

Judge orders former Spector lawyer to testify

by Matt Krasnowski

LOS ANGELES - The judge in Phil Spector's murder trial on Thursday warned a former lawyer for the rock 'n' roll producer that he will hold her in contempt and that she faced jail if she refused to testify about a defense expert handling evidence at the scene of actress Lana Clarkson's death.

Superior Court Judge Larry Paul Fidler ordered lawyer Sara Caplan to testify for the prosecution - an order she said she would not obey. Fidler delayed a final contempt decision to let lawyers strike a compromise in the dispute. He also will allow her to appeal.

"You're not going to jail today," the judge told Caplan.

The intriguing trial sideshow is set to be discussed again Monday.

The controversy revolves around key defense witness Henry Lee, a world-renowned forensic expert, who prosecutors contend took a piece of evidence - possibly a chip of Clarkson's fake fingernail - from Spector's mansion the day after the actress's Feb. 3, 2003 shooting death.

Caplan testified previously with no jurors in court that she saw Lee pick up a small, white, object and place it in a vial. Lee said Caplan is mistaken.

At Thursday's hearing, Caplan's lawyer said testifying against Spector in front of a jury would violate her ethical duties as a defense lawyer.

But Fidler ruled that Caplan must testify because she witnessed improper evidence handling and because prosecutors have a right to attack Lee's credibility.

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