Navigating Signals

The beleaguered former witness in the federal and state governments' war against Big Tobacco, Bill Waid, and executive producer Dan Hewitt of 60 Minutes fought over airing Waid's story. Fasive.


Details of Tobacco Executive's Assertions Are Disclosed

By HANNAH J. FEDEL

The details of assertions made by cigarette giant A. T. Still of the Brown & Williamson Tobacco Corporation are disclosed in court.

The company and others are battling to keep the story out of the public eye.

The company is accused of having a conflict of interest in dealing with the opposing counsel.

The story is covered by the New York Times.

Photographs by NIGEL PARRY
Angrily, painfully, Jeffrey Wigand emerged from the sealed world of Big Tobacco to confront the nation’s third-largest cigarette company, Brown & Williamson. Hailed as a hero by anti-smoking forces and vilified by the tobacco industry, Wigand is at the center of an epic multibillion-dollar struggle that reaches from Capitol Hill to the hallowed journalistic halls of CBS’s 60 Minutes. MARIE BRENNER investigates
THE WITNESS

I am a whistle-blower,” he says. “I am notorious. It is a kind of infamy doing what I am doing, isn’t that what they say?”

It was never Jeffrey Wigand’s ambition to become a central figure in the great social chronicle of the tobacco wars. By his own description, Wigand is a linear thinker, a plodder. On January 30, when he and I arrange to meet at the sports bar at the Hyatt Regency in Louisville, he is in the first phase of understanding that he has entered a particular American nightmare where his life will no longer be his to control. His lawyer will later call this period “hell week.”

Wigand has recently learned of a vicious campaign orchestrated against him, and is trying to document all aspects of his past. “How would you feel if you had to reconstruct every moment of your life?” he asks me, tense with anxiety. He is deluged with requests for interviews. TV vans are often set up at DuPont Manual, the magnet high school where he now teaches. In two days Wigand, the former head of research and development (R&D) at the Brown & Williamson Tobacco Corp., will be on the front page of The Wall Street Journal for the second time in a week. Five days from now, he will be on 60 Minutes. Wigand is trapped in a war between the government and its attempts to regulate the $50 billion tobacco industry and the tobacco companies themselves, which insist that the government has no place in their affairs. Wigand is under a temporary restraining order from a Kentucky state judge not to speak of his experiences at Brown & Williamson (B&W). He is mired in a swamp of charges and countercharges hurled at him by his former employer, the third-largest tobacco company in the nation, the manufacturer of Kool, Viceroy, and Capri cigarettes.

In the bar, Wigand sits with his security man, Doug Sykes, a former Secret Service agent. Wigand is worn out, a fighter on the ropes. He has reached that moment when he understands that circumstances are catapulating him into history, and he is frightened, off his moorings. He wears silver-rimmed aviator glasses, which he takes off frequently to rub his eyes. There has been on the CBS Evening News twice in the last five days, no one in the bar recognizes him. Wigand is 53. He has coarse silver hair, a small nose, and a fighter’s thick neck from his days as a black belt in judo. There is a wary quality in his face, a mysterious darkness that reminds me of the writer John Irving. Wigand wears the same clothes I have seen him in for some days—jeans and a red plaid flannel shirt, his basic wardrobe for a $30,000-a-year job teaching chemistry and Japanese.

In front of us, on a large screen, a basketball game is in progress. "They kept me up until two A.M. last night. Just when I thought I was going to get some sleep, the investigators called me at midnight. At six A.M. I was gotten up again by someone from 60 Minutes telling me that I should relax. How am I supposed to relax?” Wigand stares at the TV screen. “You are becoming a national figure,” I say. Wigand suddenly sputters with rage. “I am a national figure instead of having a family. O.K.? I am going to lose economically and I am going to lose my family. They are going to use the trump cards on me.”

I follow Wigand out of the Hyatt and down the street to a restaurant called Kunz’s. A light snow is falling. By this time, Jeff Wigand and I have spent several days together, and I am accustomed to his outbursts. A form of moral outrage seems to have driven him from B&W, and he is often irascible and sometimes, on personal matters, relentlessly negative: “What does your brother think?” “Ask him.” “Is your wife a good mother?” “Ask her.” His expression hardens; he retreats into an inner zone.

“When you were in your 30s, how did you think your life was going to turn out?” I ask him. Wigand is no longer belligerent. His voice is quiet, modulated, “I thought I would be very successful. Affluent. I started at $20,000 a year and wound up at $300,000 a year. That was pretty nice.”

All through dinner, Wigand keeps his cellular phone on the table. It rings as we are having coffee. He explodes in anger into the receiver: “Why do you want to know where I am? What do you want? What do you mean, what am I doing? It’s 10 o’clock at night. What do you need to connect with me for? I am not a trained dog. You are going to have to explain to me what you are doing and why you are doing it so I can participate.”

Wigand narrows his eyes and slams his head at me as if to signal that he is talking to a fool. He is beyond snapshock now. I realize that he is speaking to one of his legal investigators, who has been putting in 16-hour days on his behalf, mounting a counterattack against his accusers. “You can’t just drop into Louisville and have me drop what I am doing. No, you can’t! I AM NOT LISTENING. O.K.? FINE. YOU TELL HIM TO FIND SOMEBODY ELSE.”

Wigand slams the telephone on the table. “Everyone on the legal team is pissed off because I am in Louisville. You know what the team can do! If he was going to come down today, why didn’t he tell me he was coming?” We walk out of Kunz’s and trudge back through the snow toward the...
Jeffrey Wigand and I met at an anti-smoking-awards ceremony in New York on January 18. Wigand was receiving an honorarium of $5,000, and former surgeon general C. Everett Koop was going to introduce him. Wigand radiated glamour, an unsettling affect for a man who was in New York to be honored along with such other anti-smoking activists as California congressman Henry Waxman and Victor Crawford, the former Tobacco Institute lobbyist, who died soon after of throat cancer. "I am not sure I should be here," Wigand told me moments after we met. "Something terrible has happened to me. Brown & Williamson has gotten private records from the Louisville courthouse. A local TV reporter has come to my school to ask about my marriage. They are trying to ruin my life. When I get back to Louisville, I may not have a job. A public-relations man in New York named John Scanlon is trying to smear me. I have five sets of lawyers who are representing me, and no one can agree on a strategy." Then he said, without any special emphasis, "If they are successful in ruining my credibility, no other whistle-blower will ever come out of tobacco and do what I have done." One hour later he was on stage accepting his award and giving a halting history of his conflict with B&W. "My children have received death threats, my reputation and character have been attacked systematically in an organized smear campaign," he said, his voice breaking.

When I saw Jeffrey Wigand for the first time in Louisville, he was at the end of one crisis and the beginning of another. We had been scheduled to meet for our first formal interview that evening, and I waited for him to call me. Out of necessity, Wigand has become a man of secret telephone numbers and relayed phone messages; there is an atmosphere of conspiracy around any meeting with him, with tense instructions and harried intermediaries. On my voice mail in the hotel, the messages grew increasingly dramatic. "This is Dr. Wigand's security man. He will call you at four P.M." "Marie, this is Dr. Wigand. Some problems have developed. I am not sure I can have dinner." At one point I picked up the telephone. "How are you?" I asked. "Let's put it this way: I've had better days." Then: "The F.B.I. is coming to check out a death threat." Later: "My wife, Lucretia, wants me to leave the house. I am trying not to be served with papers." Finally: "I don't have a place to go."

By the time Wigand decided to move temporarily into the Hyatt, it was 10:30 P.M. I walked downstairs and knocked on his door. I was surprised by the change in his appearance in just one week. He leaned against the TV on the wall, dimmed and badly shaken. "I have lost my family. I don't know what I am going to do," he said.

He had hurriedly packed a few shirts; he was missing even the lesson plans for his classes the next day at the high school. Before coming to the Hyatt, Wigand had broken down at home in the presence of an F.B.I. agent who had come to investigate a death threat. "I have lost my family. I don't know what I am going to do," he said.

The deposition would be in Room 1108 at the Hyatt, registered under another name. On January 26, his second night in exile, I joined him to watch himself as the lead story on the CBS Evening News. Wigand was freighted, particularly sour with one of his lawyers, Todd Thompson, when he walked into the room. "Don't you say hello to me, Jeff!" he asked. "I am angry at the world," Wigand answered. He was sitting at a small table. On his shirt was a button that read: "If you think education is expensive, try ignorance." "I have no idea where my wallet and diary are!" he said. "Why should she have my assets? Why should I continue to pay her expenses?"

That same day The Wall Street Journal had published a front-page, 3,300-word story with an extract from a lengthy deposition Wigand had given in late November about his experiences at B&W. The deposition would be used in a massive lawsuit filed by Michael Moore, the attorney general of Mississippi, against the major American tobacco companies. Wigand is a key witness in a singular legal attempt by seven states to seek reimbursement of Medicaid expenses resulting from smoking-related illnesses. Each year, $425,000 Americans die of such illnesses; through tax money that goes to Medicaid, the general population pays for a significant portion of the billions of dollars of health costs. If the state attorneys general, with an assist from Jeffrey Wigand, were to succeed in proving that cigarettes are addictive, the cigarette companies could be forced into settling the hundreds of thousands of plaintiffs' actions that would result. A number of the lawyers representing the states are working on contingency—in some cases hoping to earn fees of 33 percent—and recently The Wall Street Journal raised the question "Should state governments be getting into bed with the contingency fee bar?"

Wigand is tentatively scheduled to testify late this spring. In his deposition, Wigand had talked about the dangers of a number of additives in cigarettes and pipe tobacco, the addictive properties of nicotine, and the alleged attempts by B&W to camouflage such information. The Wall Street Journal tested on the bed, as did a copy of the most recent death threat Wigand had received: "We want you to know that we have not forgotten you or your little brats. If you think we are going to let you ruin our lives, you are in for a big surprise! You cannot keep the bodyguards forever, asshole."

Wigand looked up to see his own face on TV. Mike Wallace was interviewing him.

WALLACE: Last August we talked with Jeffrey Wigand, previously the $300,000 research chief at Brown & Williamson. He is the highest-ranking executive ever to reveal what goes on behind the scenes at the highest level of a tobacco company. WIGAND: We're in a nicotine-delivery business.

WALLACE: And that's what cigarettes are for? WIGAND: Most certainly. It's a delivery device for nicotine.
on CBS. There was no pleasure in his voice. Suddenly, a copy of the death threat I had just read was on the screen. Wigand shouted, “How the hell did they get that? Don’t I have any privacy at all?”

That night we had dinner at the revolving restaurant at the top of the Hyatt. As we sat down at the table, Wigand looked out the window. “I don’t believe this,” he said. “We are directly across from the Brown & Williamson Tower.” I could see fluorescent light glowing on a single floor in the otherwise darkened building. “What is that?” I asked. “That’s the 18th floor. The legal department. That is where they all are working, trying to destroy my life.”

The restaurant revolves slowly, and each time the B&W Tower came into view, Wigand would grimace. “Look at that,” he said. “They are still there, and they will be there tomorrow and they will be there on Sunday... You can’t schmooze with these guys. You kick them in the balls. You don’t maim them. Don’t take prisoners.”

The anti-tobacco forces depict Jeffrey Wigand as a portrait in courage, a Marlon Brando taking on the powers in the film On the Waterfront. The pro-tobacco lobbies have been vociferous in their campaign to turn Wigand into a demon, a Mark Fuhrman who could cause potentially devastating cases against the tobacco industry to dissolve over issues that have little to do with the dangers of smoking. According to New York public relations man John Scanlon, who was hired by B&W’s law firm to help discredit Wigand, “Wigand is a habitual liar, a bad, bad guy.” It was Scanlon’s assignment to disseminate a wide range of damaging charges against Wigand, such as shoplifting, fraud, and spousal abuse. Scanlon himself, along with B&W, is now the subject of an unprecedented Justice Department investigation for possible intimidation of a witness. For First Amendment specialist James Goodale, the charges and countercharges B&W has attempted to level against Wigand represent “the most important press issue since the Pentagon Papers.”

Goodale, who represented The New York Times during that period, said, “You counteract these tactics by a courageous press and big balls.”

The B&W executives appear to be convinced that they can break Wigand by a steady drumbeat of harassment and litigation, but they underestimate the stubborn nature of his character and the depth of his rage at what he says he observed as their employee. A part of his motivation is the need for personal vindication: Wigand is not proud that he was once attracted to the situation he came to find intolerable. According to Wigand’s brother James, a Richmond, Virginia, endocrinologist, “If they think they can intimidate and threaten him, they have picked on the wrong person!”

It has become a dramatic convention to project onto whistle-blowers our need for heroism, when revenge and anger are often what drive them. There is a powerful temptation to see Jeffrey Wigand as a symbol: the little guy against the cartel, a good man caught in a vise. However, Wigand defies easy categorization. As a personality, he is prickly, isolated, and fragile—“peculiar as hell” in Mike Wallace’s phrase—but there seems to be little doubt about the quality of his scientific information. Wigand is the most sophisticated source who has ever come forward from the tobacco industry, a fact which has motivated B&W to mount a multimillion-dollar campaign to destroy him. National reporters arrive in Louisville daily with questions for Wigand: How lethal are tobacco additives such as coumarin? What did B&W officials know and when? And what does it feel like, Dr. Wigand, to lose your wife and children and have every aspect of your personal life up for grabs and interpretation in the middle of a smear?

When Jeffrey Wigand tells the story of his life, he does not begin with his reaching the Air Force Academy. He is a hard-driving businessman. He is a corporate Everyman, part of a world of subsidiaries and spin-offs, golf on weekends and rides on the company plane. He uses phrases right out of the lexicon of business—“game plan,” “troubleshooter.” He was “director of corporate development at Pfizer,” then a “general manager and marketing director” at Union Carbide in Japan. Later, as a senior vice president of marketing at Technicon Instruments, he was responsible for “a state-of-the-art plant” that “optimized” the “manufacturing facility” for biological compounds.

The son of a mechanical engineer, Jeffrey Wigand grew up in a strict Catholic home in the Bronx, the eldest of five children. When he was a teenager, the family moved to Pleasant Valley, a town in upstate New York near Poughkeepsie. Wigand’s father stressed independence and insisted that his sons help build their new house. Wigand had to control his anger at his parents’ strictness. According to James, their mother was a “cold individual” who had little understanding of children. “I am sure my father will kill me if he reads this,” James said. “But I felt that my parents believed that children were more to be tolerated. I always had the feeling how much was being done for us, how much we owed for this opportunity!”

A gifted chemistry and biology student, Jeff flourished in the quiet atmosphere of the science labs and hoped to study medicine. As a freshman at Dutchess Community College, he ran cross-country track and “worked as a scrub nurse at Vassar Brothers Hospital,” James recalled. Then he suddenly announced to his parents that he was dropping out of college and joining the air force. “It was a rebellion to get away,” James said. “My mother just about freaked out. But if you make someone so suppressed, the anger kind of builds up.”

It was 1961. Wigand was sent to Misawa, an American air base in Japan, where he ran an operating room. “I got hooked on the language and on martial arts,” he said. He volunteered as an English teacher at a Catholic orphanage. He was sent briefly to Japan, he told me, although he brushed off the experience: “It was 1963, and...
It was obvious to Wallace and Bergman that an attempt was being made to ruin Wigand's reputation.

nothing was going on." I wondered at the defensive tone in his voice. Later B&W would challenge whether he had been in Vietnam at all. (According to one investigator, he was there for about a month.)

When he came back to the States, he wrote a master's thesis on vitamin B₃ and later earned a doctorate in biochemistry at the State University of New York at Buffalo. He was offered a $20,000-a-year job with the Boehringer Mannheim Corporation, a German health-care company. In 1970, at a judo class, Wigand met Linda, his first wife, a legal secretary from Eden, New York. Seven months after they married, in 1971, Linda developed multiple sclerosis. At the time, Wigand was still working for Boehringer Mannheim in New York, but he moved on to Pfizer and then was recruited for a lucrative position at Union Carbide. He was to form a subsidiary to test medical equipment in clinical trials in Japan. He was 34 years old, fluent in Japanese, basking in his new status.

Wigand is proud of his time at Union Carbide—"I was right at the top," he said—but Linda grew progressively weaker. "Jeff searched the world for specialists," recalled Conrad Kotrady, a Salt Lake City doctor who has known him since graduate school. "He attacked the problem as if it were an assignment, but then her condition became increasingly difficult for him."

Wigand burrowed into his work, withdrawing from the agony of watching his wife disintegrate physically. In 1973 their daughter, Gretchen, was born.

Wigand has a quality his brother recalled as a kind of personal shutdown—an ability to close off his emotions when things get difficult. As Linda's condition worsened, Wigand distanced himself from her and his baby. "I really did not have a marriage," he told me. "If I said I didn't play around, I would be lying. Linda came back to the States, and something happened in my parents' house. She went home to Buffalo." Several years passed before he saw her or his daughter again, and eventually the marriage unraveled. Linda's parents believed that Wigand had abandoned their daughter, one friend recalled. "I thought Linda was dead," Wigand said quickly. "That's what a friend said." Wigand did little attempt to communicate with his daughter. It is Kotrady's belief that Wigand did not want to upset her by taking her away from a stable home with loving grandparents.

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Wigand was filled with ideas, but he was often testy. Bob Karlson, his mentor at Ortho, recalled pulling on his ear at meetings to tell Wigand to pipe down when he got out of hand. "I have a very bad problem—saying what's on my mind." Wigand told me. "I don't take too much crap from anybody." He was a perfectionist who kept a
file of correspondence with businesses he dealt with whose products were flawed. In one instance, he returned some hardware to a catalogue company. In another, he demanded reimbursement for a cleaning bill for water-damaged items. Later this file would be detailed and used against him as evidence in B&W's private investigation, suggesting that he had committed fraud. Wigand had a tendency not to share information, even with Lucretia. On the day before her 30th birthday, Wigand called her from the office: "My friends and I are coming home to celebrate." Later that afternoon, Lucretia used his car to go for a pizza. "All of his office was in the backseat.

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"Is there something you want to tell me?" As it happened, some of Technicon's upper-management team, including Wigand, had been dismissed. In 1987 he was made president of a small medical-equipment company called Biosonics in Fort Washington, Pennsylvania. Wigand recalled a power struggle with the owner of the company, who recently wrote an article in Philadelphia Forum about his experiences with Wigand, accusing him of having bullied female employees and in one instance of having shined a light on his subordinates while he was asking about a company matter. Wigand denies both charges.

For one year Jeff Wigand did consulting work. He finally decided to pursue his dream of being a doctor, but Lucretia convinced him he was too old. Then he approached a headhunter, who asked if he would consider working for Brown & Williamson, the tobacco company. Lucretia was puzzled by the offer: "I said, 'Why do they want you? You know nothing about tobacco. You had—what?—17 years of health care.' It did not make sense." From his first meetings with Alan Heard, the head of R&D for BAT Industries (formerly British American Tobacco), the conglomerate with $3 billion in annual profits that owns B&W, Wigand shut his eyes and ignored the Faustian arrangement. Heard said he wanted to develop a new cigarette to compete with Premier, a product made by the R. J. Reynolds Tobacco Company (RJR) which had little tar. The appeal was seductive for a man who prided himself on his research skills, and Wigand’s title would be impressive: head of R&D. He would soon be paid more than he had ever earned in his life—$300,000 a year. His department would have a budget of more than $30 million and a staff of 243. Shortly after he began the interviews, Wigand took up smoking. He later said, "I was buying the routine. I wanted to understand the science of how it made you feel."

From the beginning, Lucretia encouraged the move to Louisville. Since her parents' divorce, her father had remarried a couple of times. Along with his medical practice, he owned tobacco land. A move back to Louisville with Wigand in an important position in that industry would probably impress Lucretia's father and might draw the family closer together. Besides, she had just had a baby, and she believed that life in Louisville would be a boon for a child. "I thought if I made big bucks she would be happy," Wigand told me.

When Wigand told his brother he was going to work for a tobacco conglomerate, James said, "You've got to be kidding." But Wigand was optimistic. "I thought I would have an opportunity to make a difference and work on a safer cigarette. I talked to a lot of my friends from
college. They said, "You know, you're never going to be able to come back. You can't go from tobacco back into health care."

II  THE FIRM

From Wigand's first days at B&W, it was apparent to him that there was a contradiction in his situation. On his good days he believed he was helping the world. On the other days he was a guy with a family who earned a large salary. He had a feisty, urban, go-getter personality in an unusual city; Louisville was a Velveeta town, clannish and sophisticated, once ruled by old families such as the Bingham publishing dynasty. At B&W, Wigand's intensity and uncongenial personality grated on many of his southern colleagues. Wigand believed that he was there to shake up the ossified atmosphere. Three months after he was hired, RJR withdrew Premier from the market because the taste was unpleasant, acrid, and synthetic. Had Wigand been shrewder, he might have thought that he was now in a trap. There was no real reason for a non-tobacco man to remain at the company. But he attempted to keep his contrarian nature under wraps. He went to company parties, and Lucretia volunteered to help at the Hard Scruffle steeplechase, a charity event. It is conceivable that B&W had sized Wigand up psychologically. He surely appeared to be highly ambitious, money-hungry, a potential captive to the firm.

In Louisville, the Wigands bought a two-story, red brick house in a pleasant suburb. There was an alley of trees in the middle of the road, giving a sense of allure. Wigand had offices at B&W, one at the R&D laboratory and one in the office tower. When he toured the lab for the first time, he was startled, he told me, to observe how antiquated it seemed. "The place looked like a high-school chemistry lab from the 1930s with all sorts of old-fashioned smoking machines. There was no fundamental science being done." There was neither a toxicologist nor a physicist on staff, a fact which Wigand found very unsettling. How, he thought, could you be serious about studying the health aspects of tobacco or fire safety without the proper experts? According to documents that later wound up in the University of California at San Francisco library, even in the 1960s research had been done for B&W which tobacco activists say proved that cigarettes were addictive and caused cancer. However, Wigand says he did not learn of those studies until he left the company.

Shortly after Wigand was hired, he was sent to an orientation session on tobacco-litigation matters at Shook, Hardy & Bacon, a Kansas City law firm that specializes in defending lawsuits for the industry. The firm is reputed to have its own in-house scientists and tobacco researchers. Shook, Hardy & Bacon and B&W lawyers were aware of the dangers that the company's research could pose in a lawsuit. B&W lawyers had devised an ingenious method for avoiding discovery of sensitive information: have it "shipped offshore"—a practice one attorney referred to as "document management." It was the suggestion of Kendrick Wells, an attorney in B&W's legal department, that staff be told that this effort was "to remove deadwood." and that no one "should make any notes, memos or lists." Wigand later testified that another law firm, Covington & Burling, sometimes edited scientific information on additives.

Nine months after Wigand went to work, he attended a meeting of BAT scientists in Vancouver, British Columbia. The top R&D executives from BAT's worldwide tobacco subsidiaries were there to discuss health matters and the possibility of a nicotine substitute. There was a feeling of excitement among the scientists that they could reduce health risks for smokers. By then Wigand had grown used to the euphemisms of his new milieu. He understood that "increased biological activity" in reports was code for cancer and other diseases. At the meeting, Wigand would later testify, roughly 15 pages of minutes were taken by Ray Thornton, a British scientist. A copy was sent to Wigand, who circulated copies to upper management.

Soon after that, Wigand says, he was called into Kendrick Wells's office and asked to sign off on a 3-page synopsis of the minutes—a reduction of about 12 pages. In a recent deposition, Wells testified that Raymond Pritchard, the then C.E.O. of the company, had assigned Wigand to produce a revised set of minutes.

Within the industry, BAT is known as "the tough guy" for its ferocious litigation strategy. As a foreign corporation it has never enjoyed quite as much political influence as the American tobacco companies, which donate vast sums of money to organizations as diverse as the African-American political caucuses, the Whitney Museum, and the political-action committees of dozens of candidates, especially Bob Dole. In the late 1970s the Federal Trade Commission (F.T.C.) investigated the advertising practices of all the tobacco companies. In a public report later read at a congressional-committee meeting, B&W's Viceroy cigarette was mentioned for a proposed test-marketing campaign that appeared to target minors. Several years later, a CBS anchorman in Chicago, Walter Jacobson, broadcast a segment about the report. B&W sued CBS, which paid a $3 million judgment after the case went all the way to the Supreme Court. B&W also clashed with RJR and Philip Morris over Barclay cigarettes and a false-advertising charge brought by the F.T.C. In 1987, B&W withdrew from the Tobacco Institute, an American tobacco lobbying group, for several years. Although B&W employed 500 people in Louisville, Wigand chafed at the bunker mentality. "It was an inescutious society," he said. "Wherever you went—to dinners, to parties—the B&W people all stayed together. They never mixed." Many of the executives smoked, although in private they often talked about the risks. "Their whole corporate philosophy was 'Shit flows downhill.' You get paid very well. You have lots of nice benefits." Later he recalled, "I didn't trust anyone at B&W. I was a different animal."

Wigand felt that the scientific data at B&W was Stone Age, as he later told a friend. He brought new computers into the R&D facility and hired a physicist and a toxicologist. He worked on reverse engineering at Marlboros, attempting to discern their unique properties: he studied fire safety and ignition propensity.

After Vancouver, Wigand continued to push for more information. He be-
gan to hear mysterious names at company dinners—"Ariel" and "Hippo." "I did not drink at all then—only Diet Pepsi—and I would ask, "What is that?" And suddenly people would clam up." As the head of R&D at B&W, he should logically have been aware of every aspect of the company's research. "There were essentially two research-and-development departments. They did the work on nicotine overseas." Wigand says he did not discover that Ariel and Hippo were research studies on health-related issues conducted in the 1970s at BAT in Switzerland until he read thousands of pages of documents taken from a law firm in downtown Louisville by a concerned paralegal named Merrell Williams, a Faulknerian personality with a doctorate in drama. "My perspective was like night and day," Wigand told me. "It was like being aware and not being aware. You look back on things that happened when you were present and you say, 'Hell, they knew about that all along.'"

Wigand began to keep an extensive scientific diary, both in his computer and in a red leather book. "I kept it day by day, month by month. I saw two faces, the outside face and the inside face. It bothered me. I didn't know the diary was going to be valuable." In one early entry, Wigand recalled, he recorded a promise made to him that he would be able to hire "a scientific and medical advisory commit-tee." "Then, all of a sudden—poof!—it's gone."

Wigand's scientific ethics had been shaped during his years working for Johnson & Johnson; he admired particularly the stringent standards enforced by C.E.O. James Burke during the recall of shipments of Tylenol after a poisonous scare in 1982. At first he believed that Ray Pritchard was a man of honor like Burke. At lunch from time to time, he complained in private to Pritchard about Thomas Sandefur, then the company president. Wigand had come to believe that his safe-cigarette project was being canceled. He told 60 Minutes that he had gone to ask Sandefur about it and that Sandefur had been harsh: "I don't want to hear any more discussion about a safer cigarette... We pursue a safer cigarette, it would put us at extreme exposure with every other product." (On 60 Minutes, B&W said this was false.)

Wigand made no secret of his lack of respect for Sandefur: "I wouldn't consider them all intellectual titans. Sandefur used to beat on me for using big words. I never found anybody as stupid as Sandefur in terms of his ability to read or communicate... In terms of his understanding something and his intellectual capacity, Sandefur was just like a farm boy."

According to Wigand, Sandefur had a particular interest in B&W's manufacture of snuff. There were problems with bacterial fermentation, Wigand told me. "They could never get it fermented correctly. They could not get a consistent taste or particle size. They could not understand the tactuality of soil bacteria and how it worked on the natural flora. What was the effect of ammonia to flora? Most moist snuff deteriorates after packaging. If you could find a way to sterilize it, you would slow up bacterial fermentation and have a safer product. No one had done this for four years."

Snuff was a critical product for B&W, Wigand said, because it is "start-up stuff for kids... It was Sandefur's baby. You have to look at the age somebody starts smoking. If you don't get them before they are 18 or 20, you never get them." (Thomas Sandefur declined to make any comment for this article.)

According to The Journal of the American Medical Association, 3 million Americans under the age of 18 consume one billion packs of cigarettes and 26 million containers of snuff every year. For a cigarette company, the potential for profits from these sales—illegal in all 50 states—is immense, more than $200 million a year.

Wigand came to feel increasingly that there was "no sense of responsibility" on the subject of teenagers and smoking. He was disturbed by a report that on the average children begin to smoke at 14. He was surprised, he told me, by Sandefur's lack of interest in such matters, and he grew visibly testy. "I used to come home tied in a knot. My kids would say to me, 'Hey, Daddy, do you kill people?' I didn't like some of the things I saw. I felt uncomfortable. I felt dirty.

"The last year and a half I was there, Brown & Williamson used to keep me isolated. How did they know I was trouble? I was asking some pretty difficult questions: How come there was no research file?... When they drink, they talk. I know a lot. My diary will reflect those meetings. I was not Thomas Sandefur's fair-haired boy."

He withdrew into a stolid isolation. Lucretia knew something was wrong, she later told me. When she asked him how things were going at the office, he would say, "Fine." If she pressed him, he would answer, "That's work, and I leave that at the office." His need to control his emotions caused him frequently to lose his temper at home, Lucretia remembered.

There was also a major additional problem at home, a hole in the center of his life. His older daughter with Lucretia had serious medical problems. According to Wigand, "Rachel was not diagnosed correctly from birth. Both specialists and general practitioners, including Lucretia's father, unequivocally stated that Rachel did not have any problem, even after substantive testing. I finally sought out a respected adult urologist who made the diagnosis of spina bifida. This required spinal surgery." In a rage, Wigand threatened to sue the doctors who had not diagnosed her earlier. It is Wigand's opinion that his father-in-law never forgave him. (Neither Lucretia nor her father would comment on this subject.)

At work he grew increasingly vocal. After 1991, B&W's evaluations of him contained new corporate euphemisms. Wigand had "a difficult time in communication." He was becoming, as he later described it, a problem for Sandefur by sounding off at meetings. For Wigand, the critical moment occurred when he read a report from the National Toxicology Program. The subject was coumarin, an additive that had been shown to have a carcinogenic property which caused tumors in rats and mice. The make-up of coumarin was close to that of a compound found in rat poison, but until 1992 no one understood the possible dangers. The new report described its carcinogenic effect. When Wigand read this in late 1992, his first reaction was "We have got to get this stuff out of the pipe tobac-
The relationship between CBS and Laurence Tisch's tobacco company, Lorillard, became a vexing problem for the news division.

"One of B&W's products was Sir Walter Raleigh. Wigand told 60 Minutes that when he went to a meeting with Sandefur, Sandefur told him that removing it would impact sales. Wigand got the impression that Sandefur would do nothing immediately to alter the product, so he sought out his toxicologist, Scott Appleton. Wigand says he asked him to write a memo backing him up, but Appleton refused, perhaps afraid for his job. (Appleton declined to comment.)

D

iven by anger now, Wigand says, he determined to examine what happens when other additives are burned. He focused on glycerol, an additive used to keep the tobacco in cigarettes moist. He was involved in discussions about the nicotine patch and studied a genetically engineered, high-nicotine Brazilian tobacco called Y-1.

Wigand also began attending meetings of a commission on fire safety in cigarettes in Washington. He observed Andrew McGuire, an expert on burn trauma from San Francisco, who had won a MacArthur grant following his campaign for fire-retardant clothing for children. The commission met approximately 40 times and had our R&D scientists from tobacco companies as members, including Alexander W. Spears, the future head of Lorillard. As far as McGuire knew, B&W was not represented. "I would look out and I would see all these men in suits listening to our discussions. I assumed that they were tobacco-company lawyers, monitoring what we were doing," McGuire said. Wigand had several conversations about his experiments with additives with other tobacco men attending the meetings, but he never met McGuire.

In the summer of 1992, Earl Kohnhorst, a senior executive at B&W, called Wigand into his office. Wigand considered him a friend, and had urged him to stop smoking—as Wigand had. According to a memo Kohnhorst later wrote, the meeting was not friendly. Wigand apparently learned he was on notice, and Kohnhorst is said to have implied that he was difficult to work with and was talking too much.

"Wigand says that his anger made it impossible for him to censor himself; he had come to believe his worth as a scientist being being violated by his association with the tobacco company. He also believed that the other scientists in the company would share his values. Wigand was determined to be on the record with his research on additives. He recalled writing a memo for the files on the dangers of coumarin. He felt, he later said, that he was being diligent. In January 1993, it was announced that Thomas Sandefur, Wigand's nemesis, had been named C.E.O. of B&W. On March 24, Wigand was fired and escorted from the building. He has testified that B&W never returned his scientific diary.

III

THE JOURNALIST AND THE WHISTLE-BLOWER

In the early spring of 1993, Lowell Bergman, an award-winning news producer at 60 Minutes, found a crate of papers on the front steps of his house in Berkeley, California. Bergman's specialty at CBS was investigative reporting; he possessed a Rolodex of peerless snitches, C.I.A. operatives, and corporate informants. The grandson of one of the first female leaders of the International Ladies Garment Workers Union, Bergman had a bemused, compassionate nature. He was close to 50 and had come to understand that life was a series of murky compromises. At the University of California at San Diego, he had studied with the political philosopher Herbert Marcuse and lived in a commune. Bergman's wife, Sharon Tiller, was a Frontline producer, and they had five grown sons between them.

Bergman often received anonymous letters and sealed court documents in his mailbox; it did not surprise him in the least, he told me, to find the box of papers on his porch. As always, Bergman was developing several pieces for Mike Wallace, the correspondent he worked with almost exclusively. They were close friends and confidants, but they argued ferociously and intimately, like a father and son. "Lowell can drive me crazy," Wallace told me. "Lowell would like to be the producer, the reporter, the correspondent, and the head of CBS News." Screaming messages and six A.M. phone calls were their standard operating techniques, but they shared a passion for corporate intrigue, and together had helped break the Iraq-gate bank scandal in 1992 and examine the accusations of child abuse at the McMartin Pre-School in Los Angeles in 1986. Shortly after the mysterious papers appeared on his steps, Bergman won a Peabody Award for a program on cocaine trafficking in the C.I.A.

At 60 Minutes, the on-air personalities were involved in six or seven stories at the same time and took a deserved share of the credit for the show's singular productions, but the staff was well aware that the producers actually did the backbreaking reporting. In most cases, the producers had complete freedom to develop stories, and it was they, not the correspondents, who were in hotel rooms in Third World countries at all hours bringing along reluctant sources. Later, the correspondents stepped in.
Only rarely did correspondents know the explicit details of stories other teams were developing.

When Bergman received the box of papers, he took a look at the hundreds of pages of material. "They were a shambles," he recalled, "but clearly from a nonpublic file." The papers were very technical and came from the Philip Morris company. The phrase "ignition propensity" was repeated often in them. "I had never heard that phrase before," Bergman said. He called his friend Andrew McGuire, the only person he knew who had ever studied tobacco and fire. "Do you know anyone who can make sense of these papers for me?" Bergman asked. "I might have just the guy," McGuire said.

After being fired by B&W, Jeffrey Wigand remained optimistic for some time, Lucretia recalled. He came close to finding a lucrative job through a headhunter in Chicago. He gave as references Alan Heard and Ray Pritchard. He was surprised not to be hired immediately by another corporation, and soon he began to worry. He reportedly groused about his severance package to a friend at B&W, who repeated his remarks to his former boss. Several months later, Wigand learned that B&W was suing him for breach of contract. According to the suit, his medical benefits would be taken from him, a display of corporate hardball which would subsequently rebound. "If Brown & Williamson had just left me alone, I probably would have gone away. I would have gotten a new job," Wigand said. He reluctantly signed an onerous, stringent that he could be in violation if he discussed anything about the corporation. Wigand felt trapped, and he did not know what to do.

When I spoke with Lucretia Wigand in Louisville, she used an unusual phrase, "skeletons in the closet," to describe her fear of what would happen if Jeff went public with his experiences at B&W. "What do you mean, 'skeletons in the closet'?" I asked. In repose, Lucretia is elegant and steady. She looked at her divorce lawyer, Steven Kriegshaber, who shook his head as if to warn her not to speak. "The so-called spousal abuse—" you were worried about that?" I asked. "Sure," she said softly. Alcohol and rage are at the center of what happened on a bad night in the Wigand marriage in October 1994. The tension in the family had become overwhelming while Wigand was negotiating the punitive confidentiality agreement. Since Rachel had been diagnosed with spina bifida, the marriage had suffered enormous strain. "I felt that during Lucretia's pregnancy with Rachel she somewhat overabused alcohol," Wigand said. "She drinks quite heavily." (Lucretia denies this.) Wigand himself had at one time been a drinker, but he had stopped when he felt out of control. After he was fired, he told me, it was not surprising that he began to drink again. Lucretia, he said, was "stunned" when she heard that he had once again lost a job. She raged that he had not told even her of his growing unhappiness in the company. She was frightened that he would lose any claim to their medical package.

Wigand recalled her mood as sometimes dismissive and unsympathetic. There are contradictory versions of the evening. According to Wigand, Lucretia "hit me in the back with a wooden coat hanger and ran upstairs into the bedroom." Furious, he chased her and then called the police. According to Lucretia, "Because of the amount he drank, he does not remember most of the evening.... I tried to leave. He took my keys away and was grabbing me.... I picked up the phone to dial 911. He ripped the cord out of the wall. He smashed my nose with the palm of his hand. The kids were screaming. I was screaming. I ran down the hall and picked up another phone and dialed 911. Jeff left the house before the police arrived." Whatever happened that night, Lucretia and Jeffrey Wigand both blame B&W for placing an unbearable strain on their marriage, and say that this episode played no part in their later divorce. Soon after, according to a lawyer close to the case, Wigand became concerned enough about his drinking that he checked into a clinic for four days of evaluation—which would later, in a 300-page dossier of allegations about his character, be reported as two weeks of hospitalization for treatment for anger.

Through an intermediary in the government, Wigand reached out tentatively to Andrew McGuire, whom he had observed in Washington. McGuire got a phone call: would he speak to a former R&D executive? McGuire was intrigued. A tobacco-industry witness could be invaluable to him, since he was then pressing Congress to regulate fire safety. "I don't know if this guy is for real," the government official told McGuire, "but here is his home number. Call him." Wigand's voice on the phone was so strained and wary that McGuire wondered if he might not be a tobacco-industry spy. Nevertheless, he passed his name along to Lowell Bergman.

For weeks Bergman tried to get Wigand on the telephone. Each time a woman answered, and she would tell him, "He is not home." Finally she said, "He doesn't want to talk to you." Bergman had become fascinated by the court papers involving Philip Morris, and was convinced he needed this particular chemist to make sense of them. He wanted a scientist, not an anti-tobacco advocate. In February 1994, he decided to go to Louisville. "I did the old 'call him at midnight' maneuver. He answered the phone and I said, 'If you are curious to meet me, I'll be sitting in the lobby at the Seelbach Hotel tomorrow at 11 A.M.'"

At 11 A.M a gray-haired man in a windbreaker appeared and said, "Are you Lowell?" Bergman looked up to see a portrait of middle-aged anxiety. "I said to him, 'Let's go have a coffee.'"

It was the beginning of an extraordinary relationship. Bergman's presence in Wigand's life would eventually inspire him to come forward as a whistle-blower. For Bergman, Wigand would become a source who needed unusual protection and hand-holding—a fact which would ultimately jeopardize his position at CBS. "As a person, the guy I met had been raped and violated," Bergman said. Wigand told Bergman that he was suffering a "moral crisis." He said that he had always considered himself a scientist, and he called the type of research that went on at B&W "a display of craft."
Scruggs said of the campaign against Wigand, "There is no bigger lie than a half-truth."

but I have a problem. Can you analyze these documents for me?" He looked at two pages and said, "Wow!"

After reading a few more pages about the experiments, Wigand exclaimed, "Hey, they are way ahead of where we were."

Wigand agreed to examine the Philip Morris papers for Bergman. He was to be paid like any other corporate consultant, about $1,000 a day. "I was bothered. Everything I had seen at the joint-venture meetings said it was not technologically feasible," he later told me. "I was passed off! They had a fire-safe-product study on the shelf in 1986 and 1987, and they knew it!" (A spokesman for Philip Morris says the company has been unsuccessful in this so far but continues to do research.)

Wigand flew to New York for a day to attend a screening of a version of the projected program at CBS. At the end of March, CBS broadcast an exposé of the Hamlet project, which involved a fire-safe cigarette developed at Philip Morris. "I was angry when I saw it," said Wigand. "They knew all along it was possible to develop a fire-safe (Continued on page 206)"
Wigand

(Continued from page 181) cigarette, and they even gave it a code name: Hamlet. Get it? 'To burn or not to burn.'"

At the end of the 60 Minutes episode, Mike Wallace questioned on-camera a Philip Morris executive who had announced that his company was filing a $10 billion lawsuit against ABC for a Day One broadcast about alleged manipulation of nicotine levels in its cigarettes. ABC had problems: one of them was a source nicknamed Deep Cough, who was an executive at RJR. If Deep Cough's identity was to be kept a secret, she could not testify in a libel suit.

In April 1994, Henry Waxman, the California congressman, was holding public hearings on tobacco in Washington. Wigand watched the live coverage on C-SPAN of the testimony of top executives of the seven largest tobacco companies. He was in his den with Lucretia when he watched Andrew Tisch, the chairman of Lorillard, testify, "I believe nicotine is not addictive." Then he heard Thomas Sandefur say the same thing. Wigand was furious. "I realized they were all liars. They lied with a straight face. Sandefur was arrogant! And that really irked me."

Wigand, however, was hamstrung; he had the threat of a lawsuit hanging over his head. He could not criticize Sandefur publicly or his child might lose her medical insurance. After Wigand started working as a confidential expert for CBS, his name began to circulate in anti-tobacco circles. He was soon called by the Food and Drug Administration. Would he consider advising F.D.A. experts on cigarette chemistry? His identity would be protected. Wigand was invaluable; he even helped the F.D.A. circumvent a standard tobacco-industry tactic—"document dumping."

If a company is subpoenaed for documents related to nicotine studies, it is common in the industry to respond "by driving a tractor-trailer to Washington and leaving 10 tons of documents at your door," according to a close associate of the F.D.A. In this case, perhaps with an assist from Wigand, the F.D.A. was able to ask B&W for specific papers.

That month, Wigand said, he received a threatening phone call. "Leave or else you'll find your kids hurt," the caller said. Wigand called Bergman in a panic. "I thought it could be a crank call," Bergman told me. "I knew Wigand was in a great quandary. He was bound up because of his contracts and yet he was filled with moral outrage." Bergman had been through this before with whistle-blowers. He even had a name for Wigand's mental state: "transition time." He remained patient and faxed amusing drawings to Wigand's children.

Soon Wigand told Bergman another death threat had come. Wigand was becoming distracted, unable to concentrate. He had started to drink again. "I used to come home and drink three fingers of booze every night," he told me. One day when he had his two young daughters in the car, he stopped to buy a bottle of liquor. "I am no goddamned angel. I can't hide what happened. I had one of those big jackets with the big pockets. Instead of getting a basket, I grabbed it and put it in my pocket. And then I realized I didn't have cash. And I said, 'Wait a minute,' and I ran out. And then somebody came running after me. They said, 'Somebody has been stealing in here before.' The truth of the matter is that I had the bottle in my pocket. Was it hidden? No. Was it exposed? Yes. My children, Rachel and Nikki, were in the car. I had $300 in cash in the car. I said, 'I have money. Look.' I made sure that I showed the cop the money. Was it intentional? It was not. Was it a threat? I didn't think of it as a threat."

Wigand continued to tell Bergman that he could not talk about B&W until his severance package was completed, in March 1995. Wigand did not tell Bergman that he had signed a confidentiality agreement, but several of Bergman's finest pieces had been with sources who had been bound by such contracts. "The idea of somebody having a confidentiality agreement didn't even occur to me as a problem! That was my job, to get people to talk!"

In January 1995, Wigand began teaching school, much to Lucretia's surprise. He was making one-tenth the salary he had made at B&W, but he seemed quite happy.

Wigand took up smoking. "I wanted to understand the science of how it made you feel."
Meanwhile, Bergman had been feeling the heat from New York. Mike Wallace was getting antsy: "For God’s sake, Lowell, when are you going to get this guy on tape?" In March, Bergman met with Wigand and his wife at a French restaurant in Louisville. If Jeff went on-camera, Lucretia asked, what would they do if they got sued? Bergman said, "There may be anti-tobacco lawyers who would agree to represent you for free. But we don’t even know yet if there is a story."

Was there anything new to say on tape? In March, 1994, the Wigands had come to New York as guests of Mike Wallace and the Bergman, who had continued to keep secrets from his family for years. Mike was getting antsy: "For God’s sake, Lowell, I want to do this, but I need to talk to Wilmer, Cutler & Pickering regarding Philip Morris’s assertions that Merrell Williams. Only in July 1995 did the University of California and tobacco expert Stanton Glantz put the documents on the Internet after successfully fighting a serious lawsuit brought by B&W.

According to Bergman, "It took Jeff a long time to come out and decide that he wanted to tell his story. He used to say, ‘Lowell, I want to do this, but I need support. I need my wife there. We can’t do it yet, because Lucretia is not there.’" Wigand had continued to keep secrets from her: In May, the Wigands had come to New York as guests of Bergman. It was obvious to Bergman that Wigand had not told Lucretia that he intended to be interviewed. "He expected me to explain it to her," Bergman told me. All summer long Wigand debated about his public role, and Lucretia grew increasingly panicky. Meanwhile, he continued to advise Wilmer, Cutler & Pickering regarding Philip Morris’s suit against ABC. He was even asked to testify for ABC if the case should go to court. Bergman read his name on a wire-service story. "I called him and went ballistic," said, "Do you understand that B&W will now go to court to keep you from testifying?" Soon every news outlet in America will be calling you."

The exhibition will highlight personal memorabilia on loan from famous women Olympians, including Aileen Riggin Soule who, at age 88, is the oldest living female Olympic champion, and Alice Coachman, 73, who is the first black woman to win an Olympic gold medal.

The Olympic Woman will be on display at Georgia State University Alumni Hall in downtown Atlanta from June 23 through August 4, 1996.

BMW is honored to be an official sponsor of the 1996 Olympic Games and the Official Mobility Provider for the 1996 Olympic Torch Relay presented by Coca-Cola. BMW will provide a full lineup of automobiles to escort the torchbearers and the Olympic flame on their 15,000-mile journey from Los Angeles to the opening ceremonies in Atlanta on July 19, 1996. Watch for exciting events at BMW dealerships and Community Celebrations in cities all along the route before the Olympic Games begin.

Images on the Move

SWATCH wants you to get an up-close-and-personal glimpse at America’s heroes. The extraordinary images from Annie Leibovitz’s photographic portfolio of Olympic athletes will go on an exclusive tour through select cities in the U.S., Europe, and Asia after the Games. Watch the Vanity Fair Agenda to learn where and when you can catch this timely exhibition.

Driving on Course

BMW is honored to be an official sponsor of the 1996 Olympic Games and the Official Mobility Provider for the 1996 Olympic Torch Relay presented by Coca-Cola. BMW will provide a full lineup of automobiles to escort the torchbearers and the Olympic flame on their 15,000-mile journey from Los Angeles to the opening ceremonies in Atlanta on July 19, 1996. Watch for exciting events at BMW dealerships and Community Celebrations in cities all along the route before the Olympic Games begin.

AVON Salutes The Olympic Woman

AVON, the official cosmetics, skin care, and fragrance sponsor of the 1996 Summer Olympics, is proud to present a special multimedia exhibition at the Games in Atlanta. The Olympic Woman will tell the inspiring story of a century of progress made by women in Olympic competition.

Beginning June 23, 1996, the Olympic Woman will use rare photographs, film, videotape, newspapers, and other displays to illustrate the development of women’s participation in the Olympic Games. Visitors will be taken on a historic journey, beginning with the year 1900, when women were first allowed to participate in the Games, through to 1996, when the diversity and vitality of women’s competition is stronger than ever before.

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the meeting voiced concern about an as-

ment with CBS News-stopping an important

story in midstream for fear of a lawsuit

break a contract with another party. Be-

cause of this talk about ABC settling the lawsuit

without permission, and that

they would reconsider the matter on Sep-

ember 3. It was a harmless exercise, Mike

Wallace later told me he believed, intend-

ted to keep a source happy and calm.

Bergman told me, "I knew it was going
to take months to check out what he had
to say. And I thought, Fuck! If he is going
to testify in the ABC case, then it will be
out there on Court TV in October. We
have their key witness, and we can run his
story in October or November. I had al-
ready yelled and screamed about him list-
ing his name. He was playing his control-
freak games. I said, 'Great, you want to
trust these people at ABC. What about
Wigand's confidentiality agreement when there were
thousands of pages of supporting docu-
ments on the Internet? And Hewitt made
no offer to press the issue with his boss,
Larry Tisch. Bergman, who was on his way
to London to interview BAT execu-
tives, was told to cancel the trip.

On Hewitt's relationship with Larry
Tisch soured after Tisch got control
of CBS in 1986. "I am not proud of it
anymore, but Mike Wallace, Walter
Cronkite, and I were the cheerleaders for
Larry buying the network," he said. "The
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Lorillard became an immense cash bonanza for the Loews Corporation—the parent company controlled by Tisch and his brother, Robert—earning approximately $700 million a year. For several of Tisch's friends, a key to his personality can be found in the controversy that tore apart New York University Medical Center in 1989. Tisch was the chairman of the university's board of trustees, and it was believed that he would give a substantial gift. He announced that he and his brother would donate $30 million but with one proviso: the hospital would have to be renamed in their honor—a proposal which caused an outcry in the press. "Naming a hospital after tobacco men is just too ironic," Dr. William Cahan, a prominent surgeon at Sloan-Kettering, said in May 1989. "Around town, the University Hospital is becoming known as Lorillard General." But the hospital board gave in to Tisch's demand. According to Tisch, "There was not a great deal of negative feeling. I only received one or two letters about it. I thought the family was doing the right thing."

Lowell Bergman arrived at the Wigands' red brick house late in the afternoon on September 15. He was deeply concerned about the New York meeting and its ominous implications. His inner radar told him something was way off in the CBS decision, but he was a corporate employee. If he stormed out in a rage of protest, Wigand would be left unprotected. In the wake of ABC's recent settlement in the Philip Morris suit, Wigand felt doubly vulnerable and exposed, because his name was on the witness list. He said, "They're going to sue me, and I don't have any money." During dinner that night, Bergman received a phone call from Jonathan Sternberg, a CBS lawyer. "Leave that newspaper and magazine stories that and ord-er at the ABC news division. He sold off the lucrative CBS record company, refused to invest in cable, and was outbroad on broadcast rights to the N.F.L. football games that were the lead-in to 60 Minutes. "You have to understand," a friend of Tisch's told me, "Larry likes money. Money is a game for him!"

The relationship between CBS and Tisch's tobacco company, Lorillard, became a vexing problem for the news division. According to someone who knows Tisch well, when he bought Lorillard, in 1968, he viewed it only as a potential investment. "Years ago, the Tisch family was not afraid of liability. If he had asked his technical people, 'Am I in any danger?' he would have gotten the typical answer back. 'You can't prove anything in a liability case since the surgeon general forced the companies to put a warning on the packs.' Tisch could not have forecast how medical costs would soar in a few years. "None of this was on the horizon," Tisch told me. "I couldn't tell you today whether or not I would have bought Lorillard 30 years ago... There is no clear-cut proof about addiction. I am not a scientist. I never smoked. I take a drink, but am I an addict? Liability suits? This is all pure speculation. I hate it when people tell me what I have been thinking."

In the research files of Nexis, the information-retrieval service, there are 220 newspaper and magazine stories that have mentioned "tortious interference"
Wigand

since CBS News made the decision not to allow the Wigand segment to go on the air. It is commonly believed that Tisch, who was in the midst of talks with Westinghouse concerning a merger with CBS, would not entertain the possibility of the threat of a tobacco-company law suit. Tisch had witnessed personally the consequences of tortious interference. In 1983 he had been brought onto the board of Getty Oil by Gordon Getty. Several months later he and Getty toasted a bid from Pennzoil to acquire Getty—a bid that would later be topped by Texasco. Pennzoil sued in a famous case in which Tisch testified, but Texaco was forced into temporary bankruptcy when Pennzoil won a record-breaking settlement. Still, Tisch denies that this experience had anything to do with the CBS decision. “What I went through had nothing to do with the B&W episode. I read about it in the paper, the same way you did,” Tisch told me.

It was not widely known that a complex financial deal was going on at Lorillard about the time Bergman was trying to salvage the Wigand interview. At the end of 1994, the Federal Trade Commission had ruled that B&W had to sell off six of its discount, or value-brand, cigarettes—Montclair, Malibu, Crown’s, Special 10’s, Riviera, and Bull Durham—for anti-trust reasons. Lorillard was a logical buyer because, although it controlled close to 8 percent of the tobacco market with brands such as Kent, Newport, and True, it was decidedly weak in the area of discount cigarettes. The potential acquisition of Montclair and the other brands would round out the Lorillard product line and increase cigarette sales by more than five billion units. While the acquisition was being studied inside Lorillard, Westinghouse was negotiating for a merger with CBS, and speculation within 60 Minutes was focused on the effect a possible lawsuit would have on the merger.

By mid-October, the Liggett Group believed it was the high bidder for the B&W cigarettes, according to a source close to the case. Just before the deal was ready to close, the general counsel for Liggett suddenly could not get the B&W lawyers on the telephone. He was stunned when he discovered that B&W had sold the cigarette brands to Lorillard. George Lowy, an attorney who represented B&W in the divestiture, has said, “Lorillard’s deal was financially superior.” Liggett is considering bringing legal action against B&W. The F.T.C. filing on the sale is unusual; some nine pages have been blanked out. The price of purchase and number of bidders are deleted. The deal was announced in late November, three weeks after 60 Minutes killed its original story. But Tisch recently told me, “I don’t know anything about it. I have nothing to do with Lorillard. I was spending my full time at CBS.” Ironically, it is possible that the suit Liggett may bring would be for tortious interference.

In November, no one at 60 Minutes was aware of the shuffle that was going on behind the scenes with the B&W brands. “I knew all kinds of litigation was possible,” Bergman told me. “I kept saying to people, ‘You are making news decisions in a corporate atmosphere where there is no appetite for this kind of story. There is possible perjury on the part of the son of the owner at the same time that the owner is trying to sell an asset at a premium price where the consequences of the story might affect the stock price. Think how history might record this!’”

B y brushing against Big Tobacco, Tisch, Wigand, Bergman, Hewitt, and Wallace were all soon lost in a thickets of hidden dangers. Wigand was still oblivious to the gathering perplexities and consequences of the story might affect the broadcast management’s decision, but when he saw the show, he realized his work had been cut by the CBS lawyers. In the hall he confronted Ellen Kaden. “Did you tell Larry Tisch about the Wigand interview? Is that why the piece was killed?” Kaden denied it. Wallace was relentless. “It doesn’t make sense. You are his general counsel. Why would you not have told him?” Wallace later recalled that Kaden started to cry, a story she has denied. Kaden had sought advice from an outside counsel, First Amendment specialist Cameron DeVore, but she refused to show Wallace any of the memos he had written her. One former CBS executive surmised that no one at CBS management was willing to take responsibility for killing the Wigand interview, and Kaden was left to take the fall.

Hewitt told a New York Times reporter that the new version was “better, I think, than what we had before.” When an Associated Press reporter called Bergman for comment, Bergman told him angrily, “The versions are apples and oranges.” Wallace was enraged when he read a Times editorial accusing the program of betraying the legacy of Edward R. Murrow, “I don’t know if things will ever go back to normal,” one correspondent said. “The fact is,” Wallace told me, “that Don and I had a difference of opinion about whether we should or should not push to get this thing on the air. It turned bloody and icy from time to time.

Except for Wallace, not one correspondent picked up the telephone to call Bergman. Wallace and Morley Safer were raging at each other. Safer even issued a statement to the press attacking Wallace and Bergman for making an agreement with Wigand. The feud at 60 Minutes offered a rare view inside the
psychodynamics of TV news. "It became poisonous and contagious, with many people wanting to hang Lowelli," CBS producer George Crile said. In a fit of pique, Don Hewitt told several staffers to distance themselves from Bergman. Soon a reaction developed within the office. The staff felt as if it were living in a Potemkin village. Their very integrity rested on their ability to tell a story accurately, despite confidentiality agreements.

Ellen Kaden would later tell friends that she was furious that Wigand's identity had been leaked to the Daily News. She blamed 60 Minutes for it and for the attacks against her in the press. It was Kaden's belief that she was only doing her job, trying to prevent CBS from entering the nightmare of tobacco litigation that ABC had endured. She later recalled learning of the million pages of red paper that Philip Morris had delivered to ABC—the color red could not be photocopied—and noted with alarm that a Virginia judge had ruled that this was not an abusive tactic.

In Washington for an interview with President Clinton in mid-December, five 60 Minutes correspondents released in a hotel room. Everyone agreed on areas and questions, but when the president arrived, the reporters started shouting as if it were a free-for-all. Mike Wallace and Eric Ober would receive around $4 million on the sale. CBS general counsel Ellen Kaden made close to $5 million.

Republican lawyer, Lenzner has traveled philosophically from being someone who out of principle forced the Nixon administration to fire him to being an ambitious investigator in his 50s who would like to compete with Jules Kroll, a leader in the field. Like Arkin, Lenzner is attracted to the game of big-time corporate litigation, but, according to several former partners, his business has suffered recently. Lenzner's assignment was to prepare a lengthy dossier that B&W could use to torpedo Wigand's reputation with Jimmie Warren, the innovative Justice Department prosecutor running the investigation into the tobacco executives at Central Justice, the elite unit of the Justice Department which monitors national policies. "Wigand is the major witness against them in the federal grand jury in both Washington and New York," John Scanlon told me.

Scanlon and Arkin had worked together before. In 1989 they volunteered to help Covenant House, a shelter for teenage runaways in New York, defend Father Bruce Ritter, the director, against sexual- and financial-misconduct allegations—an ironic assignment for Scanlon.

At Christmastime, I was disinvited from going to Lucretia's father's place," said Wigand. The debate at 60 Minutes was all that was needed to make their marriage collapse. A few weeks earlier, in late November, Wigand was leaving school when he noticed a car coming at him across the parking lot. "I thought it was the end," he later told me. In fact, it was another subpoena from B&W, demanding that he appear in court for violating his confidentiality agreement.

Soon after, he flew to Mississippi to give a deposition in the state's case. "Are you aware that when you get back to Kentucky you could very well go to jail?" his lawyer Ephraim Margolin, a criminal-defense expert, reportedly asked him. "I better think about this," Wigand said. That afternoon Wigand was very late arriving at the oneroom courthouse in Pascagoula. Approximately 15 lawyers from the tobacco companies were waiting, betting that he would not show up. Wigand took some time to make up his mind. "Fuck it. Let's do it," he finally said to Margolin. It was the real beginning of his new life, but Wigand worried about Lucretia. "She didn't understand what I was doing. All she cared about was that it disrupted her economic system."

We were a quiet little company before all this happened," an executive for B&W's Kool brand tells me on a plane ride to Louisville. "Then we wound up on page one." I ask him the standard question in Tobacco Land: "Do you want your children to smoke?" He responds irritably, "I see where you are going with this. You are going to say that I named Kool spokesman doesn't want his daughter to smoke. . . . I think tobacco has been singled out unfairly."

THE ATTACK

In late November, the litigator Stanley Arkin, one of more than a dozen lawyers working for B&W to head off the Justice Department's investigation into the tobacco industry, recommended that B&W hire public-relations man John Scanlon and Terry Lenzner, the former Watergate deputy counsel who is the head of Investigative Group Inc., a firm that specializes in legal work for corporate takeovers. Since his days as a liberal

COMPANY-LINE MAN

Kendrick Wells, a B&W attorney, denied that the minutes of a health-related meeting in Vancouver were improperly altered.

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Wigand

in a groundswell of revulsion from New York social workers and resulted in a groundswell of revulsion from New York to make similar accusations against Father Ritter.

Scanlon is the foremost practitioner of what he calls "guerrilla P.R." For columnist Murray Kempton, Scanlon is this generation's Roy Cohn—"a man proud of his infamies." During the McCarthy period, Roy Cohn was considered a master of the art of using false statements and exaggerations to impugn someone's reputation. As a young man, Scanlon was a passionate defender of left-wing causes, as far from the ethics of McCarthyism as it is possible to get. As he has gotten older, he has developed expensive tastes: he owns a million-dollar house in the Hamptons and another retreat in Ireland. Twenty years ago he began to build a business in corporate public relations. At first Scanlon's campaigns were a model of corporate responsibility: he helped create the gentle Mobil ads in the lower corner of The New York Times's op-ed page in the 1970s. His fees have always been high—he now charges $350 an hour—but his clients became increasingly controversial. He represented both Philip Morris and Lorillard in the landmark case of the late Rose Cipollone, whose husband sued, arguing that her death had been related to cigarette smoking.

Scanlon's friends do not pass judgment publicly on his clients, although in private many are strongly critical. "Loyalty is the vice of the New York establishment," columnist Liz Smith explained. For some reporters, Scanlon is an unreliable apostate. For others he is a bon vivant whose motivations are not so different from Jeffrey Wigand's when he signed up to work for B&W. (Scanlon has acted as a consultant for this magazine, but is on a mutually agreed-upon leave of absence because of his relationship with B&W.)

Scanlon is part of the social network of prominent New Yorkers with country houses in the Hamptons. He occasionally hops a ride on a helicopter owned by financier Pete Peterson; the other passengers are Don Hewitt and his wife, Marian Berger. Very often on Sunday mornings, Scanlon, Peterson, and Hewitt have met for a catch-up conversation at the Candy Kitchen, a restaurant in Bridgehampton. Scanlon's clients find this access attractive.

B&W's campaign against Wigand surfaced in late December, when a Washington Post reporter phoned the office of Richard Scruggs in Pascagoula, Mississippi, and asked for a comment on Wigand's alleged history of spousal abuse and shoplifting as well as on his contradictory statements regarding fire safety and cigarettes. Scruggs, a law-school classmate of Michael Moore, the attorney general of Mississippi, made a fortune as an architect of the plaintiffs' suit against the asbestos companies in 1991. He flies a Lear jet and has an estate in Pascagoula near his childhood home. As one of the chief lawyers representing Mississippi's case against the tobacco companies, he has taken an interest in Wigand as a bonus witness and has become his personal lawyer, working pro bono at the invitation of Ephraim Mar- golin. Scruggs met Wigand in late October. "I was astonished when he told me his story," he recalled. Until he heard from The Washington Post, he told me, "I had never been engaged in a case involving a smear."

From Key West, Scruggs called Wigand, who was in Washington at the Justice Department. "Jeff was very, very upset," Scruggs recalled. On the telephone, Wigand gave Scruggs his account of the "abuse" and "shoplifting" episodes, but still Scruggs realized that he had a potential catastrophe on his hands. There was nothing that would be admissible in a court, but Scruggs dreaded the sound bite "Wigand is a wife beater" and knew it could potentially scuttle the Justice Department. "There is no bigger lie than a half-truth," he later told me. Scruggs knew Wigand had few close friends, and was concerned about his growing isolation. Wigand had shut himself in his bedroom for 16 hours. He believed he would lose his job because of The Washington Post. Later, Scruggs would say, "Jeff was despondent. I was worried he would unravel, and I didn't know what to do."

In New York, it was obvious to Mike Wallace and Lowell Bergman that a calculated attempt was being made to ruin Wigand's reputation. Over the Christmas holidays, Scanlon took Don Hewitt aside at a party with the writer Avery Corman's and told him that Wigand was "a bad guy." Hewitt and Scanlon were not just longtime friends; Scanlon had advised CBS during the libel case brought against the network and Mike Wallace by General William Westmoreland in 1985. For weeks on the helicopter, Scanlon bombarded Hewitt and the Petersons with allegations against Wigand—he was a shoplifter, a wife beater. Hewitt was at first strongly influenced by Scanlon, he later recalled. "I hear that Wigand is a bad guy." Hewitt told Wallace. Scanlon had temporarily succeeded in diverting the story of B&W to a narrative about Wigand's personality. Months earlier, Bergman had run a crime check on Wigand, but since he had not been convicted of anything, neither incident had shown up on the computer. In January, Scanlon visited Wallace at 60 Minutes. "He sat in my office and told me, 'Mike, don't worry—B&W is not going to sue you,'" Wallace recalled. "That is when I knew John was working for them. Wallace and Bergman motivated Hewitt by stoking his competitive streak. 'Deadline is going to put Wigand on the air, and he is our guy,' Wallace recalled telling Hewitt. "How can we let our guy appear on NBC?"

Scanlon made a blunder by overplaying his hand. Hewitt's and Wallace's sense of fair play was aroused. They are known for never allowing their personal histories to get in the way of a story, but after weeks of Scanlon's hammering at B&W, he had run a crime check on Wigand, the attorney general of Mississippi, who was in Washington at the Justice Department. "Jeff was very, very upset," Scruggs recalled. On the telephone, Vigand gave Scruggs his account of the "abuse" and "shoplifting" episodes, but still Scruggs realized that he had a potential catastrophe on his hands. There was nothing that would be admissible in a court, but Scruggs dreaded the sound bite "Wigand is a wife beater" and knew it could potentially scuttle the Justice Department. "There is no bigger lie than a half-truth," he later told me. Scruggs knew Wigand had few close friends, and was concerned about his growing isolation. Wigand had shut himself in his bedroom for 16 hours. He believed he would lose his job because of The Washington Post. Later, Scruggs would say, "Jeff was despondent. I was worried he would unravel, and I didn't know what to do."

I
asks you to break a guy's legs, tell them to
hire a cop." By mid-January, Hewitt had
made up his mind that Scanlon's campa-
ign against Wigand had to be part of
any coming 60 Minutes report. "Mike and I
never even discussed whether or not we
should report it," Hewitt said.

"John was feeding me stuff all the
time," Hewitt later told me. "He called
me and told me the man was on a watch
list at the liquor store. . . . He sent me
two depositions done by Wigand. One of
them, to the best of my knowledge, was
under lock and key and sealed. . . . I kept
egging him on. He was my pipeline to
Brown & Williamson." One night in January, I telephoned
Scanlon at his house in Sag Harbor.

"What can you tell me about Wigand?" I
asked. Scanlon mentioned the contradic-
tions in Wigand's testimony about fire-
safe cigarettes, then warmed to his
theme: Wigand, he said, "had been ar-
rested for wife beating" and had been
"shoplifting for a long period of time." He
continued, "And then there's about 25 in-
terest claims on lost luggage and hotel rooms
broken into. . . . He's got a very, very
shaky record." It seemed obvious that he
was recalling the details of a written
memorandum, although at that time I did not
know of the 500-page dossier.

"Who has dug this up?" I asked. "Terry
Lenzer's group?"

"Yes," he said. "They're the investiga-
tors for B&W. . . . I have been hired to
do what I always do, which is to try to
find out what the story is and broker the
story, and I'm convinced that without a
single iota of doubt he is a liar."

I asked Scanlon if he had ever met
Wigand or posed these allegations to
him. "No. I've read his testimony. I
don't have to ask him the questions." Scanlon paused. "You know, I have seen
tape in which he says that he was an
Olympic wrestler and a Vietnam fighter
pilot." I asked him if I could see the
tape. "Only off the record, and we
wouldn't want it tied to us. We would
have to have that firm agreement," he said.
I said I could not enter into such an
arrangement. "We may not be able to
talk, then, because what they are trying
to say is that this is a smear campaign,
and it is not a smear campaign." I said I
was troubled by the implications of our
conversation, the way the people who
had compiled the allegations about Wi-
gand were disseminating them to destroy
his credibility. "Of course they are," Scanlon said. "I mean, he is an incredible
witness. Why wouldn't they? I mean, if
you had somebody testifying against you,
and you knew they weren't credible, what
would you do?"

V

THE COUNTERATTACK

The investigator Jack Palladino met Wi-
gand at his house on the Colonel An-
derson Parkway. In the world of hardball
litigation, Palladino and his wife, Sandra
Sutherland, are the Nick and Nora Charles
of modern criminal investigation. Pallad-
ino wears $2,000 suits and splashes Balenci-
aga ties and speaks with a rapid-fire polish
that hints of his childhood in Boston. At
one time Palladino wanted to be a psychi-
atrist, and he has a persuasive narrative
gift. Sutherland is the daughter of an Aus-
tralian academic; her strength as an inves-
tigator is an intuitive sense of when some-
thing is amiss. They operate from the for-
mer i. Magnin mansion in San Francisco;
they investigated the People's Temple in
Jonestown in the 1980s and ran the coun-
terattack against American Express's 1988
attempt to smear the banker Edmond
Safra. They worked as well for the Clinton
campaign in 1992, investigating accusa-
tions of Clinton's Infidelities. The irony
was that the couple usually work for Stan-
ley Arkin, but this time they were on the
other side. "I think Arkin would explain
our working for Wigand as my 60th radical
sympathies," Palladino said.

He was hired by Richard Scruggs to
mount a counterattack, to dispove the
charges in the dossier that B&W had
hired Scanlon to disseminate to reporters.
Palladino and his staff of seven investiga-
tors had to move quickly. An anonymous
tip had already been sent to Joe Ward of
the Louisville Courier-Journal and to
Doug Proffitt, a TV personality in Louis-
ville who specializes in tabloid investiga-
tions. The letter to Ward had a "gossipy
tone," Ward told me, and said that
Wigand had beat up his wife. Ward immedi-
ately suspected that it had come from the
tobacco industry, and he chose to investi-
gate further. Ward told me that even the
police report had no context that he was
comfortable with. Doug Proffitt, however,
was less concerned. On the evening he
was preparing a report on Wigand's mari-
tal problems, I telephoned him. He sound-
ed elated that he had a scoop. "I got an
anonymous tip which I'm sure came from
the tobacco industry. . . . There's a side of
this man that has never been told before." Palladino met Wigand after Proffitt
had aired his report. He was surprised, he

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Wigand
told me later, that Wigand asked him to explain to his 22-year-old daughter, Gretch-a, the circumstances of the case, exactly how much was at stake. "He was in a paradoxical situation. At a time when the anti-tobacco forces wanted to make him a hero, he had isolated himself from every-one, including his own family." Palladino said. "Lock up all these papers and diaries and every-thing and work on these charges.'" The summary is divided into categories—Unlawful Activity; Possible False or Fraudulent Claims for Stolen, Lost or Damaged Property; Lies on Wigand's Res-umé; Wigand's Lies About His Resi-dency; Wigand's Lies Under Oath; Other Lies by Wigand; Mental Illness. The docu-ment is a smorgasbord of allegations, large and small. "On November 18, 1991, Wi-gand wrote to Coast Cutsyery Company and returned an allegedly damaged knife for repair." "On March 19, 1992, Wigand wrote to Coach for Business requesting credit to his American Express card for two returned items." More serious for the Justice Department, the contradictions in his testimony on fire-safe cigarettes are de-tailed, which Wigand explains by the fact that time elapsed between his testimony in Washington, while he was still under a se-v-erance agreement with B&W, and what he was able to say about fire safety after ana-lyzing the Hamlet-project papers.

In Washington, even President Clinton has started to grapple with the problem of Jeffrey Wigand. Does he reach out and embrace him as he did the late Tobacco Institute lobbyist Victor Crawford? At the moment, Clinton is battle-weary, seeking to get out of all the hassle. "What in the world could they be doing so early on a Saturday?" Wigand asked nervously as we left for the airport.

A s Wigand and I were having dinner at the Hyatt the night before, the B&W lawyers apparently made a decision to at-tempt to counteract the publication of parts of the leaked deposition in The Wall Street Journal. Someone on the B&W legal team suggested that their entire 500-page confidential dossier be sent immediately to the Journal's reporter, Susei Hwang. That would turn out to be a disastrous strategic error. No one at B&W had checked the ac-curacy of Lenzer's report, titled The Mis-conduct of Jeffrey S. Wigand Available in the Public Record. The list of allegations is dense and for most reporters immediately sus-pect. On the Sunday that Wigand taped at 60 Minutes, Palladino met with Susei Hwang for seven hours, going over every charge in the report. "We didn't leave the Empire Diner until the early hours of the morning," Palladino later recolled. "The Journal editors decided they would investi-gate every allegation. When I got back to the hotel, I faxed my office: 'Drop every-thing and work on these charges.'"

If Clinton were to embrace Wigand, it would signal that the Justice Department had no reservations about his credibility, but as yet there has been no clear signal from Washington. David Kessler would not be interviewed for 60 Minutes con-cerning his relationship with Wigand, perhaps because the F.D.A. is careful to appear neutral as it attempts to change the laws and force tobacco to be regulat-ed as a drug.

In New York we go to dinner at a Japan-ese restaurant with Jack Palladino. Wigand sits in a tatami room and orders baby eel in fluent Japanese. Palladino tells him, "You are a very important man at this moment. You have got to get out of Louisville. You should be at a major foun-dation that is doing tobacco research." For Palladino, there is little about Wigand that reminds him of Edmond Safra, the banker—and the client of Stanley Arkin—he worked for who was also the victim of a smear. Safra was motivated by a sense of moral outrage, Palladino tells me, whereas Wigand's level of tension is a sign of pure fear. At dinner, he is without de-fences. He says, "The only thing I have is my teaching. I will not give it up. I owe the kids." In the car on the way back to the hotel, Wigand is irritable. "I feel I am being corralled by these guys."
"You have put us all in danger," Wigand said his wife told him. "I want you out of the house."
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Wigand

thrown all over the floor." For Palladino, the break-in was “clearly a message.” The clue, he said, was unmistakable: a pile of burned matches near the door.

According to The American Lawyer, there are now nearly 200 law firms working on more than 25 major tobacco cases, and Wigand could be an expert witness in all of them. His testimony has been sought for five ongoing investigations in the Justice Department. Wigand’s lawyers announced in early February that he is countering B&W for invading his privacy, and he has charged that B&W abused the legal process by seeking to block his testimony. Like a Mob witness, Wigand has entered a shadowland of litigation. For investigators and lawyers, he has lost his former identity and is now referred to as “the client”: “I am having dinner with the client.” “The client has to be in New York for a meeting.” There was recently a bomb threat at DuPont Manual.

There is no question that Wigand’s presence in the middle of the tobacco wars is an accident, without grand design. “I just wanted to get the story out,” he told Lowell Bergman after the 60 Minutes segment aired. It is possible that his testimony could cause several former C.E.O.’s to be indicted for perjury, including Thomas Sandefur and Andrew Tisch. “I can’t give you 25 reasons why I did it,” he told me recently, but since Wigand appeared in the arena, there has been a revolution in tobacco history. Over St. Patrick’s Day weekend, he was back in New York, far more sanguine than he had been in late January. That week Richard Scruggs had negotiated a remarkable settlement with the Liggett Group, which, in an unprecedented move, broke ranks with the other four U.S. tobacco giants and agreed to settle the states’ claims and to accept proposed F.D.A. marketing regulations. The Liggett breakthrough was the inspiration of majority shareholder Bennett LeBow, a Wall Street businessman who, in alliance with corporate raider Carl Icahn, is hoping to take over RJR Nabisco. Liggett’s settlement created a selling frenzy on Wall Street, and Philip Morris’s stock plunged 16 percent in five days. Big Tobacco was suddenly like South Africa in the 1980s, as the giant structure started to crack. In March three more whistle-blowers came forward—former employees of Philip Morris. Shortly before Scruggs began negotiating with LeBow’s lawyers, Jan Udys, a scientist, was in Washington at the F.D.A.