

7/10/75

Dear Jim,

I don't know whether it is possible for you to do anything about what follows but I want to report it in the way you can and so that if we require a record for the future this will be dated while it is in my mind I'll remind you of and ask you to keep the proofs.

To this end, please save envelope. We have only one mail a day, coming in and going out about the same each day, around noon. So, while I write this before supper on the 10th, it not be postmarked until P.M. on the 11th.

The time pressure the judgment on us on such short notice was in my view discriminatory, unnecessary or possible produce to if not denial of my rights.

Let me compare this with indulgence of the other side, of allegations of untruth and what is directly relevant on the question of time, the excessive indulgence of the delay in the ADA affidavit.

First there was the Opposition filed so close to the time of the scheduled calendar call of the 7th and the problem this makes when merely getting together requires 100 miles of travel, very poor and quite limited public transportation. I had to draft an affidavit about being able to get together with you and I did, having been put also to all that extra work because I had to do it without a copy of that Opposition, with only what you had told me of it. With the time pressures there I had to arrange hand delivery by another or you'd not have had it in time.

Then there was the Motion to Dismiss and all that uncollated material not a page of which is even identified by source. It also had an affidavit to address. This did require a fair amount of time and work. Then we got the extension of time which I thought meant we had that much time.

I did get drafts of what I believed should have been included in the newest affidavit to you. As soon as you had time to read them I went to see you. The first time this was physically possible was Tuesday the 8th. I picked up these new papers the first time that was possible, Thursday afternoon, the 3rd. I worked over the holiday and made a special trip to the Post Office to get this work in the mail to you. You did not receive it until Monday and I was there the first day thereafter. You had marked up what you thought should be included. I went over these papers and added other parts for your consideration. Before you could even get to that the judge's clerk phoned you and directed that all be filed by today. He phoned yesterday, which meant but one day on you had to come up here and go back and park and get into the court before it closed. From this limited time we had to take time for me to read what you'd brought and then find a notary.

You had no choice but to omit what we both felt should be included. And in this limited time you also had an Opposition to prepare. I'm sure you did not have time to do that alone properly.

Aside from what I sent you I did have other content I believe should have been included. I told you of this. I know it was impossible.

Why all of a sudden when inevitably it impeded us there had to be this great rush I can't see. I believe there was no real need and that it could have been anticipated that there had to be the result of limiting and denying me what should be my rights to a fair education.

In addition there are unaddressed major questions of direct conflict on the fundamental question and what I would hope is a serious question, of false swearing. The newest Kilty affidavit is in my opinion new perjury. I have been denied the opportunity of addressing this. Yet if the judge believes it I am with that denied all my rights after all this cost and trouble.

I would have liked to have changed some of the language, as you will remember. It was impossible.