

February 19, 1976

Judge Aubrey E. Robinson, Jr.  
United States Courthouse  
Washington, D. C. 20001

Re: Weisberg v. General Services Administration  
Civil Action No. 75-1449

Dear Judge Robinson:

As directed by the February 6, 1976, memorandum from your law clerk, Catherine Mack, I am writing to advise you of the status of the above case.

On January 10, 1976, two weeks after I filed a motion to compel, I received answers to some of the interrogatories which were mailed to the defendant's counsel on October 28, 1975. The answers to interrogatories were sworn to by the Archivist of the United States, Dr. James B. Rhoads, on November 24, 1975.

My plans to move the case forward have been interrupted by several developments, including a week-long trip to New York, preparation for oral argument of the James Earl Ray case in Cincinnati on February 3, 1976, and the need to file a reply brief in a Freedom of Information Act case now pending before the United States Court of Appeals for the District of Columbia (Weisberg v. Department of Justice, et al., No. 75-2021).

I am now ready to move ahead with this case and plan to file the following motions next week: 1) a motion to compel answers to some of the interrogatories which the defendant has refused to answer; and 2) a very limited motion for the production of documents. I also plan to serve a few additional interrogatories on the defendant.

Plaintiff also plans to note several depositions. Since Mr. Weisberg cannot afford to pay a stenographer, he will move that these depositions be taken by tape recording in accordance with the guidelines set forth in Colonial Times, Inc. v. Gasch, 509 F. 2d 517 (C.A.D.C. 1975).

Once this discovery is completed, plaintiff will move for summary judgment. If the additional interrogatories are answered promptly and then immediately transmitted to me, it should be

possible to complete the discovery within two months, barring complications.

Mr. Weisberg has a serious case of phlebitis. He can no longer drive to Washington and this limits the occasions on which I can confer with him about his case. If his condition should worsen, it could delay the taking of depositions, since I will need his help in preparing to take them.

Sincerely yours,

Jim Lesar