

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

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JAN 08 1998

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

PAULA CORBIN JONES,

Plaintiff,

vs.

No. LR-C-94-290

UNDER SEAL

WILLIAM JEFFERSON CLINTON
and DANNY FERGUSON,

Defendants.

ORDER

Before the Court is a Motion to Quash or Modify Subpoena and for a Protective Order Pursuant to Rule 26. This motion was filed on December 19, 1997, by Amy Paul and Bruce W. Eberle & Associates, Inc., and is in response to a subpoena issued by the President for documents and a deposition. The documents were originally scheduled to be produced on December 22, 1997, and the deposition is currently scheduled for January 23, 1998. The President has responded in opposition to this motion. Having considered the matter, the Court finds that the motion to quash should be and hereby is denied. The Court will, however, agree to the entry of a protective order.

The motion to quash and brief in support are framed in the most general of terms and do not in any way give this Court enough information in which to evaluate any claims of privilege. The brief in support, for example, merely states that "[c]ertain documents are within the attorney-client privilege," "[c]ertain documents contain attorney work product," and "[c]ertain documents contain marketing and private commercial information and must be kept

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confidential in order to protect legitimate business interests and privacy rights of Amy Paul, Bruce W. Eberle & Associates, Inc., and its clients." Brief in Support, at 3. There is no citation of authority in support of these claims. In any case, the Court's Orders concerning the Paula Jones Legal Fund and its former director, Cindy Hays, which were entered on November 25, 1997, and December 4, 1997, fully apply to this current dispute.¹ In this regard, any documents that are responsive to the President's discovery request should be handed over to the President on or before January 15, 1998. Any documents that are responsive to the President's discovery requests but which are being withheld on the basis of an asserted privilege should be listed in a detailed privilege log and the privilege log should thereupon be turned over to the President on or before January 13, 1998. The Court will then issue a ruling on the discoverability of any such documents on a document-by-document basis in as expeditious a manner as possible. To the extent it's an issue, the Court does not find that producing the information referenced in this Order would be unduly expensive or burdensome, regardless of whether such information is stored on computers.

Having said that, the Court will agree to the entry of an appropriate Protective Order in order to protect legitimate privacy interests.

IT IS SO ORDERED this 8th day of January 1998.


UNITED STATES DISTRICT JUDGE

¹ Both of these Orders are attached to the motion to quash as exhibits. As noted in those orders, the Court concluded that the identities of individual contributors or donors to the plaintiff's cause should remain confidential. That same ruling applies to this current dispute.

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

January 8, 1998

* * MAILING CERTIFICATE OF CLERK * *

Re: 4:94-cv-00290.

True and correct copies of the attached were mailed by the clerk to the following:

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