

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

DEC 16 1997

JAMES W. MCCORMACK, CLERK
By: *[Signature]*
DEP. CLERK

PAULA JONES,

Plaintiff,

v.

WILLIAM JEFFERSON CLINTON
and DANNY FERGUSON,

Defendants.

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CIVIL ACTION NO. LR-C-94-290

Judge Susan Webber Wright

UNDER SEAL

**PLAINTIFF'S RESPONSE TO DEFENDANT CLINTON'S
MOTION TO COMPEL ANSWERS TO INTERROGATORIES**

Plaintiff Paula Jones hereby responds to "President Clinton's Motion To Compel Plaintiff's Answers to His First and Second Sets of Interrogatories" (the "Motion To Compel") which was served by mail on Friday, December 5, 1997.

The Motion To Compel seeks an order compelling Plaintiff to do three things. Plaintiff has already done the first two, and by rule Plaintiff is not required to do the third until December 22, 1997, at the earliest. The Motion To Compel is therefore meritless and should be denied in all respects.

Interrogatory No. 19

The first item of relief sought in the Motion To Compel is an order compelling Plaintiff to answer Interrogatory No. 19. Plaintiff timely answered this interrogatory on September 22, 1997, and supplemented her response on November 12, 1997, as is conceded in the Motion To Compel. Counsel for Defendant Clinton is dissatisfied with the response, but is unable to show that it is inaccurate or incomplete in any way.

On November 20, 1997, long after these interrogatories had been served and, indeed, *after they had been answered and the answers supplemented*, Defendant Clinton attempted to require disclosure of additional information by sending a letter suggesting that these interrogatories called for a designation of expert witnesses to be called by Plaintiff at trial. *See* Motion To Compel, Ex. D. Obviously, a party may not unilaterally impose additional discovery obligations on its adversary by the simple expedient of sending, *after* the deadline for answering a formal request for discovery, a letter purporting to “clarify” the request.

It should be noted that Plaintiff timely objected to Defendant Clinton’s artificial definition of the term “YOU” in the interrogatories. The Motion To Compel does not address this objection or ask that it be overruled.

Apparently recognizing that Interrogatory No. 19 does *not* call for the identity of expert witnesses, counsel for Defendant Clinton sent with their November 20, 1997, letter a new interrogatory which *does* seek the identity of expert witnesses. *See* Motion To Compel, Ex. E. Plaintiff intends to respond to this interrogatory in a timely fashion.

Interrogatory No. 21

Secondly, the Motion To Compel seeks an order compelling Plaintiff to answer Interrogatory No. 21. By its own terms, this interrogatory did not require Plaintiff to identify persons who had already been identified by Plaintiff in response to other interrogatories. The specific wording of the interrogatory is: “IDENTIFY any and all individuals or entities *not previously IDENTIFIED HEREIN*, including but not limited to public relations firms, consulted by YOU in connection with PRESIDENT CLINTON, this litigation or the allegations in the Complaint.” (Capitalization in original; emphasis supplied.) There were

no such persons who had not previously been identified in response to other interrogatories, and thus no response to Interrogatory No. 21 was required. All responsive identities had already been provided in Plaintiff's answers (and supplements thereto) to other interrogatories in the same set. Nevertheless, in an attempt to eliminate any controversy over this rather picayune matter, Plaintiff has now sent a supplemental answer to this interrogatory. (A copy is attached to this response as Exhibit P-1.)

Defendant Clinton's Second Set of Interrogatories

Finally, Defendant Clinton moves for an order compelling Plaintiff to answer "immediately" his Second Set of Interrogatories. This set of interrogatories was served on November 20, 1997, but it was sent by fax transmission *after* 5:00 p.m. that day (which happened to be a Thursday) and it was sent by Federal Express for a Saturday delivery. *See* Motion To Compel, Exs. D, E. The deadline for Plaintiff's response is 33 days after service. *See* FED. R. CIV. P. 6(c), 33(b)(3), which is Tuesday, December 23, 1997. Even assuming *arguendo* that Plaintiff is not entitled to the additional three days under Rule 6(c), the deadline for her response would not be until Monday, December 22, 1997. The Motion To Compel is unripe.

Conclusion

The Motion To Compel should be denied.

Respectfully submitted,


Donovan Campbell, Jr.

State Bar of Texas No. 03725300

James A. Fisher

State Bar of Texas No. 07051650

Robert E. Rader, Jr.

State Bar of Texas No. 16453000

David M. Pyke

State Bar of Texas No. 16419700

T. Wesley Holmes

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CERTIFICATE OF SERVICE


I hereby certify that on December 15, 1997, a true and correct copy of the foregoing document (including the accompanying exhibits and attachments, if any) was served by hand delivery, telecopy transmittal, and/or first-class mail, postage prepaid, on all parties by and through their counsel of record at the addresses set forth below, in compliance with FED. R. CIV. P. 5.

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Donovan Campbell, Jr.

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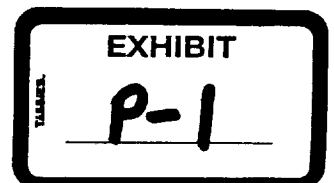
UNDER SEAL

**PLAINTIFF'S SUPPLEMENTAL RESPONSE TO
DEFENDANT CLINTON'S INTERROGATORY NO. 21**

Plaintiff Paula Jones hereby supplements her response to Interrogatory No. 21 served on behalf of Defendant Clinton in this civil action.

INTERROGATORY NO. 21: IDENTIFY any and all individuals or entities not previously IDENTIFIED HEREIN, including but not limited to public relations firms, consulted by YOU in connection with PRESIDENT CLINTON, this litigation or the allegations in the Complaint.

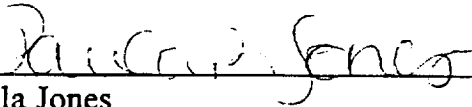
ANSWER: Subject to my objection to the defined term "YOU," and without waiving that objection, I state that I have not consulted any person not previously identified in my answers to the other interrogatories served by Defendant Clinton.



DECLARATION

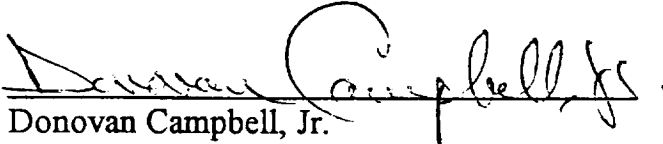
I declare under penalty of perjury that the foregoing answer is true and correct to the best of my knowledge and belief.

Executed on December 14, 1997.



Paula Jones

Respectfully submitted,



Donovan Campbell, Jr.

State Bar of Texas No. 03725300

James A. Fisher

State Bar of Texas No. 07051650

Robert E. Rader, Jr.

State Bar of Texas No. 16453000

David M. Pyke

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Stephen Engstrom
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Bill W. Bristow
216 East Washington
Jonesboro, Arkansas 72401

A handwritten signature in black ink, reading "Aaron Campbell Jr.", written over a horizontal line.