

JAN 23 1998

JAMES W. McCORMACK, CLERK
By: *V. Turner*

JUDGE: Susan W Wright ^{DEP. CLERK}
REPORTER: Lois Lambert
CLERK: Sandy Carpenter
DATE: January 27, 1998

CLERK'S MINUTES

PAULA CORBIN JONES
Repr: Don Campbell

VS.

CASE No. LR-C-94-290

WILLIAM JEFFERSON CLINTON, ET AL

Repr: Robert Bennett
Kathlyn Graves
Amy Sabren
Bill Bristow for Danny Ferguson

UNDER SEAL

ACTION: IN-CAMERA HEARING

2:30 p.m.

Conference call (above counsel present) with Mike Emmick from Office of Independent Counsel also included on call to take up matter of motion filed by OIC for limited intervention for modification of Protective Order. Court states Campbell has responded and has no opposition and calls on Emmick for anything additional; responds that he stands on pleadings.

Bennett does not object subject to certain conditions: no objection to producing deposition once signed and wants record of what OIC is asking for and who it is getting it from. Bennett is concerned over documents delivered to OIC by Whitehead.

Court states that most of what OIC wants to see is not on file with the Court but has no objection to Court being notified when things are turned over to OIC.

Bristow is concerned that pltf's counsel has already been cooperating with OIC and may be in violation of confidentiality order. Robert Bittman of OIC is now included on call and responds to Bristow's allegations.

Court states there are two categories of material: docket sheet and records in this case and materials which parties have obtained through discovery not on file with Court. These are the ones that Bennett is more concerned about and wants Court to know about. OIC is willing to let Court know materials obtained.

Court states Bristow's concerns re: OIC cooperating with pltf. OIC responds that it has never done so. It issued a subpoena last week to a courier service followed by a subpoena to pltf's counsel; nothing before that.

Bennett states that it has been reported to him that the attorney for Jane Doe was contacted by Holmes and indicated that her client would have an opportunity to change testimony, and it would be good idea to do because she would be getting a subpoena from OIC. told Kathy Graves this. Bennett is concerned that pltf's counsel is subpoenaing witnesses that OIC has subpoenaed. Tripp is subpoenaed to testify at Rutherford Institute on Friday, and Bennett wants deposition taken in his office. He has issued subpoena for tapes because he needs for deposition of Tripp and doesn't believe OIC will honor subpoena.

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Campbell states they have never had contact with OIC until called about subpoena. Tripp subpoena was issued about two months ago but was suspended. Does not know if deposition is going forward and will have to check with associates and get back with Bennett.

Discussions and arguments between counsel concerning issue of source of leaks.

Court wants to stick to issue of OIC subpoena and wants to determine if parties object to Clinton having opportunity to correct deposition before turning over to OIC. OIC argues it should have deposition before corrected; Bennett arguments against this.

Court does not know of any legal reason for keeping OIC from having both depositions but will give Bennett until next Monday to hand both over to OIC. OIC argues that receiving original will not hinder him making corrections. Bennett's arguments as to why OIC should not have now and believes there are leaks in OIC. Court is concerned about leaks about deposition and will give Bennett until noon on Monday to hand over both of them to OIC. If this interrupts investigation, OIC can ask Court to reconsider.

Court states that some materials are under seal that will be turned over to OIC and that some parties are identified as Jane Does and will not be helpful to OIC and wants permission to reveal to OIC who Jane Does are. Discussions and suggestions as to how this should be handled and names can be obtained from attorneys for Jane Does.

Bristow objects to OIC having all this information and they do not have jurisdiction for this. Bennett joins in objection. Court states it thought parties already were in agreement and any challenge of OIC should be brought before District of Columbia; ruling is with respect to right of Grand Jury to have materials. Court will open Court files to OIC and it will have to go to lawyers to find out who Jane Does are.

After discussions, OIC states motion was for limited modifications, and Court states it stands corrected. Discussions that subpoenaed materials were to be turned over today. Court states protective order is modified and not to quash subpoena.

OIC HANGS UP FROM CALL.

Court takes up matter of [REDACTED] for Jane Doe [REDACTED] wants a copy of orders on depositions of Jane Does [REDACTED] Parties do not object.

Court takes up matter of Rutherford Institute and what was handed over to OIC and Ms. Tripp. Bennett wants Whitehead to notify Court of what he has turned over to OIC. Campbell will find out and have him respond.

To Court's inquiry as to when Campbell will be getting response for expedited trial, he indicates that he needs the time allowed by Local Rule and it will probably be after 30th when discovery has closed. Court advises that it will be governed by Supreme Court decision and will give careful consideration to motion. Bristow has no obj to trial being moved. Bennett suggests trial date of March 16th or March 23rd.

RE: motion re: Secret Service, pltf will try to have response today.

RE: medical records. Documents have been provided *in camera*, and Court is about ready to rule this and doctors are excused until Court rules.

Next conference will be Thursday at 3:30 p.m.

RE: Letter by Bennett re: violation of confidentiality order, Campbell will respond in letter form and hopes to get it out tomorrow.

3:45 p.m. Conference concludes.