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1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2

GARY CONDIT,

3

4 Plaintiff,

5

vs.

CIVIL ACTION FILE
NO. 02 CIV 9910

6

DOMINICK DUNNE,

7

8

Defendant.

9

10 ***CONFIDENTIAL***

11 VIDEOTAPED DEPOSITION OF

12

DOMINICK DUNNE

13

VOLUME I

14

September 29, 2004

2:15 p.m.

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1221 Avenue of the Americas

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New York, New York 10020

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Alexander J. Gallo, CCR B-1336, CRR

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13 Videographer:
14 Richard Bly, Legal Link Action Video
15 .
16 Also Present:
17 Gary Condit
18 Cadee Condit
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1 Videotaped Deposition of Dominick Dunne
2 Volume I
3 September 29, 2004
4 THE VIDEOGRAPHER: This is the video
5 operator speaking, Richard Bly, for Alex Gallo
6 and Associates in Atlanta, Georgia.
7 Today's date is September 29, 2004.
8 The time on the record is 2:15 p.m. We are at
9 the offices of Sonnenschein Nath & Rosenthal,
10 located at 1221 Avenue of the Americas, New
11 York, New York, to take the videotaped
12 deposition of Dominick Dunne in the matter of
13 Gary Condit versus Dominick Dunne in the United
14 States District Court for the Southern District
15 of New York, Case Number 02 CIV 9910.
16 Counsel may now introduce themselves.
17 MR. WOOD: My name is Lin Wood.
18 I'm here on behalf of my client, Plaintiff Gary
19 Condit.
20 MS. VENTULETT: I'm also Katherine
21 Ventulett, here on behalf of Gary Condit.
22 MR. GOIDELL: Mark Goidell on behalf
23 of Gary Condit.
24 MR. LICALSI: I'm Paul Licalsi, here
25 representing Mr. Dunne.

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1 MS. CHATILLON: And I'm Devereux
2 Chatillon here representing Mr. Dunne.
3 DOMINICK DUNNE, having been first
4 duly sworn, was examined and testified as
5 follows:
6 MR. WOOD: And we will have the
7 standard stipulation, which will be the same as
8 we used in the deposition on Monday. Is that
9 agreeable?
10 MR. LICALSI: That is correct.
11 MR. WOOD: And I will provide that
12 to you, Mr. Gallo.
13 MR. LICALSI: Before you get
14 started, I believe, as I believe Laura Handman
15 told you when you were scheduling these

16 depositions originally, Mr. Dunne has a prostate
17 condition which may require him to take a few
18 bathroom breaks that might be more than the
19 normal course; but I am sure you will
20 accommodate him.

21 MR. WOOD: Absolutely. Any time
22 that he feels like he needs to take a break
23 for whatever reason, I will be glad to do so.

24 EXAMINATION

25 BY-MR. WOOD:

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1 Q. Would you state your full name for
2 the record, please, sir?

3 A. Dominick Dunne, D-o-m-i-n-i-c-k,
4 D-u-n-n-e.

5 Q. What is your present residence
6 address, Mr. Dunne?

7 A. 155 East 49th Street, Apartment 11A,
8 New York, New York, 10017.

9 Q. How long have you resided at that
10 address?

11 A. About 20 years, I think, 19, 20.

12 Q. And you maintain a second home in
13 Connecticut, I believe?

14 A. I do.

15 Q. What is that address?

16 A. It's 116 Ferry Road, F-e-r-r-y, Road,
17 Hadlyme, Connecticut, H-a-d-l-y-m-e, 06439.

18 Q. How long have you maintained that
19 residence at that address in Connecticut?

20 A. I believe about 15 years.

21 Q. As between Connecticut and New York,
22 do you consider the New York apartment to be
23 your residence, primary residence?

24 A. New York is my prime residence.

25 Q. Any other homes in any other parts

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1 of the country?

2 A. (Witness shook head negatively.)

3 Q. Is the answer no?

4 A. I am sorry. No. I beg your
5 pardon.

6 No.

7 Q. Mr. LiCalsi will tell you, but if
8 you get a yes or no type of answer, if you
9 will respond affirmatively yes or no.

10 A. Yeah. I'm sorry I didn't.

11 Q. Shaking the head, the video gets it,
12 makes it a little hard on the court reporter.

13 Do you recall, Mr. Dunne, when you
14 first ever heard of Gary Condit?

15 A. Well, I first heard of Gary Condit
16 in relation to the disappearance of Chandra
17 Levy. I hadn't heard of him before.

18 Q. And you know now, and perhaps after
19 you heard of him in connection with the Chandra
20 Levy case, you recognize that Mr. Condit was --
21 at the time had been a United States congressman
22 for a number of years?

23 A. I learned that, yes.

24 Q. But, clearly, Gary Condit as a
25 person or as a congressman had never been on

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1 your radar screen in any way in terms of
2 knowing anything about him until you heard about
3 him in connection with the Chandra Levy case;
4 true?

5 A. That is correct.

6 Q. And tell me, if you would, please,
7 sir, what is your opinion of Gary Condit?

8 MR. LiCALSI: You are asking him
9 what his opinion today is?

10 MR. WOOD: Sure. We will start
11 there.

12 MR. LiCALSI: I am going to object,
13 But go ahead.

14 THE WITNESS: I have a low opinion
15 of Gary Condit.

16 Q. (By Mr. Wood) And how long have you
17 had a low opinion of Gary Condit?

18 A. I've had a low opinion of Gary
19 Condit almost from the beginning of the
20 disappearance of Chandra Levy.

21 Q. So would it be fair to say that
22 once you learned about Mr. Condit in connection
23 with the Chandra Levy case that shortly
24 thereafter you formed an opinion of him which
25 you describe as a low opinion --

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1 MR. LiCALSI: I'm going to object to
2 the use --

3 Q. (By Mr. Wood) -- and you have
4 maintained that opinion throughout that time
5 period up until the present time; is that
6 accurate, Mr. Dunne?

7 MR. LiCALSI: I am going to object
8 to the form of the question in terms of
9 "shortly."

10 But go ahead, answer if you can.

11 THE WITNESS: I have maintained that
12 opinion.

13 Q. (By Mr. Wood) Once you first heard
14 about Gary Condit, how long do you think -- how
15 much time went by before you formed the low
16 opinion of him?

17 A. I think when I read the article that
18 was on the Internet that was sent to me, among
19 others on the Internet, by John LeBoutillier.

20 Q. So you read the LeBoutillier article
21 from the Internet, and you formed your opinion
22 about Mr. Condit initially based on that
23 article?

24 A. It was a contributing factor.

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Q. Tell me all the factors that

1 contributed to the formulation of your opinion,
2 please, sir, in addition to Mr. LeBoutillier's
3 article.

4 MR. LiCALSI: At what point in time?

5 MR. WOOD: When he first formed the
6 opinion about Mr. Condit.

7 THE WITNESS: I found that Mr.
8 Condit had a very indifferent attitude toward
9 the disappearance of Chandra Levy, a woman with
10 whom he had been involved in an affair right up
11 until a few days before her disappearance.

12 I continued to have a low opinion of
13 him after talking to Mrs. Levy, Dr. and Mrs.
14 Levy, to whom he lied about having an affair
15 with their daughter.

16 I found him furtive in appearance,
17 sneaky. I objected to the way he arrived at
18 work, the house, carrying a coat over his
19 shoulder, smiling for the cameras, when a girl,
20 a young woman, whom he knew very well was
21 missing.

22 Q. (By Mr. Wood) Anything else?

23 A. That is all I can think of at the
24 moment.

25 Q. I want you to take your time, if

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1 you would. I want to make sure I have got all
2 the contributing factors. You gave me the
3 LeBoutillier article, and then you've given me a
4 list of things that we'll go over here. And I
5 want to make sure if there is anything else
6 this is an opportunity for you to give that
7 factor to me.

8 MR. LICALSI: This is not -- I'm
9 going to object to that question. This is not
10 his only opportunity. To the extent he
11 remembers now, he will testify; but he has
12 indicated to you that his answer was all he can
13 remember now.

14 If you want to ask him if there is
15 anything further, go ahead; but his answer will
16 stand.

17 Q. (By Mr. Wood) Is there anything
18 further that you can remember now, in addition
19 to the factors you have just given me, in terms
20 of formulating your low opinion of Gary Condit?

21 A. I became friends with a man called
22 Vince Flami ni who was a former driver and close
23 friend of Gary Condit. I appeared with him on
24 several occasions on the Geraldo Rivera show.
25 And he and I -- I've never met him face to

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1 face, but we've talked a lot on the telephone
2 together.

3 Q. Anything else? I take it you are
4 conveying to me that information that you heard
5 from Mr. Flami ni contributed to your opinion of
6 Mr. Condit?

7 A. That is correct.

8 Q. Anything else that you can remember
9 other than the factors that you have given me?

10 A. It bothered me that at the time of
11 Chandra Levy's disappearance that Mrs. Condit was
12 in Washington, a very, very rare occasion, in
13 Washington, and he ceased -- not ceased, but he
14 did not give that information to the Washington
15 police when he was questioned, which I found a
16 lie of omission.

17 Q. Anything else now, other than the
18 factors you have given me, that you tell me
19 contribute to your forming a low opinion of Gary
20 Condit?

21 A. That is all that is coming to my
22 mind at this moment.

23 Q. And in terms of your deposition
24 preparation, you prepared for this deposition;
25 did you not, sir?

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1 A. Course.

2 Q. Did you review any documents in
3 preparation for your deposition?

4 A. Yes, I did.

5 Q. Tell me what you reviewed.

6 A. Well, I reviewed John LeBoutillier's
7 article. I reviewed The Laura Ingraham Show; I
8 read the transcript of that several times. I
9 reviewed the things that I had written in Vanity
10 Fair about this case. I reviewed the transcript
11 of the Larry King show, maybe two transcripts of
12 the Larry King show.

13 I read a book called, I can't
14 remember the name, Sex, Lies, something or
15 other, a paperback book about Mr. Condit's life
16 and Chandra Levy's disappearance. I can't
17 remember the name of the book. I am sorry.

18 I read a book called -- that was
19 written from a website, I can't remember the
20 name of it, Horse Trail or something like that,
21 by a guy, I think his name is Daugherty, who
22 had a Gary Condit website, and he has made a
23 book of that.

24 I think that is all.

25 Q. How much time did you spend

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1 preparing for your deposition?

2 MR. LiCALSI: You are talking about
3 examining the documents you just asked him
4 about?

5 MR. WOOD: Preparation.

6 Q. (By Mr. Wood) I take it you are
7 going to also tell me that as part of your
8 preparation you met with your lawyers, and that
9 is fine. I want to know that. I want to
10 know the time that you spent; I don't want to
11 know anything that was said. But I want to
12 get the total time that you, Dominick Dunne,
13 have spent preparing for your deposition
14 testimony here today.

15 A. Well, it has been going on a long
16 time. I had another lawyer first.

17 MR. LiCALSI: No, no, no. He is
18 asking you in terms of preparing just for today,
19 specifically for this deposition.

20 THE WITNESS: Are you talking about
21 in hours?

22 Q. (By Mr. Wood) Yeah, your best
23 estimate, please, sir.

24 A. I actually don't know.

25 Q. Well, did you meet with your

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1 attorneys in preparation for the deposition?

2 A. What did you say?

3 Q. Did you meet with your attorney in
4 preparation for the deposition?

5 A. Oh, yes, of course.

6 MR. LiCALSI: Just answer that yes
7 or no.

8 Q. (By Mr. Wood) How much time did you
9 spend with them preparing for the deposition?

10 A. Ten hours; I am just guessing at
11 that. I don't --

12 Q. How many hours, again your best
13 estimate, did you spend reviewing the materials
14 you've just described for me in preparation for
15 your testimony?

16 MR. LiCALSI: Again, just so you
17 have the time frame, he is talking about
18 specifically in preparation.

19 THE WITNESS: For this?

20 MR. LiCALSI: For this, not
21 throughout the entire case.

22 THE WITNESS: Not throughout the
23 entire.

24 Well, I've read those two books. I
25 read all this stuff. I mean, I don't know. I

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1 didn't think to time it.

2 Q. (By Mr. Wood) Just your best
3 estimate?

4 A. Ten, 12 hours.

5 Q. So roughly -- again, I understand
6 that you didn't time these events or your
7 actions or your meetings. But you, in terms of
8 your best estimate, would say that you spent
9 somewhere between 20 and 22 hours preparing for
10 this deposition today; is that true?

11 A. Yeah, I guess so.

12 Q. And so, I mean, this deposition is
13 important to you. You knew that this was a
14 deposition taken in connection with a
15 multimillion dollar lawsuit filed against you,
16 right?

17 A. That's correct.

18 Q. And it is important to you; right?

19 A. Correct.

20 Q. You reviewed these materials and you
21 prepared for this deposition because you wanted
22 to be able to come in here under oath and give
23 your best recollection of what occurred with
24 respect to the events involved in this
25 litigation; true?

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1 A. Correct.

2 Q. And you feel like you have done
3 that; do you not?

4 A. I do.

5 Q. I want to go back and ask you, if I
6 could, about the LeBoutillier article first. Do
7 you recall when you received it?

8 A. It was on the Internet on only one
9 day. It was on for most of the day and then
10 it was pulled from the Internet.

11 MR. LiCALSI: The question was do
12 you remember when you saw it.

13 THE WITNESS: I mean, do I remember
14 the day I saw it? It was within weeks of the
15 disappearance. I can't tell you exactly, but it
16 was within weeks of the disappearance.

17 Q. (By Mr. Wood) Do you recall --
18 Monday, you were at Mr. Condit's deposition all

19 day on Monday?

20 A. I was.

21 Q. Do you recall Mr. LiCalsi asking Mr.

22 Condit about an appearance that you made in

23 August of 2001 on the Larry King show?

24 MR. LiCALSI: That is a

25 misstatement, I believe. I didn't ask Mr.

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1 Condit about an appearance on the Larry King
2 show, and I don't believe the appearance was in
3 August, but I may be wrong on that.

4 Q. (By Mr. Wood) Well, let me see if
5 I'm incorrect. Let me hand you what was marked
6 at the deposition of my client as Exhibit 14,
7 which is, I believe, a transcript of the Larry
8 King show of -- is it August 24th, Paul?

9 MR. LiCALSI: It is.

10 Q. (By Mr. Wood) -- August 24, 2001.

11 A. Yes.

12 Q. Abbe Lowell was interviewed and then
13 after Mr. Lowell was interviewed --

14 A. I --

15 MR. LiCALSI: There is no question.

16 Q. (By Mr. Wood) -- "Joining us now
17 from Hadlyme, Connecticut, is Dominick Dunne."

18 Does that refresh your recollection
19 that, in fact, Mr. LiCalsi did examine Mr.

20 Condit on Monday about an appearance of yours on
21 the Larry King show, specifically on August 24,
22 2001?

23 MR. LiCALSI: I will object to your
24 characterization that I examined Mr. Condit with
25 respect to Mr. Dunne's appearance. My questions

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1 to Mr. Condit had to do with statements by Mr.
2 Lowell, I believe, at that time.

3 I am also going to reserve -- I am
4 going to reserve any -- I'm going to reserve
5 objections with respect to the use of this
6 transcript to the extent that the actual -- with
7 respect to any inaccuracies that this transcript
8 may reflect in terms of its accurately setting
9 forth what is in that show. I am just going
10 to -- I don't know if this is accurate or not.
11 But I am just going to reserve any objections
12 to that if, in fact, those are not accurate
13 transcripts.

14 MR. WOOD: Well, I mean, it was the
15 transcript you put in front of Mr. Condit and
16 the record in that deposition will show what you
17 asked him about it.

18 MR. LiCALSI: Yes.

19 MR. WOOD: I think we differ on
20 that, but I don't want to waste time.

21 MR. LiCALSI: No, no, no, no.

22 MR. WOOD: I guess what --

23 MR. LiCALSI: Wait, wait, wait.

24 MR. WOOD: I'm talking now.

25 MR. LiCALSI: But I am going to

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1 finish my objection.

2 MR. WOOD: I thought you were

3 clearly through.

4 MR. LiCALSI: No, I wasn't.
5 MR. WOOD: Maybe you better tell me
6 when you are through because I thought you were
7 clearly through.

8 MR. LiCALSI: I will be happy to.

9 MR. WOOD: Please do that.

10 MR. LiCALSI: This is a document
11 that was produced by you. I do not know the
12 accuracy of this transcript, so I am reserving
13 my rights, my client's rights, to object to
14 questions relating to this transcript if it
15 turns out that the transcript is inaccurate.
16 That's all.

17 MR. WOOD: You through?

18 MR. LiCALSI: That's what "that's
19 all" means, Mr. Wood.

20 MR. WOOD: Okay. Please go ahead.

21 I just want to make sure. I don't
22 want to interrupt you, Paul.

23 I assume that you will make the same
24 reservation with respect to its accuracy with
25 respect to your use of it with my client on

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1 Monday, right?

2 MR. LiCALSI: You will make whatever
3 reservations you want with respect --

4 MR. WOOD: I'm just wondering
5 whether you contend it was accurate when you
6 used it on Monday and now you question its
7 accuracy today.

8 MR. LiCALSI: Are we here to talk
9 about Monday or are we going to do this
10 deposition?

11 MR. WOOD: I think that I was
12 trying to do this deposition, and you got caught
13 up on Monday, saying that I hadn't used or
14 hadn't referred to the transcript or the
15 interview, and I'm showing you that I did.
16 But, nonetheless, let's don't fight --

17 MR. LiCALSI: No, no, no. You made
18 a statement. I am going to respond to it.

19 MR. WOOD: This isn't counting
20 against my time in this testimony, I want you
21 to know.

22 MR. LiCALSI: Wait a second. I am
23 entitled to make my record of objections.

24 MR. WOOD: Absolutely. It doesn't
25 take my time away from testimony.

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1 MR. LiCALSI: I thought you weren't
2 going to interrupt me.

3 MR. WOOD: It's not taking up my
4 time from testimony. I don't want that to
5 be --

6 MR. LiCALSI: Mr. Wood, all I am
7 saying is that if you had objections on Monday
8 with respect to this transcript, I would assume
9 you are able to make those.

10 MR. WOOD: I thought we reserved
11 them.

12 MR. LiCALSI: Please let me finish
13 my --

14 MR. WOOD: I thought we reserved

15 them, Paul, in the stipulation.
16 MR. LiCALSI: Please let me finish
17 my statement.
18 MR. WOOD: This is a waste of time.
19 Go ahead.
20 MR. LiCALSI: I am not talking about
21 Monday. I just made my reservation of rights
22 with respect to the use of this transcript at
23 this proceeding. That is the extent of my
24 comments. I didn't bring up Monday, sir.
25 MR. WOOD: Haven't we reserved all

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1 objections except as to the form and the
2 responsiveness of the answer?
3 MR. LiCALSI: I think that is what
4 the Federal Rules of Civil Procedure require.
5 MR. WOOD: Then you are protected.
6 But let's go ahead and go back to --
7 MR. LiCALSI: Fine.
8 Q. (By Mr. Wood) My question is this,
9 Mr. Dunne: Prior to your appearance on Larry
10 King on August 24th of 2001, had you already
11 reviewed the LeBoutillier article?
12 A. Yes.
13 Q. Had you already formed your low
14 opinion of Gary Condit prior to August 24, 2001?
15 A. Yes.
16 Q. Now, you have described Mr.
17 Condit --
18 A. May I ask a question?
19 Q. Sure.
20 MR. LiCALSI: No, you can't.
21 THE WITNESS: I just want to know
22 is this the day after the Connie Chung show?
23 MR. LiCALSI: I believe it is.
24 MR. WOOD: Okay.
25 Q. (By Mr. Wood) So you have at various

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1 times described Mr. Condit in a variety of, I
2 will say, with a use of a variety of different
3 terms; have you not?
4 A. I believe so.
5 Q. Give me the universe of the terms
6 that you have utilized in describing Mr. Condit
7 and your opinion of him over the last couple of
8 years.
9 MR. LiCALSI: I object. It is
10 overbroad, and it's vague, ambiguous.
11 Q. (By Mr. Wood) Would you answer my
12 question for me, please?
13 A. It is what I said earlier about him.
14 I found him furtive. I found -- I knew that
15 he had lied. I knew -- I had seen the Connie
16 Chung show the night before, which I thought was
17 a disaster. I had found it false that he kept
18 bringing up his 34-year marriage as if it was,
19 as I think I said at the time, as if they were
20 Bess and Harry Truman when that was a false
21 impression of a bizarre marriage. That's it.
22 MR. LiCALSI: By the way, I am
23 going to -- for the record, I am also asserting
24 an objection to that question to the extent it
25 asks for any opinions or statements Mr. Dunne

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1 may have made after the statements that are
2 being sued upon in this lawsuit as being not
3 relevant to any issue in the case.

4 MR. WOOD: Okay.

5 Q. (By Mr. Wood) Had you ever formed
6 the opinion that Mr. Condit was a pervert?

7 MR. LiCALSI: At what point in time,
8 sir?

9 MR. WOOD: At any point in time.

10 Q. (By Mr. Wood) Had you ever formed --

11 MR. LiCALSI: Well, I will assert my
12 objection again. After the statements that are
13 subject to the claims in this lawsuit, I am
14 going to object to that question.

15 Q. (By Mr. Wood) Would you answer my
16 question, please, sir?

17 A. Had I referred to him or had I
18 thought of him?

19 Q. Had you considered him, in your
20 opinion, to be a pervert?

21 MR. LiCALSI: I am going to object
22 to the ambiguity of the term pervert.

23 Do you understand?

24 THE WITNESS: Yes, I do.

25 Yes, I did. I did.

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1 Q. (By Mr. Wood) You had characterized
2 him as a pervert after you read the LeBoutillier
3 article; hadn't you, Mr. Dunne?

4 MR. LiCALSI: Objection.

5 THE WITNESS: No, I don't think I
6 did. I didn't make any comment at that time.

7 Q. (By Mr. Wood) I didn't ask you
8 whether you made a comment about it. I asked
9 you --

10 MR. LiCALSI: Yes. I'm sorry.
11 Your question was you referred to him as a
12 pervert.

13 MR. WOOD: Let me tell you
14 something, Paul, please. We have reserved all
15 objections as to the form. Let me ask my
16 question; and then if you have got an objection,
17 I am not going to -- you're going to have an
18 opportunity to make it. But interrupting just
19 doesn't make a good record for either one of
20 us.

21 MR. LiCALSI: Okay.

22 Q. (By Mr. Wood) Let me go back. I
23 didn't ask you, sir, whether you had made a
24 comment at that time. I asked you whether you
25 had ever in your own mind characterized him as

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1 a pervert.

2 MR. LiCALSI: Objection. The word
3 characterize would indicate some expression. Are
4 you asking for -- as to whether he characterized
5 Mr. Condit as a pervert or whether, in the
6 privacy of his own mind, he had that opinion?

7 MR. WOOD: Well, let's do it this
8 way, then.

9 Q. (By Mr. Wood) In the privacy of your
10 own mind, Mr. Dunne, had you, in your mind's

11 eye, thought of Gary Condit from a reputation
12 standpoint as a pervert?

13 A. I suppose I did, yes.

14 Q. In fact, you had, in your own -- in
15 the privacy of your own mind, you had
16 characterized Mr. Condit as such, a pervert,
17 prior to the time you appeared on the Larry
18 King show in August of 2001; true?

19 MR. LiCALSI: Objection to the use
20 of the word characterized. I think it is a
21 misleading question.

22 MR. WOOD: Let me rephrase it.

23 Q. (By Mr. Wood) In fact, you had, in
24 the privacy of your own mind, considered Mr.
25 Condit to be a pervert prior to the time you

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1 appeared on the Larry King show in August of
2 2001; true?

3 A. Yeah, I mean, pervert is an odd
4 word. But, yeah, I mean -- yes.

5 MR. LiCALSI: If you would like to
6 explain what you understand that word to be,
7 feel free to add to your answer.

8 THE WITNESS: Well, I mean, I had
9 heard from Vince that he bragged he had been
10 with a thousand women. I had heard a lot of
11 things from Vince. I mean, I don't know if
12 pervert fits that, but it's a loose life.

13 Q. (By Mr. Wood) A what life?

14 MR. LiCALSI: Loose life was the
15 statement.

16 Q. (By Mr. Wood) But you didn't believe
17 anything in the LeBoutillier article except that
18 portion of the article that described how
19 Chandra Levy disappeared; isn't that true, sir?

20 MR. LiCALSI: I am going to object
21 to the statement to the extent it is asking him
22 about a document that you have not shown the
23 witness. He is not -- you haven't established
24 that he remembers everything that is in the
25 LeBoutillier article. If you would like to show

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1 it to him, your question might be proper.

2 Q. (By Mr. Wood) Would you answer my
3 question, please, sir?

4 A. Would you ask your question again?

5 Q. Sure. The truth is you didn't
6 believe anything in the LeBoutillier article
7 except that portion of the article that
8 described how Chandra Levy disappeared?

9 MR. LiCALSI: Objection.

10 THE WITNESS: How do you know that?

11 MR. LiCALSI: That's an ambiguous
12 question.

13 Q. (By Mr. Wood) Isn't that the truth,
14 sir?

15 A. No.

16 Q. That is not the truth?

17 You believed what you read in the
18 LeBoutillier article?

19 A. I can't remember the LeBoutillier
20 article specifically now, but I -- there was
21 more to it than that one paragraph about the

22 male prostitute.
23 Q. Did you do anything yourself to
24 investigate the truth or falsity of the
25 statements about Mr. Condit that were contained

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1 in the LeBoutillier article?
2 MR. LiCALSI: Objection. If you
3 want to be specific with respect to the
4 particular statement in a long article that you
5 are talking about, ask him about it, but I am
6 not -- I think it is an improper question to
7 ask him as broadly as you have asked him.

8 MR. WOOD: I have this witness on
9 cross-examination, and I have the right to ask
10 the question. I have the right to ask this
11 witness for an answer. If he can't answer it,
12 he can tell me so. Let me repeat it.

13 Q. (By Mr. Wood) Did you do anything
14 yourself, sir, to investigate the truth or
15 falsity of any statement about Mr. Condit that
16 was contained in the LeBoutillier article?

17 A. I actually can't remember.

18 Q. Do you -- if you had done any
19 investigation, would you have made notes in your
20 diary or otherwise about what your investigation
21 involved and what you learned?

22 MR. LiCALSI: Objection, asking him
23 to speculate.

24 MR. WOOD: I am going to bear with
25 you, Paul; but this is moving close to, early

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1 on in a deposition, as obstructionism. There is
2 absolutely nothing about that question that calls
3 for speculation.

4 MR. LiCALSI: I think the question
5 clearly is.

6 MR. WOOD: But even if it did, it
7 is reserved as to the form. You reserved all
8 objections except as to the form, so you don't
9 need to make objections on speculation today.
10 You are protected. Let me get some testimony
11 from the witness instead of objections from
12 every question from you. It will make things
13 move a lot smoother.

14 MR. LiCALSI: Mr. Wood, you are
15 entitled to your opinion, but I --

16 MR. WOOD: I am entitled to a
17 deposition --

18 MR. LiCALSI: -- am entitled to make
19 my objections.

20 MR. WOOD: I'm entitled to a
21 deposition unobstructed --

22 MR. LiCALSI: You keep interrupting
23 me, and I don't like that, Mr. Wood.

24 MR. WOOD: I am going to let you
25 continue to make this record, but at some point

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1 in time I hope you remember that Judge Leisure
2 is going to see this record. And I don't
3 think you are looking too good here, Paul, in
4 terms of your obstructionism.

5 MR. LiCALSI: You can accuse me of
6 what you want.

7 MR. WOOD: But you go ahead and do
8 what you want to.
9 MR. LiCALSI: You can accuse me of
10 what you want, but I am going to make my
11 objections.
12 MR. WOOD: I'm accusing you
13 initially of what appears to be obstructionist
14 tactics because I can't even get a question on
15 cross-examination without getting some objection
16 that is not even necessary to make under the
17 stipulation that you just entered into with me.
18 Let me just ask my question and then
19 you can say what you are going to say.
20 MR. LiCALSI: That's fine.
21 Q. (By Mr. Wood) I am going to go back
22 and ask the question again, Mr. Dunne.
23 If you had done any investigation
24 into any aspect of the LeBoutillier article,
25 would you, sir, have made notes in your diary
00033
1 or in any other type of document about what
2 your investigation involved and what you learned?
3 MR. LiCALSI: It assumes he keeps a
4 diary.
5 MR. WOOD: Well, he does keep a
6 diary.
7 THE WITNESS: I do keep a diary.
8 MR. LiCALSI: My --
9 THE WITNESS: I would.
10 Q. (By Mr. Wood) So, understanding that
11 you don't remember today whether you did any
12 investigation into the LeBoutillier article or
13 not; right?
14 A. I spoke to John LeBoutillier at a
15 funeral which we both attended, and we talked
16 about it. I don't think I made any notes of
17 that.
18 Q. Do you recall any other contact with
19 Mr. LeBoutillier other than that discussion at
20 the funeral?
21 A. He sent me an E-mail about
22 something. I can't remember what it was.
23 Q. Do you recall when you saw him at
24 the funeral?
25 A. I would have to check my agenda
00034
1 book. It was a Long Island funeral. I can't
2 remember the date of it.
3 Q. But you would be able to look at
4 your agenda book and ascertain that date with
5 specificity; true?
6 A. Yeah, yeah.
7 Q. And other than, at least, what
8 you've told me about Mr. LeBoutillier and the
9 discussion you had that you did not record, it
10 would have been your normal habit to make
11 recordings of significant events if you were
12 investigating something in your diary; true?
13 A. Yes.
14 Q. That has been true all of your life
15 since you started keeping the diary?
16 A. Well, hopefully. I mean, I don't
17 know that.

18 Q. I understand that. But to the best
19 of your ability you try to do so; right?

20 A. Yes.

21 Q. When did you start keeping the
22 diary?

23 A. Well, I've almost always kept a
24 diary.

25 Q. And you've maintained that diary;
00035 1 have you not, sir?

2 A. Yeah. But some -- but periods go
3 by when I drop it and then I pick it up again.

4 Q. You haven't destroyed any portions of
5 that diary that in any way relate to Gary
6 Condit or any issue in this lawsuit; have you?

7 A. No. No.

8 Q. I wouldn't expect you destroyed any
9 portions of your diary at any time; have you?

10 A. I lost part of my diary when I
11 moved, but that was way before Gary Condit.

12 Q. That would be the only thing that
13 comes to mind where you might have lost, in any
14 fashion, portions of your diary; true?

15 A. Yes.

16 Q. And that would have been years
17 before the Gary Condit issues came up?

18 A. Yes.

19 Q. Do you recall any other
20 characterizations of Mr. Condit, either in the
21 privacy of your own mind or characterizations
22 that you've expressed in public?

23 MR. LiCALSI: Objection. It is a
24 confusing question, again; and it is compound.

25 THE WITNESS: He was discussed in
00036

1 public everywhere for months. Everywhere. It
2 was the top story of America, or one of the
3 top stories of America, the disappearance of
4 Chandra Levy. So his name came up constantly,
5 constantly.

6 Q. (By Mr. Wood) It was actually --

7 A. And it was --

8 MR. LiCALSI: No, no, no. Finish
9 your answer.

10 Q. (By Mr. Wood) I thought you were
11 through, Mr. Dunne. Go ahead.

12 A. And it was -- in the world I move
13 in, he was never spoken of highly or favorably.

14 Q. I am not really focusing at the
15 moment on how others spoke about him. I am
16 really focusing on how you either viewed him in
17 your own mind's eye or how you characterized him
18 publicly. Do you understand my inquiry?

19 A. Well, I've told you that.

20 Q. Do you recall ever publicly
21 describing Mr. Condit in any other terms other
22 than what you told me earlier that you had a
23 low opinion of him?

24 Did you ever characterize him as an
25 asshole publicly?

00037 1 MR. LiCALSI: Objection to the word
2 publicly.

3 THE WITNESS: I actually don't
4 remember.

5 Q. (By Mr. Wood) Did you ever --

6 A. That doesn't mean I didn't, but I
7 don't remember that.

8 Q. You don't deny doing it; do you?

9 A. I don't remember it.

10 MR. LiCALSI: Objection.

11 Q. (By Mr. Wood) Do you remember
12 referring to him as "Gary Condom" publicly?

13 A. Yes. Yes.

14 Q. Certainly a derogatory description of
15 a United States congressman; wouldn't you agree?

16 MR. LiCALSI: Objection, it's
17 argumentative.

18 Q. (By Mr. Wood) Answer my question,
19 please. Certainly intended to be a derogatory
20 characterization by you, right, "Gary Condom"?

21 A. It wasn't made up by me. It was
22 made up by his constituents. That was his --
23 I didn't make that up. I got that from --
24 maybe it was Vince. That was from local stuff
25 in Modesto.

00038

1 Q. Did you ever publish that phrase
2 about him in Vanity Fair, that he was referred
3 to as "Gary Condom"?

4 A. I certainly remember saying it on
5 Geraldo.

6 MR. LiCALSI: The question was do
7 you remember stating it in Vanity Fair.

8 THE WITNESS: I don't remember. I
9 may have, but I don't remember.

10 Q. (By Mr. Wood) But you do recall
11 being on Geraldo and referring to Gary Condit,
12 then Congressman Condit, as "Gary Condom;" true?

13 A. Yeah.

14 Q. Did you keep the E-mail that you
15 received from Mr. LeBoutillier?

16 A. I must have because I do keep --
17 but I don't think that referred to -- I can't
18 remember. I would have to look it up.

19 Q. You would have it, whatever it
20 refers to, you believe you've kept it?

21 A. I believe so.

22 Q. And you can search for it, give it
23 to your lawyer, give it to us at the
24 appropriate time?

25 MR. LiCALSI: If it is responsive to

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1 any request, obviously.

2 MR. WOOD: If it is not, it will be
3 responsive to the second set of requests. So
4 either way, I mean, we are not here to keep
5 relevant documents --

6 THE WITNESS: If I have it, I
7 certainly will.

8 MR. LiCALSI: No, no, no.

9 Go ahead.

10 Q. (By Mr. Wood) And tell me what your
11 recollection is, in its entirety, of the
12 conversation that you had with Mr. LeBoutillier
13 at the funeral.

14 A. It was just that I told him I was
15 stunned by the piece that had gone out on the
16 Internet. I mean, it wasn't a long thing. It
17 was not in church but coming out of church or
18 something. It wasn't -- I don't remember the
19 specifics of the article -- I mean, of the
20 conversation.
21 Q. Is that your best recollection --
22 A. Yeah.
23 Q. -- today of that conversation?
24 A. Yeah.
25 Q. You don't have anything, sitting here

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1 today, to add to it from a recollection
2 standpoint?
3 A. I don't.
4 (Whereupon, Exhibit-Dunne-1 was marked
5 for identification.)
6 Q. (By Mr. Wood) Let me hand you what
7 has been marked for purposes of identification
8 to your deposition, Mr. Dunne, as Exhibit 1 and
9 ask you if you can look over that and agree
10 with me that it is a true and correct copy of
11 your article, "Dominick Dunne's Diary," published
12 in the October 2, 2001 issue of Vanity Fair
13 magazine?
14 A. Oh, yes.
15 MR. LiCALSI: Take whatever time you
16 need to look at the exhibit.
17 THE WITNESS: Okay.
18 Oh, I did say pervert.
19 (Witness reviews document.)
20 Okay.
21 Q. (By Mr. Wood) Is that a true and
22 correct copy --
23 A. Yes, it is.
24 Q. -- of the article?
25 And having now read it, you now see

00041

1 in print where in print you referred to Gary
2 Condit as a pervert; true?
3 MR. LiCALSI: Can you point to where
4 you're referring to?
5 THE WITNESS: Yeah, I did. It's in
6 there.
7 Q. (By Mr. Wood) Isn't that true, sir?
8 A. Yes.
9 Q. And you also referenced where you
10 had described to Geraldo Rivera and Chris
11 Matthews on the --
12 MR. LiCALSI: Wait a minute.
13 THE WITNESS: Wait.
14 MR. LiCALSI: The witness is looking
15 at the article.
16 THE WITNESS: Let me see it again.
17 I hadn't read this.
18 MR. LiCALSI: Here you go.
19 THE WITNESS: Yeah, but it doesn't
20 have that word.
21 Oh, I see.
22 Q. (By Mr. Wood) Ready?
23 A. Yes.
24 Q. And you also in that article

25 published statements confirming that you had
00042 1 referred to Gary Condit as "Gary Condom" on both
2 Geraldo Rivera and Chris Matthews television
3 shows; true?
4 MR. LiCALSI: I am sorry. Could
5 you have the question read back?
6 (Whereupon, the referred-to portion
7 was read back.)
8 THE WITNESS: Yes.
9 Q. (By Mr. Wood) You referred to him as
10 a hypocrite, "Gary Condom," of Gary Condit?
11 A. Yeah.
12 Q. Hypocrite?
13 You referred to him as a liar?
14 A. Yes.
15 Q. And these were opinions that you
16 held of Gary Condit prior to December of 2001;
17 true?
18 A. December of 2001? Yeah.
19 Q. And they have never changed; have
20 they?
21 A. No.
22 Q. These were the opinions you held of
23 this man when you decided to go on national
24 radio and discuss him on The Laura Ingraham Show
25 on December 20, 2001; true, sir.

00043 1 A. Yes.
2 Q. Look back at the top of page 180.
3 Referring to the LeBoutillier article: The
4 letter depicted a sexual lifestyle so unsavory
5 that I could not embarrass this magazine by
6 repeating it. The only thing I actually
7 believed in the story was the description of how
8 Chandra disappeared because I had arrived at a
9 similar theory myself. As for LeBoutillier's
10 bulletin, the same day it appeared on
11 newsmx.com the editors wiped it off the
12 website.
13 Have I read that correctly?
14 A. Uh-huh (affirmative.)
15 Q. Was that the truth, sir, when you
16 published that statement, those statements in
17 October of 2001?
18 A. Yes.
19 Q. Do those statements remain true
20 today?
21 A. Yes.
22 MR. LiCALSI: By the way, I am
23 going to insert an objection by the
24 characterization of national radio to the extent
25 that it implies that The Laura Ingraham Show was

00044 1 carried throughout the nation.
2 MR. WOOD: Just for the record, in
3 Mr. Dunne's answer, paragraph 20, he admitted
4 that on December 20, 2001, he was interviewed on
5 the, quote, unquote, nationally syndicated talk
6 show, The Laura Ingraham Show, on the Westwood
7 One Radio Network.
8 So I think that your objection is
9 noted; but your admission is controlling, so my

10 question stands.

11 MR. LiCALSI: I hear your argument.
12 I've just asserted my objection. Please
13 continue.

14 THE WITNESS: It is not a national
15 show.

16 MR. LiCALSI: No, no, no. There is
17 no question pending.

18 Q. (By Mr. Wood) You were going to say
19 -- go ahead. What were you going to say, Mr.
20 Dunne?

21 MR. LiCALSI: No. You have a
22 question, ask him.

23 Q. (By Mr. Wood) What were you getting
24 ready to say?

25 MR. LiCALSI: No, he was

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1 volunteering a statement which was inappropriate
2 in this context. If you have a question, ask
3 him a question, not what he was thinking or
4 what he was about to say.

5 Q. (By Mr. Wood) Well, I want you to
6 tell me what you were about to say even if Mr.
7 LiCalsi doesn't. You were about to say
8 something about Laura Ingraham not being a
9 national radio show. I want you --

10 MR. LiCALSI: I'm going to direct
11 you not to answer that question.

12 You rephrase your question properly,
13 he'll answer it.

14 MR. WOOD: You are instructing him
15 not to answer that question?

16 MR. LiCALSI: Yeah.

17 Q. (By Mr. Wood) Mr. Dunne, do you
18 dispute that the Laura Ingraham radio show on
19 which you appeared in December of 2001 is a
20 nationally syndicated radio program?

21 MR. LiCALSI: As of that date is
22 your question?

23 MR. WOOD: My question is what it
24 is.

25 THE WITNESS: As of that date, it

00046

1 was not a nationally syndicated. It had no New
2 York outlet and no California outlet.

3 Q. (By Mr. Wood) And when did you learn
4 that?

5 A. I knew it before I went on the air.

6 Q. What was your understanding of its
7 syndication in December of 2001?

8 A. She was trying to get a New York
9 outlet.

10 Q. Where was it syndicated to in the
11 country?

12 A. I don't know.

13 Q. You believe it was not in New York;
14 right?

15 A. I know it wasn't in New York.

16 Q. Do you know whether it was
17 syndicated in California?

18 A. It was not.

19 Q. Washington, D.C.?

20 A. This I don't know. I only know

21 about New York and California it wasn't.

22 Q. When did you learn that it was not
23 syndicated in New York and California?

24 A. I knew it when I went on the show.

25 Q. You did know it at that time?

00047

1 A. She was trying to get a New York
2 outlet at that time.

3 Q. And --

4 A. Which -- sorry.

5 Q. Going back, Mr. Dunne, you earlier
6 told me that part of your low opinion of Mr.
7 Condit was formed after you spoke with Dr. and
8 Mrs. Levy; right?

9 A. Yes.

10 Q. When did you --

11 A. I am sorry. I beg your pardon.

12 Q. When did you first speak with Dr. or
13 Mrs. Levy about their daughter and Gary Condit?

14 A. Mrs. Levy called me after she had
15 seen me on Larry King saying that I thought
16 Chandra had gone off on the back of a
17 motorcycle.

18 Q. So from her, out in California, she
19 saw the Larry King Live show that we have been
20 talking about earlier when you appeared on
21 August 24th; right?

22 A. Uh-huh (affirmative.)

23 Q. And then she located your phone
24 number somehow and called you; right? Do you
25 remember if it was the next day after --

00048

1 A. Next day.

2 Q. So August the 25th.

3 And how long did you speak?

4 MR. LiCALSI: Objecti on. Thi s
5 assumes that the appearance he was referring to
6 was the August 2001 appearance. As a matter of
7 fact, I think that is incorrect.

8 MR. WOOD: Why don't we take your
9 testimony, then, and let you tell us what's
10 correct, because he obviously is not.

11 MR. LiCALSI: I just don't want you
12 to mislead this witness.

13 MR. WOOD: Well, until you are sworn
14 in under oath, I don't think you can make that
15 kind of statement here.

16 Q. (By Mr. Wood) Mr. Dunne, did Chandra
17 Levy call you -- I'm sorry. Did Chandra Levy's
18 parents or one of them contact you after you
19 went on Larry King August the 23rd -- August
20 24th, 2001, and stated your theory about Chandra
21 being taken out of Washington on the back of a
22 motorcycle?

23 A. Yes.

24 Q. And you believe it was the next day,
25 from your best recollection; true?

00049

1 A. Yes, yes.

2 Q. Which would have been August the
3 25th --

4 A. Yes.

5 Q. -- of 2001?

6 A. Well, I can't verify the date.

7 Q. Assuming you made the appearance on
8 August 24th?

9 A. Is that what it says?

10 MR. LiCALSI: He is not referring
11 you to an exhibit. He hasn't referred you to
12 an exhibit. He is asking if you remember the
13 date.

14 Q. (By Mr. Wood) The point is, do you
15 recall what time of day you received the phone
16 call?

17 A. I got a message on my machine, and
18 she -- saying this is Susan Levy. I am the
19 mother of the missing girl. I heard you on
20 Larry King last night. My husband, Dr. Levy, and
21 I would like to talk to you.

22 She left me a number. She left me
23 two numbers. The number of her house was
24 constantly busy, she said, with reporters. But
25 she gave me her husband's office number. And

00050

1 she said if I called there they would get back
2 to me immediately. And that happened. I can't
3 remember the time of day.

4 Q. But you went -- but I think you
5 already mentioned to me you have a pretty good
6 recollection, sitting here today, of what her
7 voicemail message said to you; true?

8 A. I just thought of it this minute,
9 yeah.

10 Q. Did you record it or maintain it in
11 any fashion or are you coming straight off of
12 your recollection --

13 A. No, I think --

14 Q. Excuse me.

15 -- or are you coming straight off
16 your recollection of that message from August of
17 2001?

18 A. I believe I wrote about that.

19 MR. LiCALSI: No. His question was
20 did you maintain a recording of that voicemail.

21 THE WITNESS: Oh, recording? No,
22 no, I didn't.

23 Q. (By Mr. Wood) Well, is your
24 recollection, as you sit here today, based on
25 simply that, your recollection of what you heard

00051

1 on that voicemail message back in August of
2 2001?

3 A. Say that -- I am sorry. I am
4 getting confused.

5 Q. My question is when you give me your
6 best recollection of the contents or substance
7 of the voicemail message from Mrs. Levy, are you
8 giving that to me, Mr. Dunne, from your best
9 recollection as opposed to from a recollection
10 based on a review of any written document?

11 A. It is on my best recollection.

12 Q. Now, tell me what you did in
13 response to that voicemail message?

14 A. I called her.

15 Q. Same day?

16 A. Yeah.

17 Q. And did you get through?
 18 A. Oh, yes.
 19 Q. Who did you speak with?
 20 A. Both.
 21 Q. How long did that conversation last?
 22 A. I really don't remember. I would
 23 think -- I would guess 20 minutes.
 24 Q. Did you make any notations about
 25 that conversation in your diary?

00052

1 A. Yes.
 2 MR. LiCALSI: Just so -- just so we
 3 clarify, Mr. Dunne's regular appearing article in
 4 Vanity Fair is entitled "Dominick Dunne's Diary."
 5 And just so -- I just want to be sure that we
 6 are clear what you are referring to.
 7 Q. (By Mr. Wood) When I refer to
 8 notations in your diary, I am talking about the
 9 actual diary that you keep with you. If I am
 10 referring to the article in Vanity Fair, the
 11 column that is entitled "Dominick Dunne's Diary,"
 12 I will make sure and say Vanity Fair. You
 13 understand the difference in what I am looking
 14 at here, Mr. Dunne?
 15 A. Yeah.
 16 Q. Now, tell me if you would, please,
 17 sir, your best recollection of the substance of
 18 that telephone conversation that you had with
 19 Dr. and Mrs. Levy, what they said to you, what
 20 you said to them.
 21 A. Well, I said little to them; they
 22 said much to me. They asked -- she said she
 23 was very interested in this motorcycle theory.
 24 She did all the talking. He was on the phone.
 25 He cried a lot.

00053

1 Q. I am sorry, you what?
 2 A. He cried a lot.
 3 Q. He did?
 4 A. He did.
 5 Q. Okay. I just want to make sure
 6 you're not saying we.
 7 A. Not she, no.
 8 And she asked me if I would meet
 9 with, she said, our investigator. Then she
 10 changed that and she said, well, he is not our
 11 investigator. She said, he is the investigator
 12 who is working with our lawyer in Washington,
 13 and he is FBI.
 14 And then she said -- and I think
 15 I've written this -- do you ever get over it?
 16 And I realized then that she knew that I had
 17 lost a daughter, although I had never said that.
 18 And I said you never do, but you go on.
 19 Something like that. I can't quite remember,
 20 but that was the gist.
 21 She was incredibly nice. I liked
 22 her very much.
 23 Q. Anything else about that conversation
 24 in terms of what was said to you by Mrs. Levy
 25 or Dr. Levy or you said back to either one or

00054

1 both of them other than what you just told me,

2 Mr. Dunne?

3 A. Well, I spoke about Gary Condit.

4 Q. Tell me about that part of the
5 conversation.

6 A. I can't remember the specifics. It
7 wasn't nice. She didn't like him.

8 Q. Whatever it was, if you can give me
9 your best recollection, please, sir.

10 A. Didn't like him.

11 Q. I am sorry. You didn't like him?

12 A. No, she didn't like him.

13 And I am sort of confused on the
14 time here. I don't know if that's when she told
15 me that she had asked him if he had had an
16 affair with her daughter and he said no.

17 Q. You don't know whether that occurred
18 in that conversation --

19 A. No, I'm not.

20 Q. -- or a different one?

21 A. I am not sure about that.

22 Q. Well, what I would like to be able
23 to get from you is your best recollections of
24 what you are confident today saying under oath
25 occurred in that August, we believe, August 25

00055

1 conversation.

2 A. Well, I think that is all, what I
3 told you.

4 Q. Did you express to Dr. Levy or Mrs.
5 Levy in that conversation any of your feelings
6 or opinions or characterizations of then
7 Congressman Condit?

8 A. No.

9 Q. None whatsoever?

10 A. No.

11 Q. How many conversations by telephone
12 did you have after that date, that first
13 conversation, with either Mrs. Levy or Dr. Levy
14 or both?

15 A. I would guess three, maybe.

16 Q. And tell me when those conversations
17 took place.

18 A. That is hard for me to do.

19 Q. Your best recollection.

20 A. I talked to her after I came back
21 from England, but I had talked to her before
22 that. I simply don't remember.

23 Q. Do you know whether you ever had a
24 conversation with Mrs. Levy or Dr. Levy or both
25 of them after your appearance in December of

00056

1 2001 on the Laura Ingraham radio show?

2 A. No.

3 Q. You did not talk with them after
4 that; right?

5 A. I don't think so.

6 Q. Do you know when you had last spoken
7 with them prior to your appearance on The Laura
8 Ingraham Show on December 20, 2001?

9 A. I think after I came back from
10 England.

11 Q. When did you get back from England?

12 A. I don't have all these dates. I am

13 sorry. I would have to look that up for you.
14 I don't --

15 Q. This isn't a -- I am not challenging
16 you to come up with dates. I was just looking
17 for your best recollection if you have one. If
18 not, you have got documents that would show when
19 you were there?

20 A. Yeah.

21 Q. Vanity Fair paid for your trip to
22 England; right?

23 A. Yes.

24 Q. And that was in an effort for you
25 to try to make contact with the procurer, as

00057

1 you call him; true?

2 A. That's correct.

3 Q. Do you recall any substantive
4 information that you received from Mrs. Levy or
5 Dr. Levy in any of the, you believe, three
6 additional phone calls that you had with them as
7 it pertained to Chandra Levy and her friendship
8 with Gary Condit?

9 A. I remember we talked after the
10 Connie Chung interview when she had said -- it
11 was something about -- wait a minute, now. He
12 said he couldn't discuss it, about the
13 relationship, because it had been -- this is not
14 exact, now -- but it had been agreed on with
15 the Levys so as not to hurt them, some version
16 of that. And she said that was not true.

17 Q. You think that was in the
18 conversation that you had with her, the first
19 conversation?

20 A. No. This would have been after
21 Connie Chung.

22 Q. Well, Connie Chung was on August
23 23rd, I thought you were telling me, and then
24 the 24th appeared -- was the appearance on Larry
25 King.

00058

1 Had you talked with her, Mrs. Levy,
2 after the Connie Chung interview but before you
3 went on Larry King for the first time to talk
4 about the motorcycle theory?

5 A. I am mixed up on the dates. I am
6 sorry.

7 Q. Well, help me with this, if you
8 would. Can you tell me what substantive
9 information you received from Mrs. Levy or Dr.
10 Levy about Gary Condit in any of the
11 conversations, regardless, for the moment, of
12 when those conversations might have taken place?

13 You've told me about that she had
14 asked him about whether he had had an affair
15 and he had told her no. You've told me about
16 the fact that she said that she had never asked
17 him to refrain from discussing the relationship
18 with Chandra Levy as he had said, you say, on
19 Connie Chung.

20 Anything else that you remember in
21 any of the conversations about information that
22 you received from either Mrs. Levy or Dr. Levy
23 as it pertained to my client Gary Condit?

24 A. She asked me if I would see their
25 investigator.
00059
1 Q. Right. Anything else other than
2 that addition?
3 A. I can't remember.
4 Q. As you sit here today, have you
5 given me your best recollection of all the
6 information that you received in telephone
7 conversations with Susan Levy or Dr. Levy as it
8 would pertain to Mr. Condit?
9 A. Yeah. I was always talking with
10 Susan Levy. He was on the phone but he didn't
11 contribute.
12 Q. So you really never got any
13 information from Dr. Levy; right?
14 A. That is correct.
15 Q. All of your information came from
16 Mrs. Levy?
17 A. (Witness nodded head affirmatively.)
18 Q. Other than what you've told me
19 about, did you get any other information from
20 Mrs. Levy in any of your phone conversations
21 with her about Gary Condit?
22 A. I can't remember any.
23 MR. LiCALSI: Lin, we have been
24 going about a hour. Do you mind? He needs a
25 break.

00060
1 MR. WOOD: Okay.
2 THE VIDEOGRAPHER: Going off the
3 record at 3:19 p.m.
4 (Whereupon, a recess was taken at
5 this time.)
6 THE VIDEOGRAPHER: Returning to the
7 record at 3:32 from 3:19.
8 Q. (By Mr. Wood) Mr. Dunne, did you
9 make entries in your diary about the
10 conversations, the telephone conversations, you
11 had with the Levy family?
12 A. On scraps of paper which I then
13 later used it in my -- I know I wrote about
14 that phone call in one of my diaries. And I
15 keep pads everywhere when I get calls, and so I
16 write stuff down on pads.
17 Q. Did you review any --
18 MR. LiCALSI: Excuse me, I just
19 would like to instruct the witness.
20 When you use the word "diary" and
21 are referring to articles in Vanity Fair, could
22 you clarify that? Because, as Mr. Wood
23 indicated, we are using that term both for your
24 personal diary and for your published articles
25 which are called diary.

00061
1 Q. (By Mr. Wood) I'm going to try to
2 call one your diary and the other the Vanity
3 Fair diary. Is that fair enough?
4 A. Yeah.
5 Q. I am just trying to find out if you
6 believe you might have some written entries or
7 documents where you memorialized some or all of
8 the portions of those telephone calls with the

9 Levys.
10 MR. LiCALSI: Other than his
11 published --
12 MR. WOOD: Assuming that it's there,
13 yes.
14 MR. LiCALSI: -- diary in Vanity
15 Fair?
16 MR. WOOD: Yes.
17 THE WITNESS: As I said, I probably
18 have pieces of paper in a box somewhere. I
19 don't -- I mean, I don't do everything in a
20 private diary and then -- out of these pieces
21 of paper I make my Vanity Fair diary. So --
22 Q. (By Mr. Wood) You generally do try
23 to record significant events in your private
24 diary; do you not, sir?
25 A. Yeah. But as I say, it is on --

00062

1 there is not a book called "diary" that I open.
2 I have notebooks. I keep notes everywhere and
3 pads everywhere. And then I gather it all up,
4 and I write my Vanity Fair diary.
5 Q. As we sit here today, Mr. Dunne, do
6 you know whether any of the statements that were
7 contained in the LeBoutillier article are true?
8 MR. LiCALSI: Objection. Overbroad
9 and ambiguous.
10 THE WITNESS: I do not know if they
11 are true.
12 Q. (By Mr. Wood) You have --
13 A. But I believe them.
14 Q. So would it be correct to say that
15 since the time that you read the LeBoutillier
16 article that you have not ever known whether the
17 statements about Gary Condit contained therein
18 are true?
19 MR. LiCALSI: Objection. Overbroad.
20 There are several statements about Gary Condit.
21 I won't object to your question if you are
22 specific with respect to any particular statement
23 in a rather long article.
24 Q. (By Mr. Wood) Would you answer my
25 question, please, Mr. Dunne?

00063

1 A. Well, I mean, I happen to know that
2 the FBI is currently looking for a male
3 prostitute who sounds very much like the one
4 that is mentioned in the LeBoutillier article.
5 Q. Thank you. My question is since the
6 time you first read the LeBoutillier article
7 have you ever been able to ascertain whether any
8 of the statements contained therein about Gary
9 Condit were true?
10 MR. LiCALSI: Same objection.
11 Overbroad, ambiguous.
12 THE WITNESS: Well, I repeat what I
13 just said. There has to be some truth if the
14 FBI is looking for this same guy at this point.
15 Q. (By Mr. Wood) Well, now, do you know
16 as a matter of fact that the FBI is looking
17 for the person you say was discussed in the
18 LeBoutillier article; do you know that as a
19 matter of fact?

20 A. I do not. It is a similar in
21 looks, light-skinned, motorcycle, male prostitute.

22 Q. And where do you gain your
23 information about the FBI looking for this
24 information?

25 MR. LiCALSI: Excluding any
00064 1 conversations you have had with counsel. Do you
2 understand what --

3 THE WITNESS: Yes.
4 With counsel.

5 Q. (By Mr. Wood) And when did you first
6 learn that information?

7 MR. LiCALSI: You can answer when
8 you learned it, but the substance of any
9 conversation with counsel I am directing you not
10 to answer.

11 THE WITNESS: Well, it's within six
12 weeks, I would think.

13 Q. (By Mr. Wood) Six weeks of today's
14 date?

15 A. I would think. I mean, that's --

16 Q. Is that the only part of that
17 article that you believe is under investigation
18 as to whether it is true or not?

19 A. I don't know.
20 MR. LiCALSI: Again, objection.
21 Overbroad, ambiguous.

22 Q. (By Mr. Wood) The fact of the matter
23 is, it's plain and simple, you don't know as
24 you sit here today whether any portion of the
25 John LeBoutillier article is true or false; do

00065 1 you, sir?

2 MR. LiCALSI: Again, to the extent
3 any knowledge you have comes from conversations
4 with counsel, I am going to object to that. And
5 I am going to direct the witness not to answer
6 with respect to any conversations with counsel.
7 Could you read back the question,
8 please?

9 MR. WOOD: Let me just restate it.
10 Q. (By Mr. Wood) The fact of the matter
11 is, plain and simple, as you sit here today,
12 Mr. Dunne, you do not know as a matter of fact
13 whether any portion of the LeBoutillier article
14 is true or false; am I right?

15 MR. LiCALSI: Again, I state my
16 objections. It is overly broad and ambiguous.
17 And to the extent it seeks attorney-client
18 communications, I am objecting and directing the
19 witness not to answer.

20 You can go ahead.
21 THE WITNESS: Who goes ahead?

22 MR. LiCALSI: You go ahead.
23 Q. (By Mr. Wood) You are supposed to
24 answer whether that is true or not.

25 MR. LiCALSI: Do you want to hear
00066 1 back the question?

2 THE WITNESS: Yes. I'm sorry.
3 Could you say --

4 MR. WOOD: And your objection will

5 be noted, Paul.

6 MR. LiCALSI: And I would like him
7 to read back the question so we don't have to
8 go through an objection again. It might be
9 helpful.

10 MR. WOOD: Yeah, I was going to say
11 read it back.

12 MR. LiCALSI: Because it is subject
13 to objection.

14 MR. WOOD: Fine, however you want to
15 do it in that regard. I am not here to fight
16 about that kind of stuff.

17 (Whereupon, the referred-to portion
18 was read back.)

19 THE WITNESS: That is true.

20 MR. LiCALSI: I am going to confer
21 with my client for a second.

22 MR. WOOD: Even though you yelled at
23 me initially when I tried to the other day? I
24 am just teasing.

25 MR. LiCALSI: Only when there was a
00067 1 question pending.

2 (Whereupon, the witness and his
3 counsel confer.)

4 MR. LiCALSI: Please continue.

5 Q. (By Mr. Wood) Have you ever met
6 Vince Flamini in person?

7 A. I have not.

8 Q. He called you not too long ago and
9 asked you for an autographed picture; didn't he?

10 A. I don't remember that.

11 Q. You don't remember him calling and
12 asking you if you would send him an autographed
13 picture and you said you couldn't do it because
14 it might somehow appear inappropriate for you to
15 do so while he was potentially a witness in the
16 lawsuit?

17 Do you deny that occurring?

18 A. I am not denying it. I don't
19 remember that.

20 Q. You made reference to an Internet
21 book about Mr. Condit. Do you recall that?

22 A. Is that the one about the horse
23 trail?

24 Q. It is the one you said was a -- you
25 described it as an Internet book.

00068 1 A. Yeah.

2 Q. Is that the horse trail?

3 A. I think it's -- is that what it's
4 is called, Along the Horse Trail, or something
5 like that?

6 Q. And do you know who the author of
7 that is?

8 A. I think --

9 Q. Murder on a Horse Trail?

10 A. That's right. Yes.

11 Q. Is that the Internet book you were
12 referring to?

13 A. Well, two books I was referring to.
14 One was not an Internet book. One was a
15 paperback book.

16 Q. That was the book published by the
17 tabloids, the National Enquirer?
18 A. Yes. Yes.
19 Q. And that book published by the
20 National Enquirer, or American Media, their new
21 book division, was published well after December
22 of 2001; true?
23 A. I just read it recently, so.
24 Q. The first time you ever read it was
25 when?

00069

1 A. Last two months.
2 Q. And the book, Murder on a Horse
3 Trail, that Internet book, when did you first
4 read it?
5 A. Well, I read that some time back.
6 I mean, I guess, whenever it first came out.
7 I don't remember the exact date.
8 Q. Did you download it and print it off
9 the Internet?
10 A. No. It is a book. It is a
11 regular published book.
12 Q. It's a hardback book.
13 A. No, it's not a hardback. It is a
14 paperback. I mean, I have got about three copies
15 of it. I -- and it is all information that
16 came from a website from a Chandra Levy or Gary
17 Condit, I am not sure, website.
18 Q. With respect --
19 A. And it is a man called, I believe
20 his name is Daugherty.
21 THE VIDEOGRAPHER: Mr. Dunne, could
22 I ask you to put that microphone higher?
23 THE WITNESS: I am sorry. Yes, of
24 course.
25 Q. (By Mr. Wood) That book, you believe

00070

1 by Mr. Daugherty, had you read it prior to your
2 appearance on the Laura Ingraham radio show in
3 December of 2001?
4 A. I don't think so.
5 Q. You believe it was read subsequent
6 in time?
7 A. Subsequent, yeah.
8 Q. Do you have any recollection as to
9 when you recall first reading that book, Murder
10 on the Horse Trail you believe by Mr. Daugherty,
11 you believe?
12 A. I can't remember who told me about
13 it.
14 MR. LICALSI: He is asking you do
15 you remember when you first read it.
16 THE WITNESS: I don't remember when
17 I first read it, but I ordered it through
18 Amazon.
19 Q. (By Mr. Wood) Did you charge it when
20 you ordered it to a credit card?
21 A. Probably.
22 Q. Do you maintain your credit card
23 statements where you might be able to go back
24 and look to see when you actually purchased the
25 book?

00071

1 A. Well, I suppose my accountant has
2 them. I don't have them.

3 Q. Do you know whether the statements
4 in that book, any of the statements in that
5 book, sir, are true or false?

6 MR. LiCALSI: Are you talking about
7 a book that is several hundred pages long? I
8 am going to object. That's overbroad and
9 ambiguous.

10 Q. (By Mr. Wood) Would you answer my
11 question, Mr. Dunne?

12 A. The question is what?

13 Q. As you sit here today, do you know
14 whether any of the statements about Mr. Condit
15 contained in that book, Murder on the Horse
16 Trail, whether those statements are true or
17 false?

18 MR. LiCALSI: Again, same objection.

19 Q. (By Mr. Wood) You don't know one way
20 or the other; do you?

21 A. No.

22 MR. LiCALSI: Objection, same
23 objection.

24 Q. (By Mr. Wood) Am I right?

25 A. I assume they are true.

00072

1 MR. LiCALSI: You got the answer.

2 Q. (By Mr. Wood) You assume they are
3 true. But as a matter of fact, you don't know
4 whether they are true or false; do you?

5 A. That's correct.

6 Q. And I am correct, right?

7 A. Yeah.

8 Q. And with respect to the book put out
9 by American Media, have you at any time
10 undertaken any type of investigation to determine
11 whether the statements contained in that book as
12 a matter of fact are true or false?

13 MR. LiCALSI: Same objection.

14 THE WITNESS: Some of the stories I
15 knew that were in there. I mean, did I fact
16 check it? Hell no. I just read it.

17 Q. (By Mr. Wood) Did you ever give an
18 interview --

19 MR. LiCALSI: Excuse me a second.
20 (Whereupon, the witness and his
21 counsel confer.)

22 Q. (By Mr. Wood) Did you ever give an
23 interview to any one of the tabloids about Mr.
24 Condit?

25 A. No.

00073

1 Q. Any references to Dominick Dunne in
2 the tabloids, you believe, would have had to
3 have come from the tabloids getting published
4 material about you and putting it in their
5 story?

6 MR. LiCALSI: Objection. You are
7 asking him to speculate where the tabloids got
8 their information.

9 Q. (By Mr. Wood) Would you answer the
10 question?

11 A. I have never spoke to them, direct,

12 to any tabloid.

13 Q. And to your knowledge, you have
14 never arranged any type of communication,
15 directly or indirectly, between you and any
16 reporter or individual associated with the
17 tabloids?

18 A. That is correct.

19 Q. And that would include the National
20 Enquirer; right?

21 A. (Witness nodded head affirmatively.)

22 Q. Right?

23 MR. LICALSI: You have to answer
24 audibly.

25 THE WITNESS: I am sorry. I am
00074

1 sorry. I keep forgetting that.

2 Yes.

3 Q. (By Mr. Wood) Globe?

4 A. Yes. In relation to Mr. Condit,
5 never.

6 Q. Did you agree to endorse in any
7 fashion the book published by American Media
8 about Mr. Condit?

9 A. They asked me to. I think I did.

10 Q. Who asked you to?

11 MR. LICALSI: He is talking about,
12 when he says American Media --

13 THE WITNESS: The book.

14 MR. LICALSI: -- he is referring to
15 National Enquirer. Did the National Enquirer
16 ask you to endorse their book about --

17 Q. (By Mr. Wood) I am asking you the
18 book that you read, the paperback published by
19 American Media, not limited to the National
20 Enquirer.

21 MR. LICALSI: Well, he identified it
22 as National Enquirer.

23 MR. WOOD: I think we are talking
24 about the same book.

25 MR. LICALSI: Yeah, but I didn't

00075

1 want him to be confused.

2 Q. (By Mr. Wood) You were asked to
3 endorse that book?

4 A. Yeah.

5 Q. By whom?

6 A. I don't remember.

7 Q. Was it someone with American Media?

8 A. Well, it must have been.

9 Q. Did you read it before you agreed to
10 endorse it?

11 A. No.

12 Q. So you endorsed the book about Mr.
13 Condit and Chandra Levy publicly before you had
14 ever even read its contents; true?

15 A. Yes.

16 Q. Did they compensate you in any way
17 for that endorsement?

18 A. No.

19 Q. Are you sure?

20 A. No.

21 Q. They did not?

22 A. No.

23 MR. Li CALSI: By the way, I'm going
24 to object to the last line of questions to the
25 extent it uses the word endorsement.

00076

1 Go ahead.

2 THE WITNESS: I am confused. Is my
3 name on that book?

4 (Whereupon, the witness and his
5 counsel confer.)

6 Q. (By Mr. Wood) Well, you read it
7 recently. Did you see your name on it in any
8 fashion?

9 A. No, I didn't. No.

10 Q. Did you see your name on any
11 advertisements for that book?

12 A. No.

13 Q. Didn't see any advertisements where
14 Dominick Dunne said this is something to the
15 effect of a must read?

16 A. No.

17 Q. But you do recall being asked to
18 endorse it?

19 A. Yeah.

20 MR. Li CALSI: Same objection.

21 Q. (By Mr. Wood) And you recall
22 agreeing to endorse it?

23 A. Yeah.

24 Q. And you did that before you had ever
25 read anything contained in it, right?

00077

1 A. That's right.

2 Q. You didn't have any idea what they
3 were going to say about Gary Condit when you
4 endorsed that book; did you, sir?

5 A. Yes, I did. I mean, it wasn't an
6 original book. It was taken from what they had
7 published, I think.

8 Q. Well, were you familiar with all the
9 things that they had published about Mr. Condit?

10 A. No, but I did read the National
11 Enquirer.

12 Q. Do you read the Globe?

13 A. No.

14 Q. Do you read Star?

15 A. No.

16 Q. Sir, did you -- as you're telling
17 me, you're assuming -- you assumed they were
18 going to write a book that included some
19 compilation of information from their articles,
20 tabloid articles?

21 A. Yeah, I think so.

22 Q. But you didn't know whether it was
23 limited to that or not; did you?

24 A. No.

25 Q. I mean, you didn't know as a matter

00078

1 of fact what the tabloid publication American
2 Media was going to say in that book about Mr.
3 Condit; did you?

4 A. No.

5 Q. But nonetheless, without that
6 knowledge, you went ahead and agreed to endorse
7 it, to put your name, Dominick Dunne, out there

8 in some fashion endorsing that book; true?
9 MR. Li CALSI: Same objection.
10 THE WITNESS: But is it out there?
11 Q. (By Mr. Wood) Yes, sir.
12 A. It is?
13 MR. Li CALSI: Wait, wait.
14 Q. (By Mr. Wood) As you would expect it
15 to be because you agreed to endorse it; right?
16 MR. Li CALSI: Wait a second. Wait
17 a second. If you have something to show this
18 witness --
19 MR. WOOD: He asked me a question.
20 I was polite enough --
21 MR. Li CALSI: Well, you're not here
22 testifying.
23 MR. WOOD: No, I was polite enough
24 to answer his question.
25 MR. Li CALSI: Do you mind if I make

00079

1 my objection?
2 MR. WOOD: I haven't stopped you
3 from making objections yet, have I?
4 MR. Li CALSI: Well, you keep
5 interrupting me.
6 MR. WOOD: Go ahead and finish your
7 question, Paul.
8 MR. Li CALSI: Thank you. If you
9 have something that you are characterizing as an
10 endorsement, I would ask you to show it to this
11 witness in order to be fair.
12 MR. WOOD: He has testified --
13 MR. Li CALSI: And not give the
14 witness information that I don't know is true or
15 not.
16 MR. WOOD: He is the one that can
17 tell me whether it is true or not. He
18 endorsed the book.
19 MR. Li CALSI: No. You just told
20 him his name was out there. I don't know what
21 that means or what you're referring to and
22 neither does this witness.
23 Q. (By Mr. Wood) You would expect your
24 name to be out there in some fashion in
25 connection with the book because, as you've

00080

1 testified under oath, you agreed to endorse the
2 book; right?
3 A. Yes.
4 MR. Li CALSI: Same objection.
5 Q. (By Mr. Wood) Do you have any
6 factual knowledge that would support a statement
7 that Gary Condit ever rode a motorcycle in the
8 Washington, D.C. area at any time?
9 A. In Washington, D.C. I don't think
10 so.
11 Q. Do you have any factual knowledge
12 that you have yourself ascertained to be correct
13 and true that would support a statement that
14 Gary Condit ever rode in any type of motorcycle
15 gang in the Washington, D.C. area?
16 MR. Li CALSI: Objection. It is an
17 ambiguous question.
18 THE WITNESS: Well, the Washington,

19 D. C. area, does that include Luray, Virginia?
20 Q. (By Mr. Wood) Yes, sir, if you would
21 like for it to, absolutely.

22 A. Yes.

23 Q. You could even let it include the
24 East Coast.

25 Do you have any knowledge of any

00081

1 fact that you know to be true that would
2 indicate that Gary Condit ever rode a motorcycle
3 prior to December 20, 2001, in the Eastern
4 Seaboard area of the East Coast of the United
5 States of America?

6 A. Well, it was my understanding that
7 he was on a motorcycle in Luray, Virginia
8 with --

9 Q. With whom?

10 A. A group of -- a rally or something.

11 It was --

12 Q. A rally with what group?

13 A. Some kind of motorcycle group.

14 Q. Do you know what kind of motorcycle
15 group?

16 A. No.

17 Q. Hell's Angels?

18 A. I know I used the word Hell's Angels.

19 I also used the word Haitian motorcycle group.

20 Q. Was that a Hell's Angels -- was that
21 a Haitian chapter of the Hell's Angels motorcycle
22 group that you are referring to?

23 A. I don't know.

24 Q. Well, what is a Haitian motorcycle
25 group that you are referring to? Where does

00082

1 that group exist?

2 A. In Washington.

3 Q. And how do you know that?

4 A. I knew it from Mr. LeBoutillier's
5 first piece.

6 Q. And you knew it to be true?

7 A. I believed it to be true.

8 Q. Well, did you know it as a matter
9 of fact to be true that there was a Haitian
10 motorcycle gang?

11 MR. Li CALSI: Objection. It is
12 argumentative. He indicated his source, and he
13 indicated he believed it.

14 Q. (By Mr. Wood) Answer my question,
15 please.

16 A. I believed it, yes.

17 Q. Did you know it as a matter of fact
18 to be true, that there was a Haitian motorcycle
19 gang?

20 MR. Li CALSI: Same objection.

21 THE WITNESS: I did not know it as
22 a matter of fact.

23 Q. (By Mr. Wood) Did you ever do any
24 investigation to find out whether there was any
25 such Haitian motorcycle gang?

00083

1 A. I did not.

2 Q. Do you have any factual information
3 that you have confirmed yourself through your

4 investigation to establish the truth of any
5 statement that Gary Condit ever rode his
6 motorcycle with a motorcycle gang anywhere in
7 the United States of America?

8 A. Yes.

9 Q. Tell me where you have that
10 information that you have independently verified
11 as being true.

12 A. I got it from Vince Flamini, who
13 told me they went to motorcycle rallies, that
14 they shared a motel room. Well, that.

15 Q. Is that all he told you, is that
16 they went to a rally or rallies?

17 A. Yeah, that is all I can remember at
18 the moment.

19 Q. Is that the rally he told you about
20 where then Congressman Condit went to a
21 barbecue, in fact, a rally, an event that
22 Senator Campbell also attended? Do you remember
23 Mr. Flamini telling you that?

24 A. No.

25 Q. Do you remember when he told you
00084 that?

1 that?
2 MR. LiCALSI: Objection. He just
3 said he doesn't remember that, so how can he
4 remember when he told him?

5 MR. WOOD: Fair objection.

6 THE WITNESS: I never heard of this
7 other person.

8 MR. LiCALSI: Please, there is no
9 question.

10 Q. (By Mr. Wood) I don't want to talk
11 about sharing a hotel for the moment. If you
12 want, we can talk about it later. I don't
13 want to talk about attending an event or rally,
14 however you describe it.

15 I want to know as a matter of fact
16 whether you have yourself any information,
17 factual information, to establish the truth of a
18 statement that congressman, former Congressman
19 Gary Condit has at any time ever ridden with
20 any motorcycle gang that is described as Hell's
21 Angels or as a Haitian motorcycle gang anywhere
22 in the United States of America? Do you have
23 any such factual information, sir?

24 MR. LiCALSI: Okay. I am going to
25 object to the use of the -- the repeated use
00085

1 of the term factual information. You can -- I
2 think it is improper. This witness can be
3 asked as to what his knowledge is and where he
4 got that knowledge. But repeatedly saying
5 factual information is argumentative, and it is
6 ambiguous.

7 Go ahead, answer it if you can.

8 THE WITNESS: Well, on Geraldo
9 Rivera's show, which I was on quite a few
10 times, the motorcycles were discussed, I mean, I
11 don't know, I think mostly from Vince. Yeah.

12 Q. (By Mr. Wood) Can you identify for
13 me any individual who ever provided you with
14 information or who had information that you

15 relied on to support any statement that Gary
16 Condit has ever ridden with a Hell's Angels
17 motorcycle gang or a Haitian motorcycle gang
18 other than the statement you said existed in
19 LeBoutillier's article and the information you
20 got, you say, from Mr. Flamini?

21 A. No. That is it.

22 Q. So that is the sum total of it;
23 right?

24 A. I think so.

25 Q. Have you ever at any time, sir,

00086

1 undertaken in any fashion to investigate whether
2 Mr. Flamini's information was true or false?

3 A. I believe Vince Flamini.

4 Q. Yes, sir. That is not my question,
5 though. My question is, Mr. Dunne, have you at
6 any time, sir, undertaken in any fashion to
7 investigate whether any of Mr. Flamini's
8 statements about Mr. Condit are true or false?

9 MR. LiCALSI: Wait, wait, wait
10 a second. Just you're talking about any

11 statement Vince Flamini has ever said about Gary
12 Condit or with respect to motorcycles?

13 MR. WOOD: Well, let's do it both
14 ways. Let's start with the motorcycle gangs.

15 Q. (By Mr. Wood) Had you ever done any
16 -- have you ever at any time sought to
17 undertake any investigation as to whether Mr.
18 Flamini's statements about Mr. Condit, about the
19 rally or the hotel or anything to do with a
20 motorcycle gang, whether those statements are, in
21 fact, true or false?

22 A. I talked with a writer who is also
23 a friend of Vince Flamini's from People Magazine
24 called Champ Clark, and the motorcycle thing
25 came up. I can't remember specifically.

00087

1 MR. LiCALSI: This may be an area
2 of privilege. Let me just break one second.

3 (Whereupon, the witness and his
4 counsel confer.)

5 MR. LiCALSI: At this point in time,
6 I am going to direct him not to testify as to
7 any conversations he had with the person he just
8 identified under both the New York and
9 California shield laws, the New York and
10 California constitutions, and the First Amendment
11 of the United States Constitution.

12 Q. (By Mr. Wood) I want to ask you
13 about how many times have you had conversations
14 with Champ Clark of People Magazine?

15 MR. LiCALSI: I direct him not to
16 answer.

17 THE WITNESS: What does that mean?

18 MR. LiCALSI: I am also going to
19 reserve the right to expunge the name of the
20 person who was identified in the last answer.
21 That is also subject to the privilege.

22 Q. (By Mr. Wood) In your interrogatory
23 answers, Mr. Dunne, you made reference to,
24 interrogatory number three, identify any and all
25 persons you utilized as a source for statements

00088

1 you made during the Laura Ingraham broadcast,
2 the CNN interviews, the ET Online interview and
3 at the dinner parties concerning plaintiff's, Mr.
4 Condit's, involvement with motorcycle gangs.

5 And your response said Vince Flaminio,
6 Jerry Gruner, Susan Levy. And then you said
7 defendant also used a confidential news source
8 whose identity is privileged under the First
9 Amendment, the New York Constitution and/or the
10 New York or other applicable shield law.

11 Let me give you that interrogatory
12 response, sir, and ask you if, in fact, that is
13 correct?

14 MR. LiCALSI: Well, take a look at
15 the response and then --

16 MR. WOOD: Yeah, look at the
17 question and the response.

18 THE WITNESS: I don't know what this
19 is. This is what?

20 MR. LiCALSI: This is the
21 interrogatory answers. Take a look at this
22 interrogatory number three, and then he will ask
23 you a question about it.

24 THE WITNESS: Is this --

25 MR. LiCALSI: Wait a second.

00089

1 Okay. We would like to clarify
2 something. There was a mistake in this response
3 to interrogatories. To the extent the answer
4 indicated a privileged source prior to any of
5 the referenced statements, that statement is
6 incorrect; and we retract it.

7 MR. WOOD: Are you telling me that
8 there was not a confidential source used for --

9 MR. LiCALSI: Prior to those
10 statements?

11 MR. WOOD: I am not sure what you
12 are telling me.

13 Prior to -- there was no
14 confidential source relied on by Mr. Dunne prior
15 to his utterance of any of the statements in
16 the interviews identified in interrogatory number
17 three; is that what you are now telling me?

18 MR. LiCALSI: Yeah, that is correct,
19 other than has already been disclosed in other
20 discovery. In other words, I am not including
21 the horse whisperer in that. There is no other
22 source that we have withheld from you.

23 MR. WOOD: Yeah, but what I want to
24 know is for any of the statements that he made
25 on Laura Ingraham, the CNN interviews, the ET

00090

1 Online interview and the dinner parties, whether
2 he is contending that any of those statements
3 were based on information provided by a
4 confidential news source.

5 MR. LiCALSI: Okay. He is not
6 contending that.

7 MR. WOOD: Okay. But you are
8 contending at some point that you received
9 information from a confidential news source;
10 right?

11 MR. Li CALSI: Yes. But that is
12 subsequent to those times; and we are asserting
13 the shield law privilege with respect to those.
14 Q. (By Mr. Wood) How many confidential
15 sources did you get information from, one?
16 MR. Li CALSI: I direct him not to
17 answer.
18 MR. WOOD: I am entitled to know
19 how many.
20 MR. Li CALSI: I am directing him not
21 to answer.
22 MR. WOOD: Well --
23 MR. Li CALSI: Make your -- Look, we
24 have motions pending before -- we are going to
25 be --

00091

1 MR. WOOD: But --
2 MR. Li CALSI: Please.
3 MR. WOOD: No, no. I mean --
4 MR. Li CALSI: No, no, no, no. This
5 is a matter of privilege, and I'm going to
6 state my --
7 MR. WOOD: Let's go off the record.
8 Do not --
9 MR. Li CALSI: No. I am going to
10 make this on the record.
11 MR. WOOD: We are going to go off
12 the record and you can come back and make the
13 record when you calm down, because I am not
14 going to sit here and be yelled at by you.
15 MR. Li CALSI: No one is yelling at
16 you.
17 MR. WOOD: I don't like your tone
18 of voice.
19 MR. Li CALSI: If you would stop
20 interrupting me.
21 MR. WOOD: You haven't been
22 interrupted.
23 MR. Li CALSI: Yes, I've been
24 interrupted.
25 MR. WOOD: I'll stand on this record

00092

1 in front of the judge at any time, friend.
2 MR. Li CALSI: Stand on it any time.
3 MR. WOOD: Let's take a break and
4 then you can come back and you can make your
5 statement.
6 You want to take a break?
7 We will take a break.
8 THE VIDEOGRAPHER: Going off the
9 record at 4:05.
10 (Whereupon, a recess was taken at
11 this time.)
12 THE VIDEOGRAPHER: Beginning tape
13 number two and returning to the record at 4:18
14 from 4:05.
15 MR. Li CALSI: Off the record I spoke
16 with Mr. Wood. We have asked for his
17 stipulation that the name and publication that
18 was identified by Mr. Dunne whom we have
19 indicated is a confidential source be expunged
20 from this record. It came in the middle of an
21 answer, and there was no foreknowledge that that

22 was going to be inadvertently disclosed. Mr.
23 Wood has declined to agree to that stipulation.
24 I will allow, however -- and we're
25 going to make that objection and continue in

00093

1 that objection.

2 And to the extent Mr. Wood
3 identifies that person in the following
4 questions, I will direct the witness not to
5 answer. But if he continues with his questions
6 identifying, quote, a confidential source
7 generically, I don't think we will have a
8 problem.

9 MR. WOOD: Good to go?

10 Q. (By Mr. Wood) Mr. Dunne, I think
11 what I was trying to get to before we took the
12 break is in a number of your interrogatory
13 answers you reference the use of a confidential
14 news source, and I understand you withdrew it as
15 to number three.

16 What I would like to find out is
17 how many individuals do you contend provided you
18 with any information under an agreement that
19 their identity would be confidential, just the
20 number of people?

21 A. Two.

22 Q. Would one of those two have been
23 Monty Roberts who initially asked for
24 confidentiality and then subsequently waived it?

25 A. I wasn't thinking of him.

00094

1 Q. Two. Now, in your mind's eye, I
2 want to talk about the two sources. I want to
3 know what information source A gave you, and
4 then we will talk about source B, if that is
5 an okay way to describe them. Do you
6 understand what I am asking you?

7 What information did you receive from
8 confidential source A about this case for Gary
9 Condit?

10 A. About a visit to a chiropractor on
11 the day of Chandra's disappearance that there
12 has never been an answer for or a name given
13 of a five o'clock in the afternoon appointment.

14 Q. Any other information that you
15 received from that confidential source described
16 as confidential source A?

17 A. Well, I am sure there is. It is
18 just hard to -- I mean, I can't remember
19 offhand any other, but I know there had to be.

20 Q. Why do you know there had to be?

21 A. Well, I mean, I talked quite

22 frequently --

23 MR. LiCALSI: Right now he is asking
24 you not how many confidential sources you had.
25 He is asking if you can remember anything else

00095

1 that confidential source A imparted to you.

2 THE WITNESS: I understood that, but
3 I can't think of anything.

4 Q. (By Mr. Wood) All right, sir. Now,
5 confidential source B, what information were you
6 provided by that individual under a condition of

7 confidentiality as to identity?
8 (Whereupon, the witness and his
9 counsel confer.)
10 MR. LiCALSI: He is asking you now
11 about confidential source B.
12 THE WITNESS: Well, then, I'm sorry.
13 Confidential source B is not confidential.
14 Is that correct?
15 MR. LiCALSI: Is that who you mean?
16 THE WITNESS: Yeah.
17 MR. LiCALSI: Yeah.
18 Q. (By Mr. Wood) You are talking about
19 Jerry Gruner?
20 MR. LiCALSI: You have to answer
21 audibly.
22 THE WITNESS: I beg your pardon. I
23 am sorry. I keep doing that.
24 Q. (By Mr. Wood) Upon further
25 reflection, you have concluded that any

00096

1 information provided you by Mr. Gruner was not
2 provided under an agreement between you and him
3 that he would be a confidential source with
4 respect to his identity; is that true?
5 A. Yes.
6 Q. So we only have --
7 MR. LiCALSI: Let me just clarify.
8 And is confidential source A Mr. Gruner or
9 confidential source B Mr. Gruner?
10 THE WITNESS: B.
11 MR. LiCALSI: Okay. Please
12 continue.
13 Q. (By Mr. Wood) So with respect to the
14 issue of confidential sources as it pertains to
15 matters relevant to the claims or defenses in
16 this lawsuit, you only have one confidential
17 source; right?
18 A. That I can think of at this moment,
19 yes.
20 Q. And your recollection is that the
21 information given to you by that confidential
22 source addresses an issue about a visit by Mr.
23 Condit with respect to a chiropractor's visit on
24 the day of Ms. Levy's disappearance?
25 A. (Witness nodded head affirmatively.)

00097

1 Q. And you don't remember any other
2 information provided to you that you seek to
3 shield the identity of this individual?
4 A. I can't remember any other.
5 MR. LiCALSI: Can I talk to him off
6 the record just a second?
7 (Whereupon, the witness and his
8 counsel confer.)
9 THE WITNESS: With confidential
10 source A, yeah, I did talk -- I mean, I can't
11 remember specifically what it was, but --
12 MR. WOOD: We are back on the
13 record?
14 THE VIDEOGRAPHER: Yes.
15 Q. (By Mr. Wood) Go ahead, Mr. Dunne.
16 A. I can't specifically remember what it
17 -- I mean, there were other things than the

18 chiropractor. God, it's been a long time. I
19 don't know. I would have to think about it.
20 I can't remember any others.

21 Q. Well, you know, again, if you think
22 of something other than that during the course
23 of your deposition testimony, just let us know.

24 A. Okay.

25 Q. And it may be at some point we

00098

1 might follow up with an interrogatory to see,
2 because it is important to know the subject
3 matter to see whether it is something to fight
4 over.

5 As you sit here today, the only
6 subject matter that you can remember being given
7 by the one confidential source relates to the
8 chiropractor visit as you've described; right?

9 Is that right?

10 A. Yes.

11 Q. Would it be correct --

12 And do you have a copy of these
13 interrogatories?

14 MR. LiCALSI: No, I don't.

15 Okay. Go ahead.

16 Q. (By Mr. Wood) If you will look on
17 -- interrogatories four -- I would like to just
18 make sure, because what I am hearing, I am not
19 sure that interrogatory number four or number
20 five, whether you are still contending that the
21 confidential news source is properly identified
22 there or whether that should be withdrawn as you
23 did with number three.

24 MR. LiCALSI: Let me read it a
25 second and I will give you the answer.

00099

1 Yes, I think just to clarify
2 everything, the communications with the
3 confidential source all occurred after the three
4 interviews that are in issue in this case.

5 MR. WOOD: But here is what I need
6 to know, though --

7 MR. LiCALSI: So we would amend
8 these to clarify that.

9 MR. WOOD: But in terms of whether
10 you rely on confidential source information to
11 support any contention that the statements at
12 issue are true, that is what I need to know.

13 MR. LiCALSI: Okay. But that wasn't
14 what was asked in these interrogatories.

15 MR. WOOD: I understand. I am
16 trying to get there.

17 MR. LiCALSI: I am not going to say
18 -- you know, you can question him about the
19 substance of those confidential -- the
20 confidential sources communications. All I am
21 saying now is that to the extent the answers to
22 the interrogatory imply that those communications
23 were prior to his statements the answers to the
24 interrogatories are incorrect.

25 The communications in question were

00100

1 all subsequent to that, according to our
2 knowledge. Okay? But please ask him about the

3 communications.

4 Q. (By Mr. Wood) I am trying to find
5 out, and let me just put it generally and see
6 if that will help answer it, whether any
7 information that you received from the
8 confidential source goes to supporting what you
9 say is the truth of any statement that you made
10 about Mr. Condit on the Larry King Live show,
11 the Laura Ingraham broadcast, the ET Online
12 interview or the dinner parties?

13 MR. LiCALSI: Okay. My objection is
14 that that is overbroad and it is vague and it
15 is ambiguous and it's --

16 If you can answer that, go ahead.

17 THE WITNESS: And I can't remember,
18 either.

19 Q. (By Mr. Wood) Well, did the
20 confidential source -- let me see if I can help
21 you. Did the confidential source give you any
22 information about Mr. Condit in any way relating
23 to motorcycles or motorcycle gangs?

24 A. You know, Mr. Wood, I am not sure.
25 I'm really not sure.

00101

1 MR. LiCALSI: That is your answer.

2 Q. (By Mr. Wood) Did the confidential
3 source that you've identified, the only
4 confidential source that you've identified, the
5 one person, did that person give you any
6 information that you believe in any way supports
7 the truth of the statements that you made on
8 the Laura Ingraham radio show?

9 MR. LiCALSI: Again, overbroad,
10 ambiguous and confusing.

11 THE WITNESS: I had certainly
12 discussed that with him. And also, on the
13 shows I was on with Geraldo and Larry King, I
14 talked to other people who were on the shows
15 with me in the green room. We all exchanged
16 information back and -- but I can't remember the
17 specifics.

18 MR. LiCALSI: Just so -- it is a
19 confusing question. He is asking you only with
20 respect to your communications with confidential
21 source A, not with other individuals.

22 THE WITNESS: I am sorry, then. I
23 just don't -- I am sorry. I can't.

24 MR. LiCALSI: You have answered.
25 It's fine. Next question.

00102

1 (Whereupon, the witness and his
2 counsel confer.)

3 MR. LiCALSI: Off the record a
4 second.

5 (Whereupon, the witness and his
6 counsel confer.)

7 MR. LiCALSI: Okay. Back on the
8 record.

9 Q. (By Mr. Wood) I asked you in
10 interrogatory number seven to identify each
11 person with knowledge or information concerning
12 your discussions and/or attempted discussions
13 with the individual from Hamburg, Germany known

14 as the horse whisperer.
15 Did you get -- was there any
16 confidential source information used with respect
17 to those discussions? Do you contend there is
18 a confidential source that has knowledge or
19 information concerning those discussions?
20 MR. LiCALSI: Did a confidential
21 source discuss with you --
22 MR. WOOD: At any time.
23 MR. LiCALSI: -- at any time your
24 discussions with the horse whisperer?
25 THE WITNESS: Yes.

00103

1 Q. (By Mr. Wood) Or your attempted
2 discussions?
3 A. Yes. I am sorry. Yeah.
4 Q. Tell me what the confidential source,
5 what information was provided to you about the
6 horse whisperer by the confidential source?
7 MR. LiCALSI: You can answer.
8 THE WITNESS: The confidential source
9 -- I wrote first that I had been -- felt I had
10 been hoodwinked by the horse whisperer. And the
11 confidential source got hold of the horse
12 whisperer, and then he contacted me and said,
13 would you answer some questions that the horse
14 whisperer, who is Monty Roberts, had said about
15 you.
16 And I said yes, I will, but first
17 you have to hear my experience with the horse
18 whisperer.
19 Q. (By Mr. Wood) When did that
20 conversation take place with the confidential
21 source?
22 A. It was, I believe -- I mean, it is
23 hard for me to tell you just like I can snap
24 off dates like this. This has been a
25 three-year story, so I can't do that.

00104

1 But I know it was in the summer.
2 It was in August because I was at my house in
3 Connecticut. And I think it was, I think it
4 was 2002, but I would hate to be held to that.
5 Q. Was it before this lawsuit was filed
6 or after this lawsuit was filed?
7 A. Oh, before.
8 Q. Was it before Chandra Levy's remains
9 had been discovered at --
10 A. Oh, yes.
11 Q. -- at Rock Creek Park or was it
12 after?
13 A. Oh, no, before.
14 Q. Do you recall when her remains were
15 found?
16 A. I can't remember the date, no.
17 MR. WOOD: Would you mark for
18 purposes of identification to the deposition
19 defendant's responses to first set of continuing
20 interrogatories to defendant as Dunne exhibit
21 number two.
22 MR. LiCALSI: Same thing we have
23 been referring to?
24 MR. WOOD: Yes.

(Whereupon, Exhibit-Dunne-2 was marked

25
00105

1 for identification.)

2 Q. (By Mr. Wood) You admitted as true
3 paragraph 34 of the complaint, Mr. Dunne. On
4 the morning of May 22, 2002, a private citizen
5 discovered skeletal remains in Rock Creek Park
6 in Washington, D.C. that were shortly thereafter
7 identified by law enforcement authorities as the
8 remains of Ms. Levy?

9 A. What was the date, please?

10 Q. May 22, 2002.

11 You don't dispute that statement as
12 true that you admitted to; do you?

13 A. That she was found dead that day?

14 Q. Yes. Just as alleged in that
15 paragraph.

16 A. No.

17 Q. So August of 2002 would have been
18 after her remains had been discovered. Does
19 that help try to orient you as to when you had
20 this discussion with the confidential source
21 about the confidential source's discussions with
22 Monty Roberts? Was it before or after Chandra
23 Levy's remains had been found?

24 A. It was before.

25 Q. Was it after you appeared on Larry
00106

1 King in February of 2002?

2 A. I'm really not sure.

3 Q. All you could tell me --

4 A. I would have to do a time line of
5 all these things, and I don't have it.

6 Q. What questions did the confidential
7 source want you to answer about the horse
8 whisperer and you? Because you said you would
9 answer him but first you wanted to tell the
10 confidential source about your dealings with the
11 horse whisperer or what you knew about him.
12 What questions did the horse whisperer want to
13 get the confidential source to answer?

14 A. He never asked me that. Because
15 once I told him the story of the horse
16 whisperer, he realized -- the horse whisperer
17 had told me that he had met the procurer at a
18 party in Dubai. As I was telling that story
19 to the confidential source, he said, oh, no,
20 that is not where it happened. And I said,
21 no, that's -- what he has told you is his
22 second version in which he said he met him on
23 a plane going from Seattle to Phoenix.

24 And what he was trying to do was to
25 distance himself from Dubai, which was the main

00107

1 source of his income. He had told me Dubai
2 and then distanced himself from it and changed
3 the locale of where the horse whisperer and the
4 procurer met.

5 MR. Li CALSI: Wait a minute. He is
6 not finished with his answer.

7 THE WITNESS: Yes, I think I am.

8 Am I not?

9 Q. (By Mr. Wood) Do you have anything

10 to add to that?

11 MR. LiCALSI: He hasn't told you
12 what the confidential source said about that.

13 Q. (By Mr. Wood) Well, what did the
14 confidential source say about, I assume, the
15 different locales of where the meeting with the
16 horse whisperer and the procurer took place?

17 A. Well, he started out as hostile to
18 me, and he came to realize as I told the story
19 that the horse whisperer had lied to him. That
20 is all I can think of.

21 Q. At the time that you had this
22 conversation that you've just described with the
23 confidential source, you had concluded that the
24 horse whisperer had hoodwinked you; true?

25 A. Yeah.

00108

1 Q. And when you told -- when you had
2 this conversation with the confidential source,
3 the confidential source, upon hearing your
4 discussion about the horse whisperer, agreed with
5 you that the horse whisperer had lied to you;
6 right?

7 A. Yeah.

8 Q. Is it yes?

9 A. Yes.

10 Q. And one of the key facts that led
11 you to believe and conclude that the horse
12 whisperer had hoodwinked you and had lied to you
13 was the fact that the horse whisperer had
14 changed his story about the locale of the
15 meeting between the horse whisperer and the
16 procurer; true?

17 A. Yeah.

18 MR. LiCALSI: Excuse me. I would
19 just like to confer with my client.

20 (Whereupon, the witness and his
21 counsel confer.)

22 THE WITNESS: Well, that was the
23 third --

24 MR. LiCALSI: Go ahead. I am
25 sorry.

00109

1 Q. (By Mr. Wood) Was there ever a third
2 version given to you by the horse whisperer --

3 A. Not to me because, of course, the
4 horse whisperer and I never spoke again after
5 England.

6 Q. What was the third locale?

7 A. Well, I heard from someone else that
8 it had changed from an airplane to a men's room
9 where they had met.

10 Q. You had these three different
11 locales --

12 A. The first is the one, I believe.

13 Q. Right. But it was the fact that
14 the horse whisperer changed the locale that led
15 you to believe that you had been hoodwinked?

16 A. No. Oh, no, no, no, no.

17 Q. Well, what was it --

18 A. No, no.

19 Q. What was it --

20 A. I didn't say that.

21 Q. Well, sir, the record will speak for
22 itself what you said, but let me just get you
23 to tell me.

24 What led you to conclude that the
25 horse whisperer had lied to you about this

00110

1 story?

2 A. When I had the fight with him in
3 England. I knew he was personally close to the
4 Sheikh Mohammed, and the Sheikh Mohammed didn't
5 want Dubai involved in a tacky story.

6 MR. LiCALSI: No. The question is
7 when did you come to the conclusion that you
8 had been hoodwinked by the horse whisperer.

9 MR. WOOD: Excuse me.

10 Q. (By Mr. Wood) The question is what
11 led you to conclude that the horse whisperer had
12 lied to you about his story from the procurer?

13 A. Well, what led me to believe was
14 that when she was found dead. I mean, then I
15 knew for sure. But I suspected him in -- when
16 I went to England to attend that horse race
17 where the procurer was supposed to be and
18 wasn't. When we talked on the telephone there
19 at five in the morning, he was very upset that
20 I was there, number one. He was -- he said --
21 I was in a hotel in London. He was in a
22 hotel in Newmarket where I had been the day
23 before for the horse race. He said he was
24 frightened. He said, I'll be murdered.

25 I said, I only want one thing from

00111

1 you. I want the name of the procurer. And he
2 said, I don't know his name.

3 And I said, You're a fucking liar.

4 Because he had told me too much
5 about the procurer. He told me, I mean, the
6 most intimate details about the guy's beard, how
7 many languages he spoke, that his German wasn't
8 so good, that he spoke Urdu, that he spoke
9 English without an accent, that he wore Savoy
10 Row clothes but on occasion he wore the Arab
11 thing and the thing on his head and the veil.
12 And -- but he was a totally sophisticated man
13 who moved in high -- he told me everything
14 about him. And then he said he didn't know
15 his name. And that is when I called him a
16 liar.

17 Q. And that is when you first began to
18 doubt the truth of what he had told you; right?

19 A. Yeah, yeah.

20 MR. LiCALSI: Well, wait. I will
21 -- no, no, no. I am going to make a
22 objection.

23 When you say the truth about what he
24 told you --

25 MR. WOOD: Yes.

00112

1 MR. LiCALSI: -- he just referred to
2 he called him a liar with respect to not
3 knowing the name of the procurer. When you say
4 the truth of what he had told you, that is
5 ambiguous. Now, if it is beyond that --

6 THE WITNESS: He was lying to me
7 then.

8 Q. (By Mr. Wood) Well, once he lies to
9 you about that, you had to believe and suspect
10 that he may have been lying to you about a lot
11 of that story; right?

12 A. Yes.

13 Q. Yes, sir. And so you had serious
14 doubts about whether you could trust this man
15 telling you the truth about any aspect of the
16 horse whisperer's story after you had this
17 confrontation that you ended up calling him a
18 fucking liar; right? Is that right?

19 A. Yeah, that is the last time I ever
20 talked to him.

21 Q. Yes, sir. And your doubts about
22 this man never changed; you never found him
23 after that to become more reliable, did you; you
24 only found with the passage of time that it was
25 confirmed, with the finding of this young girl's

00113

1 remains, that there was no doubt about it, the
2 guy was a fucking liar; right?

3 A. Yeah.

4 Q. And you had that conversation with
5 that man in England when you went to the Dubai
6 Stakes; right?

7 A. That's right.

8 Q. Prior to December 20 of 2001; true?

9 A. Yeah.

10 Q. Why did you decide to go on the
11 Laura Ingraham radio show on December 20, 2001?

12 A. I was reluctant to go on. Quite
13 honestly, I was over powered by Laura Ingraham.

14 Q. Is that your answer?

15 MR. LiCALSI: Excuse me a second.

16 Are you okay? Do you need a break?

17 THE WITNESS: Yeah, it's okay.

18 Q. (By Mr. Wood) Are you okay to go
19 forward here?

20 A. Yeah.

21 Q. Yeah. Is that why you went on the
22 show, you were over powered by Laura Ingraham?

23 A. Yes, I was.

24 Q. And her -- she wanted you to come
25 on and tell this story about Gary Condit --

00114

1 A. Yes.

2 Q. -- didn't she?

3 A. Yeah.

4 Q. You had relayed to her the entire
5 story about the horse whisperer at lunch?

6 A. That's right.

7 Q. And she said, Dominick, you got to
8 come on the show and tell this story, this is
9 fascinating stuff; true?

10 A. Yeah. And I had -- I have to
11 admit, I had -- I was sort of reluctant, but I
12 went.

13 (Whereupon, Exhibit-Dunne-3 marked for
14 identification.)

15 MR. LiCALSI: Before you show him
16 that.

17 (Whereupon, the witness and his
18 counsel confer.)

19 MR. LiCALSI: We are going to take
20 a break. He wants to consult with me.

21 MR. WOOD: He wants to consult with
22 you or you want to consult with him? The
23 video is going to show you are the one
24 concerned with what he is testifying to with
25 regard to the Laura Ingraham --

00115

1 MR. LiCALSI: That is unfair.

2 MR. WOOD: That is a fair
3 characterization of the record when I ask him
4 about why he did not -- why he agreed to go on
5 the show.

6 MR. LiCALSI: You want to start
7 talking about burning your record.

8 MR. WOOD: No. I am saying when I
9 ask him about why he went on that show and he
10 gave an answer, that is when you decided to
11 confer with him. And it is improper for you
12 to make a record written that says he wanted to
13 confer with you, because I think the record
14 video will show otherwise.

15 MR. LiCALSI: Yeah, but my client
16 and I just talked with each other.

17 MR. WOOD: I am not going to fight
18 with you --

19 MR. LiCALSI: Well, apparently you
20 are.

21 MR. WOOD: No, sir. I'm just not
22 going to let you make a mischaracterization of
23 the accuracy of this record.

24 We are off the record now.

25 THE VIDEOGRAPHER: We are going off

00116

1 the record at 4:51.

2 (Whereupon, a recess was taken at
3 this time.)

4 THE VIDEOGRAPHER: Returning to the
5 record at 5:03 from 4:51.

6 Q. (By Mr. Wood) Mr. Dunne, what
7 factual information do you have that you believe
8 is accurate to indicate that Gary Condit ever
9 went to a Middle Eastern embassy?

10 MR. LiCALSI: I will caution the
11 witness not to state anything he has heard from
12 his attorneys.

13 And I will also object to the
14 question with modifier factually.

15 Please go ahead.

16 MR. WOOD: Well, just for the
17 record, I don't believe -- if you are giving
18 him factual information, I am entitled to know
19 it. I am not entitled to know what you advise
20 him, but I didn't ask him who he got it from.
21 If he has got factual information, whether you
22 got it and told him doesn't prevent him from
23 telling me what he knows about facts. Okay?
24 So I want to go back.

25 Q. (By Mr. Wood) I want to know, sir,

00117

1 what information do you have -- excuse me.

2 What factual information do you have that you
3 believe is accurate to establish that Gary
4 Condit ever went to Middle Eastern embassies?

5 MR. LiCALSI: Same objection.
6 Go ahead.

7 THE WITNESS: My source on that was
8 the horse whisperer who told me that. I
9 believed the horse whisperer.

10 Q. (By Mr. Wood) At the time?

11 A. I believed him for a long time. I
12 believed him until she died. Until she -- not
13 died, I am sorry, until she was found dead.

14 Q. Sir, are you telling me that you had
15 no other source to establish that Mr. Condit had
16 ever gone to any Middle Eastern embassy other
17 than Monty Roberts?

18 A. I took it to Jerry Gruner, who was
19 the investigator, and Billy Martin and another
20 lawyer. I can't remember his name. And --
21 for them to check it out.

22 Q. Let me go back and ask you one more
23 time.

24 MR. LiCALSI: Are you finished with
25 your answer?

00118

1 THE WITNESS: Yeah.

2 Q. (By Mr. Wood) I want to know the
3 name of any source that you rely upon in
4 establishing the truth that Gary Condit had ever
5 gone to any Middle Eastern embassy other than
6 Monty Roberts.

7 MR. LiCALSI: I think he just
8 answered that question.

9 MR. WOOD: I didn't hear any --

10 MR. LiCALSI: Go ahead if you have
11 anything else, sir.

12 Q. (By Mr. Wood) Are you telling me
13 that you got information from Mr. Gruner or
14 Billy Martin or some unidentified lawyer telling
15 you that they had verified --

16 A. No, no. They were checking it out
17 for me.

18 Q. Did they ever give you any
19 information to indicate whether they had
20 concluded it was true or false?

21 A. No.

22 Q. Now, going back to my question then.

23 In terms of any source that you rely upon in
24 establishing the truth that Gary Condit had ever
25 gone to any Middle Eastern embassy, you have no

00119

1 source for that statement other than Monty
2 Roberts; true?

3 A. Source, yes.

4 Q. And when you told the story about
5 Gary Condit going to the Middle Eastern
6 embassies, were you conveying, in part, that he
7 was participating in sexual intercourse with
8 prostitutes at those embassies?

9 MR. LiCALSI: Just I object with
10 respect to when you are referring to his telling
11 the story.

12 Q. (By Mr. Wood) On Laura Ingraham. We

13 will go with the other ones later. Let me go
14 back and rephrase it so it is clear.

15 And when you told the story to Laura
16 Ingraham that included the statement about Gary
17 Condit going to Middle Eastern embassies, were
18 you conveying, in part, that Mr. Condit was
19 participating in sexual intercourse with
20 prostitutes at those embassies?

21 MR. LiCALSI: Okay. I'll object --

22 THE WITNESS: I don't think I said
23 that.

24 MR. LiCALSI: Excuse me a second.

25 I will object. His statements on Laura Ingraham
00120

1 are what they are. If you want to direct him
2 to a specific statement and ask him what his
3 intent was with respect to a specific statement,
4 I won't object. But characterizing those
5 statements, I think, is inappropriate. The
6 statements are what the statements are.

7 THE WITNESS: But --

8 MR. LiCALSI: There's not a question
9 pending.

10 MR. WOOD: I am going to go back to
11 my question.

12 Q. (By Mr. Wood) When you made the
13 statement on Laura Ingraham that Gary Condit had
14 gone to Middle Eastern embassies, were you
15 conveying, in part, with that statement that Mr.
16 Condit had participated in sexual intercourse or
17 sexual activities with prostitutes at those
18 Middle Eastern embassies?

19 A. I don't believe I said that.

20 Q. Did you ever have any information
21 from any source that Gary Condit was going out
22 and engaging in sexual intercourse or sexual
23 activities with prostitutes at a Middle Eastern
24 embassy?

25 MR. LiCALSI: Other than he has
00121

1 already testified?

2 MR. WOOD: He hasn't testified to
3 that.

4 Q. (By Mr. Wood) The question is do you
5 have any information from any source --

6 A. At the time on The Laura Ingraham
7 Show, which I later said that I said things
8 that I regretted, that was what I was referring
9 to, because I knew at that time that Gruner and
10 group were checking that out. And that is why
11 I regretted having said it. I know that pissed
12 them off, my saying that.

13 Q. Let me see if I understand. Are
14 you telling me that at the time you made the
15 statements that Gary Condit had gone to Middle
16 Eastern embassies that Mr. Gruner and these
17 attorneys, Billy Martin and I guess another
18 lawyer in his office --

19 A. Yeah.

20 Q. I think that would be --

21 A. I forgot his name.

22 Q. I think I know exactly who it is.
23 Michael Dyer?

24 A. That is exactly right.

25 Q. Yes, sir.

00122

1 Are you telling me that Mr. Gruner
2 and Billy Martin and Mr. Dyer -- and Martin and
3 Dyer were lawyers for the Levy family; right?

4 A. Yes.

5 Q. -- that they were actively
6 investigating whether Mr. Condit had been
7 engaging in sexual intercourse and activities at
8 Middle Eastern embassies with prostitutes when
9 you made these comments about the horse
10 whisperer story on The Laura Ingraham Show in
11 December of 2001?

12 A. I am quite confused here. But at
13 that time, you see, I had just gotten -- at
14 that time, they were investigating that, and I
15 regretted terribly saying that on the air. That
16 was the first time that I had said that on the
17 air about that.

18 Q. Did you have any information at that
19 time --

20 A. To bolster?

21 MR. LiCALSI: No, no, no. No, no.
22 Let him finish his question.

23 Q. (By Mr. Wood) Did you have any
24 information at the time that you gave the
25 interview on December 20 to Laura Ingraham,

00123

1 factual information, to support the statement
2 that Gary Condit had engaged in sexual
3 intercourse or sexual activities with prostitutes
4 at Middle Eastern embassies?

5 A. I did not.

6 Q. Since the time that you gave that
7 interview on December 20th of 2001, have you
8 ever from any source whatsoever obtained any
9 information that would support a statement that
10 Gary Condit had engaged in sexual intercourse or
11 sexual activities with prostitutes at Middle
12 Eastern embassies?

13 A. No.

14 MR. LiCALSI: I am going to object
15 to that question to the extent it implies that
16 he made that allegation on the Laura Ingraham
17 show, which is -- there is no foundation for
18 that.

19 Q. (By Mr. Wood) Would you answer my
20 question, please, sir?

21 A. I said no.

22 Q. Um?

23 A. I said no.

24 Q. Did the horse whisperer tell you
25 that Gary Condit was engaging in sexual

00124

1 intercourse or sexual activities with prostitutes
2 at Middle Eastern embassies?

3 A. Yes, he did.

4 Q. Did you believe him?

5 A. Yes, I believed him, because he
6 described Mike Dayton going with him. Mike
7 Dayton, whom they treated like a chauffeur, they
8 didn't get the same -- his -- he had incredible

9 details as he told this story. And -- well,
10 that's it.

11 Q. This is the statement you made, one
12 of the statements, to Laura Ingraham?

13 A. On Laura?

14 MR. LiCALSI: Can we have a copy of
15 what you are reading?

16 MR. WOOD: Yes. It is Exhibit 3, I
17 believe.

18 MR. LiCALSI: No. Three is Dominick
19 Dunne's diary from --

20 MR. WOOD: I thought it was three.
21 It is Condit 14.

22 MR. LiCALSI: Can you give us a
23 copy?

24 MR. WOOD: I thought we talked about
25 it earlier, and I did give you a copy.

00125

1 MR. LiCALSI: No. I don't think
2 the witness has been shown it.

3 MR. WOOD: Well, he has been shown
4 that before.

5 MR. LiCALSI: No, no. I mean --
6 are you referring to --

7 MR. WOOD: The amended complaint.

8 MR. LiCALSI: Okay. No, the witness
9 has not been shown that today.

10 MR. WOOD: You are right. I was
11 right because it was Condit Number 3. I had
12 not shown it to you.

13 MR. LiCALSI: Okay. Condit Number
14 3, not Dunne Number 3?

15 MR. WOOD: Yeah.

16 MR. LiCALSI: What page are you on?

17 MR. WOOD: I am on page 10.

18 MR. LiCALSI: And again, I am going
19 to reserve my rights with respect to objections
20 relating to the accuracy of this transcription.
21 Why don't you -- you are referring him to the
22 long portion after the word Dunne in the middle?

23 MR. WOOD: He has got it in front
24 of him. Right there where Ingraham says, Right,
25 right, and then following Dunne, if you'll

00126

1 follow along with me, Mr. Dunne.

2 THE WITNESS: What, and according?

3 MR. LiCALSI: Wait, wait, wait.

4 THE WITNESS: Could I read it,
5 please?

6 Q. (By Mr. Wood) I'm going to read it
7 for you right now and see if I've read it
8 correctly.

9 MR. LiCALSI: No. My client would
10 like to read it to himself. I think you owe
11 him that courtesy.

12 MR. WOOD: I am going to extend
13 that courtesy to him.

14 MR. LiCALSI: What a guy.

15 MR. WOOD: But I think I have --

16 THE WITNESS: Go ahead.

17 MR. WOOD: Your sarcasm is duly
18 noted. It speaks for itself as to level of
19 professionalism involved here.

20 MR. LiCALSI: No.
21 THE WITNESS: I will listen to you.
22 MR. LiCALSI: No, no, no. Read the
23 statement.
24 THE WITNESS: I don't want any
25 fights in here.

00127

1 Yeah, okay.
2 Q. (By Mr. Wood) Did you, sir, in
3 making those statements, intend to convey by
4 implication that Gary Condit had engaged in
5 sexual activities with the prostitutes at Middle
6 Eastern embassies that were brought in by the
7 procurer?
8 A. I said in this thing: According to
9 what the procurer told the horse whisperer.
10 Q. I understand.
11 A. And told to me. That is what I am
12 repeating, a secondhand story.
13 Q. Which conveys that Mr. Condit was
14 engaged in some type of sexual activities at
15 these embassies where these prostitutes were;
16 true?
17 A. Yeah, but do we mention the
18 prostitutes here?
19 Q. No, you had already mentioned them
20 earlier when you talked about the procurer
21 bringing in the young teenaged girls.
22 MR. LiCALSI: Well, wait, wait, wait
23 a second. You are not going to characterize
24 what he said earlier. You want to direct him
25 to something to read that he could read, I will

00128

1 let you. But you are misstating what this --
2 what this says, and that is improper.
3 THE WITNESS: Yeah, there is nothing
4 about girls in here and --
5 Q. (By Mr. Wood) Sir --
6 MR. LiCALSI: Let him finish
7 respondi ng.
8 Q. (By Mr. Wood) Mr. Dunne?
9 A. What?
10 Q. That was the whole story, in part,
11 from the horse whisperer, that the procurer, who
12 was this alleged eyewitness to certain
13 activities, was the procurer of young teenage
14 girls brought to Middle Eastern embassies, as it
15 was described to you, to satisfy the nocturnal
16 pleasures of powerful people that came to the
17 embassies; right? Isn't that true, sir?
18 A. Yeah. But I don't say that here.
19 Q. No, not there, but you said it in
20 -- you recognize you said it in the interview?
21 A. Yeah.
22 MR. LiCALSI: Objection. Objection.
23 No, no, no. That is improper
24 to characterize. If you want to point him to
25 something in this interview, you go ahead; but

00129

1 you don't put words in my client's mouth.
2 MR. WOOD: Would you please take a
3 deep breath and conduct yourself professionally.
4 There is no reason, Paul, and you are too good

5 a lawyer and too experienced for you to sit
6 here and start yelling simply because you don't
7 like the question. Make a professional
8 objection in a professional manner. I am trying
9 to do the same.

10 MR. Li CALSI: I've made my
11 objection.

12 MR. WOOD: All right, sir.
13 Q. (By Mr. Wood) Sir, the procurer
14 provided women for the nocturnal pleasures of
15 high ranking people in the Middle East as well
16 as the Middle Eastern embassy in Washington,
17 according to the horse whisperer; true?

18 A. That's right.

19 Q. And did you say that on Laura
20 Ingraham?

21 Listen, go straight to page 8 of the
22 exhibit.

23 A. Well, I --

24 MR. Li CALSI: Wait, there is no
25 question.

00130

1 Q. (By Mr. Wood) Go to page 8. About
2 halfway down Ingraham says: What do you mean?

3 Dunne: He provided women for the
4 nocturnal pleasures of high-ranking people in the
5 Middle East as well as the Middle Eastern
6 embassy in Washington.

7 A. Okay.

8 Q. You made that statement; didn't you?

9 A. Okay.

10 MR. Li CALSI: Wait, wait.

11 Q. (By Mr. Wood) Down from that he says
12 that these were late teenagers; right?

13 A. That is correct.

14 Q. The girls that got in -- into the
15 country and didn't seem to have to check in?

16 A. That was verified by Gruner later,
17 by the way, that before 9/11 that happened.

18 Q. Now, sir, making, looking at these
19 statements that you had made, were you, in
20 telling the horse whisperer story, conveying what
21 he had told you, that Gary Condit had been
22 involved in some level of sexual activity with
23 these prostitutes at Middle Eastern embassies?

24 MR. Li CALSI: Objection, vague.
25 Do you understand the question?

00131

1 THE WITNESS: Yeah, I do. But I do
2 say that here.

3 Q. (By Mr. Wood) You do --

4 MR. Li CALSI: Say what here?

5 THE WITNESS: About the prostitutes.

6 And that -- yeah, they said that they provided
7 prostitutes for Mike Dayton too.

8 MR. Li CALSI: But his question was
9 did you say that here.

10 Q. (By Mr. Wood) No, my question is,
11 don't you admit, sir, that in telling this story
12 about the prostitutes and then saying that Mr.
13 Condit attended these Middle Eastern embassies
14 where these girls were that that implied that
15 the horse whisperer had told you that Gary

16 Condit was involved in sexual activities with
17 these prostitutes at the embassies? It does;
18 doesn't it, sir?

19 A. It does, yes.

20 Q. Yes, sir. And that is what you
21 told Graydon Carter when you wrote him a letter
22 back in October and conveyed to him the horse
23 whisperer story; true?

24 A. Yes.

25 Q. Have you recently reviewed your
00132

1 October 7, 2001, letter to Graydon Carter?

2 A. Yes.

3 Q. When did you last review it?

4 A. Today.

5 Q. Before the deposition started?

6 A. Uh-huh (affirmative.)

7 (Whereupon, Exhibit-Dunne-4 was marked
8 for identification.)

9 Q. (By Mr. Wood) Look at page 2.
10 (Whereupon, the witness and his
11 counsel confer.)

12 MR. LiCALSI: I am sorry. Go
13 ahead.

14 MR. WOOD: That's okay.

15 Q. (By Mr. Wood) Do you need to take a
16 moment and read it? I mean, if you read it
17 today, I am assuming you are familiar with it.

18 A. Yeah, I am pretty familiar with it.

19 Q. Is what I have handed you that has
20 been marked for purposes of identification to
21 your deposition as Dunne-4, is that, sir, a true
22 and correct copy of the letter that you wrote
23 and sent to Graydon Carter dated October 7,
24 2001?

25 A. This is the letter, yes.

00133
1 Q. And look at the second page of that
2 letter. The second paragraph down. How exactly
3 Gary Condit got mixed up with the Middle Eastern
4 embassies and what their relationships were, I
5 don't know.

6 Have I read that correctly?

7 A. Correct.

8 Q. Have you ever learned any information
9 about Gary Condit getting mixed up in any way
10 with Middle Eastern embassies at any time?

11 MR. LiCALSI: Do you mean other than
12 what the horse whisperer told him?

13 MR. WOOD: The horse whisperer
14 didn't tell him, as I read this. He was vague
15 on that part of the story.

16 MR. LiCALSI: Well, you are taking
17 one sentence --

18 MR. WOOD: I am not going to argue
19 with you.

20 MR. LiCALSI: No, no, no, no.

21 MR. WOOD: My question --

22 THE WITNESS: Yeah, but he did say
23 that.

24 MR. LiCALSI: You know, he didn't
25 say --

00134

1 MR. WOOD: You know, one "no"
2 generally works.
3 THE WITNESS: He did --
4 MR. Li CALSI: When you are not being
5 interrupted, it usually does.
6 THE WITNESS: Girls were provided
7 for him --
8 MR. Li CALSI: Wait, wait, wait.
9 THE WITNESS: -- this is what he
10 told me.
11 MR. Li CALSI: Wait, wait, wait.
12 MR. WOOD: With your conduct --
13 MR. Li CALSI: Wait, wait. There is
14 no question pending right now.
15 MR. WOOD: With your conduct in this
16 deposition today, I just think that is --
17 MR. Li CALSI: I don't need your
18 lectures, Mr. Wood.
19 MR. WOOD: Somebody needs to lecture
20 you because I don't find your -- I mean, I
21 tell you what, I mean, this isn't professional,
22 in my view, and I have been doing it for a
23 while, too. I am just surprised.
24 MR. Li CALSI: No, I saw your --
25 MR. WOOD: I'm a little surprised.

00135

1 MR. Li CALSI: I saw your
2 professionalism the other day at work.
3 MR. WOOD: Yes, sir. And I stand
4 by my --
5 MR. Li CALSI: I'm sure you stand.
6 MR. WOOD: -- professionalism.
7 MR. Li CALSI: Now, let's continue.
8 MR. WOOD: And I don't -- I try to
9 avoid sarcasm to counsel. But I understand why
10 you need to be sarcastic here. I understand
11 exactly what the problem is.
12 MR. Li CALSI: I appreciate your
13 comments.
14 MR. WOOD: Yes, sir.
15 MR. Li CALSI: Now, let's continue.
16 Q. (By Mr. Wood) Sir, have you ever
17 learned any information, factual information,
18 about Gary Condit being mixed up with Middle
19 Eastern embassies?
20 MR. Li CALSI: Again, objection to
21 the word factual.
22 Go ahead.
23 THE WITNESS: I have not.
24 Q. (By Mr. Wood) Have you ever learned
25 any factual information that in any way would

00136

1 describe any relationship between Gary Condit and
2 any Middle Eastern embassy?
3 A. I have not.
4 Q. And the horse whisperer didn't give
5 you any help factually in that regard other than
6 to say that he knew that Condit was on the
7 Intelligence Committee, as did the procurer;
8 right?
9 MR. Li CALSI: Objection. I think
10 that is an unintelligible question. That is my
11 objection. Continue.

12 Q. (By Mr. Wood) Did you understand my
13 question, Mr. Dunne?

14 A. Yes.

15 Q. And the answer is that the horse
16 whisperer didn't give you any such information;
17 did he?

18 MR. Li CALSI: Objection --

19 Q. (By Mr. Wood) Other than to say --

20 MR. Li CALSI: -- vague and

21 ambiguous.

22 Q. (By Mr. Wood) -- other than to say
23 that he knew, as did the procurer, that Mr.
24 Condit was on the Intelligence Committee; that
25 is all the information he gave you in that

00137

1 regard; true?

2 MR. Li CALSI: Objection.

3 Q. (By Mr. Wood) Is that right, Mr.
4 Dunne?

5 MR. Li CALSI: It's misstating his
6 testimony.

7 Q. (By Mr. Wood) Is that right, Mr.
8 Dunne?

9 A. Yeah, I guess so.

10 Q. Thank you. Because, as you
11 acknowledge to Mr. Carter, the horse whisperer
12 was vague on that part of the story; wasn't he?

13 A. Uh-huh (affirmative.)

14 Q. Is your answer yes?

15 A. Yes.

16 Q. And then you go on and you say
17 girls --

18 MR. Li CALSI: Did you finish your
19 answer?

20 THE WITNESS: But less vague when
21 the Gruner gave me questions to ask him.

22 Q. (By Mr. Wood) We are going to go
23 over that in detail at a later time.

24 Your letter goes on to Graydon
25 Carter, and it says: Girls were provided for

00138

1 him.

2 And you are saying him referring to
3 Gary Condit; aren't you?

4 A. Uh-huh (affirmative.)

5 Q. Is your answer yes?

6 A. Yes.

7 Q. Girls were provided for him as well
8 as for his assistant Mike Dayton who was the
9 one who drove Condit to Virginia to throw away
10 the watch box.

11 Have I read that correctly?

12 A. Correct.

13 Q. Apparently Condit was in pig heaven
14 with all the fresh young pussy.

15 Have I read that correctly, sir?

16 A. That's my addition. That was not
17 told to me by them.

18 Q. Why did you feel the need to make
19 an addition --

20 A. Because this is --

21 Q. Excuse me.

22 A. Because this is my boss and my

23 friend.
24 MR. LiCALSI: No, no, no.
25 MR. WOOD: Mr. Dunne, you need to
00139
1 let me finish the question.
2 MR. LiCALSI: You need to let him
3 finish his question.
4 Q. (By Mr. Wood) Why did you feel the
5 need to make an addition in this letter where
6 you are conveying the horse whisperer's story to
7 state that apparently then Congressman Gary
8 Condit was in pig heaven with all the fresh
9 young pussy; why did you feel the need to make
10 that addition, sir?
11 A. Well, this was not to be published.
12 This was not -- this was letting my editor, who
13 is my friend, in on the story. And he gave me
14 some version of that, but the pig heaven is
15 mine.
16 Q. How about the fresh young pussy?
17 A. Yeah, that is me. That's me.
18 Q. How often do you embellish on the
19 truth?
20 MR. LiCALSI: Objection. That is
21 argumentative.
22 THE WITNESS: Well, that is not
23 embellishing.
24 MR. LiCALSI: That's argumentative.
25 THE WITNESS: That is not
00140
1 embellishing on the -- "apparently" is in the
2 sentence.
3 Q. (By Mr. Wood) Did the horse
4 whisperer tell you that Gary Condit was in pig
5 heaven with all the fresh young pussy?
6 MR. LiCALSI: Asked and answered.
7 THE WITNESS: I've just told you the
8 answer to that.
9 Q. (By Mr. Wood) And he did not tell
10 you that; did he?
11 A. No.
12 MR. LiCALSI: Asked and answered.
13 Q. (By Mr. Wood) You added that in
14 yourself; true?
15 A. Yes. I put "apparently" on it.
16 That was me.
17 Q. Well, did you just come up with that
18 description of Gary Condit out of thin air, that
19 he was in pig heaven with all the fresh young
20 pussy?
21 MR. LiCALSI: Again, asked and
22 answered.
23 THE WITNESS: I don't know how to
24 answer it.
25 Q. (By Mr. Wood) Sir?
00141
1 MR. LiCALSI: He doesn't understand
2 your question.
3 THE WITNESS: Well, I do understand
4 the question. It was a personal aside to
5 Graydon. A private letter. I can make a
6 comment in a private letter.
7 Q. (By Mr. Wood) Do you have any fact,
Page 58

8 then or now, to support that statement that Gary
9 Condit was in pig heaven with all the fresh
10 young pussy; do you, sir?

11 MR. LiCALSI: Objection, asked and
12 answered.

13 Q. (By Mr. Wood) You don't; do you,
14 sir?

15 MR. LiCALSI: Same objection.

16 Q. (By Mr. Wood) Isn't that the truth?
17 You don't have it; do you, Mr. Dunne?

18 MR. LiCALSI: Do you understand the
19 question?

20 THE WITNESS: I do.

21 You know, I don't know if I do or
22 not. I mean, if I -- that was definitely my
23 sentence. That was not -- I was not quoting
24 the horse whisperer at that point.

25 Q. (By Mr. Wood) My question, Mr.

00142

1 Dunne, is --

2 A. And fit into the description of Mr.
3 Condit's sexual life. But that was a comment
4 of mine. I have no proof of that; you are
5 quite right.

6 Q. Didn't have any proof of it then,
7 don't have any proof of it now; true?

8 MR. LiCALSI: Objection.

9 Q. (By Mr. Wood) True?

10 A. This is before I went to Washington,
11 at which point they were looking into -- that
12 is why I regretted having said it on Laura
13 Ingraham because I knew they were investigating
14 that point.

15 Q. Mr. Dunne, you didn't have any proof
16 of that statement being true then, and you don't
17 have any proof of it being true now; isn't that
18 the truth, sir?

19 A. Yeah, this apparently line, yes. I
20 have said it six times to you.

21 MR. LiCALSI: It is now 5:30. You
22 wanted to resume at 1:00 tomorrow?

23 MR. WOOD: Well, I thought we had
24 three and a half hours of testimony. We
25 haven't had three and a half hours of testimony

00143

1 today.

2 MR. LiCALSI: No, no, no, no. We
3 have three and a half hour sessions each day.
4 Read the court's order.

5 MR. WOOD: So you can object and
6 take away the bulk of my deposition time?

7 MR. LiCALSI: Mr. Wood, the court's
8 order is that you get three and a half hours.
9 I am going to make my objections on the record;
10 and if you want to argue about the time, that's
11 fine. But the court's order was that there
12 were three-and-a-half-hour sessions. You asked
13 repeatedly objectionable questions. I have made
14 appropriate objections. We are not going to go
15 into late hours. This is an elderly witness.
16 The court made its order. And --

17 THE WITNESS: Elderly?

18 MR. LiCALSI: And this is now a

19 late hour. We will resume tomorrow for another
20 three-and-a-half-hour session.

21 MR. WOOD: I can't put a gun to
22 your head and make you do what's right, but I'm
23 entitled to --

24 MR. Li CALSI: I --

25 MR. WOOD: Let me finish. I don't
00144 1 want to have to yell at you.

2 MR. Li CALSI: Don't direct that to
3 my client. Look at me when you're talking.

4 MR. WOOD: All right, sir, I will
5 look at you. I wasn't looking at Mr. Dunne,
6 actually.

7 MR. Li CALSI: No, you were.

8 THE WITNESS: Yes, you were.

9 MR. WOOD: Excuse me. I am
10 directing it to you.

11 THE WITNESS: I didn't mind.

12 MR. WOOD: I didn't think you did.

13 I mean, the fact of the matter is,
14 Paul, I think that the order in its spirit and
15 as I understand the rule here is that I am
16 entitled to seven hours of testimony, not seven
17 hours of a deposition, seven hours of testimony
18 from the witness. Excuse me.

19 We have taken a number of breaks
20 today. I accommodated Mr. Dunne and will
21 continue to do so to give him as many breaks
22 as he needs, just as we took a number of
23 breaks in Mr. Condit's deposition. But I think
24 that I am right that I am entitled to seven
25 hours of deposition testimony.

00145 1 And the intent of the order, it was
2 an agreement between Laura Handman and me, not
3 the order of the court, except to endorse our
4 consent agreement, was that the deposition would
5 be divided into two days, I would get my seven
6 hours of testimony; and I haven't gotten half of
7 that today. And I don't want there to be any
8 confusion that I don't think it is a seven-hour
9 deposition. I think the rule is I get seven
10 hours of testimony and more if you agree or the
11 judge so orders.

12 This gentleman, you used the term
13 elderly to describe him, sat through a long day
14 with Gary Condit and didn't have any trouble
15 doing so, started at your office before 10:00 in
16 the morning and stayed there Monday until after
17 6:00 p.m. So I don't think it is fair to try
18 to make any type of characterization of this
19 record that somehow Mr. Dunne because of his age
20 would be unable today to go forward with some
21 additional testimony, even if it is for an
22 additional 30 minutes.

23 But if you want to think about it,
24 fine. If you are just saying we are stopping
25 right now, I can't change that. Just like the

00146 1 other day, I offered to continue to go on with
2 Gary Condit beyond seven hours of deposition
3 time; and you declined to do so.

4 So, I mean, you know, I am here. I
5 spent a lot of money to come here, my client
6 spent a lot of money to come here to get this
7 deposition taken. And I would like to think
8 that we could get some more testimony today. But
9 that is going to be your call, apparently.

10 MR. LICALSI: No. I will see you
11 tomorrow at 1:00.

12 MR. WOOD: Thank you very much. I
13 understand your position. It is so noted. We
14 are off the record.

15 THE VIDEOGRAPHER: We are off the
16 record for the day at 5:32 p.m. This is the
17 end of tape number two.

18 (Whereupon, the deposition will be
19 continued.)

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00147

1 STATE OF GEORGIA:
2 COUNTY OF FULTON:

3 I hereby certify that the foregoing
4 transcript was reported, as stated in the
5 caption, and the questions and answers
6 thereto were reduced to typewriting under my
7 direction; that the foregoing pages represent
8 a true, complete, and correct transcript of
9 the evidence given upon said hearing, and I
10 further certify that I am not of kin or
11 counsel to the parties in the case; am not
12 in the employ of counsel for any of said
13 parties; nor am I in any way interested in
14 the result of said case.

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00148

1 Disclosure Pursuant to Article
2 8(B) of the Rules and Regulations of the
3 Board of Court Reporting of the Judicial
4 Council of Georgia, I make the following
5 disclosure:

6 I am a Georgia Certified Court
7 Reporter, here as a representative of
8 Alexander Gallo & Associates, Inc., to report
9 the foregoing matter. Alexander Gallo &
10 Associates, Inc., is not taking this
11 deposition under any contract that is
12 prohibited by O.C.G.A. 5-14-37 (a) and (b).

13 Alexander Gallo & Associates,
14 Inc., will be charging its usual and

15 customary rates for this transcript.

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Alexander J. Gallo, CCR B-1336, CRR

00149

CAPTION

1 The Deposition of Dominick Dunne,
2 taken in the matter, on the date, and at the
3 time and place set out on the title page
4 hereof.

5 It was requested that the deposition
6 be taken by the reporter and that same be
7 reduced to typewritten form.

8 It was agreed by and between counsel
9 and the parties that the Deponent will read
10 and sign the transcript of said deposition.

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CERTIFICATE

1 STATE OF :
2 COUNTY/CITY OF :

3 Before me, this day, personally
4 appeared, Dominick Dunne, who, being duly
5 sworn, states that the foregoing transcript
6 of his/her Deposition, taken in the matter,
7 on the date, and at the time and place set
8 out on the title page hereof, constitutes a
9 true and accurate transcript of said
10 deposition.

11
12
13 Dominick Dunne

14 .
15 SUBSCRIBED and SWORN to before me this
16 day of , 2004 in the
17 jurisdiction aforesaid.

18
19 My Commission Expires Notary Public

20 .
21 No changes made to the Errata Sheet;
22 therefore, I am returning only this signed,
23 notarized certificate.
24 I am returning this signed, notarized
25 certificate and Errata Sheet with changes noted.

00151

DEPOSITION ERRATA SHEET

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RE: Alexander Gallo & Associates
File No. 4052
Case Caption: Gary Condit vs.
Domi ni ck Dunne

Deponent: Domi ni ck Dunne
Deposition Date: September 29, 2004

To the Reporter:
I have read the entire transcript of my
Deposition taken in the captioned matter or
the same has been read to me. I request
that the following changes be entered upon
the record for the reasons indicated. I
have signed my name to the Errata Sheet and
the appropriate Certificate and authorize you
to attach both to the original transcript.

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Deposition of Domi ni ck Dunne

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SIGNATURE: _____ DATE: _____
Domi ni ck Dunne.

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