

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

WILLIAM H. WEBSTER, ET AL.,

Defendants

Civil Action No. 78-0322

RECEIVED

APR 27 1983

JAMES F. DAVEY, Clerk

HAROLD WEISBERG,

Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION,
ET AL.,

Defendants

Civil Action No. 78-0420

(Consolidated)

PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS

Comes now the plaintiff, Mr. Harold Weisberg, and pursuant to Rule 34 of the Federal Rules of Civil Procedure requests that defendants produce the following documents within 30 days:

1. The workpapers referred to in the August 30, 1978 airtel from SAC, New Orleans to FBI Headquarters (File No. 89-69-4713).
(See Attachment 1)

2. All records reflecting the destruction of any records listed on the Dallas and New Orleans search slips provided to plaintiff as having been destroyed.

3. All records reflecting the destruction of records or files on David W. Ferrie referred to in the September 22, 1961

airtel from SAC, New Orleans to Director, FBI (FBI file 105-104340-1) attached to the March 1, 1983 affidavit of Harold Weisberg.

(Attachment 2)

4. All search slips or any other form of record (e.g., letter, memorandum, teletype, airtel) directing and/or memorializing any search for records on "critics" and "criticism" of the investigation into President Kennedy's assassination.

5. Any additional search slips on David W. Ferrie not previously provided to plaintiff.

6. All search slips or any other form of record (e.g., letter, memorandum, teletype, airtel) directing and/or memorializing any search for films, pictures and tapes in the Dallas and New Orleans Field Offices.

7. All records of any searches made in this case for tapes of the Dallas Police Department radio broadcasts.

8. All records pertaining to the obtaining of the tapes of the Dallas Police Department radio broadcasts by the FBI.

9. All records pertaining to any and all uses of the Dallas Police Department radio tapes by the FBI.

10. The inventory sheets referred to in the August 30, 1978 airtel from SAC, New Orleans to FBI Headquarters (File No. 89-69-4713). (Attachment 1)

11. All search slips or any other form of record reflecting any search of ELSUR indices in the Dallas and New Orleans Field Offices.

12. The record copies of all search slips previously provided plaintiff.

13. A copy of FBI file number 89-43-10556 (Attachment 3) after it has been reviewed by the Declassification Review Committee (DRC).

14. All search slips on the new searches specified in item 1 of the February 3, 1981 airtel to the SAC, New Orleans (Attachment 4).

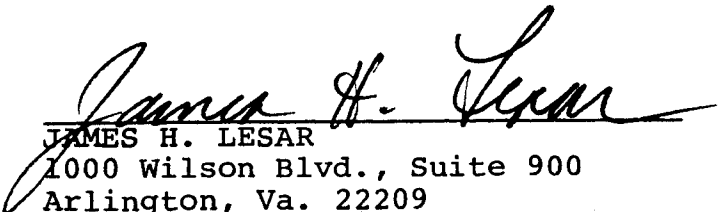
15. The following documents mentioned in the August 21, 1981 airtel from SAC, New Orleans to Director, FBI (Attachment 5):

a. 12 sheets containing copies of certain index cards, showing the indexed references, some of which were later determined to have been destroyed, in files pertaining to KENNEDY, OSWALD, GARRISON and Ruby.

b. 21 FD-478s which document destruction of "those files."

c. 5 copies of other indexed references marked "irrelevant" on the indices search slips.

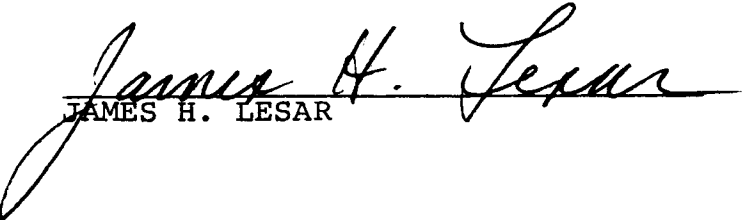
16. All records pertaining to any search conducted by the FBI to determine "whether there are any official or unofficial administrative files which pertain to the Kennedy case," as directed by Associate Attorney General John H. Shenefield's letter to Mr. James H. Lesar of December 16, 1980.


JAMES H. LESAR
1000 Wilson Blvd., Suite 900
Arlington, Va. 22209
Phone: 276-0404

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 25th day of April, 1983, mailed a copy of the foregoing Plaintiff's Second Request for Production of Documents to Mr. Henry LaHaie, Civil Division, Room 3338, U.S. Department of Justice, Washington, D.C. 20530.


JAMES H. LESAR

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- E F T O
- CLEAR

Date 8/30/78

TO: DIRECTOR, FBI
 ATTENTION: FOIPA BRANCH, [REDACTED] 76
 ROOM 6380,
 J. EDGAR HOOVER BUILDING

FROM: SAC, NEW ORLEANS (193-34)(RUC)

ASSASSINATION OF PRESIDENT
 JOHN F. KENNEDY;
 HAROLD WEISBERG - REQUESTOR
 FOIPA MATTER

Enclosed for the Bureau, via Armed Forces Courier Service (AFCOS), are twelve (12) boxes containing the original and entire contents of 104 volumes or files of the cases detailed on the attached pages. Attached to each volume in each box is a serial inventory of that volume. Also enclosed in Box #12 is the original set of the serial inventory sheets in numerical order, along with the transmittal airtel.

AFCOS is scheduled to pick up the shipment of twelve (12) boxes on Thursday, 9/7/78, and estimates delivery to FBIHQ within five calendar days. The twelve (12) boxes have been wrapped and sealed in accordance with procedures for shipment of top secret material in custody of AFCOS.

All indexed references to all known individuals involved in or referred to in the investigation of the assassination of President JOHN F. KENNEDY were searched through search slips. From analysis of the search slips,

- 17 - Bureau
 (1 - 62-109060)
 (12 - One Each Box)
- ③ - New Orleans
 (1 - 193-34)
 (1 - 59 New Volume)
 (1 - 6 2855)

SEARCHED _____
 SERIALIZED CB
 INDEXED _____
 FILED CB

jem

[Signature]

89-69-4713

CHA:ebc
(20)

Approved: _____ Transmitted _____ (Number) _____ (Time) Per _____

ATT. 1

C. A. 78-0922/0420

NO 190-34
CHA:ebc

all cases in files separate from the main assassination file (89-69) were identified for inclusion in the serial inventory and shipment to FBIHQ. New Orleans retains the search slips and workpapers and is prepared to execute affidavit regarding the procedure utilized.

In review of the inventory sheets, New Orleans resolved the anomalies noted. Serials which were skipped, repeated or inserted were so noted. Serials which were removed to other files were also noted. Serials which were removed was not one included in the shipment its status was noted (destroyed or title of case).

For information of FBIHQ, the following summarizes the size and volume of these files. The twelve (12) boxes are all 14" X 14" X 10" and average about 30 pounds each. This equates to be about 23,500 cubic inches, and about 360 pounds. The volumes occupied about 21 feet of shelf space or the equivalent of about three, five-drawer cabinets.

The man hours utilized in all basis of this project

were:

Agent Hours	42
Clerical Hours	176

FBI

Date September 22, 1961

Transmit the following in PLAIN TEXT
(Type in plain text or code)

Via AIR TEL - AIR MAIL - REGISTERED
(Priority or Method of Mailing) **REC-41**

To: Director, FBI
From: SAC, New Orleans (2-112)
Re: DAVID WILLIAM FERRIE
INFORMATION CONCERNING

12
Franklin
Washington
10/1/61

Enclosed for the Bureau are five copies of a letterhead memorandum dated September 22, 1961, and captioned as above.

For the information of the Bureau, on the afternoon of 9/15/61, [redacted], Washington, D. C., personally called at the New Orleans Office and related that he was investigating the activities of a DAVID WILLIAM FERRIE, a former pilot for Eastern Airlines. [redacted] stated that it may be possible to take some action against FERRIE to keep him from flying commercial airplanes. [redacted] explained that a pilot case is presently under consideration involving an individual from Atlanta, Georgia, and that if a favorable ruling were received in such a case, that proceedings would also be taken by FAA against FERRIE.

[redacted] was furnished verbally with a summary of data contained in a preliminary investigation of DAVID WILLIAM FERRIE under a possible Neutrality Act investigation in September of 1961; however, as set forth in the enclosed letterhead memorandum, initial inquiries failed to indicate the existence of any neutrality matter violation.

[redacted] was also advised that there were scattered references to FERRIE in the indices of this office, and that a memorandum would be prepared concerning all information in the New Orleans files regarding FERRIE, which memorandum would be furnished to Bureau headquarters at Washington, with the request that copies be furnished to the Security Division of FAA at Washington, D. C.

105-104340-1

EX-111 **REC-41** *62-10-10-14-1*

Five copies of this memorandum are furnished to the
3 - Bureau (Enclosures 5) (AM - Registered)
2 - New Orleans (1 - #2-112) (1 - #105-1436-FRD)

WCD:co
10V 1961
Special Agent in Charge
Sent _____ M Per _____
W. J. [unclear]

NO 44-1181

Bureau in the event the Bureau desires to furnish one or more copies of the enclosed letterhead memorandum to CIA in view of the references contained therein concerning the Cuban Revolutionary Front at New Orleans.

The source referred to in the enclosed letterhead memorandum as having furnished information in 1955 was a [REDACTED] at that time located in the [REDACTED] Building, New Orleans.

Confidential Informants referred to in the enclosed letterhead memorandum as being cognizant in 1955 of some phases of CP activity in the New Orleans area are:

[REDACTED]

by SA Ernest C. Wall, Jr.
by SA Ernest C. Wall, Jr.
by SA J. Woodrow Gilmore
by SA Wright Patton

The enclosed letterhead memorandum is being furnished to the Bureau for the aforementioned reasons and no action is being taken in this matter by the New Orleans Office.

There is no investigation pending at the New Orleans Office concerning DAVID WILLIAM FERRIE at this time.

20 53 2 22 11-2 -

20 53 2 22 11-2 -

CONFIDENTIAL

x AIRTEL

11/20/80

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE.

**TO: DIRECTOR, FBI
ATTN: MR. WILLIS A. NEWTON
FOIPA BRANCH, ROOM 6984**

FROM: SAC, DALLAS (190-36) (RUC)

CLASS. & EXT. BY _____
REASON-FCIM II, 1-2.4.2 _____
DATE OF REVIEW _____

**FREEDOM OF INFORMATION ACT REQUEST
OF HAROLD WEISBERG PERTAINING TO THE
ASSASSINATION OF PRESIDENT KENNEDY**

The following items are being shipped to the Bureau
via APCORS:

Original Dallas File [redacted] consisting of one
volume, captioned [redacted] IS [redacted] was tesur
installed on Telephone Number Adams 1-3523, telephone of
Marina Oswald.

Original Dallas File [redacted] consisting of one
volume, containing transcripts of tesur of Marina Oswald.

Original Dallas File [redacted] consisting of one
volume, containing logs of tesur of Marina Oswald.

Original Dallas File [redacted] consisting of one
volume, captioned [redacted] IS [redacted] was misur
installed in residence of Marina Oswald at 629 Beltline
Road, Richardson, Texas.

Original Dallas File [redacted] consisting of one
volume, containing transcripts of misur of Marina Oswald.

Original Dallas File [redacted] consisting of one
volume, containing logs of misur of Marina Oswald.

- 3 - Bureau (1 - package copy)
- ② - Dallas (1 - 190-36)
- ① - 89-43) (encl)

SAW/saw

Serialize _____
Index _____
File _____
Search _____

*to Bureau
see [unclear] 11/25/80
[unclear] (encl 3/7/82)*

CONFIDENTIAL

89-43-10556

*(J) 2/16/81
(b)(7)(D)*

*J 2/16/81
(b)(7)(D)*

*(J) 2/16/81
(b)(7)(D)*

*J 2 b 2
b 7 D*

*(J) 2/16/81
(b)(7)(D)*

*(J) 2/16/81
(b)(7)(D)*

4 AT 3

~~CONFIDENTIAL~~

DL 190-36

Copy of Dallas File 9-1984, consisting of one volume, captioned "UNSUB; LEE HARVEY OSWALD - VICTIM; EXTORTION. OO: DALLAS".

Copy of Dallas File [REDACTED] consisting of one volume, captioned "JACK LEON RUBY; PCI". It is noted the original Dallas File [REDACTED] was forwarded to FBIHQ by Dallas airtel to Bureau dated 2/26/64.

Twelve RCA Magnetic Recording Sound Tapes for Tesur [REDACTED] and ten RCA Magnetic Recording Sound Tapes for Misur [REDACTED] for tesur and misur of Marina Oswald.

[REDACTED]

Copy of six "see" references identical with Marina Oswald, further described as follows:

Serials 307, 334, 335, 336, and 337, from Dallas File 66-1313, containing copies of misur and tesur index cards.

Serial 2 of Dallas File 105-1716, captioned "LEE HARVEY OSWALD, aka.; INTERNAL SECURITY-R", Cincinnati report of SA THOMAS B. ESTEP, dated 12/5/63.

Copy of six "see" references identical with Jack Leon Ruby, further described as follows:

Serials 109 and 110 of Dallas File 105-1280, captioned "'Minutemen', Information Concerning; Internal Security. OO: Kansas City", Detroit LHM dated 9/17/64, and cover Detroit airtel to Bureau dated 9/17/64.

Serial 45 of Dallas File 94-190, captioned "Gambling Activities, Dallas Division", Dallas memo of SA [REDACTED] dated 7/9/59.

~~CONFIDENTIAL~~

(JH)(KJ)
(b)(7)(D)

(JH)(KJ)
(b)(7)(D)

awaiting
review
by DRC

(JH)
(b)(7)(C)

DL 190-36

~~CONFIDENTIAL~~

Serials 1022 and 1022a of Dallas File 91-0, captioned "Unsubs, aka., Lollipop, Magacina; Unsub, aka., Jack Ruby, Home Trust Company, South Main Street, Kansas City, Missouri; Bank Robbery", Dallas letter to Kansas City dated 12/5/63, and Kansas City letter to Dallas dated 1/6/64.

[REDACTED]

[REDACTED]

[REDACTED]

Two Dallas search slips dated 10/28/80, for Warren Commission and President's Commission on the Assassination of President Kennedy.

Three Dallas search slips dated 10/15/80, for Jack Leon Ruby, Marina Oswald and Lee Harvey Oswald.

(J/2) (6)(2)(6)(7)(D)
awaiting review
by JDRC

~~CONFIDENTIAL~~

AIRTEL

FEB 3 1981

Director, FBI (190-709)

SAC, New Orleans (190-33)

Attention: Field Privacy Control Officer

**FREEDOM OF INFORMATION ACT REQUEST OF HAROLD WEISBERG FOR MATERIAL
PERTAINING TO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY**

RE telephone call on 2/2/81, to SA Cliff Anderson.

The above request is currently the subject of litigation and recently a review of the Kennedy assassination material by the Department of Justice has determined that the original search by New Orleans was properly conducted. However, the judgement by the Department in this appeal has raised some issues that need to be resolved. In furtherance of this New Orleans is requested to do the following:

1. Conduct a new search on all subjects which were previously searched.
2. Send all material on these subjects which have accumulated in your office since the files were sent to Headquarters.
3. Conduct a search on George DeMohrenschildt and send any material located on this subject to Headquarters.
4. Conduct a search for "any official or unofficial administrative files which pertain to the Kennedy case" and if any are located, send to Headquarters.
5. Conduct a search for "files on "critics" or "criticism" of the FBI's assassination investigation" and if any are located, send to Headquarters.

Please be advised that numbers 4 and 5 above were not requested in referenced telephone call.

All material located should be sent to the attention of
Willis A. Newton, Room 6984.

wan:tac (5)

AJ. 4

C.A. No. 76-0322/420

x AIRTEL

8/21/81

TO: DIRECTOR, FBI (190-709)
FROM: SAC, NEW ORLEANS (190-34) (RUC)
FOIA REQUEST OF HAROLD WEISBERG
RE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

The following is set forth in response to Bucal of
SCOTT KINSEY on 8/18/81:

Enclosed are 12 sheets containing copies of certain
index cards from New Orleans indices, showing the indexed
references, some of which were later determined to have been
destroyed, in files pertaining to KENNEDY, OSWALD, GARRISON,
and RUBY.

Also enclosed are 21 FD-478's, which document the
regular destruction of those files. It is noted that a number
of the indexed references pertaining to JIM GARRISON, in the
indices search slips, dated 8/14/78, previously submitted to
FBIHQ in this case, are now no longer maintained in the current
New Orleans indices. This is because, after processing those
references, Correlation Clerk JEAN B. HEARN, now retired, further
correlated the index cards by eliminating entries thereon which
had been determined to be destroyed. Nevertheless, the enclosed
FD-478's positively document the proper destruction of those
references so noted in the indices search slips.

In addition, one indexed reference for GARRISON,
NO 80-505-198, was found to have been destroyed, since that
control file re liaison with the Orleans Parish District Attorney's
Office, although currently maintained as a file, had serials
previous to #211 (Feb., 1974) destroyed.

② - Bureau (Enc. 38)
1 - New Orleans
CHA:nmb
(3)

AU. 5

C.A. No. 78-0322/420

NO 190-34

Also enclosed are five copies of other indexed references marked "irrelevant" on the indices search slips. These five are examples of those "irrelevant" notations, which show how those references were found to be totally outside the scope of the request when processed. In this regard, it is noted that JIM GARRISON was and is a wellknown public figure in New Orleans whose activities have been of interest to the public, media, and judicial community, totally divorced from the KENNEDY assassination and associated issues.