



President's genitalia or otherwise examined his genitalia, is now moot, said information having been provided during the telephone conference held on the afternoon of December 2, 1997. This information was also provided by way of the President's response to plaintiff's motion to compel.<sup>1</sup>

## II.

Interrogatories No. 10 and 11 ask the President to state the name, address, and telephone number of each and every individual (other than Hillary Rodham Clinton) with whom he has had sexual relations or with whom he proposed or sought to have sexual relations when he held any of the following positions: (1) Attorney General of the State of Arkansas; (2) Governor of the State of Arkansas; and (3) President of the United States. Interrogatory No. 17, in turn, asks the President to state the name, address, and telephone number of each and every person who was asked by him to arrange a private meeting between himself and any female (other than Hillary Rodham Clinton), attended by no one else, at any location other than his office, at any time when he held any of the positions listed in interrogatories No. 10 and 11. The President objects to these interrogatories on grounds that (i) they are irrelevant and unlikely to lead to the discovery of admissible evidence; (ii) they are over broad and unduly burdensome, especially because they span a period of 20 years; (iii) in light of plaintiff's deposition testimony, this discovery is wholly unnecessary; and (iv) plaintiff should be estopped from pursuing this discovery based on prior representations to the Court.

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<sup>1</sup> In agreeing to provide the names of his medical doctors, the President, through counsel, states that no such surgery has occurred.

A.

The Court has considered these interrogatories and will limit their scope to some extent. First, because the Court considers any relationships, proposed relationships, or arranged meetings that occurred 20 years ago to be too remote in time to the allegations of plaintiff's amended complaint, the Court will establish a time frame that spans 5 years prior to May 8, 1991 (the date of the alleged incident that is the primary subject of this lawsuit), up to the present. Second, the Court will limit the class of individuals within this time frame to two categories, those who were state or federal employees, and those whose liaisons with Governor Clinton were procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor.

The Court finds, therefore, that the plaintiff is entitled to information regarding any individuals with whom the President had sexual relations or proposed or sought to have sexual relations and who were during the relevant time frame state or federal employees. Plaintiff is also entitled to information regarding every person whom the President asked, during the relevant time frame, to arrange a private meeting between himself and any female state or federal employee which was attended by no one else and was held at any location other than his office.<sup>2</sup> The Court cannot say that such information is not reasonably calculated to lead to the discovery of admissible evidence.

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<sup>2</sup> Of course, any alleged relationships and/or arranged meetings with a federal employee that occurred when the President was not in a position to directly affect that individual's employment, *i.e.*, when he was still Governor and was not President-elect, would fall outside of the guidelines the Court today establishes. Likewise, any alleged relationships and/or arranged meetings with a state employee that occurred when the President was no longer in a position to directly affect that individual's state employment would also fall outside of the Court's guidelines.

The Court further finds that plaintiff is entitled to information regarding any individuals, whether or not state or federal employees, whose liaisons with Governor Clinton were procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor.<sup>3</sup> Such information may bear on plaintiff's efforts at establishing a pattern or practice of conduct. Again, the Court cannot say that such information is not reasonably calculated to lead to the discovery of admissible evidence.

#### B.

In limiting the interrogatories at issue in this Order to a time frame that does not exceed 5 years prior to May 8, 1991, the Court is not thereby stating that it intends to limit the deposition testimony of President Clinton to that time frame. As the Court has stated earlier, the Court anticipates that it will have opportunity to rule later on the scope of President Clinton's deposition. It is possible that the Court would permit plaintiff to question the President with regard to matters that fall outside that time frame if she has an independent basis for inquiring into such matters. The Court simply will not require the President to formulate time consuming and burdensome responses to written interrogatories requesting information beyond that time frame.

#### III.

Interrogatory No. 18 asks the President to state the name, address, and telephone

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<sup>3</sup> Any alleged relationships or proposed relationships that did not involve state or federal employees and were not procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor go well beyond the issues in this case.

number of each and every person who worked in the Governor's Mansion in Little Rock, Arkansas, when he was Governor of the State of Arkansas. The President objects to this interrogatory on grounds that it is overly broad and individuals other than himself could compile and verify this information without imposing burdens on his time.

The standard that this Court will utilize in addressing any questions regarding the necessity and scope of the President's testimony at any deposition or trial will be "if the Court is satisfied that his testimony would be material as tested by a meticulous standard, as well as being necessary in the sense of being a more logical and more persuasive source of evidence than alternatives that might be suggested." *United States v. Poindexter*, 732 F.Supp. 142, 147 (D.D.C. 1990).<sup>4</sup> Applying this standard to interrogatory No. 18, the Court agrees with the President that he should not be required to answer this interrogatory. Plaintiff has not argued that there is no other source for this information, and in the absence of such a showing, this Court will require that plaintiff obtain this information elsewhere, *e.g.*, through employment records.

The President argues that this interrogatory is over-broad and is likely to generate burdensome and expensive additional discovery because plaintiff will seek to depose each and every one of these people, without any basis for believing that they have anything to offer relevant to her allegations. While that may be true, the Court cannot at this time determine that any such individuals do not possess information relevant to the allegations of plaintiff's amended complaint. The Court will therefore address issues regarding this discovery, as it has

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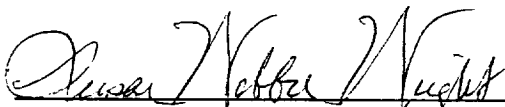
<sup>4</sup> This was the standard utilized by this Court in determining the necessity of the President's videotaped testimony in *United States v. Branscum*, No. 96-CR-49 (E.D.Ark. Jun. 7, 1996).

other matters, on an individual basis and upon motion of one or both defendants.

IV.

For the foregoing reasons, the Court grants in part and denies in part plaintiff's motion to compel responses to interrogatories. The Court directs that responses to plaintiff's second set of interrogatories be provided to plaintiff in a manner consistent with this Order on or before Tuesday, December 23, 1997.

IT IS SO ORDERED this <sup>th</sup> 11 day of December 1997.

  
UNITED STATES DISTRICT JUDGE

THIS DOCUMENT ENTERED ON DOCKET SHEET IN  
COMPLIANCE WITH RULE 58 AND/OR 79(a) FRCP  
ON 12/12/97 BY U

UNITED STATES DISTRICT COURT  
Eastern District of Arkansas  
U.S. Post Office & Court House  
600 West Capitol, Suite 402  
Little Rock, Arkansas 72201-3325

December 12, 1997

\* \* MAILING CERTIFICATE OF CLERK \* \*

Re: 4:94-cv-00290.

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