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August 16, 2012

VIA EMAIL AND U.S. MAIL

Richard Bernstein
Sabin, Belmant & Gould LLP
Four Times Square
New York, NY 10036-6526

Re: **Vanity Fair and the Church of Scientology International**

Dear Ms. Bernstein:

We note your failure to provide any justification, legal or ethical, for *Vanity Fair's* and Maureen Orth's refusal to identify the mystery woman and anonymous sources responsible for the myriad false and defamatory allegations presented to the Church for response.

We acknowledge that California has a reporter's shield law. Cal. Const. Art. I, § 2(b); Cal. Evidence Code § 1070. However, it does not protect a reporter from disclosing information if the reporter is party to a case. *See Star Editorial v. U.S. Dist. Ct. for CD. of Cal.*, 7 F.3d 856, 861 (9th Cir. 1993) (qualified privilege does not apply to libel suit by comedian against tabloid; "when a public-figure plaintiff brings a civil libel action against a media defendant ... the balance weighs in favor of disclosure.") And, while a defendant reporter may be protected from being held in contempt, the defendant reporter who refuses to disclose her source is not protected against various sanctions, including the court's entry of judgment in favor of plaintiff. *See Mitchell v. Superior Court*, 37 Cal. 3d 268, 274 (1984).

It appears *Vanity Fair* desires only perfunctory denials from the Church rather than substantive responses that will contradict and burden the story. *Vanity Fair* professes to strive for an accurate and fair story, yet the Church is deprived of the ability to investigate and respond to the questions--which comprise new allegations that the Church has never before heard as well as old, recycled allegations that the Church knows to be false and believes may come from unreliable and inappropriate sources. The Church has been put in the impossible position of having to respond to allegations about which it has no knowledge, as well as having to respond to false allegations likely from sources who are admitted liars. In short, the Church has no ability to test the reliability of the new allegations and *Vanity Fair* has no interest in learning about its sources' lack of credibility.

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In closing, for *Vanity Fair* to honor its established journalistic duties, it must provide the Church a meaningful opportunity to respond to the allegations, which necessarily includes the identification of its sources. However, should *Vanity Fair* deny the Church its right to provide irrefutable evidence impeaching the magazine's sources, it may likely have to answer for its willful blindness.

While we harbor no delusions that *Vanity Fair* will tell its readers about the many positive aspects of the Church, including its recent explosive growth and the impact of its many humanitarian programs, we expect and demand a balanced story. Please provide the identification of sources as well as the identity of the mystery woman immediately so that the Church may appropriately respond.

Sincerely,

GLASSMAN, BROWNING, SALTSMAN & JACOBS, INC.

By:


ANTHONY MICHAEL GLASSMAN

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