

Expert Report ON THE CASE OF DIANA  
KOSTELNY, JERRY KOSTELNY, GAIL EBERHARDT,  
CARL EBERHARDT, MELANIE POST (FORMERLY GRANT)  
AND GREGORY R. POST

v.

AYDIN CABI, DDS, INC.

by

Dr Stephen Kent

Re: World Institute of Scientology Enterprise  
and it's involvement in the unfair termination  
of the plaintiffs employment.

Relevance: All businesses affiliated with  
W.I.S.E.

all continents, all territories  
& jurisdictions.

W.I.S.E. is part of the Scientology organisation  
and forms an integral if extended part of their  
cult recruitment program.

W.I.S.E. is an international concern and operates  
in the same manner at all locations.

Dr. [Aydin Cabi, DDS](#) (also spelled *Ayden Cabi*) is listed as [new WISE member in 2001](#) and dismissed three employees because they refused to attend Scientology based "management" seminars.

Recently The Smith Dental Group, Cuyahoga Falls, Ohio, was acquired by Dr. Aydin Cabi. The following is an expert report submitted by Prof. Stephen Kent in the dismissal suit.

Table of contents, additional links to referenced material, HTML cleaning and these three paragraphs added by Mike Gormez ([mgormez@chello.nl](mailto:mgormez@chello.nl)).

This file is also available from

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September 7, 2003

EXPERT REPORT ON THE CASE OF DIANA KOSTELNY, JERRY KOSTELNY,  
GAIL EBERHARDT, CARL EBERHARDT, MELANIE POST (FORMERLY GRANT)  
AND GREGORY R. POST v. C. AYDIN CABI, DDS, INC.

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I. INTRODUCTION

The plaintiffs in this case assert that Dr. Aydin Cabi dismissed Diana Kostelny, Gail Eberhardt, and Melanie Post from their jobs in his dental practice because they refused, on grounds of religious conscience, to attend seminars based upon aspects of Scientology—a religion that, they felt, conflicted with their own beliefs. The plaintiffs' attorney, George W. Cochran, contacted me by mail (letter dated May 1, 2003) about this case, and previous to that letter I had not had any contact with anyone involved. Presumably Mr. Cochran contacted me because of my expertise on Scientology (please see my accompanying vitae), along with the fact that [I had written an expert report](#) for the Equal Opportunity Employment Commission (EEOC) in 1999 about a case involving a Scientology-based practice management program and former employees of a veterinary clinic. Other cases in which I have submitted expert reports concerning Scientology include ones in Edmonton, Alberta; Clearwater, Florida; Kentucky; and California. Moreover, I also have testified about Scientology in a civil court case in Dublin, Ireland.

Religion, and people's deep conviction about their faith, plays a central role in this case. I want to be clear, however, that I take a secular approach to the issues that this case raises, and I make no judgements about the validity, truthfulness, or superiority of anyone's belief system.

In this report, I will examine the relationship between the material that MasterTech uses and the larger Scientology organization with a view to offering an opinion on the reasonableness of the Plaintiffs' refusal to attend the seminars that the defendant (Dr. Cabi) required.

## II. OVERVIEW OF SCIENTOLOGY

A. Brief History and Doctrines--Known for his pulp fiction and science fiction writing prior to and after world War II, L. Ron Hubbard (1911-1986) introduced Scientology's forerunner, Dianetics, to the world in 1950. Dianetics claimed that people had what Hubbard called a "reactive mind" and an "analytical mind." The reactive mind had imprinted in it painful incidents along with incidents involving unconsciousness, either of which could have taken place at any point in one's life (including in pre-natal states). These imprinted incidents were called "engrams," and various stimuli could trigger them in ways that lead to irrational or harmful behavior. In contrast, the analytical mind was not subject to such negative influences, and the goal of Dianetics was to free the analytic mind by ridding the reactive mind of its engrams. This act of ridding the reactive mind came about through a process called "auditing," which in the earliest days of Dianetics involved exercises in which an auditor directed a subject (called a "pre-clear") back into his or her life-events to discover and dispel engrams. The dispersal of engrams, Hubbard claimed, could lead to a wide range of cures for what he described as psychosomatic illnesses, including (among others) arthritis, asthma, eye trouble, bursitis, and ulcers (see Church of Scientology of Minnesota v. Department of Health, Education and Welfare, 1971: 564-565). Even as Dianetics practitioners allegedly began running incidents from past lives by the end of 1950, Hubbard remained steadfast that his new system was a science.

Allegedly the value of running current-life and past-life incidents was enhanced in March 1952, with Hubbard's introduction of a device known as the E-meter. This device measures changes in the electrical conductivity of the skin as a small current runs between two metal cans that the pre-clear holds (one in each hand). Scientologists believe that the device gives accurate indications of emotional changes, and they continue to use these devices as an auditing tool (and often as a reputed lie detector [see [Atack, 1990](#): Hubbard, 1960; 1961; [Miller, 1987](#): 201]).

Hubbard began what he named, "Scientology," in the Spring of 1952, and some critics conclude that he introduced it as an extension and expansion of Dianetics in an expedient attempt to regain control of the Dianetics movement that had slipped out of his grasp ([Miller, 1987](#): 199-202). Likewise, critics claim, in December 1953, Hubbard initiated his assertion that Scientology was a religion in order to avoid government harassment over its healing claims (Kent, 1996: 30-33; [Miller, 1987](#): 220). Regardless of his motivations, in Scientology he did develop teachings about past lives (including ones in different galaxies) more than he had in his initial Dianetics system. The entity that Scientologists believe continues through countless lives is called a thetan, which is roughly analogous to a soul or spirit that has forgotten its true nature.

By 1967, Hubbard claimed he had learned that individual thetans had become burdened with clusters of lost and confused entities ("body thetans") attached to people's bodies. These attachments were the result of billions of victims having died when an evil galactic warlord named Xenu [or Xemu] captured and sent them to earth's volcanic areas, then exploded the volcanos by dropping hydrogen bombs. Scientology's upper level courses, called the "Operating Thetan" or "OT" levels, claim to free one's body and its thetan from the numerous body clusters of confused and frightened thetans (text reproduced in [Corydon and Hubbard, 1987](#): 364; see [Atack, 1990](#): 31-32).

B. Scientology and Christianity-Since the issue of Scientology's compatibility with Christianity seems to have some bearing on this case, I will excerpt a section of an article of mine, "The Creation of 'Religious' Scientology," that appeared in 2001 (even though the publication date is 1999-the journal was running two years behind in its editions):

### Implants About Christianity

As Hubbard's cosmology evolved (see Meldgaard, 1992: 172-177), it became increasingly clear that these two occupations [i.e., priests and psychiatrists] allegedly had performed the implanting for Xenu. In essence, Hubbard stated the Christian doctrines that emphasized sexual control if not abstinence, humility, and salvation through Jesus' crucifixion simply were implants designed to prevent the thetan or soul from realizing its true nature (see Hubbard, 1954: 25-26) . Neither Hubbard nor his organization widely publicized his beliefs about the harmful roles that implanting priests and psychiatrists played in the cosmological past, nor did they publicize Hubbard's belief that both occupations continued to implant people in contemporary time.

A related implant was the Christian doctrine of heaven, a place in 1963 (or in Scientology dating AD13 [i.e., thirteen years after the publication of Dianetics in 1950]) that Hubbard claimed to have visited. In an HCOB (Hubbard Communications Office Bulletin), Hubbard announced that he, along with all Scientologists, had been to heaven, but only he was able to remember what it was like because he had uncovered the process of implanting as it twice occurred to him many trillions of years ago. Regarding his alleged first visit, Hubbard described the Gates of Heaven, the statues of saints that led up to them, and the marble angels that sat at the gates' pillars. The grounds of heaven were like Pasadena, California's Bush [sic: Busch] Gardens. The implanting supposedly took place in a town, which included a sidewalk, bistro, train tracks, bank, and several other structures.

Regarding the second supposed visit, heaven was much shabbier, with the vegetation missing, the pillars dilapidated, and the saints and angels absent. Hell appeared as a pit or hole that Hubbard compared to an archaeological dig. An effigy of Joseph existed that was leading a donkey that carried Mary and the baby Jesus from Bethlehem. In any case, heaven was not a place floating in the sky but instead was on a mountain of a planet, the name of which Hubbard did not provide (Hubbard, 1963a). [p. 105]

In both cases, the implants seem designed to make thetans not only forget about past lives but also believe that being in heaven was a desirable goal (Hubbard, 1963a: 2-3). His alleged discoveries about the true purpose of heaven explained why there has been such religious insanity throughout history (Hubbard, 1963a: 4). Further publications discussed additional implants, including some that supposedly took place in trains, others that occurred when thetans met the Marcab Invasion force in this universe (Hubbard, 1963c), and still others that always took place in the presence of either gorillas or gorilla symbols (Hubbard, 1963b).

Admittedly, non-Scientologists have difficulty understanding or appreciating much of this (to use Scientology's term) "space opera" cosmology, and several commentators on Hubbard have suggested that reputed visions such as these and others (specifically including the OT III material) were influenced by his drug abuse. Nonetheless, one point about the contents of his reputed trips to heaven seems rational and obvious. Among Scientology's cosmic enemies were people whose Christian religious views pitted them against his organization's own religious claims. Cosmology, it seems, paralleled real life, as social scientists would expect (Kent, 1999a: 105-108).

As a comment about this excerpt, it is clear that the plaintiffs' concern about the incompatibility of Scientology and their deeply held Christianity were accurate.

In the widely circulated Los Angeles Times series on Scientology in 1990, reporters Joel Sappell and Robert W. Welkos highlighted similar aspects of Scientology's hostility toward Christianity:

Hubbard maintained, for example, that the concept of a Christian heaven is the product of two implants dating back more than 43 trillion years. Heaven, he said, is a 'false dream' and a 'very painful lie' intended to direct thetans toward a non-existent goal and convince them they have only one life.

In reality, Hubbard said, there is no heaven and there was no Christ.

'The (implanted) symbol of a crucified Christ is very apt indeed,' Hubbard said. 'It's the symbol of a thetan betrayed' (Sappell and Welkos, 1990: A36).

Pastors Laurel Bobb and John Luoma identified the wrong group (est, although it has Scientology influences) when writing a letter of support for plaintiff Melanie Grant's religious concerns about attending a workshop (presumably sponsored by MasterTech Computer Products, but they could have made a stronger case if they had identified the group correctly (Bobb and Luoma, 2001).

Hints of Hubbard's hostility (or at least dismissal) of Christianity also exist in "The Personal Integrity Course" that Dr. Cabi and his office manager took, and which this office staff (including the plaintiffs) were to have taken as a condition of employment. One somewhat awkward passage in it from Hubbard claimed:

How does one handle the evil things done to him? It is not told in the Buddhist rule. Many answers resulted. Amongst them are the answers of Christian Science (effects on self don't exist), the answers of early Christians (become a martyr), the answers of Christian ministers (condemn all sin). Such answers to effects created on one bring about a somewhat less than sane state of mind-to say nothing of unhappiness (Hubbard, 1982: 19).

Hubbard seems to be dismissing many Christian responses to evil (however superficial his depiction of that faith might have been).

In another passage that seems to dismiss Christian doctrine, Hubbard wrote about the dilemmas of a teen struggling to make ethical decisions:

The teenager doesn't have any definition, so he can't *think* about this. And nobody is *asking* him to think about it. They're just telling him, "this is immoral, wicked and bad." And then they tell him something very strange, that he really cannot believe. 'You'll go to hell if you do this.' He says, 'I wonder where hell is? How do you get there?' In other words, he is completely unimpressed and is being enforced upon without reason, so he becomes unreasonable himself. He has been retrained by something he cannot understand (Hubbard, 1982: 30).

Finally, Hubbard concluded:

The road to hell-Man's very good at painting ugly signs that point its course and way.

The road to heaven-Man's often sent but never yet arrived-more like he found the 'other place.'

But now a road that's wide has opened up.

And day will once more have a drop of dew upon the morning rose  
(Hubbard, 1982: 213).

Presumably the "road that's wide" is Scientology.

In this expert report, I have no intention of arguing or agreeing with Hubbard's apparent dismissal of some key aspects of Christianity. Suffice it to say, however, that one is hard-pressed to understand how this material was supposed to improve the professional skills of dental workers, and it is easy to see how Christians would read these passages and conclude that Hubbard was attempting to replace their belief-system with his.

C. Hubbard's Writings as Scientology's Sacred Scriptures-- Important to note is that Hubbard's writings about Christianity, as well as everything else that he wrote, constitute Scientology's reputedly sacred writings (at least from the perspective of the organization's members). In its "Application for Recognition of Exemption Under Section 501(c) (3) of the Internal Revenue Code" (submitted August 18, 1993), the Church of Scientology International gave the following answer to the Internal Revenue Service (IRS) in "Schedule A, Question 4 - Formal Code of Doctrine and Discipline:"

Scientology is a religion based upon the research, writings, and recorded lectures of its founder, L. Ron Hubbard, which collectively constitute the Scripture of the religion. The Scientology Scriptures are the sole source of all the doctrines, tenets, sacraments, rituals, and policies of the Scientology faith. They encompass more than 500,000 pages of writings, nearly 3,000 taped lectures and over 100 films" (CSI Prod 11-4-93, Bates No. 150064).

Not only, therefore, are Hubbard's writings about Christianity part of his organization's self-identified scriptures, but also are the courses (such as "The Personal Integrity Course" copyright 1982 by L. Ron Hubbard) that the plaintiffs were to have taken as part of the MasterTech Computer Products program.

D. Policies and Procedures--Currently Scientology offers numerous courses to its members at a variety of locations. Members can take lower level courses at local Scientology organizations (called "missions"), while they must go to larger Scientology facilities to take more "advanced" material. Together these courses and related training programs constitute what Scientology calls "The Bridge to Total Freedom." An aspect of all of these courses is to establish the primacy of Scientology's own ethics system into organizations and the people in them, and this attempt to establish ethics extends into the secular business community.

E. Scientology Marketing to Businesses--Since October 1993, the Internal Revenue Service has granted well over one hundred Scientology organizations charitable tax exempt status (Department of Treasury-Internal Revenue Service, 1993). Among these Scientology organizations are ones that attempt to take aspects of Hubbard's teachings into various markets. One of the markets that Scientology has targeted is the business world, believing that the rules, policies, and procedures that it uses to run its own multinational conglomerate provide the only workable model for businesses of all sizes and types of product-output (including dental clinics). The specific Scientology organization devoted to taking Scientology's management policies and techniques (what Scientology calls its Admin Tech [i.e., its administrative 'technology']) into the business world is the World Institute of Scientology Enterprises, most often simply called WISE. As a WISE pamphlet claimed, the Admin Tech that Hubbard developed was "the only true management technology that can solve today's business problems" (WISE, 1992: [2]). More strongly, another pamphlet from WISE proclaimed that Hubbard's Admin Tech "will become *the* management technology in common use on this planet. And that is how it should be, because this is the only true management tech that can solve today's business problems" (WISE, 1990 [emphasis in original]).

### III. World Institute of Scientology Enterprises (WISE)

A. Purpose--WISE plays an interesting role in this case, since the courses that Dr. Cabi's staff (including the plaintiffs) had to take if they wished to continue employment in his dental business came from a practice management company named MasterTech Computer Products. In turn, MasterTech Computer Products received L. Ron Hubbard's administrative material either from the Hubbard College of Administration (Church of Scientology International, 1992: 446), or from WISE itself. The "Personal Integrity Course," for example, that Dr. Cabi's staff had to take has "WISE Publications" as its publisher (and, as I stated earlier, L. Ron Hubbard as its author).

B. WISE and the IRS/Scientology Agreement-The tax status of WISE is noteworthy, since it has bearing on this case but is exceedingly difficult to unravel. In the secret agreement that the IRS reached with Scientology in 1993, the IRS specifically instructed Scientology to dissolve WISE. Apparently in that agreement, the IRS and Scientology agreed to establish a Church Tax Compliance Committee (CTCC) whose members had the responsibility to ensure that all:

Scientology-related entities, including those recognized . . . as tax-exempt continue to be organized and operated in conformity with the requirements of Code 501(c)(3) and the provisions of the Agreement. Further, the CTCC is to ensure that no Scientology-related entity, regardless of whether this entity is described in Code section 501(c)(3), engages in any conduct that may endanger the tax-exempt status of any other Scientology-related entity or that would otherwise be in contravention of this Agreement (Department of the Treasury-Internal Revenue Service, 1993: Section IV. IV. 1.).

Appointed to this compliance committee were corporate, at-large, and individual members, all of whom were Scientologists. (Critics, of course, see the committee's composition representing a massive conflict of interest.)

In any case, one of the CTCC's assignments was to dissolve WISE: "10. The members of the CTCC shall, no later than December 31, 1995, effectuate the dissolution of WISE, Inc. and the transfer of all of its assets, including but not limited to its rights to Scientology religious marks, to the Inspector General Network" (Department of the Treasury-Internal Revenue Service, 1993: IV. E.10). The IRS/Scientology agreement does not say why it required the dissolution of WISE, Inc., but presumably it was because its activities in the business world would disqualify Scientology's charitable status designation. Possibly to ensure compliance, the agreement required the CTCC to include the "World Institute of Scientology Enterprises" in its annual report (Department of Treasury-Internal Revenue Service, 1993: IV. B. 2. a.). Nevertheless, "The Personal Integrity Course" that some of Dr. Cabi's staff took has "WISE Publications," then "Copyright © 1982" as the publisher.

Currently, Scientology has a web site on WISE, and on it has a link to information about the "World Institute of Scientology International." In essence, it appears that Scientology probably dissolved WISE Inc., according to the requirements of its agreement with the IRS, but then formed the World Institute of Scientology International, which carries on the activities of the defunct WISE Inc. One must wonder, therefore, if Scientology has broken the spirit, if not the letter, of the agreement, thereby putting its charitable status in jeopardy. If so, then this probable breach highlights problems with the Church Tax compliance Committee, whose job it is to monitor for and prevent such occurrences.

On the current WISE web site, Scientology has a page entitled, "Making the Technology Available." The first sentence of that page reads, " WISE was formed in 1979 as a religious fellowship of organization of businesspersons and professionals in numerous fields who share a common certainty of the value of Mr. Hubbard's administrative technology" (Church of Scientology International, 2003). Scientology itself is identifying WISE as being "a religious fellowship organization," and its identification of 1979 as its year of formation ignores any adjustments or closures to WISE as a result of the 1993 IRS/Scientology agreement. On WISE's web page is information about "The Hubbard College of Administration," which is an organization that the IRS included among the Scientology entities to which it granted charitable status (Department of Treasury-Internal Revenue Service, 1993: III. C. 3.). The web site says:

Because so many businesses and industries now use Mr. Hubbard's technology, WISE has established the Hubbard College of Administration to expand the business professional's ability to tackle the challenges of administering and running a group, company, or organization. The Hubbard College provides training in L. Ron Hubbard's management technology" (WISE International, 1996-2003).

I identify this relationship between WISE and the Hubbard College of Administration only because I cannot determine from the material that I have if Dr. Cabi's training organization, MasterTech Computer Products, is connected to the College. It has some connection to WISE, as seen through the copyright to "The Personal Integrity Course." The jury that will hear this case needs to have a clear understanding of the relationship between, WISE, Inc., the World Institute of Scientology International (or WISE International), the IRS/Scientology agreement, the Hubbard College of Administration, MasterTech Computer Products, and the course(s) that Dr. Cabi's staff had to take as a condition of their employment.

In academic publications I have argued that Scientology is a multifaceted transnational, only one part of which is religious (for example, Kent, 1999c: 148; 1999d). Because, however, this case occurs in an American court of law (and not an academic journal), we must give primacy to the IRS's decision to grant Scientology and its entities charitable, tax-exempt status based partly upon its religious claims.

Scientology's own material about WISE identifies the organization's reputedly religious dimension, and that dimension becomes even clearer when examining material sent to WISE members. What also becomes clear from some material sent to WISE members is that WISE is a recruitment vehicle into the Church of Scientology itself.

The "Articles of Incorporation of [the] World Institute of Scientology Enterprises" is definite about the organization's religious nature. "It is organized under the Nonprofit Religious Corporation Law primarily for religious purposes. Its purposes are to promote and foster the religious teachings of L. Ron Hubbard in society...." ([Articles of Incorporation, 1983: 1](#)). First filed with the Office of the Secretary of State of California on February 1, 1983, WISE's Articles of Incorporation were still in effect on August 28, 2003—a fact that I determined simply by doing an on-line "California Business Search." A 1993 book published by the Church of Scientology International gives a somewhat earlier date for the beginning of WISE, but it, too, identifies its religious nature:

...the World Institute of Scientology Enterprises (WISE) was born in 1979. A religious fellowship organization, WISE is made up of businessmen [sic] and professionals in numerous fields, who share a common certainty that only through the application of Mr. Hubbard's administrative technology can one do for the third (group) dynamic what Scientology does for the individual: eliminate confusions, replace hardship with happiness, and generally better survival.

Their tools, available in any church bookstore and many public libraries, are the twelve encyclopedia-sized volumes comprising the [Organization Executive Course \(OEC\)](#) and [Management Series](#) volumes. These works are a result of Mr. Hubbard's research and codification of the Scientology religion and were written for church administration (Church of Scientology International, 1992: 443).

(The "dynamics" to which this quote refers are levels or dimensions of existence, beginning with "self" and ending with the eighth dynamic concerning the Supreme Being [Hubbard, 1976: 166]).

The Hubbard College of Administration is a WISE creation, and about it a Church of Scientology International book states, "[b]ecause so many businesses and industries now use Mr. Hubbard's technology, WISE has established the Hubbard College of Administration to expand the business professional's ability to tackle the challenges of administering and running a group, company, or organization" (Church of Scientology International, 1992: 354).

MasterTech Computer Products is connected to WISE, either through the Hubbard College of Administration or directly to WISE itself, since "MasterTech Computer Products, Inc." of Glendale, California, appears in a list of WISE members for 2001 (available on the World Wide Web at: <<http://www.b-org.demon.nl/scn/nl/english/wise-2001-usa.txt> >). I assume that this Glendale company is the headquarters of the organization that offered courses to Dr. Cabi's staff in Fairfax, Virginia.

B. WISE as a Recruitment Vehicle for the Church of Scientology--Neither WISE's articles of incorporation nor its description by the Church of Scientology International separate the religious nature of the organization from a secular mission to promote Hubbard's business management policies and procedures. A magazine published for WISE members outlined how business consulting provided various opportunities to get "businessmen [sic] on The Bridge."

The accompanying illustration showed a curved, ascending bridge on which were four specific categories, each with an arrow next to them (implying that they were ways of getting on "The Bridge"). In ascending order, the specific categories were: business seminars and lectures; business and OCA [Oxford Capacity Analysis] Evaluation, Admin Training and Consulting, and Wins with LRH Admin Tech in Business (WISE International, 1992b: 13).

In the context of this expert evaluation, the presence of the Oxford Capacity Analysis as a Scientology recruitment tool is especially noteworthy, since Dr. Cabi's staff had to take a test named the "MasterTech Personnel Potential Analysis" that is only a slightly reworked version of that Scientology-administered test. (I will return to this point later.)

On the page following this illustration was a cartoon that, in eight boxes, explained the process of "Getting Clients up The Bridge."

The advertisement begins with a paragraph that explains:

During consulting, clients are often surprised to find that the Administrative Technology of L. Ron Hubbard has improved conditions in their personal lives, as well as in the operation of their businesses. If a client is interested in finding out about *Dianetics* Spiritual Healing Technology and *Scientology* Applied Religious Philosophy for self-enhancement, his [sic] consultant will assist him by referring him to his local class V Org or Mission (Wise International, 1992c: 14).

Short explanations accompany each of the eight cartoons:

1. Businessman [sic] attends a seminar or lecture[.]
2. Signs up for consulting and training[.]
3. Along with analyzing the client's business, the consultant reviews the Eight Dynamics and explains how Dianetics and Scientology can do for the client's life what the Admin Tech can do for his business[.]
4. If client reaches to handle his first dynamic [i.e., himself], he is put in touch with the reg [i.e., registrar] of his local Class V Org or Mission[.] [A Class V Org is authorized to offer a particular level of Scientology courses.]
5. Client studies LRH Admin Tech[.]
6. Client applies tech to his business and has wins[.]
7. Client reaches, if he has not done so before, to get LRH tech applied to himself[.]
8. Client has his OCA [the Oxford Capacity Analysis] evaluated at his local Class V Org or Mission (WISE International, 1992c: 14).

The fact that this recruitment strategy appeared in a WISE publication allows me to conclude that MasterTech's inclusion of a very similar test also was a recruitment tool for Scientology.

The page following this one in the WISE International publication contained a testimony from a veterinarian who went through the process that the cartoons outlined. "While doing courses at [a business management organization called] *Sterling*,"

George Malnati, D.V. M. said, "I became interested in learning more about *Dianetics* and *Scientology*. I got onto the Bridge when I had my OCA evaluated while doing courses at *Sterling*. A month later I was on my Life Repair [course] and for the past three years I have been able to take at least three months off from my practice to go up *The Bridge* (WISE International, 1992d: 15; see WISE International, 1992a).

Worth mentioning is that an academic article, published in a peer-reviewed sociology of religion journal, discusses many of the issues that shed light on this case (and that I have discussed thus far). Subtitled, "Religious Conversion in the Workplace," the article's introduction informs the reader about what its basic argument is:

It focuses on [Scientology's] recruitment of medical professionals through medically-based practice management companies (PMC)s. Through a licensing agreement with Scientology, the PMCs have obtained the right to use the writings of Scientology's founder, L. Ron Hubbard, to teach management skills to medical professionals, including dentists, veterinarians, podiatrists, and chiropractors (among others). In addition to practical management advice, PMCs also offer their clients an introduction to the Church of Scientology. The link between PMCs and Scientology provides an example of the mediation of ideological recruitment through front companies . . . ([Hall, 1998: 1](#)).

Hall's article specifically addressed how the Church of Scientology used business management courses as recruitment vehicles into its ideology, which is exactly what the plaintiffs in this case feared was going on regarding the MasterTech program.

C. Scientology's Oxford Capacity Analysis and the MasterTech Personnel Potential Analysis-In the plaintiffs' complaint, they stated, "[e]mployees were expected to undergo comprehensive personality analysis tests that covered inappropriately personal questions, required broad waivers of liability, and culminated in personal feedback from supervisors" (para. 20.[a]). I have a copy of the waiver that plaintiff Melanie A. Grant signed, allowing Dr. Cabi to give tests that "may include but are not limited to those that measure intelligence, requirements of the position, including but not limited to meeting the Company's standards for performance, interpersonal relations, and competence on the job." I also have a copy of the questions and answers to the "MasterTech Personnel Potential Analysis Test."

It turns out that the MasterTech test simply is a slightly re-worked version of Scientology's recruitment tool, the Oxford Capacity Analysis. Suffice it to say here that both tests contain 200 questions, and of those questions 124 (62%) are exactly the same (down to their number in their respective tests). Another twenty-one (10.5%) are more-or-less the same, and fifty-five (27.5%) are different. Like the Oxford Capacity Analysis, from which it borrows heavily, the MasterTech test has no validity as a test of intelligence, aptitude, or personality traits, but instead is a Scientology recruitment tool.

The questions that are exactly the same for the two tests  
8,169,171,172,174,175,177,178,180,184,185,186,  
187,189,190,193,194,195,198,199, and 200.

The questions that are more-or-less the same are:  
22,41,48,51,52,66,79,90,105,123,132,146,153,159,160,166,173,181,  
182,187,and 197.

The questions that are different 8,100,104,106,113,117,125,129,130,136,  
140,141,148,149,165,170,176,188,191,192, and 196.

#### D. Scientology's Self-Serving 'Ethics' System

Supplementing the efforts of Scientology organizations like WISE that attempt to draw in recruits by exporting Hubbard's teachings into the secular world, Scientology's "justice" and "ethics" systems attempt to punish persons and organizations that hinder its expansionist and recruitment efforts. Someone needs an in-depth familiarity with Scientology to be able to decipher many of the definitions that the organization provides for justice and ethics, but the basic points about them are clear. For example, the first definition of "justice" in Scientology's business management dictionary states that it is "the action of the group against the individual when he has failed to get his own ethics in" (Hubbard, 1976: 295). That cryptic definition presupposes that one knows what "ethics" means to a Scientologist, and again it is essential to go to the standard Scientology management dictionary.

What becomes apparent is that Scientology's notion of ethics is completely self-serving for the organization. Amidst several definitions are the statements:

All **ethics** is for in actual fact is simply that additional tool necessary to make it possible to get technology in. When you've got technical in, that's as far as you carry an **ethics** action.... 4. the purpose of **ethics** is to remove counter intentions [i.e., opposition] from the environment. And having accomplished that the purpose becomes to remove other intentionedness [sic; competition] from the environment (Hubbard, 1976: 179).

Translating these Scientology statements into plain language, the justice and ethics system that Scientology uses, and that Dr. Cabi's staff had to study in the MasterTech courses and attempt to apply in his dental practice, is committed to removing both opposition against, and competition to, the implementation of Scientology's so-called "technology." At the same time it also intended to punish anyone who hinders Scientology's efforts in these matters. Scientology leaders apparently assume that, once an organization is using Hubbard's business technology and all opposition to its use has been squelched and all competitors eliminated, then it is an easy step to convert people to the "religion" itself. Consequently, the plaintiffs' determination that Dr. Cabi fired them solely because they refused, on religious grounds, to attend the MasterTech training is almost certainly correct.

E. Plaintiffs' Dismissal Because They Were 'Suppressive Persons'-Scientology has very strict policies about what it calls "suppressive persons" who commit "suppressive acts." According to Scientology policy:

A SUPPRESSIVE PERSON OR GROUP is one that actively seeks to suppress or damage Scientology or a Scientologist by suppressive acts. SUPPRESSIVE ACTS are acts calculated to impede or destroy Scientology or a Scientologist . . . ( Hubbard, 1991: 873).

A person becomes a "potential trouble source" in Scientology when one is "a person who while active in Scientology or a pc [i.e., pre-clear, which designates a level of 'achievement'] yet remains connected to a person or group that is a suppressive person or group" (Hubbard, 1991: 873).

Operating under Scientology's influence, Dr. Cabi may have seen the plaintiffs' refusals to attend the MasterTech program as impeding his efforts to establish Scientology in his workplace. According to Scientology policy, he would become a "Potential Trouble Source" if he were to have associated with them as they worked together. Consequently, he fired them, which was an action in line with Scientology policy, and by doing so he removed the "suppressive persons" from his workplace (even at the cost of violating their rights to their own religious beliefs and causing them severe emotional and financial difficulties). In, for example, a Scientology policy discussion about "HOW TO DISCONNECT" from a suppressive person or place, Hubbard instructed:

Example: One discovers that an employee at his place of business is an SP-he steals money, drives away customers, wipes out other employees and will not correct no matter what you do. The handling is very simple-the PTS fires him and that's the end of it right there! (Hubbard, 1983: 1044).

In essence, Dr. Cabi's dismissals of the plaintiffs are examples of actions in line with Scientology policy--policy that also is supposedly sacred scripture (because Hubbard was the author).

V. Conclusion-The plaintiffs in this case were wrongfully dismissed from their jobs in the dental practice of Dr. Aydin Cabi because he failed to accommodate their sincerely held religious beliefs. The plaintiffs had many good reasons to believe that the MasterTech Computer Products seminars contained religious content that was at variance with their own faith. These reasons include:

- a. information and belief that Scientologists use practice management programs for dentists, their staff, and other professionals to propound L. Ron Hubbard's/Scientology's doctrines and attempt to radically resocialize the participants into them.
- b. observation that all of MasterTech's materials carried copyrights to the "L. Ron Hubbard Library."
- c. the requirement that staff had to take a personality analysis that contained questions that they felt were inappropriately personal and that were accompanied by waivers of liability. This analysis and the waivers raised concerns that the MasterTech program, through Scientology, was going to attempt to transform their lives.
- d. L. Ron Hubbard's material (such as 'conditions' posters and a "Life Improvement Course" that he wrote) were in the dental office.
- e. staff began introducing terminology, concepts, and "despatch forms" into the workplace that plaintiffs believed were from Scientology.
- f. staff returning from the seminars appeared to have undergone radical personality transformations.
- g. plaintiffs sought and obtained information on Scientology and concluded that it was a "world view" that differed from their sincerely held beliefs.
- h. plaintiffs came to believe that Scientology was attempting to make converts through reputed 'business seminars' (such as MasterTech).
- i. one staff member who took some seminars spoke about how their content likely would offend the plaintiffs' religious beliefs.
- j. another staff member used the term, 'brainwashing,' to describe what s/he had seen in the training, and that it had little to do with their professions.
- k. Dr. Cabi himself had given a staff member (with whom the plaintiffs conversed) a booklet of Hubbard's at one of these seminars, and that booklet spoke about "the religious literature and works of L. Ron Hubbard" and "Scientology applied religious philosophy and Dianetics spiritual healing technology...."

and,

- l. the plaintiffs learned of a requirement that participants, prior to taking the program (and hence prior to knowing its contents) had to sign waivers disclaiming that the seminar material was religious.

In summary, the plaintiffs had ample reason to believe that the MasterTech program contained religious material that posed a threat to their own beliefs.

Under these circumstances, Dr. Cabi should have attempted to accommodate the plaintiffs' religious grounds for refusing to attend the MasterTech program. His options included (but were not necessarily limited to):

- a. exempting them from the program without penalty.
- b. reviewing the material in the program and eliminating anything that might appear to be religious.
- c. attempt to eliminate aspects of the course that seemed to require personal transformation
- d. meet with the plaintiffs and try to convince them that the program was not, in fact, contrary to their faith.

Instead of attempting any of these or other accommodations, Dr. Cabi fired them.

Based upon my education, training, publications, and research as applied to this case, I must conclude that Dr. Cabi's termination of the plaintiffs' employment was because of their sincerely held religious beliefs.

My curriculum vitae is attached to this report, and it lists all of my publications for the past ten years. It also lists all court cases in which I have been deposed, testified, or submitted expert reports. For preparing this report I have been compensated at the rate of \$200.00 per hour, and worked on it for at least eight hours.

Submitted by Stephen A. Kent (Ph.D.)

(signed) \_\_\_\_\_

(Date) \_\_\_\_\_

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