

AFFIDAVIT OF THAYER LINDAUER

I have practiced corporate law for 40 years, with a specialty in Multi-Level Marketing in the U.S. and international arenas. Though my expertise lies outside criminal law, I took my degree at the University of Chicago and I have broad legal experience. I am quite satisfied that my niece, Susan Lindauer, has accurately described my involvement in her legal fight, and the events related to her incarceration at Carswell Prison.

Most importantly, six months prior to her imprisonment, I interviewed several important witnesses in her case, who forthrightly authenticated her claims. Those witnesses included Edward MacKechnie, Scottish Solicitor for the Lockerbie Trial, who validated Susan's long-time work relationship with Dr. Richard Fuisz and his known affiliation to the Central Intelligence Agency. I spoke with Paul Hoven, who admitted his role as one of Susan's handlers, and further identified Dr. Fuisz as her second, CIA handler, overseeing her activities at the United Nations. I spoke with Parke Godfrey about Susan's 9/11 warning, and other assundry issues in her case. During her imprisonment, I spoke with a number of other witnesses and friends of Susan's, including, I believe, Ian Ferguson, the Scottish journalist and expert on Lockerbie.

There is no question but that Susan's history as an Asset, supervised by members of U.S. Intelligence, would have been easily proven to the satisfaction of the Court.

For those of us who trust in the legal traditions of this country, her case marked a stunning reversal of expectations. Susan correctly relates that I have tremendous respect for Judge Michael Mukasey and the predicament that he faced. There were serious questions of prosecutorial misconduct and withholding exculpatory knowledge from the Court, since it was quite clear the Justice Department did not want to admit Susan's role in Pre-War Intelligence or the 9/11 investigation, including her 9/11 warning. To incarcerate an American citizen without a trial or due process, however, opposes all of the values that the U.S. Courts seek to uphold.

Though it might seem unlikely, Susan has accurately described the Court proceedings leading up to her prison surrender. That September day, we had no idea why the court had ordered her to appear. Her public attorney insisted the Psychiatric Report by Dr. Stuart Kleinman was still unavailable to him. Until we got to Court, we had no idea they intended to send her to prison, or deny her rights to a competence hearing, which is routine procedure.

I did instruct her to fire Sam Talkin, and name me as co-counsel of her defense, so that I could demand a hearing on her behalf. It is true that the Court clerk instructed us that if Susan tried such a thing, she would be seized immediately by U.S. Marshals, and would forfeit her bail for the remainder of the proceedings. She was advised that if she consented to delay the hearing until after the Prison Evaluation, she would have three days to get her affairs in order. Judge Mukasey amended that to 10 days.

There was no doubt that Susan wanted the hearing.

It is possible that Judge Mukasey expected Carswell's evaluation to be very brief. Normally, these sorts of evaluations take 6 to 8 weeks, for other non-political defendants. Indeed, after the court meeting, Judge Mukasey's clerk suggested to me that Susan would probably come home before Christmas.

Unfortunately, the politics of her contributions to Pre-War Intelligence and the 9/11 investigation swamped the proceedings. She has not exaggerated the threat of "indefinite" detention that she faced, or the aggressive push to forcibly drug her with Haldol.

It is absolutely correct that Carswell's psychology staff, the U.S. Attorney's Office in New York, the FBI and the main Justice Department had direct knowledge that Susan had told the truth about her Asset work. I have spoken to witnesses myself, who told me that they assured the FBI and/or psychologists at Carswell that Susan was telling the truth. I must conclude the request for forcible drugging was politically motivated.

Finally, Susan has stated correctly that I made three attempts to visit her at Carswell, driving 700 miles each way. On the first two tries, guards refused to admit me to the military base, telling me no prison was there. The second time, guards insisted the prison was closed on weekends. Only when Judge Mukasey ordered U.S. Marshals to stand by as an escort was I admitted. This occurred at a critical moment, when I was trying to broker a solution that would satisfy the Court and secure her freedom. At that point, we just wanted her home. The decision on competence was secondary to protecting her from forcible drugging and winning her release.

"Extreme prejudice" strikes me as an appropriate title for the book, given what the government tried to do.

Ted Lindauer