

Dear Jim,

3/11/83

The filings in 0322/0420 are good but you have one slight factual error of which you should be aware (I think not necessary to correct) and you forgot two things.

The error is that the N.O. case is not the first. It is the second.

The omissions are my last affidavit and reference to the case record in which, as Phillips' declarations were filed, I proved them not to be truthful.

The last affidavit has a number of importances. I would have liked to have been able to spend more time on it, to edit it and to enlarge it, but I just wasn't able to.

One has to do with the dishonesty of their responses to discovery, using the wrong records to hide additional withholdings, and another is the fact that when the N.O. inventory was disclosed to Mark it confirms my prediction in that it indicates the existence of other pertinent records in files not included in the main file numbers to which FBIHQ restricted its request.

If we have to go up on appeal on this issue, I think that reference to the permeating dishonesty, including all of Phillips' earlier declarations and his failure to correct any of them, can be important, and having ~~some~~ reference to them along with the specifications, as with Ferris and the inventory, may be enough to have that before the appeals court.

There is another aspect of this in the last affidavit, the aspect of the McGehee decision I called to your attention, that where and how an indetifiable record is filed is immaterial and it must be produced. I did not argue in the affidavit but I think you should because it is now overwhelming that there are identified and located pertinent records that remain withheld, referred to in the affidavits. And files like Alyea's, which they admit locating.

This "additional" affidavit of the 4th also goes into other things, like refusal to search, how the FBI also limited HSCA's access, how they misuse the exemptions to withhold what is non-exempt but is embarrassing, how they hide by misfiling and non-filing, more on the dishonesty of the search slips and that they are not the originals, regardless of Phillips' semantics, how N.O. claims to have sent FBIHQ records it did not provide, etc. - all things we may well want to use on appeal and should emphasize now.

My yesterday's protime was within the range the doctor's want, the lower part of that range, and I expect it to speed up more by Monday's because the potentiating effect of the antibiotic is gone and I'm taking a little more than 1/6 less of the coumadin that I'd been on. The doctor is being cautious and I'm doing as he says. However, I still bleed too easily. I just, without even being aware of it, skinned the top of my left hand in going into a file cabinet! Not bad, only 1/2" by 1/4", and not much bleeding, but what a nuisance!

Gradually the chest seems to be clearing. Still hurts when I cough and I tire more easily. Not yet back on regular walking routine but getting there. On days of medical appointments, and there were five the first 4 days of this week, I walk less and on other days the full 3 hrs is sometimes a bit much. But I'm getting there and after Monday's two medical appointments - no, three - I expect fewer of these interruptions.... And if it did not appear in the WxPost, rabid animals are near here now. Rabid fox near where I park my car at the mall when I walk! ...I've written Mark about cabinets and space for them.

Best,

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