

Dear Jim,

75-1996: transcript of 6/10/76; suggestions 6/19/76

I continue to believe that if we are ever to end this stonewalling it will be necessary to lean on them, especially Dugan, who blows at a low point.

The immediate question, I think, is compliance. Dugan has become a complete non-compliance operation in himself. One of his means is to misrepresent to the court. I think it is possible to address this without transgressing against the special rights courts and lawyers grant crooked AUSA's.

This occurred to me in reading the 6/10 transcript in which I think you again made a very good record.

The deceptiveness of his earlier filings and statements, particularly in the second Wiseman affidavit and their success is reflected on p.2, where the judge says they have given us all the ^Aughis records when they haven't give us a single one. Then the diversion, a successful diversion, on the marking.

On p. 3 Dugan says that is not an issue here. "I don't know if that is an issue here." Well, he does know, Green made it an issue immediately. He showed her frivolous marking and she directed Dugan to justify each one. He has not done it yet and now says it is not an issue.

Elsewhere he claims all due diligence and even then misrepresents but there is a good illustration of the opposite with the cigarette remains. You raised this on p.8. Their non-response gets into enough to establish that they had the results. Prior to anything we demanded. Thereafter they went through the files, knowing our request was for more than the Mustang, and they simply did not give this to us after the search for which I paid. Remember that business of the H.O. apartment, etc.? They did find what we asked for and instead of simply giving it to us went into this long and time-wasting rigamarole not to comply when compliance was in their hands and charged for.

On 11 ^Dugan says we says there has not been compliance by Divisions, some of which he names. ^A again lies and knows it because he is the one who files proof of compliance. ^A has filed nothing from a single division. ^A then lies again, "That deals with the 23rd." False. It deals with everything, including the initial request.

The "due diligence" with regard to cigarette butts as an example is on p.19.

(What I have been talking about for a long time is either forestalling the filing of this kind of perjury or making a record in advance that it is perjury or incompetent.)

It may be that you'll have occasion to review all the transcripts. ^A If you do I suggest having a couple of pads convenient and listing various kinds of items so we can make a proper issue of them. ^A like what she told them to do that they have not done and have not briefed - stonewalled. Another is their unkept offers. Another is misrepresentations to her. Another is examples of their deliberate wasting of time rather than comply in less time, like the butts and the marking.

Best,