

Dear "es,

Payne

6/20/83

I know you had no fear that I expected you to slip a hacksaw to me in jail, but in the few moments before we go out to supper an update because the attack on FOIA is merely shifted and for other reasons.

The FBI's lawyer finally gave up on contempt when I wouldn't scare and Jim, finally didn't. He was scared and I think still is. But I wouldn't budge. The last thing this fink lawyer did before shifting his ground and trying to ~~forget~~ forget his contempt ploy was to phone Jim and actually threaten to have me thrown in jail. I'd told Jim to tell him I dare him to try but Jim says he said nothing at all and let him talk. So, he opted for another sanction, dismissal, which I'm fighting the same way, even though with this judge there is no real way.

I'm also seeing to it that I stay in what for them and for this judge is contempt. They went a bit too far and asked for and got an order requiring me to pay their legal costs in getting the discovery order, which I ignored and continue to ignore, for reasons quite explicit and unrefuted in the case record. I'm not paying their legal costs, either. As I haven't in another case and they've forgotten that, before the appeals court, where their time has run. It hasn't in this case, which is still at district.

There is a hearing scheduled for Thursday. Jim had reason to believe Saturday that it might be postponed. But I have no way of getting there anyway and I've spent much time preparing Jim with affidavits and FBI ~~and~~ records that are pertinent. I've asked him, if it is postponed, to try to have it rescheduled for a time that presents me with fewer problems and hazards in getting there. I told him that if he can do this, I'll waste a large part of my Social Security check and hire a cab for that day. I want to eyeballs some of those bastards I've never seen and I want to be there to testify, if necessary, and give them a chance to cross examine me on what I've already sworn to.

I didn't write many reporters but I did not want to face any possibility of contempt with only the official propaganda available, so I wrote a few I know. My letters did not require an answer but surprisingly some did answer, those I'd least expect to. Friendly, too.

I haven't lost any sleep and I didn't really think those characters would risk dramatizing their corruption by even suggesting they'd try to jail a septagenarian who is not in good health. But they are powermade, they hate me and they are a little crazy, so I took no chances.

I've told Jim that if he can bring himself to really fight, be really vigorous, I think they'll consider compromising the case. When I proposed this two years ago they refused. Now, unless they are really crazy, when they stop to think of what can go up on appeal, they've got something to worry about. But they've been crazy with me before, thank God, and thus the Act got amended in 1974 to open the FBI and CIA files. If it happens this time before the pending amendments are acted on, it can have results beneficial to the Act by drawing attention to what I can't do anything about myself now.

We are as OK as we can expect to be, I never miss a night's sleep, and I'm enjoying taking time off from work to take in the Orioles ballgames. That team includes some of the finest human beings in professional sports, young men who do thoughtful, helpful things for those who are poor or old, and without tooting their own horns. Even the p.r. people don't make the uses possible. Unlike my youth, many of them are decent peer models for the young, and I think that, too, is good. At the same time, we enjoy their successes. I had a chance to go to Wilmington to see my mother(92) and while it tired me, not too much, and I hope there is another chance soon. Best to you all.

AP