



## Spector prosecutors say witnesses violated court order

**Forensic scientist Henry C. Lee is accused of talking about the murder case to the news media.**

By Peter Y. Hong, Times Staff Writer  
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Prosecutors in the Phil Spector trial have accused famous forensic scientist Henry C. Lee and two other witnesses of violating a court order by speaking about the murder case to the news media.

Lee, expected to be the defense's star witness, has sharply criticized prosecutors in recent interviews with Chinese-language news organizations.

Last month, Judge Larry Paul Fidler ruled that Lee had kept a piece of crime-scene evidence from prosecutors, and said prosecutors could raise the matter before jurors to question Lee's credibility. The fingernail-sized object, which two witnesses testified they saw Lee holding, was never turned over to prosecutors, as required by evidence rules.

Prosecutors said it was a fingernail fragment blown off by the bullet that killed Clarkson, and that it could have shown she was holding her hand in front of her face in a defensive position when the gun went off and therefore could not have pulled the trigger.

Clarkson was found shot to death in Spector's home Feb. 3, 2003. Spector, who is charged with murder, says she shot herself.

Lee was quoted in two U.S.-based Chinese-language newspapers and appeared on a U.S. Chinese-language television station saying he was under attack by prosecutors who feared his stature and expertise. The prosecutor's motion cites a June 6 Chinese Daily News article in which Lee discussed the case. It also mentions a May 31, 2007, e-mail sent to the Los Angeles Times and other news outlets in which Lee responded to the ruling and allegations that had he removed evidence.

An April television appearance by Lee shortly after the trial started prompted Fidler's order to lawyers to direct their witnesses not to speak to the media. Fidler threatened "appropriate action" if his order was violated.

The motion filed Thursday asks Fidler to call a hearing to "determine the appropriate remedy for ongoing violations of the court's order."

Along with Lee, the motion notes that Zvonko William Pavelic, a defense investigator who was at the crime scene with Lee and others the day after the shooting, spoke about the case on Court TV on June 7. The motion said Pavelic "engaged in a personal attack

on Patrick Dixon, one of the prosecutors in the case."

The third witness named in the motion is Jody "Babydoll" Gibson, who served 22 months in prison for running a prostitution ring. Gibson, in a tell-all memoir, suggested that Clarkson had worked for her under the name "Alana."

The motion, which was filed by Deputy Dist. Atty Alan Jackson, states that Gibson was interviewed by Marie Claire magazine and the Geraldo Rivera show but does not detail what she said.

Spector lawyer Roger J. Rosen said, "I want to know specifically what Mr. Jackson is talking about." The Marie Claire article is to be published in August, when the trial is expected to be over. "I suspect this is going to prove to be a non-motion," Rosen said.

Christopher J. Plourd, another Spector lawyer, said he would not comment on the motion because "we represent Mr. Spector; we do not represent the witnesses."

Pavelic said he did not violate Fidler's order because he was not scheduled to be a witness for the defense or prosecution, although he appeared in the evidentiary hearing to determine whether Lee had hidden evidence.

Aside from the May 31 e-mail, Lee has not responded to numerous e-mails and phone messages from The Times seeking comment.

*peter.hong@latimes.com*