

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
CARA ALEXANDER, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action Nos.
	)	96-2123/97-1288 (RCL)
FEDERAL BUREAU OF	)	
INVESTIGATION, et al.,	)	
	)	
Defendants.	)	
_____	)	
	)	
JOHN MICHAEL GRIMLEY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
FEDERAL BUREAU OF	)	
INVESTIGATION, et al.,	)	
	)	
Defendants.	)	
_____	)	

NOTICE OF RULE 30(b)(6) DEPOSITION

PLEASE TAKE NOTICE that Plaintiffs, by counsel, and pursuant to Rules 26, 30(b)(6), and 45 of the Federal Rules of Civil Procedure, will take the deposition of The United States Department of Justice at the offices of Judicial Watch Inc., 501 School Street, S.W., Suite 725, Washington, D.C. beginning on June 11, 1999 at 8:00 a.m. The deposition shall continue from day to day until completed, excluding Saturdays, Sundays, and holidays, and shall take place before a notary public or some other officer authorized to administer oaths and record testimony pursuant to Rule 28 of the Federal Rules of Civil Procedure. The Plaintiffs require testimony

about all matters which refer to, or relate to, or form the underlying factual basis for the finding in the Certification of the United States Department of Justice, dated and signed by Eva M. Plaza, Deputy Assistant Attorney General, on February 18, 1997, stating that the Plaintiffs' invasion of privacy claims against David Craig Livingstone, Anthony Marceca, and Bernard W. Nussbaum arise from conduct performed by them within the scope of their former employment by the White House. A copy of said Certification is hereto attached as Exhibit 1. The deposition shall be recorded on videotape. The Deponent is required to bring the documents described in Attachment B to a subpoena served in relation to this notice, a copy of which said subpoena is hereto attached as Exhibit 2.

JUDICIAL WATCH, INC.



Larry Klayman, Esq.  
DC Bar No. 334581

Attorneys for Plaintiffs

# EXHIBIT 1

.....

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER, et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,  
EXECUTIVE OFFICE OF THE PRESIDENT,  
HILLARY RODHAM CLINTON, BERNARD  
W. NUSSBAUM, DAVID CRAIG  
LIVINGSTONE, ANTHONY MARCECA,

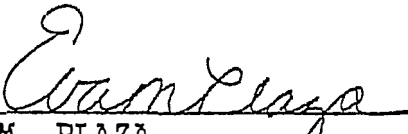
Defendants.

Civil Action No.  
96-2123 (RCL)

CERTIFICATION

I, Eva M. Plaza, Deputy Assistant Attorney General, Civil Division, United States Department of Justice, acting pursuant to the provisions of 28 U.S.C. § 2679(d)(2), and by virtue of the authority vested in me by 28 C.F.R. § 15.3 (1996), and appendix, hereby certify that I have read the complaint in this action. On the basis of the information now available with respect to the allegations therein, I find that the invasion of privacy claim asserted against individual defendants Bernard W. Nussbaum, David Craig Livingstone, and Anthony Marceca in this lawsuit arises from conduct performed by them within the scope of their former federal employment by the White House.

Date: February 18, 1997

  
\_\_\_\_\_  
EVA M. PLAZA  
Deputy Assistant Attorney General  
Civil Division

# EXHIBIT 2

Issued by the  
UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

Cara Leslie Alexander, et al.,  
Plaintiff,

SUBPOENA IN A CIVIL CASE

V.  
Federal Bureau of Investigation, et al.,  
Defendant.

CASE NUMBER: Consolidated Civil Nos.  
96-2123 & 97-1288 (RCL) (I)

TO: United States Department of Justice

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. See Attachment A. \* See attached deposition notice re. Rule 30(b)(6)

PLACE OF DEPOSITION JUDICIAL WATCH, INC. 501 School Street, SW, Suite 725 Washington, DC 20024	DATE AND TIME June 11, 1999 8:00 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):

As designated in Attachment B.

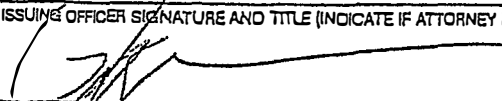
\* See attached deposition notice re. Rule 30(b)(6)

PLACE JUDICIAL WATCH, INC. 501 School Street, SW, Suite 725 Washington, DC 20024	DATE AND TIME June 11, 1999 8:00 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 will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  Attorney for Plaintiffs	DATE June 7, 1999
--	----------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Larry Klayman, Esq. JUDICIAL WATCH, INC. 501 School Street, SW, Suite 725 Washington, DC 20024	(202) 646-5172
---	----------------

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

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

ATTACHMENT A

NOTE- Rule 30(b)(6) of the Federal Rules of Civil Procedure requires that the Department designate one or more of its officers or employees to testify on its behalf about all matters relevant to the basis of the Certification of the United States Department of Justice, dated and signed by Eva M. Plaza, Deputy Assistant Attorney General on February 18, 1997, stating that the Plaintiffs' invasion of privacy claims against David Craig Livingstone, Anthony Marceca and Bernard W. Nussbaum arise from conduct performed by them within the scope of their former employment by the White House. If one or more officer or employee is designated, the Department is required, for each individual so designated, to set forth the matters on which such designated individual or individuals shall testify.

ATTACHMENT B  
INSTRUCTIONS

1. The word "document" shall mean any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including, but not limited to, correspondence, memoranda, notes, messages, letters, telegrams, teletyped messages, bulletins, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts, computer recordations (including, but not limited to, file listings), printouts, schedules, affidavits, contracts, transcripts, surveys, graphic representations of any kind, photographs, graphs, microfilm, video tapes, tape recordings, motion pictures or other film.

2. The word "involving" means including, summarizing, recording, containing, listing, pertaining, concerning, comprising, consisting, addressing, describing, mentioning, referring, relating to, reflecting.

In producing documents requested herein, you shall produce originals of documents in full, without abridgment, abbreviation or expurgation of any sort.

3. All documents shall be segregated in accordance with the numbered and lettered paragraphs and subparagraphs herein.

4. All documents requested herein as to which you withhold production on the basis of a claim of privilege or statutory authority shall be listed in accordance with the procedure described in instruction 2 above and shall be identified by: a) author(s); b) addressee(s); c) date; d) type of document; e) subject matter; f) number of pages; g) number of attachments or appendices; h) indicated or blind copies; i) all persons to whom shown or explained; j) present custodian; and k) factual or legal basis for claimed privilege, or specific statutory authority which provides the claimed base for non-production.

5. All documents requested herein which have been destroyed, placed beyond your control, or otherwise disposed of shall be identified by: a) author(s); b) addressee(s); c) date; d) type of document; e) subject matter; f) number of pages; g) number of attachments or appendices; h)



indicated or blind copies; i) all persons to whom distributed, shown or explained; j) date of destruction or other disposition; k) reason for destruction or other disposition; l) person authorizing destruction or other disposition; m) person destroying or otherwise disposing of document; and n) if not destroyed, person in possession of document otherwise disposed of.

SCHEDULE OF DOCUMENTS

1. Any and all records, correspondence, notes, communications or other documents and things which refer to, or relate to, or form the underlying factual basis for the following finding by Eva M. Plaza, Deputy Assistant Attorney General, Civil Division, United States Department of Justice, made in a Certification dated and signed by the said Eva M. Plaza on February 18, 1997:

On the basis of the information now available with respect to the allegations therein [i.e., the Plaintiffs' complaint in case no. 96-2123], I find that the invasion of privacy claim asserted against individual defendants Bernard W. Nussbaum, David Craig Livingstone, and Anthony Marceca in this lawsuit arises from conduct performed by them within the scope of their former federal employment by the White House.

A true and correct copy of the said Certification is hereto attached.

JUDICIAL WATCH, INC.



Larry Klayman, Esq.  
D.C. Bar No. 334581

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER, et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,  
EXECUTIVE OFFICE OF THE PRESIDENT,  
HILLARY RODHAM CLINTON, BERNARD  
W. NUSSBAUM, DAVID CRAIG  
LIVINGSTONE, ANTHONY MARCECA,

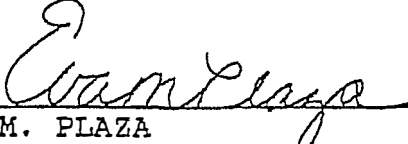
Defendants.

Civil Action No.  
96-2123 (RCL)

CERTIFICATION

I, Eva M. Plaza, Deputy Assistant Attorney General, Civil Division, United States Department of Justice, acting pursuant to the provisions of 28 U.S.C. § 2679(d)(2), and by virtue of the authority vested in me by 28 C.F.R. § 15.3 (1996), and appendix, hereby certify that I have read the complaint in this action. On the basis of the information now available with respect to the allegations therein, I find that the invasion of privacy claim asserted against individual defendants Bernard W. Nussbaum, David Craig Livingstone, and Anthony Marceca in this lawsuit arises from conduct performed by them within the scope of their former federal employment by the White House.

Date: February 18, 1997

  
\_\_\_\_\_  
EVA M. PLAZA  
Deputy Assistant Attorney General  
Civil Division

CERTIFICATE OF SERVICE

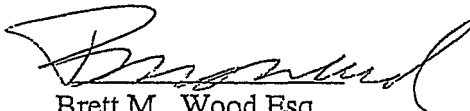
I hereby certify that on the 7th day of June, 1999, a true and correct of the foregoing Notice of Rule 30(b)(6) Deposition, together with a true and correct copy of a Subpoena to the United States Department of Justice, was served by hand upon the following:

Attorneys for Defendants Federal Bureau of Investigation and Executive Office of the President:

James J. Gilligan, Esq.  
Elizabeth J. Shapiro, Esq.  
Julia Fayngold Covey, Esq.  
U.S. DEPARTMENT OF JUSTICE  
P.O. Box 883  
Washington, DC 20044

Attorneys for Defendant Hillary Rodham Clinton:

David E. Kendall, Esq.  
Paul Gaffney, Esq.  
Marcie R. Ziegler, Esq.  
WILLIAMS & CONNOLLY  
725 12th Street, N.W.  
Washington, DC 20005

  
Brett M. Wood Esq.