

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

NOV 05 1997

PAULA CORBIN JONES, :
 :
 Plaintiff, :
 :
 v. :
 :
 WILLIAM JEFFERSON CLINTON :
 :
 and :
 :
 DANNY FERGUSON, :
 :
 Defendants. :

JAMES W. MCCORMACK, CLERK
By: *[Signature]* DEP. CLERK
CIVIL ACTION
NO. LR-C-94-290

Judge Susan Webber Wright

(UNDER SEAL)

PRESIDENT CLINTON'S MOTION FOR PROTECTIVE ORDER

President Clinton, through counsel, pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, hereby moves for a protective order to properly limit the scope of discovery in this case. Plaintiff has served discovery requests on the President, defendant Danny Ferguson and numerous third parties seeking any rumor, innuendo, gossip or allegation of purported sexual conduct by President Clinton with anyone, at almost any time, regardless of whether the purported conduct would constitute harassment.

Plaintiff's claims in this case, however, are that the President, while Governor, acted under color of state law to subject her to *quid pro quo* and hostile environment sexual harassment while she worked at the Arkansas Industrial Development Commission ("AIDC") in 1991, thereby depriving her of her civil rights and inflicting emotional distress.

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Accordingly, as fully discussed in the accompanying memorandum of law, much of the discovery sought by plaintiff is irrelevant to her claims. Specifically, the following is irrelevant to plaintiff's claims: (i) alleged incidents that occurred before or after the defendant was Governor are irrelevant, since they could not constitute actions taken under color of state law for purposes of a section 1983 suit; (ii) alleged incidents that occurred outside of AIDC are irrelevant since they could not constitute evidence of *quid pro quo* sexual harassment in that work place; (iii) alleged incidents of which plaintiff had no knowledge are irrelevant because they could not have contributed to plaintiff's perception that her work environment was hostile; (iv) alleged incidents of consensual behavior are irrelevant because they would not be harassment or discrimination; and (v) alleged incidents that are remote in time -- whether before or after the allegations in the Complaint -- are irrelevant and discovery into them would be unduly burdensome.

Therefore, President Clinton respectfully requests that the Court enter a protective order limiting the scope of discovery to purported incidents, if any, of non-consensual conduct by him occurring close in time, and in the same work place -- the AIDC -- as the events alleged in the Complaint. We respectfully submit that such an order is consistent with the case law on this issue and with the directive from the Supreme Court that in

ruling on the scope of discovery in this case, the Court should be mindful of the high respect due to the Office of the President.

Respectfully submitted,

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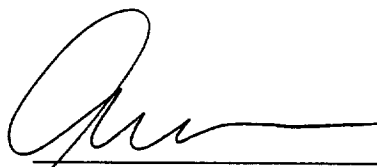
Dated: Washington, D.C.
October 28, 1997

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October, 1997, a true and correct copy of President Clinton's Motion for Protective Order and Memorandum In Support Thereof was served via facsimile and first class United States Mail postage prepaid to:

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