IN THE SENATE OF THE UNITED STATES
Sitting as a Court of Impeachment

In Re	)
	)
Impeachment of	)
President William Jefferson Clinton	)

Factual Record

Documents from *Jones v. Clinton*,
C.A. No. LR-C-94-290
District Court of the United States
Eastern District of Arkansas

Lewinsky Subpoena, December 19, 1997
The President's Responses to Interrogatories 10 and 11
December 11, 1997 Order

The United States
House of Representatives

HENRY J. HYDE
F. JAMES SENSENBRENNER, JR.
BILL McCOLLUM
GEORGE W. GEKAS
CHARLES T. CANADY
STEPHEN E. BUYER
ED BRYANT
STEVE CHABOT
BOB BARR
ASA HUTCHINSON
CHRIS CANNON
JAMES E. ROGAN
LINDSEY O. GRAHAM

Managers on the Part of the House

AO 88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

PAULA JONES,
Plaintiff,
v.
WILLIAM JEFFERSON CLINTON
and
DANNY FERGUSON,
Defendants.

SUBPOENA IN A CIVIL CASE
CASE NUMBER:[1] LR-C-94-290

COPY

TO: **MONICA LEWINSKY**
700 New Hampshire NW
Washington, DC 20037

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
The Rutherford Institute 733 15th Street NW., Suite 410 Washington, DC 20005	Friday, January 23, 1998 9:30 a.m.

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Exhibit A, attached hereto.

PLACE	DATE AND TIME
The Rutherford Institute 733 15th Street NW., Suite 410 Washington, DC 20005	Friday, January 23, 1998 9:30 a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person designated, the matters on which the person will testify, Federal Rules of Civil Procedure, 30(b) (6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Donovan Campbell Jr., ATTORNEY FOR PLAINTIFF	December 17, 1997

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Donovan Campbell, Jr., Rader, Campbell, Fisher & Pyke, Stemmons Place, Suite 1080, 2777 Stemmons Freeway, Dallas, Texas 75207, (214) 630-4700

921-DC-00000792

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

[1] If action is pending in district other than district of issuance, state district under case number.

EXHIBIT A

DOCUMENTS AND THINGS TO BE PRODUCED

Pursuant to the Federal Rules of Civil Procedure, the Deponent is directed to produce, at the time and place of the Deponent's deposition, all of the documents and tangible things described in the enumerated requests below. In responding to the following requests for production, the Deponent is directed to comply with the following instructions and to apply the following definitions.

DEFINITIONS

For the purposes of these requests, the following definitions apply:

"Defendant Clinton" means William Jefferson Clinton.

"Defendant Ferguson" means Danny Ferguson.

"Document" means any tangible thing on which appears, or in which is stored or contained, any words, numbers, symbols, or images. The term "document" includes any and all writings, drawings, graphs, charts, photographs, tape recordings, video recordings, phono records, and other data compilations from which information can be obtained and translated, if necessary, through detection devices, into reasonably usable form.

"Person" means any identifiable entity, including but not limited to individuals, corporations, partnerships, sole proprietorships, and unincorporated associations.

"You" means the Deponent.

INSTRUCTIONS

A request for any particular document or thing is a request for the original, for each and every photocopy or duplicate of that document or thing, and for each and every draft of the document or thing. If, however, you produce the original of the document or thing, you are not required to produce any photocopies or duplicates unless they are not identical (as, for example, when marginal notations are made on a copy).

The documents and things to be produced should, at the time of production, be organized and labeled to correspond to the enumerated requests below. In the alternative, they may be produced as they are kept in the ordinary course of business, if it is possible to do so.

You are to produce not only the documents and things in your immediate possession, but also those over which you have custody or control, including but not limited to documents and things in the possession, custody, or control of your agent(s), your accountant(s), your attorney(s), any investigator employed by you or by your attorney(s), or any consultant or expert witness employed by you or by your attorney(s).

If, in response to a particular request, an objection is interposed, and the objection applies to some but not all of the documents requested, please produce all responsive documents and things to which the objection does not apply.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Every document relating to any private meetings between you and Defendant Clinton, including any agendas, letters, journals, diaries, notes, tape recordings or memoranda.

REQUEST FOR PRODUCTION NO. 2: Every document constituting or containing communications between you and Defendant Clinton, including letters, cards, notes memoranda, and all telephone records, notes or memoranda reflecting calls to or from any telephone in the White House, the Pentagon, any governmental office or property, or your home or office, any cellular or mobile telephone, or to or from any other telephone numbers of Bill Clinton or you or anyone acting for or on behalf of him or you.

REQUEST FOR PRODUCTION NO. 3: Every document concerning any communications with persons other than Defendant Clinton which reference any relationship or any private meetings between you and Defendant Clinton.

REQUEST FOR PRODUCTION NO. 4: Every document concerning any communications with persons other than Defendant Clinton which reference any relationship or any private meetings between you and Defendant Clinton.

REQUEST FOR PRODUCTION NO. 5: Every calendar or address book or other document reflecting any meetings between you and Defendant Clinton or reflecting the address or telephone number of Defendant Clinton at any location.

REQUEST FOR PRODUCTION NO. 6: Every document relating to any communications with anyone concerning any occurrence involving you and Defendant Clinton, including any agendas, letters, journals, diaries, notes, time records, employment records, tape recordings or memoranda.

921-DC-00000794

REQUEST FOR PRODUCTION NO. 7: Please produce each and every gift including, but not limited to, any and all dresses, accessories, and jewelry, and/or hat pins given to you by, or on behalf of, Defendant Clinton.

REQUEST FOR PRODUCTION NO. 8: Please produce each and every document mentioning or describing any gift given to you by Defendant Clinton.

921-DC-00000795

921-DC-00000796

Notes

921-DC-00000797

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

PAULA CORBIN JONES,	:	
Plaintiff,	:	CIVIL ACTION NO. LR-C-94-290
v.	:	
WILLIAM JEFFERSON CLINTON	:	Judge Susan Webber Wright
and	:	
DANNY FERGUSON,	:	
Defendants.	:	

PRESIDENT CLINTON'S RESPONSES
TO PLAINTIFF'S SECOND SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, President Clinton, through counsel, submits the following responses and objections to Plaintiff's Second Set of Interrogatories.

INTERROGATORY NO. 10: Please state the name, address, and telephone number of each and every individual (other than Hillary Rodham Clinton) with whom you had sexual relations when you held any of the following positions:

a. Attorney General of the State of Arkansas;

b. Governor of the State of Arkansas;

c. President of the United States.

RESPONSE TO INTERROGATORY NO. 10: President Clinton objects to this Interrogatory in that it has been propounded solely to harass, embarrass and humiliate the President and the Office he occupies. President Clinton also objects to this Interrogatory in that it seeks information that is beyond any reasonable scope for discovery in this proceeding and therefore constitutes an unreasonable and unwarranted invasion of privacy.

INTERROGATORY NO. 11: Please state the name, address, and telephone number of each and every individual (other than Hillary Rodham Clinton) with whom you proposed having sexual relations, or with whom you sought to have sexual relations, when you held any of the following positions:

a. Attorney General of the State of Arkansas;

b. Governor of the State of Arkansas;

c. President of the United States.

RESPONSE TO INTERROGATORY NO. 11: President Clinton objects to this Interrogatory in that it has been propounded solely to harass, embarrass and humiliate the President and the Office he occupies. President Clinton also objects to this Interrogatory in that it seeks information that is beyond any reasonable scope for discovery in this proceeding and therefore constitutes an unreasonable and unwarranted invasion of privacy.

Mitchell S. Ettinger

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Carl S. Rauh, Esq.
Mitchell S. Ettinger, Esq.
Amy Sabrin, Esq.
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(501) 375-6453

Counsel to
President William J. Clinton

Dated: November 3, 1997

849-DC-00000051

VERIFICATION

I, William Jefferson Clinton, declare as follows:

I have read the foregoing responses to Plaintiff's Second Set of Interrogatories and declare under penalty of perjury that they are true and correct to the best of my knowledge and belief.

Executed this 3rd day of November, 1997.

William J. Clinton
William Jefferson Clinton

849-DC-00000052

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

PAULA CORBIN JONES,	:	
Plaintiff,	:	CIVIL ACTION NO. LR-C-94-290
v.	:	
WILLIAM JEFFERSON CLINTON	:	Judge Susan Webber Wright
and	:	
	:	UNDER SEAL
DANNY FERGUSON,	:	
Defendants.	:	

PRESIDENT CLINTON'S SUPPLEMENTAL RESPONSES
TO PLAINTIFF'S SECOND SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, President Clinton, through counsel, submits the following supplemental responses to Plaintiff's Second Set of Interrogatories pursuant to and in accordance with the Court's Order dated December 11, 1997. In this regard, in providing these supplemental responses, President Clinton considers each of the interrogatories to have been modified in scope and content as directed by the Court's Order and the discovery conferences held on these issues. Specifically, the relevant time period established by the Court is May 8, 1986 to the present. The subject matter of the interrogatories has been modified to encompass individuals who were state or federal employees, or whose liasons with then-Governor Clinton were procured, protected, concealed, and/or facilitated by State Troopers assigned to his security detail.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 10 (as modified by direction of the Court): None.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 11 (as modified by direction of the Court): None.

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Carl S. Rauh, Esq.
Mitchell S. Ettinger, Esq.
Amy Sabrin, Esq.
Katharine S. Sexton, Esq.
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Counsel to
President William J. Clinton

Dated: December 23, 1997

849-DC-00000068

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
DEC 11 1997
JAMES W. McCORMACK, CLERK
By: DEP CLERK

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

PAULA CORBIN JONES,	*	
Plaintiff,	*	
vs.	*	No. LR-C-94-290
	*	UNDER SEAL
WILLIAM JEFFERSON CLINTON and DANNY FERGUSON,	*	
Defendants.	*	

ORDER

On October 1, 1997, plaintiff served on President Clinton her "Second Set of Interrogatories from Plaintiff to Defendant Clinton." The President responded to plaintiff's second set of interrogatories by answering a number of plaintiff's interrogatories but refusing to provide answers to interrogatories No. 8, 9, 10, 11, 17, and 18. The matter is now before the Court on motion of plaintiff to compel responses to these interrogatories. The President has responded in opposition to this motion. Having considered the matter, the Court finds that plaintiff's motion to compel responses to interrogatories should be and hereby is granted in part and denied in part.

I.

First, any issue that may have existed with respect to interrogatories No. 8 and 9, which requests the names of medical doctors who have performed any surgery on the

President's genitalia or otherwise examined his genitalia, is now moot, said information having been provided during the telephone conference held on the afternoon of December 2, 1997. This information was also provided by way of the President's response to plaintiff's motion to compel.[1]

II.

Interrogatories No. 10 and 11 ask the President to state the name, address, and telephone number of each and every individual (other than Hillary Rodham Clinton) with whom he has had sexual relations or with whom he proposed or sought to have sexual relations when he held any of the following positions: (1) Attorney General of the State of Arkansas; (2) Governor of the State of Arkansas; and (3) President of the United States. Interrogatory No. 17, in turn, asks the President to state the name, address, and telephone number of each and every person who was asked by him to arrange a private meeting between himself and any female (other than Hillary Rodham Clinton), attended by no one else, at any location other than his office, at any time when he held any of the positions listed in interrogatories No. 10 and 11. The President objects to these interrogatories on grounds that (i) they are irrelevant and unlikely to lead to the discovery of admissible evidence; (ii) they are over broad and unduly burdensome, especially because they span a period of 20 years; (iii) in light of plaintiff's deposition testimony, this discovery is wholly unnecessary; and (iv) plaintiff should be estopped from pursuing this discovery based on prior representations to the Court.

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[1] In agreeing to provide the names of his medical doctors, the President, through counsel, states that no such surgery has occurred.

A.

The Court has considered these interrogatories and will limit their scope to some extent. First, because the Court considers any relationships, proposed relationships, or arranged meetings that occurred 20 years ago to be too remote in time to the allegations of plaintiff's amended complaint, the Court will establish a time frame that spans 5 years prior to May 8, 1991 (the date of the alleged incident that is the primary subject of this lawsuit), up to the present. Second, the Court will limit the class of individuals within this time frame to two categories, those who were state or federal employees, and those whose liaisons with Governor Clinton were procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor.

The Court finds, therefore, that the plaintiff is entitled to information regarding any individuals with whom the President had sexual relations or proposed or sought to have sexual relations and who were during the relevant time frame state or federal employees. Plaintiff is also entitled to information regarding every person whom the President asked, during the relevant time frame, to arrange a private meeting between himself and any female state or federal employee which was attended by no one else and was held at any location other than his office.[2] The Court cannot say that such information is not reasonably calculated to lead to the discovery of admissible evidence.

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[2] Of course, any alleged relationships and/or arranged meetings with a federal employee that occurred when the President was not in a position to directly affect that individual's employment, *i.e.*, when he was still Governor and was not President-elect, would fall outside of the guidelines the Court today establishes. Likewise, any alleged relationships and/or arranged meetings with a state employee that occurred when the President was no longer in a position to directly affect that individual's state employment would also fall outside of the Court's guidelines.

The Court further finds that plaintiff is entitled to information regarding any individuals, whether or not state or federal employees, whose liaisons with Governor Clinton were procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor.[3] Such information may bear on plaintiff's efforts at establishing a pattern or practice of conduct. Again, the Court cannot say that such information is not reasonably calculated to lead to the discovery of admissible evidence.

B.

In limiting the interrogatories at issue in this Order to a time frame that does not exceed 5 years prior to May 8, 1991, the Court is not thereby stating that it intends to limit the deposition testimony of President Clinton to that time frame. As the Court has stated earlier, the Court anticipates that it will have opportunity to rule later on the scope of President Clinton's deposition. It is possible that the Court would permit plaintiff to question the President with regard to matters that fall outside that time frame if she has an independent basis for inquiring into such matters. The Court simply will not require the President to formulate time consuming and burdensome responses to written interrogatories requesting information beyond that time frame.

III.

Interrogatory No. 18 asks the President to state the name, address, and telephone

[3] Any alleged relationships or proposed relationships that did not involve state or federal employees and were not procured, protected, concealed, and/or facilitated by State Troopers assigned to the Governor go well beyond the issues in this case.

number of each and every person who worked in the Governor's Mansion in Little Rock, Arkansas, when he was Governor of the State of Arkansas. The President objects to this interrogatory on grounds that it is overly broad and individuals other than himself could compile and verify this information without imposing burdens on his time.

The standard that this Court will utilize in addressing any questions regarding the necessity and scope of the President's testimony at any deposition or trial will be "if the Court is satisfied that his testimony would be material as tested by a meticulous standard, as well as being necessary in the sense of being a more logical and more persuasive source of evidence than alternatives that might be suggested." *United States v. Poindexter*, 732 F.Supp. 142, 147 (D.D.C. 1990).[4] Applying this standard to interrogatory No. 18, the Court agrees with the President that he should not be required to answer this interrogatory. Plaintiff has not argued that there is no other source for this information, and in the absence of such a showing, this Court will require that plaintiff obtain this information elsewhere, *e.g.*, through employment records.

The President argues that this interrogatory is over-broad and is likely to generate burdensome and expensive additional discovery because plaintiff will seek to depose each and every one of these people, without any basis for believing that they have anything to offer relevant to her allegations. While that may be true, the Court cannot at this time determine that any such individuals do not possess information relevant to the allegations of plaintiff's amended complaint. The Court will therefore address issues regarding this discovery, as it has

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[4] This was the standard utilized by this Court in determining the necessity of the President's videotaped testimony in *United States v. Branscum*, No. 96-CR-49 (E.D.Ark. Jun. 7, 1996).

other matters, on an individual basis and upon motion of one or both defendants.

IV.

For the foregoing reasons, the Court grants in part and denies in part plaintiff's motion to compel responses to interrogatories. The Court directs that responses to plaintiff's second set of interrogatories be provided to plaintiff in a manner consistent with this Order on or before Tuesday, December 23, 1997.

IT IS SO ORDERED this 11th day of December 1997.

UNITED STATES DISTRICT JUDGE

THIS DOCUMENT ENTERED ON DOCKET SHEET IN COMPLIANCE WITH RULE 58 AND/OR 79(a) FRCP ON 12/12/97 BY

vjt

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

December 12, 1997

* * 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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James W. McCormack, Clerk

Date: 12/12/97

BY: Vicki Turner