

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division

E. HOWARD HUNT, JR.
1245 N.E. 85th Street
Miami, Florida 33138
(305) 758-5159

Plaintiff

v.

WILLIAM O. BITTMAN
Ring Building
Washington, DC 20036

and

Seymour S. Mintz, George E. Monk,
Edward A. McDermott, Frank F. Roberson,
Merle Thorpe, Jr., Lee Loevinger,
William T. Plumb, Jr., C. Frank Reifsnnyder,
George W. Wise, Robert K. Eifler,
Edgar W. Holtz, John P. Arness,
Francis L. Casey, Jr., E. Barrett Prettyman, Jr.,
Arnold C. Johnson, A. Linwood Holton, Jr.,
John J. Ross, Howard F. Roycroft,
Robert H. Kapp, Sherwin J. Markman,
Robert J. Elliott, Jay E. Ricks,
Robert M. Jeffers, Dennis J. Lehr,
Arthur J. Rothkopf, Kevin P. Charles,
Jerome N. Sonosky, James A. Hourihan,
Gerald E. Gilbert, Austin S. Mittler,
Vincent H. Cohen, Howard R. Moskof,
George U. Carneal, Gary L. Christensen,
Alfred T. Spada, Bob Glen Odle,
Richard S. Rodin, Stuart Philip Ross,
Richard J. M. Poulson, Peter W. Tredick,
Anthony S. Harrington, Alfred John Dougherty,
Peter F. Rousselot, James J. Rosenhauer,
Sara-Ann Determan, Joseph M. Hassett,
Robert E. Montgomery, Jr., Joe Chartoff,
David J. Hensler, Eric A. Von Salzen,
George W. Miller, Alphonso A. Christian, II,
Martin Michaelson and M. Langhorne Keith
As General Partners of
HOGAN & HARTSON
815 Connecticut Avenue, NW
Washington, DC 20006

Defendants.

Civil Action

No. CA-9544-7

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D.C. 77-1724

COMPLAINT

[Legal Malpractice, Malicious Injury,
Conspiracy, and Deprivation of Rights]

RUFUS KING
WOODWARD BUILDING
WASHINGTON S. O. C.

*Mr. Lueder:
Mfts. haven't answered +
we'll meet with the S/L problem
yet. But we will do.
Thanks for your
letter. Will
keep in
touch.
R.K.*

FIRST COUNT

1. Plaintiff is a citizen of the State of Florida. Defendant Bittman is a citizen of the State of Maryland and has his principal office for the practice of law in the District of Columbia. All other defendants are citizens of the District of Columbia or of states other than the State of Florida, and all of them carry on a practice of law under the firm name of Hogan & Hartson, which has its principal office in the District of Columbia. This court has jurisdiction over this matter pursuant to D.C. Code §§11-921(a)(6), 13-422 and 13-423 (1973 Ed.).

2. At all pertinent times until approximately June 30, 1974, defendant Bittman acted individually and as a partner, agent, and servant of the other defendants practicing law under the firm name of Hogan & Hartson.

3. In July, 1972, plaintiff and his wife entered into an agreement of employment by which they engaged the defendants to represent and defend them in what later became a criminal action, United States of America v. E. Howard Hunt, Jr., Criminal No. 1827-72, in the United States District Court for the District of Columbia, arising out of the June 17, 1972, break-in at the offices of the Democratic National Committee in the Watergate Hotel and office complex in the District of Columbia, and to counsel and advise them in all related matters. Plaintiff paid defendants fees for their services in the amount of \$156,000 in United States currency.

4. Defendants' representation of plaintiff continued until approximately August 16, 1973.

5. In October, 1974, and at various times thereafter, plaintiff discovered and learned that defendants had negligently represented him in that they had failed to exercise that degree of skill and learning normally applied by attorneys at law to practice in this geographical area; that they had knowingly and intentionally failed or refused to inform the plaintiff of pertinent facts and factors affecting his legal position, although under a professional duty to do so; that they failed to pursue avenues of investigation of matters vital to his defense; that they had failed to reveal interests of theirs which were in conflict with the interests of the plaintiff; that they had revealed confidential matters and communications to third persons; and that they had failed and refused to follow reasonable and proper requests made by plaintiff to them, all to plaintiff's detriment and damage.

6. Defendant Bittman failed adequately to counsel and represent plaintiff in negotiations with prosecuting officials; in preparations for, and appearances and testimony before grand juries; in plaintiff's relations with codefendants, associates and former employers; in assessing and pursuing alternative courses of conduct and action in relation to plaintiff's defenses; and in related civil, tax and personal matters.

7. Defendant Bittman made false representations of fact to plaintiff, and false representations about plaintiff to officials and other persons.

8. Defendant Bittman failed and refused to cooperate with other defendants and with counsel who succeeded them as plaintiff's attorneys in protecting plaintiff and in furthering plaintiff's best interests.

9. Defendants knowingly and intentionally concealed facts which prevented plaintiff in the exercise of due diligence from discovering and learning of their aforesaid acts, failures and defaults until October, 1974, and later.

10. As a direct and proximate consequence of defendants' aforesaid acts, omissions and defaults, plaintiff was confined in prison from March 23, 1973 to January 2, 1974, and from April 25, 1975 to February 23, 1977, a total of more than 31 months.

11. As further direct and proximate consequences, plaintiff has been greatly damaged and otherwise injured in that, among other things, he has suffered and will continue to suffer loss of reputation, great monetary losses, loss of earnings and earning capacity, continuing restraints upon his liberty, and impaired health; and in that plaintiff and plaintiff's wife and family have suffered, and plaintiff's family will continue to suffer great distress and mental and physical anguish.

SECOND COUNT

12. Plaintiff reaffirms and incorporates herein all relevant allegations in Paragraphs 1 through 11, supra.

13. Defendants and each of them did the acts complained of, and failed to do required acts and fulfill rightful obligations, as specified and otherwise, recklessly, willfully, fully knowing and foreseeing the consequential damages to plaintiff, and with intent to injure plaintiff.

THIRD COUNT

14. Plaintiff reaffirms and incorporates herein all relevant allegations in Paragraphs 1 through 13, supra.

15. Defendants and each of them conspired with other attorneys, individual and corporate persons, and public officials, to do the acts complained of and to refrain from doing required acts and fulfilling rightful obligations, as specified and otherwise.


FOURTH COUNT

16. Plaintiff reaffirms and incorporates herein all relevant allegations in Paragraphs 1 through 15, supra.


17. Defendants and each of them, in the District of Columbia and elsewhere, singly and in conspiracy with one another and with others, acting in private capacities and under color of law, deterred plaintiff from testifying in grand jury and

court proceedings; impeded and obstructed the due course of justice in matters affecting plaintiff; and caused plaintiff to be denied equal protection under the Constitution and laws of the United States.

WHEREFORE, plaintiff demands judgment against defendants jointly and severally in the amount of five million dollars (\$5,000,000) in compensatory damages and five million dollars (\$5,000,000) in punitive damages, together with interest and costs.



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910 - 17th St., NW
Washington, DC 20006
(202) 466-5440



Rufus King, III
Of Counsel

JURY DEMAND

Plaintiff demands trial by jury of 12 jurors in this action.



Rufus King