

November 4, 1970

Dear Harold,

After some thought, I have decided that there are only two affidavits which you need to execute in connection with the summary judgment motion you want to make on the clothing suit.

The first of these should be an affidavit containing a statement to the effect that you are a professional writer. You should also list the books that you have published on the assassination of President Kennedy. You might also want to state that these books are in large part based on research done at the Archives and that in order to accomplish this you had to obtain a researcher identification card from the National Archives itself.

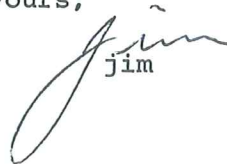
Secondly, you should execute an affidavit stating that you exhausted your administrative remedies. Give dates of several specific letters and concisely state what was requested in each letter. Attach copies of some of the letters which establish exhaustion of remedies, even though previously attached to the complaint.

Meantime, I will work out the form of the Summary Judgment motion itself. Basically, it will follow the outline of the District's Answer, running something as follows:

- I. Complaint states a valid claim of relief. (Cite 5 USC 552)
- II. Court has jurisdiction of the subject matter. (5 USC 552)
- III. Plaintiff has exhausted administrative remedies.
- IV. Defendant is a proper party. (Paragraph 19 of Answer)
- V. Defendant has not claimed an exemption under 5 USC 552.
- VI. Therefore, Plaintiff is conclusively entitled to materials he seeks.

Expect to see you Monday.

yours,

  
jim

C-46 mmm

2 copies of  
Articles  
6 - J Clark  
Forward

300