

WATERGATE SPECIAL PROSECUTION FORCE  
United States Department of Justice  
1425 K Street, N.W.  
Washington, D.C. 20005

September 18, 1973

Jonathan C. Rose, Esquire  
The White House  
Washington, D. C. 20005

Dear Mr. Rose:

Pursuant to our telephone conversation last week, this will confirm the request of the Special Prosecutor for production of Mr. Peter M. Flanigan's appointment books, diaries, and telephone logs for the period 1969 through 1972. You have advised me that you have sought Mr. Buzhardt's disposition on our request for certain of Mr. Flanigan's documents and files.

The subject of our examination of Mr. Flanigan will be the handling and disposition of several matters involving ITT and the federal government during the period 1969-1972, including antitrust and securities proceedings, and the foreign economic relations of the United States. We have received evidence that during that period representatives of ITT continually sought the assistance of White House officials and Administration officials with whom Mr. Flanigan had regular contact in achieving a favorable disposition of ITT's proceedings with the government. There is evidence that Mr. Flanigan was interested in the subject matter of ITT's proceedings in connection with his business-liason activities and that he participated in discussions of these subjects. There is also evidence that Mr. Flanigan was familiar with several of the officers of ITT and was in contact with them throughout the specified period.

In these circumstances, we think it is clear that the request for Mr. Flanigan's diaries and logs is based upon sound reasons to believe that these documents will show meetings and conversations as to which Mr. Flanigan's testimony will be relevant to this investigation. We are confident that a subpoena for such documents issued on behalf of the Grand Jury which is investigating the ITT matter would be upheld (see United States v. Dionisio, 410 U.S. 1 (1973) and United States v. Maria, 410 U.S. 19 (1973)), although I am sure that you appreciate that voluntary compliance would be in Mr. Flanigan's best interest.

I have advised you that Mr. Flanigan is entitled to be accompanied at the interview by counsel of his personal choice. As we have discussed, you should consider whether, in view of your position with the federal government, your representation of Mr.

Flanigan in this matter might present some conflict between his personal interests and those of the government.

Very truly yours,

JOSEPH J. CONNOLLY  
Assistant Special Prosecutor