDV and they will walk you through the verification process. Be sure to get what limit you have been approved for. IDV's number is 877-470-9042 & they can look you up through your social security number.

6. Once you have the first good card, now you apply for the other "bad" cards. Important note: you need to clear your search history & cookies after every application. Through your IP address Chase will say you've already done an application and to call them to find out. If you clear the search history and cookies, you will be able to do the other applications with no problem.

7. Here are the other cards to apply for. All the proceeding steps from 2 through 5a, b & c apply. Also, between card applications 3 and 5 they will deny you for too many cards with Chase (they have a cap). Stop applying for cards at this point. Additionally, if you have to talk to analysts after each application, explain to them you really want this card for travel or points or whatever the card is for. Tell them you like Chase and want 3-4 of their specific cards.

a. United Club Card: <https://creditcards.chase.com/credit-cards/united-mileageplus-club>

b. Ritz Carlton Card: <https://creditcards.chase.com/credit-cards/ritz-carlton-rewards>

c. Disney Premier Card: <https://creditcards.chase.com/credit-cards/disney-premier>

d. Marriott Rewards Card: <https://creditcards.chase.com/credit-cards/marriott-premier>

e. Southwest Card: <https://creditcards.chase.com/credit-cards/southwest-premier>

8. Be sure to note down how much each card is approved for.

9. 24 hours later call this number (888-298-5623) and tell them you would like to merge your United, Ritz and Disney cards (whatever bad cards you got) with your good card. Merge each limit to the good card (from step 1) & be sure the bad cards are closed out. This avoids their fee and makes one huge good card that can be used. If they ask why explain that the Freedom or Slate is much better in terms of APR and rewards.

10. All cards will arrive in the mail and show up on your Chase online account. However, all the bad cards will be closed. Only the 1 large good card will be active. Be sure to activate it when it arrives

**D. THE CHURCH CONTINUES TO ENGAGE IN CREDIT CARD APPLICATION FRAUD**

Apparently, as shown by the facts herein, the Church Registrars continue to engage in credit card “application fraud” and “identity fraud.” Indeed, an ‘insider’ from one financial institution used by the Church for its credit card activities has confided that the Church is still engaging in credit card application fraud and that it is wrongly misidentifying the nature of its business or industry. According to this source, in these credit card transactions, the Church should be listing its industry as being a religion, religious organization, or church. Instead, the Church is listing its business as being ‘health and medical services.’ That may be true as a matter of fact, although in contravention of medical licensing laws, but it is inconsistent with a number of other applicable laws and with its status as a religious corporation. Instead, it is consistent with a commercial transaction. This is another basis upon which a court might deny a motion to compel “religious arbitration.” Religious arbitration principles will not excuse religious parties from criminal acts such as credit card fraud. Therefore such conduct is more properly venued in the Superior Court.

**VII. THE CHURCH ENGAGED IN IDENTITY THEFT**

1. Reference is made to the above paragraphs regarding elder financial abuse. The Church, in using Rosemary “personal identifying information” ... “to obtain credit, goods, services,” etc., engaged in “identity theft” under California Penal Code §530.5 and, because the wires were used, under Federal law 18 U.S.C §§1028-1029, 1341, 1343-1344, and 408 [identity theft, credit card fraud, mail fraud, wire fraud, bank fraud, and social security fraud] and 18 U.S.C §1-28A [aggravated identity theft] .

2. In addition, the Church and its responsible individuals are subject to Rosemary civil law remedies for Identity Theft as set forth in California Civil Code §§1798.92-1798, and for Coerced Debt as set forth in California Civil Code §§1798.97.1, *et. seq.*

**VIII. THE CHURCH ENGAGED IN A CONSPIRACY TO COMMIT CONVERSION**

1. Reference is also made foregoing paragraphs regarding financial elder abuse. The Church and its responsible individuals, in engaging in the criminal credit card and identity fraud conduct set forth above, also engaged in a criminal conspiracy as provided in California Penal Code §§182(a), 31-32 and 664.
2. In the doing of the conduct set forth above, the Church and its responsible directors, officers and employees also engaged in a civil conspiracy with its related claims of aiding and abetting and vicarious liability.
3. As a victim of the Identity Theft, Rosemary could recover actual damages, attorney's fees, costs, equitable relief, and a civil penalty of up to \$30,000.00.

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