

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: HAROLD WEISBERG v.
U. S. DEPARTMENT OF JUSTICE
(U.S.D.C., D. C.)
CIVIL ACTION NO. 75-1996

DATE: 5/13/76

PTB

PURPOSE: To advise of receipt of attached letter from Time Incorporated.

SYNOPSIS: Attached letter from Richard M. Seamon, Director of Editorial Services, Time Incorporated, was received on 5/11/76, and states that Time Incorporated has no objection to allowing plaintiff to review 107 photographs pertaining to the King assassination which had been furnished the FBI by Life Magazine and which were located in our Memphis office, but that if plaintiff desired copies of them he should contact Mr. Seamon. Plaintiff was allowed to view these photographs at FBIHQ on 5/5/76 and advised that if he desired any copies he should direct his request to Time Incorporated.

RECOMMENDATION: None. For information.

DETAILS: Plaintiff, who instituted captioned litigation in connection with his FOIA request for certain categories of records concerning the Martin Luther King, Jr., assassination, was furnished all non-exempted records located at FBIHQ within the scope of his request. He indicated that the FBI would possess other records which would be responsive to his request, and in order to insure that we had completely complied with his request, we voluntarily searched the Memphis office for any additional material which would be responsive to the request.

Enclosure

- 1 - Mr. Decker / - ENCLOSURE *[initials]*
Attn: Mr. Wiseman
- 1 - Mr. Gallagher
Attn: Mr. Helterhoff
- 1 - Mr. Moore
Attn: Mr. Gunn
- 1 - Mr. Mintz
- 1 - IPAL (Blake)

REC-93
EX-116
197-784-X9
MAY 17 1976

- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgmt. _____
- Spec. Inv. _____
- Training _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. Serv. _____



PTB:rmeh
MAY 20 1976
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. J. B. Adams

Re: Harold Weisberg v. U. S. Department of Justice

(U.S.D.C., D. C.), Civil Action No. 75-1996

107 photographs which had been taken by a photographer for Life Magazine and which were furnished by Life to the FBI were located in the Memphis office, and we contacted Time Incorporated to ascertain if they would have any objection to our allowing plaintiff to view these photographs, some of which had been published in Life Magazine in 1968. Mr. Seamon advised that they would have no objection to plaintiff viewing these photographs, but that if plaintiff desired copies of them he should contact Mr. Seamon, and not attempt to obtain copies from the FBI. Attached letter, which requires no acknowledgment, is a written confirmation of the 5/4/76 telephone conversation between Mr. Harry Johnston, Legal Department, Time Incorporated, New York, New York and SA Parle Thomas Blake of the Legal Counsel Division, in which Mr. Johnston advised that he would interpose no objection to plaintiff being allowed to view these photographs but that they were protected by statutory and common law copyright. Mr. Johnston stated that even if the FBI was ordered by the court to release copies of these photographs to plaintiff, plaintiff would be prohibited from publishing them by the copyright protection. He stated that a letter confirming this would be sent to the Director over Mr. Seamon's signature. Plaintiff was allowed to view these photographs at FBIHQ on 5/5/76 and advised that if he desired any copies he should direct his request to Time Incorporated.

TIME
INCORPORATED

TIME & LIFE BUILDING
ROCKEFELLER CENTER
NEW YORK 10020
JUDSON 8-1212

EDITORIAL SERVICES

May 6, 1976

The Hon. Clarence M. Kelley, Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

I am writing to you in connection with my recent telephone conversation with Mr. Thomas Blake. Mr. Blake informed me that a Mr. Weissberg has requested, pursuant to the Freedom of Information Act, access to certain photographs taken by Mr. Joseph Louw in Memphis, Tennessee, in April of 1968.

These 107 photographs pertain to events and circumstances surrounding the death of Martin Luther King and were lent by Time Incorporated to the Federal Bureau of Investigation in connection with its investigation of that matter. Several of the photographs were published in LIFE magazine in 1968.

Time Incorporated has no objection at all to allowing Mr. Weissberg to examine these photographs. However, as copyright proprietor and agent for Mr. Louw, we must insist that no copies of these photographs be made or turned over to the applicant. The photographs are protected by statutory and common law copyright and any unauthorized copying of them would infringe these rights.

Yours very truly,

Richard M. Seamon
Richard M. Seamon
Director

MAY 11 10 30 AM '76

~~100-334,156-63~~
ENCLOSURE

197-184-X9

See memo ACC to Mr. Seamon
5/11/76