

Dear Jim, re fees in 1996

HW 6/27/79

Because this was not a good day I did more reading than I would have. This includes Bitchy and Cox.

I suggest that you reread her on prevailing substantially, especially her use of citations, and the Cox decision, which uses the same decisions other than she does, beginning on page 7.

Cox says and means that we substantially prevailed and in terms of what she omits from those decisions.

I got interrupted while reading the short Scientology decision but I commend what it says about a Vaughn v. Rosen to you for use at the earliest possible moment. Not when not possible, when possible.

In my view the immediate need, once depositions give time, is to overload them and make this really costly for them, by intellectual judo. Only what they ask for.

It was the wrong day for any of Betsy's indulgences and I am determined to end them because they remain an immune defamation, but from ego, as my personal letter to Shea indicates.

It and the Herron appeal are all that I'll mail with this. I have more and will ~~have~~ have more more.

Let us pick a day for getting together next week that is early enough for you to do whatever we decide on. We can go over other things as you come to them by phone.

My immediate problem is transportation for the depositions, for Ray and for me, because her car is not safe enough and it is unwise for me to drive that fast or that distance, more after today.

The late bus, now that bus travel is increased, presents some problem. The usual one means only a morning of depositions. Right now I'm inclined to favor that in any event because last time I was in Washington, when Dag drove us, I could not stay awake on the trip back and it was immediately after lunch.

This means that it will take more days but I think it is the wiser course.

Unless you have very strong opposition I suggest that in consideration of them you let Betsy know. There is no need to have both Hartingh and Wiseman there at the same time unless you are sure you'll finish with Wiseman and will go on to Hartingh the same first morning. (I'm presuming you'll start with Wiseman.) I think this would be better because you'll have less to ask of him and can finish with him faster. Also, if Hartingh has to come back anyway he'll have less excuse for not being able to answer.

I don't know why Bresson did not get the job permanently and I'm not trying to figure out why. He may have gotten an even better permanent job. He is scoundrel enough to qualify.

While the probabilities are that Beckwith will not show I think it would be good to plan for his showing up. I presume we'll know in advance. Maybe it would be good to schedule him for Monday and if he does not show be able to continue with Hartingh if necessary then or go on to Shea if you have finished with Hartingh. As I hope you will not.

I plan for Rae to be with me and to take notes and to be able to search records afterward. We'll need this for a number of reasons, especially prior to depositing me. She has now gone over all the King appeals we could find and has made a file of each, with a card, and I've offered Shea access to these and the same kinds of JFK appeals records.

On Shea, I think you should be prepared for some hardball and while I've not discussed this with him I am sure he expects it and will not object. It will, in fact, help him in his relationships with "them." If anything can.

I found what Green had to say about Collins in the Star story on Tauh interesting- "repeated and inexcusable delays." Best,