

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Gun Litigation: Potential Remedies (4 pages)	nd	P5

### COLLECTION:

Clinton Presidential records  
Domestic Policy Council  
Bruce Reed (Crime)  
OA/Box Number: 21552

### FOLDER TITLE:

Guns-Lawsuits

rs21

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

# Chicago Is Suing Over Guns From Suburbs

By FOX BUTTERFIELD

The City of Chicago and Cook County filed a \$433 million lawsuit against the gun industry yesterday, saying that a three-month police undercover operation found that firearms dealers in Chicago's suburbs were flooding the city with illegal guns with the knowledge of nationwide gun manufacturers and distributors.

The suit, which names 22 manufacturers, 12 stores and 4 distributors, is based on a new legal theory that the gun industry causes a "public nuisance" by creating excess costs for Chicago's police, fire department and public hospitals. It is expected to be the model for suits by Philadelphia, Los Angeles and San Francisco in the next few months.

Chicago's suit follows another brought against the gun industry by New Orleans two weeks ago on different legal grounds—that gun makers manufacture an unsafe product by failing to incorporate sufficient safety devices.

The lawsuits represent a new front for cities in their efforts to reduce urban violence. They incorporate legal arguments used successfully by several states in suits against the tobacco industry, and come at a time when individuals have recently stepped up lawsuits against gun makers who, for years, beat back product liability suits with the assertion that guns do not kill people. The biggest of these suits is to go to trial in January in Federal District Court in Brooklyn.

Gun manufacturers and retailers know exactly what they're doing, Mayor Richard M. Daley said yesterday in announcing Chicago's lawsuit. They knowingly market and distribute their deadly weapons to criminals in Chicago and refuse to impose even the most basic controls.

If money is the only language they understand, then money is the language we will use to make them understand that they have no business in Chicago, Mr. Daley said in announcing the suit at a police building on the city's West Side.

The building is where the police have stored 171 handguns bought from the suburban gun dealers during the undercover operation. Posing as members of street gangs, motorcycle toughs or soldiers of fortune in camouflage, the undercover police officers reported that they were able to buy guns from the suburban shops despite not having a state gun permit or even when they boasted they would use the guns for criminal acts inside Chicago.

Chicago has some of the strictest gun control ordinances in the country, essentially banning the private

ownership of handguns, and the city's police have led the nation in confiscating handguns, seizing and destroying more than 178,000 in the past 10 years, the Mayor's office said. But Chicago continues to be flooded by new guns, according to a complaint filed in Cook County Circuit Court yesterday.

The gun manufacturers are saturating gun stores just outside Chicago's border with far more guns than the lawful gun market could possibly absorb, because they know there is a large, illegal market for guns in the city, said Brian Crowe, the city's corporation counsel.

This creates a public nuisance in Chicago comparable to a suburban industry polluting the city with poison gas, Mr. Crowe said.

Georgia Nichols, president of the American Shooting Sports Council, a

## A legal argument that a flood of guns is a public nuisance.

trade group, said, "We, as an industry, really feel there is no basis for a suit against the legitimate sale of a product."

If some rogue dealers are selling guns illegally, they should be prosecuted, Ms. Nichols said, adding, "We don't want our guns used for criminal purposes."

But, she said, most manufacturers sell their guns legally to distributors who in turn sell to the dealers, so there is not the clear-cut chain that the lawsuit alleges.

The solution to gun violence, Ms. Nichols said, is for Federal and local authorities to better enforce existing gun control laws.

Lawrence H. Tribe, a professor at Harvard Law School who helped prepare some of the successful state litigation against cigarette companies, said several of the state suits, including those in Mississippi, Florida and Texas, had included arguments about the tobacco industry causing a public nuisance.

"One can't know for sure how well the theory went in winning the cases, Professor Tribe said, but he said he believed the public nuisance argument was helpful.

As for the gun makers' argument that they cannot be sued because they are several steps removed from the actual illegal sale of guns, Professor Tribe said the cigarette companies invoked that argument in vain by saying cigarettes were sold by

small local stores.

"But it is irrelevant when you are seeking to show the harm to a community in the aggregate," he said.

You may not be able to trace the straight line from the place where the gun is manufactured to the aorta of the victim, but you can apply market share theory, Professor Tribe said, as Chicago is trying to do in calculating the gun makers' proportionate share of the market.

The public nuisance approach also sidesteps arguments based on the Second Amendment right to bear arms, Professor Tribe said, since the Constitutional guarantee does not protect gun manufacturers.

The suit in Brooklyn, brought against 50 companies on behalf of victims of gun violence, is based on an argument similar to the one in Chicago, said Elisa Barnes, the lawyer representing the victims' families. Ms. Barnes argues that the gun companies negligently fail to supervise how their handguns are distributed and have oversupplied dealers in states with lax gun control laws, like Georgia, who then sell guns illegally to buyers in states with tough gun laws like New York. The suit, *Hamilton v. Accufek*, will use analysis of statistics recently collected by the Bureau of Alcohol, Tobacco and Firearms to try to show that the manufacturers had to know they were selling far more guns in Georgia and other Southern states than there were legitimate local buyers.

Ms. Barnes said she drew her arguments from cases against pharmaceutical companies in which the courts allowed the argument that drug manufacturers could be sued as a group for negligence even though it was hard to trace whose products had caused harm to individuals.

"I think the tide has turned," she said. The American public has changed and awakened to the idea that manufacturers have a responsibility for their products, even gun manufacturers.

It is impossible to tell which legal strategy would succeed, Ms. Barnes said, adding, "There are many roads to the mountain top. So I think it will be a combination of everyone pulling together."

David Kairys, a professor at Temple University Law School who helped prepare the Chicago suit, said the gun industry, which is far smaller and less profitable than the tobacco industry, might have fewer resources to defend itself against multiple lawsuits. But unlike the tobacco companies, he said, gun makers have shown no inclination to settle.

They are going to have to get over their feeling of immunity," he said.

# Withdrawal/Redaction Marker

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**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

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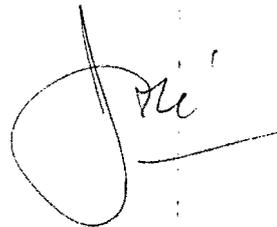
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THE WHITE HOUSE  
WASHINGTON

2-16-99

BRUCE / ELENA :

ATTACHED PLEASE FIND A  
ONE-PAGE SUMMARY OF LAST  
THURSDAY'S DECISION AGAINST  
THE COAL MANUFACTURERS.  
IT WALKS THROUGH SOME  
OF THE CONFUSING DETAILS  
THAT WERE REPORTED DIFFERENTLY  
IN THE FRIDAY PAPERS.  
NEXT STEPS ?

A handwritten signature, likely "John", written in black ink. The signature is stylized and appears to be written over a horizontal line.

**Hamilton v. Accu-Tek**Crime -  
Gun  
suits

(Prepared by: Charles Simon, 514-3465)

In *Hamilton v. Accu-Tek*, eight plaintiffs (on behalf of seven individuals who were killed or wounded by illegally-obtained guns) filed a wrongful death action against numerous gun manufacturers and gun distributors. Although Judge Weinstein significantly limited the plaintiffs' possible theories of liability<sup>1</sup>, he did leave them with a negligent marketing and distribution claim against the gun manufacturers, based on the contention that the gun manufacturers deliberately saturated the market for guns and helped to create an underground market for the weapons.<sup>2</sup> (These claims are based on a collective theory of liability, in the same manner as prior cases associated with asbestos, Agent Orange, the dalkon shield, and DES.)

With respect to all seven of the shooting victims, the jury concluded that 15 of 25 gun manufacturers named as defendants in the suit had marketed or distributed handguns negligently (that is, failed to "exercise 'reasonable care' in marketing and distributing [their] product, to the extent [they had] control, so as to take precautions against creating foreseeable risks of injury").

Of the 15 manufacturers found negligent, nine were found by the jury to have proximately caused (that is, to have been a "substantial factor in bringing about") one or more of three of the shootings. (With respect to the other four shootings, the jury did not find that any of the 15 negligent manufacturers had proximately caused the shooting.)

In what appeared to be a compromise verdict, the jury found that monetary damages had been sustained by the plaintiffs in only one of the three shootings where proximate causation was established. Damages were calculated at \$4,000,000 for the one shooting victim and his mother. However, the actual liability (that is, the actual amount to be paid to the plaintiffs) of the three negligent gun manufacturers who were found to have caused the related injuries was only approximately \$500,000. This discrepancy arises because actual liability was measured according to the relevant defendants' national market shares for the handgun or class of handguns used in the shooting.<sup>3</sup>

It is unclear whether the verdict will survive appellate review, because the Second Circuit recently rejected a similar cause of action brought against ammunition manufacturers.

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<sup>1</sup>In 1996, the court dismissed plaintiffs' product liability claims. The court also found that the plaintiffs could not bring a claim for selling a dangerous instrumentality. In addition, Judge Weinstein dismissed plaintiffs' ultrahazardous or abnormally dangerous activity theories.

<sup>2</sup>The market share collective liability theory relieved the plaintiffs from having to prove that a specific gun manufacturer made and distributed the particular weapon that caused the particular injury in question.

<sup>3</sup>The total percentage of liability assessed against the three relevant defendants was only 13% (\$500,000 is about 13% of the \$4,000,000 total damage calculation), because the jury apparently found that some manufacturers with relevant market share were not defendants at all.

Crime - Guns in  
(Lawsuits)

THE WHITE HOUSE  
WASHINGTON

November 9, 1998

**MEMORANDUM FOR BRUCE REED**

**CC:** JOSE CERDA  
**FROM:** SIDNEY BLUMENTHAL *SB*  
**SUBJECT:** CLASS ACTION ON GUNS

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I've enclosed an article and press release about the new effort to file class actions suits against gun manufacturers. I think this is a very promising idea. Let's talk about it soon.

# Los Angeles Times

## New Orleans

# Is Expected to Sue Gun Manufacturers

■ **Courts:** Lawyers who fought tobacco firms are now helping cities take on a new industry with liability and negligence suits.

By MYRON LEVIN  
TIMES STAFF WRITER

New Orleans is expected to file a massive product liability and negligence lawsuit against major handgun makers today, the opening salvo in a campaign against the gun industry by an alliance of anti-tobacco attorneys and local governments.

The suit, which will be announced by New Orleans Mayor Marc Morial, will name 10 manufacturers, including five Southern California firms that make the cheap handguns known as Saturday night specials, said John Coale, a Washington attorney who is part of a nationwide consortium of law firms that has filed two dozen class-action suits against tobacco companies.

Coale said the suit will accuse gun makers of failing to incorporate safety technology to prevent accidental shootings and of saturating the market with more guns than could possibly be bought by legal purchasers—thus assuring that tens of thousands of firearms will wind up in the hands of juveniles and crooks.

New Orleans, Coale added, "will be the first of many cities" to sue in the next few months with the help of the Castano group, a nationwide consortium of law firms, and the National Center to Prevent Handgun Violence. The other cities were not identified.

"We're going to do to this what we did to tobacco," he said. "It's going to be a very large war."

The Castano group, named for the lead plaintiff in one anti-tobacco case, has filed class-action suits against cigarette makers on behalf of millions of allegedly addicted smokers. The cases are pending in various states.

Among the firms to be named in the suit are Lorcin Engineering, Bryco Arms, Jennings, Phoenix Arms and Davis Industries, producers of low-cost handguns that gun-control advocates have dubbed the "Ring of Fire" companies because their plants partly encircle Los Angeles. An attorney for Lorcin, which is based in Mira Loma, declined to comment, and a call to Bryco, of

Please see GUNS, C4

FRIDAY, OCTOBER 30, 1998  
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## GUNS

Continued from C1  
Costa Mesa, was not returned.

But an official with a firearms trade association called the suit "a shameful use of the courts."

Jack Adkins, director of operations for the American Shooting Sports Council, which is also expected to be named in the suit, said he could not address the specifics of the case before he had seen the lawsuit. But he called it an attempt "to shift responsibility for the il-

legal use of our products."

After tobacco and firearms, "certainly the alcohol industry is just around the corner for them as a target," Adkins said. "Where does this process stop?"

Some 35,000 Americans die from gunfire every year, and in several states, including California, authorities say the death toll from gunfire exceeds that from auto accidents. Most of these result from street violence, although in 1995 accidental shootings of children and teen suicides accounted for about 1,900 deaths nationwide.

**DRAFT**

**EMBARGOED UNTIL 1:30 PM  
ON OCTOBER 30, 1998**

Contact: Naomi Paine  
1-800-465-0334 (pager)  
Or Robin Terry  
202-218-4641  
Or Denise Fitzginal  
Mayor's Office, New Orleans  
504-565-6580

## **NEW ORLEANS FIRST CITY TO SUE GUN MANUFACTURERS: CENTER TO PREVENT HANDGUN VIOLENCE CO-COUNSEL IN LANDMARK LAWSUIT**

New Orleans, LA. New Orleans Mayor Marc Morial today announced that the City of New Orleans has filed the first-ever lawsuit by a city or other government against the gun industry. The suit names fifteen gun manufacturers, three trade associations and several local pawnshops and gun dealers, and seeks to recover the damage to the City from the gun industry's sale of guns that fail to incorporate safety designs to prevent their use by children and other unauthorized users. The Legal Action Project of the Center to Prevent Handgun Violence, which for five years has been bringing innovative lawsuits against the gun industry, has agreed to serve as co-counsel for the City's lawsuit. Louisiana attorney Wendell H. Gauthier, an architect of the legal strategy used against the tobacco industry, will also represent the City in its suit.

"We have been so focused here in New Orleans on fighting crime, getting guns off the street and protecting our citizens," said Mayor Morial. "We have already reduced crime in New Orleans by 40% since 1994. This lawsuit is the next step in making New Orleans the safest city in America."

"This lawsuit is a turning point in our efforts to force the gun industry to make a safer, childproof, 'personalized' product," said Dennis Henigan, Director of the Center's Legal Action Project and a national expert on the application of product liability law to the firearms industry. "Mayor Morial is showing great courage in becoming the first mayor to take the gun industry to court, and we expect that other big-city mayors may well follow his lead. It's time for the gun industry to be held accountable for the cost of the thousands of tragedies and millions of dollars gun violence inflicts on our nation's cities."

This year, several urban mayors including Mayor Ed Rendell of Philadelphia, Mayor Alex Ponsas of Miami-Unde, and Mayor Richard Daley of Chicago have expressed interest in following the tobacco example in recovering costs from the gun industry. In the last six months,

the gun industry's most powerful trade group, the American Shooting Sports Council, has repeatedly met with big-city mayors to deny responsibility for the design of its manufacturers' products in an attempt to ward off the type of lawsuit now filed by New Orleans. The American Shooting Sports Council is named as a defendant in the New Orleans lawsuit, along with leading gun manufacturers including Smith & Wesson, Sturm Ruger, Beretta U.S.A., Colt, Glock, Lorenz, Bryco, Jennings and Navegas.

"The gun industry has hid behind its mouthpieces at the NRA for many years, but those days are now over," Hanigan said. "The money that manufacturers spent on pro-gun propaganda and misleading advertising could have been used to make guns that can only be fired by authorized owners, sparing us thousands of homicides, suicides and accidents."

"Under the Louisiana product liability statute, a manufacturer can be held liable for damage caused by a product that is unreasonably dangerous in design. In this lawsuit, the City is alleging that guns that fail to incorporate safety systems that prevent their use by children and other unauthorized users are unreasonably dangerous in design. Just as car manufacturers have been held liable for failing to install seat belts and air bags, gun makers should be liable for failing to install feasible safety systems to prevent serious injuries and deaths."

Coincidentally, Center attorneys are also in trial in Oakland, CA representing the parents of a child accidentally killed by a gun that lacked any safety features that could have prevented the accident. In *Dix v. Beretta*, the Center's lawyers ask that Beretta U.S.A. be held responsible for the death of Kenzo Dix, who was killed by a close friend who believed he had unloaded the gun he had found. Kenzo was killed by a bullet that remained in the gun's chamber, and the Center is asking for damages for failing to implement feasible design changes that would have prevented the gun from being fired by children. The Dix case is expected to go to the jury in early November.

"Why should the innocent citizens of this City, or any other city, bear the costs of gun violence while the gun industry pays nothing?" Hanigan said. "No longer must it be permitted to evade its share of the responsibility for protecting our communities and particularly our children from senseless shootings. Mayor Morial today has filed a lawsuit to save lives. We are all indebted to him."

###

*The Center to Prevent Handgun Violence, chaired by Sarah Brady, was founded in 1982 to reduce gun violence through education, legal advocacy, research, and outreach to the entertainment community. Based in Washington, DC, CPNV's national initiatives include prevention programs for parents and youth on the risks associated with guns, legal representation for gun violence victims, work with the entertainment community to encourage declassification of guns in the media, and research of the risks associated with guns and the efficacy of gun control laws. More information about CPNV and its affiliated organizations, Handgun Control, Inc., can be found on our website at [www.cpnv.org](http://www.cpnv.org).*

Crime - guns  
(lawsuits)

# Chicago Files Suit Against Gun Manufacturers

By JON JETER  
Washington Post Staff Writer

CHICAGO, Nov. 12—The city of Chicago sued gun manufacturers and local gun shops for \$433 million today, charging the industry armed drug dealers, gang members and other felons in a city where nearly 500 people die each year from gunshots.

The suit made Chicago the second city to take on the gun industry in court and inserted it into a new national strategy for battling hand-

gun violence that is modeled after the campaign by states that sued tobacco makers to recoup public health costs resulting from smoking.

New Orleans filed the first such anti-gun suit last month, accusing 15 arms manufacturers whose failure to install adequate safety features, the city contended, makes the weapons "unreasonably dangerous."

Other jurisdictions, including Philadelphia and Dade County, Fla., are considering lawsuits against the gun industry and studying New Orleans' and Chicago's approaches to deter-

mine which strategy would work best under varying state laws.

"Clearly, the gun industry is under attack on a new front," said Dennis Henigan, legal director for the Center to Prevent Handgun Violence and an adviser to New Orleans and Chicago officials. Chicago's legal approach differed from New Orleans' strategy and that of states suing tobacco companies. Unlike the suits arguing that cigarette and gun manufacturers failed to install design features to make their products safe, Chicago's premise is that the gun industry's

marketing and distribution of weapons to city residents is tantamount to a public nuisance, similar to an industrial plant that pollutes a city's drinking water.

"Our complaint is not that the gun doesn't work or is defective," said Brian Crow, the city's chief lawyer. "It works too well."

Specifically, the city's lawsuit targets gunmakers and their suburban dealers here who marketed and sold weapons to undercover police officers during a two-month sting operation. The officers provided the ven-

dors with city addresses, or posed as "straw buyers" purchasing multiple weapons for a convicted felon or someone else legally prohibited from doing so.

It is a crime to own a handgun in Chicago. While it is neither a crime to sell a gun to a Chicago resident nor to a straw buyer, dealers were aware that the guns were intended for illicit purposes when they sold them, city officials contend, and were negligent to do so.

In some instances, Mayor Richard M. Daley said at a news conference, dealers sold guns to undercover officers even after the officers made remarks about buying especially deadly kinds of ammunition. "We

have to ask the manufacturers: 'Why are you making this ammunition that can go through [a police officer's] vest?'" Daley said.

Gun dealers here argued that it is unreasonable for them to refuse to sell a gun to a buyer because he plans to use the gun illegally.

"What could any retailer know what someone is going to do with a gun when they walk out of the door," John Riggio, the owner of Chuck's Gun Shop in suburban Chicago, and a plaintiff in the suit, told the Chicago Sun-Times. "If they have a current gun card and I try to refuse them, I would be violating their civil rights."

# Judge Dismisses 3 of 12 Counts In McDougal Embezzlement Case

Associated Press

SANTA MONICA, Calif., Nov. 12—A judge dismissed three of the 12 counts against Susan McDougal and said today the prosecution had failed to show she could have embezzled any more than \$50,000.

McDougal had been accused of taking \$150,000 from her former employers, conductor Zubin Mehta and his wife, Nancy. Superior Court Judge Leslie Light said it was "certainly possible" that

McDougal embezzled all the money, but that had not been proven.

The nine-week trial is about to enter closing arguments. During a hearing outside the jury's presence, the judge reduced the amount to \$50,000 and dismissed three counts: two of making a false financial statement and one of using a forged or revoked bank card.

By reducing the amount alleged in the main grand theft charge, the judge reduced McDougal's potential sentence by three years.



BY MICK UT—ASSOCIATED PRESS  
Susan McDougal was employed by conductor Zubin Mehta and his wife.

# Nevada Recount Confirms Reid Victory

By HELEN DEWAR  
Washington Post Staff Writer

Sen. Harry M. Reid (D-Nev.) held onto his razor-thin victory over Rep. John Ensign (R-Nev.) yesterday, after a partial recount of absentee ballots in last week's election for the Senate in Nevada.

Reid had been declared the unofficial victor on election night—by 459 votes out of 416,000 cast—but a judge ordered a recount of about 6,000

absentee ballots in the Reno area after learning that they had been printed with uneven margins and may have been incorrectly tallied by machines.

But after the recount was completed yesterday, Reid had still won by 401 votes. The result marked the closest Senate race this year and will deny Republicans their last chance of enlarging their 10-seat majority in the chamber.

Republicans had hoped to expand their majority, perhaps to

the 60 votes needed to thwart filibusters by Democrats, but were held in the elections to the same 55-45 vote margin of control.

"Nevada citizens can feel confident their voices were heard accurately," Reid said in a statement.

But former governor Robert List, who was Ensign's campaign manager, said he would urge Ensign to seek a statewide recount. "We just want a good honest count," he said.

# THE RELIABLE SOURCE

By Ann Gerhart and Annie Groer

## Norm Ornstein's Clowning Moment

Normally we would never contemplate political wonk **Norm Ornstein's** sex life. But when the American Enterprise Institute's Capitol Hill expert stands before his wife, **Judy Harris**, his in-laws and a C-SPAN camera to reveal that the couple has had relations just 117 times in 13 years, and that she "thinks oral sex is adultery—that probably explains why we haven't had any," you gotta notice.

And it's not just his own sex life he's been thinking about. Since DNA tests now prove **Thomas Jefferson** and his slave **Sally Hemings** had a child, Ornstein said, "I like to think that the DNA means that **Jesse Jackson** and **Jesse Helms** are cousins."

That shtick won the O-man third place in Wednesday night's "Funniest Celebrity in Washington" contest, which raised \$20,000 for the Child Welfare League of America at the Improvisation Comedy Club downtown. The Sourcettes were among the six judges.

First prize went to Newsweek's **Matt Cooper**, who said of the switch from **Newt Gingrich** to "fresh new face" **Bob Livingston**: "They used to have a 55-year-old white guy from Georgia. Now they have a 55-year-old white guy from Louisiana."

**Monica Lewinsky's** ex-lawyer, **Bill Ginsburg**—tanned, rested and raunchy—took second. After a spate of Viagra jokes he asked: "What's the difference between a catfish and **Ken Starr**? One is a bottom-dwelling, scum-sucking scavenger. The other is just a fish."

One noncompeting performer was Rep. **Joe Scarborough** (R-Fla.), who played guitar and sang with his Pensacola band, Regular Joe. He admitted giving up dreams of rock stardom when he turned 35, and wrote "I Guess I'll Be a Congressman." The oft-repeated refrain was a thumping "It's as easy as can be, if you give your cash to me, if you give your cash to me."

And while GOP pollster **Kellyanne Fitzpatrick** did not place,



PHOTOS BY ANNIE GROER—THE WASHINGTON POST

she displayed several talents: bending over and exposing, beneath a micro-mini jumper, white undies printed with Mickey and Minnie mice, and warbling the "Pundette Blues" swathed in red feathers.

We preferred her prose definition: "A pundette is a lightweight lightweight . . . someone who goes on TV and tells you the same thing over and over and over and over but never wears the same outfit twice."

Fitzpatrick shows some leg (and then some), above, and Ornstein shows the spoils.



### NOW YOU KNOW . . .

■ You thought **Ralph Fiennes** was hot in Hamlet? Well, well, well. Naked **Nicole Kidman** was so incendiary in the London run of "The Blue Room" that tickets for the 111 performances in New York are nearly gone.

Stripping onstage was "so embarrassing at first," the Australian actress and wife of **Tom Cruise** says in *British Vogue*. "Of course, in character I'm not even aware of it."

One theater critic called her performance in the play "pure theatrical Viagra." Such reviews have produced chaotic celebrity clamoring for house seats at the Court Theatre, where previews begin Nov. 27. Press agent **John Barlow** said 80 percent of the tickets are gone.

■ And in other news of nearly sold-out runs . . . That canny creative force **Eric Schaeffer** has snagged Broadway veteran **Dorothy Loudon** for his premier production of "Over & Over," the new Kander & Ebb musical debuting at Signature Theater in January. Loudon, who received a Tony Award for her portrayal of Miss Hannigan in "Annie," joins a lineup that includes **Bebe Neuwirth**.

■ Mississippi Gov. **Kirk Fordice** said yesterday he has had a recurrence of cancer

five years after his diseased prostate was removed. Fordice, 64, said he will begin radiation next month, joking, "I've got to work it around some duck hunting. I won't do it any other way."



FILE PHOTO BY ALAN TAN MAUR—ASSOCIATED PRESS

**Nicole Kidman** in the London version of "The Blue Room": A hot ticket in New York.

The Washington Post

FRIDAY, NOVEMBER 13, 1998