

JAN 29 1998

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JUDGE: Susan W Wright ^{DEP. CLERK}
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DATE: January 29, 1998

VS. CASE No. LR-C-94-290

WILLIAM JEFFERSON CLINTON, ET AL
Repr: Robert Bennett
Kathlyn Graves
Amy Sabren/Mitch Ettinger
Bill Bristow for Danny Ferguson

UNDER SEAL

ACTION: *IN-CAMERA HEARING*

9:00 a.m.

Conference call (above counsel present) with Mike Emmick, Paul Rosensweig & Julie Myers from Office of Independent Counsel also included on call to take up matter of motion filed by OIC yesterday for limited intervention and stay of discovery. Parties have not been able to respond and Court will permit parties to respond now. Motion is directed toward pltf's subpoenaes.

Campbell responds and arguments re: issues in motion and that if OIC motion is granted, it would have to stay all proceedings and not just discovery.

Bennett argues that there is only one more day for discovery relevant to the case and that discovery should continue to end of day tomorrow; arguments and response to issues in motion; wants trial expedited and does not want a stay. Bennett raises issue of dispute concerning Kirkland & Ellis law firm and it has possession of affidavit of Cindy Hays and wants information law firm has.

Bristow responds his client would like to get this matter resolves; argues that OIC matter is not relevant to this case and should be able to go to trial in May or have expedited date.

Court advises parties the way it intends to proceed today; would like to find out what people pltf's counsel believes still should be deposed and is more concerned with witnesses who have evidence of relevant issues in this case.

After Campbell states names of individuals they want to depose and states why these are relevant depositions, Court inquires of OIC how much investigation will be impeded if Court refuses to stay discovery in this matter. Emmick responds that there are only two witnesses named who would not impact the investigation -- ~~_____~~ -- and states reasons.

Court inquires if parties object to unseal motion and making public any ruling on this matter. There is no objection by counsel for parties.

OIC states that it objects to the taking of the Bacon deposition today. Parties continue to present arguments on these issues to Court.

Court asks parties for a few minutes to determine how it will rule; counsel will hold for ruling.

Court states to parties that motion will be denied in part and granted in part. Based on representations of OIC, Court will permit depositions of [REDACTED] to go forward but will not permit depositions of other parties to go forward. Court rules that because Lewinsky matter is focus of on-going investigation, it will not be received in this case. Court states reasons for not allowing. Discovery deadline will remain the same; Kirkland & Ellis subpoena is not affected by this, and deft is able to subpoena those documents to show bias on part of pltf. Court states concerns regarding Lewinsky matter and that it will be excluded.

Campbell states objection to Court's ruling and that case is being improperly impeded and wants expedited transcript of this hearing today to take necessary action. Court directs transcript be prepared.

OIC wants clarification and is concerned about documents subpoenaed & Court states these are included and there is no reason for deft to have pursuant to ruling. Bennett asks for clarification on certain other depositions. Court states that other depositions can go forward and again states that Lewinsky issues are covered by ruling; the Lewinsky matter is not going to be in evidence because it will cause a lot of delay; states reasons for ruling; Court will make sure Campbell receives transcript soon.

Court will attempt to get order out today on this matter but does not want to name [REDACTED] nor Kirkland & Ellis in order; states what will be included in order to be released; directs parties to continue to adhere to protective order with respect to this deposition.

Holmes & Ettinger state depositions scheduled to take place. OIC has no objection to these depositions.

Rosensweig asks Court to grant intervention in order. Court has granted and will include in order.

Additional discussions between Bristow and Court concerning appeal of the Court's ruling.

Conference with parties will be at 3:30 p.m. today.

10:10 a.m. Conference concludes.