

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

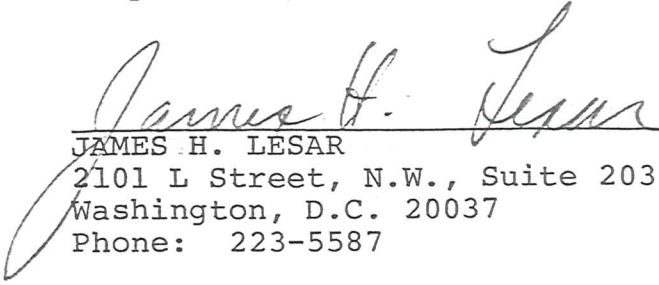
HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 75-1996
 :
 :
 U.S. DEPARTMENT OF JUSTICE, :
 :
 Defendant :

MEMORANDUM OF POINTS AND AUTHORITIES

Some two years ago Mr. Quinlan J. Shea, Jr., Director, Office of Information and Privacy Appeals, assured plaintiff that he would be provided with copies of neutron activation and spectrographic analysis materials pertinent to the MURKIN investigation. During depositions he took in 1979, plaintiff called to defendant's attention the fact that he had not yet received these materials. By letter dated July 26, 1980, addressed to Mr. William G. Cole, defendant's counsel, plaintiff once again raised this issue. (Exhibit 1) On November 15, 1980, plaintiff's counsel wrote Mr. Cole a further letter noting that it had been years since plaintiff was promised the spectrographic plates pertinent to this and another case, but that he had not yet received them. (Exhibit 2)

The requested materials still not having been provided, plaintiff moves to compel their production forthwith.

Respectfully submitted,


JAMES H. LESAR
2101 L Street, N.W., Suite 203
Washington, D.C. 20037
Phone: 223-5587

Attorney for Plaintiff

JAMES H. LESAR
ATTORNEY AT LAW
2101 L STREET, N.W., SUITE 203
WASHINGTON, D. C. 20037
TELEPHONE (202) 223-5587

July 26, 1980

Mr. William G. Cole
Civil Division, Room 3649
U.S. Department of Justice
Washington, D.C. 20530

Re: Weisberg v. U.S. Department of
Justice, Washington, D.C. 20037

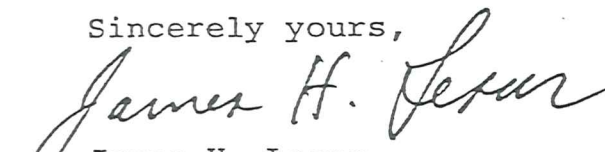
Dear Mr. Cole:

Mr. Weisberg has now reviewed the inventories recently supplied him. In his correspondence to me he advises that there are major discrepancies between what was provided him and what the inventories show. Because this raises issues of great importance and I am leaving town for a week within the hour, I am enclosing copies of his letters to me in this regard and requesting that you respond to these matters as soon as possible.

Mr. Weisberg has again reminded me that he has not been provided with neutron activation and spectrographic materials. You will recall that this came up during the depositions.

Finally, I note that in a recent letter you again asked that I not send copies of my correspondence to you to Judge Green. In my view Judge Green ought to be kept informed of what transpires between the parties. I fail to discern your purpose in making this request. However, if you will offer an explanation for it, perhaps I will.

Sincerely yours,


James H. Lesar

cc: Judge June L. Green

JAMES H. LESAR
ATTORNEY AT LAW
2101 L STREET, N.W., SUITE 203
WASHINGTON, D. C. 20037
TELEPHONE (202) 223-5587

November 15, 1980

Mr. William G. Cole
Trial Programs Branch
Civil Division
U.S. Department of Justice
Washington, D.C. 20530

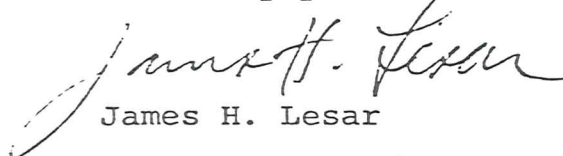
Re: Weisberg v. U.S. Department of Justice, Civil Action No. 75-1996; Weisberg v. U.S. Department of Justice, et al., Civil Action No. 75-226

Dear Mr. Cole:

I am leaving town tomorrow for two weeks. I write to remind you that at the last status call in Civil Action No. 75-1996 it was agreed that Mr. Weisberg and I will both be sent copies of whatever you file and to request that you adhere to this in my absence.

In addition, Mr. Weisberg reminds me that it has been years since he was promised the spectrographic plates in both these cases. Would you please see that this gets done promptly before I have to file a motion to compel it? If you have any questions about this, I suggest you consult with Quin Shea.

Sincerely yours,


James H. Lesar