Because I had wanted to be able to edit rather than merely read and correct the affidavits and because Idl was working on the tabulation, I delayed the retyging of the affidavits until the last minute. With your agreement to move for citations of contempt I added to the transfer affidavity ship to the response to Shea. I had him separate because his affidavit is not attached to their Response. It is the companion of SA Smith's. Well, after a hasty correction of this addition early this morning and with it fairly fresh in mind I went for a walk and had time to think.

The terrible people, desparate on the one hand and drunk with the arrogance of power on the other, have delivered themselves to us if we go about it the right way. Perhaps it will now be better that earlier you were unwilling to move for any punishment. I want to ask for perjury citations, too. With that counterfeit of Haile, Horn, it is certainly a fact that he perjured himself.

Even Dugan's dirtiness helps. If I do not have the interrogatory answers from Ryan in temorrow's mail I's adding a footnote to the point at which I found it appropriate to include that last conversation, the footnote will include the Williams affidavit in 2301 and will say this has been done to me without exception by every AUSA who has defended any action.

What is on paper is hardly Joseph Conrad. But is is factually correct, it is complete enough (in some areas you may find too complete), it is in point and it is a very solid case, despite the meanderings of some of the sentences and the usefulness of reogganisation.

I have tackled each and every one of these bastards head-on and made a case of one kind of another against each. It seemed to me that the order of importance is Department Divisions and lawyers first. We have finally forced them out and ended their immunity. I've drafted but not read the reast. We'll get all we can done and I'll think more about what remains to be corrected. I do want, once and for all, to get into the record definitive answers to any questions, such as my expertise. They have provided a realy combination of opportunities on this. One is by raising the questions frivolously, even indecently. Some of this must have reached Cabsey, for he told me Green wants firstperson stuff on searches. Only Horn claims that and how he lied! Another condition comes from Dugan's dirtyworkings. You can now file affidavits without having time to read and correct them, I think safely, with the understanding that if Dugan justifies a claim of irrelevancy you'll agree to strike in any such portion. He is in a very bad Williams way for having withheld all of this, Smith since May. Nobody will ever believe it to be accidental. Especially not with my unanswered weitten complaines to him on just this and even before this. I have gone into these conditions in the addition to the Shea affidavit. I do not think it is possible the judge will not understand. Or be other than sympathetic.

They have also given us a chance to relieve all the judges they abuse in FOIA cases. I want to use that chance for the most direct possible confrontations on all relevant issues, including them and what they have done and what they do. The initial question is how we do it. My feeling, which would be the same if you had not been taken ill and were not certain to be weaker and in greater need of taking care of yourself, is that we are limited in our choices. I think you can understand wherein I am.

If you are unwilling to use these affidavits in the form in which they are, I will argue with you. If I cannot persuade you they will not be redene. We just can't keep taking that time. There then will be no response affidavits and we'll have to take one of several different roads. I will consider this wrong but I will agree if you insist.

Green wants to take live testimony. There is no end to the importance of what we did in No. 75-2021. I remind you how enormous the change we brought about and how- by what we had in the records. I want to take live testimony. I think you do. We then come to how, which in a sense gets back to why I want the affidavits in. It requires response and they

can't respond. I'm more than confident on all of substance and I believe on all. What an advantage this gives us, especially in time, because it means we have made the record with virtually no work or waste of time for you.

The other ways are by a hearing and by deposition. I want, strongly, for the hearing to be the last possibility. I want all that is necessary in this record prior to any hearing. While in getting it in the record in was advance of a hearing depositions will do, they take time and cost much. They will have to be extraordinarily extensive and in good conscience we'll have no choice. We have oppostunities here that will not be duplicated, as the Maders seem not to realize. Or care.

There is, even then, too much for you to be able to keep in mind and if you could the preparation time would be considerable. So we have to have it all laid out, in whatever form, in the record and for Gabney's and Green's advance digestion.

We can't do what is possible if we go directly to a hearing. We can win on the immediate points but they then will turn to others and there will not be the record for other cases, ours and those of others. I will also be plagued by this kind of stenewalling in perpetuity. Here we have a chance to if not end it make it extremely risky. We have a chance to sweep the board with it, from FRI agents through lawyers to the very Office of the Deputy. Yeah, Shea delivered himself, too. Not just with sworm-to eneers described as of personal knowledge but with statistics that are fantastic! They are so exceptional that I made virtually no use of what I despotted in his earlier affidavit in Bud's case. His statistics and his correspondence on me and in this case are that much better. If you chew them up and digest them, as I think I did thoroughly, they make the case opposite the one he says they make. Could hardly be more opposite.

What we need is best and fullest use of it. There are indications. One is Wiseman's total silence. You did not want to press in court when he defamed me. I wrote him and Dugan. No response so I went higher, and now we have from "elley proof that he will do nothing with OPR, so I wrote OPR and have had no response. That is a very good record when it is added to "elley's personal misconduct. (Yes, I have him included in the affidavits, too.) But my central point is what happened? Their teughtest, their first line, the FRI, backed off. They, did not dare file another Wiseman affidavit. They weakened themsives because Smith can t allege any personal knowledge of this case and does not Wiseman could — and did not have face me again. I think Green may have spotted this. As you have seen with Dugan in court, their whole bag is toughness. We meet that directly on it and they are done, from this illustration. They are tough not with being right but with having power and few who will confront them on either fact of their power. I believe the most important single point in 226 was when you, spentaneously, stood up to Pratt's threat and he backed off.

Realize that every thing you do if you do not file these affidavits plays their game, which is always to stall and in this case to let them take the edge off with Shaheen's game. If they have any time they can try it. The more time they have the better the prospect they will do it, even prematurely. We go may way and we kaput Shaheen and that entire diagraceful new coursup. We can also do it before consideration of the cert petition.

I don't know where the time or money for two sets of depositions will come from. If we do not use these affidavits there is such a need. If we do not meet it we make the most serious and costly compromise to begin with and again play their game for them. Meanwhile, please realize the cost to me of what they dod and will do if undeterred. I've not been able to touch a book two-thirds drafted for six months. Or any other similar work. Or even read new records a obtain. Or obtain others of which a know. Their way they win and can't lose. On matter what happens short of punishment they win. Period. Whatever we accomplish in time. Right now we have the best shot to date, including the right time to ask for the recovery of costs based on what a prove and they can't touch in these affidavits. They make the case for deliberate non-compliance as we have never been able to, well as we have dame it before. If you agree to make this pitch, I d like you to consider asking assessments of damages against ever one of them contributed to the damages knowingly. Remember also that Green, too, is at

a turning point with an unprecedented opportunity to end abuses or to assume more. Hastily,