

Geoffrey C. Shepard, Esq.
535 Gradyville Road, Unit S-118
Newtown Square, PA 19073

October 4, 2021

Jeffrey R. Ragsdale, Counsel
Office of Professional Responsibility
Department of Justice, Suite 3266
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Counselor:

In Re: Complaint of Geoffrey Shepard (10/3/21)

This is submitted in furtherance of my complaint concerning attorney misconduct, which was filed electronically on October 3, 2021. Enclosed are copies of the three books listed in that complaint:

- Book I. *The Secret Plot to Make Ted Kennedy President* (Penguin Sentinel, 2008).

This book describes how political supporters of the Kennedy family dynasty secured control of the Watergate investigations, prosecuted Nixon and his top aides for their minor roles in the Watergate Cover-up Conspiracy (John Mitchell, Bob Haldeman, John Ehrlichman and Charles Colson), and allowed the real perpetrators (John Dean and Jeb Magruder) to get off essentially scot-free.

Perhaps the key document revealed in the book, for purposes of my Complaint, is reproduced at Appendix U: the Memo to Files dated November 15, 1973, by Peter F. Rient and Judy Denny, (available on line at <https://shepardonwatergate.com/documents/RN004-U.pdf>) and discussed in Book I beginning at p. 158. The memo contains notes from interviews of original prosecutors, Assistant U.S. Attorneys Seymour Glanzer and Don Campbell, on September 18 and October 10, 1973. It details the changes in John

Dean's testimony, over the course of the series of meetings he and his criminal defense attorney held with prosecutors during April, 1973, when Dean sought immunity from prosecution as the Watergate Cover-up collapsed around him. These material changes in his story were never shared with defense counsel as required by the Brady Rule.

- Book II. *Inside the Real Watergate Scandal, Collusion, Conspiracy and the Plot that Brought Nixon Down* (Regnery, 2015).

This book is primarily based upon materials from Leon Jaworski's confidential Watergate files, which he improperly took with him after resigning as special prosecutor in October, 1974, as the three-month Cover-up Trial was just getting underway. It was my FOIA request that resulted in these materials first being made available to researchers at the National Archives in 2013. They show, among other things, that Jaworski held a series of *ex parte* meetings with Judge Sirica, including those on December 14, 1973 and February 11 and March 1, 1974. Other prosecutors involved in such *ex parte* meetings include Deputy Special Prosecutor Henry Ruth, Counsel to the Special Prosecutor Philip Lacovara and Assistant Special Prosecutor Richard Ben-Veniste. They also detail something of a quid pro quo: The prosecutors would take steps to enable Sirica to name himself as trial judge in exchange for his approving their sealed transfer of grand jury evidence to the House Judiciary Committee, where it would lead to Nixon's impeachment.

These internal memos also show Jaworski's worry that the staff he had inherited from his predecessor was so vindictive that they had set out to get the President "at all cost", as well as his concerns over prosecutors' secret staffing of the Judiciary Committee, which included a series of meetings with John Doar and members of his Impeachment Inquiry staff. See, e.g. <https://shepardonwatergate.com/documents/RN072-I.pdf> and <https://shepardonwatergate.com/wp-content/uploads/2015/06/AD-5-1.pdf>.

- Book III. *The Nixon Conspiracy, Watergate and the Plot to Remove the President* (Bombardier Books, 2021).

This third book, whose official publication date is November 23, is a re-telling of the unfolding of the Watergate scandal, with the perspective of

materials that have come to light in the intervening fifty years. The most significant material comes from prosecutors' Road Map, which I succeeded in having unsealed in 2018. This is the document used by prosecutors to convince grand jurors to name Nixon an unindicted co-conspirator in the Cover-up, as well as members of the House Judiciary Committee to recommend his impeachment. When carefully analyzed, the Road Map contains falsehoods and misrepresentations designed to disguise the absence of critical evidence missing from the chain of events that they alleged proved that President Nixon must have personally approved (on the afternoon of Wednesday, March 21, 1973) the payment of "hush money" to Watergate burglar Howard Hunt (which had, in fact, occurred that very evening).

Other Documents. There are many additional documents on my website (www.ShepardOnWatergate.com) that detail additional prosecutorial wrongdoing. These include the staff meeting notes taken by Associate Special Prosecutor James Vorenberg, showing that Jaworski's ex parte meetings with Judge Sirica were not only well known, but openly discussed, at various staff meetings – See <https://shepardonwatergate.com/wp-content/uploads/2015/06/AD-7-41.pdf> -- as well as detailing prosecutors' concerns that Magruder could not be counted upon to tell the truth during his trial testimony (<https://shepardonwatergate.com/wp-content/uploads/2015/06/AD-7-7-compressed.pdf>).

Conclusion. The Watergate prosecutions occurred decades ago, but the prosecutorial wrongdoing was truly overwhelming – perhaps because there was no effective DOJ oversight of the Watergate Special Prosecution Force. Once their hero Archibald Cox had been fired in the Saturday Night Massacre, they adopted a "scorched earth" approach to investigate and prosecute anyone associated with the Nixon administration. The Department of Justice owes it to itself – as well as to the American public – to look into what resulted.

OPR has the responsibility for conducting this investigation – and restoring justice for those so long denied the due process rights guaranteed by the Fifth and Sixth Amendments.

Meeting Request. I respectfully request the opportunity to make a personal presentation of the evidence I have uncovered – as well as to respond to questions by those responsible for conducting your inquiry.

Respectfully submitted,

Geoffrey C. Shepard, Esq.

Enclosures