

Attachments to Narrative Appendix styled  
"Testimony of Supervisory Special Agent Alvin R. Cain, Jr."

1. Relevant Trial Transcript: Pages 2615-19, 3195-203, 3269-71.
- 1a. Listing of Prosecutor's Statements in Closing Argument that Dean had lied in her Testimony.
2. Affidavit of Deborah Gore Dean.
3. Affidavit of James P. Scanlan.
4. Pages 1, 8-9 of January 18, 1994 Letter from Arlin M. Adams to Probation Officer Gregory Hunt.
5. Pages 1, 13, 51 of Revised Presentence Investigation Report
6. Transcript of Hearing of February 22-23, 1984: Pages 1-22, 53-56.
7. Interview of Louis B. Nunn from HUD Inspector General's Report
8. USA Today Article Reporting Interview in which Arlin M. Adams stated that he might have been on the Supreme Court if he had not angered John Mitchell.

Trial Transcript: Pages 2615-19, 3195-203, 3269-71

ATTACHMENT 1

1 Q. We were dealing generally with the Arama project, and

2 keeping the Arama project in mind --

3 A. I think we were talking about Marbill.

4 THE COURT: Yes, you were talking about Marbill.

5 MR. WEHNER: I'm sorry, Your Honor. That's correct.

6 Q. Keeping the Marbill project in mind, excuse me, did you ever

7 attempt to influence any HUD decision with regard to Marbill?

8 A. No. I -- the only conversation I had was with Mr. Hipps,

9 and he gave me the information, that was no, and that's what I

10 passed on, and the decision was reversed later, but without

11 any -- I didn't know it was going to be reversed, and I didn't

12 have anything to do with it.

13 Q. You have testified concerning your relationship with John

14 Mitchell.

15 A. Yes.

16 Q. When was the very first time that you learned that

17 Mr. Mitchell was being paid for consulting work he was doing in

18 relationship to HUD?

19 A. The -- I learned about it the day that the HUD Inspector

20 General report came out on the Mod Rehab Program after -- well,

21 it was in 1989, I believe. And it was a, a big report, a long

22 report. Everybody had been waiting for it to come out.

23 And it was basically an investigation of developers'

24 ties to a charity that Mr. Demery had been sponsoring and whether

25 or not that had any influence on decisions that were made, and it

1 was of great interest. And I remember calling the Inspector  
 2 General's office, to the man who was running the report -- who  
 3 wrote the report, the head of the investigations unit, his name  
 4 was Al Cain, and I called him, and I said, "How do I get a copy  
 5 of the report?"  
 6 And I remember it was, sixty-some dollars was the fee  
 7 to get it, and I remember sending Marti Mitchell at that time  
 8 down with it, a check to pick up the report, and the report came  
 9 back, and I opened it up, and about the second or third page, it  
 10 said --  
 11 MR. O'NEILL: Objection, Your Honor.  
 12 THE COURT: I'll sustain it.  
 13 I think the question was what did she learn of any  
 14 payments to Mr. Mitchell.  
 15 THE WITNESS: I learned about it when I opened up the  
 16 report.  
 17 THE COURT: All right.  
 18 BY MR. WEHNER:  
 19 Q. Did you read the report?  
 20 A. I, around the second or third page of the report, as I  
 21 remember, there was a listing of consultants who had earned fees  
 22 in the Mod Rehab Program and had said John Mitchell --  
 23 MR. O'NEILL: Objection, Your Honor.  
 24 THE COURT: I'll sustain the objection to the report  
 25 unless you have some other grounds to offer it. She can testify

1 that's how she learned of it.

2 THE WITNESS: That's how I learned about it, and it had

3 an amount of money.

4 BY MR. WEHNER:

5 Q. Okay. After you learned -- was that the first time you knew

6 that John Mitchell was receiving dollars based on consulting with

7 HUD?

8 A. Yes.

9 Q. This was in May -- or, I'm sorry, April of 1989?

10 A. Yes, the day the report came out.

11 Q. Was John Mitchell alive, or had he passed away by then?

12 A. He had died the previous November.

13 Q. Did you place any telephone calls after you heard that in

14 the report -- after you discovered that information?

15 A. Yes.

16 Q. Who did you call?

17 A. I called Al Cain.

18 Q. What did you say to Mr. Cain?

19 A. I told him that I considered him to have been a friend and I

20 couldn't believe that he wouldn't have told me about this before

21 now and that I knew it wasn't true, that John would never have

22 done that, and that he better be prepared, because I was really

23 mad, and I wanted to see that check, and if there had been a

24 check written to John Mitchell, Al better have a copy of it, and

25 I was coming down there, and if I found out that he was, in any

1 way had misinterpreted or had misrepresented John's actions, I  
 2 was going to have a press conference and I was going to scream  
 3 and yell and carry on.  
 4 And Al said, Al told me that he --  
 5 THE COURT: I'll sustain the objection. Don't get into  
 6 what he said.  
 7 BY MR. WEHNER:  
 8 Q. Did you have any further conversation with anyone else other  
 9 than Mr. Cain shortly after you discovered that information?  
 10 A. Yes. I called Jack Brennan and told Jack Brennan that I  
 11 wanted him to come to my office with all of John's papers so that  
 12 I could prove that John hadn't done any business with HUD and  
 13 hadn't gotten any money.  
 14 Q. Did you learn during that conversation that Mitchell had  
 15 received money?  
 16 A. Yes. He told me that --  
 17 MR. O'NEILL: Objection once again, Your Honor.  
 18 THE COURT: All right.  
 19 BY MR. WEHNER:  
 20 Q. Based on your conversation with Mr. Brennan, did you reach  
 21 an understanding then as to what Mr. Mitchell's role was in the  
 22 mod rehabilitation process?  
 23 MR. O'NEILL: It's hearsay, Your Honor.  
 24 THE COURT: Yes, it is still hearsay. I think she can  
 25 say what actions she took and what she learned of things.

1 BY MR. WEHNER:

2 Q. Did you speak to Mr. Shelby at that point?

3 A. No. I understood from Mr. Brennan that Mr. Shelby might be  
4 involved, and I have never spoken to Mr. Shelby since that day,  
5 and I didn't call him. I didn't understand how it could have  
6 happened.

7 Q. When did you find out that Mr. Mitchell, the amount of money  
8 that Mr. Mitchell made?

9 MR. O'NEILL: Objection. Asked and answered, Your

10 Honor.

11 MR. WEHNER: It hasn't been asked and answered, Judge.

12 THE COURT: The amount of money, you're talking about

13 apart from whatever she said she learned earlier?

14 MR. WEHNER: No, the initial question was when she

15 initially learned that John Mitchell had made money.

16 THE COURT: This is how much money?

17 MR. WEHNER: This is how much.

18 THE COURT: All right, go ahead.

19 Go ahead. The question was when did you find out how

20 much money Mr. Mitchell had made?

21 THE WITNESS: The -- the day or two before the, before

22 the Independent Counsel issued an indictment, they had me come

23 down to the office, and they read to me what was going to be in

24 the indictment, and that was the first time I understood the

25 extent to which Mr. Mitchell had been involved.

1 A That is correct.

2 Q At that time, just so it is clear, Miss Dean was  
3 not under investigation by the FBI, is that correct?

4 A Not at that time.

5 MR. O'NEILL: Nothing further, thank you.

6 THE COURT: All right, thank you.

7 MR. WEHNER: I have no questions, Your Honor.

8 THE COURT: All right. Thank you, Agent

9 Bowie. You may step down, sir.

10 MR. O'NEILL: Your Honor, the Government would

11 call Special Agent Alvin Cain.

12 THE COURT: All right.

13 (SPECIAL AGENT ALVIN CAIN, WITNESS FOR GOVERNMENT,

14 SWORN)

15 DIRECT EXAMINATION

16 BY MR. O'NEILL:

17 Q Agent Cain, I would ask you to speak in a loud and

18 clear voice so that everyone can hear you, and so that

19 there's no misunderstanding. Sir, would you please

20 state your name for the record, spelling your last name?

21 A My name is Alvin R. Cain, Jr. The last name is

22 spelled c-a-i-n.

23 Q Agent Cain, by whom are you employed?

24 A I'm currently employed with the Office of the

25 Inspector General at the U.S. Department of Housing and



1 Urban Development here in Washington.

2 Q And in what capacity are you so employed?

3 A I serve as a Supervisory Special Agent.

4 Q What exactly does a Supervisory Special Agent do?

5 A I supervise a variety of investigative efforts that

6 are focused toward protecting the integrity of the HUD

7 programs. Our primary mission is -- we're concerned

8 with fraud, waste, abuse and mismanagement within those

9 programs of HUD.

10 Q Where are you currently assigned, sir?

11 A At -- I'm currently working at the Office of the

12 Independent Counsel.

13 Q And how long have you been assigned there?

14 A Since June of 1990.

15 Q Agent Cain, did you have any other previous law

16 enforcement experience prior to joining HUD as a Special

17 Agent?

18 A Yes, prior to HUD I was on active duty with the

19 United States Air Force for 22 years, 20 of which was

20 spent with the Air Force Office of Special

21 Investigations.

22 Q Agent Cain, did there come a point in time when you

23 were involved in a HUD I.G. Report?

24 A Yes.

25 Q And did there come a point in time, as you recall,

1 that it was published?

2 A Yes.

3 Q And do you recall when approximately that was?

4 A The Section Eight Mod Rehab investigative report

5 was published April 17, 1989.

6 Q At or about the time that was published, do you

7 recall having a conversation with the defendant Deborah

8 Gore Dean?

9 A A telephone conversation.

10 Q And can you recount for the ladies and gentlemen of

11 the jury what if anything was said during that telephone

12 conversation?

13 A As I recall, Miss Dean telephoned me with an

14 inquiry relative to how she could obtain a copy of the

15 investigative report. I related to her that the report

16 was available under the provisions of the Freedom of

17 Information Act. I also explained to her the cost that

18 was associated with obtaining a copy of the report.

19 Basically we had two versions that were being

20 sold under FOIA. The report itself totalled 50 some

21 dollars and the report plus the audit report was 60 some

22 dollars.

23 Q Did she express an interest in either report?

24 A Yes, she did. Miss Dean indicated that she would

25 like to have a copy. I explained to her that she could

1 send in a written request which we would honor and  
2 process or she could come to my office, pay for the  
3 report and sign a receipt for the same, and that would  
4 be the quickest way to obtain it.

5 Q And, Agent Cain, what if anything did she say to  
6 you?

7 A What if anything did --

8 Q Did she say to you.

9 A She told me that she would send Marty over with a  
10 check.

11 Q Did you know who Marty was at that time?

12 A I was not entirely clear. I assume Marty was a  
13 reference to Marty Mitchell.

14 Q Did there come a point in time when Marty Mitchell  
15 came to pay you for the copy of the report?

16 A As I recall, it was the same day.

17 Q What if anything happened?

18 A Marty came into the office. I had placed a copy of  
19 the report with a receipt to be signed with my secretary  
20 just in case if I was away from the office.

21 Ms. Mitchell came in, gave the check, signed the  
22 receipt, took the report and left.

23 Q At or about that date, do you recall any  
24 conversation with the defendant Deborah Gore Dean in  
25 which she was quite upset with you about the contents of

1 the report?

2 A No, I do not.

3 Q Do you recall her mentioning John Mitchell to you

4 and the fact that he made money as a consultant being

5 information within the report?

6 A No, I do not.

7 Q Do you recall her telling you that she was going to

8 hold a press conference to denounce what was in the

9 report?

10 A Absolutely not.

11 MR. O'NEILL: No further questions.

12 Thank you, sir.

13 THE COURT: All right. Go ahead and cross.

14 MR. WEHNER: Yes, sir.

15 CROSS-EXAMINATION

16 BY MR. WEHNER:

17 Q Agent Cain, do you recall the name of a project

18 known as Castle Square?

19 A Castle Square?

20 Q Yes.

21 MR. O'NEILL: Just for the record, Your Honor,

22 I would object to the scope of this question.

23 THE COURT: All right, we'll see where it

24 goes.

25 BY MR. WEHNER:

1 Q Do you recall that Miss Dean came to see you with a

2 complaint on that particular project?

3 A Not at this point. Maybe if you give me some more

4 detail.

5 Q After she had left HUD do you recall that she came

6 to see you and said that certain subsidies were being

7 misused in a certain project?

8 A Castle Square. Is that a project in Boston?

9 Q It's in Pennsylvania.

10 A In Pennsylvania?

11 MR. O'NEILL: Judge, again, for the record, I

12 would object to this.

13 THE COURT: All right. Where are we going in

14 this, in relation to the direct?

15 MR. WEHNER: Very briefly, Your Honor, I'm

16 going to cover some items that may bear on his

17 credibility regarding his last statement.

18 THE COURT: All right.

19 BY MR. WEHNER:

20 Q It's in Boston.

21 A It's in Boston. I'll say project sponsored, and

22 when I say project sponsored, my reference is that this

23 is the individual who brings the project before the

24 Department. Oftentimes it's synonymous with ownership

25 and development. We refer to them as project

1 sponsored. Now --

2 Q Do you recall Miss Dean coming to see you with

3 regard to something by that name?

4 A I'll still trying to identify the project. Is the

5 project sponsored a gentleman by the name of Winn?

6 Q Yes.

7 A Arthur Winn. I remember -- what I remember about

8 that project is we had an investigation into some

9 matters surrounding the funding of that project and if I

10 recall correctly I may have interviewed Miss Dean in

11 connection with that.

12 Q Did she come to see you? Did she come to your

13 office to see you?

14 A As far as a particular interview?

15 Q No, as far as the investigation, sir.

16 A Well, when I interviewed her I don't recall if it

17 was in my office or at her office.

18 Q Have you ever been in the Beverly Wilshire Hotel?

19 MR. O'NEILL: Again beyond the scope of the

20 inquiry, Your Honor.

21 MR. WEHNER: Credibility, Your Honor.

22 BY MR. WEHNER:

23 Q Have you ever been in the Beverly Wilshire?

24 A Where is the Beverly Wilshire?

25 Q In Los Angeles, California.

1 A I believe so.

2 Q And have you been there in the company of

3 Miss Deans?

4 A That's very possible. I think I can recall going

5 to -- is that Los Angeles?

6 Q Yes.

7 A I can recall at least one, possibly two trips with

8 Secretary Pierce to Los Angeles and I think that's the

9 hotel we utilized.

10 Q And do you recall a party you attended in a place

11 called Fernando's Hideaway?

12 A No.

13 Q Do you recall receiving a Secretary's award from

14 the Secretary at the Beverly Wilshire Hotel for you and

15 your partner -- for you and your partner?

16 A No. I can recall that Secretary Pierce awarded

17 myself and Special Agent Day the Secretary's award for

18 excellence I think is the title, but as I recall,

19 Mr. Day may have received those awards for both of us.

20 Q Do you recall attending a party at that hotel paid

21 for by Miss Dean in celebration of those awards?

22 A No.

23 MR. WEHNER: Nothing further, Your Honor.

24 MR. O'NEILL: Just briefly, Your Honor.

25 THE COURT: Sure.

REDIRECT EXAMINATION

BY MR. O'NEILL:

Q Mr. Cain, as a part of your duties and

responsibilities would you be on the traveling

protection detail for Secretary Pierce?

A That was one of the responsibilities that I

supervised at HUD.

MR. O'NEILL: No further questions.

THE COURT: Thank you, Agent. You may step

down.

That's all you have now.

MR. O'NEILL: Yes, Your Honor.

THE COURT: Okay.

Ladies and gentlemen, I'm going to release you

for this evening. We've got some things to do here on

legal matters. I expect tomorrow's program will

probably not take the entire day in testimony. I don't

know that. I suspect tomorrow we'll get finished by

lunch? I don't know how long cross will be. If that

happens then what we'll do, ladies and gentlemen, I've

talked to counsel, I expect we'll give you the afternoon

off while we take up various legal matters and maybe

Wednesday -- I'm not sure, I've got to talk to counsel

on how much work we have to do to get ready for the

closing arguments and instructions to you in the final



1 MR. WEHNER: Yes, sir.

2 (Recess, 11:40 a.m. to 11:55 a.m.)

3 MR. O'NEILL: Judge, there's three documents

4 that Mr. Wehner has not objected to and we'll admit

5 those into evidence.

6 THE COURT: All right. And then should we let

7 the jury go and look at our other documents and resolve

8 those? You all need sometime to read over these

9 instructions and come back and comment and seek

10 additions and changes as well.

11 I did read through Judge Gesell's comments and

12 I appreciate the independent Counsel supplying the

13 information to the Court rather quickly. I'll read it

14 again. It's clear to me he didn't want the entire

15 indictment sent in. His concern was more as a reading

16 of an overall indictment versus a hub and spoke theory,

17 but I think I'll have to look at the indictment to see

18 what I'll do about that. I've not reviewed the

19 indictment as to that aspect at all.

20 Let me have the jury in then to do those

21 documents. Do you want to put in the ones you agreed to

22 now in front of the jury?

23 MR. WEHNER: No, sir. I don't want to show

24 them to the jury at this point. I want them to be

25 available to go back and use certain of them for closing

1 but I think that would be a waste of my time.

2 THE COURT: All right. That's fine. Then I

3 can tell the jury we're finished with the evidentiary

4 phase of this case after these documents come in, as far

5 as we're concerned.

6 MR. WEHNER: I did want to put Miss Dean back

7 on.

8 THE COURT: And that was to go into Patenaude

9 or what?

10 MR. WEHNER: The testimony would be that

11 Reynolds was not her regular driver, that she never met

12 Mr. Mitchell at the Fairfax Hotel, Mrs. Patenaude did

13 not resign but was dismissed, forced to go, to take the

14 demotion she took. That she provided substantial

15 information to Senator Proxmire. That Miss Dean paid an

16 extensive bill along with Secretary Pierce for Mr. Cain

17 at the Beverly Wilshire when he was provided with an

18 award for some kind of superior performance. And a

19 brief explanation as to what Castle Square was.

20 THE COURT: As to what was?

21 MR. WEHNER: Castle Square? It was a

22 Pennsylvania development that came up during the

23 cross-examination. I'm sorry, Boston development,

24 excuse me. It's a rebuttal to their rebuttal. Those

25 are the areas.

1 MS. SWENEY: Your Honor, the Government would

2 strenuously object to Miss Dean resuming the stand.

3 Miss Dean was on direct examination if I recall

4 correctly, perhaps understated, for what, six days?

5 Your Honor, I just don't know in what circumstances a

6 surrebuttal case would be appropriate. This is not a

7 briefing situation and they had their opportunity to

8 cross-examine Miss Patenaude. The Government was very

9 limited in the rebuttal case that we offered to meet

10 Miss Dean's case.

11 THE COURT: All right. I'm going to sustain

12 the objection of the Government. I don't think that

13 Miss Dean has a right to retake the stand in this

14 typical rebuttal type testimony in the areas that were

15 gone into on cross-examination.

16 The other area about the Boston development

17 where there was some cross-examination about it by the

18 special witness Cain, I believe it was, and the Beverly

19 Wiltshire matter, he was asked about it at that time. I

20 don't see it appropriate as coming in on some kind of

21 surrebuttal about some new areas, it's unfair, that have

22 been raised by the Government for the first time.

23 Typical rebuttal is challenging one or two statements of

24 certain witnesses to certain areas that are limited.

25 So I'll deny Miss Dean retaking the stand.

ATTACHMENT 1a

PROSECUTOR'S STATEMENTS THAT DEAN LIED

OIC Closing - First Day

Tr. 3375: "The defendant's story just doesn't make sense. It is not credible. It is not believable. It is what you often see about admitting what you can't deny, denying what you can't admit."

Tr. 3377-8: "... Everything she's told you rests on her word, on what she says.

"The problem with that is her story is like a house of cards with a very rotten foundation, because as we will show, she lied to you, and if she lied to you, how can you believe the rest of what she said. That is the problem, ladies and gentlemen. How do you believe it?

Tr. 3415: "She lied to you ladies and gentlemen. She lied in this court before you. Having done that, does anything else make sense? Can you see her as being a credible witness?..."

Tr. 3416: "Why not ladies and gentlemen? Because it would have blown that whole theory out of the water. It was a lie. It didn't make sense."

Tr. 3417: "It was a lie ladies and gentlemen, out and out, right in front of you. She needed that \$4000 because she was in financial trouble."

Tr. 3418: "Based on her lies, you should throw out her entire testimony. Her six day's worth of testimony is worth nothing. You can throw it out the window into a garbage pail for what it's worth, for having lied to you...". Because it was filtered with lies..."

Tr. 3419: "So therefore, Miss Hawkins is telling the truth on that. Then Miss Dean lied."

Tr. 3420: "So we had to call in Special Agent Alvin Cain for two minutes of testimony And you heard Mr. Cain. It didn't happen. It didn't happen like that. And he remembered Marty Mitchell picking up the report, bringing the money, but it didn't happen. They asked him a bunch of questions about the Wiltshire Hotel, and you could see Mr. Cain had no idea what they were talking about. We had to bring him in just to show that she lied about that."

Tr. 3421: "Now it might seem a small point ladies and

gentlemen, but she denies it on the stand. She lies when it benefits her. When its a benefit. When she can say I didn't know John Mitchell was a paid consultant, she lies about that. We have to show if she's going to lie on that will she lie on anything else.

"I mentioned earlier, not close to John Mitchell until after she left HUD. All the letters were written Dear Daddy. Five years earlier. Come on ladies and gentlemen. Does that square with common sense? Does that make any sense at all? She's trying to talk her way out of it."

Tr. 3422: "Why would she lie about a HUD driver not taking her there? Well, the reason is very clear, ladies and gentlemen. The reason it's so clear why she would lie that Mr. Reynolds did not drive her to lunch with John Mitchell...."

Tr. 3424: "But she told us when I cross-examined her about it that there are many drivers. I don't know who Ron is. Well, Pam Patenaude had no problem remembering that she took trips with her when Ron was driving. But she didn't want to admit to it ladies and gentlemen, because she was in a trick bag. Either it's personal and she lied to Senator Proxmire, or its business and she lied to you.."

Tr. 3425: "And her answer was, well yes, I shouldn't have done it but, you know John Mitchell said I could. Well, that's false. That's a lie. She wasn't the director of public relations at Global Research any more than I was. She lied about that."

Tr. 3425: "... She admitted on the stand that she shouldn't have said that [she knew Shelby five years]. It was just another lie."

Tr. 3426: "What we have ladies and gentlemen, is a person who lied to you on the 4000 and continued to lie to you.

"You might wonder why we took so long to cross-examine. As I said earlier, after the initial lie you should be able to say that's it. But we wanted to show you that that wasn't the only time. Her entire testimony is fraught with lies and deception. It cannot be believed."

Tr. 3427: "And probably the biggest lie of all is what she says about Secretary Pierce...."

Tr. 3429: "Just as she's deceived you or attempted to do so, ladies and gentlemen, through a series of lies and deceptions, she misled Samuel Pierce and didn't tell him of her hidden interest because if this man who she said is such a fine man and prominent attorney, would he have allowed her

to do this....

Tr. 3430: "... but there's no question that the best defense is a good offense. You take the offensive. And that's what she did.

"She came in and told you a story. It doesn't matter that it wasn't true, but she told you a story....

Tr. 3431: "She has taken the initiative from the get-go. She has lied to this court, to this jury. Do not believe what she says. It's always someone else's fault."

Tr. 3431: "But she's the only one we know who definitively did lie. Her story is built on a rotten foundation. It is rotten to the core. It doesn't square with common sense. It is lies piled upon lies. It crumbles to pieces the minute you look at it."

Tr. 3432: "I'd ask you when Mr. Wehner gives his closing argument to be as attentive to him as you were to me and I will have an opportunity to talk to you again, but throughout that listen and wonder why she lied to you throughout her testimony.

OIC Rebuttal:

Tr. 3501: "But the problem is desperate times call for desperate measures. When your back's against the wall, when it's obvious the government has put forth all this evidence, the only thing you can do is lie. And when that doesn't work, when the lies are shown to the jury, it becomes a personal attack. And that's what it is, nothing more, nothing less."

Tr. 3501: "I told you during closing argument that Miss Dean lied to you very clearly and that she lied to you a series of times thereafter and, I repeat, you can take her testimony and throw it in the garbage where it belongs because someone --"

[Defense objection to continued characterization is overruled.]

Tr. 3502: "Since Mr. Wehner kept saying that it was not garbage, that I should not have said that, I'm saying that's where it belongs, in the garbage. Because it was a lie, ladies and gentlemen."

"And then you must -- as I said earlier, there are two, conflicting stories here, totally different. Irreconcilable. One or the other is correct. You must base it on what all the witnesses said on one hand or Miss Dean's

credibility on the other, and that's what her whole case hinges upon, her veracity, her honesty, her credibility. But she lied to you."

Tr. 3503: "And here's the seller's settlement statement that the seller gets at the time, likewise dated June 10th, 1987. Unequivocal proof that Miss Dean lied to you."

Tr. 3505: "...and she told you, ladies and gentlemen, that was on June 15th, 1987, that was a lie. That was an attempt to get you to believe her story, but it couldn't be true."

Tr. 3506: "And then I went over series of things the other day, yesterday, you might recall. A series of additional mistruths that she told on the witness stand about no Mod Rehab dealings with Kitchen. Never had it. Sherrill Nettles-Hawkins said they did have."

"No idea that Mitchell was a consultant. But that was his occupation."

"Shocked that Mitchell made any money. Al Cain told you, the Special Agent from HUD, that conversation never ever happened."

"She denies that Lance Wilison sent the 600 to Joe Strauss in Puerto Rico. Special Agent Bowie had to come in here and say that's exactly what she told me."

"Not close to Mitchell until after she left HUD. In fact, the record shows she was calling him Daddy five years earlier."

"Denied the HUD driver ever drove her to lunch. The records show that he did."

"Again, the reason she would lie about that, she was in a trick bag. Either she lied to the Senate about using it for personal reasons or she lied to you about Mitchell doing business with her."

"She said she didn't know Nunn until she left HUD. Yet she told other people she knew him as a young girl."

"Only work [sic] at Global to run a party when in fact she wrote Director of Public Relations."

Tr. 3507: "Only knew Shelby for five years -- excuse me, stated she didn't know Shelby until her time at HUD when in fact she had said she had known him for five years."

"It goes on ladies and gentlemen. One after the other --"

[Defense objection to mischaracterization of defendant's testimony is overruled.]

Tr. 3507: "And I'll keep going, ladies and gentlemen, because I won't miss a step with objections. This is something I've done for quite sometime and I'll be able to continue.

They were lies ladies and gentlemen. Lies, blatant attempts to cover up what had occurred, to sway you."

Tr. 3508: "... we all misstate. I misstate quite often when I go to speak and maybe speak too fast and the words come out wrong, that's one thing, but when someone purposefully misstates what they're saying, such as my brother is antsy on June 15th when there is no more apartment, and all the other misstatements that I've just gone through, if those are purposeful, you will hear, you can just disregard her entire testimony based on what His Honor reads you on the law. That is the state of the law. If you find a witness incredible you do not have to believe a single thing that witness says.

Tr. 3509: "So you as the jury can throw her testimony in the garbage. That is up to you. It's what you decide. You again are the judge of the facts."

"You've heard the evidence. The evidence that the government produced through all the witnesses, through all the documents, and on the other side you have a series of misstatements, of falsehoods, of lies. They don't balance up. They're not even close, ladies and gentlemen. They can't be."

Tr. 3511: "Mr. Wehner also began with yesterday saying there's not one piece of evidence, not one document to show Miss Dean did not tell the truth, that she lied, as the government said. You'll have the opportunity, like with all the other documents, look at those closing papers. Look at the dates on them. They unequivocally show that she lied to you, ladies and gentlemen, on the stand, under oath."

Tr. 3511: "...it's his client by telling you falsehoods you're in a position where you can't believe a word she said. And that prevents you from listening to them, and as His Honor will instruct you the law is clear on that, if you don't believe them you can discount that testimony..."

Tr. 3515: "There are four separate counts of perjury, four separate counts of concealment. There is no sense going into all of them because the government contends that each of those was a lie and a misstatement in much the manner as you've seen during the course of this trial."



Tr. 3518: "She misused the public trust in her time at HUD and then when it was discovered, when it was detected, she lied about it. That is what's at issue here."

3. When I was Executive Assistant at HUD there were no car phones in the cars in which I would be driven by HUD drivers such as Ronald Reynolds. I believe that there were phones in the Secretary's car and the Undersecretary's car, in which I would ride on rare occasion. Those cars had specific assigned drivers.

2. Attachment 1 hereto is the document that I believe was shown to me when I was cross-examined regarding whether Lynda Murphy had bought drinks for me at a place called "The Saloon Across the Street" during the trial of this case.

1. On October 22, 1987, I attended a dinner of the St. Thomas More Society at the Mayflower Hotel. I and my cousin James Gore, Jr. shared a table with William Canfield, Judge and Mrs. Robert Bork, and Attorney General and Mrs. Edwin Meese. My records indicate that I paid my and Mr. Gore's share by a bank check for \$170.00. I remember the evening well partly because it was the night before the Senate vote on Judge Bork's nomination to the Supreme Court.

Deborah Gore Dean states the following:

AFFIDAVIT OF DEBORAH GORE DEAN  
IN SUPPORT OF DEBORAH GORE DEAN'S MOTION FOR JUDGMENT  
OF ACQUITTAL PURSUANT TO F.R.CRIM.P. 29(a) and (d)  
AND MOTION FOR NEW TRIAL PURSUANT TO F.R.CRIM.P. 33

Criminal No. 92-181 (TJH)

UNITED STATES OF AMERICA  
v.  
DEBORAH GORE DEAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Inspector General's Report when it was released in April of 1989, 8. As I testified in my trial, shortly after I read the HUD

knowledge, Mr. Mitchell rarely went out to lunch at other places. would have been at the Grand Hotel or The Guards. To my

the Fairfax Hotel). The only lunches I had with Mr. Mitchell with John Mitchell at the Hay Adams or the Ritz Carlton (formerly 7. During the time that I was at HUD, I never had lunch

Virginia.

Virginia. To my knowledge she has never had a horse farm in

enough that I would have known if she had a horse farm in

6. I have known Lynda Murphy since 1980. I knew her well

was no longer employed at HUD at that time.

5. I went to work at HUD in November of 1982. Lynda Murphy

Georgetown.

Door" or having a green door on either side of M Street in

knowledge there is no fine dining establishment named "The Green

downtown. I am familiar with M Street in Georgetown. To my

North side of M Street just as one enters Georgetown from

part time basis until early 1993. The guards is located on the

Georgetown since 1987. He continued to work at The Guards on a

Door, Mr. Pawlik had been working at The Guards restaurant in

employed since 1990. Prior to taking his position at the Green

therapist at a clinic called "The Green Door," where he has been

4. I am married to Richard A. Pawlik. Mr. Pawlik is a

at HUD.

Mr. Reynolds did not hold either of those positions while I was

I called Special Agent Alvin R. Cain, Jr. to raise a number or matters with him about the information in the Report indicating that John N. Mitchell had earned a consulting fee from Governor Louis Nunn for the Arama project. Among the matters I raised with Mr. Cain was whether there existed a check to demonstrate that Mr. Mitchell had received a consulting fee from Governor Nunn. Mr. Cain told me that he could not show it to me, but that he knew a check existed. He told me that it was being maintained in the Regional Inspector General's Office. I asked him specifically if he had seen it himself, and he said that he had not but assured me that a check did exist.

9. At the time of my conversation with Mr. Cain, I was dating James P. Scanlan. Shortly after my discussion, I told Mr. Scanlan what Mr. Cain had said to me, including the statement that the check was maintained in the field.

10. As I testified in my trial, after I had spoken to Mr. Cain, I called Colonel Jack Brennan concerning the information I had learned indicating that Mr. Mitchell had received HUD consulting fees. Colonel Brennan informed me that Mr. Mitchell had received money from Mr. Nunn for services related to HUD. He also told me that he believed that Mr. Mitchell had received money from Richard Shelby for services related to HUD.

11. Shortly after that conversation, I informed Mr. Scanlan of what Colonel Brennan had told me, including what Colonel Brennan had told me about Richard Shelby.

12. During a trip to Los Angeles, California in May of

1986, Secretary Pierce stayed at the Beverly Wilshire Hotel. During that stay, Agent Alvin Cain's partner Agent Clarence Day was presented an awards upon his completion of 20 years of government service. This event also marked Mr. Day's retirement. In celebration, Secretary Pierce opened a very expensive bottle of champagne which was shared in his suite among the Secretary, Mr. Cain, Mr. Day, and myself. Afterwards, Mr. Cain, Mr. Day, and I, and several other HUD employees (including Eric Amig and Bob Davidson from HUD Headquarters and several local HUD employees) went to a night club in that hotel for a planned party in Mr. Day's honor. The night club was a famous place called Hernandez's Hideaway. I left before others did, but before leaving paid the outstanding bill, which came to \$428.78. A copy of the receipt is attached as Attachment 2 hereto. Shortly after that evening, I received a thank-you note signed "Joe," which I understood to be a reference to the line in the song "Hernando's Hideaway: "Knock three times and whisper low--that you and I were sent by Joe." It had been a recurring joke during the party.

13. After I left HUD, it came to my attention from Mr. Arthur Winn, the developer-owner of the Castle Square project in Boston, Massachusetts, that an irregular funding had been granted him, and that the funding had been approved by Assistant Secretary for Housing Thomas T. Demery. I was also aware that Mr. Demery was to have recused himself from dealings with the project. I reported this information to Agent Alvin Cain and

Deborah Gore Dean  
*Deborah Gore Dean*

Executed on 11/30/93

true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

They then hugged and walked into the Courthouse together.

I noticed Ronald Reynolds and Pamela Patenaude greet each other. I dropped off by a taxi in front of the United States Courthouse.

14. At approximately 9:00 a.m. on October 19, 1993, I was based on what I had told him he would start an investigation. notes at the time. He said that he had heard of the project and funding. I spoke to Mr. Cain in his office. He did not take Family Housing and the Undersecretary in an effort to cancel the spoke about it with the Deputy Assistant Secretary for Multi-

CA25

ATTACHMENT 1

TOTAL CASH DEPOSITS		TOTAL CASH ADVANCES		TOTAL AMOUNT PAID	
DATE	DESCRIPTION	DATE	DESCRIPTION	DATE	DESCRIPTION
1-16	ALBANY				
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APPROVED FOR THE DIRECTOR OF THE FBI  
 SPECIAL AGENT IN CHARGE  
 DATE: 1-19-71  
 SIGNATURE: [Signature]

RECEIVED  
 DATE: 1-19-71  
 SIGNATURE: [Signature]

TOTAL CASH DEPOSITS  
 TOTAL CASH ADVANCES  
 TOTAL AMOUNT PAID

DATE: 1-16  
 LOCATION & DETAILS OF EXPENSE: ALBANY  
 TRANSPORTATION: ALBANY  
 MEALS: ALBANY  
 OTHER: ALBANY  
 BALANCE TOTALS: ALBANY

APPROVED FOR THE DIRECTOR OF THE FBI  
 SPECIAL AGENT IN CHARGE  
 DATE: 1-16-71  
 SIGNATURE: [Signature]

RECEIVED  
 DATE: 1-16-71  
 SIGNATURE: [Signature]

