

Volume II: Appendix



REFERRAL

TO THE

UNITED STATES HOUSE OF REPRESENTATIVES

PURSUANT TO

TITLE 28, UNITED STATES CODE, § 595(C)

APPENDIX

SUBMITTED BY

THE OFFICE OF THE INDEPENDENT COUNSEL

SEPTEMBER 9, 1998

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Tab A

Statement of the OIC's Jurisdiction

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUITUnited States Court of Appeals
For the District of Columbia CircuitDivision for the Purpose of
Appointing Independent Counsels

FILED JAN 16 1998

Special Division

In re: Madison Guaranty Savings
& Loan Association

Division No. 94-1

Before: Sentelle, Presiding, Butzner and Fay, Senior Circuit
Judges

UNDER SEAL

ORDER

Upon consideration of an oral application for the expansion of jurisdiction of an Independent Counsel provided to this Court on behalf of the Attorney General on January 16, 1998, it is hereby

ORDERED that the investigative and prosecutorial jurisdiction over the following matters be referred to Independent Counsel Kenneth W. Starr and to the Office of the Independent Counsel as an expansion of prosecutorial jurisdiction in lieu of the appointment of another Independent Counsel pursuant to 593(c)(1):

(1) The Independent Counsel shall continue to enjoy the full jurisdiction initially conferred upon him as a result of the August 5, 1994, order of the Special Division of the Court and all subsequent orders concerning jurisdiction. Pursuant to 28 U.S.C. § 593(c)(1), the Independent Counsel's jurisdiction shall be expanded to include the following:

(2) The Independent Counsel shall have jurisdiction and authority to investigate to the maximum extent authorized by the Independent Counsel Reauthorization Act of 1994 whether Monica Lewinsky or others suborned perjury, obstructed justice, intimidated witnesses, or otherwise violated federal law other than a Class B or C misdemeanor or infraction in dealing with witnesses, potential witnesses,

attorneys, or others concerning the civil case Jones v. Clinton.

(3) The Independent Counsel shall have jurisdiction and authority to investigate related violations of federal criminal law, other than a Class B or C misdemeanor or infraction, including any person or entity who has engaged in unlawful conspiracy or who has aided or abetted any federal offense, as necessary to resolve the matter described above.

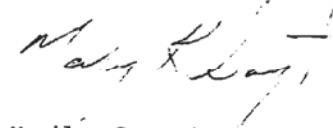
(4) The Independent Counsel shall have jurisdiction and authority to investigate crimes, such as any violation of 28 U.S.C. § 1826, any obstruction of the due administration of justice, or any material false testimony or statement in violation of federal criminal law, arising out of his investigation of the matter described above.

(5) The Independent Counsel shall have all the powers and authority provided by the Independent Counsel Reauthorization Act of 1994.

It is further ORDERED that this document and its contents be and remain UNDER SEAL absent further Order of this Court.

This the 16th day of January, 1998.

Per Curiam
For the Court:



Marilyn Sargent
Chief Deputy Clerk



Tab B

Order Permitting Disclosure of
Grand Jury Material

UNITED STATES COURT OF APPEALS **FILED** JUL 7 1998
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Special Division

Division for the Purpose of
Appointing Independent Counsels

Ethics in Government Act of 1978, As Amended

In Re: Madison Guaranty Savings
& Loan Association

Division No. 94-1

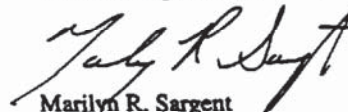
FILED UNDER SEALBefore: SENTELLE, *Presiding Judge*, and BUTZNER and FAY, *Senior Circuit Judges*.**ORDER**

Upon consideration of the "Ex Parte Motion for Approval of Disclosure of Matters Occurring Before a Grand Jury" filed by Independent Counsel Kenneth W. Starr on July 2, 1998, the Court finds that it is appropriate for the Independent Counsel to convey the materials described in that motion to the House of Representatives. Accordingly, it is

ORDERED that the motion be granted. The Court hereby authorizes the Independent Counsel to deliver to the House of Representatives materials that the Independent Counsel determines constitute information of the type described in 28 U.S.C. § 595(c). This authorization constitutes an order for purposes of Federal Rule of Criminal Procedure 6(e)(3)(C)(i) permitting disclosure of all grand jury material that the independent counsel deems necessary to comply with the requirements of § 595(c). This order may be disclosed as required in connection with the Independent Counsel's compliance with his statutory mandate.

Per CuriamFor the Court:
Mark J. Langer, Clerk

by

Marilyn R. Sargent
Chief Deputy Clerk

Tab C

Procedural Background and
History of *Jones v. Clinton*