

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN RE: POSSIBLE VIOLATIONS  
OF 18 USC 2511 and 2512

10.3

Grand Jury Room No. 3  
United States District Courthouse  
3rd & Constitution Avenue, N. W.  
Washington, D. C.

Tuesday, February 19, 1974

The testimony of SHERMAN E. UNGER was presented to  
a full quorum of the Grand Jury.

BEFORE:

RICHARD BEN-VENISTE, ESQ.  
Assistant Special Prosecutor  
U. S. Department of Justice

GEORGE T. FRAMPTON, JR., ESQ.  
Assistant Special Prosecutor  
U. S. Department of Justice

GERALD GOLDMAN, ESQ.  
Assistant Special Prosecutor  
U. S. Department of Justice

JILL VOLNER  
Assistant Special Prosecutor  
U. S. Department of Justice

ELIZABETH ANN TIPTON  
11225 Dewey Court  
Kensington, Maryland 20795  
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C O N T E N T S

WITNESS

PAGE

SHERMAN E. UNGER

3

E X H I B I T S

Marked for  
Ident.

Grand Jury Exhibit SU-1

6

SU-2

9

SU-3

9

SU-4

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SU-5

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SU-6

11

SU-7

12

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P R O C E E D I N G S

Whereupon,

SHERMAN E. UNGER

was called as a witness and, having been first duly sworn by the Foreman of the Grand Jury, was examined and testified as follows:

BY MR. FRAMPTON:

Q Sir, could you state your full name for the Court Reporter?

A Sherman Edward Unger.

Q And how do you spell your last name?

A U-n-g-e-r.

Q Mr. Unger, what is your address -- home address?

A 2918 Observatory Road, Cincinnati, Ohio.

Q And how are you employed?

A I'm a lawyer.

Q Now, Mr. Unger, are you acquainted with Mr. Fred LaRue?

A Yes.

Q And how long have you known Mr. LaRue, approximately?

MRS. VOLNER: Could you speak up. The Grand Jury can't hear you.

THE WITNESS: Since the summer of 1964.

BY MR. FRAMPTON:

Q Now, Mr. Unger, directing your attention to

1 approximately late March of 1973, did you leave Cincinnati  
2 and go on a trip for a number of days which included stops in  
3 Philadelphia, New York and Washington, D. C.?

4 A Yes.

5 Q And during that trip, did you have occasion when  
6 you were in Washington, D. C., to attend a dinner party at  
7 the apartment of Mr. LaRue?

8 A Yes.

9 Q Now, do you recall if other people were present on  
10 that occasion?

11 A Yes.

12 Q At Mr. LaRue's apartment?

13 A Yes.

14 Q Was a Mr. Manyon Millikin present that evening?

15 A Yes, though I had no independent recall of that un-  
16 til it was suggested to me and then I remembered it.

17 Q But you do -- with your recollection refreshed, you  
18 do recall that Manyon Millikin was there?

19 A That's correct.

20 Q And Mr. LaRue was there, I take it?

21 A That's correct.

22 Q And was Miss Laura Fredericks also present?

23 A Yes, she was.

24 Q And do you recall that anything particular happened  
25 that evening which makes the evening stick in your mind?

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1           A     I do. After my memory was refreshed again, this  
2 was the first time I'd been to LaRue's apartment -- his new  
3 apartment -- and he was using his fireplace and it started  
4 backing up and smoke started coming down into the room. He  
5 was very embarrassed.

6           Q     Now, Mr. Unger, during this trip to Washington, how  
7 long did you stay in Washington, D. C.?

8           A     Oh, probably less than 24 hours, I guess. I got  
9 here around 4:30 or 5:00 o'clock on the 21st and left about  
10 11:30 the next morning.

11          Q     When you say the next morning, that would be on  
12 March 22nd?

13          A     That's correct.

14          Q     And so the evening on which you went to dinner at  
15 Mr. LaRue's house and the fireplace backed up and so on was  
16 the evening of March 21st, 1973, was it?

17          A     That is correct.

18          Q     Now, Mr. Unger, do you keep a diary or appointment  
19 book in which you record both appointments or notes about  
20 activities coming up and also substantially contemporaneous  
21 appointments or meetings that you've had?

22          A     Yes.

23          Q     And have you turned over several pages of that diary  
24 to us, beginning on Sunday the 18th of March and ending on  
25 Friday the 23rd of March, 1973?

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1 A Yes, I have.

2 MR. FRAMPTON: Right. For the record, we'll  
3 mark as Government Exhibit SU-1 of this date three pages,  
4 diary pages, for March, 1977, beginning on Sunday the 18th  
5 of March and ending on Friday the 23rd of March.

6 (Whereupon, Grand Jury Exhibit No.  
7 SU-1 was marked for identification.)

8 BY MR. FRAMPTON:

9 Q Now, showing you these three pages, one day on each  
10 side, is that the original copy of your diary?

11 A Yes, it is.

12 Q Now, Mr. Unger, on the page for the 19th of March --  
13 which is a Monday -- there's a notation that says, "All day  
14 SMS meeting. SU elected to BD." Could you explain what that  
15 means?

16 A Yes. I was in King of Prussia, Pennsylvania, and I  
17 attended a stockholders' meeting and was elected to the Board  
18 of Directors of Sheridan Medical Services, a national software  
19 company.

20 Q And did you travel, on the Monday evening, to New  
21 York City?

22 A That is correct.

23 Q And there is an entry, is there not, on the bottom  
24 of the page for March 19th, saying Metro to NYC?

25 A Yes.

1 Q And your diary for March 20th, Tuesday, that heading  
2 is circled and the words are written "See next page," and, on  
3 the next page, the date that was originally printed in the  
4 diary, March 21, Wednesday, is crossed out and, instead, you  
5 have written in there -- or there is written in there --  
6 March 20, Tuesday. Is that your handwriting?

7 A That is correct.

8 Q And, similarly, for the 22nd, you have crossed that  
9 out and written 21, Wednesday. Is that correct?

10 A That's correct.

11 Q Now, does the writing which you have put on these  
12 papers, after crossing out the original printing, represent  
13 the actual day for which the other entries were made in your  
14 diary?

15 In other words, are the appointments which you have  
16 written down here, on the page which is now marked in your  
17 handwriting "March 20," are those appointments and activities  
18 which you actually had on March 20th?

19 A The appointments and activities reflect the date  
20 as changed at the top of the page.

21 Q As changed. And, as changed, your diary indicates,  
22 at the top of the page for March 20, "NYC, Carlisle." Does  
23 that indicate that you stayed at the Carlisle Hotel in New  
24 York on the evening of the 19th, morning of the 20th?

25 A That is correct.

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1 Q And did you remain in New York City that evening?

2 A Yes, I did.

3 Q And on March 21st, during the day, did you come to  
4 Washington, D. C., from New York?

5 A Yes, I did.

6 Q Now, your diary indicates, on the evening of March  
7 21, "Dinner at LaRue's." That, I take it, indicates the  
8 evening you had dinner at Mr. LaRue's house?

9 A That's correct.

10 Q Now, in your diary for March 23, you have a line  
11 drawn across the middle of the page, and on the top of the  
12 line in parenthesis there are the words, "Thursday, fly Cin."  
13 and below the line there is some other writing.

14 Would you explain the significance of this page and  
15 the significance of the line which is drawn through the middle  
16 of it?

17 A Well, I think earlier in the week I skipped Tuesday  
18 and started recording Tuesday on the page designated Wednes-  
19 day, and followed through Thursday and didn't catch it until  
20 I got to Friday.

21 When I started recording Friday, I realized that  
22 I'd already had some note-taking up there, and I went back  
23 through and corrected the dates, at that time. I drew a line  
24 through the March 23rd page, showing that under the line was  
25 Friday, above the line was Thursday.

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1 Q So on the page marked Friday, March 23, above the  
2 line in your diary are activities -- indicated activities --  
3 which you did on Thursday, March 22. Is that correct?

4 A That indicates activities I did on Thursday, March  
5 22nd, and the compulation of monies that I spent during the  
6 week on that trip.

7 Q And then on March 22 -- that is Thursday -- you  
8 flew back to Cincinnati from Washington, D. C.? Is that  
9 correct?

10 A That is correct.

11 (Whereupon, Grand Jury Exhibits Nos.  
12 SU-2, SU-3, SU-4 and SU-5 was marked  
for identification.)

13 BY MR. BEN-VENISTE:

14 Q Mr. Unger, in coming to Washington on the 21st, do  
15 you recall where you came from?

16 A New York.

17 Q And do you recall what day you left New York?

18 A That day.

19 Q The 21st itself?

20 A Yes.

21 Q Now, I show you what has been marked Exhibit SU-4  
22 for identification and ask you if that is your airline ticket  
23 indicating that you traveled from New York to Washington on  
24 the 21st of March?

25 A Yes, it is. It has my signature, it has my American

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1 Express card number on it.

2 Q And you were able to locate that, at our request?

3 A That is correct.

4 Q And that indicates that you flew on American Airlines.  
5 Is that correct?

6 A That is correct, and I think it's flight 395 that  
7 departed at 3:30 p.m.

8 Q Now, I show you SU-2 for identification and ask you  
9 whether that is your airline ticket indicating that you left  
10 Washington for Cincinnati on the 22nd of March, 1973, at  
11 approximately 11:10 a.m.?

12 A It is my ticket, yes. It so indicates.

13 Q And it shows that you flew on American Airlines, as  
14 well, on flight 475, I think?

15 A That is correct.

16 Q And do you recall that these were, indeed, the dates  
17 that you did travel and there was no change in your ticketing?

18 A That is correct.

19 Q You've also produced a document which we have marked  
20 as SU-3, which appears to be a flight which you took from  
21 Cincinnati leaving on 19 March --

22 A No. I believe it's leaving on 18 March.

23 Q 18 March, yes. I misread that. You're correct.  
24 And you identify that as your ticket leaving Cincinnati?

25 A Yes. Sunday night.

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1 Q Now, I show you what has been marked SU-5 for  
2 identification and ask whether that appears to be your ledger  
3 card for your stay at the Carlisle Hotel in New York, which  
4 would indicate that on March 21st you were at the Carlisle  
5 and stayed one day.

6 A No, I don't believe it would indicate that. It  
7 would indicate that on March 21st I checked out. I was there  
8 two days, and that's the total of the bill when I checked out.

9 Q And the bottom line, which indicates March 21, '73,  
10 and the dollar amount and the total amount as to your account  
11 at the Carlisle is reflected there?

12 A That is correct.

13 Q And March 21 indicates the day that you left the  
14 Carlisle?

15 A That is correct.

16 Q And that is your recollection in addition to these  
17 documents, I take it?

18 A That is correct.

19 Q Now, finally, when you stayed in Washington you  
20 stayed at the Metropolitan Club, did you not?

21 A That's correct.

22 (Whereupon, Grand Jury Exhibit No.  
23 SU-6 was marked for identification.)

24 BY MR. BEN-VENISTE:

25 Q I show you SU-6, which is a chit from the Metropolitan



1 Club, indicating that you stayed in Room No. 300 on March 21,  
2 1973, and it's dated March 21, 1973, and it's a \$20.00 charge  
3 for that room, and there's a member signature line on SU-6.  
4 Is that your signature, Mr. Unger?

5 A No, it's not. It must have been signed for me at  
6 the desk.

7 Q Do you recall this form as a regular procedure of  
8 checking into the hotel, that such a form would be prepared,  
9 indicating the room and the date you stayed there?

10 A The form would be prepared on the charges for the  
11 room. The rooms are different prices and it's a chit a member  
12 can send for if he questions his monthly voucher, but I  
13 usually don't send for it. I didn't, in that case, because  
14 I knew I stayed there.

15 Q Do you recognize your signature on this document?

16 A This is my signature.

17 MR. BEN-VENISTE: We'll mark that SU-7.

18 (Whereupon, Grand Jury Exhibit No.  
19 SU-7 was marked for identification.)

20 BY MR. BEN-VENISTE:

21 Q This is also a chit from the Metropolitan Club and  
22 this is a bar bill at the club time stamped March 21, 1973.  
23 Is that correct?

24 A That is correct.

25 Q And you identify this as your signature at the top



1 where it says "member's signature"?

2 A That is correct.

3 Q And I assume the regular procedure is that, after  
4 you have some drinks at the bar, someone brings a chit or a  
5 tab for you to sign, and that's the way you would sign it?

6 A That is correct. It comes with the drinks.

7 Q And it is dated?

8 A Yes.

9 Q Now, can you recall, Mr. Unger, when the next time  
10 you saw Mr. LaRue was after the 21st of March?

11 A I'm sure it was in Florida sometime.

12 Q Can you approximate how long thereafter?

13 A Months. It would have been months afterwards.

14 Q Certainly more than one month?

15 A Yes.

16 Q And how about the time prior to March 21st when you  
17 saw Mr. LaRue?

18 A I would have seen him, I believe, between the In-  
19 augural and March 21st in Washington.

20 Q Can you recall the closest time you might have seen  
21 him to March 21st? Was it more than a couple of weeks, do you  
22 think?

23 A It would be sometime after January 21st, say within  
24 that sixty day period I think I might have seen him, but I  
25 have no recall. I would have to go back to my diary.

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1 Q Was it more than several days? More than a week,  
2 say, prior to the time you had dinner?

3 A Oh, yes, yes.

4 Q Possibly more than two weeks?

5 A Yes. Probably, I would guess, a month at least  
6 before, but I think I was here once between the Inaugural and  
7 this time and I probably would have seen him.

8 MR. BEN-VENISTE: I have no further questions at  
9 this time. Do any members of the Grand Jury have questions?

10 THE FOREMAN: I have no questions.

11 MR. BEN-VENISTE: If that's the case, then, I would  
12 ask that Mr. Unger be excused.

13 THE FOREMAN: Thank you, Mr. Unger, you're excused.

14 THE WITNESS: Thank you.

15 (Whereupon, the witness was excused.)  
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## CERTIFICATE OF REPORTER

I, Elizabeth Ann Tipton, the Reporter for the United States Attorney's Office, do hereby certify that the witness, whose testimony appears in the foregoing pages, was first duly sworn by the Foreman of the Grand Jury, when there was a full quorum of the Grand Jury present; that the testimony of said witness was taken stenographically by me, and thereafter reduced to typewriting by me; that the transcript is a true record of the testimony given by said witness.

Elizabeth Ann Tipton  
Reporter

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