

Dear Jim,

3/4/83

While I'd have liked time to do better, we can get along with this, the last of the anti-discovery affidavits. And I've about had it with them. I'm still not up to much work of any kind.

Please don't forget, you've agreed to push the question of perjury, to move for all of Phillips' attestations be expunged because they are both untruthful and not based on personal knowledge, and to oppose their discovery in part by making the charge that it is of frivolous purpose and thus a violation of the USC.

With these issues we can go up on appeal as soon as Smith rules against us, if he does, or get the FBI working again if he doesn't. I want these issues to go to the appeals court as soon as possible because if there is any one litigant in whose cases that court has spoken of what is required of a search, I'm that litigant; and because the FBI's record is so incredibly bad in this case. Otherwise they'll have us spinning our wheels forever.

While I don't think it will interest him, except perhaps about his old friend that demon investigator Blakey, I'm sending Gardner a copy.

I've a minimum of three medical appointments next week. Monday ~~will~~ blood-testing and local doctor; Wednesday regular surgical checkup; Thursday, podiatrist. I'm sure I'll also have added bloodtesting Thursday and maybe further chest examination.

When I feel better I'll write you further about the Meric records.

You may not realize it but you've for all practical purposes already made a decision not to contest the wit holdings in that case. I'm not saying this is necessarily wrong, although instinct and experience tell me it is; but I am saying that you should be aware that you have, really, made this decision.

I gather from a note from Hank that you haven't had time to discuss his file cabinet problem with him. I'll write him soon.

Best,

AD