

STANISLAUS COUNTY GRAND JURY
MODESTO, CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

v.

GARY A. CONDIT, MIKE LYNCH and DON THORNTON Defendants.

Case No.:

AFFIDAVIT OF MS. ANNE MARIE SMITH, IN SUPPORT OF A CITIZEN COMPLAINT FOR CRIMINAL INDICTMENTS FOR OBSTRUCTION OF JUSTICE AND SUBORNATION OF PERJURY.

I, ANNE MARIE SMITH, on oath, affirm:

- 1. In July of 2000, while I was a Flight Attendant with United Airlines, I met United States Congressman Gary Condit, ("Mr. Condit"), as a passenger, on the San Francisco to Washington D.C. flight. Over a period of months, we developed a romantic relationship, including a sexual relationship. That relationship included my having to call a certain Washington, DC telephone number and leaving voice mail. I could never call Mr. Condit directly. Mr. Condit would then call me back.

- 1 2. When Mr. Condit and I were together in his D.C. condo, we would have to leave at  
2 different times and I was told by Mr. Condit not to talk to his neighbors. However,  
3 some of the neighbors did talk to me.
- 4 3. Mr. Vince Flamini, Mr. Condit's driver in California, would drive Mr. Condit to meet  
5 me on several occasions.
- 6 4. When Mr. Condit and I were on the street, Mr. Condit would wear a baseball hat and  
7 dark glasses. On several occasions, he would pretend not to know me, sometimes  
8 directing me ahead and then catching up with me.
- 9 5. On or about May 1, 2001, Chandra Levy disappeared.
- 10 6. On or about May 9, 2001, Mr. Condit called me and said, "I may be in trouble." "I may  
11 have to disappear for a while." "Don't call me for a few days, I'll call you." "Or, if you  
12 do call me, don't identify yourself and leave a very short message." "Don't tell anyone  
13 about this phone call and don't talk to anybody about me if you hear my name."  
14 "Everything is OK with you and me."
- 15 7. Mr. Condit called only sporadically after that.
- 16 8. On May 17th, Mr. Condit called me from Luray, VA, phone # ###-###-####, on my  
17 cell phone, saying, "There is no way I can talk with you." "Everything is OK between  
18 us." I asked him if he was guilty [of Levy's disappearance]. Mr. Condit's response was  
19 to become extremely angry, asking me "how [I] could ask [him] that." However, Mr.  
20 Condit never said "no."
- 21 9. On June 1, 2001, the FBI interviewed me and I told them the truth about my affair with  
22 Mr. Condit. However, the FBI already knew about our relationship.
- 23 10. After the interview, I called Mr. Condit. Mr. Condit returned my call and I told him  
24  
25

1 about the visit[s] from the FBI. Mr. Condit was extremely angry. He said that I didn't  
2 have to talk to the FBI and that I didn't know what they were trying to do to him.

3 11. I also learned that Mr. Condit had hired an attorney by the name of Joseph W. Cotchett,  
4 Jr. (Cotchett, Pitre & Simon, 840 Malcolm Rd., Ste. 200, Burlingame, San Mateo  
5 County, CA 94010, (650) 697-6000).

6 12. Also on June 1, 2001, Star Magazine called me. I refused to talk to them.

7 13. I then retained an attorney by the name of Ms. Michelle Wong, Esq. on approximately  
8 June 4, 2001.

9 14. On Wednesday, June 13, 2001, Mike Lynch, Mr. Condit's Chief of Staff in Modesto,  
10 CA, called me in San Francisco from his office in Modesto, (Stanislaus County). He  
11 told me that he was acting on instructions directly form Mr. Condit. Mr. Lynch told me  
12 to call an individual by the name of Don Thornton who worked for Mr. Condit's  
13 attorney, Mr. Cotchett. I called Mr. Thornton at the number given by Mr. Lynch. I told  
14 Mr. Thornton I was represented by Ms. Michelle Wong, Esq., however, Mr. Thornton  
15 tried to get me to converse with him in the sense that he was an investigator, not an  
16 attorney.  
17

18 15. On June 14, 2001, I contacted Mr. James H. Robinson, Esq., ("Mr. Robinson"), an  
19 attorney in Seattle WA, and asked him to become my new attorney and told him about  
20 Mr. Thornton.  
21

22 16. Mr. Robinson called me on June 15th saying that he had received an affidavit from Mr.  
23 Thornton. (Exhibit A). The affidavit, (Exhibit A), falsely stated that I had never had an  
24 affair with Mr. Condit. I agreed with Mr. Robinson that I could never sign that affidavit  
25 without committing perjury.

1 17. The first article in Star Magazine came out on June 15, 2001, without using my name.

2 18. During a telephone conversation with Mr. Condit, he stated that he had used his  
3 influence to keep my name out of Star Magazine.

4 19. At some time after being read the affidavit by Mr. Robinson on June 15th, I  
5 received a call from Mr. Condit. He said that Mr. Cotchett's office was close by and  
6 that I could "pop over and sign the affidavit (Exhibit A)." I said that I would have to  
7 discuss it with my attorney, Mr. Robinson.  
8

9 20. Mr. Condit then called me from Mr. Cotchett's office in Burlingame, San Mateo  
10 County, CA. He said, "This is a safe phone" and "I don't know why your attorney  
11 won't let you sign [the affidavit] (Exhibit A)."

12 21. On two other occasions before June 29, 2001, Mr. Condit called me again asking me to  
13 sign the affidavit (Exhibit A).

14 22. On July 2, 2001, my attorney, Mr. Robinson, had me interviewed by FOX NEWS. Mr.  
15 Robinson believed that if my story were made public it would lessen the power of Mr.  
16 Condit taking steps to silence me.

17 23. I affirm under penalty of perjury under the laws of the State of California that the  
18 foregoing is true and correct. Executed this \_\_\_ day of August 2001 at  
19 \_\_\_\_\_, California.  
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21  
22 \_\_\_\_\_  
23 Anne Marie Smith  
24 Affiant  
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