

## **D.A. Won't Alienate Man Over Close Encounters**

Witness who reports visits by otherworldly creatures will testify in environmental lawsuit.

By Steve Chawkins

Times Staff Writer

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Some attorneys might shy away from using a witness who says he has been abducted by bizarre creatures that repeatedly return at night to poke tiny holes in his chest.

But a Santa Barbara County prosecutor said Wednesday that he intends to present testimony from just such a witness next week in a civil case against the owner of the county's largest land-based oil and gas producer.

The man's credibility in the county's lawsuit against Greka Energy is "a valid issue to be litigated," said Deputy Dist. Atty. Jerry Lulejian, adding that videos of the strange visitations may be shown to the judge "as a further test of his believability."

The purported needle-wielding beings have nothing to do with the long-running case against Greka, which has been accused by county officials of numerous environmental violations.

Still, the company's attorneys seemed to welcome accounts by prosecution witness Gary Lowrey of nocturnal drop-ins by weird — possibly alien — creatures and hemisphere-shaped machines.

In court documents, Lowrey, the company's former safety manager, also told of finding a mysterious "claw" hooked into a green towel in his closet, along with footprints on a sheet of aluminum foil that he had laid out in hopes of securing clues about his visitors.

In interviews, attorneys for Greka tried to make all that — plus prosecutor Lulejian's unwillingness to boot Lowrey from his witness list — seem a little strange.

"Here's their most important witness, and the D.A. is buying into it, saying that none of this affects his credibility," said Bela G. Lugosi, an attorney for Greka and son of the actor best known for playing Count Dracula. "We're very surprised."

His co-counsel, Santa Monica attorney Jeffrey Valle, agreed.

"Yes, there are people who believe in aliens," Valle said, "but we're talking about the Santa Barbara district attorney's office here!"

The county's 2004 suit against Greka leveled more than 100 accusations against the company, which operates mostly in the Santa Maria area. All but six of them have been settled, with Greka paying \$600,000 in penalties.

At issue before Santa Barbara County Superior Court Judge Rodney S. Melville will be whether the company had permits to load a petroleum byproduct on railcars at its refinery, Lulejian said.

Lowrey, who took a medical leave from the company in 2002, "has nothing to do with proving anything specific that was going on" in that regard, the prosecutor said. However, he had warned company officials about unsafe conditions even before a gas explosion in which a worker was severely injured, Lulejian said, adding, "I want the court to know that."

Even if Lowrey's credibility dissolves like a shrieking teenager in a vat of horror-flick acid, the prosecutor said he has corroborating evidence about Lowrey's warning to the company.

The company has described Lowrey as a disgruntled former employee with an ax to grind. Greka filed suit against him, but a state law protecting whistle-blowers derailed it.

Lowrey's otherworldly experiences came to light in depositions this summer.

In one exchange, Lugosi pressed him about his conversations with a UFO researcher.

"Did you in fact tell him that you were being terrorized by creatures that you considered to be alien in nature?" Lugosi asked.

Lowrey's response was measured.

"They were bothering me," he said. "I don't think I said they terrorized me. But I said they were bothering me."

A former Bakersfield fire inspector, Lowrey could not be reached for comment Wednesday.

In his deposition, he said that he, his wife, and his children all suffered mysterious needle pricks at night, sometimes in distinctive patterns. With a hidden video camera in his bedroom, he secured footage of the creatures, including one frame where, he said, "you can see his little eyes looking at you, and the horns and the eyebrow."

The video, Lulejian said, will be made available behind closed doors to Melville, who is best known as the judge in the Michael Jackson child-molestation trial.

In a separate deposition, the prosecutor took care not to say whether he believed Lowrey's account. However, he praised Lowrey for investigating the strange phenomena in a "rational" way.

For example, the prosecutor pointed out, Lowrey consulted with Roger Leir, a Thousand Oaks podiatrist who says he has surgically extracted materials implanted in humans by extraterrestrials.

With Leir's help, DNA tests on the "claw" revealed it to be either "a snail or a primitive ancestor of the human race," Lulejian testified.

In the deposition, he was asked: "Don't you find a witness who claims that he's being visited by aliens and getting punctured at night rather a wacky thing to be claiming?"

The prosecutor disagreed, saying he knew of many instances where "people of very good believability have had experiences that they cannot identify."

Lowrey sounded an even loftier note during his deposition.

"There are hundreds of scientists, credible scientists, looking for life outside the Earth in the universe," he said. " ... I'm not alone."

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steve.chawkins@latimes.com