

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

Civil Action No. 77-1997

CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendants.

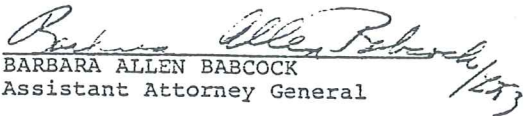
NOTICE OF FILING

Defendants wish to draw the Court's attention to two recent decisions in this Circuit which may have a bearing on the issues in this litigation. On August 24, 1978, the Court of Appeals for the District of Columbia decided Ray and Schaap v. Turner, No. 77-1401 (D.C. Cir. August 24, 1978) (attached hereto as Attachment A) and Marks v. C.I.A., et al., No. 77-1225 (D.C. Cir. August 24, 1978) (attached hereto as Attachment B).

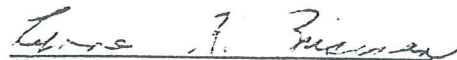
Defendants cited the District Court decision of Marks v. C.I.A., 426 F. Supp. 708 (D.D.C. 1976), to establish the legal applicability of the exemption 3 statutes relied upon herein (Defendants' First Brief at 5), and the independence rather than interdependence of Exemptions 1 and 3 (Defendants' Reply Brief at 17). As appellant-Marks' contentions on

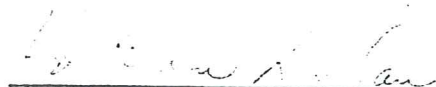
these issues were abandoned on appeal (Marks, slip opinion at 4), defendants reliance on those propositions is sound.

Respectfully submitted,


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Dated: September 12, 1978

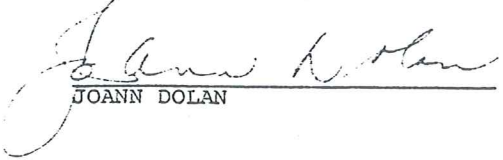
Attorneys for Defendants.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Notice of Filing and attachments has been served upon plaintiff's counsel by hand delivery to:

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

on this 12th day of September 1978.



JOANN DOLAN