

2/24/84

Dear Dave,

Heard from Jim yesterday and he'd heard from Mark Lynch, ACLU. He says that Lynch seems to favor handling case and urged that, as I'd suspected, Jim and I have separate counsel. He suggested Morrison, head of Nader's litigation. I urged that he ask Morrison to represent him because a) that will be less work and b) the Nader people have a prejudice against me coming from their dislike of the subject matter of my work and the fact that they were all wrong and I was correct about the 1974 amending of FOIA. Nothing makes people dislike you as much as their being wrong when they are self-considered experts and they regard you as not expert.

Lynch had some questions, and instead of speaking to Jim he went to the court and examined other records. He indicated to Jim that he believes my affidavit in which I attested to the state of my health is very important. (Doing it was not Jim's idea, as I recall.)

While nothing is settled yet, it looks a little better.

I told Jim to tell Lynch that my interest is limited to defending FOIA and a vigorous handling of this case, that I'd like to have initial input on matters to be addressed, not binding on him, and that thereafter I'd prefer to have nothing at all to do with the litigation. He seemed to approve and said he would tell Lynch.

I've never met Lynch or Morrison. I think I once saw Lynch in the appeals court but I don't think I've ever even seen Morrison.

Best to you all,

BK