

JAMES H. LESAR
ATTORNEY AT LAW
910 SIXTEENTH STREET, N. W. SUITE 600
WASHINGTON, D. C. 20006
TELEPHONE (202) 223-5587

November 16, 1977

Mr. Peter Flaherty
Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Re: Lesar v. Department of Justice,
Civil Action No. 77-0692

Dear Mr. Flaherty:

As you are aware, the Freedom of Information Act provides that documents shall be furnished without charge or at a reduced charge where the agency determines that a waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. 5 U.S.C. §552(a) (4) (A).

Department of Justice regulations authorize you to make this determination. Accordingly, I request that you determine that all search fees and copying costs be waived with respect to all records released as a result of the above lawsuit.

The records involved in this case pertain to the assassination of Dr. Martin Luther King, Jr. and the investigation of that crime by state and federal agencies. From 1970 through December, 1976, I served as the principal working attorney for James Earl Ray, the alleged assassin of Dr. King. I estimate that during this period I spent well in excess of 5,000 hours working on the various legal efforts Ray made to overturn his conviction, all of it without remuneration.

As a result of this extensive experience with the Ray case, I consider myself one of the two leading authorities on the assassination of Dr. King. The other and foremost authority on this subject is a friend, associate, and client of mine, Mr. Harold Weisberg.

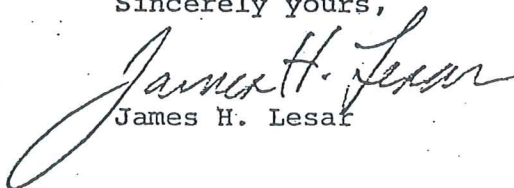
I have made arrangements to have the records released to me as a result of this suit sent directly to Mr. Weisberg at his home in Frederick, Maryland. Mr. Weisberg will then make an additional copy of these records for me, together with his notes on their contents.

I believe that it is in the public interest that Mr. Weisberg and I be as fully informed as possible on matters pertaining to the

assassination of Dr. King. Both of us make ourselves available to the press whenever it has inquiries concerning the King/Ray case. The news media frequently rely upon Mr. Weisberg for information and evaluation on this subject, and to a much lesser extent also consult with me. In the past year, for example, The Washington Post has several times quoted Mr. Weisberg and myself to help its readers reach a proper evaluation of the performance of the House Select Committee on Assassinations. The New York Times has also quoted Mr. Weisberg extensively on this question.

There are other reasons which I could advance for my belief that it is in the public interest that I (and Mr. Weisberg) be provided a copy of the records which are the subject of this case without charge. I think, however, that what I have said above should be sufficient. If it is not, I ask that you please advise me of what more I should do in order to support this request for a waiver.

Sincerely yours,



James H. Lesar

cc: Lynne Zusman