

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,

Complainant,

vs.

MERRELL G. VANNIER,

Respondent.

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CONFIDENTIAL

CASE NO: 61,691  
(TFB #06C80HF3)

DEPOSITION OF PETER JOSEPH LISA,  
a witness herein, taken by the  
Respondent at 9:30 a.m., Thursday,  
January 24, 1985, at 110 West C  
Street, San Diego, California,  
before Ruth M. Johnson, CSR 1315,  
RPR and Notary Public.

Hutchings No. SD-437-85



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3 For the Respondent:

4 CARL E. KOHLWECK

5

6 For the Witness:

7 TAYLOR, ROTH & BUSH

8 BY CARSON TAYLOR

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I N D E X

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EXAMINATION BY:

PAGE:

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Mr. Kohlweck

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QUESTIONS NOT ANSWERED  
ON ADVICE OF COUNSEL:

PAGE:

LINE:

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E X H I B I T S

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RESPONDENT'S

DESCRIPTION

IDENTIFIED MARKED

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Raw Data Report

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PETER JOSEPH LISA,

a witness herein, having been sworn, testifies as follows:

EXAMINATION

BY MR. KOHLWECK:

Q Would you state your name for the record, please.

A Peter Joseph Lisa.

Q Mr. Lisa, you and I know each other; is that correct?

A Yes, sir.

Q And I am your counsel in an action called Nancy McLean and John McLean versus the Church of Scientology?

A Yes.

Q And I am also your counsel in an action of Gabriel Cazares and Margaret Cazares versus the Church of Scientology?

A Yes.

Q And is it your understanding that I have been continuously your counsel since 1981?

A Absolutely.

Q --Let me explain to you a little bit about today's proceeding and some of the special circumstances of today. Today is a confidential proceeding. That means you are not free to discuss this action or your deposition with anyone concerning your deposition after you leave the room.

It's a matter concerning the State Bar of Florida versus Merrell Vannier, who is also present today. And we go to a hearing on this matter commencing next Wednesday.

Because of potential conflicts of interest existing,

1 in that I represent both you and Mr. Vannier in those other  
2 matters we have referenced, the Cazares matter and the  
3 McLean matter, is it your understanding that you and I have  
4 had discussions recently about those potential conflicts  
5 of interest?

6 A Yes.

7 Q And do you understand that today there is some  
8 potential that I may be asking you some questions based upon  
9 information that I have gained in my representation of you  
10 in the past?

11 A Yes.

12 Q And is it your understanding that Mr. Taylor today  
13 is appearing as special counsel in order to protect those  
14 interests?

15 A Yes.

16 Q Is that arrangement agreeable with you?

17 A Yes, absolutely.

18 MR. KOHLWECK: Mr. Taylor, would you like to --

19 MR. TAYLOR: My name is Carson Taylor, and I have been  
20 retained by Mr. Lisa because of the conflict which you  
21 alluded to, Mr. Kohlweck.

22 Just for the record, I have represented Mr. Lisa in the  
23 past, involving a matter which you now represent him in,  
24 the McLean matter, where I moved to quash service. For  
25 the record again, I conflicted out of that because my  
26 firm, or another attorney in my firm was asked to represent  
27 another party in that action.

28 For the record as well, in that action, because I was

1       only retained on the quashing of service, there never  
2       was a conflict that developed in any way.

3               I have discussed the matter with Mr. Lisa. As you  
4       know, his wife is about to give birth, or due to give birth  
5       any day now. He is here at considerable inconvenience  
6       to himself, but he did agree to attend for this limited  
7       purpose. And because he wants to cooperate in any way  
8       that anyone thinks is necessary.

9               But I do want to make it a point that he is here at  
10       inconvenience to himself, and that is why we are in San Diego  
11       instead of somewhere else.

12               In addition, I have discussed the matter to the extent  
13       that I understand it with Mr. Lisa, and as you stated,  
14       Mr. Kohlweck, there is a substantial possibility that the  
15       questions you ask may put him in a position where he is  
16       answering a question based upon knowledge that came to his  
17       attention through the attorney-client privilege. He  
18       has no desire, and we have talked about this, to waive  
19       the attorney-client privilege in any respect.

20               Since some of his knowledge regarding this matter  
21       comes from totally independent sources, some of it comes  
22       from his own personal knowledge and some of it comes from  
23       matters which are within the scope of the attorney-client  
24       privilege, each question where there is any doubt as to  
25       where it came from, either I am going to interject or I have  
26       instructed Mr. Lisa to interject and we will discuss it amongst  
27       ourselves so there is no argument anywhere along the line  
28       that he has waived the privilege in any way, shape or form.

1           If you will just bear with us on that, I think it is  
2 in everybody's interest that Mr. Lisa not waive any rights  
3 that he is otherwise not aware of.

4           MR. KOHLWECK: That would be agreeable with us.

5           Q     Mr. Lisa, you have had your deposition taken before;  
6 is that correct?

7           A     Yes.

8           Q     And you are generally familiar with the deposition  
9 procedure?

10          A     Yes.

11          Q     Is there any need for me to talk with you about  
12 that this morning?

13          A     No, I'm pretty clear about that.

14          Q     One thing that is going to be different about this  
15 deposition is that normally, at least in California, after  
16 the deposition you would have an opportunity to read the  
17 transcript and make any corrections that you deem necessary.  
18 But in this matter we have asked for an expedited transcript  
19 so that it can be sent to me on Monday, since we start  
20 trial on Wednesday. So this morning I ask that you pay  
21 particular attention to each question, and if you don't  
22 understand it, please ask me to rephrase it, because we  
23 may be going to trial here on a transcript that you have  
24 not had the opportunity to review and correct.

25          A     Okay.

26          Q     So we have an agreement on that.

27          A     Yes.

28          Q     Let me tell you a little bit about the complaint

1 against Mr. Vannier.

2 Mr. Vannier is accused of having undertaken the  
3 representation of Gabriel and Margaret Cazares during the  
4 years 1976 and 1977 in the State of Florida in certain  
5 actions against the Church of Scientology in California.  
6 And the allegation states that Mr. Vannier had a conflict  
7 of interest because he was allegedly affiliated with the  
8 Church of Scientology himself. That is one or two of the  
9 causes of action.

10 Another cause of action is that he solicited the  
11 business of Gabriel and Margaret Cazares.

12 Other counts have alleged that he acted contrary to  
13 their interests in attempting to have them sign an apology  
14 or retraction statements or settlement documents.

15 An additional count concerns his invasion, allegedly,  
16 of another person's, Nancy McLean's attorney's work product  
17 file.

18 And a final allegation of the complaint concerns  
19 Mr. Vannier's attempts to gain employment with the State  
20 Attorney's office in and for Pinellas County, Florida.

21 Those are the general areas I am going to be asking  
22 about this morning. And again, it is a confidential  
23 proceeding.

24 A Okay.

25 Q Are you generally familiar with the term Ritz?  
26 Have you heard that term before?

27 A Yes.

28 Q What is the context in which you have heard the

1 term Ritz?

2 A Well, the first time I ever heard about it was  
3 in a report from one of my juniors in Clearwater, Florida,  
4 when I was the Assistant Guardian for Information at that  
5 time in 1976, I think it was.

6 Q Did you at that time know who Ritz was?

7 A No.

8 Q Did you ever at any time learn who Ritz was?

9 MR. TAYLOR: Why don't we take a minute to confer.

10 (Whereupon the witness and his counsel confer out of  
11 hearing of others present.)

12 MR. TAYLOR: I have discussed this matter with Mr. Lisa,  
13 and we are going to decline to answer that question. I will  
14 make this statement.

15 To the extent that he has any information which would  
16 allow him to answer that question, it has either been gained  
17 in a confidential communication from his attorney or gained  
18 in the context of a confidential strategy meeting between  
19 his attorney and other people's attorneys and codefendants  
20 in an attempt to establish a common defense, or it was  
21 gained as part of work product of his attorney in preparing  
22 for his defense in another matter. At this point I will  
23 not identify which because I don't think it is necessary.  
24 We are asserting the privilege and will decline to answer  
25 the question. And for the record, I am instructing him  
26 not to answer that question.

27 MR. KOHLWECK: Mr. Taylor, I understand your objection.  
28 I think I am entitled to ask, however, if at any time

1 Mr. Lisa did learn who Ritz was, without identifying at this  
2 time who that person was.

3 MR. TAYLOR: It is my position that you can ask him  
4 that. But the information from which the answer to that  
5 question would come was gained within the context of the  
6 attorney-client relationship. And therefore I am opening  
7 myself to a potential waiver argument if I even allow him  
8 to answer that question.

9 THE REPORTER: Potential --

10 MR. TAYLOR: Waiver argument if I let him answer this  
11 question.

12 Q BY MR. KOHLWECK: Mr. Lisa, do you have any  
13 information of any sort of a nonconfidential or nonprivileged  
14 nature, concerning the identity of Ritz?

15 Do you understand my question?

16 MR. TAYLOR: Do you understand the question?

17 THE WITNESS: Yes, absolutely.

18 MR. TAYLOR: Can we go off the record for a second.

19 (Whereupon the witness and his counsel confer.)

20 MR. TAYLOR: I have discussed the matter with Mr. Lisa.  
21 I will permit him to answer that question.

22 THE WITNESS: No, I have absolutely no knowledge of  
23 that.

24 Q BY MR. KOHLWECK: Okay. And you are absolutely  
25 certain of that? That for instance, you never went out to  
26 lunch with Mr. Vannier or anyone else, outside of the  
27 presence of an attorney or when you were not working on an  
28 attorney work product type matters? No instance like that

1 comes to mind?

2 A Not that I can recall.

3 Q Now, a moment ago you mentioned that you had been  
4 AGI. Can you tell us what AGI is, or was?

5 A AG is Assistant Guardian, and the I is Information.  
6 And the Assistant Guardian for Information is a position  
7 in the Church of Scientology, whereby I was responsible for  
8 the collection, assembling, the -- collection and assembling  
9 information and data on many, many, many different subjects.  
10 And it was to support legal and public relations of the  
11 Church.

12 Q Okay. Was it in the context of that job that you  
13 had learned of Mr. Ritz, or a person named Ritz?

14 A Yes.

15 Q Okay. Can you recall seeing any information, in  
16 your position as AGI, or Assistant Guardian for Information,  
17 that was attributable to Ritz?

18 A I can recall -- no specific reports that said this  
19 came from Ritz.

20 Q Okay. Did you ever have any dealings yourself  
21 with Ritz?

22 A No, sir.

23 Q Do you know who, or how many people were responsible  
24 for direct dealings with Ritz?

25 MR. TAYLOR: To the best of his personal knowledge?

26 MR. KOHLWECK: To the best of his personal knowledge.

27 I am not trying to invade any privilege with this question.

28 THE WITNESS: Okay.

1 MR. TAYLOR: Okay.

2 THE WITNESS: Okay, I understand that.

3 As I recall, one, I believe one individual who was my  
4 junior in Clearwater when I was Assistant Guardian for  
5 Information, Don Alverzo, would have been responsible for  
6 communications to or from this individual he referred to as  
7 Ritz.

8 Q BY MR. KOHLWECK: Now I am going to represent to  
9 you that on November 8 of 1984 I took the deposition of  
10 Mr. Walter Logan. Are you familiar with who Mr. Logan is?

11 A Yes.

12 Q And what is your understanding of who Mr. Logan  
13 is?

14 A I believe he is the attorney that represents Nan  
15 McLean in a suit, and he also represents Gabe Cazares in a  
16 suit.

17 Q I am going to further represent to you that during  
18 that deposition I asked Mr. Logan if he knew of any  
19 information whatsoever that would tend to indicate that  
20 Ritz, or as he alleges, Mr. Vannier, was turning over  
21 information to the Church of Scientology during the time that  
22 Ritz or Vannier was representing Margaret Cazares.

23 And in response to that he indicated that he had put  
24 some notes in his work product file, and that he subsequently  
25 saw these notes when the FBI seized documents from the  
26 Church of Scientology and these documents were released to  
27 the public.

28 Are you familiar with what I am talking about here at

1 all?

2 MR. TAYLOR: Just a moment. Off the record.

3 (Whereupon the witness and his counsel confer.)

4 MR. TAYLOR: I have discussed the matter with Mr. Lisa.  
5 He can answer the question.

6 Do you recall the question?

7 THE WITNESS: No, I would like to have it read back.

8 Q BY MR. KOHLWECK: I made certain representations  
9 to you concerning what Walt Logan had testified. And that  
10 is that he can specifically recall one file reference that  
11 he had made to his work product file concerning Nancy  
12 McLean, that he later found in documents seized by the FBI.

13 Do you have any knowledge of information such as that  
14 being turned over to the Church of Scientology during 1976  
15 or 1977?

16 A I recall there were documents, legal reports,  
17 raw data reports, et cetera, that were turned over from that  
18 area, that he would have been referring to.

19 Q I am going to show you a document here, Mr. Lisa,  
20 and provide one to your counsel, and ask that you take a  
21 look at it for a moment.

22 A Okay.

23 Q You have had a moment to look at that?

24 A Yes.

25 Q Before we go into this, let me ask you this  
26 question.

27 Do you know who Ritz is, or was?

28 MR. TAYLOR: Hold it a second. Let's go off the record,

1 please.

2 (Whereupon the witness and his counsel confer.)

3 MR. TAYLOR: Again I have discussed the matter with  
4 Mr. Lisa, and we will decline to answer that. I will instruct  
5 him not to answer that on the basis of the prior objection  
6 that I made. This is just one step beyond the previous  
7 question, and to the extent that Mr. Lisa is capable of  
8 answering that question, it would be based upon either  
9 confidential communications with his attorney or confidential  
10 communications in the context of meetings with the codefendants  
11 and their attorneys in an attempt to establish a common  
12 defense, or as part of work product of his attorney in the  
13 context of preparing his defense in one case or another.  
14 I decline to specify which because I think that invades  
15 the privilege as well.

16 Q BY MR. KOHLWECK: Mr. Lisa, turning your attention  
17 to this document, can you tell me what this document appears  
18 to be to you?

19 A It is apparently a raw data report to me from some  
20 collections officer in Clearwater, regarding Mr. Logan's  
21 personal comments, it appears, about an individual named  
22 Snyder, comments on Nan McLean, comments on John McLean,  
23 and other information regarding an individual named Allen.

24 Q Having seen the document, does it refresh your  
25 recollection at all? Are you personally familiar with this  
26 document?

27 A I recall information of this nature coming across  
28 my desk when I was the AGI at Flag, yes.

1 Q Do you recall the specific incidents leading up  
2 to the preparation of this report, the one before you?

3 A No. No, not totally.

4 MR. KOHLWECK: Counsel, with your permission I would  
5 like to mark this as Exhibit 1 to this deposition.

6 MR. TAYLOR: No objection.

7 MR. KOHLWECK: I will attach that later.

8 Q Mr. Lisa, when I questioned Mr. Logan, it was  
9 his testimony that this information being turned over to the  
10 Church was proof that Ritz was turning over confidential  
11 information that he had gained in his representation of  
12 Gabriel Cazares, to the Church of Scientology.

13 A Uh-huh.

14 Q Would you form an opinion like that, based on what  
15 you see here?

16 A Absolutely. When I was the AGI at Flag, that  
17 is who I thought this was coming from.

18 Q Did Alverzo ever tell you anything like that?

19 A I don't recall. I assumed because this information  
20 was coming from Mr. Logan's area, that it was from an  
21 individual named Ritz.

22 MR. TAYLOR: Let me interject, because I imagine in this  
23 proceeding, like most legal proceedings, no one is interested  
24 in assumptions, guesses, speculation on your part, and maybe  
25 you should look at the document, and to the extent that you  
26 can remember or know, make a statement. But if you are making  
27 assumptions, then I think it is probably inappropriate,  
28 particularly in a proceeding of this seriousness.

1 THE WITNESS: Okay.

2 Q BY MR. KOHLWECK: Let me rephrase the question,  
3 then, Counsel, so we avoid that.

4 Do you recall having made that assumption back in  
5 1976? Were you assuming at that time that that information  
6 was coming from Ritz, and can you recall that assumption today?

7 A Without any question, yes.

8 Q I am going to represent to you right now that  
9 Mr. Vannier became Gabe Cazares' attorney on December 23rd,  
10 1976. That is when court records show that he made his  
11 first appearance in that matter.

12 I am going to ask you to take a look at the date on this  
13 document, and will you read it aloud, please.

14 A 23 June, 1976.

15 Q Does that refresh your recollection at all?

16 A It couldn't have come from him. I assumed that  
17 it did.

18 Q Are you now assuming that it did?

19 A I am making no assumptions now. I am talking back  
20 when I was AGI at Flag. That is what my assumptions were.  
21 I am assuming nothing at this point. It could not come from  
22 him if that were the case.

23 Q Given your testimony of a few moments ago when I  
24 asked you today if you could recall having made that assumption  
25 back in 1976, were you just guessing a few minutes ago that  
26 you made that assumption?

27 A No, in 1976 I assumed that is where it was coming  
28 from.

1 MR. TAYLOR: I hate to interject, but we now have a  
2 latent ambiguity in this. I have lost track of what the  
3 assumption was, and because of I think the nature of the  
4 proceeding, we should be very careful in delineating them.

5 One question, or one assumption is whether the  
6 document came from Ritz. Whoever that may be. And the second  
7 one is whether it could possibly have come from Vannier.  
8 And I think in asking him the question he should be very  
9 clear on that, because the two are not necessarily identical.  
10 In fact, as I understand it, that is one of the issues  
11 in this proceeding here, whether they are or not.

12 MR. KOHLWECK: Let's take them one question at a time,  
13 then, and avoid any possibility of a compound question.

14 Q A moment ago I asked you if you had a present  
15 recollection, that means today, of having made an assumption  
16 in 1976 that the information on this report was coming from  
17 Ritz. As I recall, your answer was yes, you could recall  
18 today that in 1976 you assumed that this information was  
19 coming from Ritz.

20 A Correct.

21 Q That was your answer?

22 A Yes.

23 Q And after that I told you about Mr. Vannier  
24 making his appearance in December 1976, and pointing out the  
25 date here of 23 June, '76.

26 A Okay. Well --

27 Q There is no question yet.

28 A Yeah.

1 Q Do those dates, and do those assumptions tell  
2 you anything about the ability of Merrell Vannier to have  
3 provided this information in June of 1976 to the Church  
4 of Scientology?

5 A No.

6 If I understand the question. At that time I didn't  
7 know Merrell Vannier existed. So looking at that time,  
8 I wouldn't have known that he provided this.

9 Q Okay.

10 A So I couldn't say that he was good or bad in  
11 collection of information if he was represented to collect  
12 this as Merrell Vannier, because I didn't know him at that  
13 time.

14 Q Do you have any recollection now as to whether  
15 Ritz provided this information in or around June 23rd, 1976?

16 A No.

17 Q Do you have any reason to doubt, whatsoever, that  
18 the date here of 23 June '76 is an incorrect date?

19 A I have no reason to doubt that it is an incorrect  
20 date.

21 MR. KOHLWECK: Can we go off the record for a moment.

22 (Discussion off the record.)

23 Q BY MR. KOHLWECK: Mr. Lisa, do you know, going  
24 back to your knowledge of 1976 or '77, I am not intending  
25 to invade anything you subsequently learned from counsel or  
26 working with counsel; do you know if Ritz was a singular  
27 person? Was it one person?

28 MR. TAYLOR: Are you asking him if he did know that

1 in 1976 or '77?

2 MR. KOHLWECK: Yes.

3 THE WITNESS: At that time I didn't have any idea who  
4 Ritz was. I wouldn't say and I couldn't say if the person  
5 was one person, two persons, if the person was or was not  
6 Mr. Vannier. I have no idea. I have no idea if the person  
7 was just a rumor. I do not know who Mr. Ritz was in 1976  
8 or 1977.

9 Q BY MR. KOHLWECK: I think you are answering  
10 far more than I asked here.

11 A Oh --

12 Q Was Ritz some sort of code name, as you understood  
13 it?

14 A Yes.

15 Q What did the code name refer to, as you understood  
16 it?

17 A Some GAS member that was working, collecting  
18 information in Florida and other adjoining states.

19 Q And what do you base that representation on that  
20 you just made?

21 A That I had received reports referring to this  
22 person Ritz. I received orders from a senior regarding  
23 this person Ritz. And that my junior, Don Alverzo, said  
24 he had a person, or someone working named Ritz.

25 Q Let's talk about Don Alverzo for a moment.  
26 How well did you know Mr. Alverzo?

27 A I knew Mr. Alverzo as a direct junior of mine,  
28 and as a social companion, from approximately 1971 or '72

1 through 1977, '78.

2 Q And at what times were you two together, in a working  
3 relationship, in Florida?

4 A From January 25, 1976 through the time I left  
5 Florida, which would have been July 19, 1977.

6 Q What sort of person was Don Alverzo? Was he a  
7 good worker?

8 A Don was a diligent person who also was a little  
9 unpredictable, in that he, I considered, had an unreal  
10 estimate of his own abilities to perform as an investigation  
11 officer, which his position was. I believe my personal  
12 opinion was he was a Walter Mitty with latent tendencies  
13 towards James Bond.

14 He had an unreal feeling for the work of investigation,  
15 and it was all a big movie to him, I believe. That is how  
16 well I knew this man.

17 Q Was he a sincere person?

18 A Oh, very.

19 Q Honest?

20 A I -- no, because there on several occasions I  
21 had to address him as my junior where I caught him puffing  
22 up or exaggerating reports and statistics that resulted  
23 in making his statistic look good.

24 Q Let me stop you here and ask you a question.

25 I have taken Mr. Cazares' deposition and he made the  
26 same comment to me. He said, looking at documents seized  
27 by the FBI, it looked to him that some things were overstated  
28 there, that people were puffing.

1           Was this a common occurrence?

2           A     I laugh because I can recall in my organization  
3 we graphed everything. It was a graph that was made on an  
4 8½-by-14 piece of paper.

5           The statistic I was in charge of at Clearwater, which  
6 Mr. Alverzo was largely responsible for, went, with no  
7 exaggeration, from the middle of, say, this wall behind me  
8 up to the wall, up to the ceiling and across the ceiling.

9           This was something we were very proud of, until it  
10 was looked at as being a puffed up stat. So in actual fact  
11 it was a puffed up stat. I had to laugh when you said  
12 that because it was true.

13          Q     Did you ever have to sit down and discuss that  
14 with Mr. Alverzo, or correct him?

15          A     Oh, yes, I had to take disciplinary actions on  
16 him on several occasions, and others who worked for me.

17          Q     What types of things went into building the  
18 statistic? What counted to inflate the statistic?

19          A     Okay. It is the function of the Investigation  
20 Bureau to provide our seniors with estimates of the course  
21 of events that would affect the Church's operation. These  
22 estimates would be made up of a collection of raw information  
23 or raw data, of which there were certain points towards that.  
24 The more raw data you collected, the higher your points would  
25 be.

26          You would then take all of that data, put it together  
27 and formulate what is known as an estimate and a prediction.  
28 Predicting based on the information that you have collected,

1 the occurrences that would happen in the future, or some  
2 general activity.

3 Q Let me stop you and see if I can get a feel for  
4 it.

5 Would people get points, for instance, for writing  
6 a program?

7 A They would get points for writing programs, they  
8 would get points for collecting information, they would get  
9 points for doing evaluations. They would get high points  
10 for estimates, high points for predictions.

11 Q Let me stop you here and ask you a specific  
12 question.

13 A Uh-huh.

14 Q Did you ever see an estimate or a prediction  
15 from Don Alverzo concerning Gabriel Cazares and his  
16 litigation?

17 A Absolutely not.

18 Q How do you explain that?

19 A We had no information from the area to predict with.  
20 Other than his personal appearances, the newspaper coverage  
21 of Mr. Cazares, or other sources that I picked up around  
22 town, which is really hearsay but it wouldn't have been of  
23 information.

24 Q Okay, I interrupted you. You were talking about  
25 how the statistics were put together, and we were talking  
26 about different things.

27 A Okay. So statistics, as I said, you get high  
28 points for, as I said, putting together an estimate, putting

1 together a prediction, plans, programs, projects. It was,  
2 in essence, a paper factory, where if you want to boost  
3 your statistics, you sat down on Wednesday night and Thursday  
4 morning, and sat and wrote some plans, some programs, some  
5 projects, some estimates. You collected a lot of information  
6 on Wednesday and Thursday morning, and before 2:00 o'clock  
7 in the afternoon, and put it all together and reported it.

8 Q What would happen if on, as you put it, Wednesday  
9 afternoon or Thursday morning, you wrote a project or program  
10 or plan to get the points, and that plan was subsequently  
11 cancelled, or if you will, vetoed by someone else?

12 A You only got the points at the week you wrote  
13 it. Thereafter it didn't count whether you cancelled or  
14 not.

15 Q Did you ever have any instances, particularly  
16 with Alverzo or others, where plans or programs were written  
17 up and subsequently cancelled?

18 A Absolutely. I have written plans that were  
19 cancelled myself.

20 Q A few minutes ago I briefly described the charges  
21 against Merrell Vannier before the State Bar. Can you think  
22 of any plans or programs that would fit into those allegations  
23 against Mr. Vannier, that were subsequently cancelled?

24 MR. TAYLOR: Let's stop for a moment.

25 (Whereupon the witness and his counsel confer.)

26 MR. TAYLOR: Having discussed this matter with Mr. Lisa,  
27 he will answer.

28 THE WITNESS: I do recall drawing up a project or order

1 regarding the Tallahassee Bar. I don't remember the exact  
2 points of it, but I know it is a document because I have  
3 seen it in deposition some time ago.

4 Q BY MR. KOHLWECK: Was that plan cancelled?

5 A Oh, yeah. I remember -- yes, it was cancelled.  
6 I personally cancelled it because I personally wrote it.

7 Q Okay. Can you recall if Don Alverzo had written  
8 plans that you subsequently cancelled or refused to let  
9 anyone act on? And I am not just limiting that to just  
10 Mr. Vannier here.

11 A Right. I wouldn't have known of any plan that  
12 he would have written on Mr. Vannier, but I do know that  
13 he had written plans that I subsequently cancelled, after  
14 I had taken a stat for it, however.

15 But, yes, he had written plans and I had cancelled  
16 them.

17 Q I am not really concerned about you giving this  
18 testimony today about anything that doesn't concern the  
19 allegations of this complaint, that is Mr. Merrell Vannier  
20 or Ritz' activities.

21 A Okay.

22 Q But can you recall if it was a somewhat frequent  
23 occurrence with Alverzo, that he would write projects or  
24 programs or plans and that you would have to modify or  
25 cancel his programs?

26 A Yes. I can recall while he worked for me in  
27 Florida and also while we worked together at the U.S.  
28 level of the church, that he had on many occasions written

1 up or originated programs or projects that subsequently  
2 had to be cancelled because of their -- because of the  
3 nature of what he had written.

4 Q Let's move on to another topic now.

5 Are you familiar with the term "GAS" or G-A-S?

6 A Yes.

7 Q And what does that mean to you?

8 A Well, I was never sure. It meant Guardian Associate  
9 Staff member. I am not sure.

10 A GAS was somebody who, in essence, worked for the  
11 Guardian's office, or had in the field somewhat contributed  
12 to collection of information or something of that nature.

13 Q Were these GAS's subject to orders from the Guardian's  
14 office?

15 A No. We would ask them to do something, but if they  
16 didn't want to do it, then we had no alternative but to  
17 find somebody else to do it.

18 Q Is that another way of saying they were volunteers?

19 A Absolutely they were volunteers.

20 Q Were they ever subject to discipline or anything  
21 of that nature either for violating a request or violating  
22 an instruction?

23 A No.

24 The Church -- I just want to add, it is a policy in  
25 the Church that you don't have to carry out an order or  
26 program or anything if you don't feel you want to do that.

27 Q Now, you mentioned data collection here. Would  
28 GAS's do other things besides collect data?

1           A     Yes. A GAS could help hand out Freedom newspapers  
2 in front of the Internal Revenue Service, federal building.  
3 They can make phone calls to try to arrange press  
4 conferences. They could pass on information they overheard  
5 as a waiter in a restaurant, for instance. Many, many,  
6 many -- they could go down to a library and do research.  
7 They could Xerox clippings from newspapers. A myriad of  
8 things.

9           Q     Let me ask you hypothetically, let's say I am  
10 an attorney and I am also a believer in the religion of  
11 Scientology.

12          A     Uh-huh.

13          Q     But I am doing no legal work for the Church of  
14 Scientology.

15                If you called me up and asked me some question of a  
16 legal nature, and I provided you with either information  
17 or research, would that make me a GAS?

18          A     Yes.

19          Q     Would I necessarily know about that?

20          A     No.

21          Q     How would I be known as a GAS? Would there be  
22 some record kept of that?

23          A     Not necessarily, no. The individual executive  
24 who had contact directly with the GAS member, would be  
25 the person that would be responsible for getting the  
26 information that he is assigned to get. Regardless of who  
27 gets it for him. And only that person would have direct  
28 contact usually with the GAS that is volunteering the help.

1 Q Would me being a GAS ever become known to somebody  
2 else necessarily?

3 A No.

4 Q How long would a person remain characterized as  
5 a GAS? Maybe that is a strange question. Do you understand  
6 my question?

7 A Absolutely.

8 As long as that person was a member of the Church of  
9 Scientology and they had ever worked in some capacity or  
10 helped volunteering in some capacity in the past, they would  
11 be considered a GAS member. Whether inactive or active.  
12 An active GAS member is someone who is doing something for  
13 you that week, and inactive is one who is not doing anything.

14 Q I don't mean to be impolite, Mr. Lisa, but a moment  
15 ago you said as long as someone remains a member of the  
16 Church.

17 A Uh-huh.

18 Q Is the Church like other churches, where if someone  
19 once believes they are a member, and they remain a member  
20 until they do something which causes them overtly not to be  
21 a member?

22 A Correct.

23 Q So they have to resign their membership?

24 A Or be excommunicated from the Church.

25 Q And until something like that happens, someone  
26 who is once a believer is always a believer?

27 A Yes.

28 Q Are you firm in that understanding? Is there a

1 policy or something on that?

2 A That is my personal -- how I am as a Scientologist.  
3 But it is the policy of the Church.

4 Once you are a member of the Church you are a member  
5 of the Church. But people who are GAS's are not necessarily  
6 also Scientologists.

7 Q Are there non-Scientologist GAS's?

8 A Oh, yeah.

9 Q Is that a rarity?

10 A Actually not. Because there, at any given point,  
11 when I was the Deputy Guardian for Information for the  
12 United States, I had anywhere up to 1600, maybe 2,000 active  
13 and inactive GAS's working for me across the United States  
14 and Mexico and Canada. And a lot of those people were not  
15 necessarily Scientologists. Although they may be allies  
16 of Scientology, or wanting to help in some way. They would  
17 volunteer information, volunteer help.

18 Q Of that 1600 or 2,000 number you just mentioned,  
19 do you know what point in time we are talking about here  
20 where you had that estimate?

21 A Okay. When I was Deputy Guardian of Information  
22 U.S., that would have been 1977 through -- or '78 through  
23 '82. Prior to that there still would have been at least  
24 a thousand, all the way up from '70 to all the way up to  
25 1977. Because as Deputy Guardian, Deputy Deputy Guardian --  
26 Deputy Deputy Guardian, which I was from 1974 through '75,  
27 '76, I also had knowledge of people working for us who were  
28 not Scientologists as well.

1 Q Okay. You use that number 1600 to 2,000 to say  
2 active or inactive. Did you ever make an estimate of how  
3 many people were active?

4 A Yeah, a hundred -- I had -- I did this in 1978.  
5 In 1977 there were 178 or 170, I don't remember the exact  
6 number it was, but it was in the one hundred seventies,  
7 active people working for me in that week, and in 20  
8 cities in the United States. And most of those came from  
9 five specific offices.

10 Q Okay. Are you familiar with the terms "overt  
11 data collection" and "covert data collection"?

12 A Oh, yes.

13 Q Can you define what overt data collection is for  
14 me?

15 A It is information that you could obtain overtly.  
16 It is going down to the library. It is going down to the  
17 law library, doing research on statutes. It is going to the  
18 County library or the City library to get copies of old  
19 newspapers. To do research at the courthouse, getting land  
20 records, tax appraisors' records. Property records and  
21 so on.

22 Q And what does covert data collection mean to you?

23 A It is information that you would not normally  
24 come across overtly. It has -- it has been used to describe  
25 information that you may overhear on rumor line. Or hear  
26 from somebody who you would consider you are in opposition  
27 with, who may say something in front of somebody else. That  
28 would be considered a piece of more information that was

1 obtained covertly.

2 An example would be, in a hairdresser, who runs a salon,  
3 who does the hair of the wife of a mayor of a town, may  
4 overhear that wife badmouthing her husband or giving information  
5 that is not privy to anyone outside of the courthouse or  
6 whatever. About his lifestyle or something. That would  
7 be derogatory, that he might not want to see in the press.  
8 Like an extramarital affair or something of that nature.

9 And that beauty salon operator may be a Scientologist.  
10 Well, that Scientologist would report that somehow to my  
11 office, usually through one of my juniors, and I would get  
12 a report in the form of something like this, called a raw  
13 data report, which would say, to disguise the source of  
14 the information being the beauty salon operator, the report  
15 might say "Rumor has it," or "From a reliable source in town,  
16 we understand that the mayor has had an extramarital affair  
17 with Miss so and so or Miss so and so.

18 This example I am giving actually is a real one. Anyway,  
19 that is an example of it.

20 Q In your mind, does covert necessarily mean that  
21 is illegal or illicit collection of data?

22 A Oh, no, there is a distinct, distinct separation  
23 between covert and clandestine. Anything covert is not  
24 necessarily illegal. Covert is also, and I will have to  
25 go on the record as saying this because it is already known  
26 from the seized documents with regard to myself --

27 MR. TAYLOR: Well, let's discuss this for a moment.  
28 I don't want you to make a statement which might otherwise

1 be used against you in some context. I have no idea what  
2 you are going to say.

3 THE WITNESS: Okay.

4 MR. TAYLOR: Why don't we discuss this off the record  
5 for a second.

6 (Whereupon the witness and his counsel confer.)

7 MR. TAYLOR: Apparently I was being a little overcareful  
8 there.

9 Go ahead, Mr. Lisa.

10 THE WITNESS: To further explain covert data collection  
11 I have to say that one of the ways of collecting information  
12 would be, that would be considered covert, is, for instance,  
13 getting a letter of introduction from the head of a specific  
14 organization or agency, in writing, announcing To Whom It  
15 May Concern, please help this gentleman regarding the  
16 Church of Scientology, he is looking into the matter and  
17 any help from you would be appreciated.

18 And you take that letter and you go to the next person  
19 and show them that letter, and they give you all of their  
20 files on the Church of Scientology. Totally legally.  
21 You even pay for the copies. They pat you on the back and  
22 say, good luck, and they give you a letter of introduction,  
23 and you go to the next person.

24 I did that, at the least, I had 14 letters of  
25 introduction, from Ronald Well, the psychiatrist, psychologists,  
26 newspapers, private agencies like the American Medical,  
27 American Psychiatric Associations, the National Association  
28 for Mental Health. So that is covert data collection.

*IF A  
LAWYER  
THIS  
WOULD  
MISREPRESENT  
TOM  
AS  
SNOW*

1           However, those letters were to me, Peter Joseph Lisa,  
2           and I was involved with Scientology. I was involved in  
3           looking into it. I did articles on Scientology for  
4           publications in the United States.

5           It is totally one hundred percent above-the-board  
6           investigative technique but it is called total covert collection  
7           in my camp.

8           MR. TAYLOR: Let's take a brief break here.

9           (A brief recess is taken.)

10          Q       BY MR. KOHLWECK: Mr. Lisa, I just want to ask  
11          you a series of short questions here. This concerns your  
12          activities in 1976, 1977. You may have answered some of them.  
13          I just want to make sure that we have short simple questions  
14          and short simple answers so I can make sure that I have gone  
15          through my list here.

16          Do you have any specific recollection of receiving  
17          any information or data that was alleged to be from Ritz  
18          concerning Maggie Cazares?

19          A       None at all.

20          Q       Same question regarding Nan or John McLean.

21          A       From Ritz, no. Not that I can recall.

22          Q       Can you recall if Ritz, whoever that person was,  
23          ever signed any report, document, or anything that you saw  
24          during 1976 or 1977?

25          A       No.

26          Q       Can you recall if Ritz ever contacted your office  
27          directly during 1976 or 1977?

28          A       Not to my knowledge. No.

1 Q Were you ever provided with a physical description  
2 of Ritz during that time period?

3 A I don't know if Ritz was a woman or a man or  
4 an elephant.

5 Q Is it true that all of your information concerning  
6 Ritz came from Don Alverzo?

7 A Yes.

8 MR. KOHLWECK: I have no further questions.

9 MR. TAYLOR: I have no questions.

10 MR. KOHLWECK: Mr. Taylor, I would like to propose a  
11 stipulation here that a copy of this be provided to me at  
12 the address I have given the court reporter in Florida as  
13 soon as possible. I would like to have a copy forwarded  
14 to you or your client at the same time for your review,  
15 inspection, correction, whatever. And if it is agreeable  
16 to you, to have those changes, if any, telephoned to me  
17 before --

18 MR. TAYLOR: My suggestion is that the original be  
19 provided to Mr. Lisa, and he can then consult me regarding  
20 any changes that he desires to make, and I will then phone  
21 you of any changes. Is that agreeable?

22 MR. KOHLWECK: That is agreeable.

23 MR. TAYLOR: So stipulated.

24 (A discussion is held off the record.)

25 MR. TAYLOR: We have discussed this a little bit  
26 while we were off the record, and it seems to me, in light  
27 of the importance of having the original in Florida, we will  
28 send the original directly to Mr. Kohlweck, a copy will be

1 made available to Mr. Lisa, who, if there are any changes,  
2 will notify me immediately, and let's say within 24 hours  
3 of his receipt of the copy, and I will notify you within  
4 24 hours of his contacting me.

5 MR. KOHLWECK: Okay.

6 (Whereupon document is marked by the reporter as  
7 Respondent's Exhibit 1 for identification.)  
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STATE OF CALIFORNIA ) SS

I, Ruth M. Johnson, CSR, a

Notary Public in and for the State of California, do hereby certify:

That, prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify the truth, the whole truth and nothing but the truth.

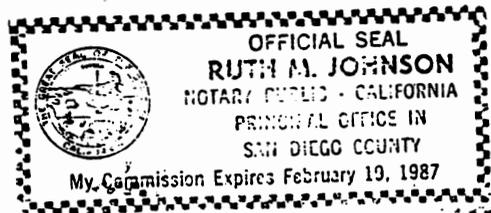
That said deposition was taken down by me in shorthand at the time and place therein named and thereafter reduced to typewriting under my direction.

I further certify that I have no interest in the event of the action.

WITNESS my hand and seal this 24<sup>th</sup> day of January, 1985.

*Ruth M. Johnson*

Ruth M. Johnson, CSR 1315  
Registered Professional Reporter  
Notary Public in and for  
the State of California.



ONLY PARAGRAPH FOUR CERTIFICATE



Allen also mentions that he found out "indirectly" that Max McLean was supervised in Orlando. (Pg. 88, 3)

On 1 May 74 Walt Logan, Allen's assistant made a run to the files and noted that Bob Hayden was Max McLean's attorney in Clearwater. (Pg. 88, 1)

Logan also mentions that Max McLean is interested in suing the C of S but her lawyer, Hayden wants to wait for the present suits to come to a head to then evaluate her possibilities of such a suit. (Pg. 88, 2)

Love,

  
Collection Officer  
Frog