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VIA FEDERAL EXPRESS

Mr. John W. Dean III
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Dear John:

It is nice to hear from you again.

The publisher Feral House and Phil Stanford have retained me to respond to your letter of August 13, 2013, in which you claim that Mr. Stanford's forthcoming book, *White House Call Girl*, is false and defamatory.

From your letter, it does not appear as though you have actually reviewed the text of the book. You do, however, claim to have viewed a Feral House YouTube video, posted to promote the book. You claim that the video suggests you and Mrs. Dean "have knowledge of, or involvement with, a so-called 'White House call girl.'" I have also reviewed the video as it appears online, and am compelled to say that neither I nor my clients see in it any such suggestion, implicit or otherwise.

More broadly, however, it is difficult to understand how you and Mrs. Dean – especially given the lengthy legal proceedings in which both of you were deposed – can disclaim any "knowledge of," or "involvement with," a "White House call girl." You and Mrs. Dean acknowledged in the course of discovery for *Dean v. St. Martin's Press* that you both knew Heidi Rikan, and that Mrs. Dean was once Ms. Rikan's roommate.

As you will recall, Ms. Rikan was known to use the pseudonym "Cathy Dieter." Mr. Stanford's book, to my eye, presents strong corroborating evidence from Ms. Rikan's friend, Josephine Alvarez, and from Ms. Rikan's sister, Kathie, that during the time in question, Ms. Rikan used the alias Cathy Dieter (elsewhere spelled as "Kathie"). As you will also recall, John F. "Jack" Rudy III, the former assistant United States attorney to whom you refer in your August 13 letter (and of whose death, in January of this year, you are apparently unaware), testified to Ms. Dieter's central role in his contemporaneous (1972) probe of the "connection" between the Democratic National Committee headquarters targeted in the Watergate break-in and surveillance operation and the call girl ring established to have been operating out of the Columbia Plaza apartments, some two blocks away from the Watergate complex, at that time.

As well, Mary Henry Banks, Ms. Rikan's former maid, testified in the litigation that Ms. Rikan told her that she, Ms. Rikan, had been a call girl at the White House. The late Carl Shoffler, one of the arresting officers at the Watergate on the morning of June 17, 1972, (described in the headline to his 1995 *Washington Post* obituary as a "police legend"), testified in *Dean v. St. Martin's*, as you will recall, that his contemporaneous (1970s) vice investigations revealed that Ms. Rikan was a "confidante" of the notorious organized crime figure Joseph Nesline – with whom Ms. Rikan was photographed in friendly poses – and that "various informants characterized [Ms. Rikan] anywhere from a party girl to a madam."

Your letter further asserts that the theory positing a connection between a call girl ring and the Watergate break-in and surveillance operation is false. In support of this contention, you claim that the only evidence for this theory comes from Philip M. Bailey. Here, again, your letter fails to take note of a wealth of pertinent facts. The record established in the litigation to which you and Mrs. Dean were parties, and in related court proceedings and scholarly works, contains an abundance of evidence – from sources other than Mr. Bailey – that the telephone wiretapped inside the Democratic National Committee offices was used to facilitate dates for Democratic politicians; and, moreover, that this telephone was the only telephonic instrument monitored in the electronic eavesdropping that was carried out for some three weeks in the Watergate operation, in May and June of 1972. Because your letter ignores this evidence, it will doubtless prove instructive for you and the other recipients of your letter to receive a brief summary of it.

First, as has been established, the wiretap installed on the telephone belonging to Fay Abel, the secretary assigned to DNC Chairman Lawrence F. O'Brien, was never monitored by the Watergate break-in and surveillance team, because the device placed on that telephone never properly functioned. The reason it never properly functioned, as has also been established, is that the transmitting device required "line of sight" with the reception device, which was installed across the street from the Watergate office building, in what was then a Howard Johnson's Motor Lodge. That the transmission devices used in the Watergate operation required "line of sight" with their accompanying reception devices was underscored by the fact that the eavesdropping team relocated from its original location, on the fourth floor of the Howard Johnson's building, to the seventh floor, for the very purpose of establishing "line of sight" with the sixth-floor DNC offices. With Mr. O'Brien's office far removed from the exterior façade of the Watergate office building on Virginia Avenue N.W., the wiretap on his secretary's telephone did not enjoy "line of sight" with the reception devices across the street. The testimony on this point is ample and easily accessible to researchers.

As has also been definitively established, the only functional wiretap installed in the DNC offices was the device placed on the telephone of Ida "Maxie" Wells, the secretary to R. Spencer Oliver, Jr., then the executive director of the Democratic Party's Association of State Chairmen. Because Mr. Oliver's office abutted the terrace that overlooked Virginia Avenue N.W., the device placed on Ms. Wells's telephone did enjoy "line of sight" with the reception devices installed across the street, and did function properly. Accordingly, it was this wiretap that the team's surveillance monitor, Alfred Baldwin, testified he monitored for the duration of the operation. Among the evidence seized by the arresting Washington, D.C. police officers on the morning of June 17, 1972, and accessible to researchers at the National Archives, is a key that was taken from the person of Watergate burglar Eugenio Martinez and which the FBI determined to have fit the desk of Ms. Wells.

As part of the discovery process in *Wells v. Liddy*, contemporaneous (1972) correspondence of Ms. Wells was obtained and subsequently entered into the trial record as evidence. This correspondence included Ms. Wells confiding to a friend, amid the grand jury proceedings then underway in the Watergate case, that "the Republicans are going to try to discredit Demo[cratic] witnesses on moral grounds" and that "they've got the makings for a good scandal in my case." She added:

The FBI has a file on me a mile long now...I may have to bare (or bear) all in court...I am really afraid the press will take off + run with all of this when they smell gossip. The other records will be private, + I don't think I've broken any laws, but you can understand my nerves.

You will recall that Barbara Kennedy, another DNC secretary, testified in *Dean v. St. Martin's* that then-DNC Treasurer Robert Strauss (later President Clinton's ambassador to Russia) had demanded Mr. Oliver's termination shortly after the Watergate arrests "because there was a rumor of his running a call girl operation." Mr. Strauss testified in *Wells v. Liddy* that he recalled contemporaneous (1972) speculation that "some of the state chairmen would come into [Mr. Oliver's] office and use the phone to make dates for that night." Mr. Strauss also testified: "In connection with the use of the telephones, some of the calls could have been embarrassing to some of the people who made them." Mr. Baldwin, you will recall, testified in *Dean v. St. Martin's* that "eight out of ten" laymen listening to the calls he intercepted on the Wells/Oliver DNC line "would have said, 'That's a call girl ring. This is a prostitution ring.'"

Indeed, all contemporaneous (1970s) discussion of the contents of the DNC wiretap described them as sexually graphic, to the point where Earl Silbert, the Assistant United States Attorney who prosecuted the Watergate burglars, publicly asserted the purpose of the operation to have been "blackmail." Moreover, Silbert's colleague at the time, Mr. Rudy, testified in *Dean v. St. Martin's* that "there was some connection" between the DNC and Columbia Plaza, that "employees at the DNC...were assisting in getting the Democrats connected with the prostitutes at the Columbia Plaza," but that Mr. Rudy and his staff were instructed by the U.S. attorney at the time, Harold Titus, to cease their investigation. As you will also recall, you acknowledged in your own testimony in *Dean v. St. Martin's* that you made a point of meeting with Mr. Rudy in your own White House office on the very day in June 1972 when his investigation of Mr. Bailley was first publicly reported by the *Washington Evening-Star*. And as you and Mrs. Dean will assuredly recall, voluminous testimony was taken in *Dean v. St. Martin's* that established that your future wife, Maureen Biner, was one of the names entered into Mr. Bailley's address book. There are, moreover, a number of references to prostitution, many of them far from fleeting, in your own books and articles – something that can be said for virtually no other veteran of Watergate or the Nixon White House.

These are just some of the facts that have convinced a number of well-regarded authors and historians that the "call girl theory" of Watergate is worthy of serious consideration. This theory did not originate, as you suggest in your August 13 letter, with Mr. Stanford and Messrs. Colodny and Gettlin, the authors of *Silent Coup*. Rather, this theory was first advanced by the late Pulitzer Prize-winning journalist J. Anthony Lukas of the *New York Times*, whose critically acclaimed book *Nightmare: The Underside of the Nixon Presidency* (1976), the first comprehensive account of the Watergate scandal, stated: "So spicy were some of the conversations on this phone that they have given rise to unconfirmed reports that the telephone was being used for some sort of call girl service catering to congressmen and other prominent Washingtonians."

The theory was further fleshed out in Jim Hougan's *Secret Agenda: Watergate, the CIA and Deep Throat* (1984), an account that benefited from its author using the Freedom of Information Act to become the first journalist to obtain access to some 10,000 pages of original documents from the FBI's investigation of the break-in and wiretapping at the DNC. More recently, James Rosen, the chief Washington correspondent for Fox News, advanced the "call girl theory" in his book, *The Strong Man: John Mitchell and the Secrets of Watergate*. That book was hailed by historian Doris Kearns Goodwin as "a terrific book, both as biography and history." It should also be noted that the federal judge who heard much of this evidence, Chief Judge Frederick Motz of the United States District Court for the District of Maryland, issued an opinion in *Wells v. Liddy* affirming the merit of the call girl theory.

While you have persistently denied allegations that you ordered the Watergate break-in and surveillance operation, there is no question that immediately after the arrests, you took a

number of illegal actions perhaps to conceal your role in the events that climaxed in the break-in. These include your issuance of an order for E. Howard Hunt to leave the country; your destruction of Mr. Hunt's Hermes notebook, which he described as an "operational diary" of the Watergate break-in and surveillance; and your failure to disclose this latter act to the Senate Watergate Committee or even, in a timely fashion, to the Watergate Special Prosecution Force.

Finally there exists a discernible trail of financial transactions that is highly suggestive of a contemporaneous (1972 and 1973) relationship between you and Louis Russell, the associate of Watergate burglar James McCord and patron of the Columbia Plaza call girl ring who has been characterized as "the sixth man" present for the break-in at the DNC on the night of June 16, 1972. Mr. Russell was penurious, and his bank records reveal account balances that never exceeded more than a few hundred dollars. On November 15, 1972, he deposited \$4,570 in his account, shortly after you withdrew \$4,850 from a White House safe. At the time, you told Senate investigators you had used the funds for your honeymoon with Mrs. Dean, but when deposed in *Dean v. St. Martin's*, you will recall that could not account for many of these funds.

Subsequently, in March 1973, Mr. Russell deposited another \$20,895 in close proximity to the time when you were alleged to have taken another \$22,000 from White House funds. Former White House chief of staff H.R. Haldeman reported in his book, *The Ends of Power* (1978), that he attempted to trace this money and ultimately concluded that you had taken it. While you have in the past sought to dismiss any assertion of a connection between you and Mr. Russell, the evidence arrayed herein can only add to the lingering suspicions harbored by generations of researchers about your, and Mrs. Dean's, true roles in the Watergate affair.

In sum, there exists – as you, uniquely, are well positioned to know – a substantial body of evidence supporting the call girl theory of Watergate. The statements in Mr. Stanford's book are well supported, and we will vigorously defend against any claim you and/or Mrs. Dean may choose to bring.

While your August 13 letter contains a number of other, lesser inaccuracies, I will confine myself here to addressing just one more of them. This is your assertion that the letter itself is protected by "common law copyright" and may not be republished without your permission. There exists no valid legal justification for that assertion; accordingly, Mr. Stanford and his publisher hereby assert their right, as the recipients of your August 13 letter, to disseminate it freely, and indeed to publish it, in whole or in part, as they see fit, including in promotional materials for *White House Call Girl*.

I am happy to meet with you, or your lawyers as you suggest, at any time.

Very truly yours,



JOHN B. WILLIAMS

cc: Feral House
Phil Stanford