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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,)
)
 PLAINTIFF,)
)
 V.) CIVIL ACTION NO. 78-322
)
 WEBSTER, ET AL.,)
)
 DEFENDANTS)

HAROLD WEISBERG,)
)
 PLAINTIFF)
)
 V.) CIVIL ACTION NO. 78-420
)
 FEDERAL BUREAU OF)
 INVESTIGATION, ET AL.,)
)
 DEFENDANTS)

WASHINGTON, D. C.
MAY 27, 1981

THE ABOVE-ENTITLED MATTER CAME ON FOR A STATUS
HEARING BEFORE THE HONORABLE JOHN LEWIS SMITH, JR., UNITED
STATES DISTRICT JUDGE, AT 9:30 A.M.

APPEARANCES:

JAMES H. LESAR, ESQ.
FOR THE PLAINTIFF

DANIEL METCALFE, ESQ.
JOHN SLICKS, ESQ.
FOR THE DEFENDANTS

DAWN T. COPELAND
OFFICIAL COURT REPORTER

P R O C E E D I N G S

1
2 THE DEPUTY CLERK: CIVIL ACTION NO. 78-320, WEISBERG
3 V. THE FEDERAL BUREAU OF INVESTIGATION.

4 CIVIL ACTION 78-322, WEISBERG V. WEBSTER.

5 FOR THE PLAINTIFF, JAMES LESAR AND FOR THE DEFENDANT
6 DANIEL METCALFE AND JOHN SLICKS.

7 THE COURT: GOOD MORNING.

8 MR. LESAR: GOOD MORNING, YOUR HONOR.

9 MR. METCALFE: GOOD MORNING, YOUR HONOR.

10 FOR THE RECORD, I AM DANIEL METCALFE FROM THE
11 DEPARTMENT OF JUSTICE ON BEHALF OF THE DEFENDANT, THE FEDERAL
12 BUREAU OF INVESTIGATION.

13 ALSO WITH ME AT COUNSEL TABLE IS MR. JOHN SLICKS, OF
14 THE LEGAL COUNSEL DIVISION OF THE FBI.

15 AS YOUR HONOR WILL RECALL, THIS IS A FREEDOM OF
16 INFORMATION ACT LAWSUIT INVOLVING PLAINTIFF'S REQUEST FOR
17 THE FBI'S RECORDS PERTAINING TO THE ASSASSINATION OF PRESIDENT
18 KENNEDY, THE DOCUMENTS IN THE DALLAS AND THE NEW ORLEANS FIELD
19 OFFICES.

20 WHEN WE WERE LAST BEFORE YOUR HONOR ON FEBRUARY
21 17TH, THE PARTIES WERE IN AGREEMENT AND ESTABLISHED A SCHEDULE
22 AT THE COMPLETION OF THE ADMINISTRATIVE PROCESS IN THIS CASE
23 FOR IT TO BE COMPLETED BY DECEMBER 1.

24 WE HAVE BEEN PROCEEDING ON THAT AND THERE HAVE BEEN
25 SOME DISPUTES, OR CONTROVERSIES HAVE ARISEN BETWEEN PLAINTIFF'S

1 COUNSEL AND I ON BEHALF OF THE FBI IN THE MATTER BUT WE HAVE
2 COME TO AN AGREEMENT AND I THINK IT IS FAIR TO SAY THAT WE
3 WILL BE MEETING ON A REGULAR BASIS BETWEEN NOW AND DECEMBER 1,
4 AND HOPEFULLY ON A MONTHLY BASIS OR SO.

5 WE ARE GOING TO TRY TO RESOLVE ALL OF THE DISPUTES
6 THAT WE HAVE AND THEN AT THE CONCLUSION OF THE ADMINISTRATIVE
7 PROCESS, WE WILL THEN PRESENT TO YOUR HONOR ONLY THOSE MATTERS
8 WHICH PERHAPS WE ARE INCAPABLE OF RESOLVING, IF ANY. WE HOPE
9 TO BE ABLE TO RESOLVE MOST OF THE MATTERS BETWEEN US.

10 SHOULD THERE ARISE A NEED FOR A STATUS CALL BEFORE
11 THEN, WE COULD CONTACT YOUR HONOR PERHAPS AT THAT TIME.

12 THE COURT: MR. LESAR?

13 MR. LESAR: YES, YOUR HONOR, JAMES H. LESAR FOR
14 THE PLAINTIFF, HAROLD WEISBERG.

15 BASICALLY I AM IN ACCORD WITH WHAT MR. METCALFE
16 HAS STATED TO THE COURT. PROBLEMS HAVE ARISEN AND MR. METCALFE
17 AND I ARE GOING TO TRY TO WORK THEM OUT AND IF WE CANNOT,
18 THEN WE WILL HAVE TO COME BACK BEFORE THE COURT.

19 BASED ON THE FBI'S FAILURE TO MEET THE SCHEDULE
20 AT THIS TIME, AND OUR FEELING THAT THERE ARE STILL EGREGIOUS
21 MISTAKES BEING MADE IN THE PROCESSING OF THE DOCUMENTS, IT
22 MAY BE NECESSARY TO COME BACK BEFORE THE COURT WITH A VAUGHN
23 MOTION OR SOME OTHER APPROPRIATE MOTION, BUT I WILL MEET MR.
24 METCALFE AND FURTHER DISCUSS IN DETAIL WITH HIM OUR OBJECTIONS
25 BEFORE WE DO THAT.

1 THE COURT: ALL RIGHT. NO ACTION THEN NEEDS TO
2 BE TAKEN AT THIS TIME. YOU ARE BOTH REASONABLE AND I AM
3 SURE YOU CAN RESOLVE YOUR DIFFERENCES.

4 MR. METCALFE: THANK YOU, YOUR HONOR.

5 MR. LESAR: THANK YOU.

6 (WHEREUPON, THE HEARING WAS CONCLUDED.)
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8

9 CERTIFICATE OF REPORTER

10 THIS RECORD IS CERTIFIED BY THE UNDERSIGNED REPORTER
11 TO BE THE OFFICIAL TRANSCRIPT OF THE ABOVE-ENTITLED HEARING.
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14 OFFICIAL COURT REPORTER
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