

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

Civil Action No. 77-1997

CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendants.

OBJECTIONS TO PLAINTIFF'S REQUEST
FOR THE PRODUCTION OF DOCUMENTS BY
DEFENDANT CENTRAL INTELLIGENCE AGENCY

Defendant Central Intelligence Agency, by its undersigned attorneys, hereby responds pursuant to Rule 34 of the Federal Rules of Civil Procedure to plaintiff's request to produce documents as follows:

REQUEST NO. 1: All records of any kind whatsoever which reflect the date, time, and duration of any search made for the documents sought by plaintiff in his Freedom of Information Act request of June 11, 1976.

OBJECTION NO. 1: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation, is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding, that it would be unreasonable, oppressive and unduly burdensome to require the Central Intelligence Agency to compile such documents to the extent that they exist and, to the extent that they incorporate information contained in the documents at issue in this action or information otherwise protected by statute, that their production could divulge the kind of information that the Freedom of Information Act 5, USC §552, was intended to protect.

REQUEST NO. 2: All correspondence, reports, or memorandums exchanged between the Central Intelligence Agency and the National Security Agency/Central Security Service relative to plaintiff's June 11, 1976 Freedom of Information Act request.

OBJECTION NO. 2: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation, that it is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding and, to the extent that such documentation incorporates information contained in the documents at issue in this action or information otherwise protected by statute, that its production could divulge the kind of information that the Freedom of Information Act, 5 USC §552, was intended to protect.

REQUEST NO. 3: All internal memorandums, notes, reports, or directives relative to the processing of plaintiff's June 11, 1976 request.

OBJECTION NO. 3: Defendant objects to the production of this category of documents on the grounds stated in its objection to Request No. 1.

REQUEST NO. 4: All reports, memorandums, notes, correspondence, or any other form of communication reduced to writing relative to the classification or declassification of the January 27, 1964 Warren Commission executive session transcript.

OBJECTION NO. 4: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding.

REQUEST NO. 5: Any list of requestors who have sought access to CIA records pertaining to: a) Dr. Martin Luther King, Jr., b) the assassination of Dr. Martin Luther King, Jr., and c) James Earl Ray.

OBJECTION NO. 5: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation and that it is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding.

REQUEST NO. 6: All requests under the Freedom of Information Act for records pertaining to: a) Dr. Martin Luther King, Jr., b) the assassination of Dr. Martin Luther King, Jr., and c) James Earl Ray.

OBJECTION NO. 6: Defendant objects to the production of this category of documents on the grounds stated in its objection to Request No. 5.

REQUEST NO. 7: Any records reflecting the status of the Freedom of Information Act requests produced in response to item No. 6 above.

OBJECTION NO. 7: Defendant objects to the production of this category of documents on the grounds stated in its objection to Request No. 5.

REQUEST NO. 8: Any and all records reflecting any agreement by Yuri Ivanovich Nosenko not to talk with unauthorized persons about his experiences with the CIA.

OBJECTION NO. 8: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation, that it is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding and that it would be unreasonable, oppressive and unduly burdensome to require defendant to locate and compile such documentation, if it in fact exists.

REQUEST NO. 9: Any and all requests by Edward Jay Epstein, or anyone acting on his behalf, for records pertaining to Yuri Ivanovich Nosenko, and all records which reflect any action taken in response to such request(s).

OBJECTION NO. 9: Defendant objects to the production of this category of documents on the grounds that it is not relevant to the subject matter of this litigation and that it is not reasonably calculated to lead to the discovery of admissible evidence in the pending proceeding.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant's Objections to Plaintiff's Request for the Production of Documents has been served upon counsel for plaintiff by mailing, postage prepaid, on this 4th day of May 1978 to:

James H. Lesar, Esquire
910 16th Street, N.W.
Suite 600
Washington, D.C. 20006


JO ANN DOLAN, Attorney