IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION

PAULA JONES PLAINTIFF

v. No. LR-C-94-290

WILLIAM JEFFERSON CLINTON and
DANNY FERGUSON DEFENDANTS

10/28/97 16:50 FAX 9314814 SEAY & BRISTOW 004

MOTION OF DANNY FERGUSON FOR RELIEF FROM DEPOSITION SCHEDULE

Comes now Danny Ferguson, and for his Motion to the Court, states and alleges as follows, viz:

1. That Danny Ferguson is represented in this matter by Bill W. Bristow, a sole practitioner in Jonesboro. In previous depositions, several attorneys have appeared on behalf of the plaintiff and different attorneys have appeared at different depositions. Likewise, the President is represented by several attorneys, and different attorneys have appeared at the different depositions. In contrast, the law offices of Bill W. Bristow consist of himself and his secretary and he does not have any associates or paralegals.

2. When Bill Bristow came to his office on October 27, 1997, he had several fax copies dated October 26, 1997, reflecting notices of the deposition of Larry Patterson to begin on November 4, 1997, at 9:30 A.M., the deposition of L. D. Brown to begin on November 5, 1997, at 10:00 A.M., and the deposition of Roger Perry to begin on November

6 at 3:00 P.M. Also, defendant's attorney would note with some degree of disturbance that there had been a previous notice of a deposition for November 5, at 10:00 of Sam Jones. While defendant Ferguson's counsel had determined that it would probably be unnecessary to attend the deposition of Sam Jones, as it would be unlikely that this testimony would bear on the issues in the case against Danny Ferguson, it is disturbing to contemplate the possibility of multiple depositions being scheduled for the same time when there would be no way counsel for Danny Ferguson could attend both.

3. Defendant Danny Ferguson asks this Court for relief from the depositions that have been scheduled to commence on November 4, 5, and 6. Defendant's counsel has a matter scheduled for trial before a jury in State Court in Jonesboro, on November 4 before Judge Samuel Turner and another matter scheduled before a jury and Judge Turner for November 6 and 7. In addition, there is a matter where Judge Moody's docket coordinator is attempting to dispose of a one day jury matter in Jonesboro, and defendant's counsel believes that the matter will be heard on November 5. In the matter in Judge Moody's court, defendant's counsel does have another lawyer associated with him in such case who could try the matter if necessary, but there is no co-counsel for defendant on the November 4 jury trial or November 6 jury trial. Accordingly, defendant's counsel asks the Court to order rescheduling of these depositions that were given on short notice at a time when defendant's counsel has previously been scheduled for trial before other Courts and without notice or inquiry about the schedule of opposing counsel as is normally the practice in this jurisdiction.

4. There are depositions previously scheduled in this matter for November 10, 11, 12,

17, and 24 as well as December 1 and December 2. Defendant's counsel would certainly cooperate with plaintiff's counsel if they desire to schedule additional depositions on those dates because many of those dates have only one deposition presently scheduled and it is unlikely that particular deposition would last very long.

5. In addition, defendant Ferguson's counsel is scheduled for depositions in a medical malpractice case on November 14, and depositions in a Workers' Compensation matter on November 25. Ferguson's counsel has received notice of an oral argument in the Eighth Circuit on November 20 which has caused him to have that day's jury trial rescheduled for November 21 in Lawrence County. He also has a trial scheduled in Lawrence County on December 4, and hearings scheduled for December 12, December 15, December 17, and December 19. He has a trial scheduled in Clay County on January 22 and a Workers' Compensation trial in Jonesboro on January 29. The deposition of Danny Ferguson has been noticed for January 15. Counsel for defendant Ferguson would respectfully request that the plaintiff's counsel noticed depositions for times other than previously scheduled. Defendant Ferguson specifically requests this Court for relief from the deposition scheduled for November 4, 5, and 6 because of conflicts in scheduling.

6. Moreover, defendant Ferguson shares the concern announced by the attorneys for President Clinton to the effect that outstanding discovery requests are overbroad, burdensome, and intrusive. For example, there are outstanding discovery requests attempting to have Danny Ferguson comment about whether or not President Clinton had relationships with other women. Danny Ferguson is being sued for the actions he allegedly took on May

8, 1991, and he believes that the subject matter of discovery should be limited to only relevant evidence, or discovery that is likely to produce relevant evidence, as regards the allegations made in said Complaint. For him to be dragged in to what he perceives to be some sort of political vendetta by persons bent on embarrassing the President with ceaseless inquiries into any relationship between the President and other women is a scenario that he would like to avoid. Furthermore, he does not understand why instances of consensual relationships, assuming arguendo that such occurred, could possibly be relevant to the issues raised by plaintiff's pleadings which attempt to detail the most graphic of non-consensual occurrences. Accordingly, Danny Ferguson adopts the arguments that discovery should be limited and that the plaintiff should not be entitled to inquire into relationships other than non-consensual ones.

WHEREFORE, premises considered, defendant, Danny Ferguson prays for relief from the scheduling burden and further adopts the prayer that the Court exercise supervisory authority with regard to the area of inquiry, and for all other further and proper relief in the premises.

DANNY FERGUSON

By Bill W. Bristow

Bill W. Bristow, P. A.
State Bar No. 75009
216 E. Washington
Jonesboro, Arkansas 72401

CERTIFICATE OF SERVICE

I, Bill W. Bristow, attorney for defendant Ferguson, certify that I have served a copy of the foregoing Motion on other attorneys of record, Mr. Robert S. Bennett, 1440 New York Avenue, N.W., Washington, D.C. 20005-2111, Ms. Kathlyn Graves, 200 West Capitol Avenue, Suite 2200, Little Rock, Arkansas 72201, Mr. Stephen Engstrom, 809 West Third Street, Little Rock, Arkansas 72202, Mr. Donovan Campbell, Jr. Stemmons Place, Suite 1080, 2777 Stemmons Freeway, Dallas, Texas 75207 and Mr. Scott R. McIntosh, Room 3127, Civil Division, 10th & Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001 this 28th day of October, 1997.

Bill W. Bristow

Bill W. Bristow, P. A.