

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. J. B. Adams

DATE: 3/18/75

FROM : Legal Counsel

SUBJECT: THE FOUNDING CHURCH OF SCIENTOLOGY  
OF WASHINGTON, D. C., INC., v.  
WILLIAM B. SAXBE, et al.  
(U.S.D.C., D.C.)  
CIVIL ACTION NO. 74-744

In the complaint in captioned civil action plaintiff alleges that an illegal wiretap was placed on one of its telephones by the FBI and seeks an injunction and damages. The Government submitted an affidavit of Assistant Director John J. McDermott stating that at no time has the FBI conducted any form of electronic surveillance on plaintiff and moved for summary judgment. On 10/23/74, the court entered an order specifying that the Government's motion shall be continued until the completion of certain discovery procedures. Specifically, the order stated that written inquiry be made of the person or persons who initiate requests for electronic surveillance under Title III, Omnibus Crime Control and Safe Streets Act of 1968, and of Agents in WFO who conducted electronic surveillance on or about 4/30/74. Defendants were to prepare the inquiries pursuant to guidelines suggested by the court and file same with the court in camera. Inquiries were subsequently drafted and furnished to the court.

REC-104

On 2/28/75, Assistant United States Attorney Robert S. Rankin, Jr., Washington, D. C., advised that on 2/24/75, the court entered an order allowing plaintiffs to participate in the

Enc.

- 1 - Mr. Gebhardt
- 1 - Mr. Wannall
- 1 - Mr. McDermott
- 2 - Mr. Mintz
- 1 - Mr. Laturno

GML:lsh

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ENCLOSURE

GML

11/9/75  
(K-2)

Memorandum to Mr. J. B. Adams  
Re: The Founding Church of Scientology  
of Washington, D. C., Inc., v.  
William B. Saxbe, et al., etc.

formulation of the inquiries and requiring defendants to provide plaintiff with a copy of the Government's in camera submission. On 3/3/75, the Government filed a motion for reconsideration of and relief from the court's order of 2/24/75. A copy of the Government's memorandum in support of this motion is attached. In this memorandum the Government asserted that plaintiffs can be allowed to participate in the formulation of the inquiries without the necessity of seeing defendants' submission, which was thought to have been for the use of the court only. Thus, the Government contended the court's order should be amended to allow plaintiff to participate by submitting its own suggestions without requiring defendants' in camera submission to be released. Alternatively, the Government contended that should the court believe plaintiff is entitled to see defendants' proposal, the Government should be allowed to delete from their in camera submission several matters of a sensitive nature (the approximate number of Agents in WFO who could initiate electronic surveillance requests under Title III and the approximate number of Agents in WFO who were conducting electronic surveillance on or about 4/30/74). The Government then submitted an amended in camera memorandum with the sensitive material deleted, a copy of which is attached.

On 3/13/75, Assistant United States Attorney Rankin advised that on 3/12/75, the court entered an order in this matter, a copy of which is attached, requiring the Government to submit to the plaintiffs the Government's amended submission.

RECOMMENDATION:

None. For information.

MD

REG  
10/10/75

JBA/  
PLM