

POND, BETSY



Office of the Independent Counsel

*1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, D.C. 20004
(202) 514-8688
Fax (202) 514-8802*

December 14, 1995

Thomas R. Dyson
1341 G Street, N.W.
Suite 510
Washington, D.C. 20005

Dear Mr. Dyson:

As we discussed on the telephone, attached is a grand jury subpoena calling for certain documents in the possession, custody, or control of your client Betsy Pond. The subpoena has a return date of January 8, 1996.

Documents previously produced to the Office of Independent Counsel or to Mr. Fiske's office need not be reproduced, but please identify the previous production dates. Please note instruction 2(h) of the rider regarding any documents that have not been produced to the Office of Independent Counsel or to Mr. Fiske's office and that are no longer in the possession, custody, or control of your client.

In order to ensure that our records are complete, please list all pager numbers and telephone numbers -- work, home, cellular, car, or other -- that could have been used from July 20, 1993, through July 27, 1993, either to reach your client or from which your client could have placed calls. In addition, please list all personal and official calling card numbers (as well as the relevant telephone company for each card number) that your client possessed or could have used during that period of time.

Finally, please inform this Office whether your client is a party to a joint defense agreement and, if so, the date of and parties to the agreement.

Thank you for your cooperation and for agreeing to accept service by facsimile. Please contact me if you have any questions.

Sincerely yours,

A handwritten signature in black ink that reads "Brett M. Kavanaugh".

Brett M. Kavanaugh
Associate Counsel

Page Denied

Page Denied

Page Denied

Page Denied

Page Denied

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N

Washington, D. C. 20004

telephone (202) 514-8688

facsimile (202) 514-8802

Date: 12-14-95

TO: Tom Dyson

Company Name: _____

Fax Number: 283-5061 Telephone Number: _____

FROM: Brett Kavanaugh

Number of Pages: 7 (including this cover sheet)

Message: _____

CONFIDENTIALITY NOTE

This facsimile is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential, or otherwise protected from disclosure. Dissemination, distribution, or copying of this facsimile or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the facsimile by mail.

a:\faxform.nmr

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0379	
CONNECTION TEL		97835061
SUBADDRESS		
CONNECTION ID		
ST. TIME	12/14 18:04	
USAGE T	02'13	
PGS.	7	
RESULT	OK	

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N

Washington, D. C. 20004

telephone (202) 514-8688

facsimile (202) 514-8802

Date: 12-14-95

TO: Tom Dyson

Company Name: _____

Fax Number: 283-5061 Telephone Number: _____

FROM: Brett Kavanaugh

Number of Pages: 7 (including this cover sheet)

Message: _____



Office of the Independent Counsel

*1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, D.C. 20004
(202) 514-8688
Fax (202) 514-8802*

July 3, 1996

Thomas R. Dyson
1341 G Street, N.W.
Suite 510
Washington, D.C. 20005

Dear Mr. Dyson:

The purpose of this letter is to confirm in writing that your client Betsy Pond possesses no documents responsive to the December 7, 1995, subpoena or information responsive to the December 14, 1995, cover letter that she has not already provided to this Office. Please advise me as soon as possible if my understanding is incorrect.

Thank you very much for your cooperation.

Sincerely yours,

A handwritten signature in cursive script that reads "Brett M. Kavanaugh".

Brett M. Kavanaugh
Associate Counsel

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N

Washington, D. C. 20004

telephone (202) 514-8688

facsimile (202) 514-8802

Date: 7-3-96

TO: Tom Dyson

Company Name: _____

Fax Number: 783-5061 Telephone Number: _____

FROM: Brett Kavanaugh

Number of Pages: 2 (including this cover sheet)

Message: _____

CONFIDENTIALITY NOTE

This facsimile is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential, or otherwise protected from disclosure. Dissemination, distribution, or copying of this facsimile or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the facsimile by mail.

a:\faxform.nmr

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 2331
CONNECTION TEL 97835061
SUBADDRESS
CONNECTION ID
ST. TIME 07/03 19:40
USAGE T 00'39
PGS. 2
RESULT OK

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N
Washington, D. C. 20004
telephone (202) 514-8688 facsimile (202) 514-8802

Date: 7-3-96

TO: Tom Dyson

Company Name: _____

Fax Number: 783-5061 Telephone Number: _____

FROM: Brett Kavanaugh

Number of Pages: 2 (including this cover sheet)

Message: _____

POLYGRAPH REPORT

DATE OF REPORT 5/31/95	DATE OF EXAMINATION 5/31/95	BUREAU FILE NUMBER 29D-OIC-LR-35063	FIELD FILE NUMBER
FIELD OFFICE OR AGENCY REQUESTING EXAMINATION Office of Independent Counsel			
AUTHORIZING OFFICIAL OIC			DATE AUTHORIZED
EXAMINEE NAME (LAST, FIRST, MIDDLE) POND, BETSY LOU			

CASE TITLE
MC#106;
MOZART

REFERENCES

CASE SYNOPSIS/EXAMINER CONCLUSION

Ms. Betsy Lou Pond is an employee of the White House Counsel's Office. She has appeared with her attorney at the FBI Polygraph Unit, 409 7th St., NW, Washington, D.C. for the purpose of undergoing a polygraph examination regarding her activities immediately after the death of Vincent Foster on July 20, 1993. At the beginning of this interview Ms. Pond was provided an FD-395 (Interrogation, Advice of Rights) which she appeared to read, stated that she understood and thereafter signed. She was then provided an FD-328 (Consent to Interview With Polygraph) which she appeared to read, stated that she understood and thereafter signed.

Ms. Pond was then informed that the interview would be recorded by notes. She was then interviewed and provided the following information:

1. JKM: Please tell me your name.

BP: Betsy Pond

2. JKM: Are you aware this interview and polygraph test will cover the investigation surrounding the death of Vincent Foster?

BP: Yes

3. JKM: Are you appearing here voluntarily?

BP: Yes

4. JKM: You've been advised of your rights and have an attorney available to you today?

BP: Yes

5. JKM: You have been interviewed by FBI Agents on two occasions regarding your activities and knowledge of the death of Vincent Foster.

BP: At least two occasions. Also I was interviewed by the Park Police and I testified before a federal grand jury.

6. JKM: Please tell me what your job was on July 20, 1993.

BP: I was working in the Counsel's Office. I worked for Bernie Nussbaum as an office manager.

7. JKM: Briefly describe for me your recollections of the events at the WHCO that day before Vince Foster's death.

BP: The day was a real zoo, very chaotic. I was in charge of coordinating guests for Judge Freeh's nomination. The nomination was scheduled for 9:30 am but actually occurred 10:30 or 11:00 am. Around noon Vince came out of his office and said he wanted a cheeseburger for lunch.

I went to get it with Linda Tripp. Vince ate lunch and then left. He told me on the way out he'd be back.

That's the last time I saw him. That was about 1:00pm.

8. JKM: When did you first learn of Vince Foster's death and from whom?

BP: The next morning around 5:00 am. My answering machine was blinking, one message was from Nussbaum, one from Linda Tripp. I called the White House operator. She said we tried to call you last night to tell you about Vince Foster's accident. I asked to be patched through to Linda Tripp. I was and she gave me the details because she had gotten the information from Deb Coyle. I told Linda to sleep in and I'd go to the office.

9. JKM: Before you went to the White House on July 21, 1993 please tell me the name of everyone you spoke to.

BP: White House operator, Linda Tripp, Tom Castleton and John Carey.

10. JKM: What time did you arrive at the WHCO?

BP: Around 7:00 am on July 21, 1993

11. JKM: Was anyone else there?

BP: No

12. JKM: Did you go into Foster's office when you arrived at the WHCO?

BP: Yes

13. JKM: Why?

BP: Because the security system is located in Vince's office. The secure box is behind his door.

14. JKM: Had you ever done that before?

BP: Yes. Also I would secure it in the evening as I was usually last to leave. If the button was outside of his office I probably would not have gone in. It was spooky, it was eerie in his office.

15. JKM: Can you turn the alarm system off from any other location besides Foster's office?

BP: No

16. JKM: Did anyone instruct you or suggest to you that you should go into Foster's office that morning?

BP: No

17. JKM: What did you do while in Foster's office besides turn off the alarm?

BP: I turned off the alarm. He had papers lying out on a table in front of his office. I pushed them together and turned them over. I didn't know if the press would be coming in. I went to his desk looked around to see if there was anything on the desk that should be turned over. I don't know why, I opened it up. Maybe I was thinking if there was anything out maybe it should be put in the draw.

I remember thinking "I shouldn't be in here, just get out"

18. JKM: Were you also looking for a suicide note?

BP: No. I can't remember that anything like that was on my mind. Vince was a meticulous man, I saw the paper on his desk and thought how horrified he'd be if people were in his office and saw a mess. I was looking to protect his privacy.

19. JKM: Did you remove anything from Vince Foster's office that morning?

BP: No

20. JKM: Who was the next person to arrive at the WHCO and at what time?

BP: Steve Neuwirth. About 7:30 am I think.

21. JKM: In between the time you arrived and when Neuwirth arrived did you have a telephone conversation with anyone?

BP: Yes, I called Bernie. I called two of my girlfriends, Kathy Duvall and Gail Massot to console me. I can't remember which I called first. Kathy Duvall is retired, she used to work at Steptoe and Johnson. We worked together at William's and Connolly thirty years ago. She lives in Annapolis. Her telephone is 410-721-4936.

Gail Massot lives in Arlington. She's the head of the language department at Georgetown Day School. Gail later told me that during this call she remembers me telling her I had been in Vince's office and decided I shouldn't have been in there and left.

Gail's phone number is 703-920-0901 or 0910 or 0109.

22. JKM: What did Mr. Nussbaum tell you to do.

BP: Don't let anyone go into Vince's office. We talked a little bit about how horrible it was. He said he'd been up late and would be in a little bit later.

23. JKM: Did you tell Mr. Nussbaum you had been in Foster's office?

BP: I don't know if I did, but he would have known I would have to go in order to access the alarm system.

24. JKM: Did you have any discussion that morning with Mr. Nussbaum about a suicide note?

BP: No

25. JKM: Did anyone tell you or ask you or encourage you in anyone way to search Foster's office that morning for anything?

BP: No

26. JKM:

BP:

27. JKM: Why would anybody say that?

BP: I can only tell you that it's a way for getting back at me by Linda Tripp. Linda Tripp was fired from the White House. If this was the truth why wouldn't she have told Fiske? Why would she wait a year? I can only believe it's malicious.

She had tried to get rid of me. Tripp was systematically trying to turn Bernie against everyone in the office so she could get control. She tried to destroy the credibility of everyone in the Counsel's Office. She was very good at it. She's a pathological liar. When I challenged her on various statements she referred to herself as "The Queen of Bull Shit."

28. JKM: Did anyone suggest to you that you should tell the investigators that you were just straightening up while in Foster's office and that was all you were doing?

BP: No

29. JKM: You've had a lot of time to think about the whole thing, has anything new come into your mind?

BP: I didn't remember I had opened Vince's draw until my attorney had told me that after he checked the notes from my first interview. He went over the notes from Cliff Sloan and the first Park Police interview. He pointed out that I initially said I looked in Vince's draw so during the next interview I mentioned it.

I have regrets about reading Fiske's report when I saw the lies by Linda Tripp about me.

Tripp took credit for things I did.

The inconsistencies and untruths bothered me, but I decided in the grand scheme of things they weren't important.

30. JKM: Let's talk about the suicide note that was found. What are your thoughts on that.

BP: There was no suicide note. My understanding was what was found was a list of things bothering Vince. His wife Lisa had told him to write the list. I don't remember how I heard this.

31. JKM: Before July 26 had you ever seen it?

BP: No. But either Tuesday or Wednesday afterwards (Foster's death) I was in Bernie's office and saw a large yellow piece of paper on his conference table. From a distance it looked like it had things taped on it. I remember looking over at it and saying that's probably a note. I didn't read it. I saw it from a distance and knew Bernie had left it there. I did not look at it.

32. JKM: Do you know how the note got into Vince Foster's bag?

BP: I always thought Vince put it there. I was told by someone that Steve Neuwirth was packing up Vince's personal belongings. I was told he picked up his briefcase and some pieces of paper came out. Neuwirth saw writing and "went nuts," paged Bernie and had him come to Vince's office.

This is all hearsay.

At the conclusion of this interview Ms. Pond was then afforded a polygraph examination consisting of the following relevant questions?

1. Did anyone direct you to search Vince Foster's office the morning after his death? Answer-No
2. Did you remove anything from Vince Foster's office on July 21, 1993? Answer-No
3. Do you know if any documents were removed from Vince Foster's office before the official search? Answer-No
4. To your knowledge was that note first found on July 26? Answer-Yes
5. Do you have any knowledge of any other suicide note being found? Answer-No

6. Did you tell anyone you searched Vince Foster's office for a suicide note? Answer-No

It is the opinion of this examiner Ms. Pond was not deceptive when responding to these questions during the polygraph examination.