

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 7/22/93

FM FBI WMFO (175B-WF-187743) (P) (C-4)

TO DIRECTOR FBI/PRIORITY/

BT

UNCLAS

CITE: //3920//

PASS: VCU-CID *W. P. J.*

NOTE CONCERNS

SUBJECT: UNSUB; VINCENT FOSTER, JR., DEPUTY WHITE HOUSE COUNSEL TO THE PRESIDENT-VICTIM; 7/20/93; PPSAKA-STAFF MEMBER-PRELIMINARY INQUIRY; OO:WMFO.

RE WMFO TELCALLS TO VCU-CID 7/21/93.

TO CONFIRM REFERENCED TELCALLS, ON 7/21/93, WMFO WAS REQUESTED BY THE U.S. PARK POLICE (USPP), WASHINGTON, D.C. TO ASSIST THEM IN THEIR CURRENT INVESTIGATION OF THE EVENTS LEADING UP TO THE APPARENT SUICIDE OF THE VICTIM.

[REDACTED]

b7A

Approved: *[Signature]*

Time Received: Jul 22 9 27 AM '93

MRI/JULIAN DATE: 150/204

FOX DATE & TIME OF ACCEPTANCE: 0148 MON

Original filename: JKD00109.003

Telprep filename: JKD00150.003

ISN: 8

175B-WF-187743

b7A b7c

EXHIBIT 4

73

[REDACTED]

dy

BY THE USDOJ
THE FBI WAS BEING REQUESTED TO CONTINUE

ITS dy

CURRENT COOPERATIVE EFFORTS WITH THE USPP IN THIS MATTER.

THIS WAS FURTHER CONFIRMED WITH THE U.S. ATTORNEY'S OFFICE,
EASTERN DISTRICT OF VIRGINIA.

b7A

[REDACTED]

[REDACTED]

ply
ply

b7A

THE FAIRFAX COUNTY MEDICAL EXAMINER CONDUCTED AN AUTOPSY OF THE VICTIM ON 7/21/93. PRELIMINARY RESULTS INCLUDE THE FINDING THAT A .38 CALIBER REVOLVER, CONSTRUCTED FROM TWO DIFFERENT WEAPONS, WAS FIRED THE VICTIM'S MOUTH WITH NO EXIT WOUND. POWDER BURNS WERE IDENTIFIED ON ONE HAND OF THE VICTIM. THE RESULTS OF THE TOXICOLOGICAL EXAMINATIONS WILL TAKE FURTHER TIME.

ply

WMFO WILL KEEP FBIHQ APPRISED OF FURTHER DEVELOPMENTS IN THIS MATTER.

BT

INTO *ply*

FEDERAL BUREAU
OF INVESTIGATION

23 JUL 93 06 15z

317
HSA

0127 MRI 00150

PP RUCNFB

RECEIVED
TELETYPE UNIT

DE FBIWMFO #0008 2040148

ZNR UUUUU

P 230146Z JUL 93

FM FBI WMFO (1758-WF-187743) (P) (C-4)

TO DIRECTOR FBI/PRIORITY/

BT

UNCLAS

CITE: //3920//

PASS: VCU-CID.

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X

SUBJECT: UNSUB; VINCENT W. ^QFOSTER, JR., DEPUTY WHITE HOUSE
COUNSEL TO THE PRESIDENT-VICTIM; 7/20/93; PPSAKA-STAFF MEMBER-
PRELIMINARY INQUIRY; OO:WMFO.

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ASSIST THEM IN THEIR CURRENT INVESTIGATION OF THE EVENTS
LEADING UP TO THE APPARENT SUICIDE OF THE VICTIM. [REDACTED]

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1758-WF-187743-1

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EXHIBIT 4

268

000639

PAGE TWO DE FBIWMFO 0008 UNCLAS

[REDACTED]

[REDACTED] THE FBI WAS BEING REQUESTED BY THE USDQJ TO
CONTINUE ITS CURRENT COOPERATIVE EFFORTS WITH THE USPP IN THIS
MATTER. THIS WAS FURTHER CONFIRMED WITH THE U.S. ATTORNEY'S
OFFICE, EASTERN DISTRICT OF VIRGINIA. [REDACTED]

67A

[REDACTED]

261

EXHIBIT 4

77

000640

[REDACTED]

b7A

THE FAIRFAX COUNTY MEDICAL EXAMINER CONDUCTED AN AUTOPSY OF THE VICTIM ON 7/21/93. PRELIMINARY RESULTS INCLUDE THE FINDING THAT A .38 CALIBER REVOLVER, CONSTRUCTED FROM TWO DIFFERENT WEAPONS, WAS FIRED INTO THE VICTIM'S MOUTH WITH NO EXIT WOUND. POWDER BURNS WERE IDENTIFIED ON ONE HAND OF THE VICTIM. THE RESULTS OF THE TOXICOLOGICAL EXAMINATIONS WILL TAKE FURTHER TIME.

WMFO WILL KEEP FBIHQ APPRISED OF FURTHER DEVELOPMENTS IN THIS MATTER.

BT

#0008

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EXHIBIT 4

78

000641

concept of federal, state, and local police task forces targeting fugitives and gangs. It was now ready to expand this operational assistance to police nationwide.

At the same time, the FBI Laboratory helped change the face of violent criminal identification. Its breakthrough use of DNA technology enabled genetic crime-scene evidence to positively identify--or rule out--suspects by comparing their particular DNA patterns. This unique identifier enabled the creation of a national DNA Index similar to the fingerprint index, which had been implemented in 1924.

The FBI also strengthened its response to white-collar crimes. Popularized as "crime in the suites," these nonviolent crimes had steadily increased as automation in and deregulation of industries had created new environments for fraud. Resources were, accordingly, redirected to combat the new wave of large-scale insider bank fraud and financial crimes; to address criminal sanctions in new federal environmental legislation; and to establish long-term investigations of complex health care frauds.

At the same time, the FBI reassessed its strategies in defending the national security, now no longer defined as the containment of communism and the prevention of nuclear war.

By creating the National Security Threat List, which was approved by the Attorney General in 1991, it changed its approach from defending against hostile intelligence agencies to protecting U.S. information and technologies. It thus identified all countries--not just hostile intelligence services--that pose a continuing and serious intelligence threat to the United States. It also defined expanded threat issues, including the proliferation of chemical, biological, and nuclear weapons; the loss of critical technologies; and the improper collection of trade secrets and proprietary information. As President Clinton was to note in 1994, with the dramatic expansion of the global economy "national security now means economic security."

Two events occurred in late 1992 and early 1993 that were to have a major impact on FBI policies and operations. In August 1992, the FBI responded to the shooting death of Deputy U.S. Marshal William Degan, who was killed at Ruby Ridge, Idaho, while participating in a surveillance of federal fugitive Randall Weaver. In the course of the standoff, Weaver's wife was accidentally shot and killed by an FBI sniper.

Eight months later, at a remote compound outside Waco, Texas, FBI Agents sought to end a 51-day standoff with members of a heavily armed religious sect who had killed four officers of the Bureau of Alcohol, Tobacco and Firearms. Instead, as Agents watched in horror, the compound burned to the ground from fires lit by members of the sect. Eighty persons, including children, died in the blaze.

These two events set the stage for public and congressional inquiries into the FBI's ability to respond to crisis situations.

On July 19, 1993, following allegations of ethics violations committed by Director Sessions, President Clinton removed him from office and appointed Deputy Director Floyd I. Clarke as Acting FBI Director. The President noted that Director Sessions' most significant achievement was broadening the FBI to include more women and minorities.

RECENT YEARS: 1993 -

Louis J. Freeh was sworn in as Director of the FBI on September 1, 1993.

EXHIBIT 5

000642

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 CONTENTS NOT TO BE DUPLICATED

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF HEALTH
 OFFICE OF THE CHIEF MEDICAL EXAMINER
 NORTHERN VIRGINIA DISTRICT
 9797 BRADDOCK ROAD
 SUITE 100
 FAIRFAX, VA 22032-1700
 PHONE (703) 764-4640

RECEIVED
 JUL 19 1993
 MEDICAL EXAMINER

Resident
 Non-resident Washington D.C.
 * Jan 15, 1945

REPORT OF INVESTIGATION BY MEDICAL EXAMINER

DECEDENT Vincent Walker FOSTER Jr AGE: 48 RACE: Cauc SEX: male
First Name Middle Name Last Name
 ADDRESS: 3027 Cambridge Place N.W. W S D OCCUPATION: Attorney
Number and Street City or County Zip Code
Washington D.C. 20007 SSN: 429-80-1132 EMPLOYER: Law

TYPE OF DEATH: (Check one only)

Sudden in apparent health Suspicious Violent or Unnatural
 Unattended by physician Unusual Means/Weapon x 38 caliber handgun
 In prison, jail, or police custody

DATE	TIME	Last Seen Alive	Injury or Illness	Death	Medical Examiner Notified	View of Body	Police Notified
				<u>JULY 20'93</u>	<u>JULY 20'93</u>	<u>JULY 20'93</u>	
				<u>6:15pm</u>	<u>6:45 pm</u>	<u>7:15 pm</u>	

If Motor Vehicle Accident Check One of the Following:
 DRIVER
 PASSENGER
 PEDESTRIAN

NOTIFICATION BY: United States Park Police OFFICIAL TITLE Case # 30502
 Address 202 619-7105

INJURY OR ONSET OF ILLNESS	LOCATION	CITY OR COUNTY	TYPE OF PREMISES (E.G., HIGHWAY, ETC.)
	<u>George Washington Parkway (Marcey Park)</u>	<u>Fairfax Co.</u>	<u>Park</u>
DEATH <u>DOA</u>	<u>Fairfax Hospital</u>	<u>Fairfax County</u>	<u>Morgue</u>
VIEWING OF BODY BY MEDICAL EXAMINER	<u>Marcey Park (GW Parkway)</u>	<u>Fairfax County</u>	<u>Park</u>

DESCRIPTION OF BODY	NOSE	MOUTH	EARS	RIGOR	LIVOR	NON FATAL WOUNDS
Clothed <input type="checkbox"/> Unclothed <input type="checkbox"/> Partly Clothed <input type="checkbox"/> Hair Color _____ Beard _____ Mustache _____ Pupils R _____ L _____ Eye Color _____ Body Heat _____ Scars, Tattoos, etc. _____				<input type="checkbox"/> Jaw <input type="checkbox"/> Neck <input type="checkbox"/> Arms <input type="checkbox"/> Legs <input type="checkbox"/> Complete	Color _____ Anterior <input type="checkbox"/> Posterior <input type="checkbox"/> Lateral <input type="checkbox"/> Regional _____	<input type="checkbox"/> Abrasion <input type="checkbox"/> Burn <input type="checkbox"/> Contusion <input type="checkbox"/> Stab <input type="checkbox"/> Gunshot <input type="checkbox"/> Incised <input type="checkbox"/> Laceration <input type="checkbox"/> Fracture DISTRIBUTION: <input type="checkbox"/> Scalp <input type="checkbox"/> Chest <input type="checkbox"/> Face <input type="checkbox"/> Neck <input type="checkbox"/> Arms <input type="checkbox"/> Back <input type="checkbox"/> Abdomen <input type="checkbox"/> Legs

FATAL WOUNDS (GUNSHOT, STAB, ETC.)	SIZE	SHAPE	LOCATION	PLANE, LINE OR DIRECTION

CAUSE OF DEATH: PERFORATING GUNSHOT WOUND MOUTH-HEAD

MANNER OF DEATH: (check one only)
 Accident Suicide Homicide
 Natural Undetermined Pending

AUTOPSY: Yes No
 AUTHORIZED BY: ME
 Pathologist Dr. Beyer
 Autopsy No. 253-93 7-21-93

I hereby declare that after receiving notice of the death described herein I took charge of the body and made inquiries regarding the cause and manner of death in accordance with the Code of Virginia as amended; and that the information contained herein regarding such death is correct to the best of my knowledge and belief.

July 20, 1993
 Date

Fairfax County
 City or County of Appointment

[Signature]
 Signature of Medical Examiner

A COPY TESTE: JAN 30 1995
[Signature]
 Assistant Chief Medical Examiner

NV036666

EXHIBIT 6 106A-DC-00000001

NAME OF PHYSICIAN OR INSTITUTION	ADDRESS	DIAGNOSIS	DATE

CIRCUMSTANCES OF DEATH:

	NAME	Official Title or Relationship to Decedent	ADDRESS
FOUND DEAD BY			
LAST SEEN ALIVE BY			
WITNESSES TO INJURY OR ILLNESS AND DEATH			

NARRATIVE SUMMARY OF CIRCUMSTANCES SURROUNDING DEATH:

JULY 20, 1993 After anonymous call was received at 18:04 hours US Park Police officers found 48 yrs Caucasian male with self-inflicted gunshot wound mouth to neck on a foot path in Marcey Park .His car was parked in the parking lot but no note was found.

MEDICAL HISTORY Unknown

FOR PROFESSIONAL USE ONLY
CONTENTS NOT TO BE DUPLICATED

Toxicology sent: Yes No
 Blood
 Urine
 Other _____

DECEDENT FOSTER, Vincent Walker, Jr.

EXHIBIT 6



ENTRAL DISTRICT:
NORTH 14TH STREET
RICHMOND, VIRGINIA 23219
804) 788-3174
800-447-1708

NORTHERN VA. DISTRICT:
9797 BRADDOCK ROAD
FAIRFAX, VA 22032
(703) 764-4640
800-856-6799

TIDEWATER DISTRICT:
401 A. COLLEY AVE.
NORFOLK, VA 23507
(757) 683-8388
800-385-7030

WESTERN DISTRICT:
6800 NORTHSIDE HIGH SCHOOL RD.
SUITE 100
ROANOKE, VA 24019
(540) 561-6615
800-882-8312

COMMONWEALTH of VIRGINIA

Department of Health
Office of the Chief Medical Examiner
NORTHERN VIRGINIA DISTRICT
9797 BRADDOCK ROAD
SUITE 100
FAIRFAX, VIRGINIA 22032-1700
FAX (703) 764-4645

March 20, 2000

Mr. Charles Smith
Softwar
7707 Whirlaway Drive
Midlothian, VA 23112

Dear Mr. Smith:

Virginia law provides that official documents of the Commonwealth shall be prima facie evidence, when authenticated by the custodian of the records and the supervisor of the custodian of the records. Va. Code section 8.01-390. Additionally, the records maintained in the files of the Office of the Chief Medical Examiner are exempt from the Freedom of Information Act pursuant to 2.1-342.01(A)(5), as well as 2.1-342.2(F)(1), (F)(3), and (G)(1). Cincotta v. Fierro et al., Arlington County Circuit Court, Law No. 99-902 (November 10, 1999, nunc pro tunc October 21, 1999).

I am enclosing an authenticated copy for your use.

Sincerely,

Frances P. Field, M.D.
Assistant Chief Medical Examiner

EXHIBIT 7

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 CONTENTS NOT TO BE DUPLICATED

COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF HEALTH
OFFICE OF THE CHIEF MEDICAL EXAMINER
 NORTHERN VIRGINIA DISTRICT
 9797 BRADDOCK ROAD
 SUITE 100
 FAIRFAX, VA 22032-1700
 PHONE (703) 764-4640



Resident
 Non-resident Washington D.C.
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 PEDESTRIAN

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 Address 202 619-7105

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DEATH <u>DOA</u>	<u>Fairfax Hospital</u>	<u>Fairfax County</u>	<u>Morgue</u>
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Clothed <input type="checkbox"/> Unclothed <input type="checkbox"/> Partly Clothed <input type="checkbox"/> Hair Color _____ Beard _____ Mustache _____ Pupils R _____ L _____ Eye Color _____ Body Heat _____ Scars, Tattoos, etc. _____ Blood _____ Froth _____ Other (Sand, dirt water, etc.) _____				<input type="checkbox"/> Jaw <input type="checkbox"/> Neck <input type="checkbox"/> Arms <input type="checkbox"/> Legs <input type="checkbox"/> Complete	Color _____ <input type="checkbox"/> Anterior <input type="checkbox"/> Posterior <input type="checkbox"/> Lateral <input type="checkbox"/> Regional	<input type="checkbox"/> Abrasion <input type="checkbox"/> Burn <input type="checkbox"/> Contusion <input type="checkbox"/> Stab <input type="checkbox"/> Gunshot <input type="checkbox"/> Incised <input type="checkbox"/> Laceration <input type="checkbox"/> Fracture DISTRIBUTION: <input type="checkbox"/> Scalp <input type="checkbox"/> Chest <input type="checkbox"/> Face <input type="checkbox"/> Neck <input type="checkbox"/> Arms <input type="checkbox"/> Back <input type="checkbox"/> Abdomen <input type="checkbox"/> Legs

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CAUSE OF DEATH: PERFORATING GUNSHOT WOUND MOUTH-HEAD

MANNER OF DEATH: (check one only)
 Accident Suicide Homicide
 Natural Undetermined Pending

AUTOPSY: Yes No
 AUTHORIZED BY: ME
 Pathologist Dr. Beyer
 Autopsy No. 353-93 7-21-93

I hereby declare that after receiving notice of the death described herein I took charge of the body and made inquiries regarding the cause and manner of death in accordance with the Code of Virginia as amended; and that the information contained herein regarding such death is correct to the best of my knowledge and belief.

July 20, 1993 Fairfax County
 Date City or County of Appointment
 A COPY TESTE:

MAR 20 2000
 Assistant Chief Medical Examiner

[Signature]
 Signature of Medical Examiner

NO36666

EXHIBIT 7

[Signature]

23

000646

MEDICAL ATTENTION AND HOSPITAL OR INSTITUTIONAL CARE:

NAME OF PHYSICIAN OR INSTITUTION	ADDRESS	DIAGNOSIS	DATE

CIRCUMSTANCES OF DEATH:

	NAME	Official Title or Relationship to Decedent	ADDRESS
FOUND DEAD BY			
LAST SEEN ALIVE BY			
WITNESSES TO INJURY OR ILLNESS AND DEATH			

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MEDICAL HISTORY Unknown

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CONTENTS NOT TO BE DUPLICATED

Toxicology sent: Yes No
 Blood
 Urine
 Other _____

DECEDENT FOSTER, Vincent Walker, Jr.

EXHIBIT 7

84

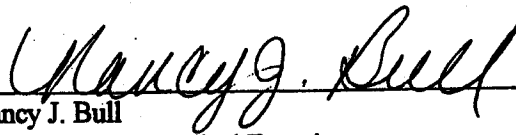
000647

VIRGINIA DEPARTMENT OF HEALTH
Office of the Chief Medical Examiner

OFFICIAL RECORD AUTHENTICATION
(VA. CODE § 8.01-390)

Affidavit of Custodian of Records

I, Nancy J. Bull, am Human Services Program Coordinator for the Office of the Chief Medical Examiner, Virginia Department of Health. I hereby certify that the Report of Investigation by Medical Examiner of Vincent Foster supplied to Charles Smith are true and is a correct copy of Report of Investigation by Medical Examiner made and maintained in the regular and customary course of the Commonwealth's Office of the Chief Medical Examiner, Virginia Department of Health. I further certify that I am the custodian of these records.



Nancy J. Bull
Office of Chief Medical Examiner
Virginia Department of Health

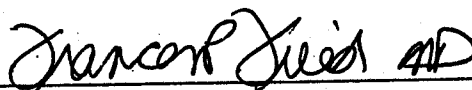
EXHIBIT 7

85

000648

Affidavit of Supervisor of Custodian of Records


I, Frances P. Field, M.D., am Assistant Chief Medical Examiner of the Office of the Chief Medical Examiner, Virginia Department of Health. I hereby certify that the Report of Investigation by Medical Examiner concerning Vincent Foster provided to Charles Smith are true and is a correct copy of the Report of Investigation by Medical Examiner made and maintained in the regular and customary course of the Commonwealth's Office of the Chief Medical Examiner, Virginia Department of Health. I further certify that I am the person to whom the custodian of these records reports.



Frances P. Field, M.D.
Office of Chief Medical Examiner
Virginia Department of Health

EXHIBIT 7

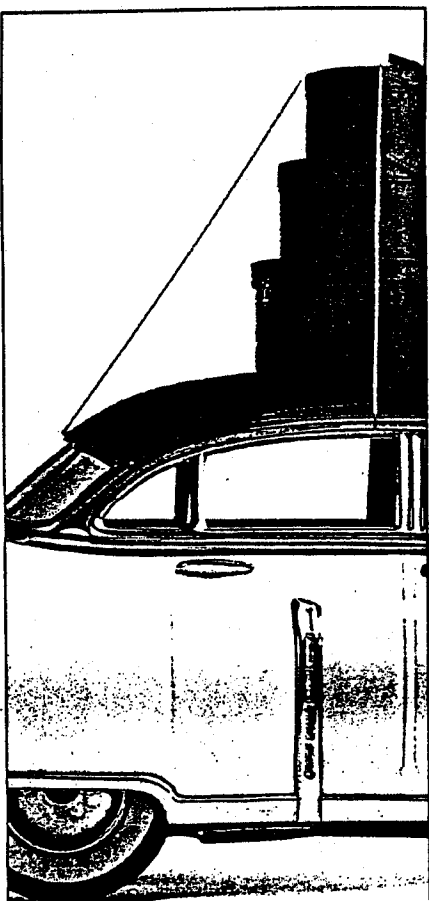
The foregoing certifications of Nancy J. Bull and Frances P. Field, M.D., persons known to me, have been subscribed and sworn to before me, a Notary Public in and for the County of Fairfax, Commonwealth of Virginia, this 20th day of March, 2000.



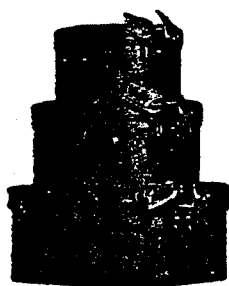
Dennis L. Connor
Notary Public

My Commission expires October 31, 2000

EXHIBIT 7



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THE NEW YORKER

SEPTEMBER 11, 1995

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EXHIBIT 8

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A REPORTER AT LARGE

LIFE AFTER VINCE

For the first time, Lisa Foster discusses her ordeal in the two years since the death of her husband, Vincent Foster, and how she made her own investigation into why he died.

BY PETER J. BOYER

ON the second anniversary of Vincent Foster's death, his widow, Lisa, drove from Little Rock to his home town of Hope, Arkansas, and sat at his grave and cried. Then she visited her late husband's mother and advised her not to watch televised coverage of the Senate Whitewater committee, whose members were spending the week verbally ransacking Foster's White House office and showily examining his empty briefcase. A few days after the committee adjourned, in early August, I went to Little Rock to visit with Lisa Foster. She had watched part of the Senate proceeding and found it appalling—not in any particular but in the fact of its existence. She had hoped that Senate hearings conducted a year ago would conclude the Vince Foster "mystery" and end the speculations about scandal and conspiracy surrounding his death. They did not. Nor did a report last year by Robert Fiske, Jr., the first Whitewater independent counsel, who had found that Foster's death was a suicide unrelated to Presidential scandal. A new Congress and a new independent counsel, Kenneth Starr, launched their own inquiries, and the conspiracy mill has never stopped. "I could not have predicted that it would continue," she says. "I kept thinking it was going to end, and it never did."

Lisa went home to Arkansas from Washington after Vince's death, leaving the place that she believes destroyed her husband and ruined her life. She had never heard of Whitewater, but within months it was to become a synonym for Bill Clinton's undoing, and Vince was posthumously cast in a key role in a complex web of alleged scandal and coverup. He had been Bill Clinton's boyhood chum and Hillary Clinton's confidant and law part-

ner; in the White House, he was one of their most trusted aides. The revelation, five months later, that Whitewater files had been removed from Foster's office after his death suggested that he knew some damaging secret, and that it might even have pushed him to suicide. That tantalizing twist nourished a conspiracy industry on talk radio, on the cyberspace networks, and even in the mainstream press, which spun out scenarios explaining Foster's death. There were rumors of a "safe house," where Foster supposedly died; stories that he was gay or was Hillary's lover, and speculation that he was a secret agent for Israel or somehow involved in a government drug-running scheme.

Lisa Foster has remained publicly silent about her husband's death for two years. She is now convinced that it was a suicide, yet there were moments when she couldn't be certain about why he had been driven so far. When the rumors about Vince came rushing out, she sometimes thought, What if it's true? "That's one reason I never wanted to talk," she says. "I thought, As soon as I talk, they'll come up with something else they've found, and something I swore would never be true they'll tell me is true, and I won't be able to defeat it." At one point, even Vince's mother asked her, "Lisa, do you think he could have done anything?"

Lisa hates that doubt and has overcome it, having undertaken her own investigation of her husband's death. But her certainty about Vince is a hard comfort, dearly purchased. To believe completely in him, she says, she had to learn to believe in the despair that killed him.

BEFORE Lisa Foster's husband went to Washington with the Clintons, in January, 1993, the expecta-

tions of her life had been fully met. One of six children, she was reared a Catholic in the Protestant city of Nashville. Her father, an insurance broker, provided a solidly comfortable middle-class existence, with membership in the country club, and society debuts for his daughters. Lisa was educated by Dominican nuns through high school, and then went to Sweet Briar, a women's college in the Old Virginia tradition. Social life centered on big date weekends, when fraternity boys from the University of Virginia and from Davidson and from Washington and Lee would caravan in and party. It was on such a weekend in Lisa's sophomore year that she met Vince Foster, a sophomore at Davidson, on a blind date. "We had an absolute ball," she recalls. "I kissed him on the first date—I'd probably never done that in my life. I took one look at him and I thought, Oh, my God, you're the best-lookin' thing I've ever seen. I just went head over heels in love with him." Vince seemed so smart, and so interested in the world; Lisa, wanting to impress him, ordered a subscription to *Time*. When Vince told his mother about Lisa, he said, "She's a math major and she's a Catholic. She's not pretty, but she's kind of cute." Vince brought her home to Hope, and there his father, waiting outside the family's big white house, pegged his future daughter-in-law exactly right, and won her forever. "Well, I think she's beautiful," he said. "She looks just like Doris Day."

They were married in St. Henry Catholic Church in Nashville in April, 1968, when Vince was in his first year of law school, at Vanderbilt. His father had wanted him to go into the family real-

estate business, by nature, kneeman, and he height of the Anam, Vince joi tional Guard; t presence in Ho

the University c etteville. Lisa got Vince spent every library, developing spired awe. "He'd other law-school watching the so overprepared him that at exam tir superfluous. He class, and earned state bar exam. E: he skipped comm

Lisa Foster, opposite: "There were certain things I know, because I was there, and there are some things I don't know—that I can never prove, except by faith."

EXHIBIT 8

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000653

FORENSIC REPORT
to
The Independent Counsel
In Re
Vincent W. Foster, Jr.

Volume II

Meriden, CT
July 23, 1996

Submitted by
Dr. Henry C. Lee
Connecticut State Police
Forensic Science Laboratory

EXHIBIT 9

Request 598

blood were noted on the right cheek. Clearly, one stain originated from the right nostril and flowed around the cheek under his right eye. The second blood trail flowed from the right corner of his mouth and down the right cheek. Flies were noted on Mr. Foster's face. A closer view of Mr. Foster's face is shown in photograph #47A.

Bloodstain patterns were noted on the collar of the shirt which appear to be the result of multiple deposits of blood. A contact-type blood pattern was noted on Mr. Foster's face. This bloodstain pattern on the face appears to be non-uniform in its distribution, with sharp demarcation lines. This pattern suggests the face contacted the shirt after the blood was deposited on the shirt; subsequently, the face separated from the shirt before the blood was dry. A portion of the blood trail from Mr. Foster's mouth appears to have been deposited on top of the transfer pattern. This fact indicates that the trail of liquid blood from the mouth had to be deposited on the transfer pattern after his face was separated from the shoulder region. Photograph #47B is a close-up view demonstrating the relationship of these two bloodstain patterns.

Blood spatter type patterns also can be seen in the surrounding areas of the shirt. Blood-like stains were also noted on the grass and other vegetation near and under his head, as shown in photograph #47C. A pool of blood appears to be directly under the right side of his neck and shoulder region.

M. Photograph #48 depicts a view of the scene showing a pair of glasses. Photograph #49 is an enhancement of photograph #48. As seen in these photographs, both lenses appear to be intact and the ear pieces folded inward. No damage to the glasses was noted.

Since no close-up photographs and no detailed descriptions were available, no further reconstruction can be made at this time.

EXHIBIT 9

AFFIDAVIT:

1. My name is Ambrose Evans-Pritchard.
2. The passages below appear in *The Secret Life of Bill Clinton*, which is a book that I wrote.
3. I have seen the photograph showing an apparent neck wound to Mr. Foster's neck, as recounted below:

p. 140:

Wary of entrusting anything to the FBI crime labs, Rodriguez turned to the Smithsonian Institution for enhancement of the original. The work was done by the Smithsonian's subcontractor, Asman Custom Photo Service on Pennsylvania Avenue. A set of five "blowups" of the original were made. They revealed a dime-sized wound on the right side of Foster's neck (his left side) about halfway between the chin and the ear. It was marked by a black "stippled" ring -- a sort of dotted effect, like an engraving -- that was suggestive of a .22 caliber gunshot fired at point blank range into the flesh.

p. 141:

The photograph, which I [Evans-Pritchard] have examined carefully, is one of the few surviving Polaroids taken at Fort Marcy that night.

4. An individual or individuals who were in a position to have had firsthand knowledge told me the facts in the following passages. To the best of my information, knowledge and belief, these facts are true:

p. 111:

Associate Independent Counsel Miquel Rodriguez was summoned to the Washington Office of the Independent Counsel in the fall of 1994 by Kenneth Starr, with the explicit task of reviewing the Foster death.

(Page 1 of 6)

EXHIBIT 10

93

000656



p. 136:

At first Rodriguez pretended to be following orders. He went about his business quietly, confiding only in his closest aides at the Washington office of the Independent Counsel... he was spending his evenings combing through the archive of documents in the Foster case, and he did not like what he saw.

p. 112:

For four months Rodriguez probed the case. He called witnesses before a grand jury to answer questions for the first time under penalty of perjury, and soon discovered serious indications of a cover-up by the FBI. By the early spring of 1995 he was starting to probe a hypothesis that the crime scene at Fort Marcy Park had been staged, that the gun had most likely been planted in Foster's hand and that a crucial photograph of Foster's neck and head had been falsified.

p. 143:

Four of the rescue workers testified in secret before the Whitewater grand jury in the spring of 1995 that they saw trauma to the side of Foster's head or neck. [Author interview with confidential source at OIC] Two of them, including Arthur, described it as a gunshot wound. What they revealed under intensive cross-examination was a far cry from the innocuous observations attributed to most of them in their FBI statements. This information was submitted to Kenneth Starr in a memorandum from Miguel Rodriguez summing up the proceedings of the Whitewater grand jury in Washington.

p. 126:

"When I was before the grand jury they showed me two Polaroids," I was told by a member of the Fairfax County rescue squad, as we traipsed through the shrub in Fort Marcy Park. "And you know what? You could see blades of grass coming through the forefinger and the second finger in one, and another had grass between the second and third fingers. The prosecutor was real interested in that, real interested."

[author interview with member of Fairfax County rescue squad March 1995]

(Page 2 of 6)

EXHIBIT 10

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p. 125:

Well, what was it, he was asked under cross-examination at the Whitewater grand jury in early 1995, was it people running away or was it the flash of cars? "It was people," he answered. It could have been cars, he said, but what he saw was people."
[Author interview with confidential grand jury source, January 1996]

p. 185:

Associate Counsel Miquel Rodriguez... read the perjury statutes line by line to the Park Police officers at the grand jury.

p. 149:

The first thing he [Rodriguez] noticed were little roadblocks left in his path. His requests for subpoenas were being held up. He was unable to call witnesses before the grand jury in a timely fashion. He was even having trouble obtaining Foster's credit card and travel records. Then the campaign of leaks began. In February 1995, planted stories started appearing in the Washington press alleging that he had been badgering Park Police officers at the grand jury. It was half-true. He had been reading them the perjury statutes in a deliberately pointed manner. With good reason. Their accounts were flatly contradicted by the Fairfax County paramedics, who had no obvious incentive to lie. One Park Police officer ultimately broke ranks under cross-examination and testified that the crime scene had been tampered with after he arrived.

p. 167:

These were the questions that Associate Counsel Miquel Rodriguez was about to explore before his investigation was stymied.

p. 136:

It became obvious that the FBI agents who did the nuts and bolts work for the Fiske Report were engaged in a systematic cover-up. Now a year and a half later the same FBI agents were still there in the Office of the Independent Counsel, the gatekeepers who controlled access to the witnesses, the documents, the evidence. Yet Kenneth Starr had kept them on, allowing them to be the judge of their own past work.

p. 112:

But Rodriguez believed that the investigation was being sabotaged by prosecutors and FBI agents in his own office. He turned to Starr for support. Nothing was done to resolve the matter. In March of 1995 Rodriguez resigned. The only serious investigation into the death of Vincent Foster came to an abrupt end.

p. 158:

Instead, their [Doody & Feist] observations were reduced to this anodyne summary in the Fiske Report: "neither individual heard a gunshot while in the Park or observed anything unusual"... "They were going to be my secret weapon," Miquel Rodriguez confided to friends at the Starr investigation. But he never had a chance to call them before the grand jury. **Kenneth Starr concluded his suicide report in July 1997 without taking their [Feist & Doody] testimony under oath.** [They] were never called before the grand jury. Instead he sent FBI agents to reinterview them.

p. 151:

Rodriguez resigned on March 20. His closest aide resigned in sympathy. He returned to his old job in Sacramento, refusing to give interviews to the press... **The grand jury was disbanded and sent home. It was replaced by a new jury with no knowledge of the pericopatic gun, or the missing photos, or wound in the neck.**

p. 126:

The grand jury learned a good deal about the revolver in the early months of 1995, during the probe of Associate Independent Counsel Miquel Rodriguez. But the jury was disbanded before it could do any damage. It learned, for instance, that Franz Ferstl, the second Park Police officer to reach Fort Marcy, had questioned the probity of the crime scene photos taken later that evening after he had left. He stated under oath that the gun was in a different position when he saw it. Somehow the right hand had been edging out away from the body.

p. 126:

Miquel Rodriguez kept holding the photograph up in the light, wondering. He knew there was something wrong with it. The resolution was too blurred, even for a blowup of a Polaroid.

[Author interview with confidential source inside the Starr investigation]

p. 136:

All you could see was a smear of blood on the right side of Foster's neck. It was the mysterious "contact stain" that nobody was able to explain. How had the blood found its way there, against the laws of forensic science, against the gravity? It was nagging at him day and night.

p. 136:

Rodriguez kept muttering about the photograph. "Is this all there is?" he asked.

p. 136:

"Yes, that's all there is; that's the original," replied his FBI staff. And so it might have rested if it had not been for the courage of one person in the Office of the Independent Counsel who managed to gain access to the locked files. Hidden inside was a folder of crime scene photographs that had been deliberately withheld from the prosecutor.

p. 136:

Among them was the original Polaroid of Foster's neck. What it showed was something very different from the "contact stain" in the fraudulent picture that had been circulating. Evidently, somebody had taken a photo of the original and then touched it up to disguise the incriminating evidence. This second-generation copy had then been used to create an enhanced "blow-up."

p. 136:

It was a blatant obstruction of justice. Indeed it was worse. Whoever had done this was now an accessory after the fact in the death of the Deputy White House Counsel, and they had made the mistake of failing to destroy the original.

p. 149:

Clearly, Starr had been assured a long time ago that there was nothing to Foster's death. He was none too pleased when Miquel Rodriguez started sending memos warning that there was something deeply wrong... But he had no idea what to do when Rodriguez told him that an original Polaroid showed a wound in the neck, and that renegade elements of the FBI were covering up the case.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 30, 1999.

Ambrose Evans-Pritchard

(Page 6 of 6)

EXHIBIT 10

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000661

generation copy had then been used to create an enhanced "blow-up."

p. 136:

It was a blatant obstruction of justice. Indeed it was worse. Whoever had done this was now an accessory after the fact in the death of the Deputy White House Counsel, and they had made the mistake of failing to destroy the original.

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Ambrose Evans-Fritchard

Ambrose Evans-Fritchard

(Page 6 of 6)

EXHIBIT 10

TOTAL P.01

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PROOF OF SERVICE

I am an attorney licensed to practice before all the courts in California. I am over the age of 18 and my address is 18645 Hatteras St., #289, Tarzana, CA 91356-1802.

On February 15, 2001, I served the document entitled OPPOSITION TO MOTIONS TO ALTER OR AMEND JUDGMENT; POINTS AND AUTHORITIES; DECLARATIONS OF ALLAN J. FAVISH, CHARLES SMITH & JOHN CLARKE, by placing a true copy thereof enclosed in a sealed envelope addressed to each of those identified in the service list, below.

(XX) BY MAIL

I deposited such envelope(s) in the mail at Los Angeles, California. The envelope(s) were mailed via U.S.P.S. first class mail, with postage thereon fully prepaid.

() BY PERSONAL SERVICE

I caused such envelope(s) or document(s) to be delivered by hand to the addressees or the addressees' office(s).

Executed on February 15, 2001, at Los Angeles, California. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.


Allan J. Favish

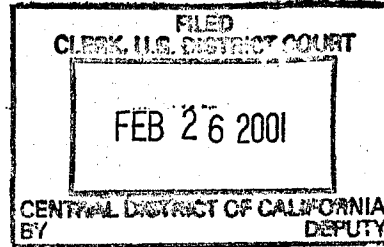
SERVICE LIST

Ms. Jan L. Luymes Assistant U.S. Attorney U.S. Department of Justice 411 W. 4th St., Suite 8000 Santa Ana, CA 92701-4599	Attorney for defendant Office of Independent Counsel
G. Andrew Lundberg Belinda S. Lee Latham & Watkins 633 West Fifth Street, Suite 4000 Los Angeles, CA 90071-2007	Attorney for defendants-in-intervention Sheila Foster Anthony and Lisa Foster Moody
James Hamilton Swidler, Berlin, Shereff & Friedman 3000 K. Street, N.W., Suite 300 Washington, D.C. 20007	Attorney for defendants-in-intervention Sheila Foster Anthony and Lisa Foster Moody

000663

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In pro se



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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 ALLAN J. FAVISH,
12 Plaintiff,
13 v.
14 OFFICE OF INDEPENDENT COUNSEL,
15 Defendant.

) Case No. CV-97-1479-WDK
)
) REPLY IN SUPPORT OF MOTION FOR
) COURT TO COMPEL TESTIMONY
) REGARDING ALLEGATIONS OF
) ILLEGAL GOVERNMENT CONDUCT
) REGARDING SUBJECT PHOTOGRAPHS
)
) Date: February 12, 2001--
) Time: 3:00 p.m.
) Place: 312 N. Spring St., L.A.,
) CA, Rm. 1600
) Judge: Hon. William Keller

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 1. INTRODUCTION

3 The Office of Independent Counsel's ("OIC") opposition to the motion to compel
4 testimony from former OIC prosecutor Miquel Rodriguez and his former assistant Lucia
5 Rambusch is deeply flawed.

6 2. MY REQUEST IS TIMELY

7 The OIC states that the testimony should not be taken because my request is untimely.¹ It
8 is not untimely. It was not until July 12, 2000 that the Ninth Circuit ordered the OIC to produce
9 the 10 Polaroids of Vincent Foster's body to this court for in camera review. The first hearing in
10 this court after that ruling was October 13, 2000. As set forth in my motion, I raised the issue at
11 that hearing. The court stated that it was premature to make the motion at that time and stated
12 that I should wait until after the court had seen the photos and made its ruling.

13 It would have been premature to make the motion any earlier than I did because the OIC
14 was not offering to show the photos to the public or to any court. As soon as it became clear that
15 the OIC would have to produce the original pristine Polaroids, I made the request. Even then,
16 the district court stated that it was premature. The OIC's argument about timeliness must be
17 rejected.

18 3. THE BOOK EXCERPTS ARE NOT HEARSAY

19 The OIC states that the book excerpts I presented to the district court are inadmissible
20 hearsay.² However, for statements to be hearsay they must be offered to prove the truth of the
21 matters asserted in them.³ That is not the case here. I expressly stated that the excerpts were
22 being presented because I don't know if the matters asserted in them are true. The reason for the
23 motion is to determine if they are true.

24
25
26

¹ OIC Opposition at 1:1-18, 16:16-20.

27 ² OIC Opposition at 9:1-22.

28 ³ *Gibbs v. State Farm Mut. Ins. Co.*, 544 F.2d 423, 428 (9th Cir. 1976) (letters admitted for the limited purpose of showing that State Farm had received them, but not admitted to show the truth of the matters asserted in them, did not contain hearsay); FRE 801(c).

1 The reason for the hearsay rule is to prevent a party from introducing out-of-court
2 statements to the trier of fact, asking that the statements be accepted as true, without giving the
3 opposing party an opportunity to cross-examine the person who made the out-of-court statement.
4 That is not the problem here. Again, this motion is requesting permission to obtain the testimony
5 of the two people who would have first-hand knowledge of the factual assertions made in the
6 book excerpts. I want Rodriguez and Rambusch to be asked questions under oath by all the
7 parties. The excerpts are not hearsay.

8 **4. THE BOOK EXCERPTS AND THE OTHER EVIDENCE PROVIDES**
9 **SUFFICIENT REASON TO COMPEL THE TESTIMONY**

10 The OIC states that before the testimony can be compelled, "Favish must demonstrate
11 there is a serious doubt about the OIC's declarations which establish the Polaroids presented to
12 the Court in camera were in fact the agency records that Favish had requested."⁴ Contrary to the
13 OIC's assertion, the standard is not "serious doubt" as stated by the OIC. This court has more
14 discretion than that. As stated in my motion, in *Van Strum v. U.S. E.P.A.*, 680 F.Supp. 349
15 (D.Or. 1987), the FOIA requestor received documents from an anonymous source that according
16 to the court, "indicate that plaintiff may have a valid concern regarding the credibility of some
17 affidavit statements accompanying EPA's motion for summary judgment."⁵ The court held that
18 "plaintiff in this case has raised sufficient questions as to the integrity of the EPA affidavits to
19 warrant discovery."⁶

20 Sufficient questions have been raised here. The unreliability of the Fiske and Starr
21 reports on the Foster death are established in my motion for summary adjudication, in my
22 appellate briefs and in my recently filed opposition to the OIC's motion to alter the judgment.
23 The book excerpts are purportedly based on confidential sources within the government who
24 gave information to two reporters for major newspapers whose books were published by major
25 publishers. The excerpts discuss at least one of the photos being withheld. It is difficult to
26 imagine a more appropriate set of circumstances for compelling testimony in a FOIA case.

27
28 ⁴ OIC Opposition at 14:3-7.

⁵ *Van Strum* at 352.

1 The OIC states: "Even if the facts asserted by the books upon which Favish relies were
2 taken as true, they do not raise any substantial doubt that the OIC presented to the Court the
3 original agency records that Favish had requested."⁷ To the contrary, if the facts stated in the
4 book excerpts are true, then there is no reason to trust the OIC and the FBI. Period. If the facts
5 stated in the book excerpts are true, is there any reason to believe that this court was shown the
6 original pristine photos or that any notations written on the backs of the photos are authentic?
7 How difficult would it have been for the OIC and FBI to present photos that were not the original
8 pristine photos. I don't know if I would be able to tell an original Polaroid photo from a Polaroid
9 photo of that photo. I don't know if the court is or was equipped to make any such
10 determination. I don't know whether the OIC and FBI personnel involved in producing the
11 photos to this court can make that determination.

12 Moreover, in my recently filed opposition to the OIC's motion to alter the judgment,
13 attached as exhibit 10, is a copy of a declaration by one of the book authors, Ambrose Evans-
14 Pritchard, in which he states, "I have seen the photograph showing an apparent neck wound to
15 Mr. Foster's neck . . ."

16 The OIC states that "Evans-Pritchard's assertion that FBI agents hid evidence from one
17 of the prosecutors is simply untrue."⁸ However, the OIC does not cite any evidence for this
18 factual assertion. The OIC cannot be allowed to state that the assertion is untrue, without citing
19 evidence, while it is trying to block the testimony of two people who presumably have first-hand
20 knowledge about whether the assertion is untrue.⁹

21 The OIC states that its report on the Foster death "dispels any notion that there was a
22 neck wound on Mr. Foster's body."¹⁰ The OIC cites its report in discussing the statements of two
23

24
25 ⁶ *Id.*

26 ⁷ OIC Opposition at 15:12-15.

27 ⁸ OIC Opposition at 15:2-4.

28 ⁹ Given the public record of our former President's veracity, and that of his administration generally, one wonders whether the OIC's statement is true because it wasn't FBI agents who hid the evidence, or because the evidence was hidden from more than one prosecutor. Whatever the truth is, the best way to find it is to compel the testimony that the OIC is trying to block.

¹⁰ OIC Opposition at 8:6-7.

1 paramedics, Mr. Gonzales and Mr. Arthur.¹¹ However, the OIC has not released transcripts of
2 those interviews so we cannot give that discussion any weight. This is especially true given the
3 OIC's discussion of the witness who supposedly was the first person to find Foster's body and
4 who testified that there was no gun in Foster's hand.¹² I have proven that the OIC's discussion of
5 that person's testimony is not trustworthy.¹³ Moreover, as stated at footnote 53 in my summary
6 adjudication motion in February 1998:

7 But even Starr's expert, Dr. Brian Blackbourne, said there was "dried blood" at
8 the neck location cited by Arthur. Starr Report, at 64 n. 188 (exhibit 4, at 67).

9 Starr failed to explain why Blackbourne's interpretation of a photo is more
10 reliable than Arthur's in-person 2-3 foot view from the body.

11 Starr's report stated that Blackbourne based this conclusion on his viewing of "autopsy
12 photographs" of the neck.¹⁴ Starr did not indicate whether Blackbourne was shown the Polaroid
13 of the neck taken at the park that is one of the subject photos in this lawsuit and if not, why not.

14 Starr's report provides this discussion of Blackbourne's finding:

15 Dr. Blackbourne stated that a mark on the side of the right upper neck, just
16 below the jawline, seen in autopsy photographs, represents small fragments of
17 dried blood and does not represent any form of injury. [citation to
18 Blackbourne's Report] Dr. Blackbourne based this conclusion upon his
19 "experience in many autopsies. Blood dries overnight, prior to the autopsy. If
20 one is not meticulous in washing the body prior to photographing it, small
21 portions of blood may remain adherent to the skin. This mark is composed of
22 two rectangular shaped dark spots approximately 2mm X 3 mm. These marks
23 have none of the features of a gunshot wound or other antemortem trauma."
24 [citation to Blackbourne's Report]¹⁵

25
26 ¹¹ OIC Opposition at 8:11-20.

27 ¹² See Opposition to OIC's Motion to Alter Judgment at 8:18 - 9:20.

28 ¹³ *Id.*

¹⁴ Starr Report at 64 n. 188.

¹⁵ *Id.*

1 Therefore, according to Blackbourne, it appears that the other blood that was on Foster's
2 neck and face was washed off at the autopsy, but the little spots of blood that were not washed
3 off just happen to coincide with the location of the wound that Mr. Arthur reportedly saw at the
4 park before the autopsy and that is described in the book excerpts discussing the neck photo
5 taken at the park. That is quite a coincidence. Why would the blood that didn't get washed off
6 be at the same spot described by Mr. Arthur and supposedly depicted in a blow-up of the neck
7 photo taken at the park? Why would the dried blood at that precise location be so stubborn if it
8 was merely the result of draining from Foster's mouth or nose down his cheek to his neck when
9 apparently the rest of the blood in that drainage track was not so stubborn and washed off? Starr
10 did not explain.

11 Nor does Starr explain whether Blackbourne saw any enhanced versions of the autopsy
12 neck photos. Would an enhanced version of the autopsy neck photos show any wounds? Given
13 the coincidence reported above, it would be grossly incompetent for the OIC not to have shown
14 Blackbourne enhanced versions of the autopsy neck photos so that he could better determine if
15 there was a neck wound.

16 The testimony sought here is directly related to the OIC's search for the photographs that
17 are the subject of my FOIA request. There is a significant issue here of whether the OIC
18 searched for and retrieved the original pristine photos and whether the original pristine photos
19 were shown to this court. Indeed, if the book excerpts are true, then some people in the OIC and
20 the FBI, in late 1994 and early 1995, failed to retrieve and produce the original pristine neck
21 photo to Rodriguez.

22 The OIC states that "this Court has no jurisdiction to determine how Mr. Foster was shot,
23 where he was shot, or whether allegations set forth in two books are 'true' or false, particularly
24 when the allegations in the excerpts are irrelevant."¹⁶ I am not asking the court to make any such
25 determinations. I am asking the court to rule that these allegations, under these unique
26 circumstances, require that the testimony be taken from these two people in order to insure the
27

28 _____
¹⁶ OIC Opposition at 12 n. 4.


1 integrity of the OIC's search for and production of, what has been represented as the original
2 pristine photos.

3 Of course the allegations in the books are relevant. They allege a deliberate failure to
4 produce the original pristine neck photo to one of the OIC's own prosecutors at the time. If
5 somebody was willing to do that, it is circumstantial evidence that they would be willing to
6 tamper with the original photo and allow the same deception to be perpetrated upon a court and
7 the public.

8 **5. CONCLUSION**

9 The testimony should be allowed.

10 Dated: February 24, 2001

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12 Allan J. Favish
13 In pro se
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1 **PROOF OF SERVICE**

2 I am an attorney licensed to practice before all the courts in California. I am over the age
3 of 18 and my address is 18645 Hatteras St., #289, Tarzana, CA 91356-1802.

4 On February 24, 2001, I served the document entitled REPLY IN SUPPORT OF
5 MOTION FOR COURT TO COMPEL TESTIMONY REGARDING ALLEGATIONS OF
6 ILLEGAL GOVERNMENT CONDUCT REGARDING SUBJECT PHOTOGRAPHS, by
7 placing a true copy thereof enclosed in a sealed envelope addressed to each of those identified in
8 the service list, below.

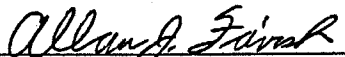
9 **(XX) BY MAIL**

10 I deposited such envelope(s) in the mail at Los Angeles, California. The envelope(s)
11 were mailed via U.S.P.S. first class mail, with postage thereon fully prepaid.

12 **() BY PERSONAL SERVICE**

13 I caused such envelope(s) or document(s) to be delivered by hand to the addressees or the
14 addressees' office(s).

15 Executed on February 24, 2001, at Los Angeles, California. I declare under penalty of
16 perjury under the laws of the United States that the foregoing is true and correct.

17 
18 Allan J. Favish

19 SERVICE LIST

20 Ms. Jan L. Luymes 21 Assistant U.S. Attorney 22 U.S. Department of Justice 23 411 W. 4th St., Suite 8000 24 Santa Ana, CA 92701-4599	Attorney for defendant Office of Independent Counsel
25 G. Andrew Lundberg 26 Belinda S. Lee 27 Latham & Watkins 28 633 West Fifth Street, Suite 4000 Los Angeles, CA 90071-2007	Attorney for defendants-in-intervention Sheila Foster Anthony and Lisa Foster Moody
James Hamilton Swidler, Berlin, Shereff & Friedman 3000 K. Street, N.W., Suite 300 Washington, D.C. 20007	Attorney for defendants-in-intervention Sheila Foster Anthony and Lisa Foster Moody

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV97-1479-WDK (Ex) Date and Filed: March 5, 2001
Title: Allan J. Favish v. Office of Independent Counsel

=====
PRESENT: THE HONORABLE WILLIAM D. KELLER, SENIOR JUDGE

Kelly Davis
Courtroom Clerk

Linda Morris
Court Reporter

ATTORNEYS FOR PLAINTIFFS:
Allan J. Favish
Belinda S. Lee
James Hamilton

ATTORNEYS FOR DEFENDANTS:
Jan Luymes, AUSA
Karl Gellert

PROCEEDINGS:

1. Defendants-in-Intervention Shelia Foster Anthony and Lisa Foster Moody's Motion to Intervene; Motion to amend or alter judgment.
2. Motion by Plaintiff Allan J. Favish to Compel Testimony re Allegations of Illegal Government Conduct Re: SBJ Photographs
3. Pro Hac Vice pending for James Hamilton

Hears arguments and issues the following order:

Motion to intervene - granted;
Motion to appear pro hac - granted;
Motion to compel - denied;
Motion to amend or alter Judgment - denied

The stay remains in effect.



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MINUTES FORM 11
CIVIL - GEN

Initials of Deputy Clerk NS

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