

**In the United States District Court for the District of  
Columbia**

KATHLEEN WILLEY SCHWICKER  
Plaintiff,

vs.

WILLIAM JEFFERSON CLINTON  
in his personal capacity  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500,  
and

HILLARY RODHAM CLINTON  
15 Old House Lane  
Chappaqua, NY 10514  
and

CHARLES F. C. RUFF  
3521 Ordway Street, N.W.  
Washington, DC 20016and

BRUCE LINDSEY  
3101 New Mexico Avenue, N.W., #223  
Washington, DC 20016  
and

CHERYL MILLS  
11 West 18th Street  
New York, NY 10011and

SIDNEY BLUMENTHAL  
6805 6th Street, N.W.  
Washington, DC 20012  
and

JAMES CARVILLE  
424 S. Washington Street  
Alexandria, VA 22314  
and

DAVID E. KENDALL  
5215 Massachusetts Avenue  
Bethesda, MD 20816

and

WILLIAMS & CONNOLLY, L.L.P.  
725 12th Street, N.W.  
Washington, DC 20005  
and

BRUCE SHAPIRO  
634 Orange Street  
New Haven, CT 06511  
and

SALON.COM  
22 4th Street, 16th Floor  
San Francisco, CA 94103  
and

THE EXECUTIVE OFFICE OF  
THE PRESIDENT  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500,  
and

THE FEDERAL BUREAU OF INVESTIGATION 935 Pennsylvania Avenue, N.W.  
Washington, D.C. 20535, Defendants.

## **COMPLAINT**

This is an action for violations of the Privacy Act, 5 U.S.C. § 552a, the Ku Klux Klan Act, 42 U.S.C. §§ 1985(2) and 1986, and for the common law tort of invasion of privacy.

## **PARTIES**

1. Kathleen Willey Schwicker is a citizen of the Commonwealth of Virginia.
2. Defendant William Jefferson Clinton is a citizen of the State of New York and currently resides at 1600 Pennsylvania Avenue, N.W., Washington, DC, 20050. Mr. Clinton, who is President of the United States, is being sued in his personal capacity.
3. Defendant Hillary Rodham Clinton is a citizen of the State of New York and currently resides at 15 Old House Lane, Chappaqua, NY 10514. Mrs. Clinton, who is First Lady of the United States, is being sued in her personal capacity.
4. Defendant Charles F. C. Ruff is a citizen of the District of Columbia and currently resides at 3521 Ordway Street, N.W., Washington, DC 20016. Mr. Ruff, who was formerly Counsel to the President, is being sued in his personal capacity.

5. Defendant Bruce Lindsey is a citizen of the District of Columbia and currently resides at 3101 New Mexico Avenue, N.W., #223, Washington, DC 20016. Mr. Lindsey, who is Deputy Counsel to the President, is being sued in his personal capacity.

6. Defendant Cheryl Mills is a citizen of the State of New York and currently resides at 11 West 18th Street, New York, NY 10011. Ms. Mills, who was formerly Deputy Counsel to the President, is being sued in her personal capacity.

7. Defendant Sidney Blumenthal is a citizen of the District of Columbia and currently resides at 6805 6th Street, N.W., Washington, DC 20012. Mr. Blumenthal, who is an Assistant to the President for Communications, is being sued in his personal capacity.

8. Defendant James Carville is a citizen of the Commonwealth of Virginia and currently resides at 424 S. Washington Street, Alexandria, VA 22314. Mr. Carville is an advisor to the President.

9. Defendant David E. Kendall is a citizen of the State of Maryland and currently resides at 5215 Massachusetts Avenue, Bethesda, MD, 20816. Mr. Kendall is a partner with the Williams & Connolly and is the President and Mrs. Clinton's personal lawyer.

10. Defendant Williams & Connolly L.L.P. is a corporation organized under the laws of the District of Columbia and has its principal place of business at 725 Twelfth Street, N.W., Washington, D.C. 20005. Williams & Connolly, along with Defendant David E. Kendall, are the President and Mrs. Clinton's personal lawyers.

11. Defendant Bruce Shapiro is a citizen of the State of Connecticut and currently resides at 632 Orange Street, New Haven, CT 06511. Mr. Shapiro is a reporter for Salon.com.

12. Defendant Salon.com is a corporation organized under the laws of the State of California and has its principal place of business at 22 4th Street, 16th Floor, San Francisco, CA 94103.

13. The Executive Office of the President ("The White House") is an agency of the U.S. Government and is headquartered at 1600 Pennsylvania Avenue, N.W., Washington, D.C. 20500.

14. The Federal Bureau of Investigation ("FBI") is an agency of the U.S. Government and is headquartered at 935 Pennsylvania Avenue, N.W., Washington, D.C. 20535.

## **JURISDICTION AND VENUE**

15. Jurisdiction over this matter is proper under 28 U.S.C. § 1331, as Plaintiff asserts claims arising under the laws of the United States.

16. Venue is proper in this district pursuant to the provisions of 28 U.S.C. § 1391(a)(2) because a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in the District of Columbia.

## STATEMENT OF FACTS

17. In the Fall of 1993, Plaintiff, who had been an acquaintance and supporter of President Clinton, was working in The White House as a volunteer.

18. Also in the Fall of 1993, Plaintiff and her family, who then had ties to the Democratic Party, were experiencing substantial financial difficulties. In order to help out with her family's troubled finances, on November 29, 1993 Plaintiff went to President Clinton in the Oval Office to request assistance in obtaining employment.

19. Plaintiff explained to the President that, because of her family's financial situation, she could no longer volunteer at The White House, but needed a paid position if she were to continue to work there. Plaintiff began to cry. The President offered Plaintiff a cup of coffee, then she and the President walked to a private kitchen off the Oval Office. After having coffee and talking further about Plaintiff's situation, Plaintiff and the President walked back to the Oval Office. In a private hallway leading to the Oval Office, President Clinton sexually assaulted Plaintiff. Plaintiff left quickly, obviously without receiving the assistance she desired. That same day, Plaintiff's husband, Edward Willey Jr., committed suicide.

20. After her husband's death, Plaintiff and her family continued to suffer substantial financial difficulties. Plaintiff needed to find a job more than ever, and having volunteered at The White House, continued to believe that her best prospects for employment were either at The White House or elsewhere in the federal government.

21. Plaintiff put aside her pride and returned to the White House. On or about December 10, 1993, Plaintiff met with the President again in the Oval Office. She told him that she wanted to put the November 29, 1993 incident in the past, and that she was in a desperate situation and needed to find work.

22. Plaintiff eventually obtained a part-time, paid position in the White House Counsel's Office, but continued to seek a full-time, better paying position in the government in order to try to improve her family's difficult financial situation.

23. To this end, she wrote several letters to the President, in a friendly tone, in order to obtain employment. These letters were maintained by the White House Office of Records Management and elsewhere in The White House as official White House records. The White House Office of Records Management maintained these letters in a system of records and could retrieve them readily by entering Plaintiff's name into a computer database. Consequently, the letters were protected by the Privacy Act, 5 U.S.C. § 552a.

24. Although she had told few people about the President's 1993 sexual assault on her in the Oval Office, in the summer of 1997 Plaintiff was identified by lawyers in for Ms. Paula Jones as a victim of, and witness to, a sexual assault by the President. In 1994, Ms. Jones had brought a sexual harassment lawsuit against the President in the U.S. District Court for the Western District

of Arkansas. Plaintiff would later be subpoenaed for a deposition by Ms. Jones' lawyers, and thus became a witness in a proceeding pending before a court of law in the United States.

25. Also in the summer of 1997, Deputy Counsel to the President Bruce Lindsey obtained copies of the Privacy Act protected letters Plaintiff had written to the President trying to obtain employment. Lindsey kept these letters in a drawer in his office in order to have them close at hand, should it prove necessary to falsely portray Plaintiff as untruthful and, accordingly to destroy Plaintiff's name, credibility and reputation. This fact would not become known until The White House was forced to submit sworn answers to interrogatories in a lawsuit arising from The White House's unlawful obtaining and maintenance of hundreds of FBI background investigation files on former Reagan and Bush Administration appointees, employee and staffers, *Alexander, et al. v. FBI, et al.*, Civil Action Nos. 96-2123/97-1288 (RCL) (D. District of Columbia) ("*Alexander*"). See *Alexander*, Responses and Objections to Plaintiffs' First Set of Interrogatories to the Executive Office of the President Pursuant to Court Order of April 13, 1998 at Response to Interrogatory No. 15(c).

26. On October 6, 1997, Nathan Landow, a prominent Democratic Party fundraiser with ties to the President and Mrs. Clinton and Vice President Al Gore, flew Plaintiff by private plane to his estate in Maryland, where Plaintiff and Landow discussed her future testimony in Ms. Jones' sexual harassment lawsuit against the President. Landow pressured Plaintiff to say that nothing happened between her and the President, and offered her a Christmas shopping trip to New York.

27. In the weeks before Plaintiff's deposition in Ms. Jones sexual harassment lawsuit, which took place on January 10, 1998, Landow contacted Plaintiff on several other occasions and again tried to pressure her to deny the President's November 29, 1993 sexual assault in the Oval Office.

28. On January 8, 1998, two days before Plaintiff was to be deposed by Ms. Jones' lawyers, Plaintiff out walking in her neighborhood, which is in a sparsely populated area outside Richmond, when she was approached by an unknown person dressed as a jogger. The jogger ominously asked Plaintiff how her children were, referring to them by their names. The jogger also asked Plaintiff about her cat, which had disappeared in November, 1997, also referring to the cat by its name. The jogger also asked Plaintiff about her car, the tires of which had been purposefully and conspicuously spiked with nails in September or October, 1997. Then jogger then said to Plaintiff, "You're just not getting the message," obviously in reference to her plans to testify at her upcoming deposition.

29. On January 10, 1998, Plaintiff was deposed by Ms. Jones' lawyers. During the deposition, Plaintiff testified about the President's November 29, 1993 sexual assault on Plaintiff in the Oval Office.

30. On January 17, 1998, Mr. Clinton himself was deposed by Ms. Jones' lawyers. At his deposition, Mr. Clinton denied the November 29, 1993 sexual assault on Plaintiff in the Oval Office and gave other false testimony, including false testimony about a sexual relationship with Monica Lewinsky, a White House intern.

31. On March 10, 1998, Plaintiff testified before a grand jury empaneled by the Office of the

Independent Counsel in the U.S. District Court for the District of Columbia. The Office of the Independent Counsel was then investigating charges of perjury, obstruction of justice and other crimes by President Clinton in connection with Ms. Jones' sexual harassment lawsuit. Plaintiff appeared before the grand jury pursuant to a subpoena. Thus, she also became a witness in a criminal proceeding pending before a court of law in the United States.

32. Also in March 1998, Plaintiff gave an interview to the CBS television news magazine "60 Minutes" during which she spoke publicly, for the first time, about the November 29, 1993 incident in the Oval Office when she was sexually assaulted by President Clinton. The program aired on Sunday, March 15, 1998.

33. Public reaction to the Plaintiff's revelation was, from the President's political perspective, extremely negative. "This is not just sexual harassment. If it's true, it's sexual assault . . . That's a pretty serious charge if true and it is a very big problem," said Patricia Ireland, president of the National Organization for Women on CNN's "Late Edition." On the same program, Senate Judiciary Committee Chairman Orrin G. Hatch said that, if Plaintiff was telling the truth, "then I have to tell you, I think this presidency would be over."

34. The following Monday, March 16, 1998, only six (6) days after her testimony before the grand jury, the White House publicly released some, but not all, of the letters Plaintiff had written to the President. The transparent purpose of the release was to falsely portray Plaintiff as untruthful and, accordingly, to destroy Plaintiff's name, credibility and reputation, to retaliate against her for having testified and spoken out against the President, and to intimidate her from testifying and/or speaking out against the President further.

35. During a deposition in *Alexander* on Monday, March 16, 1998, the same day The White House publicly released Plaintiff's letters to the President, Democratic Party operative and Clinton advisor James Carville testified about a telephone conversation he had with President Clinton two days earlier, on Saturday, March 14, 1998, concerning these same letters:

Q: And how long was the conversation?

A: Not very long. Maybe five minutes or so.

Q: What was discussed . . . ?

A: He said that there were some -- there was a Kathleen Willey, and what he said was there was some letters that she had written, and they were -- his lawyers were considering -- I think were considering about making them public, and what did I think about it?

Q: And what did you tell him?

A: I'm not sure if I know what's in there, but if it was something that was past the time that she made this allegation, it was probably a pretty good idea.

Q: Did he ask you to make them public?

A: No, sir.

Because this testimony was elicited in a private lawsuit, Plaintiff did not know, nor could she reasonably have known, about its substance.

36. On March 19, 1998, three (3) days after Plaintiff's letters were released publicly, Assistant to the President for Communications Sidney Blumenthal met freelance British journalist Christopher Hitchens and Ms. Carol Blue for lunch at the Occidental restaurant in Washington, D.C. During the lunch on March 19, 1998, Mr. Blumenthal told Hitchens and Blue that "[Plaintiff's] poll numbers were high, but would fall and not look so good in a few days," clearly demonstrating that the intent behind releasing the letters publicly was to falsely portray Plaintiff as untruthful and, accordingly, to destroy Plaintiff's name, credibility and reputation, to retaliate against her for having testified and spoken out against the President, and to intimidate her from testifying and/or speaking out against the President further. Hitchens signed an affidavit to this effect on February 5, 1999. The affidavit was made public the following day.

37. In addition, former White House Chief of Staff Thomas F. McLarty, III, testified in an August 5, 1998 deposition in *Alexander* that, a day or two after the airing of the "60 Minutes" interview on March 15, 1998, the President commented to him that a "mutual friend" had remarked that Plaintiff's credibility was "not that high in Richmond," yet another attempt to falsely portray Plaintiff as untruthful and, accordingly, to destroy Plaintiff's name, credibility and reputation. Because, like Carville's testimony, this testimony from McLarty was elicited in a private lawsuit, Plaintiff did not know, nor could she reasonably have known, about its substance.

38. On information and belief, on or about the same time period that Plaintiff appeared on "60 Minutes," presidential confidante, Democratic Party operative, and former U.S. Trade Representative and U.S. Department of Commerce Secretary Mickey Kantor made at least two trips to Richmond looking for derogatory information about Plaintiff.

39. On August 17, 1998, President Clinton testified before a grand jury in the Lewinsky matter. When asked about the November 29, 1993 sexual assault on Plaintiff in the Oval Office, President Clinton denied any wrongdoing and claimed that the release of the letters had "shattered" Plaintiff's credibility:

[By Mr. Clinton] Mr. Bennett, I didn't do any of that, and the questions your asking, I think, betray the bias of this operation that has troubled me for a long time. **You know what evidence was released after the "60 Minutes" broadcast that I think pretty well shattered Kathleen Willey's credibility.** You know what people down in Richmond said about her. You know what she said about other people that wasn't true. I don't know if you've made all of this available to the grand jury or not. She was not telling the truth. She asked for the appointment with me. She asked for it repeatedly.

[By Mr. Bennett] Mr. President, you mentioned the documents that were released and information that came out from people in Richmond, et cetera, after the "60 Minutes" piece

was broadcast. As a matter of fact, you were required, under the Court's rulings, to produce those documents in response to document requests by the Jones litigants, isn't that correct?

[By Mr. Clinton] No. I believe the Jones litigants' request for production of documents to me ran to documents that were in my personal files and in my personal possessions, and did not cover documents that were in White House files. So I don't believe we were required to produce them. As a matter of fact, when that story first ran, sir, before "60 Minutes," back in July or so of '97, I was aware that we had some letters. I didn't -- I didn't remember that she'd written us as much as she had and called as much as she had and asked to see me as often as she had, after this alleged incident. I didn't know the volume of contact that she had which undermined the story she has told. But I knew there was some of it. And I made a decision that I did not want to release it voluntarily after the Newsweek ran the story, because her friend Julie Steele was in the story saying that she asked her -- she, Kathleen Willey -- asked her to lie and because, frankly, her husband had committed suicide. She apparently was out of money. And I thought, who knows how anybody would react under that. So I didn't. **But now when "60 Minutes" came with the story and everybody blew it up, I thought we would release it.** But I do not believe we were required to release White House documents to the Jones lawyers.

40. On September 21, 1998, President Clinton's grand jury testimony was made public. This was the first that Plaintiff knew, or reasonably could have known, of the circumstances surrounding the release of her letters.

41. In a television interview that aired on January 29, 1999, Jared Stern, a private investigator with Prudential Associates, Inc. in Rockville, Maryland, admitted that he had been hired by Saul Schwartzbach, an attorney for Nathan Landow, to conduct a "noisy" investigation of Plaintiff when she was a witness in both Ms. Jones' sexual harassment lawsuit against the President and the Office of the Independent Counsel's criminal investigation of the President. According to Stern, he had been hired to obtain Plaintiff's telephone records, to find out about any medication she may have been taking, and to make sure Plaintiff knew she was being watched.

42. In the January 29, 1999 interview, Stern claimed that he quit the assignment after he began to feel uneasy about it, and left a message on Plaintiff's answering machine, using an alias, to warn her that someone wanted to do her harm. Plaintiff did receive such a message on her answering machine. Stern also admitted that The White House was behind his being hired for the assignment. Stern denied, however, that he was the jogger who approached Plaintiff two days before her deposition.

43. On or about January 31, 1999, it was revealed publicly that Office of the Independent Counsel was weighing whether to seek a criminal indictment of the President. Accordingly, Plaintiff remained an obviously important, material witness against the President in any criminal proceeding.

44. In sworn answers to interrogatories served by The White House in *Alexander* on or about July 16, 1999, The White House was forced to admit that President Clinton, Counsel to the



President Charles F. C. Ruff, Deputy Counsel to the President Bruce Lindsey, and Deputy Counsel to the President Cheryl Mills all participated in, and made the decision to release Plaintiff's letters to the President on March 16, 1998. *See Alexander*, Responses and Objections to Plaintiffs' Third Set of Interrogatories to the Executive Office of the President at Response to Interrogatory No. 14.

45. In these same, sworn interrogatory answers, The White House also was forced to admit that the President and Mrs. Clinton's private counsel, the law firm of Williams & Connolly, also participated in and furthered the decision to release the letters:

In addition the President's personal counsel participated by telephone in some discussions that included this matter. [The White House], on behalf of Williams & Connolly, objects to revealing the substance of those discussions on the basis of the President's personal attorney-client privilege and the work product doctrine.

*Id.* On information and belief, the attorney advising the President and Mrs. Clinton to release the letters was David E. Kendall, Esq., who is a partner at Williams & Connolly and is the President and Mrs. Clinton's personal lawyer.

46. In another set of sworn interrogatory answers provided by The White House on or about that same date, July 16, 1999, the White House also was forced to admit that Sidney Blumenthal and Mrs. Clinton also participated in, recommended, and furthered the release of the letters:

In March 1998, the White House learned that Ms. Willey was going to appear on "60 Minutes" to allege that the President had made an unwelcome advance towards her. At that time, Mr. Lindsey spoke to Deputy Counsel Cheryl Mills about the letters. He conveyed to Ms. Mills that the letters portrayed a warm relationship between Ms. Willey and the President, which was inconsistent with what she apparently would convey to "60 Minutes." The weekend "60 Minutes" was to air, members of the White House Counsel's Office, including Mr. Lindsey, Ms. Wills and White House Counsel Charles Ruff, met and discussed the letters. Prior to the airing of the interview, the White House received a transcript. After reviewing the transcript, Mr. Lindsey telephoned the President, who was at Camp David, to advise him of the recommendation to release the letters. The President concurred in that recommendation. The Monday morning after "60 Minutes" aired (March 16, 1998), Ms. Mills, or someone at her direction, requested that the Office of Records Management ("ORM") gather any additional correspondence from Ms. Willey. ORM gathered all the correspondence in their records and provided it to Ms. Mills that morning. Shortly thereafter, the letters were made available to the press.

*See Alexander*, Responses and Objections to Plaintiffs' First Set of Interrogatories to the Executive Office of the President Pursuant to Court Order of April 13, 1998 at Response to Interrogatory No. 15(c).

47. In these same, sworn interrogatory answers the White House also was forced to admit that Sidney Blumenthal and Mrs. Clinton also participated in, recommended, and furthered the release of the letters:

On or about March 14, 1998, Mr. Blumenthal left on an official trip to Puerto Rico. While in Puerto Rico, on March 16, 1998, Mr. Blumenthal spoke to Mrs. Clinton by telephone. Mr. Blumenthal recalls that he and Mrs. Clinton discussed Ms. Willey's letters to the President, and that the letters were inconsistent with what Ms. Willey had said on "60 Minutes." Both Mrs. Clinton and Mr. Blumenthal agreed that the letters should be released.

*Id.* at Response to Interrogatory No. 42(a).

48. On March 29, 2000, the Court in *Alexander* determined, in the context of ruling on various claims of privilege and other arguments advanced by The White House, that President Clinton knowingly and intentionally violated the Privacy Act in March 1998 by publicly releasing the letters Plaintiff had written to him:

[T]he court finds that . . . the White House and President were aware that [the letters] were subject to the Privacy Act, and yet chose to violate its provisions. Thus, . . . the President had the requisite intent for committing a criminal violation of the Privacy Act.

\* \* \*

As discussed above, the release of the Willey letters was a criminal violation of the Privacy Act. [The White House] admits that, in the context of representing [The White House] and the President in his official capacity, the senior lawyers of the White House Counsel's office discussed whether these letters should be released and ultimately recommended their release to the president. [The White House] further admits that "the President concurred in this recommendation." Therefore, the discussions regarding the release of the Willey letters, even if initially protected by the attorney-client privilege, fall squarely within the crime-fraud exception to this privilege.

*See Alexander*, March 29, 2000 Memorandum and Order at 19-20.

49. In a supplemental set of sworn interrogatory answers that the White House was ordered to provide on or about May 9, 2000, the White House was forced to admit, in response to an interrogatory asking for the identity of all persons who "recommended or who helped make the decision to release" the letters, that both the First Lady and James Carville played a role in recommending and furthering the release of the letters, although the President and Mrs. Clinton refused to reveal the details of their discussion, claiming an alleged spousal privilege:

In addition, around the time of the decision, the President discussed the matter with the First Lady, Mr. James Carville and possibly others whom he does not recall . . . The President and the First Lady's personal attorneys advise us that the substance of the decision between the President and the First Lady would be protected by the spousal privilege.

*See Alexander*, Supplemental Response Nos. 6, 9, 13, 14, and 18 to Plaintiffs' Third Set of Interrogatories to the Executive Office of the President, Pursuant to the Court's Order of March 29, 2000, at Supplemental Response No. 14.

50. In the March and April, 2000, it was reported that Office of the Independent Counsel was still considering whether to seek a criminal indictment of the President. Accordingly, Plaintiff remained an obviously important, material witness against the President in any such criminal proceeding.

51. On July 12, 2000, *Salon* magazine published an article, written by Bruce Shapiro and entitled "New Bankruptcy Documents Make the Murky Finances of Ken Starr's Key Witness Look Even Shadier."

52. Included in the article was detailed personal information about Plaintiff, including confidential, non-public financial information Plaintiff had provided to the FBI during the course of grand jury investigations into criminal misconduct by the President in Ms. Jones' sexual harassment lawsuit and subsequent, related matters. Plaintiff provided this confidential, non-public information to the FBI with the understanding that the information would remain confidential and that it was protected from disclosure by law, including the Privacy Act.

53. Also included in the article was information contained in Plaintiff's White House personnel records. In fact, the article specifically states, "In her White House application, obtained by Salon, she repeatedly describes legally troubled Ed Willey Jr. as her 'former husband,' though she was still married at the time." These records are maintained by The White House as part of a system of records, and can be retrieved from this system of records by referencing Plaintiff's name.

54. Also included in the article was confidential, non-public information that Plaintiff had provided to Richmond, Virginia attorney Daniel Gecker during the course Gecker's legal representation of her. When Plaintiff communicated this information to Gecker, it was, obviously, protected by the attorney-client privilege.

55. Plaintiff had authorized Gecker to disclose certain confidential, attorney-client communications to the FBI in the course of grand jury investigations into criminal misconduct by the President in Ms. Jones' sexual harassment lawsuit and subsequent, related matters. Again, Plaintiff had only authorized Gecker to disclose this information based on the understanding that any information Gecker provided to the FBI would remain confidential and was protected from disclosure by law, including the Privacy Act.

56. On information and belief, the confidential, non-public information Plaintiff provided to the FBI was recorded in FBI "Form 302" investigative reports and other records maintained by the FBI in a system of records. On information and belief, these same FBI "Form 302" investigative reports and other records concerning Plaintiff could be retrieved by referencing Plaintiff's name in a computer database or other system of records.

57. The information published in the *Salon* article written by Shapiro could only have come from

confidential, non-public FBI “Form 302” investigative reports and other FBI records. In fact, the article itself expressly refers to an April 24, 1998 FBI interview of attorney Gecker, and even purports to quote from the confidential, non-public FBI “Form 302” investigative reports of this interview. Elsewhere, the article states “[a]ccording to an FBI interview with attorney Gecker . . .” and “[according to FBI records. . .” Still elsewhere, the article expressly refers to “[c]ourt records and other documents obtained by *Salon*” and “Willey family insurance records obtained by *Salon*.”

58. *Salon* magazine is and has been a well-known conduit for, if not an agent of the Clinton White House, which often provides information to friendly reporters and places favorable stories in the media in order to further its political goals.

59. On information and belief, persons inside the Clinton White House, including President Clinton and Sidney Blumenthal, caused *Salon* magazine to publish the July 12, 2000 article, and/or assisted Shapiro and *Salon* in obtaining the information from Plaintiff’s White House personnel file, FBI Form 302 investigative reports and other FBI records that appeared in the article.

60. Like the March 16, 1998 release of the letters, the transparent purpose of the July 12, 2000 article, as betrayed by its title, was to destroy Plaintiff’s name, credibility and reputation, to retaliate against her for having testified and spoken out against the President, and to intimidate her from testifying and/or speaking out against the President further.

61. In August, 2000, it was publicly reported that the Office of the Independent Counsel had impaneled a new grand jury to hear evidence of criminal misconduct by the President during Ms. Jones’ sexual harassment lawsuit and subsequent, related matters. Accordingly, Plaintiff remains an obviously important, material witness against the President.

## **COUNT I**

### **(Violation of the Privacy Act -- Defendant The White House)**

62. Plaintiff realleges paragraphs 1 through 60 as if fully set forth herein.

63. Defendant The White House maintains confidential records on individuals, including Plaintiff, as part of a system of records.

64. Defendant The White House willfully and intentionally released records concerning Plaintiff, without the prior written consent or knowledge of Plaintiff or any lawful justification.

65. The willful and intentional release of records concerning Plaintiff violated 5 U.S.C. §§ 552a(b) and (g)(1)(D), among other relevant provisions of the Privacy Act.

66. As a proximate result of the willful and intentional release of records concerning Plaintiff by Defendant The White House, Plaintiff has suffered substantial damages, including but not limited to loss of reputation and emotional distress, among others.

WHEREFORE, Plaintiff demands judgment against Defendant The White House for an award of compensatory damages in an amount not less than the \$1,000 statutory minimum set forth at 5 U.S.C. § 552a(g)(4), reasonable attorneys' fees, costs, pre- and post-judgment interest, and such other relief as the Court deems just and proper.

## COUNT II

**(Violation of the 42 U.S.C. § 1985(2) -- Defendants William Jefferson Clinton, Hillary Rodham Clinton, Charles F. C. Ruff, Bruce Lindsey, Cheryl Mills, Sidney Blumenthal, James Carville, David E. Kendall, and Williams & Connolly)**

67. Plaintiff realleges paragraphs 1 through 65 as if fully set forth herein.

68. Defendants William Jefferson Clinton, Hillary Rodham Clinton, Charles F. C. Ruff, Bruce Lindsey, Cheryl Mills, Sidney Blumenthal, James Carville, David E. Kendall and Williams & Connolly tacitly or explicitly agreed, in violation of 42 U.S.C. § 1985(2), to participate in a common scheme and unlawful conspiracy to violate the Privacy Act and thereby injure Plaintiff by destroying her good name, credibility and reputation on account of her having testified truthfully in courts of law of the United States, namely, in Ms. Paula Jones' sexual harassment lawsuit against President Clinton and the Office of Independent Counsel's grand jury investigations of perjury, obstruction of justice and other crimes by President Clinton in connection with Ms. Jones' sexual harassment law suit and related matters, as well as to hinder, prevent or dissuade her from testifying in any further criminal investigations and proceedings concerning the Jones, Lewinsky and related matters, such as *Alexander*, in which she also is a material witness.

69. Pursuant to and in furtherance of this common scheme and unlawful conspiracy, Defendants William Jefferson Clinton, Hillary Rodham Clinton, Charles F. C. Ruff, Bruce Lindsey, Cheryl Mills, Sidney Blumenthal, James Carville, David E. Kendall and Williams & Connolly recommended, agreed to, and participated in, the release of the letters Plaintiff had written to the President, in violation of the Privacy Act, Plaintiff's First Amendment rights, and in violation of 18 U.S.C. §1512, among other relevant provisions.

70. On information and belief, the threats made to Plaintiff by a jogger outside on January 8, 1998, the attempts by prominent Democratic fundraiser Nathan Landow to influence Plaintiff's testimony, the attempts by Mickey Kantor to obtain derogatory information about Plaintiff were also pursuant to and in furtherance of this common scheme and unlawful conspiracy, as was the publication by Defendant Shapiro and Salon.com of confidential, non-public information from FBI "Form 302" investigative reports and other FBI records concerning Plaintiff, and Plaintiff's White House personnel records.

71. As a proximate result, Plaintiff was injured in her person and property, and suffered substantial damages, including but not limited to loss of reputation and emotional distress, among others.

WHEREFORE, Plaintiff demands judgment against Defendants William Jefferson Clinton, Hillary Rodham Clinton, Charles F. C. Ruff, Bruce Lindsey, Cheryl Mills, Sidney Blumenthal, James Carville, David E. Kendall and Williams & Connolly for an award of compensatory damages, reasonable attorneys' fees, costs, pre- and post-judgment interest, and such other relief as the Court deems just and proper.

### **COUNT III**

#### **(Violation of 42 U.S.C. § 1986 - Defendant William Jefferson Clinton)**

72. Plaintiff realleges paragraphs 1 through 70 as if fully stated herein.

73. Defendant William Jefferson Clinton had knowledge that the wrongs done and conspired to be done in violation of 42 U.S.C. § 1985, set forth in Count I above, were about to be committed.

74. Defendant William Jefferson Clinton had the power to prevent and/or aid in preventing the wrongs done and conspired to be done in violation of 42 U.S.C. § 1985, set forth in Count II, above.

75. Defendant William Jefferson Clinton neglected and/or refused to prevent and/or aide in preventing these wrongs, in violation of 42 U.S.C. § 1986.

76. As a proximate result, Plaintiff was injured in her person and property, and suffered substantial damages, including but not limited to loss of reputation and emotional distress, among others.

WHEREFORE, Plaintiff demands judgment against Defendant William Jefferson Clinton for an award of compensatory damages, reasonable attorneys' fees, costs, pre- and post-judgment interest, and such other relief as the Court deems just and proper.

### **COUNT IV**

#### **(Invasion of Privacy/Intrusion Upon Seclusion -- Defendants Bruce Shapiro and Salon.com)**

77. Plaintiff realleges paragraphs 1 through 75 as if fully set forth herein.

78. Defendants Bruce Shapiro and Salon.com intruded upon Plaintiff's seclusion by accessing and gathering information about Plaintiff's private, personal and secret concerns from confidential, non-public sources.

79. Defendants' interference with Plaintiff's seclusion is substantial and highly offensive to the ordinary, reasonable person.

80. Defendants' interference with Plaintiff's seclusion is intentional, malicious, and/or in reckless disregard of Plaintiff's rights.

81. As a proximate result, Plaintiff has suffered substantial damages, including but not limited to loss of reputation and emotional distress, among others.

WHEREFORE Plaintiff demands judgment be entered against Defendants Bruce Shapiro and Salon.com, jointly and severally, for an award of compensatory damages, punitive damages, reasonable attorneys' fees, costs, pre- and post-judgment interest, and such other relief as the Court deems just and proper.

## **COUNT V**

### **(Violation of the Privacy Act -- Defendant FBI)**

82. Plaintiff realleges paragraphs 1 through 81 as if fully set forth herein

83. Defendant FBI maintains confidential records on individuals, including Plaintiff, as part of a system of records.

84. Defendant FBI willfully and intentionally released records concerning Plaintiff, without the prior written consent or knowledge of Plaintiff or any lawful justification.

85. The willful and intentional release of records concerning Plaintiff violated 5 U.S.C. §§ 552a(b) and (g)(1)(D), among other relevant provisions of the Privacy Act.

86. As a proximate result of the willful and intentional release of records concerning Plaintiff by Defendant FBI, Plaintiff has suffered substantial damages, including but not limited to loss of reputation and emotional distress, among others.

WHEREFORE, Plaintiff demands judgment against Defendant FBI for an award of compensatory damages in an amount not less than the \$1,000 statutory minimum set forth at 5 U.S.C. § 552a(g)(4), reasonable attorneys' fees, costs, pre- and post-judgment interest, and such other relief as the Court deems just and proper.

**Plaintiff demands trial by jury on all issues so triable.**

By: \_\_\_\_\_

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