

Preface

If the Court grants Patrick Knowlton's motion, this document will forever be available from any government printing office. This filing is for the public. It presents most of the available evidence of cover-up. We believe that it proves, beyond doubt, the existence of a conspiracy, a cover-up.

If a cover-up exists, Mr. Starr's Office of Independent Counsel is infected with the very corruption it is designed to fight. That is important. But more importantly, in light of the scrutiny we are told our government has given the matter, if a cover-up has survived now for almost six years, then the matter of the existence of the conspiracy raises larger issues. Two of the three branches of our government, the executive and the legislature, as well as the press, did not function as intended. In the pages that follow, we are examining whether our Constitutional system protects us from government corruption, as the experiment of our founding fathers envisioned. These questions about our democracy are not merely academic.

The records filed in two District of Columbia federal courts tell how Patrick Knowlton became embroiled in this case. One is his 20-page submission to the United States Court of Appeals, Special Division for the Purpose of Appointing Independent Counsels, filed on his behalf in accordance with the Independent Counsel Statute. The Court ordered Mr. Starr's OIC, over its objection, to include those 20 pages in its Appendix to Report on the Death of Vincent Foster, Jr., a nine-page letter and eleven pages of exhibits. On October 10, 1997, the OIC's Report on Mr. Foster's death, inclusive of its Appendix, was released to the public. Another Court in which Patrick Knowlton is proceeding is the United States District Court for the District of Columbia, where his civil rights lawsuit is filed.

Excerpts from these two Court filings appear below.

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Appendix to the OIC's Report on the Death of Vincent Foster, Jr., September 23, 1997:

Facts. While heading home in heavy traffic on the George Washington Memorial Parkway, and facing over a two-hour commute, Patrick Knowlton pulled into Fort Marcy Park at 4:30 p.m. on July 20th, 1993, to relieve himself. Patrick parked close to the main footpath entrance into the park, between the only two cars in the small parking lot, which were parked just four spaces apart.

To Patrick's left was parked an unoccupied mid-1980s rust-brown four-door Honda sedan with Arkansas tags (closest to the footpath entrance), and on his right was a late model metallic blue-gray sedan, backed into its parking space. A man was seated in the driver's seat of the blue-gray sedan. Immediately after Patrick parked, the man lowered the passenger side electric window and stared at him, menacingly. This unnerved Patrick as he exited his car.

As he started from his car toward the footpath, Patrick heard the blue-gray sedan's door open. Apprehensive, Patrick walked to the sign bordering the footpath entrance to the park and feigned to read its historical information while nonchalantly glancing to his right to see if the man was approaching. He saw the man leaning on the roof of the driver's side of his blue-gray sedan, watching him intently. Patrick then cautiously proceeded 75 feet down the footpath's left fork to the first large tree, in the opposite direction from which Mr. Foster's body was later recovered.

As he relieved himself, Patrick heard the man close his car door. Because the foliage was dense, he couldn't see the parking lot and hoped the man wasn't approaching. As Patrick walked back to the parking lot with a heightened sense of awareness, he scanned the lot but did not see the man. Patrick surmised that the man had either gotten back in his car or perhaps could

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even be crouching between the brown Honda and Patrick's car preparing to attack him.

In order to maintain his distance from the space between the two cars until he learned the man's whereabouts, Patrick walked directly toward the driver's side door of the brown Honda, and then around the back of it. As Patrick reached the driver's side door of the brown Honda, he looked through the window. He also looked into the back seat as he walked the length of the car. He saw a dark colored suit jacket draped over the driver's seat, a briefcase on the front passenger's seat, and two bottles of wine cooler on the back seat. As he reached the back of the Honda, Patrick was relieved to see that the man had returned to his own vehicle. The man was still staring fixedly at him.

Of the five things Patrick witnessed at the park ((1) the man and his car, (2) the suit jacket, (3) the briefcase, (4) the wine cooler, and (5) the mid-1980s Arkansas brown Honda), the Honda itself is the most relevant. It was not Mr. Foster's car. When Mr. Foster's body was discovered approximately 70 minutes after Patrick had left the park, Mr. Foster had been dead for well over 70 minutes. Mr. Foster therefore could not have driven to the park in his Honda, as claimed in the government Reports on the death.

The following evening, Patrick saw on the news for the first time that Vincent Foster had been found dead at Fort Marcy Park, so he telephoned the U.S. Park Police and reported what he had seen. Nine months later, FBI Special Agent Larry Monroe... wrote in his reports of those interviews that Patrick "identified this particular vehicle [Honda] as a 1988-1990...", and that Patrick "reiterated his description of this Honda as a 1988-1990." This information was false and known to be false.^{fn2}

Eighteen months later, in October of 1995, Patrick was provided a copy of his then publicly-available FBI interview reports by a reporter for

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a London newspaper. He realized for the first time that Monroe had falsified his account of the car and other facts he had recounted during his FBI interviews. His true account, along with the contradictory information from his FBI interview reports, was reported in the London newspaper on Sunday, October 22, 1995.

Two days later, on Tuesday, October 24, the paper reached American newsstands. That day, Mr. Starr's office prepared a subpoena summoning Patrick to testify before the Whitewater grand jury in this courthouse on November 1, 1995. Two days after that, Thursday, October 26, FBI agent Russell Bransford served the secret grand jury subpoena.^{fn3}

Beginning that same day he was subpoenaed, and continuing into the following day, Patrick was harassed... Experts tell us that the technique is known to federal intelligence and investigative agencies, and that its objects were twofold: (i) to intimidate and warn Patrick in connection with his grand jury testimony; and failing that, (ii) to destabilize him and discredit his testimony before the grand jury.

It worked.

fn. 2: Monroe tried for hours to get Patrick to admit that the Foster's 1989 silver-gray Honda "could have been" the car Patrick saw. Patrick steadfastly responded, "No," repeating the description he had provided to the Park Police by telephone. Monroe falsified his interview report, writing that Patrick had "identified" the Honda as a "1988-1990," despite the fact that during his second FBI interview, Patrick had picked out the same color he had seen on the mid-1980s Honda from the "browns" section of the car color panels in the FBI laboratory, and that color corresponded to one available only on 1983 and 1984 Hondas.

fn. 3: Agent Bransford had been detailed to regulatory Independent Counsel Fiske's investigation, where he worked with Agent Monroe. Bransford told Patrick he had been "kept on under Starr."

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* * *

[P]rior to Mr. Starr's appointment to head the statutory OIC in August of 1994, the only substantive investigations into the case, with the sole exception of the U.S. Park Police investigation (conducted with FBI participation), were conducted by the FBI.^{fn8} The publicly-available federal government record upon which the Fiske Report is based is replete with evidence that the FBI concealed the true facts surrounding Mr. Foster's death.^{fn9}

* * *

The fundamental purposes of our Ethics in Government Act are (1) to ensure that justice has been done and (2) to preserve and promote public confidence in the integrity of the federal government by maintaining the appearance that justice has been done. In light of (1) the FBI's statutory mandate to exercise primary jurisdiction in July of 1993 in the event of foul play, (2) two prior FBI findings of no criminal activity, and (3) evidence of a cover-up by the FBI already in the public domain, the OIC's use of the FBI in this matter undermines both purposes of the Act. No OIC can fulfill its mandate to preserve and protect the appearance of justice having been done when its investigation

fn. 8: There have been no other official investigations. The 1994 Senate Banking Committee was precluded by the limited scope of Resolution 229 from independently exploring of the issue of how or where Mr. Foster died ("whether improper conduct occurred regarding... the Park Service Police investigation into the death..."). [Ranking Republican, Committee on Government Operations, U.S. House of Representatives, William F.] Clinger did not investigate and Senator D'Amato's Committee did not explore these issues.

fn. 9: Much evidence of obstruction of justice by the FBI is documented in Patrick's lawsuit in this District Court (No. 96-2467) for *inter alia*, violation of 42 U.S.C. § 1985(2), "...Obstructing justice; intimidating... witness..."

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employs the very agency it is designed to be independent from, the Justice Department.^{fn11}

Upon review of those excerpts of the Report provided by the OIC, it is manifest that the Report omits the information Patrick provided which refutes the FBI's repeated official conclusion of suicide in the park...

* * *

Moreover, the Report's purported reliance on grand jury testimony is an attempt to give the Report more credibility. Indeed, the catalyst for Patrick's grand jury testimony was the appearance in U.S. newsstands of the October 22nd [1995] issue of the *London Sunday Telegraph*, in which Ambrose Evans-Pritchard described Patrick's reaction when he was shown the FBI report of his interview with two FBI agents detailed to Mr. Fiske's probe. It was the first time Patrick had seen the report of the interview, which had been conducted eighteen months earlier. Evans-Pritchard wrote that Patrick "was stunned." Referring to the FBI's assertion that Patrick stated he "would be unable to recognize the man" he had seen at the park, Patrick is quoted as saying "That's an outright lie."

fn. 11: Under the Act, the OIC's use of the FBI is free, tempting the OIC to create a microcosm of the DOJ. (See Act of Dec. 15th 1987, Pub. L. No. 100-191, 1987 U.S.C.C.A.N. (101 Stat. 1293) p. 2172: "Congress intended the Justice Department to provide independent counsels with the same assistance it provides to its other high-priority, federal criminal cases... federal agencies are instructed to discontinue... requiring reimbursement agreements...")

fn. 12: See Exhibit 4. A USPP report notes that the autopsy doctor estimated that Mr. Foster died "2-3 hours" after having eaten a "large meal" "which might have been meat and potatoes." Several people reported that Mr. Foster had finished his lunch of a cheeseburger and French fries by 1:00 p.m., therefore putting the time of death between 3:00 and 4:00 p.m. Also, the paramedic in his Incident Report estimates that based upon the "pooling of blood in the extremities," Mr. Foster had been dead "2-4 hrs" at 6:10 p.m...

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Evans-Pritchard's article also states:

"They showed him a photograph of [Foster's] Honda... 'They went over it about 20 times, telling me that this was Foster's car,' said Knowlton. 'But I was quite adamant about it. I saw what I saw, and I wasn't going to change my story'... Starr's investigators have never talked to Knowlton. The federal grand jury has never summoned him to give sworn testimony."

* * *

On October 24, the same day that this newspaper reached U.S. newsstands, the OIC prepared a subpoena summoning Patrick to testify before the Whitewater grand jury. The secret grand jury subpoena was served two days later by an FBI agent who was formerly detailed to Mr. Fiske's probe, whereupon Patrick was harassed and intimidated... The Report omits all of this, even though Patrick submitted a report detailing the harassment to the OIC in March of 1996, which included reports of a polygraph examination, a psychiatric examination, witnesses' affidavits, photographs of two members of the harassment team and the names and addresses of two others.

Conclusion. Because Patrick did not heed the warning regarding his grand jury testimony and continued to tell the truth, including his account of the *bizarre* harassment he suffered, his testimony was discredited. Patrick was harassed in an effort to make him look unbalanced or dishonest. Since that time, he has been defamed by numerous individuals, most of whom are journalists. He has been attacked as a delusional conspiracy theorist, a homosexual, and as an outright liar. Patrick has been fighting to reestablish his credibility for the past two years. Patrick did nothing to deserve the outrageous treatment he received at the hands of the OIC and its FBI agents. He did nothing to deserve being yanked into this FBI debacle, having his life turned upside down, and having to endure this fight for his reputation. Patrick's only "crime" was reporting to the authorities what he had seen at Fort Marcy Park, consistent

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with his understanding of his duties as a good citizen.

Patrick respectfully asks that the Division of the Court append this letter to the Independent Counsel's Report on the Death of Vincent Foster, Jr. to afford him a measure of fairness. A denial of this relief would augment the appearance of justice having not been done and would further frustrate legislative intent. Patrick should not have to go through the rest of his life labeled as a liar or some kind of nut. He has no remedy at law for injury to his reputation causally related to the subject investigations. Patrick Knowlton merely seeks to establish that he is telling the truth and that he is mentally stable.

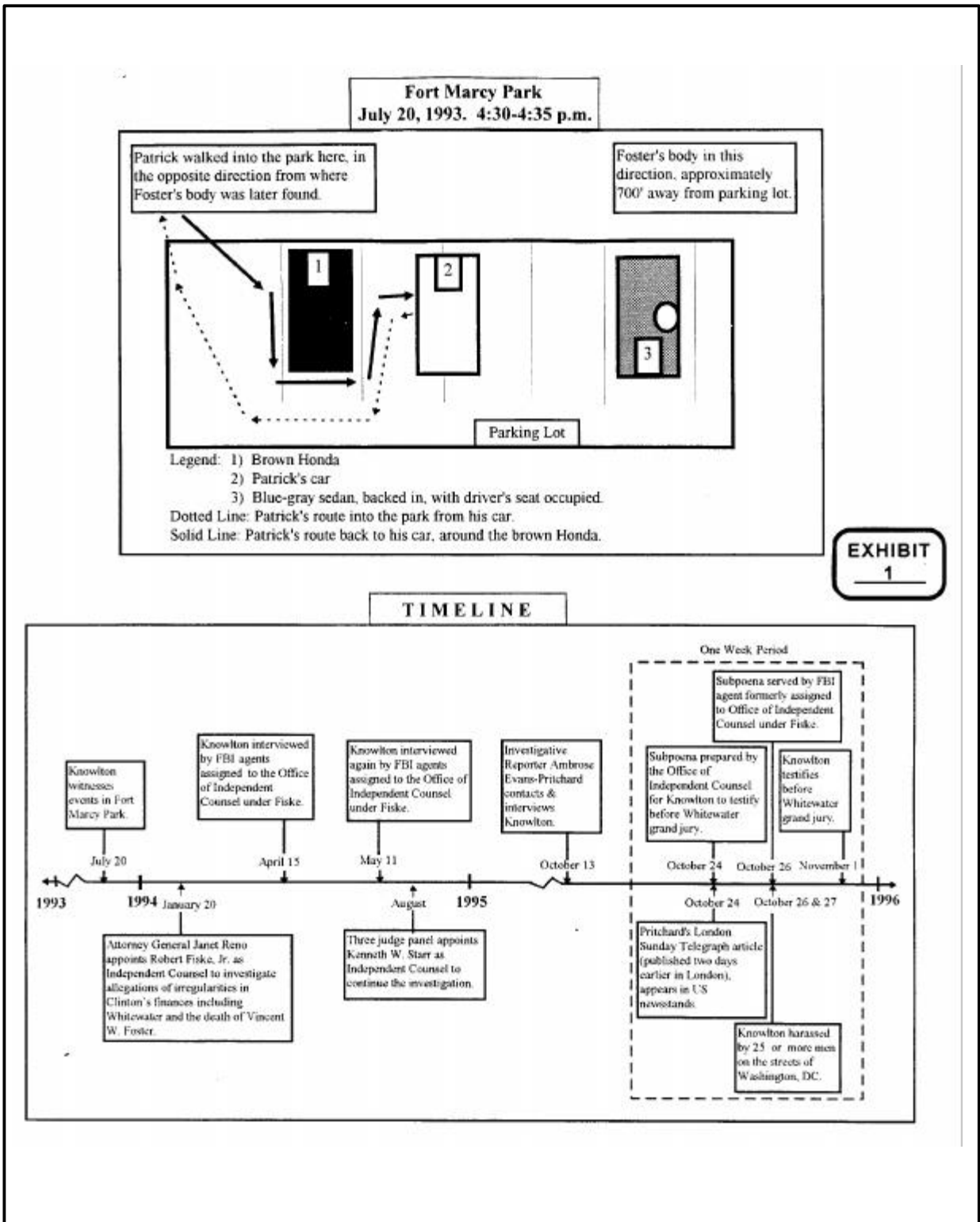


Exhibit 1 of Appendix to the OIC's Report on the Death of Vincent Foster, Jr., submitted September 23, 1997, released to the public on October 10, 1997

USPP REPORT. INTERVIEW BY USPP & FBI OF ASSISTANT IN WHITE HOUSE COUNSEL'S OFFICE: MR. FOSTER ATE LUNCH OF "CHEESEBURGER" AND "FRENCH FRIES."

| | | | | | | | |
|---------------------------|------------------|----|-----|----|-----|-----|------------------------------|
| UNITED STATES PARK POLICE | DATE OF INCIDENT | MO | DAY | HR | MIN | SEC | RECLASSIFICATION OF INCIDENT |
| Death Investigation | 0 | 7 | 2 | 0 | 19 | 3 | 9 |

The first conversation she had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. She and Linda Tripp went to the cafeteria and ordered his lunch. She

FBI INTERVIEW REPORT. EXECUTIVE ASSISTANT IN WHITE HOUSE COUNSEL'S OFFICE: MR. FOSTER LEFT OFFICE SHORTLY AFTER 1:00 PM AFTER HE ATE LUNCH.

Continuation of FD-302 of Linda A. Tripp On 4/12/94 Page 4

from work. When he left the office at shortly after 1:00PM he did not have anything with him. TRIPP did not know where he was going and it was not appropriate for her to ask him. He did not have any appointments noted on his office calendars or that anybody knew about.

USPP REPORT. DOCTOR WHO PERFORMED AUTOPSY SAID EATEN "MEAT AND POTATOES" "2-3 HOURS PRIOR TO DEATH."

| | | | |
|---------------------------------------|------------------|------------------|-----|
| NATIONAL PARK SERVICE | | ADVENTURE CASE # | |
| SUPPLEMENTAL CRIMINAL INCIDENT RECORD | | | |
| LOCATION | DATE OF INCIDENT | MO | DAY |
| GM2 Ft. Marcy | 0 | 7 | 2 |

Dr. Byer stated that it appeared that the victim had eaten a "large" meal which he believed to have occurred within 2-3 hours prior to death. He was unable to state positively what type of food was consumed but stated the it might have been meat and potatoes.

PARAMEDIC'S INCIDENT REPORT. AT 6:10 PM "HAD BEEN DEAD APPROX 2-4 HRS."

This is certified a true copy of the actual field incident report in possession of the Fairfax County Fire and Rescue Department
Signed Gennice Diamantis
Date 7-19-94

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| | |
|---|--|
| NARRATIVE REPORT | NARRATIVE REPORT |
| INCIDENT # R32011315 UNIT M01 SUPP02 SITF 801 07/20/93 | INCIDENT # R32011315 UNIT M01 SUPP02 SITF 801 07/20/93 |
| HAD SET IN. POOLING OF BLOOD IN THE EXTREMITIES. PT HAD BEEN DEAD APPROX. 2-4 HRS. PT HAD A WEAPON IN HIS-RIGHTHAND | HAD SET IN. POOLING OF BLOOD IN THE EXTREMITIES. PT HAD BEEN DEAD APPROX 2-4 HRS. PT HAD A WEAPON IN HIS-RIGHTHAND |

Exhibit 4 of Appendix to the OIC's Report on the Death of Vincent Foster, Jr., submitted September 23, 1997, released to the public on October 10, 1997

FBI REPORTS OF INTERVIEWS WITH PATRICK AND TWO OTHER CIVILIAN PARK WITNESSES

PATRICK ARRIVED 4:30 PM. CAR "BROWN... HONDA WITH ARKANSAS PLATE"

parking area, he immediately noticed an unoccupied vehicle parked front end in facing the park in one of the first parking slots on the left-hand side. He identified this particular vehicle as a 1988-1990 brown or rusty brown in color Honda with Arkansas plates. He stated that he could not remember whether this vehicle was a two door or four door sedan and outside of the

MALE SAYS HE AND FEMALE ARRIVED AROUND 5:00 P.M. CAR "BROWNISH."

They arrived at Fort Marcy Park at approximately 5:00 p.m. As they drove into the parking lot, he observed a vehicle, possibly a small station wagon or "hatchback" model, brownish in color, parked to his left. The vehicle was parked close to the path leading up to Fort Marcy, with the front of the car pulled

FEMALE SAYS THEY ARRIVED BETWEEN 5:15 & 5:30 PM. CAR "MID-1980s."

Marcy Park in her white Nissan , arriving at Fort Marcy Park sometime between 5:15 and 5:30 p.m. To the best of her recollection, she maintained that upon entering the parking lot at Fort Marcy Park, she noted that the only vehicle in the parking area was a relatively old (mid-1980's) Honda, possibly a Honda Accord, either tan or dark in color, parked close to the entry of the parking lot, adjacent to a path leading to the Northern section of the park. believed that this particular Honda was parked with the front of the vehicle facing the park area and to the best of her recollection, believes a

SWORN TESTIMONY OF PATRICK KNOWLTON (ARRIVED FMP 4:30 PM)

REGARDING: VINCENT FOSTER. SWORN STATEMENT OF PATRICK KNOWLTON
PRESENT: CONGRESSMAN DAN BURTON KEVIN BINGER JOHN CLARKE

| | |
|----|---|
| 14 | THERE WAS TWO VEHICLES IN THE PARKING LOT -- ONE WAS A |
| 15 | BROWN, RUST-BROWN COLORED HONDA WITH ARKANSAS LICENSE |
| 16 | PLATES. IT WAS AN OLDER VEHICLE. |
| 19 | SUGGESTED TO ME THAT THAT WAS THE AGE OF IT, AND, WHEN HE |
| 20 | SHOWED ME THE PICTURES OF A CAR THAT WAS AN '88 OR A '90, I |
| 21 | SAID, NO. IT IS, OBVIOUSLY, AN OLDER CAR. THE CAR THAT |
| 22 | YOU ARE SHOWING ME THE PICTURE OF IS TOO NEW. |

EXHIBIT

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On October 25, 1996, a year before the Court ordered that the OIC's Report on Mr. Foster's death be released to the public, Patrick Knowlton's civil rights lawsuit was filed in the US District Court for the District of Columbia, Case No. 96-2467. In it, he alleges violations of 42 U.S.C. § 1985(2), *Obstructing justice; intimidating... witness*. On October 21, 1998, he filed a motion to file a Second Amended Complaint. Excerpts of that amended lawsuit follow.

Patrick Knowlton v. Robert Edwards et al., US District Court for the District of Columbia, Civil Action No. 96-2467:

SECOND AMENDED COMPLAINT (10/98)
(Conspiracy to interfere with Civil Rights
in violation of 42 U.S.C. § 1985(2), Obstructing justice;
Intentional Infliction of Emotional Distress;
Assault; Battery; Civil Conspiracy)

* * *
Summary of case

2. This case arises from an overall conspiracy to obstruct justice in connection with federal investigations into the death of deputy White House counsel Vincent W. Foster.

3. Upon learning that Mr. Foster's body was found in Fort Marcy Park, Virginia, Plaintiff reported to authorities what he had seen in the park approximately 70 minutes before the discovery of Mr. Foster's body.

4. In April and May, 1994, Defendant Monroe, then an FBI agent detailed to the Office of regulatory Independent Counsel Robert Fiske, interviewed Plaintiff... Monroe falsified Plaintiff's account and misreported that Plaintiff identified the car he saw as a "1988 to 1990" year-model, which coincided with Mr. Foster's 1989 car. Because Mr. Foster was dead by the time Plaintiff visited Fort Marcy Park, Plaintiff's information refutes the official conclusion that Mr. Foster drove his car there.

5. Shortly after Plaintiff learned from a reporter that Defendant Monroe had falsified his account, Plaintiff's account of what he had witnessed at Fort Marcy and contradictory information from his FBI interview reports was published in the in October

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22, 1995 edition of the *London Sunday Telegraph* newspaper.

6. On the same day that the *Telegraph* reached American newsstands, October 24, the Office of Independent Counsel, *In re: Madison Guarantee Savings & Loan*, prepared a subpoena for Plaintiff to testify before the Whitewater grand jury in this Court.

7. Two days after that subpoena was prepared, Defendant FBI Agent Russell Bransford served it. At the time of the service of that subpoena, Bransford was detailed to Mr. Starr's Washington, DC, Office. Bransford had been detailed to the Fiske probe.

8. Beginning the same day that Bransford served Plaintiff the secret grand jury subpoena... Defendants... harassed and intimidated Plaintiff before he appeared to testify before the grand jury...

* * *

10. Wrongful acts alleged herein were violations of 42 U.S.C. § 1985(2), which prohibits, inter alia, attempts to deter witnesses by intimidation or threat from testifying freely, fully, and truthfully to matters pending before federal courts...

11. Overt acts directed at Plaintiff were part of a subsidiary conspiracy. Because that subsidiary conspiracy was the reasonably foreseeable, necessary or natural consequence of the overall conspiracy to hide the facts of Mr. Foster's death, each member of that overall conspiracy is liable for Plaintiff's damages simply by virtue of his being a conspirator.

* * *

Parties

13. Plaintiff Patrick James Knowlton is an individual presently residing at 2424 Pennsylvania Avenue, NW, Washington, DC. At the time of Mr. Foster's death in July of 1993, and when Plaintiff was contacted and interviewed by Defendant Monroe in April and May of 1994, Plaintiff resided in Etlan, Virginia.

14. Defendant Robert Edwards (hereinafter "EDWARDS") was at all times material hereto an individual employed by the United States Park Police, holding the position of Sergeant, assigned to the Second District station, 7300 MacArthur Boulevard, Glen Echo, Maryland. EDWARDS has since retired...

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15. Defendant James C. Beyer (hereinafter "BEYER") is and was at all times material hereto an individual employed as Deputy Chief Medical Examiner, Northern Virginia District, 9787 Braddock Road, Suite 100, Fairfax, Virginia, and in that capacity performed the July 21st, 1993 autopsy on Mr. Foster.

16. Defendant John Doe Pathologist (hereinafter "PATHOLOGIST") assisted Defendant BEYER in the performance of the autopsy on Mr. Foster. BEYER refused to identify PATHOLOGIST to the Park Police at the autopsy and there is no public record of the PATHOLOGIST's identity. Plaintiff will seek leave of Court to amend his Complaint by inserting his true name in place of the fictitious name PATHOLOGIST when the same has been ascertained.

17. Defendant Robert A. Bryant (hereinafter "BRYANT") is and was at all times material hereto an individual employed by the Federal Bureau of Investigation ("FBI"). During the times alleged hereinafter that BRYANT committed overt acts in furtherance of the conspiracy, BRYANT served as the Special Agent-in-Charge of the FBI's Washington, DC, Metropolitan Field Office. BRYANT currently holds the position of Deputy Director of the FBI, and his business address is the J. Edgar Hoover Building, 10th & Pennsylvania Avenue, NW, Washington, DC.

18. Defendant Scott Jeffrey Bickett (hereinafter "BICKETT") is an individual whose residence address is presently unknown to Plaintiff. Upon information and belief, Plaintiff avers that BICKETT is and was at all times material hereto an individual employed by the Department of Defense, holding an "Active SCI" security clearance, which stands for Sensitive Compartmented Information, a top U.S. Government security clearance. Upon information and belief, Plaintiff also avers that BICKETT has been briefed at FBI headquarters, has served at the direction of FBI personnel, and was so serving when BICKETT committed the acts hereinafter complained of.

19. Defendant Lawrence Monroe (hereinafter "MONROE") is an individual who resides at 8128 Blandsford Drive, Manassas, Virginia. When MONROE committed the overt acts recited below, he was employed by the FBI as a special agent, and was detailed to the office of regulatory Independent Counsel Robert B. Fiske, Jr.

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20. The captioned Defendant referred to as John Doe FBI Laboratory Technician is one or more laboratory technicians employed by the FBI's forensic laboratories, located in the J. Edgar Hoover Building, 10th & Pennsylvania Avenue, NW, Washington, DC. Because Plaintiff does not yet know whether all the FBI laboratory reports quoted below were authored by the same individual, nor his or their identities, the author or authors of these laboratory reports are hereinafter referred to in the singular as "FBI LAB." Plaintiff will seek leave of Court to amend his Complaint by substituting his or their true names instead of the fictitious name FBI LAB when the same has been ascertained.

21. Defendant FBI Agent Russell T. Bransford (hereinafter "BRANSFORD") is an individual who is currently and was at all times material hereto employed by the FBI as a special agent. BRANSFORD's business address is the FBI's Washington, DC Metropolitan field office, 1900 Half Street, SW, Washington, DC. BRANSFORD had been detailed to Mr. Fiske's office of regulatory Independent Counsel and, upon Mr. Starr's appointment in August of 1994 to serve as statutory Independent Counsel and the simultaneous dissolution of the office of the regulatory Independent Counsel's office, Mr. Starr's office retained BRANSFORD.

22. Defendant Ayman Alouri (hereinafter "AYMAN ALOURI") is an individual whose residence address is 2300 Pimmit Drive, Apartment 704 West, Falls Church, Virginia. AYMAN ALOURI was born in the country of Jordan and is a naturalized citizen of the United States.

23. Defendant Abdel Salem Alouri (hereinafter "ABDEL ALOURI") is an individual whose last known residence address is 5800 Quantrell Avenue, Apartment 1511, Alexandria, Virginia. ABDEL ALOURI was born in the country of Jordan. His citizenship is unknown to Plaintiff.

* * *

25. Some of the conspirators joined the conspiracy at different times by pursuit of the common goal or overall conspiratorial objective, the particulars of which are not presently known to Plaintiff. As all conspirators are not presently known, Plaintiff will, should it become appropriate, seek leave to amend this Complaint to name other Defendants and to plead the particulars of their

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functions in pursuing the overall or subsidiary conspiracy.

Facts

26. On July 20th, 1993, between the time of 3:00 p.m. and 4:00 p.m., Vincent Foster died of a small-caliber gunshot wound to his head, at the hand of another. The bullet entered his head from the upper portion of the right side of his neck, under the jaw line, passed upward through the body of the tongue, pierced his brain and struck the skull approximately three inches below the top of the head, fracturing it. The bullet remained in his head. Blood drained from the entrance wound in the neck onto his right collar and shoulder and was absorbed down onto his right shirtsleeve. Blood also accumulated in his mouth.

27. Also on July 20th, 1993, Plaintiff was driving on the George Washington Memorial Parkway...

Paragraph 11 above alleges that the harassment that Patrick suffered was part of an overall conspiracy to hide the facts of Mr. Foster's death. Under the law of civil conspiracy, each member of that overall conspiracy is legally responsible for the civil rights violation that Patrick suffered. That means that the issue of cover-up, as well as its participants, is relevant to the prosecution of Patrick Knowlton's civil rights lawsuit.

The first goal of this filing is to prove the existence of a conspiracy, as alleged in the lawsuit, as well as the named defendants' participation in it.

We will see the participation in the conspiracy of Park Police Sergeant Robert Edwards while at Fort Marcy Park on July 20, 1993. We will see the role, just 15 hours later, of Deputy Chief Medical Examiner James C. Beyer, Jr., as well as the unknown "John Doe Pathologist" who assisted him. We will review the evidence of the knowledge of the cover-up during the first 17-day FBI/Park Police investigation by the Agent-in-Charge of the FBI's Washington Metropolitan Field Office, Robert M. Bryant, who now serves as the FBI's Deputy Director. We will review the evidence against FBI Agent Lawrence Monroe, the unknown "John Doe FBI Laboratory Technician," and Scott Jeffrey Bickett, all of whom participated in the cover-up in the Spring of 1994, when the FBI conducted its second

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investigation, under the auspices of the 5-month Fiske probe. And we will see that FBI agent Russell T. Bransford participated in the conspiracy in October of 1995, during Mr. Starr's probe. Finally, we will see how Ayman & Abdel Alouri and others harassed Patrick Knowlton on the eve of his Whitewater grand jury appearance, also in October of 1995, two-and-a-half years after the death.

Anyone who has ever served on a jury knows that a fundamental tenet of our justice system is to keep an open mind and not to make up your mind until you have heard all the evidence. Most of the available evidence is presented in this filing. Like a trial, reviewing the evidence can be work, tedious at times. But most of the chapters have factual summaries at the beginning, so you have the ability to read only the summary should you not care to read the body of the chapter. Because the same evidence is sometimes presented on more than one issue, you may occasionally see testimony or excerpts of FBI interview reports that you have already seen in another part of the paper.

Chapter I of this filing, *Background*, repeats what many of us have heard about the case, sets forth much of the record of the events preceding the death, relates the official version of the discovery of the body, and points out some anomalies in the official story of the body's discovery. Chapter II, *Authorities Arrive at the Scene*, sets forth the movements of the Park Police and Fire & Rescue workers ("Firefighters") at the park, and provides a synopsis of much of the evidence that we will review later.

In Chapters III through X, we compare the publicly available evidence in the case with the OIC's Report on the death. After Chapter III, *Overview of the Comparison of the Publicly Available Evidence to the OIC's Report*, we begin our review in earnest, a 250-page comparison of every substantive point in the OIC's Report to the available evidence in the case. The discovery process in Patrick's lawsuit has not yet begun, so we do not yet have subpoena power. We obtained all but a tiny fraction of the evidence we will review from the public record. It was generated by the federal government.

Beginning in chronological order, Chapter IV, *Evidence of Knowledge of the death before the Official Time of Notification*, looks at the OIC's claim that no authorities

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other than the Park Police knew of the death before 8:30 p.m. Next, to underscore the importance of the testimonial evidence of park witnesses recounted in subsequent chapters, Chapter V, *Evidence that the OIC concealed that Photographs Vanished*, reviews the OIC's claim that no Polaroid photographs of the body vanished, and that all of the 35-millimeter shots were "underexposed."

The next Chapter, VI, *Evidence that the OIC Covered up the Absence of the Official mouth Entrance Wound & head Exit Wound, and the Existence of a Neck Wound*, is the longest chapter, almost 100 pages. It compares all the records of all the witnesses who saw the body at the park and morgue to the OIC's claims and conclusions regarding the issues of the wounds and the blood. This chapter also reviews the record of the autopsy.

In the next three Chapters, we review the evidence regarding all the remaining issues in the case save one -- the claim of depression. These three Chapters are: VII, *Evidence that the OIC covered up that Mr. Foster did not own or fire the gun found at the park*; VIII, *Evidence contradicting the official claim that Mr. Foster drove to the park*; and IX, *Other Anomalies*.

The next Chapter, X, *Inferences to be drawn from the Facts*, takes the step of discussing the evidence in the case, as well as its interrelations -- how one anomaly in the case is related to others. We suggest that you ponder in Chapter X the question posed, whether there is in fact a cover-up of the facts of the death.

The three chapters which comprise the balance of this Court filing are XI, *State of Mind*; XII, *Investigative History*; and lastly, *Conclusion*. In the *State of Mind* Chapter, we do not attempt to prove that Mr. Foster was not depressed because we conclude that it is too problematic and, in any event, irrelevant. We do offer some compelling evidence that the OIC's expert psychologist's conclusion is unreliable. The *Investigative History* chapter explains that the FBI is almost the only entity that has investigated the case, three times in all.

The Court released the OIC's Report on the Death of Vincent Foster, Jr. 20 months ago, having been submitted at the conclusion of its three-year investigation. This filing took three people 17 months to research and write:

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Patrick Knowlton, Hugh Turley, and the undersigned, all of whom are self-employed. Patrick is 44 years old. He has lived in Washington, DC, since he moved here in 1990 from his native Syracuse, New York. Having worked in the construction industry for seventeen years, he was a master carpenter and builder. Today, he is a part-time licensed tour director in Washington, DC, Philadelphia, and New York, and is a private investigator. Patrick is heterosexual, has never been charged with a crime, is a registered Democrat, and has no political agenda. Hugh Turley is a Washington area businessman who lives in suburban Maryland. Hugh took an interest in the case soon after the death.

Those witnesses who are discussed below, who are not named defendants in Patrick Knowlton's lawsuit, deserve the benefit of the doubt, and so we caution you not to hastily conclude that any one of them participated in the cover-up merely because their actions appear suspicious.

The Ethics in Government Act is designed to accomplish parallel goals of ensuring that justice is done and maintaining the appearance of justice having been done.³

³ Congress seeks to accomplish the special prosecutor's independence from the Department of Justice by, among other things, having the judiciary select and appoint Counsel upon request by the Attorney General, limiting the Counsel's investigative jurisdiction, and having the Counsel removable only by the Attorney General for good cause or by the Court upon the completion of the investigation. Counsel is required to file reports with Congress and the Court.

The 1978 Act was passed five years, to the month, since Watergate Special Prosecutor Archibald Cox had been fired by President Nixon in what is referred to as the "Saturday night massacre."

Use of special prosecutors predates the 1978 Act. Independent state investigations include Thomas Dewey's early twentieth-century fight against New York City corruption, Governor Nelson Rockefeller's 1972 investigation into New York's criminal justice system, and Maryland's creation of a special prosecutor after Spiro Agnew's misconduct was exposed.

Independent federal investigations predating the 1978 Act include President Coolidge's 1924 appointment of special

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"The purpose of the system is to ensure fair and impartial criminal proceedings when an administration attempts the delicate task of investigating its own top officials."⁴

In 1993, on the eve of the expiration of the last five-year term of the Act, then Senator William Cohen stressed the importance under the Act of investigations being independent from the Justice Department in ensuring that justice appears to have been done.

The appearance of justice having been done is equally important as justice having been done. We can see this over a period of years where an investigation has been conducted by the Justice Department... questions have remained. They say, "Well, was it really an independent investigation or was it a coverup, a whitewash?" When those questions tend to linger... the cloud of doubt remains, and the cynicism remains... The law, however, serves two ends, both equally important in our democratic society. One is that justice be done, and the other is that it appear to be done. The appearance of justice is just as important as justice itself, in terms of maintaining public confidence...⁵

prosecutors in the Teapot Dome scandal (corruption by Interior and Justice Department officials in leasing of oil reserves), the Truman administration's investigation of the tax scandals in 1951 (tax fixing by the IRS and Justice Department), and in 1973, Watergate. The three judges of the Special Division of the U.S. Court of Appeals, which appoints Independent Counsels, are appointed for two-year terms by the Chief Justice of the United States Supreme Court. There have been at least 20 independent counsels appointed under the Act, seven of whom were appointed during the Clinton administration.

⁴ S. Rpt. No. 100-123. Act of Dec. 15th 1987, Pub. L. No. 100-191, 1987 U.S.C.C.A.N. (101 Stat. 1293) p. 2151.

⁵ See 139 CONG. REC. S15846-01 & S15847-01 (daily ed, Nov. 17, 1993) (statement of Sen. Cohen). See also 139 CONG. REC. S15850-01 (daily ed, Nov. 17, 1993) (statement of Sen. Levin): "Here is what the American Bar Association said in its letter of November 17. As noted above, the principle underlying statute is that an independent counsel may be needed when there may be a conflict of interest in having the Department of Justice carry out a particular investigation and possible prosecution."

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The Act was renewed for another five-year term. It will expire on June 30, 1999, unless reenacted.

The question of whether there is a cover-up in this case is an important one. Our Constitution separates the governmental powers into separate branches, limiting the ways each can act, and provides that the branches shall exercise oversight over one another. The system supposes that this division of power would create an adversarial system, with each entity serving different interests. Another component of the system is a free press, which facilitates this adversarial process by reporting the truth that surfaces when adversaries battle. In sum, the separation-of-powers doctrine and having a free press are designed to keep our government honest. You are deciding if the system failed in the Foster case. If it did, you have a right to know.

The official version of the death is that on July 20, 1993, around 1:00 p.m., Mr. Foster left the White House alone in his own car, and sometime later drove into the Fort Marcy Park parking lot, and walked 700 feet up into the park. He is said to have then taken his own .38 caliber revolver, loaded with two high velocity cartridges, placed its barrel against his soft palate, and pulled the trigger, leaving an exit wound in the top of the back of his head about the size of a half-dollar.

It is time to review the evidence. You have never read or heard it before.