

The Sun

**Tripp case witnesses likely to address awareness of law; Prosecutors trying to prove she knew taping was illegal**

by Del Quentin Wilber SUN STAFF

November 19, 1999 Page(s): 3B  
Edition: HOWARD  
Section: LOCAL  
Length: 465 words  
Index Terms:  
HOWARD REGION

Record Number: 9911190052

---

As state prosecutors and defense lawyers for Linda R. Tripp prepare for a courtroom showdown today during the case's first hearing, details have emerged about how authorities plan to argue that Tripp knowingly violated Maryland's wiretapping law.

Besides calling former White House intern Monica Lewinsky as a witness -- an essential element to the case -- prosecutors intend to call the Radio Shack employee who sold Tripp the device she used to record Lewinsky from her Columbia home, said sources familiar with the case.

But today, Howard Circuit Judge Diane O. Leasure is to hear motions in the case.

The Radio Shack employee testified before the Howard County grand jury last year that he had warned Tripp it was illegal to tape-record in Maryland without the other person's consent. That testimony is key because the wiretapping law has not been violated if the recording party is unaware that permission is required.

Paula Jones' former lawyers, who had spoken with Tripp before the scandal involving Lewinsky and President Clinton broke in early 1998, are also potential witnesses, the source said.

David M. Pyke and T. Wesley Holmes, both of Dallas, represented Jones in her sexual misconduct lawsuit against Clinton. Their conversations with Tripp helped them question Clinton about his affair with Lewinsky. His answers led to his impeachment.

Pyke and Holmes testified before the Howard County grand jury investigating Tripp.

Pyke said yesterday he spoke to Tripp about the tape recordings but never listened to them.

"We had conversations that she had taped calls, and I don't want to get any more specific than that," he said. "But I was trying to listen to the tapes."

Lucianne Goldberg, a literary agent and a Tripp confidante, and her son also will be witnesses, sources said.

State prosecutors intend to call several lawyers in the office of former independent counsel Kenneth W. Starr as witnesses, apparently to buttress their case about her immunity deal with his office.

Joseph Murtha, Tripp's lawyer, is trying to have the indictment dismissed today, with the argument that prosecutors used her protected testimony against her during their investigation.

Prosecutors counter that Tripp did not receive court-ordered immunity until 34 days after she turned over her tape recordings.

Tripp was indicted on two counts of illegal wiretapping after a telephone conversation with Lewinsky was taped and her attorney disclosed the contents to Newsweek magazine.

Copyright 1999 The Baltimore Sun Company