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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEC - 6 1982

JAMES F. DAVEY, Clerk

HAROLD WEISBERG,

Plaintiff,

v.

Civil Action Nos.
78-322 and 78-420
(Consolidated)

FEDERAL BUREAU OF
INVESTIGATION,

Defendant

DEFENDANT'S FIRST SET OF WRITTEN INTERROGATORIES

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, the defendant submits these written interrogatories to be answered by the plaintiff within thirty (30) days of service. These interrogatories are continuing in nature and require prompt supplementary answers if additional or different information is obtained after the filing of the answers to the interrogatories. If you object to any interrogatory, you should specify the part or parts of the interrogatory to which you object and answer separately the part or parts to which there is no objection.

Definition

A. "Plaintiff" means the named plaintiff and his counsel and all other persons or entities acting for or on his behalf.

B. "Counsel" means all of plaintiff's attorneys and their assistants, associates, analysts or clerks.

C. "Document" means any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, notices, memoranda, diaries, photographs, diagrams, charts, and all other visual aids.

D. To "identify" a document means that the document should be identified by its nature (e.g., letter, memorandum, etc.), title, date, author and his or her title, addressee and his or her title, and the present location and custodian of the document. If any document was, but is no longer, in plaintiff's possession or subject to plaintiff's control, state what disposition was made of it. Alternatively, a copy of the pertinent document may be appended to the answers to these interrogatories.

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Interrogatories

Interrogatory 1. With regard to the first point listed in plaintiff's Amended Statement of Genuine Issues of Material Fact in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's Dallas and New Orleans Field Offices maintain "ticklers."
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 1(a) above.

Interrogatory 2. With regard to the third point listed in plaintiff's Amended Statement of Genuine Issues of Material Fact in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's search in these consolidated cases did not include material contained in the "June" files of the Dallas and New Orleans Field Offices.
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 2(a) above.

Interrogatory 3. With regard to the fourth point listed in plaintiff's Amended Statement of Genuine Issues of Material Fact in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's search in these cases did not encompass records concerning the allegations of Mr. William Walter as referenced in paragraph 10 of Weisberg's affidavit of July 21, 1982.
- (b) State each and every fact upon which plaintiff bases his contention that non-exempt documents contained in either the Dallas or New Orleans Field Office concerning Mr. William Walter remain withheld by the FBI.
- (c) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 3(a) above.
- (d) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 3(b) above.

Interrogatory 4. With respect to the fifth point listed in plaintiff's Amended Statement of Genuine Issues of Material Fact in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's search in these consolidated cases did not encompass all films and tapes in the Dallas and New Orleans Field Offices pertaining to the Kennedy assassination.
- (b) Other than the Thomas Alyea film, list each and every film that plaintiff contends is within his FOIA requests in these cases and which were not encompassed within the FBI's search.

- (c) State each and every fact upon which plaintiff bases his contention that there is a tape of the Dallas police radio broadcasts in either the Dallas or New Orleans Field Office.
- (d) Other than the alleged tape of the recorded Dallas police radio broadcasts, list each and every tape that plaintiff contends is within his FOIA requests in these cases and which were not encompassed within the FBI's search.
- (e) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 4(a), above.
- (f) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 4(b) above.
- (g) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 4(c) above.
- (h) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 4(d) above.

Interrogatory 5. With regard to the sixth point listed in plaintiff's Amended Statement of Genuine Issues of Material Fact in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's search in these cases did not include every organization or person who figured in the FBI's investigation of the Kennedy assassination.
- (b) List each and every organization and person that plaintiff contends figured in the FBI's investigation of the Kennedy assassination but who plaintiff contends were not included within the scope of the FBI's search in these consolidated cases.
- (c) How did plaintiff come to the conclusion that the eleven organizations and persons (listed in the sixth point of the Amended Statement of Genuine Issues of Material Fact in Dispute) had figured in Louisiana District Attorney Jim Garrison's investigation of the Kennedy assassination.
- (d) Other than the eleven names of organizations and persons who allegedly figured in Jim Garrison's investigation of the Kennedy assassination but who were not included within the scope of the FBI's search in these cases, list each and every organization and person who plaintiff contends figured in Jim Garrison's investigation.
- (e) How did plaintiff come to the conclusion that the organizations and persons listed in response to interrogatory no. 5(d) above had figured in Jim Garrison's investigation of the Kennedy assassination.
- (f) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 5(a) above.

- (g) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 5(b) above.
- (h) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 5(c) above.
- (i) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 5(d) above.
- (j) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 5(e) above.

Interrogatory 6. With regard to the seventh point listed in plaintiff's Amended Statement of Genuine Issues in Dispute:

(a) State how and when plaintiff first concluded that the 31 enumerated organizations and persons comprise all the "critics" which former Associate Attorney General Shenefield was allegedly referencing when he requested the Bureau to attempt to seek "files on 'critics' or 'criticism' of the FBI's assassination investigation."

(b) At any time during the pendency of these consolidated cases, did former Associate Attorney General Shenefield ever communicate in any manner to plaintiff or his counsel that when he requested the Bureau to seek files on "critics" or "criticism" of the FBI's assassination investigation he meant that the FBI should undertake independent searches on the names of the specific 31 organizations and persons listed in point 7 of plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute.

(c) If the answer to interrogatory no. 6(b) is affirmative, state when and in what manner that communication took place.

(d) At any time during the pendency of these consolidated cases, has any Justice Department/FBI official or employee ever communicated in any manner to plaintiff or his counsel that when former Associate Attorney General Shenefield requested the Bureau to seek files on "critics" or "criticism" of the FBI's assassination investigation he meant that the FBI should undertake independent searches on the names of the specific 31 organizations and persons listed in point 7 of plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute.

(e) If the answer to interrogatory no. 6(c) is affirmative, please name each such official or employer and state when and in what manner that communication took place.

Interrogatory 7. Of the 26 individuals listed in point 7 of plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute, list each individual who plaintiff knows is deceased.

Interrogatory 8. With regard to the eighth and ninth point listed in plaintiff's Amended Statement of Genuine Issue of Material Facts in Dispute:

(a) State how and when plaintiff first concluded that the documents referenced in Exhibits 4 through 10 of Weisberg's affidavit of July 21, 1982, are within the scope of his FOIA requests in these consolidated cases.

(b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 4(b) above.

Interrogatory 9. With regard to the tenth point listed in plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute:

- (a) State how and when the plaintiff first came to the conclusion that any FBI records on Carlos Marcello are, in plaintiff's opinion, within the scope of his FOIA requests in these consolidated cases.
- (b) Does plaintiff contend that Carlos Marcello was a person who figured in the FBI's investigation of the Kennedy assassination.
- (c) If the answer to interrogatory 9(b) is affirmative, state each and every fact upon which plaintiff bases that contention.
- (d) Identify each and every document and/or other source upon which plaintiff relies in support of the conclusion referenced in interrogatory no. 9(a) above.
- (e) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 9(b) and 9(c) above.

Interrogatory 10. With regard to the eleventh point listed in plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI's search in these cases did not include all material in the Dallas and New Orleans Field Offices pertaining to former Special Agent James P. Hosty.
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 10(a) above.
- (c) State how and when the plaintiff first came to the conclusion that any FBI records in the Dallas or New Orleans Field Offices pertaining to former Special Agent James P. Hosty are, in plaintiff's opinion, within the scope of his FOIA requests in these consolidated cases.

Interrogatory 12. With regard to the twelfth point listed in plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that Marguerite Oswald is within the scope of his FOIA requests in these consolidated cases.
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 11(a) above.

Interrogatory 12. With regard to the thirteenth point listed in plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute:

- (a) Specify in detail what the plaintiff means by the expression "SAC confidential files."
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of his response to interrogatory no. 12(a) above.
- (c) State each and every fact upon which plaintiff bases his contention that the FBI's search in these consolidated cases did not include the SAC safes in the Dallas and New Orleans Field Offices.
- (d) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 12(c) above.

Interrogatory 13. With regard to the fourteenth point listed in plaintiff's Amended Statement of Genuine Issues of Material Facts in Dispute:

- (a) State each and every fact upon which plaintiff bases his contention that the FBI has not searched for or provided with pertinent records identified by way of "see" references.
- (b) Identify each and every document and/or other source upon which plaintiff relies in support of the contention referenced in interrogatory no. 13(a) above.

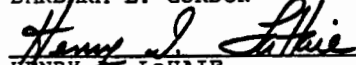
Interrogatory 14. Identify each exhibit or other document which plaintiff intends to offer into evidence or use in any other manner at any further hearings or proceedings in these consolidated actions.

Respectfully submitted,

J. PAUL McGRATH
Assistant Attorney General

STANLEY S. HARRIS
United States Attorney


BARBARA L. GORDON


HENRY A. LAHAIE
Attorneys, Department of Justice
Room 3338, Civil Division
10th & Pennsylvania Ave., N.W.
Washington, D.C. 20530
Telephone: (202) 633-4345
Attorneys for Defendants.