

UNITED STATES GOVERNMENT

# Memorandum

AUG 13 1970

TO : Mr. J. Edgar Hoover  
Director, Federal Bureau of Investigation

DATE:

FROM : William D. Ruckelshaus  
Assistant Attorney General  
Civil Division

SUBJECT: Harold Weisberg v. Department of Justice  
USDC D.C., Civil Action No. 2301-70

WDR:JFAxelrad:bd	Mr. Tolson
145-12-1449	Mr. Sullivan <input checked="" type="checkbox"/>
	Mr. Mohr
	Mr. Bishop
	Mr. Brennan CD
	Mr. Callahan
	Mr. Casper
	Mr. Conrad <input checked="" type="checkbox"/>
	Mr. Felt
	Mr. Gale
	Mr. Rosen <input checked="" type="checkbox"/>
	Mr. Tavel
	Mr. Walters
	Mr. Soyars
	Tele. Room
	Miss Holmes
	Miss Gandy

A copy of the complaint recently filed in this action is enclosed.

In order that we may defend this action, please send us not later than September 1, 1970, a report, in duplicate, setting forth the facts involved. Because many courts are reluctant to grant extensions of time to answer, we request that this report be given your preferred attention. If you cannot send us the necessary material within that time, please let us know promptly so we can inform the court of the reason for the delay.

It will be helpful if you will state specifically which allegations of the complaint should, in your opinion, be admitted and which should be denied, and make suggestions for any affirmative allegations to be made in the answer.

Please include a list of the names, official positions, and addresses of persons who have personal knowledge of the facts involved and a brief summary of the matters about which they can testify on behalf of the Government.

Your report should also include information (and copies of relevant documents, if any) as to any defense set-off or counterclaim which you believe may be available.

In addition, please transmit with your response to this memorandum originals and six copies of an affidavit establishing the basis for defense of this litigation. The affidavit could be prepared along the lines of the affidavit executed by Special Agent Roy H. Jevins for use in litigation entitled John Nichols v. United States, USDC D Kan., Civil No. T-4536. In addition to the statements made in that affidavit, we suggest you include in the affidavit in the present litigation, a statement of how your law enforcement purposes would be hindered were the materials sought subject to public disclosure.

AUG 31 1970

ENCLOSURE  
ENCLOSURE ATTACHED  
United States Attorney  
District of Columbia

EX-109

22 AUG 14 1970

B.

EXP. PROC.

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