

**STATEMENTS IN ROBERT E. O'NEILL'S CLOSING ARGUMENT
THAT THE DEFENDANT LIED**

Government Closing - First Day

Tr. 3375:

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

Tr. 3377-8:

"... Everything she's told you rests on her word, on what she says.

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

Tr. 3415:

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

Tr. 3416:

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

Tr. 3417:

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

Tr. 3418:

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

Tr. 3419:

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

Tr. 3420:

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

Tr. 3421:

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

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

Tr. 3422:

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

Tr. 3424:

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

Tr. 3425:

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

Tr. 3425:

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

Tr. 3426:

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

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

Tr. 3427:

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

Tr. 3429:

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

3430:

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

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

Tr. 3431:

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

Tr. 3431:

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

Tr. 3432:

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

Government Rebuttal :

Tr. 3501:

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

Tr. 3501:

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

[Defense objection to continued characterization is overruled.]

Tr. 3502:

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

"And then you must -- as I said earlier, there are two, two conflicting stories. Irreconcilable. One or the other is correct. You must base it on what all the witnesses said on one hand or Miss Dean's credibility on the other, and that's what her whole case hinges upon, her veracity, her honesty, her credibility. But she lied to you."

Tr. 3506:

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

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

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

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

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

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

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

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

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

3507:

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

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

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

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

Tr. 3508:

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

"So you as the jury can throw her testimony in the garbage. That is up to you. It's what you decide. You again are the judges of the facts. "You've heard the evidence. The evidence that the Government produced through all the witnesses, through all the documents, and on the other side you have a series of misstatements, of falsehoods, of lies. They don't balance up. They're not even close, ladies and gentlemen. They can't be."

Tr. 3511:

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

Tr. 3511:

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

Tr. 3518:

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