

JL:Our Request for Production of Documents in 75-1996, filed 5/4/76 5/7/76

I read Horn's 11/3/75 mem. to Pottinger too rapidly. I missed much on the first reading. I've reread it with your motion.

How could production of the scale model prejudice Ray's rights when it was used in public, in court, in the mini-trial (note Horn uses this phrase)? It could not, I believe, therefore I believe they had another reason, is no more than not letting the ice crack for the first time under FOIA.

I don't think it is necessary to correct the incorrect reference to me in the second paragraph, but be aware of it. Unless as a matter of record you want a letter stating that Ray has no connection with this action. No difference to me.

The top line on the second page make an under-oath liar of Wiseman. He was at this meeting (as was Brosson). The connection with CBS, the one he denies under oath, is as explicit as it can be.

We have ~~been~~ considering taking a position in opposition to his own representation of the law. (top graf, p.2)

With Civil Rights wanting to "formulate an appropriate legal argument against disclosure" despite the law and more than six months after the request it did not even acknowledge

p.2, graf 2: why should the FBI be attempting to determine what had been made public? Is this not the function of the lawyers? How many ways can you read the line about its "efforts to determine the answer to this question and is in contact with Tennessee authorities?"

P.2, graf 3: they actually say Frazier's testimony in affidavit form is based on photographs. This is opposite what Wiseman swore to, or "ilty.

He concludes with a statement that he has drafted a memo for Pottinger's signature. I don't think it was provided. At least I don't recall it. I think we want it. I also think it is included in your #2 but want to be sure.

This memo provides a basis for alleging there is the continuing official intention not to comply; that Wiseman is privy to it and is deliberate in his non-compliance in pursuance of his knowledge of official policy; and that the law is not the consideration when there are political concerns, to the detriment of the law and my rights under it.