

Rt. 12, Frederick, Md. 21701

6/6/76

Mr. John Dugan
Assistant United States Attorney
U.S. Courthouse
Washington, D.C. 20001

Dear Mr. Dugan,

As you know, I have to now had no direct communication with you because I am represented by ^{Mr.} in Lear in G.A.75-1996. However, I want the complaint that follows to be a matter of record prior to the next status call in this case because whatever your purposes you have again contrived a situation adverse to my interests, still another stall in a long series of them. Mr. Lear is tied up in another case and there is no time for me to ask him to write you instead of me.

After the last status call you promised, when I ask^{ed} through Mr. Lear, to send me a copy of the papers you were going to file. I offered to pay the costs. You said that would not be necessary and that if you had known you would have done this voluntarily. I then reminded you that I has asked this before. You just have forgotten, you said.

I remember two prior occasions, the first February 11 and the second when Mr. Lear asked you to inform me of something when he was in Carbondale, Ill. In neither case did you keep your word. Now you have not again. Each time you made it impossible for me to inform Mr. Lear of what he should know in time for us to make a proper response. Yet you have complained about us doing this to you in court when there was no basis for your complaint.

On February 11 I explained my medical limitations to you and the ~~difficult~~ difficulty of travel for me when I asked you to arrange for me to go over what had been offered when I would be in Washington. After first protesting that you cannot control your client you did offer to use what you called "good offices." This never happened and I was again delayed.

You complained to the judge of Mr. Lear waving papers around that he had not shown you. On the first occasion I personally offered a set to you before Mr. Lear reached the courtroom. You declined them. On that and all other occasions we had just received them, as your client should have let you know. Mr. Lear did not have time to make copies for you, as you also should have known. Moreover, if your client did not provide you with copies, how does that become my fault? Not that I have not seen copies of such papers in your possession and in court. I have seen you go over them.

I cannot regard this kind of unbroken record as accidental and I do regard it as adverse to my interests. In plain English it is dirty tricks. They succeed in their only apparent purpose, to waste our limited resources and time. Mr. Lear had to make two long distance calls to me on this when he was otherwise occupied and then had to abandon his other work in what was a futile effort to get copies to me in time for me to be able to inform him by tomorrow. The copies he made the next day, when your set still had not reached me, have not come and I now cannot inform him of anything prior to the status call.

Your March promise, in court, to provide me with copies of what the Memphis Field Office files have within 30 days has not been kept. The direction of the court on that occasion, to justify the making, has not been met. Instead, under date of May 28, we

were sent the supposed results of scientific tests allegedly just located with all the results themselves marked with most of the rest of that document. My specifications to you and to your clients, again going back to February 11, of where withheld materials will be found have been ignored. Instead there have been misrepresentations about this and what I am alleged not to have done to the court. These are not and cannot be accidental. In every case I have specified at least one illustration, really proof, of withholding. In every case I have told Mr. Wiseman I am restricting myself to a single illustration merely to make the point. If the occasion presents itself I will be able to prove this. Going along with all of this your office, as recently as this past Thursday, presented to a court what it alleged to be the contents of my mind, I suppose from some computer readout because there has never been any conversation on this and it certainly is not in my writing.

Other false representations allege a failure to pay costs on my part. You personally made them ~~going~~ I personally told you that when, in accord with regulations, you told me the sum I would write the check and Mr. Loefer told you it would be paid with a reservation of our rights.

I have informed Mr. Loefer that on December 2, 1969, more than five years ago, I sent your client a check with a request and to date have not received what that called for and that recently your client has given this information to another. In response to your mailings about time and burdensomeness I have reminded him of requests of 1969 that are still without response, of a number of last year some of which were not even acknowledged and of others in the intervening years. I believe the most recent of these requests to which there has not been response are of last October. Some call for a single identified record.

There is, I believe a limit to what reasonable people can consider the practice of adversary law. I believe you have exceeded this. And I am asking that you stop it. I have been patient in this matter for about 14 months. In the most recent of these matters I have been the subject of personal abuse by your office. Despite all these misrepresentations and the unhidden efforts to try cases on me I have no interest in public stinks. My interest is restricted to obtaining the public information I specify and want. However, if I am forced to other alternatives, I will have no choice but to explore them. That is not my desire. I want to do the work on which I am snugly engaged, no more. If your stonewalling impedes it then as to now I have not I will have to address your stonewalling.

A copy of this will go to Mr. Loefer in the same mail. It cannot now reach him before Tuesday.

Sincerely,

Harold Weisberg