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October 11, 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 second letter is submitted in furtherance of my Complaint concerning attorney misconduct, which was filed electronically on October 3, 2021.

I write to explain the delay in filing this Complaint, since the attorney misconduct admittedly occurred almost fifty years prior. That delay, however, is due entirely to further misconduct by the attorneys in question – who took steps to assure key internal files remained unavailable to the public.

You see, the top three prosecutors took sensitive internal files with them when leaving office, along with arranging for the sealing of their accusations against the president himself. It was only within the past eight years that these documents have become available for review – and in each instance, I was responsible for their public exposure. These are the four caches of documents that have recently surfaced:

- Leon Jaworski's Confidential Watergate Files. Jaworski took these files with him upon resigning and returning to Texas at the end of October, 1974. They became co-mingled with his other papers, which were donated to Baylor Law School when he died in 1982. Baylor, in turn, did not make them available for public review until about 2012. When it was first reported that they contained secret grand jury materials, the

National Archives arranged for their retrieval, redacted appropriate portions, and made the remainder available for public review in 2013, in response to my FOIA request.

I was the first to review them and to realize their significance. They not only detailed Jaworski's series of *ex parte* meetings with Judge Sirica, they described his ongoing concerns with the political bias of his inherited staff. The first description of their content occurred with my August 9, 2013 article in *The Atlantic*: <https://www.theatlantic.com/politics/archive/2013/08/the-watergate-cover-up-trial-justice-denied/278522/>

- James Vorenberg's Staff Meeting Notes. Harvard law professor Jim Vorenberg was Archibald Cox's first hire. As associate special prosecutor, he took lead responsibility for organizing and staffing the Watergate Special Prosecution Force (WSPF), initially budgeted for almost a hundred hires, as well as for maintaining records of events appropriate for inclusion in WSPF's Report, once it had completed its mission. As a part of this initiative, he took careful notes at each staff meeting. Vorenberg took these notes, clearly government documents, with him when returning to Harvard and used them in drafting the WSPF Report dated October, 1975. There they became co-mingled with his other papers – Vorenberg was Dean from 1981 to 1989 – which he donated to the law school upon his death in 2000. In spite of my repeated requests, those papers were not made available to the public until 2015, when (again) I was the first to review and copy them.

They describe how Jaworski's *ex parte* meetings with Judge Sirica were openly discussed at WSPF staff meetings, as well as Jaworski's internal struggles to reign in the intense political bias of his inherited staff. Important sections are analyzed on my website at <https://shepardonwatergate.com/wp-content/uploads/2015/06/AD-7-41.pdf>

- Grand Jury Report and Recommendation Concerning Transmission of Evidence to the House of Representatives. Prosecutors' infamous Road Map, so termed because it would lead the House Judiciary Committee (HJC) to evidence justifying Nixon's impeachment, was transmitted – under seal -- in March, 1974. It remained secret for forty-five years, until

unsealed on October 11, 2018 in response to my Petition, 11-mc-44(BAH). While the Road Map itself is only fifty-five pages in length, the materials cited as references, principally grand jury testimony and White House tape transcripts, print out to over a thousand pages.

The first detailed analysis of the Road Map is contained in Chapter 19 of my forthcoming book, *The Nixon Conspiracy*, a copy of which was previously submitted in connection with this Complaint. It details the falsehoods and misrepresentations made by WSPF prosecutors to grand jurors and Hill staff alike.

- Philip Lacovara's Files. As with Jaworski and Vorenberg, Philip Lacovara took his files with him upon resigning – rather dramatically – in response to President Ford's pardon of Richard Nixon. As Counsel to the Special Prosecutor, Lacovara had staffed both Cox and Jaworski on sensitive issues and his files provide real insights into WSPF's activities.

He did not make these files available to the National Archives until 2020, where I was the first to examine them. They provide significant insights into his concerns over many of the prosecutorial decisions made by Watergate prosecutors.

As a consequence of these hidden files, there was simply no way for anyone to gain knowledge of the extent of the attorney misconduct by WSPF prosecutors. And, hence, my Complaint is as timely as possible under these circumstances.

I write also to reiterate my request for the opportunity to appear in person, to explain in detail the basis for my allegations. Watergate is a complex and convoluted subject, particularly for those not having lived through it. As an indication of this, I have attached a draft outline of my proposed presentation.

I will be in D.C. and available to make a personal presentation at any of the following times:

- Thursday, October 14, between 10am and 1pm

- Wednesday, Thursday or Friday, October 20-22, between 10am and 4pm
- Tuesday, November 2, between 10am and 4pm

Please let me know if any will work for your office.

Respectfully submitted,

Geoffrey C Shepard, Esq.
Attachment