Rt. 12, Frederick, Md. 21701
8/4/78

Ms. JoAnn Dolan
Civil Division
Department of Justice
Washington, D.C. 20530

Dear Ms. Dolan,

As you may recall, your Reply Memorandum in C.A. 77-1997 was delayed in reaching Jim Lesar. The copy he made for me was, of course, further delayed in reaching me. I have read it.

Mr. Lesar is currently confined to bed with a flu-like illness. Prior to illness he was so far behind in his work that he had not been able to read and file affidavits I provided, including one dated before your Reply Memorandum correcting an error I had made. When he is able to work he will be even farthur behind. I therefore write you directly, not knowing what time considerations may be involved.

You make selective quotation of a transcript from C.A. 77-0392. The selection is so selective that you have omitted the part that states the opposite of the interpretation you have placed on the transcript. This is on page 22. Despite the extensive footnoting you here limit your citation to a single page, 42 and describe it as the "pertinent part." This, I believe, makes your use a misrepresentation.

You also state of me what I regard as untruthful and unfactual. You provide no proof. In context I regard this as defamatory. I cannot and I do not accept this in silence. I regard this kind of misuse of process as neither necessary nor justified in the ethical practise of adversary law. I believe it is even more improper when a woman who is in official capacity does this with a man who is aging and not in the best of health.

Were this an isolated instance it still would require response. However, it is by no means new in your Division. It has become your Division's practise. Recently your superior in effect called me a crook, accusing me of trying to defraud the government when the exact reverse is the actuality. He did this in an unmanly manner, not sending me a copy and sending one to the judge. In this he was not much in excess of what I regard as your Division's practise for at least the past nine months in what I regard as a consistent effort to defame me and undermine my reputation and that of my work.

If I had any reason to believe that what you and your Division have done is accidental I might expect voluntary rectification from you. Because I have no reason to believe any of this is other than intended and because of Mr. Lesar's present situation I make a record between us. I will not be able to see Mr. Lesar for another 10 days. I am informing him by a cabon copy.

Attached to your Reply Memorandum is Charles Savige's affidavit of the same date, July 19. I have written Mr. Savige informing him that I believe his affidavit is falsely sworn, again because of Mr. Lesar's present situation and possible time considerations.

Sincerely,

Harold Weisberg