

# DAVID ADDINGTON?

Really, really doesn't want to be deposed by  
CREW.

Last week, the judge in CREW's lawsuit  
against Vice President Dick Cheney  
approved our request to take the  
depositions of David Addington, Vice  
President Cheney's chief of staff.

On the eve of that deposition, Vice  
President Cheney and the other  
defendants filed an emergency petition  
for a writ of mandamus with the U.S.  
Court of Appeals for the D.C. Circuit.

Mandamus is an extraordinary remedy and  
defendants seek it here to have the D.C.  
Circuit intrude directly into the  
district court litigation by demanding  
that the district court judge vacate her  
discovery orders. The petition is based  
on a claim that the discovery authorized  
by the district court raises serious  
separation of powers concerns merely  
because the deponent is David Addington.

I double dog dare the Appeals Court to tell  
David Addington that, even if such a deposition  
would present a problem according to Article II,  
separation of powers complaints are not  
available to the Fourth Branch.