

CAUSE NO. C2013-1082B

MONIQUE RATHBUN

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IN THE DISTRICT COURT

v.

207 JUDICIAL DISTRICT

DAVID MISCAVIGE, RELIGIOUS
TECHNOLOGY CENTER, CHURCH
OF SCIENTOLOGY
INTERNATIONAL, STEVEN
GREGORY SLOAT, AND
MONTY DRAKE

COMAL COUNTY, TEXAS

FILED FOR RECORD
2013 AUG 16 6 PM 21 22
KATHY H. HERRER
CLERK OF DISTRICT COURT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

The Plaintiff, Monique Rathbun, brings this action against the Defendants, David Miscavige, Religious Technology Center ("RTC"), Church of Scientology International ("CSI"), Steven Gregory Sloat, and Monty Drake, and for causes of action shows the following:

DISCOVERY CONTROL PLAN

1. The Plaintiff intends to conduct discovery under Level 3 of Rule 190 of the Texas Rules of Civil Procedure.

PARTIES AND SERVICE OF PROCESS

2. Mrs. Rathbun is a resident of Comal County, Texas. David Miscavige is a California resident. He may be served with process and this pleading by serving the Secretary of State of Texas at 1019 Brazos Street, Austin, Texas 78701, as his agent for service. A copy of the same may also be mailed to David Miscavige at 1710 Ivar Avenue, Suite 1100, Los Angeles, CA 90028. Religious Technology Center is a

California corporation and does not have a registered agent in Texas for service of process. Accordingly, Religious Technology Center may be served with process and this pleading by serving the Secretary of State of Texas at 1019 Brazos Street, Austin, Texas 78701, as its agent for service. A copy of the same may also be mailed to Religious Technology Center, Sherman Lenske, Agent for Service of Process, 6400 Canoga Ave., Suite 315, Woodland Hills, CA 91367. Church of Scientology International is a California corporation and does not have a registered agent in Texas for service of process. Accordingly, Church of Scientology International may be served with process and this pleading by serving the Secretary of State of Texas at 1019 Brazos Street, Austin, Texas 78701, as its agent for service. A copy of the same may also be mailed to Church of Scientology International, Jeanne M. Reynolds, Agent for Service of Process, 3055 Wilshire Blvd., Suite 900, Los Angeles, CA 90010. Steven Gregory Sloat is an individual residing in Houston (Bellaire), Texas. He may be served by serving him at 4907 Beech Street, Bellaire, Texas 77401. Monty Drake is an individual residing in Granbury, Hood County, Texas. He may be served by serving him at 1620 Malibu Bay Ct., Granbury, Texas 76048

SUBJECT MATTER JURISDICTION

3. This action is a suit for injunctive relief and damages in an amount within the jurisdictional limits of this Court. The Plaintiff seeks monetary relief over \$1,000,000.

PERSONAL JURISDICTION

4. Mr. Miscavige, RTC, and CSI are subject to personal jurisdiction in Texas. Texas courts have general jurisdiction over Mr. Miscavige, RTC, and CSI because they have a substantial connection with Texas due to their continuing and

systematic contacts purposefully directed toward Texas. Also, Texas courts have specific jurisdiction over these Defendants because they have a substantial connection with Texas due to the fact that this cause of action arises out of or relates to their contacts with Texas. Mr. Sloat and Mr. Drake are citizens and residents of Texas, where they do business

VENUE

5. Comal County is a county of proper venue, because it is a county in which a substantial part of the events or omissions giving rise to the claim occurred and are still occurring.

FACTS

6. Monique Rathbun (formerly, Monique Carle) was 33 years old in 2005, when she met and fell in love with her future husband, Mark Rathbun. Eventually, Mr. and Mrs. Rathbun made their home in Ingleside On The Bay, Texas, and they were wed on July 3, 2010. Although this case involves Scientology, Mrs. Rathbun is not, nor has she ever been, a member of the Church of Scientology. The Church of Scientology is a notorious, multi-billion dollar cult.

7. Mrs. Rathbun learned at the outset of her romance with Mr. Rathbun that he was a former member of the Church of Scientology. In fact, Mr. Rathbun had devoted 27 years of his life to the service of Scientology. He was the second highest ranking official in Scientology's hierarchy. Mr. Rathbun worked directly with David Miscavige, Scientology's supreme leader. Mr. Miscavige, who refers to himself as the "Pope of Scientology," wields absolute control over all Scientology operations, including the operation made the basis of this suit.

8. By 2004, Mr. Rathbun realized that he could no longer abide Mr. Miscavige's illegal and immoral misconduct, especially Miscavige's physical and mental abuse of devoted Scientology clergy. Mr. Rathbun escaped from Scientology's secretive, secure compound in the California desert, and made his way to South Texas, where he lived in anonymity. Mr. Rathbun's disappearance from his life in Scientology was so effective that he was rumored to be dead. In fact, it was reported in Wikipedia that he had died of cancer. During those quiet years, Mr. and Mrs. Rathbun met, married, and began their new life on the Texas coast.

9. Mr. Rathbun was living in relative seclusion. He had no contact with his family and friends, who remained in Scientology and who were prohibited by the Church of Scientology from having any communication or connection with him. There is a department within the Church of Scientology dedicated to full-scale attack against anyone who questions or criticizes Mr. Miscavige's reign over Scientology. That organization is called the Office of Special Affairs ("OSA"). OSA employs a cadre of lawyers, investigators, public relations personnel, and shady operatives to destroy anyone identified as an attacker of Scientology. Mr. Rathbun kept quiet and avoided the attention of OSA.

10. In 2009, Mr. Rathbun exercised his rights under the Texas and United States Constitutions to speak out against Mr. Miscavige's criminal mistreatment of Scientology clergy. The Plaintiff, Monique Rathbun, did not join her husband in speaking out concerning Scientology issues, nor has she ever taken a public position regarding Scientology. Mrs. Rathbun was never a Scientologist. In no way was she an "attacker" of Scientology. Her only involvement was her marriage to a prominent former Scientologist.

11. Nevertheless, Mrs. Rathbun was intentionally targeted by OSA merely because of her relationship with Mr. Rathbun. Under Scientology's written policies and procedures, it is "fair game" to threaten that which an enemy seeks to protect. To Scientology, Mr. Rathbun is an enemy, and his beloved wife is "that which he seeks to protect." Accordingly, OSA and its co-defendants have engaged in three years of ruthlessly aggressive misconduct against Mrs. Rathbun. This abusive campaign continues, unabated, today.

12. The Defendants have worked around the clock for three years to destroy Mrs. Rathbun. She has been harassed, insulted, surveilled, photographed, videotaped, defamed, and humiliated to such a degree as to shock the conscience of any decent, law-abiding person. She has been subjected to numerous, aggressive attempts to intimidate her. Each and all of the Defendants have participated enthusiastically in this abuse, without regard to Mrs. Rathbun's basic rights as a human being. She has been targeted at home, at work, and anywhere else that she happens to be.

13. As a direct result of the Defendants' relentless campaign, Mrs. Rathbun and her husband were driven from their cherished home in Ingleside On The Bay. They moved to a more secluded residence in Comal County in the hope of obtaining the ordinary privacy and tranquility to which they are entitled. Unfortunately, their respite was short-lived. The Defendants have resumed their activities against Mrs. Rathbun in Comal County. Mrs. Rathbun believes that she has no choice but to bring this suit to end the Defendants' assault upon her privacy, her tranquility and peace of mind, her right to work, and her right to freely associate with friends and co-workers free from intrusion, surveillance, harassment, and embarrassment.

CAUSES OF ACTION

14. **Intentional Infliction of Emotional Distress.** The Defendants' misconduct, as described above, constitutes intentional infliction of emotional distress, for which Mrs. Rathbun hereby sues. The Defendants acted intentionally or recklessly, and Mrs. Rathbun has suffered, and is suffering, severe emotional distress. The Defendants' misconduct is extreme and outrageous, and proximately caused Mrs. Rathbun's emotional distress. No alternative cause of action would provide a remedy for the severe emotional distress caused by the Defendants' misconduct.

15. **Tortious Interference With Contract.** The Defendants' misconduct, as described above, constitutes tortious interference with contract, for which Mrs. Rathbun hereby sues. Mrs. Rathbun has had a valid contract of employment with her employer. The Defendants have willfully and intentionally interfered with the contract. The Defendants' interference has proximately caused injury to Mrs. Rathbun, and she has incurred actual damages or loss.

16. **Invasion of Privacy - Intrusion on Seclusion.** The Defendants' misconduct, as described above, constitutes invasion of privacy by intrusion on seclusion, for which Mrs. Rathbun hereby sues. The Defendants intentionally intruded on Mrs. Rathbun's solitude, seclusion, or private affairs. Such intrusion would be highly offensive to a reasonable person. Mrs. Rathbun suffered injury as a result of the Defendants' intrusion.

17. **Invasion of Privacy - Public Disclosure of Private Facts.** The Defendants' misconduct, as described above, constitutes invasion of privacy by public disclosure of private facts, for which Mrs. Rathbun hereby sues. The Defendants

publicized information about Mrs. Rathbun's private life, which would be highly offensive to a reasonable person, and which is not of legitimate public concern. Mrs. Rathbun has suffered injury as a result of the Defendants' disclosure.

INJUNCTIVE RELIEF

18. Mrs. Rathbun is entitled to a Temporary Restraining Order, Temporary Injunction, and Permanent Injunction prohibiting the Defendants from interfering with her employment, from invading her privacy, and from inflicting emotional distress upon her. There is substantial risk of imminent harm and irreparable injury to Mrs. Rathbun. Her damages, by their nature cannot be measured by any certain pecuniary standard. She seeks ex parte consideration of this request for Temporary Restraining Order to prevent further irreparable injury and to preserve the status quo pending a hearing on her request for Temporary Injunction and final trial.

DAMAGES

19. **Actual Damages.** As a direct result of the Defendants' unlawful conduct, Mrs. Rathbun has suffered and will continue to suffer recoverable actual damages within the jurisdictional limits of this Court, including but not limited to, mental anguish damages, loss of earning capacity, damage to reputation, and financial loss.

20. **Exemplary Damages.** The Defendants' unlawful conduct was of such a degree and character as to make them liable for exemplary damages within the jurisdictional limits of this Court.

VICARIOUS LIABILITY

21. The Defendants' misconduct as described above makes them liable for each other's actions and the actions of their employees and agents under theories of

assisting or encouraging, assisting and participating, concert of action, conspiracy, agency, partnership, joint enterprise, and piercing the corporate veil.

AMENDMENT AND JOINDER

22. Mrs. Rathbun expressly reserves the right to amend her pleadings and to join additional parties, as needed.

REQUEST FOR DISCLOSURE

23. The Plaintiff requests that the Defendants disclose, pursuant to Texas Rule of Civil Procedure 194, the information or material described in Rule 194.2(a)-(l).

PRAYER

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays that upon trial hereof, she be awarded judgment against the Defendants for injunctive relief, actual damages, exemplary damages, court costs, pre-judgment interest, post-judgment interest, and such other and further relief to which she may be justly entitled at law or in equity.

Respectfully submitted,

JEFFREY & MITCHELL, P. C.

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ATTORNEYS FOR MONIQUE RATHBUN

PLAINTIFFS DEMAND TRIAL BY JURY

CAUSE NO. _____

MONIQUE RATHBUN

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_____ JUDICIAL DISTRICT

DAVID MISCAVIGE, RELIGIOUS
TECHNOLOGY CENTER, CHURCH
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COMAL COUNTY, TEXAS

AFFIDAVIT OF MONIQUE RATHBUN

Before me, the undersigned notary, on this day personally appeared Monique Rathbun, the affiant, a person whose identity is known to me. After I administered an oath, affiant testified:

1. "My name is Monique Rathbun. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am married to Mark Rathbun, a prominent former Scientologist. For several years, we led a quiet, rewarding life together on the Texas coast before the Defendants started their campaign of harassment and intimidation against us.

3. In 2009, my husband broke his silence about Scientology. He gave national media interviews about physical and mental abuse he witnessed at Scientology's headquarters in California. I have never been a Scientologist. I gave no interviews, nor did I speak out publicly concerning these matters.

4. Within a week of my husband's first media interviews, we were both put under surveillance by Scientology operatives. We have now been living under this constant surveillance and harassment for four years.

5. On several occasions when my husband travelled out of town, Scientologists appeared at our home after dark to interrogate me aggressively. These unwelcome visitors refused to give their names. Although I tried to be strong, this was frightening to me as a woman at home alone. When I would try to call the police, the Scientologists would flee.

6. Anonymous callers phoned our home and threatened us. Scientology operatives openly followed me as I drove to and from work.

7. In 2011, the Scientology operatives leased a five bedroom home less than 200 yards from our residence. This outpost was occupied by at least five Scientology operatives whose full-time job was to make our lives a living hell, as one of them has publicly admitted. They usually wore shirts identifying themselves as Scientologists.

8. We couldn't even peacefully take our evening walk with our little dog, Chiquita. The Scientology operatives used electronic surveillance to alert them whenever we left our home. Within minutes of beginning our walk, the Scientology agents would approach us in a golf cart with up to six cameras trained on us as they hurled insults and rude questions relating to Scientology.

9. If we left home by car, we were inevitably followed by Scientology operatives and tailed to wherever we went. We were then publicly assaulted and harassed wherever we went, including restaurants and the beach. The Scientology agents harassed us in this fashion for 199 days straight. Our neighbors and local government tried to help us, but the harassment continued.

10. From 2010, to the present, the Scientologists have targeted me specifically for harassment. They have worked to drive a wedge between me and my husband, family, and co-workers. Scientology investigators have visited my mother, my father, my former husband, my

friends, and my co-workers. The investigators have falsely claimed to all of these contacts that my life is at risk as long as I remain with my husband. These malicious allegations are hateful and distressing.

11. Presumably because I am a woman, the Defendants seem obsessed with my sexuality. They sent a sex toy to me at my workplace, which was very embarrassing. With their constant surveillance of me, they knew when I was away from the office, at which time they sent flowers to one of my female co-workers with a "romantic" message purporting to be from me. Of course, this was distressing to me.

12. Scientology websites have published bizarre and sometimes vile allegations against me, including false claims that I am a sexual pervert. They have even alleged that I am not even a woman, but a man who has had a secret sex-change operation. So, I have even had my womanhood questioned as part of this sick campaign to inflict maximum emotional distress on me.

13. Near the end of 2012, we discovered that Scientology private investigator, Monty Drake of Granbury Texas, had leased for three years a residence across the street from our home in Ingleside On The Bay. Behind the residence's blinds, peaking through small cut-outs, was an array of high-powered still and video cameras pointed at, and into, our home.

14. Although we truly loved our home and our neighborhood on the Texas coast, I could no longer take the constant harassment and lack of privacy. Although it cost us the loss of \$35,000 in lease/purchase equity, we moved to find refuge from the Defendants' harassment. After extensive searching, we found what we believed was an acceptable home with sufficient seclusion in Comal County, Texas.

15. Unfortunately, despite our new home's apparent privacy, some or all of the Defendants continued to watch our comings and goings from a distance, and to follow us when we drove from home. Since July of 2013, the Defendants' activities against us have intensified. They have leased undeveloped property adjacent to our homestead and installed surveillance cameras directed at our property. Defendant Sloat has made contact with us under a false identity and has provided preposterous, false stories to explain the surveillance cameras and why he is moving an RV onto this undeveloped property.

16. I am a private person by nature. The continuous and aggressive invasion of privacy to which I have been subjected, and the related personal and psychological abuse, has, and continues to be, a cause of great distress to me. It has cost me my privacy, my peace of mind, and I believe it is calculated to damage my relationship with my husband, and his relationship with my family and friends so as to injure me. Because I have been subjected to harassment that is habitual, sadistic and categorical, I also live in fear that the Defendants will resume their efforts to discredit me with my co-workers, employer, family and friends."

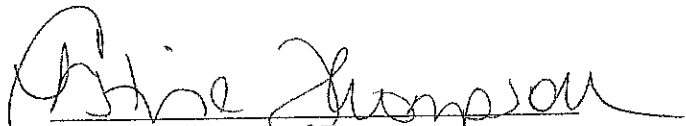
"Further affiant sayeth not."


Monique Rathbun

STATE OF TEXAS §
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COUNTY OF COMAL §

SUBSCRIBED AND SWORN TO BEFORE ME, by the said Monique Rathbun, on this the 16 day of August, 2013, to certify which witness my hand and seal of office.




Notary Public, State of Texas