

Feb. 8, 2008

We have received a response to our Jan. 18 article, "[Crooked Claims About Clinton](#)," from Douglas Cogan, co-producer of the video that we described as making a number of false or misleading claims.

We've reviewed Cogan's comments carefully and see no reason to change anything we said. Cogan does not dispute the factual accuracy of anything in the article, with two minor exceptions. We disagree with both:

- He disputes our description of Peter Paul as a "narrator": "Paul, who is clearly not the narrator of our film. We hired a notable voiceover actor to undertake that function," Cogan says. Actually, we described Paul as "the narrator of the *video*" not the longer "film" to which Cogan refers. Paul's voice is the only one heard on the video except when others appear on screen in interviews, so we believe his voice-over comments can fairly be called narration.
- Cogan also objects to our statement that one claim made in the video is "mostly true, but a bit misleading." He states: "We maintain that the statement is entirely true and in no way misleading." What we said referred to a statement in the video by Paul that Hillary Clinton's finance director "faxed me a request for \$100,000." We still believe it is "mostly" but not entirely true. Our view is that Paul's words make it seem that the \$100,000 was being sought for Clinton's campaign, when it was actually for a group called Working Families.

Cogan objects generally that we did not find four-time felon Paul to be as credible a witness as he does and that we did not include in our article a number of details that he feels are important. He offers a number of arguments, all of which we find unpersuasive if not opaque. He states that Paul passed a polygraph test, for example. But the Supreme Court has [ruled](#) that polygraph tests are too unreliable to be trusted as evidence, and we agree.

Nevertheless, we are posting Cogan's comments in full, unedited, so that our readers may judge for themselves what merit they have.

Brooks Jackson  
Director, FactCheck.org

## Response to analysis of **HILLARY! UNCENSORED: Banned by the Media**

About FactCheck.org

Our Mission

We are a nonpartisan, nonprofit, "consumer advocate" for voters that aims to reduce the level of deception and confusion in U.S. politics.

Re:

Crooked Claims About Clinton

January 18, 2008

Four-time convicted felon falsely accuses Clinton in video viewed by millions.

Unedited segment, [HILLARY! UNCENSORED: Banned by the Media](#)

Thanks to Brooks Jackson at FactCheck.org for giving me the opportunity to respond. He told me he would publish it and post it on the factcheck.org website. He is a man of his word, and I appreciate it.

Perhaps I am misinterpreting the intent and tone of the headline and sub-headline, but a reasonable person could conclude that the analysis didn't appear to be truly non-partisan. If someone is "checking facts," "Errors in Clinton Video" would have seemed somewhat less incendiary, significantly more non-partisan, and less dismissive of our work. "Four-time convicted felon" could have been more fair if the defendant also carried a label. Our film acknowledges that Paul has a felony record. But in this case, the defendant, who has not been given a label, was impeached, lost his law license, committed and suborned perjury, had his secretary hide evidence under her bed, turned a false affidavit in to the court, was held in civil contempt by the court, paid the plaintiff \$850,000 to settle the case, etc. A key witness in Paul v Clinton is Hillary Clinton. Independent Counsel Robert Ray determined that she had given "factually inaccurate" testimony in the Travel Office case. The sub-headline leads people to the inevitable conclusion that the plaintiff has absolutely no credibility. That he is less credible than the defendant is certainly open to speculation. Putting the argument of credibility aside, Paul has always asked people to simply look at the evidence in the case.

*Viveca Novak: We analyzed only the preview, because it is readily available on the Internet and has drawn such a large audience; we viewed the longer film to make sure we weren't misunderstanding Paul's charges.*

That is a startling, yet important admission, the candor of which I appreciate. It never occurred to me to analyze only a rough-cut segment and pass judgment on someone's film as being "crooked claims," particularly when we have made the entire film readily available to journalists on youperview.com. We hope the readers are not going to make a decision, based on the analysis of a segment, that the entire legal case consists of "crooked claims." The sub-headline made a legal conclusion. There is a pending legal action whose discovery we have not seen and whose day in court has not yet occurred. Perhaps we should wait until a court of law makes a determination. I hope people will all read the documentation that is stored on [hillcap.org](#) so an independent conclusion may be reached based on an enormous volume of work.

*Viveca Novak: (referring to our rough-cut segment) And what it leaves out is often more important than what it tells us.*

That is a fair statement, but it is also true that what is left out of a review is often more important than what it tells us.

\* re: Peter Paul described as the narrator.

The word "narrator" has a specific meaning -one who narrates- as opposed to one who is featured or interviewed. Many people were featured and interviewed, including Paul, who is clearly not the narrator of our film. We hired a notable voiceover actor to undertake that function.

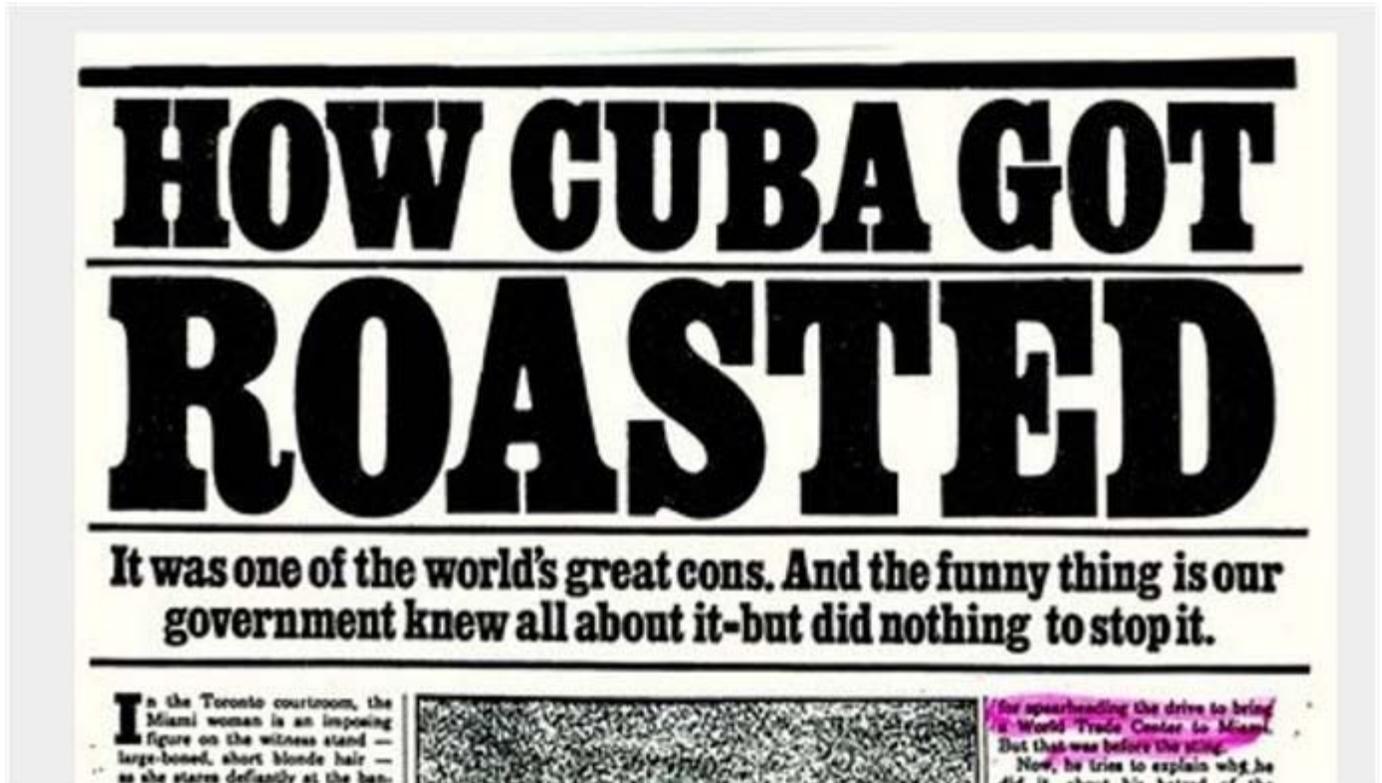
\* I don't understand the point of comparing or linking HILLARY! UNCENSORED to any other documentary. This documentary is uniquely based on home videos, the personal experiences of someone whom the Clintons called a friend, and legal proceedings with a former president as the defendant. Peter Paul was induced to become Hillary's largest donor and the largest donor ever to a

Senate campaign. These facts distinguish our work from those others that Novak characterized as political attack pieces. I hope the readers will understand that the other films have absolutely nothing to do with our film.

\* I am described as a “conservative Republican” and a believer in Paul’s case. That is an accurate description, with the caveat that the first word of the description, conservative, is most assuredly the operative one. What readers of the review have not been told, however, is that we deliberately hired liberal Democrat writers and editors because we wanted a balanced piece of work. It should be noted that those writers and editors don’t want their names used because of fear of retribution by the Clintons, their surrogates, their private investigators, or their colleagues. I am more than “a believer in Paul’s cause.” For over 2 ½ years, I have vetted information, read thousands of pages of documents, including the 1000+ pages of the transcript from the David Rosen trial, spoken with witnesses, and attended court proceedings. I am a believer that no one, Democrat or Republican, should be above the law and that this story needs to be told.

\* Novak: (re: the Cuban Coffee Caper) *Paul claims that he was part of a covert government operation when he was arrested for these crimes.*

There is additional useful information regarding Paul’s “claim.”



Below the contemporaneous headline is the sub-headline from the Miami Herald: *It was one of the world’s great cons. And the funny thing is our government knew all about it-but did nothing to stop it.* Of course the government knew about it. A reading of the transcript of legal proceedings at the time will reveal that, prior to the plan going operational, Paul was in the apartment of Elaine Schoor discussing the plan in great detail and the money necessary to fund it. Every word was caught on a government wire. Yes, the government really did know and allowed it to go forward. Operatives wanted to damage the

relationship between Castro and the Soviets by exposing that Castro was cheating his Soviet benefactors with cheap black market coffee.

\* re: the vetters missed the information

The excuse from the Clinton camp should not have been accepted on face value. I can't comprehend how it was possible to not know the record of Peter Paul. Paul had been thoroughly vetted by the Secret Service for years and, in particular with the Clintons, he was vetted for hosting the President at a DNC dinner with DNC Chair Rendell in Feb, 2000. He was vetted again by DNC Chair Rendell when Paul hosted, at Rendell's request, the Hollywood Fundraiser for Al Gore June 8, 2000. He was vetted by the White House and Hillary's campaign when he hosted two fundraisers for Hillary Clinton on June 9, 2000, where he sat next to Hillary for 3 1/2 hours. He was vetted by the White House and Hillary's lawyers when he hosted the Gala and when he attended a Clinton library fundraiser on August 13 at Barbara Streisand's home with the entire first family. It is ludicrous on its face to believe that all these vets failed to produce background on Paul, especially since Paul told Hillary ON TAPE about his anti-Castro activities as a lawyer in Miami and his undercover work on Bert Lance. Felonies are the first things that appear when they run a Social Security number. When I first began the project, I asked a friend with access to Lexis-Nexis to do a search for me. In a few hours, I knew about Paul's record. Attorneys and other professionals hired for this work are certainly better at it than am I.

\* It is true that President Clinton did not have a written agreement with Paul. That would, of course, have been a conflict of interest for a sitting president. Whether no one was witness to the conversations regarding the business deal is another matter that will be determined during discovery and trial. A key witness will be Chelsea Clinton. The day after the Gala, Barbra Streisand held a brunch at her Malibu estate for Clinton Library donors. In front of witnesses, including the biggest donor to the DNC, Haim Saban, Chelsea stated that the family stayed up late after the Gala playing Scrabble and discussing how excited they were that dad was going to work for the man who created Spider Man (Stan Lee, co-founder of Stan Lee Media). In her sworn declaration, under penalty of perjury, Hillary swore: "I have no recollection whatsoever discussing any arrangement with him whereby he would support my campaign for the United States Senate in exchange for anything from me or then-President Clinton..." Her denials will make the testimony of Chelsea quite interesting. Not included in our film was a [recent polygraph examination of Paul](#) performed by an examiner with impeccable credentials and experience. It was concluded by the examiner that Paul told the truth when asked if he discussed the business arrangement with the First Lady. There is some additional evidence that may require some connecting of dots, but those dots are almost touching each other. Paul was disavowed by the Clintons. He was, after all, this horrible felon from whom they wouldn't take money. He had only a minor role in the Gala. They wanted nothing to do with him. So how is Bill Clinton going to explain the September 22, 2000 meeting he held with Paul on the tarmac of LAX when AF-1 landed in Los Angeles? There are witnesses and photographic evidence. For what possible purpose would they be holding a meeting? It is very reasonable to believe Paul that the President met with him to assure him they still had a deal. That assurance convinced Paul to send additional funds at Hillary's direction to the Working Families Party. That will be discussed in further detail below when the \$100,000 fax request is discussed.

\* Not uniquely in the Novak piece, because it has been reported throughout the media, is the common perception that is at the heart of the matter before us. The claim is always made that the Hollywood Gala was to benefit New York Senate 2000, a joint committee consisting of Hillary Clinton's campaign committee, the Democratic Senatorial Campaign Committee and the New York Democratic Party. Paul makes a very strong case that such conclusion is contrary to the facts, and it was certainly never the intent of the donor. From the time her agents (including her husband) first solicited Paul to support the First Lady's campaign and then pay for the Gala, as corroborated by Jim Levin's testimony in the Rosen trial, it was Paul's intent to do what Bill Clinton asked him to do. Paul directly benefited the candidate's Senate campaign, something for which Bill Clinton thanked him in a handwritten letter several days after the Gala. It was all about an effort to hire a president as a rainmaker for Stan Lee Media. It was a business deal with political ideology playing no role. As a friend of Ronald Reagan and the Hollywood conservatives, Paul had no interest whatsoever in benefiting any joint committee, particularly the New

York Democratic Party. What was unfortunately left out of the Novak analysis was reference to Hillary's [sworn declaration](#) that was submitted to the court on April 7, 2006. Hillary's own words admit that the concert was for "**my Senate campaign.**" She didn't say anything about a joint fundraiser and actually admitted what Paul has been contending for seven years. When someone swears a declaration under penalty of perjury, particularly someone with legal training, it is done with a great deal of care. I do not know of a mainstream media source that has ever reported that sworn admission.

*\* Novak: Three days after the fundraiser, we learn in the video, The Washington Post ran a short item revealing Paul's felony record; Hillary Clinton's spokesperson, Howard Wolfson, first said her campaign would accept no contributions from him, then two days later corrected himself to say it would return the single \$2,000 check it had received from Paul. As for Paul's production of the gala, Wolfson said it was an in-kind contribution.*

Unfortunately, Novak left out some very important information that appeared in the Lloyd Grove item.

WASHPOST: Paul was paid "a nominal fee" for his producing services, he said, and Wolfson said Stan Lee donated \$100,000 to cover some expenses for the event. As for the rest of the **estimated \$1 million-plus cost**, "it was an in-kind contribution . . . and not a check," Wolfson said.

Wolfson was speaking on behalf of Hillary personally when responding to the Post's questions. The acknowledgement by Hillary's official spokesman that the event cost a million dollars is significant. We will have more to say below about Hillary's knowledge and direct role in this saga. It may lead people to conclude that HILLARY! UNCENSORED is far from "Crooked Claims About Clinton." I have searched through the FEC reports and can find no reference of the "nominal fee" paid for Paul's producing services. We will also have more to say about the \$100,000 contribution from Stan Lee that never was.

*\* Re: the Brian Ross 20/20 clip. We respectfully disagree that the use of the clip is unfair at all. It was indicative of Hillary's refusal to ever discuss the name Peter Paul as a donor. Despite FBI evidence presented in court that Paul personally donated \$1.2 million, she has never acknowledged his name in any media quotes or FEC filings as the largest donor to her campaign or as a donor of anything to her campaign. When she finally mentioned his name in her sworn declaration, her first comment about Paul was demonstrably false. There exists video evidence to prove that they met in 1993, not 2000 as she swears. That is exposed in the full documentary, and the meeting was one she would never forget. No one would. Paul had his client, Fabio, chase Hillary around the room and pick her up in his famous romance pose. On video from early 2000, Paul's camera captured his conversation with Hillary in which they were laughing about the event and in which Hillary promises to send him the photos of Fabio holding her. Despite that promise, the photos have never been forthcoming.*

*\* Novak: As for his claim that, around that time, Hillary Clinton's "finance director faxed me a request for \$100,000," that's mostly true, but a bit misleading. The money had been promised by Paul months earlier, was to be paid in stock, not cash, and was to go to a group called Working Families, which was supporting Hillary Clinton, not to Clinton's own campaign committee.*

Mostly true? We maintain that the statement is entirely true and in no way misleading. We made it clear in the film that the fax demand on Hillary Clinton for Senate official stationery was made in reference to enforcing the stock pledge made at Spago on June 9, 2000. In fact, there is more to the story that the readers need to know. It actually really didn't matter when the stock pledge had been made. Wolfson vowed, on Hillary's behalf, that no contributions would be accepted from Paul. After that vow, they wanted more money that they vowed to voters they wouldn't take. It should also be noted that the stock pledge was never reported to the FEC as required by law when it was made at DNC Chair Rendell's demand as the price to host the Spago lunch. Another very important point is being missed. It was not somehow better that Hillary directed federal funds from a stock pledge to a state party. That is a violation of the law. And there is no record that \$55,000 Paul sent in untraceable securities has ever been declared in any filings. As additional background, through Rosen's other fax communications, Hillary was pressuring Paul

to make the contribution on her behalf to the Working Families Party because she had promised them funding based on Paul's earlier pledge to her campaign.

*\* Novak: The video then takes us into allegations of business fraud by Bill Clinton. Cogan and Paul claim on camera that the president, through an associate, stole away a Japanese investor who had promised to put \$5 million into Stan Lee Media. The Clinton associate, according to the video, cut a different deal with the investor that didn't involve Paul's company. Paul offers no evidence on the video to support that,..."*

That isn't entirely true. We presented a screen shot of the [letter from Peter Dunne](#) acknowledging Tendo Oto's desire to invest in both a Japanese joint venture and US joint venture. Here is a [report](#) of the first \$5 million for the Japanese venture. Oto promised Paul that he would invest a similar amount in November for VentureSoft USA in order to participate in the hiring of Clinton and paying the \$17 million employment agreement. The agreement for [VentureSoft USA](#), the new joint venture for Oto and Clinton, through his agent Levin, was recorded with the Secretary of State in Illinois just six days after Hillary's election. It is helpful to read the testimony of Jim Levin in the 1000+ page transcript from the David Rosen criminal trial. Levin was designated as Bill Clinton's eyes and ears to evaluate Paul and Stan Lee Media. After they passed muster, Levin coordinated all of Paul's expenditures in producing the fundraiser and preparing for Clinton to work with Paul and his company. Levin signed a non-circ agreement and was given access to proprietary business information and relationships exclusively because of Clinton's promise to Paul. Paul expects testimony to reveal that the President confirmed the agreement to Oto in person at the Streisand brunch on August 13, 2000 and that Clinton secretly sent Levin to Japan to deliver official White house photos of Oto sitting behind Clinton's desk in the Oval Office. Levin, on Clinton's behalf, finally convinced Oto to go into business with Levin as Clinton's agent. .

*\* Novak: It's pretty clear that it would have taken a lot more than \$5 million from any investor to save Stan Lee Media.*

Clear to whom? Unless Novak had a forensic accountant evaluate the condition of Stan Lee Media, that appears to be an editorial opinion. Keep in mind that Stan Lee Media went out of business, as did many dotcoms, because it ran out of cash. Paul has demonstrated and will do so in court that \$5 million would have easily carried the company through a cash crunch in November 2000, during the dotcom meltdown, until the former president came aboard on January 20, 2001. How many millions of dollars would have been invested in the company with the announcement that Clinton was on the board? Money may have well come even sooner if the announcement had been leaked. Around Stan Lee Media, the business relationship was common knowledge. In discovery, you will learn of two White House employees, one of whom had a substantial job with the President, and three top Disney officials (led by their No. 3 executive HR Chief William Wilkinson) who came aboard Stan Lee Media to take over management in January. All of them came aboard because of their knowledge and understanding that Clinton would be a factor that would assure adequate capitalization with their management.

*\* Novak: But the jury acquitted Rosen.*

Our film acknowledges that the jury acquitted Rosen. What is left out in this segment of the review, however, is of critical importance. The Clinton-appointed judge, before a word of testimony was heard, told the jury that Paul was a thoroughly corrupt individual, a con man, and couldn't be believed. The prosecution did not object and agreed that Hillary had nothing to do with the case. The jury was poisoned by the judge, and Paul was never called to testify. Incredibly, other key witnesses, such as Howard Wolfson, Aaron Tonken and Kelly Craighead were not called. There was compelling evidence that Rosen had caused a false invoice to be created, but the prosecution had a mountain that it could never climb. It was clear that Rosen could not alone hide the cost of the Gala as charged because he did not have unique information. Wolfson, Tonken, Craighead, and Levin participated in a conference call on July 11, 2000 when the \$1.1 million budget was discussed. That is why Wolfson acknowledged the cost of a million dollars when quoted in the Washington Post. Everyone involved, certainly including Hillary, and all readers of the Washington Post knew that the event cost over a million dollars.

*\* Novak: Meanwhile, the FEC, mounting its own enforcement action in connection with the gala triggered by a complaint by Paul, couldn't find much to go after, either. It reached a conciliation agreement with New York Senate 2000 and its treasurer, Andrew Grossman, in December 2005. The settlement involved a payment to the FEC of \$35,000 and required New York Senate 2000 to amend its disclosure report to reflect an additional \$721,895 in in-kind contributions, bringing the total to \$1.24 million. As to Hillary Clinton specifically, the agency voted 5-0 on a motion to "[f]ind no reason to believe that Hillary Rodham Clinton violated any provision of the [Federal Election Campaign] Act or regulations in connection with this matter and close the file as to her." Two of the votes were from Republicans and three from Democrats. That's not part of Paul's video, either.*

A reasonable interpretation by readers seeing the above statements may allow them to conclude that the purpose of the analysis was not merely for fact checking, but rather to debunk Paul's entire case under the guise of such review. Many things are not part of the video. We didn't make a mini-series. We made a film of just over an hour. Unfortunately, there are important elements left out of the review. The FEC never called key witnesses, such as Wolfson. The FEC never called Craighead, who conceived the Gala with Levin. The FEC has never viewed 5-minute tape of July 17, 2000 because it was withheld by the US Attorney in NY from 2001-2007. It was finally obtained by Paul's lawyers after all the investigations were concluded. Also missing from Novak's analysis is the fourth amended FEC report of January 30, 2006. In that report, Paul's in-kind contribution was still never reported. Instead, it is listed as an \$839,000 expense of the campaign rather than an in-kind contribution by Paul through his shell companies. Perhaps even more incredible is the claim in Clinton's fourth amended report that Stan Lee donated \$225,000. We provide in the film the [video of Lee's sworn deposition](#) that he gave no money. No money. Senator Clinton has received [demand letters](#) and faxes to her office giving her a link to Lee's deposition and demanding that she set the record straight. She knows he gave no money, but she refuses to correct the record and fourth false FEC report. In addition, on tape and under oath, Lee admits to "exchanging" \$100,000 checks, thus hiding the identify of the real donor. People have gone to jail for smaller violations. Although the FBI and FEC are aware of Lee's admission under oath, they have done nothing about it. That the FEC has done nothing to Senator Clinton for her role in this saga should not really be surprising.

*\* Novak: Let's start by saying the fundraiser itself was perfectly legal, and these kinds of events – albeit usually with less star power – took place frequently before passage of the Bipartisan Campaign Reform Act of 2002.*

Yes, these kinds of fundraisers were legal, but that certainly doesn't tell the whole story. The rest of the story involves the role of the then candidate and her agent, the President of the United States, in soliciting, coordinating, and then hiding Paul's expenditures. That activity was not legal. Pursuant to court testimony, it was Levin and Craighead who came up with the idea for a dramatic event to take place for Hillary just before the Democratic Convention in Los Angeles. They conceived the idea after a Chicago fundraiser for Hillary. The next day, Levin called Paul to solicit him to pay for the event if the President would agree to work with him. The solicitation and coordination of the million dollar event by Levin as an agent for the candidate, through Bill Clinton, was a felony. It is critical to understand the role of some of the players. Levin, Craighead, Tonken, and Bill Clinton were not a part of any joint fundraising committee that could coordinate soft money donations. They were, in fact, all agents of Hillary Clinton. Craighead was a White House employee. As agents, their direct solicitation of a donation of over a million dollars was all hard money and illegal.

*\* Novak: Now we'll take Armor's charges in turn. First, he says the videotape shows Clinton "had personal involvement and personal knowledge of the details of this gala," contrary to the representations of her lawyers. That's false.*

Unless Hillary never talks to her official spokesman, pays no attention to her trusted aide and traveling companion Craighead, and never reads the Washington Post, she knew it cost over a million dollars. On tape, Hillary says that she got a full report from Kelly. On July 11, 2000 was another conference call involving Paul. Participating in the call were Levin, Rosen, Craighead, and Wolfson. They discussed the budget of well over a million dollars. The parties discussed Paul paying \$525,000 and philanthropist

Cynthia Gershman paying \$525,000. When Hillary admits on tape that Kelly gave her a full report, I accept her statement that she received a full report.

*\* Novak: Clinton was certainly aware of the upcoming fundraiser, but all we hear in this phone call is a politician's routine call scratching under the chin those who are knocking themselves out for her.*

Routine call? Hillary told them that Kelly, her agent, who joined in conceiving the event and soliciting Paul to pay for it, would convey to them what she needed. Hillary offered her further assistance. There was, in fact, direct involvement by the candidate.

*\* Novak: Somebody else solicited Cher to appear at the fundraiser. Clinton may have thanked her for agreeing to perform, but she did not ask her to do so.*

Additional background information may prove helpful here. Hillary not only initiated a call to Cher, she initiated one to Diana Ross. Tonken has stated such, and his sworn testimony is expected to confirm it. Tonken did indeed begin the solicitation of the performances. In the case of those two mega-stars, however, Tonken did not seal the deal. Unlike the others who performed, Cher and Ross had a requirement prior to their final agreement. Each of them required a personal phone call from Hillary herself to discuss it. Tonken set it up; Hillary sealed the deal or they would not have performed. As Tonken stated on tape, he had never been able to get Cher to do a political fundraiser like this before. Hillary did a great job as the closer.

*\* Novak: What Clinton's lawyers have maintained is that "she didn't know about the disclosure issues," says Ken Gross, a former FEC enforcement chief who practices campaign finance law and isn't involved in this case. "There's a big difference between knowing some things about the fundraiser and knowing what was disclosed on the forms. The former is not legally relevant to whether she's culpable." Although Clinton does say that her aide gave her "a full report" on the event, there's no evidence the aide shared with her detailed breakdowns of cost.*

There is some very important additional background that was left out of this review. On July 11, 2001, Hillary's counsel, David Kendall, accepted service for Hillary in the civil suit. On July 3, 2001, treasurer Andrew Grossman accepted similar service. Included in the service to both parties were bank statements, invoices, cancelled checks, and other evidence from Paul that totaled approximately \$1.6 million. Although I will not concede Hillary's lack of earlier knowledge (go back to her official spokesman acknowledging to the WASHPOST that it cost a million dollars), I will engage in supposition. Let's suppose for a moment that Hillary was kept totally in the dark until July 11, 2001. Let's suppose that she was the last to know about the two initial false FEC reports. Having actual receipt of the information from the donor on July 11, 2001, how could it be that Hillary allowed her treasurer to file a third false report on July 30, 2001 that only claimed \$401,000? How is that possible? A week after Kendall was served, Paul's counsel held a press event at the National Press Club that was attended by at least one member of Hillary's team. A messenger was dispatched to Hillary's Senate office and delivered a demand letter that she report Paul's contributions properly. In addition, Tonken will finally be testifying in Paul v Clinton. In his book, KING OF CONS, he described how, prior to the Gala, he sat in a van and [explained to Hillary](#) virtually every penny that was being spent on her. According to Tonken: "Whatever protection her staff had built around her, however much in the dark they had kept her, that was over. Now she knew."

*\* Novak: And Cher's performance was not an illegal contribution anyway – nor were those by Diana Ross and the other stars who studded the gala. Under federal law, anyone can volunteer his or her services to a campaign, and the value of those services is not counted against federal contribution limits. Lawyers, graphic artists, entertainers, accountants, chefs and others do it all the time.*

That is interesting, but it only tells part of the story. As we discussed, the performances were directly solicited by Hillary's agents, who were not part of any joint fundraising committee. The stars didn't come forward on their own to donate their services. The other part of the story that is never reported is the

professional services donated by famous photographer, Annie Liebovitz. She generally charges her high end clients \$25,000 for a sitting. In connection with the Gala, she donated her services for four sittings. Although the campaign only declared \$2,000 per sitting, far less than her real market value, it is interesting that the campaign knew to declare those donated services as an in-kind contribution. Why was that declared and not the services that were clearly of much higher value?

*\* Novak: But the fundraiser was never meant to be "independent," a term which has a very specific meaning in campaign law. It was to benefit the DSCC, the Democratic Party in New York and Hillary Clinton's campaign committee, and it was perfectly legal for representatives of all three groups, including Clinton, to be involved in planning it.*

Again, the question arises as to the beneficiary of the fundraiser. Paul clearly intended it to be Hillary's Senate campaign. He was solicited to pay for Hillary's campaign. That was the intent of the donor from the very outset. The intent of the donor has been completely ignored. He was not trying to solidify a business relationship with the DSCC, the Democratic Party of New York, or the Working Families Party. Again, remember that Hillary admitted in her sworn declaration that the concert was for **"my Senate campaign."**

*\* Novak: Later in the video, Armor declares that this was "the largest fraud in election funding history." That's absurd. The only finding of anything illegal in connection with the fundraiser was the underreporting of the cost of the event by about \$722,000, which resulted in a fine of \$35,000. To put this in context, last year alone the FEC collected 10 fines of \$100,000 or more. People sometimes go to prison for campaign fraud.*

Absurd? No matter the amount of the fine, has there been another case where someone has hidden \$720,000? Hidden it after two false reports and a demand by the donor, who provided documentation? Yes, people do go to prison for campaign fraud. A major point of the film, however, is that some people appear to be above the law.

*\* Novak: Paul's lawsuit against the Clintons and others – a version of the same one that was filed and dismissed in 2001 when Paul was a fugitive – hasn't been faring particularly well in California state court.*

I guess we will see how it fares after the status conference on February 21 and the setting of the trial date. For those who don't know, a trial date had actually been set in February of 2007. Paul delayed it while he appealed for Hillary to rejoin her husband as a defendant. It has fared well enough that the Supreme Court of California has ruled that Bill Clinton will remain as one of the defendants.

*\* Novak: As to the remaining defendants, including Bill Clinton, what's left of the suit largely has to do with the alleged wooing of Paul's Japanese business investor into a separate partnership.*

What's left of the suit? That description is an attempt to diminish the importance of the historic civil suit. It is about tortious interference, a major business fraud, and collapse of a public company. Paul intends to prove the Clinton role in the demise of Stan Lee Media. What's left of the suit includes depositions to be taken from Bill, Hillary, Chelsea, Al Gore, Ed Rendell, Terry McAuliffe, Wolfson, Craighead, Rosen, Gray Davis, Streisand, Cher, Diana Ross, John Travolta, Larry King, and a host of others.

*\* Novak; It's possible, though, that Hillary Clinton could be called as a witness.*

Possible? As presented in our film, the readers deserve to know the rest of the story and what Judge Aurelio Munoz said in his courtroom on April 7, 2006. The words I watched him say in his courtroom we present in the documentary: "I will entertain no motion that prevents Senator Clinton from testifying in this case.....did you hear that, Mr. Kendall?"

*\* Novak: Many of the individuals and groups helping Paul have long histories of Clinton-bashing or attacks on other Democrats. David Schippers, for example, who appears on the tape, is the former chief investigative counsel for the Republicans on the House Judiciary Committee during the 1998 Clinton impeachment hearings.*

Of all the conclusions in the entire piece, perhaps more than any others, this is the most unfair. Dave Schippers is a great American. It is a shame that the above description is the only reference to him. Schippers worked in the Kennedy Justice Department and helped take down the Chicago Mob. He is a lifelong Democrat. And perhaps most importantly, Novak failed to mention that he **twice voted for Bill Clinton**. No one can dispute that such background information about Schippers is important.

*\* Novak: Another character from that era who is involved in this story is Lucianne Goldberg.*

Yes, it was on Goldberg's site that the link on Google Videos was leaked to her readers. But there was no conspiracy here. The rough-cut segment on Google Videos was unpublished and for our internal use and that of journalists. Someone who saw it apparently alerted Goldberg to the URL. She simply put the URL on her website so others could see it. That was her role, and it was done without any direction from those involved with our film, including Paul. It wasn't sinister at all. I find it curious that some kind of conspiratorial link was created here. As an aside, and since the CLINTON CHRONICLES was mentioned in Novak's analysis, a comment is necessary. Many of you came to know that documentary as the "Falwell video." Did you know that Jerry Falwell had absolutely nothing to do with the production or editing of that documentary? He simply became one of the distributors and generated revenue through distribution. His name was used in an attempt to discredit the film. I will raise the question here. Was an association made with the "Clinton basher" Goldberg an attempt to taint or diminish the work we have done for HILLARY! UNCENSORED? The readers can make that determination.

*\* Novak: Paul is now represented by another conservative legal group, the United States Justice Foundation, after having a falling-out with, and suing, Judicial Watch.*

I don't understand the point, unless it is to diminish his counsel as among the "Clinton haters." Paul would welcome representation by any of the top law firms in the country, however, he does not have the millions of dollars in assets that the Clintons have acquired to pay for such representation. In fact, if enough money can be raised, one of America's top litigators, who is no conservative, is prepared to take Paul's case and believes it has great merit.

*\* Novak: According to the Associated Press, the HillCAP Web site is operated by two conservatives who were instrumental in the Swift Boat Veterans for Truth site in 2004, Robert Hahn and Scott Swett.*

Again, the only point I can see for the reference is to diminish the credibility of our work and associate them with the film. Neither Hahn nor Swett is responsible for writing, editing, directing, narrating, operating a camera, or producing HILLARY! UNCENSORED. They are webmasters who manage the documents and content on the website. They have done so competently and at a reasonable price.

*\* Novak: Paul's movie isn't the only one that is lobbing accusations at Hillary Clinton. Citizens United, another group that long has been involved in efforts against the Clintons, is selling "Hillary: the Movie" online and was in federal court recently over its attempt to run ads for the film in primary states during election season.*

This film has nothing to do with the analysis of our work. It appears to be inserted once again to taint what we have produced.

I must admit that I was shocked when I saw this analysis of our work. Thanks again for the courtesy of allowing me the opportunity to respond and contribute some additional information that may be helpful in allowing the readers to make their own determination.

February 5, 2008

Douglas Cogan, Co-Producer, **HILLARY! UNCENSORED: Banned by the Media**