

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,	)
	)
Plaintiff,	)
	) Civil Action No.
v.	) 78-322 & 78-420
	)
FEDERAL BUREAU OF INVESTIGATION,	) (Consolidated)
	)
Defendant.	)

RULE 60(b) MOTION TO VACATE JUDGMENT, REOPEN CASE  
AND FOR OTHER PURPOSES

Rule 60(b) relates to reopening litigation because of "Mistakes," including "Newly Discovered Evidence; Fraud, etc." and it states that "(o)n motion and upon terms that are just, the court may relieve a party ... from a final judgment, order or proceeding for ... (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial ... (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party ... or (5) ... is no longer equitable ..."

Weisberg makes this motion under Rule 60(b), based on "newly discovered evidence," because he and the courts were victimized by fraud, misrepresentation and other misconduct, including false swearing that appears not to have been accidental or unintended as stated herein, and because, regardless of what may or may not have been true earlier in this litigation, it is no longer equitable to assess any fees against him under these circumstances. Weisberg believes that the offenses he herein documents with this newly discovered evidence ought invoke

the conscience of the court, which did not make the requisite "Finding of Fact" to begin with, and he prays the court to invoke both its conscience and a judicial inquiry to determine whether or not the Federal Bureau of Investigation Special Agents (SAs) and counsel had knowledge of the misconduct he alleges. Weisberg believes also that this is necessary to the integrity and the constitutional independence of the judiciary.

If the court does not grant this motion to vacate and reopen, Weisberg believes, particularly because the court did not make the requisite "Finding of Fact," that he has a right to a trial on charged offenses, stated with specificity, and he herewith requests such a trial.

#### BACKGROUND

Plaintiff Weisberg is 72 years old and is in seriously impaired health because of not uncommonly fatal complications following arterial surgery. He is severely limited in what he is able to do, as is detailed in the case record, which also includes his medical history, in particularly great detail with regard to the additional illnesses he suffered during the period in which the defendant was demanding alleged "discovery" from him.

Weisberg has published six books on the assassination of President John F. Kennedy and its official investigations and one book on the assassination of Dr. Martin Luther King, Jr., and its official investigations. In this work Weisberg drew upon earlier experiences as an investigative reporter,

a Senate investigator and an intelligence analyst. His work differs from other works in these fields in that he has not pursued whodunits and instead has made a careful and detailed study of the functioning (and fail<sup>v</sup>ures) of the basic institutions of our society in those times of great stress and thereafter. Two decades after he published his first book (which also was the first book on the "Warren Commission" appointed by President Johnson) it remains in use as a college text, as his later books also are.

After the enactment of the Freedom of Information Act (FOIA) he made information requests, mostly of the FBI, to obtain undisclosed information. It is not generally known, but the FBI decided not to provide this Presidential Commission with a considerable amount of relevant FBI information. It ordered its SA witnesses not to volunteer any information to the Warren Commission, and its founding director praised SA James P. Hosty, Jr., records relating to whom are at issue in this litigation, after Hosty deceived and misled the Commission and knowingly lied to it. (Hosty was the Dallas office Oswald case agent.) Among other things, Hosty attested to the Commission that the FBI has no reason to believe that Oswald was capable of any violence and had no history of violence when in fact Oswald had, in a letter to Hosty, threatened to blow up the Dallas FBI office and/or the headquarters of the Dallas Police Department. There was an FBI internal investigation of this matter when it was leaked to the Dallas Times-Herald in 1975,

after the retirement of the Dallas Special Agent in Charge (SAC) Gordon Shanklin was secure. Both versions of the bombings Oswald threatened are included in the FBI's investigation of itself. In that investigation Hosty attested to his personal destruction of Oswald's threatening letter. This he stated was on SAC Shanklin's direct order. On the interpretation that it would be "bootstrapping," the Department did not prosecute Shanklin for perjury. This is but one of innumerable illustrations of FBI withholding of enormously significant information from the Warren Commission and thereby of its control of the Commission's investigation, for which the FBI provided most of the investigative and technical services.

Like this, the withheld information Weisberg sought under FOIA is potentially embarrassing to the FBI and from the very first, under a variety of subterfuges, the FBI decided to ignore Weisberg's FOIA requests. This was approved up to and including Director Hoover, as the records Weisberg provided in his FOIA litigation reflect. In 1967 two FBI SAs, Lyndal Shaneyfelt and Marion Williams, urged that Weisberg and his writing be "stopped," their word, and in Shaneyfelt's case the filing of a spurious libel suit against Weisberg, with Shaneyfelt fronting for the FBI, was approved all the way up to and by Director Hoover. Shaneyfelt then chickened out.1/

---

1/ In C.A. 2301-70 SA Williams swore that if the FBI disclosed copies of the results of nonsecret laboratory ballistic-related testing, the FBI's informer system and the FBI itself would crumble into ruins. The information sought is only that which is normally used publicly in prosecutions and when the FBI stonewalled that litigation for almost a decade, it did not

Thereafter, SA T. N. Goble, who had the internal reputation of being a "liberal Harvard lawyer," in an opinion also approved and acted upon, held that because the FBI does not like Weisberg under FOIA it is not required to respond to his requests. This was FBI policy and almost without exception the FBI ignored all of Weisberg's information requests and without any exception, once he filed suit, stonewalled with a variety of devices and stratagems. In no case did it begin by making and properly attesting to the required searches. In this litigation, in which Weisberg seeks information from the FBI's Dallas and New Orleans offices, it asked for and was granted four years to comply and even then did not provide any first-person attestation to making searches responsive to Weisberg's requests. Instead of providing an attestation relating to any search by the Dallas office, the FBI provided an attestation by FBIHQ SA supervisor John N. Phillips in which he actually attested that no search was made anywhere and instead of a search, particularly in Dallas, to which Weisberg addressed his request, SA Thomas Bresson at FBIHQ decided to limit Weisberg to the companion files of those of FBIHQ that had been disclosed earlier. 2/

---

crumble with disclosure. However, in 1974, citing that litigation the Congress amended FOIA's investigatory files exemption to eliminate the FBI's revision of the legislation and its alteration of the meaning of this exemption. This opened to public inspection some of the FBI's and CIA's "dirty works" in which they targeted on and in some instances destroyed Americans who had not engaged in any criminal activity but whose views were not in accord with the party lines of the agencies.

2/ Weisberg attested that Phillips was not competent to provide the FBI's attestations in this litigation because he lacked personal knowledge and because those with personal knowledge

With regard to the New Orleans requests, where again no search to comply with Weisberg's request of it is attested to other than indubitably falsely, SA Clifford Anderson provided handcopied search slips relating to an entirely different request of a year earlier.

The degree to which the FBI has gone not to comply with Weisberg's requests is amply reflected, without any refutation at all, in the case record in this and in other litigation. When the Senate's FOIA subcommittee heard that some 25 of his information requests, going back to 1968, had been entirely ignored and the Department assured that subcommittee that it could not defend the FBI's record and would take care of those requests, it did no such thing and they remain ignored to this day, even after Weisberg filed this list as an additional appeal before he filed and during this litigation. His filing of this list with the FBI remains without response after a decade. These were mostly limited requests, for few records requiring little time for compliance. When they were ignored, Weisberg believed he had no alternative to making inclusive requests and he thereafter made the all-inclusive requests involved in this litigation.

Illustrative of the complete ignoring of Weisberg's requests

---

were available to the FBI. This court thereafter continued to accept Phillips' incompetent attestations. However, in Shaw v. FBI No. 84-5084, the appeals court held that because he lacks personal knowledge of the FBI's JFK assassination investigation, Phillips is not competent to attest as he attested in this instant cause.

are two, for Dallas and New Orleans information, that he filed in 1970. (Exhibits 1A and 1B) The proper form has boxes for indicating which of the three possible options the FBI exercised. It ignored all three. These perfectly proper requests were not "granted," not "denied" and not "referred" elsewhere. However, although it languished for more than a half year, Weisberg's covering check was not entirely ignored. After being torn into shreds and then pieced together and taped rather amateurishly, as can be seen from the attached xerox of what remains of both sides (Exhibit 2), this Scotch-taped confetti was actually deposited by the government, accepted throughout the banking system and ultimately was honored by Weisberg's bank and charged to his account!

Early on, when it had reason to expect eternal secrecy to protect its transgressions against American belief, if not also law, the FBI engaged in a campaign of vile defamation of Weisberg. This and the other courts did not have to accept Weisberg's interpretations because he provided copies of the FBI's own records. They include complete fabrications. In no instance has the FBI made any response, issued any denial or explanation<sup>y</sup>and, naturally, there has been no apology. Only widespread misuse.

One such fabrication consisted in converting an annual religious gathering, at a small farm the Weisberg s then owned, after the Jewish high holidays (which are in September and October) into their alleged annual celebration of the Russian

Revolution, which was in November. Weisberg's alleged subversion, if subversion it was, actually was that of a rabbi. It consisted of children seeing eggs hatch, playing with just-hatched chicks and waterfowl, gathering eggs just laid and playing with and riding on tame farm animals. This was so truly great a subversion that the University of Maryland adopted it and carried on the project for children as "McDonald's Farm." But the FBI so cherished this fabrication that it gave it wide distribution. While the full distribution has not been disclosed to Weisberg, records he has filed with the courts reflect distribution to the White House, Attorneys General and their closest assistants and even to those defending against Weisberg's FOIA suits.

Another illustration of the FBI's contrived defamations of Weisberg resulted from his informing the Department that FBI records it provided to the Alabama Highway Patrol were being given by it to a notorious racist, J. B. Stoner, who was Weisberg's source. The FBI contorted Weisberg's accurate information, provided in the FBI's interest, into a conspiracy to defame the FBI by Weisberg and this virulent anti-Semite. (Stoner since has been convicted of bombing a black church.)

So completely did the FBI contort everything in order to better fabricate a defamation, it even stated that Weisberg sought the interview when in fact the FBI knew he had appeared <sup>at</sup> the Department's request and about an entirely different and unrelated matter of interest to the Department.

When those in the FBI who had no knowledge of the subject matter of the records disclosed these and other such defamations



and they included reference to withheld underlying records, the underlying records remain withheld. Thus the complete falsehood that Weisberg had personal relationships with a Soviet national in the Soviet embassy is disclosed but the underlying records cited, which cannot possibly justify this falsehood and cannot have any basis in fact at all, remain withheld. The same is true with regard to the FBI's disclosed falsehood which states that Weisberg had visitors from the Soviet embassy, as he never did.

Also early on and consistent with its efforts to prejudice everyone possible with the untrue belief that Weisberg was a Communist, toward the end of 1966, the FBI construed its law enforcement and national security responsibilities to require that it intrude into Weisberg's rights and possibilities as a writer in efforts to ruin him and his first two books, according to its own records Weisberg provided, from New York to San Francisco. In New York it provided information to four private lawyers for them to use in an effort to ruin Weisberg and his first book on a TV talk show. In San Francisco one of its symbol informers tried to red-bait Weisberg with garbled and misrepresented matters of before the FBI's informer was old enough to be aware of them. In both instances the FBI's supposed law enforcement and/or national security efforts backfired and in both instances it sold out all copies of his books that were available. In New York, in fact, its self-defeating propaganda efforts required an additional printing of his first book to meet the demand created in New York alone.

After FOIA's investigatory files exemption was amended in 1974, a crew of six Civil Division lawyers was detailed as a "get Weisberg" crew, in addition to FBI personnel so assigned. After all six appeared in one case and failed, the stonewalling detailed and unrefuted in the case record in this litigation was opted instead. Thus the FBI consumed the first four years of this litigation in processing records of its choice without making the initial searches to comply with Weisberg's requests.

One means of stonewalling was the claimed need for discovery prior to any competent attestation to search by those of personal knowledge. In no instance did the FBI present any evidence to counter what Weisberg presented to this court relating to this alleged discovery. Instead, its counsel merely stated what was not true and what, under oath and himself subject to the penalties of perjury, Weisberg attested was not true. In presenting fabrications to the courts, counsel was no less imaginative and innovative than the FBI. For example, in the FBI's appeals brief (at page 44), in seeking to attribute serious misconduct to both Weisberg and his lawyer and to invoke additional sanctions against Weisberg's lawyer, it told the appeals court that "(t)he district court had closely observed counsel's relations with plaintiff in this litigation for more than five years."

The actuality is that this court did not - ever - see Weisberg with his counsel in this litigation because the one time he was present, in 1979, having agreed to give the FBI time to process records, he sat with a friend in the audience, not with his lawyer. The FBI then took the first four years

of this litigation to process those records and nothing transpired before this court. From the time of the first status call, as the case record reflects, it was physically impossible for Weisberg to be present; and as the transcripts reflect, he was never present - not once. Yet to this day no one in the FBI or of its counsel has seen fit to withdraw or to modify in any way this contrived defamation of both Weisberg and his counsel, gross and deliberate a malevolent untruth as it is.

The defendant's obfuscations and misrepresentations were so successful that by the time this case was before the appeals court it believed - and actually stated (decision, page 3) - that this lawsuit seeks records relating to the King assassination and its investigation, as it does not.

To obfuscate the fact that the FBI did not and never intended to comply with Weisberg's New Orleans request, its appeals brief, in pretended direct quotation of his requests (page 2) eliminates entirely the language of the request that relates uniquely to the New Orleans records. This misrepresentation, which cannot be accidental, also has never been withdrawn, never been apologized for. (It also pretends that the Dallas request is limited to its introductory sentence.)

Essentially, the FBI gave two reasons for its discovery demand, Weisberg's unique subject-matter knowledge and expertise and the claim that, if and when Weisberg provided it, the FBI would be able to prove that it had complied with his requests - even though, as it knew and as the case record reflects, it had not even made the required initial searches but had

without sanction substituted for them and had even attested to that. This attestation was provided by SA John N. Phillips, case supervisor. Throughout the last part of this litigation, Weisberg provided a series of affidavits, making himself subject to the penalties of perjury if he himself lied about what is material, in which he detailed the varying degrees of untruthfulness he attributed to Phillips and others in the FBI. When this court ignored Weisberg's attestations, he requested that it determine whether or not it had been addressed with less than truth by the FBI. This court declined. And when Weisberg, again making himself subject to the penalties of perjury, presented his several reasons for not providing this supposed "discovery," the FBI made no effort to provide counter-affidavits and this court ignored Weisberg's attestations.

As Weisberg then noted, what the FBI demanded under the guise of discovery greatly exceeded its claimed need. It did not demand merely proof of the existence of withheld records or of information indicating their existence. It demanded "each and every" reason, "each and every" bit of information and "each and every" related document. This meant that if in Weisberg's some sixty file cabinets of materials he had 100 different records relating to the existence of what the FBI withheld while only a single document would establish the existence of the information, he was actually required by the demand and the court's Order to search out, copy and provide all 100 relevant documents. In addition, the demand and the Order also required Weisberg to provide all the other related

information he had. With regard to one such Item, to which Weisberg returns below, the recordings of the assassination period broadcasts of the Dallas Police Department, in order to be in compliance with both the demand and the Order, in addition to the numerous FBI pages Weisberg had already provided - and the FBI thereafter ignored - he would have been required to search all that he recalled throughout the 10,000,000 published words of the Warren Commission, throughout its 900-page Report and appended 26 volumes of evidence, plus what he had earlier recalled from the Commission's 300 cubic feet of records deposited in the National Archives. It obviously was and is impossible to attest truthfully to having provided what was demanded and ordered, "each and every" fact and document Weisberg has or of which he knows. And when he noted this great excessiveness, the demand was not altered and the Order was not modified in any way. Because of the possibility that if he forgot anything he would have been subject to a charge of perjury is one of the reasons Weisberg declined to comply with the Order. Moreover, it is obvious that "each and every" fact, reason and document is not required in any legitimate discovery demand. A single fact, reason or document is all that is required to establish the existence of the withheld information. Conversely, if a single record or fact established the existence of what is relevant and withheld, there is no possible way in which "discovery" would have enabled the defendant to establish compliance. Only the opposite is possible.

Weisberg also attested, from his knowledge of the FBI's

records and record-keeping systems, that the FBI required no discovery from him. As with all else to which Weisberg attested, the FBI did not provide any evidence to refute this. Moreover, as Weisberg also attested and established by attaching copies of them, even the irrelevant New Orleans search slips itemized relevant records that were and still, to this very day, remain withheld. (Thus the FBI's need to misrepresent to the appeals court what was actually requested of the New Orleans office.

Weisberg attested that and explained how what was demanded and ordered exceeded his physical capabilities, and without any contrary evidence being offered by the FBI it is unrefuted that his physical condition alone made it impossible to comply with the discovery demanded and ordered. He argued with regard to this and the other reasons he gave that burdensomeness is a proper and accepted reason for opposing even legitimate discovery demands.

To this, but without taint of evidence, decency, honesty or fact, the FBI's counsel claimed that because Weisberg had been able to provide affidavits during the period of time in question - some six months - he would have been able, in the same time, to comply with the discovery demand and Order. In this misrepresentation the FBI's counsel omitted what Weisberg attested to, that he was able to prepare his affidavits without the searches and copying required by the demand and Order, which relate to records in his basement when he is limited in the use of stairs and can stand only briefly before file

cabinets because of his circulatory problems. He also showed that the time required of him for the preparation of those affidavits came to only a few minutes daily over the period of time in question.

And when the FBI's counsel, without regard to Weisberg's age and ill health, with which the FBI has been familiar for more than a decade, made the nastiest kind of slurring and defamatory remarks to pretend that Weisberg was not honest in his representations regarding the poor state of his health, Weisberg provided an additional affidavit to which he attached copies of his hospital bills beginning with the first of his three serious surgeries (the second two emergency operations) and for the period of the discovery demands, copies of the bills of his family doctor. These itemized an additional long series of debilitating, painful and not infrequently dangerous illnesses, ranging from repeated pneumonia and pleurisy to the internal hemorrhaging they caused. (Weisberg has for a decade lived on a high level of anticoagulant, for which it is required that his blood be tested at least twice weekly to be certain that he does not bleed to death. A simple fall or bruise or cut that would be insignificant to another can be fatal to him, as he, without refutation, attested.)

In its Memorandum and Order this court cited what the appeals court said, that Weisberg had refused to provide the information demanded. While the appeals court did so state, it is not correct. Weisberg's position throughout is and has

been what he attested to, without refutation, that he had already provided all the information and documentation of which he is aware, to so great an extent that his copies as he has them filed take up at least two file drawers.

Weisberg had to estimate because he has two full file cabinets, eight full file drawers, of such information and documentation as he had provided it to the defendant. This began with the request of another court, in Weisberg's King assassination litigation, and was continued, with the same appeals officer, at his request, in this litigation. Because FBIHQ records also are involved in the fully stuffed JFK assassination file cabinet of what Weisberg provided, while it is probable that, because most relevant Dallas and New Orleans records were withheld as "previously processed" in the form of the FBIHQ records, Weisberg estimated conservatively that only half are involved in this litigation.

Without refutation, without even the customary slurs of the FBI's counsel, Weisberg attested that making additional xeroxes of what he had already provided, aside from being unnecessary, also is beyond his physical and financial capability. (Since the time of that attestation, his Social Security check, his only regular income, has grown to the munificent sum of \$356.)

In addition, and it was not possible for Weisberg to estimate the considerable extent of this, throughout his affidavits in this litigation, Weisberg provided the kind of information included in the defendant's "discovery" subterfuge - only to have it, as without refutation he attested, consistent with



the FBI's long record in this and his other litigation, ignored. Again, the Dallas police broadcasts of the assassination period are illustrative. Weisberg informed the court and the FBI and its counsel where such materials had been stored in the Dallas office - not in the file cabinets but in a special storage chest. His source was records provided in this litigation and thus no discovery from him was required for the FBI to know. In response SA Phillips swore that the FBI never had any such recordings and that obtaining the recordings was the self-starting, personal endeavor of an FBI employee. When Weisberg then provided its own records reflecting that the FBI had transcribed those recordings of the police broadcasts and provided the transcripts to the Warren Commission, which published them, without regard to the obvious inconsistency, Phillips then swore that the FBI had given the recordings to the Commission. However, those recordings are not in the Commission's records and, although everything forwarded from the field offices was covered with a written record and everything delivered to the Commission was hand-delivered and additionally covered by a separate FBI record, the FBI could not supply any record even suggesting that Dallas had forwarded the recordings to FBIHQ or that FBIHQ had given them to the Commission and, as of the time this lawsuit was filed, they were precisely where, without refutation, Weisberg had attested they were in the Dallas office. Then, when the House of Representatives created a committee to investigate the assassination, and the

FBI did not have them in its main assassination file, it retraced what it had done and the Dallas office filed lengthy reports on this, which Weisberg attached to his affidavits. Once he did that, the FBI withheld the remaining relevant records. Nonetheless, Weisberg had informed<sup>at</sup> of the need for them created<sup>4</sup> by the request of the House and again, consistent with its long record, the FBI failed to look there. This is carried further under "new evidence." It is obvious that there is no earthly effort Weisberg could have made to inform the FBI fully and accurately, if as it did not, it had required any assistance from him, and he did this, under oath and in this litigation, complete with copies of the FBI's own indices and records.

All of this was and to this day remains ignored. And this is but one of countless such illustrations, where he even provided the correct field office file numbers only to be ignored and, along with the courts, only to be imposed upon by the spurious claimed need for "discovery" that in turn was only an additional and unnecessary demand for what he had already provided.

So, regardless of what both the defendant and this court ignored that is without refutation in the case record and, regardless of what the appeals court stated as the end result of persisting misrepresentations by the defendant, the plain and simple truth is that Weisberg had already provided - before discovery was demanded - all that was demanded under discovery.

Despite the total absence of refutation of the numerous reasons Weisberg gave for not complying with the Order and his likewise unrefuted attestation to having provided all that was demanded in any event, and without any "Finding of Fact" by this court, Weisberg was held to be subject to sanctions.

#### THE NEW EVIDENCE

By "new evidence" Weisberg means relevant and withheld FBI information that the FBI knew it had and withheld from him in this litigation despite its obvious materiality and importance. As will be seen, its existence was known to John Phillips, the FBI's affiant in this litigation, when he executed his affirmations subject to the penalties of perjury. This new evidence now in Weisberg's possession consists of copies and references to of field office records which establish beyond any question the existence of other and relevant records sworn by Phillips not to exist. This is its history.

The House of Representatives established a Select Committee on Assassinations (HSCA). In order to service this committee the FBI collected for its use, in the Records Management Division at FBIHQ, which also handles FOIA requests and where Phillips is a supervisor, FBI records relating to the assassination of President Kennedy. Independently, both Weisberg and a friend, Mark Allen, filed FOIA requests for this information, Allen filed suit (C.A. 81-1206) when it was not provided, and when Allen provided Weisberg with copies of information he believed is of interest to Weisberg, beginning after this case went

up on appeal, Weisberg withdrew his request for that information. Weisberg has a copy of Phillips' January 12, 1982, affidavit identifying himself as supervisor in the Allen case. Weisberg also understands that at least two of the FBI SAs who assisted Phillips in this litigation assisted him in the Allen case. It thus appears that, in addition to others in his Records Management Division and elsewhere in the FBI, including the Dallas and New Orleans field offices, at the very least Phillips and these two assistants have knowledge of what is relevant in Weisberg's litigation and of what they have disclosed in the Allen case. They thus knew of the existence, materiality and importance of this new evidence at the time of Phillips' attestations relating to its alleged nonexistence and with regard to the alleged need of discovery from Weisberg and the alleged purposes of that discovery.

Instead of making detailed response to Weisberg's thoroughly documented attestations to Phillips' untruthfulness, Phillips in the end contented himself with a sworn blanket denial of any untruthfulness.

Whether or not Phillips knew, as Weisberg had written, that Allen was providing copies of what Phillips and his assistants disclosed to Allen and that Weisberg therefore had withdrawn his request, in his above-cited affidavit in the Allen case he attests (in Paragraph 9) to knowing that Weisberg "made a similar request" on December 4, 1979. At the least, therefore, Weisberg believes that Phillips and/or his assistants ought at least have suspected that he was obtaining copies of some

of what they were disclosing to Allen, samples of which are attached hereto. Whether or not t<sup>h</sup>ey had any reason to believe that Weisberg had or would obtain knowledge or copies of what they were disclosing to Allen, it is apparent that they had personal knowledge of the existence and importance and materiality of this new evidence at the time of Phillips' attestations in this instant cause and ever since then, including at the time this litigation was before the appeals court, which is when Weisberg began to receive copies from Allen.

All of the r<sup>e</sup>cords of which this evidence is part were physically in the possession of the FBI's responding component in this litigation throughout all the time it has been before the courts.

And what was disclosed to Allen, with Phillips as the FBI's supervisor, includes copies of withheld and relevant field office records as well as innumerable references to what is relevant and is withheld in this litigation. What the FBI disclosed to Allen leaves it without question that Phillips' attestations to the need and purposes of the alleged discovery and all other filings related thereon are and were known to be false and fraudulent.

While ma<sup>n</sup>y more examples exist, Weisberg here limits himself to a few that are illustrative to establish the fact that the FBI's claimed need of discovery was fraudulent and that Phillips' related attestations were more than merely untruthful - were made when he was in a supervisory role in the very case

in which this new evidence was disclosed.

Recordings of Assassination Broadcasts  
on Dallas Police Radio

In addition, and this also bears on what the FBI's intent really is in all of Weisberg's litigation, he provides the proof that the Dallas police broadcast recordings, along with relevant records, were located long ago and exactly where Weisberg had indicated under oath, and to this very day remain withheld. No claim to exemption is made and indeed, none can be made when the FBI has already disclosed its source and a supposedly verbatim transcript which it authorized the Commission to publish and it did publish. (Part of the FBI's problem is its omissions in its allegedly verbatim transcription, of which Weisberg is aware from a tape recording of a segment he obtained after the Dallas police let others have it. Another part of the FBI's problem relates to the special panel of experts to study these recordings, convoked by the attorney general during the course of this litigation to study what was provided by the FBI.)

Unless the FBI departed from its standard procedure, Phillips' component has copies of all the related Dallas and other records and, given Phillips' supervisory role, it is reasonable to believe that he had knowledge of the foregoing.

The Department's letter (Exhibit 3) refers only to Weisberg's appeals of four and five years ago which also included this identical information. It makes no reference to this litigation. Here again, consistent with a long record, the appeals had

not been properly processed. There is no doubt of relevance, as Weisberg's response (Exhibit 4) makes clear. His response also illustrates the kind of detailed information he provided only to have it ignored. In this instance, for a half-year in which he has heard nothing further and received nothing at all. Copies of the recording(s) and all located records remain withheld to this very day, and this when no search need be made and no claim to any exemption can be justified or has been made. Although last December those records were being reviewed and a release determination "will be made as soon as possible," there has been no further word.

This new evidence, too, gives the lie to each and every one of the untruthful attestations made with regard to the material in question and based on which both courts ruled. It has been known to the defendant for not less than a half-year and none of the untruthful attestations has been withdrawn or modified in any way.

This new evidence also establishes that no discovery from Weisberg was necessary for the withheld information to be located and that no discovery from him would have enabled the defendant to establish compliance as Phillips attested when it knew it had not complied.

Obviously, the FBI knew that it had these recordings and related records - and had not provided them to Weisberg - when its attestations said the exact opposite, such as that it had never had them.

It also confirms what Weisberg attested with regard to the claimed need for discovery, that the FBI has a long record of ignoring all the information he provided, and he has provided an enormous amount of information and documentation.

#### Ticklers

When no ticklers were provided from the Dallas and New Orleans records, Weisberg appealed their withholding and raised the matter in this litigation. Weisberg attested that ticklers in cases like the assassination investigations are preserved as long as the case is "open," as the JFK assassination is; that their preservation is required for the efficient operation of the FBI, particularly when large volumes of records are involved; that FBI ticklers more than a decade old had been disclosed to him; and that, because of its great value, he had personal knowledge that when a person who had a tickler he no longer needed, it was transferred, intact, to the FBI's central records. Phillips first engaged in a series of semantical exercises based on knowingly incorrect definitions of ticklers and their form and purposes, was corrected by Weisberg, and he ultimately swore, after qualifying himself, that all FBI ticklers are "routinely" destroyed after a few days. There thus was direct conflict with regard to what is material between Phillips and Weisberg, each having sworn to personal knowledge.

Weisberg has only a small percentage of what the FBI and its supervisor Phillips have to this moment disclosed to Allen, but what has been provided to Weisberg fills two file



drawers and consists entirely of copies of extant FBI ticklers. The FBI's file folders are labeled as ticklers, the records when copied were designated to the appropriate parts of the ticklers, which are elaborate, and without reasonable question all of this was known to Phillips and his assistants when and after he swore that all ticklers are "routinely" destroyed by the FBI. These extant ticklers are more than 20 years old.

There is no discovery from Weisberg which would have enabled the FBI to prove it had complied or that it had made a proper search when it knew it had not and when Phillips knew that, instead of having such a search made in Dallas and New Orleans, he, in Washington, swore to the nonexistence of any JFK assassination ticklers. No discovery from Weisberg was necessary for the FBI to know that it has JFK assassination ticklers, but the fact of their existence and even the names of the agents responsible for their compilation were provided by Weisberg before the FBI and Phillips made false representations with regard to the FBI's alleged need for "discovery."

Here again, long before the FBI's demand for discovery, Weisberg had provided what it requested under "discovery" and it had, consistent with its long record, ignored what Weisberg provided

"Sex Dossiers" on "Critics" of the  
Assassination Investigations

The Associate Attorney General directed the FBI to process for disclosure its records on the "critics" of the official investigations. Phillips attested that ther FBI had no such

records. Weisberg attested that it had disclosed to him, in this litigation and elsewhere, the existence of field office records on the critics and that he provided copies of some such records, attached to his affidavits and appeals, along with relevant Dallas and New Orleans file numbers. He also attested to the use of seemingly inappropriate file classifications for the hiding of relevant and potentially embarrassing records of this and similar character and provided samples from what the FBI had disclosed.

One of the FBI's ticklers disclosed to Allen, in the form of an outline of what could embarrass the FBI, leaves it beyond question that the FBI and Phillips and his assistants in particular knew it had records on the critics. One page of this tickler, attached as Exhibit 5, under "3. Bureau Relations with Warren Commission," at "C. Related Bureau Actions and Activities," discloses that the FBI has withheld records on them from which it prepared "(7) sex dossiers on critics of probe."

(There is much else in this particular tickler that indicates the existence of pertinent and withheld records and that pinpoints areas of great embarrassment to the FBI in them. This, in turn, suggests motive in the FBI's dishonesties in this litigation. One illustration is the reference to Hosty's destruction of Oswald's threatening letter to him. This tickler states that it was "handled by Bureau Nov 24" or the very day Oswald himself was killed, "and effects in subsequent days" (sic).

This records the fact that at the very least FBIHQ was directly involved, did the "handling," and then undertook to keep the sordid mess secret, from everyone, from the President and his Commission and from the nation. Confirming what Weisberg had attested, that the FBI was hiding the fact that it never investigated the crime itself, and still another area of embarrassment to the FBI, is "Rosen [Assistant Director Alex Rosen, in charge of investigative division] characterization of FBI 'standing around with pockets open awaiting for evidence to drop in.'" Another area of embarrassment is disclosure of the nature of the relationship of Director Hoover and the FBI and the Warren Commission. This tickler discloses that Hoover opposed its formation and then had an "adversary relationship" with it. He actually intruded into its staffing by "blocking Warren's choice for general counsel," a man Hoover disliked, the late, respected Warren Olney, of the Department's Criminal Division. Not content with this the FBI then prepared "dossiers on staff and members," an obvious means of exerting pressure on the members and their staff; and after the Report was out, the FBI prepared additional dossiers on the Commission's staff. That the FBI spent tax money and staff and other resources to prepare itself to blackmail and that it prepared dossiers on such respected and eminent Americans as the chief justice; the former Director of Central Intelligence; Senator Richard B. Russell, who was in charge of Senatorial oversight and was the respected leader of Southern Democrats; Republican Senator

John Sherman Cooper; the respected banker, John J. McCloy, who had a long record of public service; the Congressmen members, Hale Boggs, another leader of Southern Democrats, and Gerald Ford, then Minority leader and later President, is truly shocking and scandalous, highly improper if not also illegal expenditure of public funds, and there is little doubt that if this had been disclosed during the Commission's life or during the controversy following publication of its Report, it would have shaken the nation. The dossiers the FBI prepared on the staff gives it dossiers on file on a number of prominent persons, a large number of prestigious lawyers, at least one judge, the head of a later Presidential Commission and Senator Arlen Specter of Pennsylvania.)

It is standard FBI practice to funnel information to and through its "office of origin," in this case Dallas, with New Orleans, because of Oswald's activity there and because of the investigation of District Attorney Jim Garrison, virtually a second office of origin. Exhibit 6, which Weisberg provided on appeal and attached to an affidavit, illustrates this was done with the "critics." The FBI had its symbol informers covering the meetings of "critics," not fewer than seven of whom are identified by name and file number, with copies sent to both Dallas and New Orleans. The FBI files the "critics" as subversives and its informer was ostensibly assigned to "security" from his FBI identification number. (Here again, the FBI ignored this and other similar documentation Weisberg provided and then demanded it again on discovery, after ignoring

it when he provided it voluntarily.)

That the FBI kept records relating to the "critics" and their books is disclosed in a record processed for Allen (Exhibit 7) which is captioned "Biased Books Re Assassination of President Kennedy." These ticklers have individual folders for individual "critics" and for their books, as is illustrated by Exhibit 8. (The author is Mark Lane, pertaining to whom Weisberg had provided the FBI field offices' file numbers, "subversive," of course. The FBI did not need "discovery" from Weisberg to learn its own file numbers, which are posted on its indices, but Weisberg did provide them and the FBI ignored the information he provided. It thus did not need this information under "discovery" and there is nothing else that the FBI did need under this so-called "discovery.")

Exhibit 6 also discloses that even the Los Angeles FBI field office knew that New Orleans had a 100 or "subversive" file on Jim Garrison and thus not only was no discovery from Weisberg needed for the FBI to be aware of this but Weisberg had provided it and it was ignored, with the file itself withheld as nonexistent rather than as exempt.

Obviously, there is no possibility that any so-called "discovery" from Weisberg would have enabled the FBI to prove that it had complied when it had not and knew it had not and had not even searched and knew it had not and, even more, when Weisberg had already provided it with its own file numbers on these "critics."

Bearing further on the deliberateness of the FBI's false

swearing to the court, the fraud Weisberg believes was perpetrated and on the FBI's means of hiding information by tricky filing, is Exhibit 9. This FBI record on another book on the assassination was designated by the Dallas SAC for an 80 or "Laboratory Research Matters" file when there is nothing relating to the Laboratory or to research matters in the record captioned "Jim Bishop, Author."

(New Orleans also uses the 80 classification for delicate matters entirely unrelated to the Laboratory or its "research matters" but is related to Garrison and his staff, among other things. An example, provided by Weisberg as attachments to an affidavit, is filing information relating to a member of Garrison's staff, who provided confidential Garrison information to the New Orleans FBI, in an 80 file. Even when the search slips recorded the existence of relevant 80 files, the FBI withheld them as irrelevant despite the copies of its own records Weisberg provided.)

With regard to all these matters related to "critics" and their books, Weisberg had already provided all the information he had prior to the demand for discovery. The new evidence makes it apparent that the FBI's attestations to the nonexistence of records on the "critics" were, when made, known not to be truthful and they also indicate fraud. This is still another illustration of the known impossibility of the FBI's sworn-to representations with regard to its alleged need for "discovery" from Weisberg. The FBI - and Phillips and his assistants in particular - knew that no discovery from Weisberg would enable it to prove that it had complied with his requests (and the

Associate Attorney General's directive) with regard to "critics." The FBI's possession of and under Phillips its processing of this new evidence makes it apparent that it - and he in particular - needed no help in the form of "discovery" from Weisberg in order to be able to locate and process its information relating to "critics." Likewise, it appears to be obvious that at the very time Phillips swore subject to the penalties of perjury that the "discovery" demanded of Weisberg would have enabled the FBI to prove that it had complied with his request, he had solid documentation in his division and under his control which left it without question that his attestation was false. And at no time subsequent to the disclosure to Allen of these and the other relevant records has Phillips or anyone else in the FBI or its counsel withdrawn or corrected this false swearing and to this very day the FBI has not provided the relevant records in this litigation. Weisberg attributes additional significance to these failures because he did inform the defendant that he did obtain some copies from Allen and he sent explained copies to the FBI's counsel. Knowing these things, the FBI nonetheless persists in its fraud and persists in its efforts to obtain money from Weisberg as part of its fraud upon him and upon the courts. This, Weisberg reemphasizes, after the FBI was ordered by the Associate Attorney General to process all such records for disclosure to him.

Another tickler or new evidence record relating to the FBI's knowledge of its records relating to the "critics" and

their books is Exhibit 10. This is but one of a series of related tickler records on this subject disclosed to Allen having to do with President Johnson's desire to have the FBI Director write a book responding to the "critics." In order to do this it is obvious that the FBI had to have and know it had records relating to the "critics" and their books. With regard to this, it again is obvious that no discovery from Weisberg could possibly have enabled the FBI to establish that it had complied when it knew it had not and that no discovery from Weisberg was necessary for the FBI to retrieve its own records that, still again, were in Phillips' division and under his control.

(The other related records disclosed to Allen reflect the recorded detail and ready retrievability of the FBI's records. With the collaboration of the President's unwilling emissary, Supreme Court Justice Abe Fortas, SA Wick, of the so-called "Crime Records" Division, concocted a substitute for the proposed book by the unwilling Director. It was to have a sycophantic reporter sign a letter to the FBI requesting the kind of information the President wanted to receive extensive attention. When Wick left the FBI for the Washington Star with the approved letter for City Editor Sid Epstein to sign, when he signed it, when Wick left the Star for the White House and when he got there is all dutifully recorded.)

Exhibit 11, from the tickler, records the fact that the FBI was still engaged in preparing assassination-related books



in 1970. "TNG" is SA Goble referred to earlier and he reports that "I am assigned to the book writing detail."

Withheld Field Office Marguerite Oswald File

As Weisberg attested, it is his experience that when the FBI cannot entirely ignore the information he provides it limits itself to the records he reveals knowing exist. Tickler records relating to the mother of the accused assassin, the late Mrs. Marguerite Oswald, confirm this as the FBI's practice in this litigation. After full compliance had been claimed, Weisberg identified an additional Dallas file on Mrs. Oswald. Phillips then attested that the FBI had to withhold the file number and caption in the interest of "national security." Weisberg then provided a disclosed copy with no redactions and with none justified. What Weisberg did not know and what these field offices and PHillips and his assistants did know is disclosed in this new evidence (Exhibit 12), that both offices were directed to establish still another file on her and, as the other records from this tickler disclosed to Allen reflect, both field offices did.

Still again, this new evidence establishes that no discovery could have enabled the FBI to prove that it had complied with Weisberg's request and no discovery from Weisberg was needed by the FBI for it to locate and process these relevant and knowingly withheld files.

Unsearched New Orleans Records Identified  
in Ticklers Disclosed to Allen

Part of Weisberg's New Orleans request, omitted in what

the FBI represented as full and verbatim quotation of it to the appeals court, includes "all records on or pertaining to Clay Shaw, David Ferrie and any other persons or organizations who figured in District Attorney Jim Garrison's investigation into President Kennedy's assassination." The existence of a number of Clay Shaw ticklers - New Orleans information - is disclosed in the ticklers Allen received from the FBI. In one tickler alone there were two different folders identified as on the jurors in the Shaw trial. A copy of one is attached as Exhibit 13. These records also indicate that the FBI's Garrison Watch was located in Room 818 of the building<sup>d</sup> at Ninth and D Streets, NW, to which copies of records were directed.

Each of a series of "deleted page" sheets in the ticklers disclosed to Allen is identified, with appended numbers, as on "Garrison Witnesses." (Sample attached as Exhibit 14) One particular copy of a list of persons "who figured in" Garrison's investigation is selected because it does not disclose the name of a member of President Johnson's personal staff who, it was suspected, might have had a kind of association with them. (Exhibit 15) Exhibits 14 and 15 relate to New Orleans information. Still again, no discovery from Weisberg could have enabled the FBI to establish that it had complied with this part of Weisberg's New Orleans request and no discovery from him was needed for it to be able to search its own records.

This sampling of the "new evidence" in the form of FBI ticklers - which the FBI's affiant in this litigation swore under

the penalties of perjury could not and did not exist while it was disclosed to another requester in the lawsuit in which he as the FBI's supervisor provided its affidavit - establish, Weisberg believes, redundantly and overwhelmingly the deliberate misrepresentation, nature and extent of the fraud perpetrated upon him and the courts and the knowingness and deliberateness of the false swearing by which the FBI prevailed before both courts.

Each and every one of the foregoing illustrations of new evidence establishes, Weisberg believes, the deliberate dishonesty of what the FBI and its counsel have done to him in this litigation also establishes the inequity of the situation in which he finds himself.

"'Equitable' and 'inequitable' signify just and unjust."  
(27 Am Jur 2d, p.517) From the outset of this litigation, what has happened to Weisberg is, from what this new evidence discloses and means, <sup>and</sup> was intended to be inequitable - unjust. Weisberg believes that this court has both the power and the obligation to rectify this manifest injustice.

#### CONCLUSION

Weisberg believes that under Rule 60(b) he is entitled to relief from the abuses documented herein and to the protection of the courts from such abuses. He believes that this court should now vacate its judgment against him and reopen the case so that he may obtain justice and relief; that there should be a judicial inquiry into the official fraud and misrepresentation

documented herein; that such an inquiry is essential to preserve the integrity and the Constitutional independence of the courts; and that there has been perjury, if not also its subornation, before this court. Weisberg and Phillips both swore to what is material, they swore in contradiction to each other, and Weisberg believes this new evidence establishes that it is Phillips who swore falsely. If Phillips swore falsely and persisted in this, then Weisberg believes he should be charged with the offense and tried. More than the average person an FBI special agent ought be aware of the importance of swearing only truthfully to a court. He ought know a felony when he sees one - and when he commits one. The government's lawyers have no less responsibilities as officers of the court than other lawyers and in this litigation they were not only untruthful, they persist in their untruthfulness after it was with pointedness called to their attention. In violation of the relatively recent notification of the then attorney general, to mark "law day," government lawyers were put on notice that they were to file only what they had reason to believe was true and not what they had any reason to believe might not be true. In this litigation the government's lawyers filed what they had ample and unrefuted reason to believe was not true. This, Weisberg believes, ought not be acceptable to any court and certainly ought not be the basis of sanctions against a private-citizen plaintiff in an FOIA case.

In addition, as a matter of equity, Weisberg believes

he is entitled to the relief he seeks because what the FBI and its counsel have done to him and to the courts is so manifestly unjust. No system of justice can survive such official transgressions as are established by this new evidence and none can survive in any degree if the consciences of the courts do not cry out, as Peter so long ago said the very stones would.

If this new evidence and what Weisberg believes is its clear meaning does not stir the conscience of this court, then Weisberg believes that, particularly with the failure of this court to make the requisite "Findings of Fact," he has a Constitutional right to a trial for any offenses attributed to him by the government, stated with specificity so that he may defend himself, and he herewith requests such a trial.

Respectfully submitted,



---

Harold Weisberg, pro se  
7627 Old Receiver Road  
Frederick MD 21701

July 10, 1985

Exhibit 1A

Form DJ-119  
(Ed. 7-4-67)U. S. DEPARTMENT OF JUSTICE  
WASHINGTON, D. C. 20530REQUEST FOR ACCESS TO OFFICIAL RECORD  
UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER Harold Weisberg	ADDRESS (street, city, state and zip code) Rt 8, Frederick, Md. 21701	
DATE 12/2/70		
DO YOU WISH TO RECEIVE COPIES ? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).	NUMBER OF COPIES REQUESTED 1 each	OFFICE AND CITY WHERE RECORD IS LOCATED (if known) Washington

## DESCRIPTION OF RECORD REQUESTED (include any information which may be helpful in locating record)

All reports on, of or about and interviews with James Powell, Army Intelligence, who took a picture or pictures in Donley Plaza at the time of the assassination of President Kennedy other than Warren Commission Files CD206, pp. 19 and 20, and an 8x10 black-and-white print of the film referred to therein. I would also like to have access to any other such picture letter attached with further details.

LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
FILL IN IF IN PENDING LITIGATION →	COURT (check one) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE	DISTRICT	NAME OF CASE
			DOCKET NUMBER

*He Mellish*  
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY	A MINIMUM FEE OF \$3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)
THIS REQUEST IS:  <input type="checkbox"/> GRANTED  <input type="checkbox"/> DENIED  <input type="checkbox"/> REFERRED	FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD \$ 1.00  FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL \$ 1.00  COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE  FOR CERTIFICATION OF TRUE COPY \$ 1.00 EACH  FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT \$ 3.00 EACH  GSA CHARGE  TOTAL CHARGE -

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to:  
Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

U. S. DEPARTMENT OF JUSTICE  
 WASHINGTON 1, D. C. 20530

Exhibit 1B



REQUEST FOR ACCESS TO OFFICIAL RECORD  
 UNDER 5 U.S.C. 552(a) and 28 CFR PART 16

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER Harold Weissberg		ADDRESS (street, city, state and zip code) Rt. 8, Frederick, Md. 21701	
DATE 12/2/70			
DO YOU WISH TO RECEIVE COPIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SO INDICATE (no more than 10 copies of any document will be furnished).		NUMBER OF COPIES REQUESTED 1 each	OFFICE AND CITY WHERE RECORD IS LOCATED (if known) Washington

DESCRIPTION OF RECORD REQUESTED (Include any information which may be helpful in locating record)  
 Film and relevant reports of L.H.Oswald's literature distribution and arrest in New Orleans 8/63, taken by Jim Doyle, John Martin, WDSU-TV and WWL-TV photographers and by an unknown person, prints of WDSU film made to show third man assisting Oswald, as further described in attached letter.

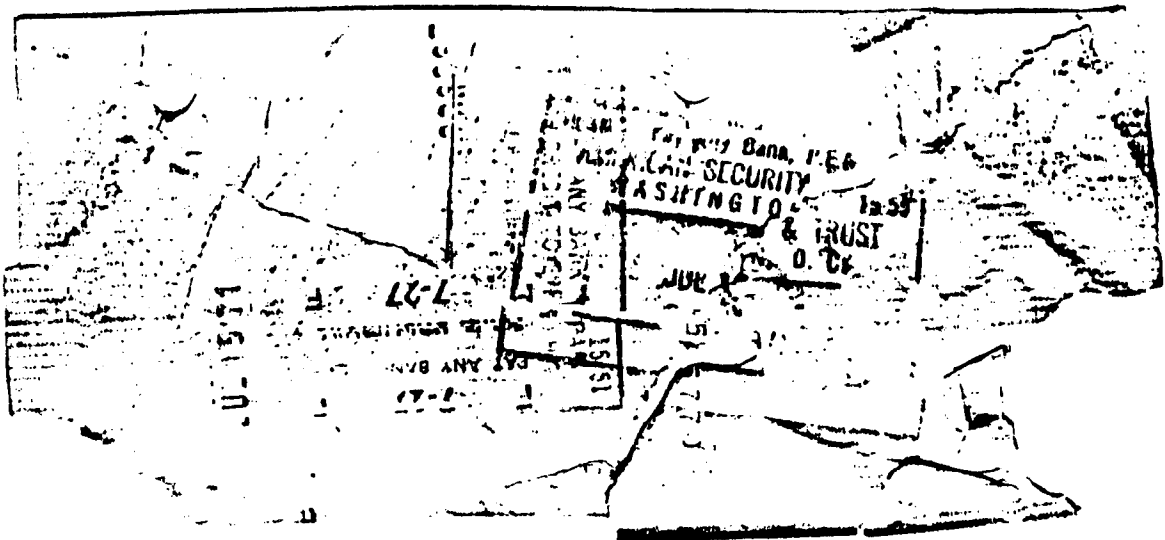
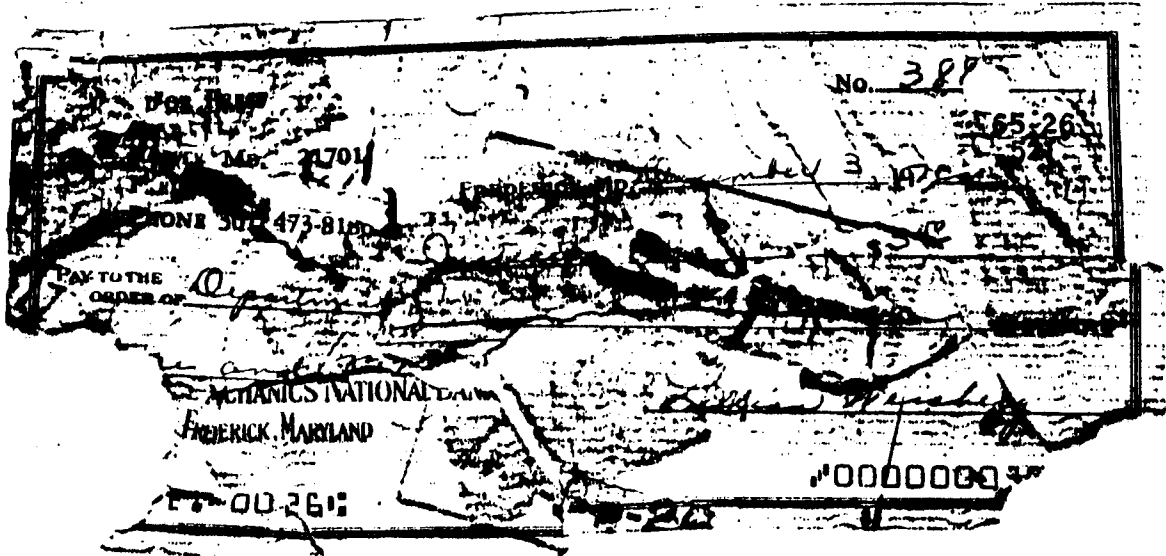
LITIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
FILL IN IF IN PENDING LITIGATION →	COURT (check one) <input type="checkbox"/> FEDERAL <input type="checkbox"/> STATE	DISTRICT	NAME OF CASE
			DOCKET NUMBER

*Harold Weissberg*  
 SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY	A MINIMUM FEE OF \$3.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (do not write in this box)
THIS REQUEST IS:	
<input type="checkbox"/> GRANTED	FOR SECOND AND EACH ADDITIONAL ONE QUARTER HOUR SPENT IN SEARCHING FOR OR IDENTIFYING REQUESTED RECORD \$ 1.00
<input type="checkbox"/> DENIED	FOR EACH ONE QUARTER HOUR SPENT IN MONITORING REQUESTER'S EXAMINATION OF MATERIAL \$ 1.00
<input type="checkbox"/> REFERRED	COPIES OF DOCUMENTS: 50¢ FIRST PAGE, 25¢ EACH ADDITIONAL PAGE
	FOR CERTIFICATION OF TRUE COPY \$ 1.00 EACH
	FOR ATTESTATION UNDER THE SEAL OF THE DEPARTMENT \$ 3.00 EACH
	GSA CHARGE
	TOTAL CHARGE

Payment under this section shall be made in cash, or by United States money order, or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to:  
 Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530







U.S. Department of Exhibit 3

Office of Legal Policy

Office of Information and Privacy

Washington, D.C. 20530

DEC 31 1984

Mr. Harold Weisberg  
7627 Old Receiver Road  
Frederick, MD. 21701

Re: Appeal Nos. 80-1644  
and 81-0533  
RLH:PLH

Dear Mr. Weisberg:

This letter is to advise you that we have located certain records that appear to be responsive to your requests to the Criminal Division for records relating to the assassination of President John F. Kennedy. Those requests are the subject of Appeal Nos. 80-1644 and 81-0533. These records contain the original dictabelt provided to the HSCA by the Dallas Police Office. We have also located unindexed working copies of portions of that tape in the Technical Services Division of Bureau Headquarters. These records are now being reviewed and a release determination will be made as soon as possible.

You will be interested to know that these records were located as a result of a lead uncovered by Ms. Hubbell during the processing of certain documents you requested from the Criminal Division that were referred to this Office. The dictabelt and related documents have been stored for the last several years in the office safe of Roger Cabbage, a Criminal Division attorney, who was an assistant to Robert Keuch.

Sincerely,

Richard L. Huff, Co-Director  
Office of Information and  
Privacy

Mr. Richard L. Huff, Co-Director  
OIP

1/3/85

Department of Justice  
Washington, D.C. 20530

Re; Appeals Nos. 80-1644, 81-0533

Dear Mr. Huff,

In your 12/31 you are correct, I am indeed interested in both the working excerpts and whatever portion of the transcripts of JFK assassination broadcasts by the Dallas police Ms. Hubbell has located. I believe I provided much more than the two appeals you cite, but because nothing was done contemporaneously it may not now be practical for you to retrieve it, certainly not without a great effort that from memory I can save your office.

Each of the two Dallas police channels was monitored continuously, one by dictabelt and the other by a Gray Audiograph, which makes a disc-type recording. The existence of these recording has presented the FBI with serious problems because about five minutes were obliterated at just the time of the assassination and it did nothing at all about the untoward business. I recall no record even suggesting an investigation by it to determine the cause, nor any report about the matter to the Warren Commission. This incident is of continuing scholarly and scientific interest, was of great interest to HSCA and in response to its request the Attorney General promised to have an impartial scientific study made. It was arranged for this to be done under conditions that preclude use of FOIA to obtain any information that was not then published.

What the FBI was careful to keep outside its main assassination files is the fact that it made tape recordings from the police recordings. I believe it used its own equipment (Wollensak) in this, that it was done in the police radio room, and without question the FBI transcribed portions for the Warren Commission, which published them. And I tell you, there are omissions in its transcription as published. Which may give the FBI additional problems.

You refer to the "original distabelt," in the singular. There were more than one dictabelt and there is an existing question of originality, dubs having been made earlier. You do not refer to the Gray discs, also plural, and not to any taped copies other than for Lab use. These exist, the FBI has them, and I've been trying to get them for years. There should be coverage of the chain of possession on paper and that, of course, also is of interest. However, it is not where you'd expect to find it, in the assassination records. No other search is claimed to have been made.

It ought be a relatively simple matter if you ask the Dallas FBI office to search its indices other than the special one it made to have control over the information it sent to Washington for possible forwarding to the Commission. An obvious search is under the police, another under known names, such as Bowles, whose full name I've forgotten but provided frequently. And above all, all references must be reported because the FBI has a built-in evasion, filing records relating to local police as Classification 80, which actually represents "Laboratory Research Matters" and in the field offices isn't that at all.

As of my last knowledge, SA Udo H. Specht was the Dallas case agent, and as of my last knowledge it had been approved to use the original and retired case agent, Robert P. Gemberling, who ought have personal knowledge.

There was a time when Dallas kept such matters in a special cabinet, one I identified earlier. I have no way of knowing what, if any, of its contents were not sent to FBIHQ in 1978.

There ought be no problem in disclosing the records Ms. Hubbell located and

I am confident there are no privacy considerations whatever the time of the records. The FBI disclosed the list of its Dallas employees and those on TD there, with home addresses and phones and those involved through ISCA have also been publicly identified. I tell you this because it is possible that when I can go over those records I may be able to save you time and effort.

The original tape recordings are quite important because the distabelts have deteriorated, through time and repeated uses, which, with a needle, do damage the belts. This is also, at least to a degree, true of belt duplicates.

When dubs are made for me, I would appreciate a second set, for which I will pay. This also will be economical for the FBI because there is another researcher who will, without question, want a set. I will provide him with xeroxes of the records you send me and save you and the FBI that time and trouble.

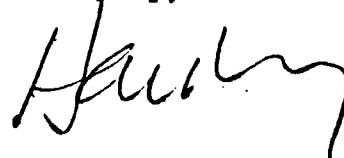
Are you aware that I was to have received all relevant records of the Criminal Division? That I filed appeals directly with it (Mr. Buckley, as I recall) and with Mr. Shea and never received a word in return?

For your and Ms. Hubbell's information, the five minutes of obliterated conversation were analyzed for both ISCA and the Attorney General, with contradictory interpretations. ISCA's experts detected what the FBI claims there was not, a fourth shot. The AG's panel disputed this.

Unofficial and poor copies of the tapes have been available for years. For your additional information, what I refer to above as omitted by the FBI relates to Officer J.D. Tippit, who also was killed.

As I think you can see, this is a matter of continuing interest, so if there is any way in which I may be able to help, please let me know. And my thanks to Ms. Hubbell, please.

Sincerely,



Harold Weisberg  
7627 Old Receiver Rd.  
Frederick, MD 21701

SECRET

C.A. 78-322 & 78-420  
Consolidated

Exhibit 5

### B. Assistance To Warren Commission

1. Basic scope of criminal relationship
2. Early friction over informant allegation (LNU)
3. Withholding of Hosty name from Oswald notebook
4. Hoover instructions to agents not to volunteer info. to WC
5. Destruction of Hosty notes: implications
6. Withholding of secret "Gale Report" on Bureau mistakes in earlier Oswald probe; disciplining of officials
7. Hoover instructions ordering that no Bureau official attend earliest WC session, despite Katzenbach request
8. Delay in sending information to Commission regarding Bureau's past nine contacts with Ruby
9. Apparent withholding of "Oswald imposter" memo of 1960-1961

Referred

### 11. Handling of Ruby polygraph

### C. Related Bureau Actions and Activities

1. Preparation of dossiers on WC staff after the Report was out
2. Hoover's leaking of early FBI report (Sullivan statement)
3. Hoover views on Communism and Oswald (Kronheim letter)
4. Sullivan<sup>00</sup> relationship with Angleton: pre-arranging of answers to Commission questions.
5. Secret plan to distribute Oswald-Marxist posters in Bureau plan to discredit Communist Party; prejudicial aspects
6. Hoover reaction to Warren Report
7. Subsequent preparation of sex dossiers on critics of probe
8. Questions regarding FBI's continual pledge that "case will remain open for all time;" actual designation of it as "closed" in internal Bureau files.

SECRET

UNITED STATES GOVERNMENT

# Memorandum

C.A. 78-322 & 78-420  
Consolidated

Exhibit 6

TO : SAC, LOS ANGELES (100-71285)

DATE: 3/20/68

FROM : SA RICHARD H. BLOESER

SUBJECT: KENNEDY ASSASSINATION TRUTH COMMITTEE  
IS - C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[REDACTED]	2/29/68	3/12/68	IC BERNARD P. BLAIS	[REDACTED] (WR)

Informant's report has been Xeroxed and is attached.

ACTION:

All necessary action in connection with this memo has been taken by the writer.

INDEX: LALYNN (phonetic)

CC: 1 - NEW ORLEANS (REGISTERED)  
100- (JIM GARRISON)

① DALLAS (REGISTERED) 87-43  
100- (ROGER CRAIG)

[REDACTED]

- 100-DEAD (PENN JONES)
- 100-67795 (MIKE FARRELL)
- 100-71286 (MIKE RAVEN)
- 100-DEAD (JERRY LUCAS)
- 100-DEAD (STEVE JAFFEE)
- 100-DEAD (STEVE BURTON)
- 100-62251 (FREE PRESS BOOK STORE)
- 100-68937 (LALYNN)(phonetic)

RHB/lch  
(12)

Read by \_\_\_\_\_

89-43-8161

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 29 1968	
FBI-DALLAS	

The attorney representing Mr. Bradley was at this meeting and it was actually mentioned by the people that he was in the audience. It was also mentioned that he was taping the meeting and that is why JAFFE said he would have to watch what he said.

Following the recess, about 125 people came back and joined those who had stayed. When source came back into the room there were little clusters of people gathered together. Quite a large group was at the front where the speakers were and there were about 20 people gathered around Bradley's attorney, wanting to know his views on the investigation.

Little bits of conversation were overheard - mostly the people were just trying to find out exactly what these people were after. While source was waiting in line before the meeting started, he picked up the name of a woman who seemed to know quite a few important people. Her name was LALYNE (ph); she was heavyset, short, about 50 years old, with gray hair, and she knew enough important people to be called out of line and given a seat in the room before anyone else was allowed in. She was a friend of JAFFE.

Quite a few of the people at this meeting were seen by source at the meeting the previous night. They were right up in front.

No literature was passed out.

Folder

9/26/66

MR. TOLSON:

RE: BIASED BOOKS RE  
ASSASSINATION OF  
PRESIDENT KENNEDY

[redacted] called me from New York this morning. He asked that his best regards be given to you and the Director. (b)(7)(C)

[redacted] is fed up with the rash of distorted, biased books currently on the market concerning the assassination of President Kennedy. He particularly is incensed at the books by Epstein and Mark Lane. (b)(7)(C)

I told [redacted] briefly of the background of both Epstein and Lane. He asked if there was something he could do to set the record straight. He stated the FBI had not come off very good in either of those books. I told him we knew this; however, the Director could not be placed in the position of making a public statement inasmuch as we were the investigative agency with responsibilities of not only investigating but also running down considerable leads for the Warren Commission; consequently, it would be presumptuous for the FBI to speak out. (b)(7)(C)

[redacted] asked if we could not possibly furnish him some off-the-record information. [redacted] told him I would check with the Director and let him know. (b)(7)(C)

It is suggested we take the analysis prepared here at the Bureau on Mark Lane's book and work up a blind memorandum which can be used by [redacted] in making Mark Lane's book look ridiculous. We, of course, would not furnish any information which is confidential or which has not been released to the American public. We are, however, in a position to furnish information that will make Lane's book look stupid. The said blind memorandum, if this plan is approved, will be sent to you and the Director for approval prior to being given to [redacted]. (b)(7)(C)

Respectfully,

cc - Mr. DeLoach  
Mr. Rosen  
Mr. Sullivan  
Mr. Wick

C. D. DeLoach

CDL:CSH (5)

(105)

RUSE TO JUDGMENT



FILE (80-879)

11/28/67

SAC J. GORDON SHANKLIN

JIM BISHOP  
AUTHOR

On Monday, 11/20/67, Mr. JIM BISHOP and his wife KELLY appeared at the office and discussed with me the book he is going to write about the day President KENNEDY died. He was most appreciative of the accommodations he had had at the Hotel Texas, Ft. Worth, stating that the suite that the late President KENNEDY had used the night before his death had been made available to him gratis by the management. *in 80879 12*

He then furnished me with a list, which is attached, of various people that he stated he was going to try to see in Dallas. He stated he did want to talk to SA VINCENT E. DRAIN and me about what we did on the day of the assassination, with particular reference to the securing of the evidence from the Dallas Police Department by SA DRAIN, the time, how it was taken to Washington, and when it arrived in Washington.

On Nov. 22, 1967, Mr. BISHOP and his wife came back to the office and stated they had been having quite a bit of success with everyone they had contacted with the exception of the Dallas Police Department, who had told them they would not give them anything. Mr. BISHOP was furnished information concerning the evidence he requested, which was in pages 159, 160 and 161 of the report of SA ROBERT P. GEMBERLING dated 11/30/63 at Dallas, Texas, captioned "LEE HARVEY OSWALD, aka; ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, NOV. 22, 1963." The only other information which I furnished was: He wanted to know how I learned that President KENNEDY was shot, and I told him that I had an employee monitoring the police radio. He wanted to know then what I did with the information, and I told him I immediately furnished it to Mr. HOOVER. I also told him that upon receipt of information concerning KENNEDY's death being definitely determined, I furnished this information to Mr. HOOVER.

It is noted he stated that this book would be submitted to Assistant Director DE LOACH prior to publication.

On the morning of 11/24/67, BISHOP called and stated that he and his wife were returning to Florida. He was most appreciative of the assistance which he had received from the Dallas Office. *89-43*

② Dallas (80-879) (80-879)

*89-43-7646*

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 28 1967	
FBI-DALLAS	

Exhibit 10

Mr. Casper  
Mr. Callahan ✓  
Mr. Conrad ✓  
Mr. Felt ✓  
Mr. Gale ✓  
Mr. Rosen ✓  
Mr. Sullivan ✓  
Mr. Tavel ✓  
Mr. Trotter  
Tele. Room  
Miss Holmes  
Miss Gandy

October 10, 1966

MR. TOLSON:

RE: ASSASSINATION OF PRESIDENT KENNEDY;  
MEETING WITH JUSTICE FORTAS, 2 p.m. 10/7/66  
AND REQUEST FOR DIRECTOR TO WRITE BOOK

I saw Justice Fortas at 2:45 p.m. this afternoon at his chambers at the Supreme Court Building. Pursuant to the Director's instructions, I outlined to Justice Fortas the many reasons why the Director could not accede to the President's and Justice Fortas' request that a lengthy article, series of articles or book be written by the Director concerning captioned matter. I told Justice Fortas the Director wanted to be of all possible assistance to the President and him, however, in this particular instance the Director would appreciate consideration be given to the above reasons why it would not be logical for him to undertake this project.

Without any hesitation, Justice Fortas told me he agreed with the Director. He stated he could not indicate this previously, however, he had argued with the President that it was not logical for the Director to prepare this book inasmuch as the Director in doing so would necessarily have to substantiate the investigative efforts of many other agencies other than those of the FBI.

Justice Fortas indicated he had no argument whatsoever with the Director's thoughts. In reply, I told him the Director had suggested that Chief Justice Warren might undertake such a project inasmuch as he, the Chief Justice, would be acting in his capacity as Chairman of the Warren Commission rather than in the capacity of Chief Justice of the Supreme Court. Justice Fortas stated he doubted Chief Justice Warren would agree to this assumption. He added, however, that Lee Rankin, the Chief Counsel of the Warren Commission, had agreed to write a book; however, Rankin's book would not be ready for publication for approximately one year.

Justice Fortas stated he and the President would deeply appreciate the Director giving consideration to issuing a statement or writing one brief article restricted solely to the controversy.

CDD:hmm  
(2)  
1 - DeLoach

CONTINUED - OVER

(3)

MEMO TO: MR. TOLSON

RE: ASSASSINATION OF PRESIDENT KENNEDY;  
MEETING WITH JUSTICE FORTAS, 2 p.m. 10/7/66  
AND REQUEST FOR DIRECTOR TO WRITE BOOK

raised by critics with respect to the differences as shown in the autopsy between the FBI reports and the final conclusion of the Warren Commission. I told Justice Fortas this would be brought to the Director's attention and I felt certain the Director would be agreeable to the issuance of a statement in this regard so long as the statement pertains to this one point.

I brought up the subject of Harold Reis with Justice Fortas. After outlining to him the fact that Reis was undoubtedly responsible for any misunderstanding which had arisen between the Department and the FBI, Justice Fortas interrupted me and said he had known Reis for many years and disliked him intensely ever since he, Justice Fortas, had represented the Puerto Rican Government in dealings for the United States. He stated Reis had stuck a knife in his back on more than one occasion. Justice Fortas stated in one instance he had told former Attorney General Katzenbach in President Johnson's presence of the fact that Reis had a very brazen, undesirable personality and that Katzenbach should get rid of him. Fortas asked me to tell this fact to Ramsey Clark the next time I see Clark. I will, of course, do that this afternoon.

Pursuant to the Director's instructions, we are preparing a statement in line with the President's and Justice Fortas' request.

Respectfully,

C. D. DeLoach

*Sent me via J.D.*  
*1*  
*Sent through*  
*Mr. [unclear]*  
*10/10/66*  
*5*

Rev. 7.8.70)

DOMESTIC INTELLIGENCE DIVISION - FBI  
SOVIET SECTION

9/8, 1970

Mr. Sullivan  
Mr. C.D. Brennan  
Mr. D.E. Moore  
Mr. Sizoo  
Mr. Wrahlman  
Mr. D.J. Brennan  
Mr. R.D. Cotter  
Mr. A.W. Gray  
Mr. G.C. Moore  
Mr. Shackelford  
Mr. Wannall

(b)(6)  
Open/Close  
Steno Pool  
Correct  
Please Call Me  
Please See Me

Mail Room, 5531  
Foreign Liaison

RECORDS BRANCH  
Consolidation Unit  
Special Mail Room  
Send File  
Bring File Up To Date  
Place on Record & Return  
Indicate Index Reference  
Post in File & Destroy  
0-1 or FD-205  
Note File & and Return  
R S to Rm.

Room

SUPERVISORS

Mr. Cregar  
Mr. Goble  
Mr. Kavanagh  
Mr. Larson  
Mr. Lee  
Mr. Litrento  
Mr. Martin, L.H.  
Mr. Nolan

Mr. O'Rourke  
Mr. Peterson  
Mr. Quinn  
Mr. Schaefer  
Mr. Smith, A.E.  
Mr. Taylor  
Mr. Whitson

*2nd - Per our conversation  
earlier today - for your  
information. Paupach is  
on A.L. this week.*

*You know - I am  
assigned to the book writing  
detail and Bert Taylor has  
been my alternate on Oswald.*

*MB*

T. N. GOBLE  
RM. 818 94D, EXT. 438

C.A. 78-322 & 78-420  
Consolidated

Exhibit //

(Rev. 5/25/70)

FEDERAL BUREAU OF INVESTIGATION  
CRIMINAL SECTION

9-8, 1970

Mr. Rosen  
Mr. Malley  
Mr. Shroder  
Mr. McGowan  
Mr. Bolz  
Mr. Scatterday

Mr. Marshall  
Mr. Mullery  
Mr. Whitaker  
Mr. Farham

M

Room

Mr. Beale  
Mr. Beasley  
Mr. Bounds  
Mr. Colwell  
Mr. B. Cooke  
Mr. Foster  
Mr. Gallagher  
Mr. Gordon  
Mr. Grampp  
Mr. Hanlon  
Mr. Huppert  
Mr. Mac Farlane  
Mr. Nehrbass  
Mr. O'Keeffe  
Mr. Perrine  
Mr. Raupach  
Mr. Rowse  
Mr. Schutz

5535  
5736  
4722  
Extra Duty Supv., 8710  
1509  
Foreign Liaison  
Ident Division  
Laboratory  
Mechanical Section  
Records Branch  
Stat. Section  
Steno Pool, 2704  
6523

(NSPI)

500 13th & K

Please See Me  
Please Call Me  
Note & Return  
Please Handle  
Please Initial

Place on Record  
and Return  
Please Redate  
For Information

*2nd - I checked  
for info in  
case you get in-  
volved. I have  
arranged for Paupach  
to meet with  
Steven Lockman of  
the Dept. AM,  
9-14-70.*

Room 2258

SUPERVISOR

J.D. Huppert

Exhibit 12

(1) - Mr. Lohan

SAC, Dallas

11/20/63

Director, FBI

MARGUERITE CLAVERIE OSWALD  
IS - R

Captioned individual is the mother of Lee Harvey Oswald. Inasmuch as it appears subject will be of interest to the U.S. Government in the future due to her voluminous contacts with individuals of prominence and various U.S. Government agencies in her efforts to "clear her son of responsibility for the assassination of the late President John F. Kennedy," Bureau has opened a separate file on subject. Each of the recipient offices should do the same.

[REDACTED]

State  
Dept.

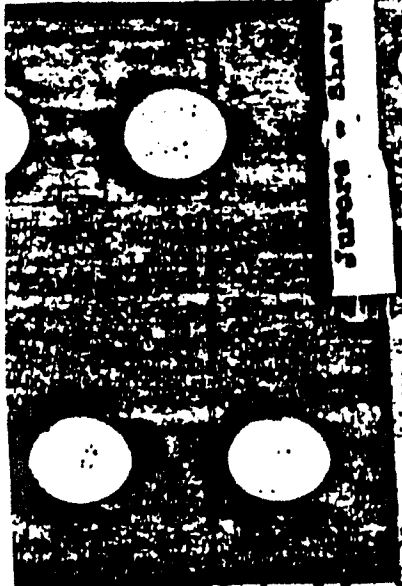
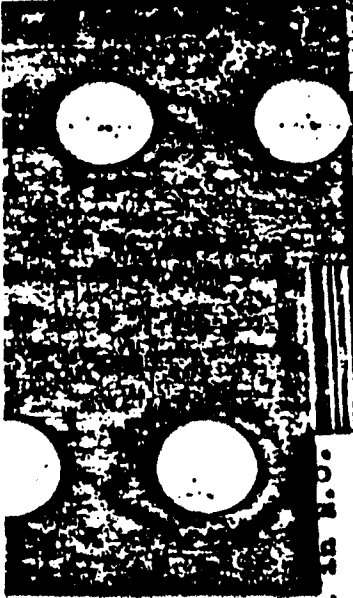
[REDACTED]

[REDACTED]

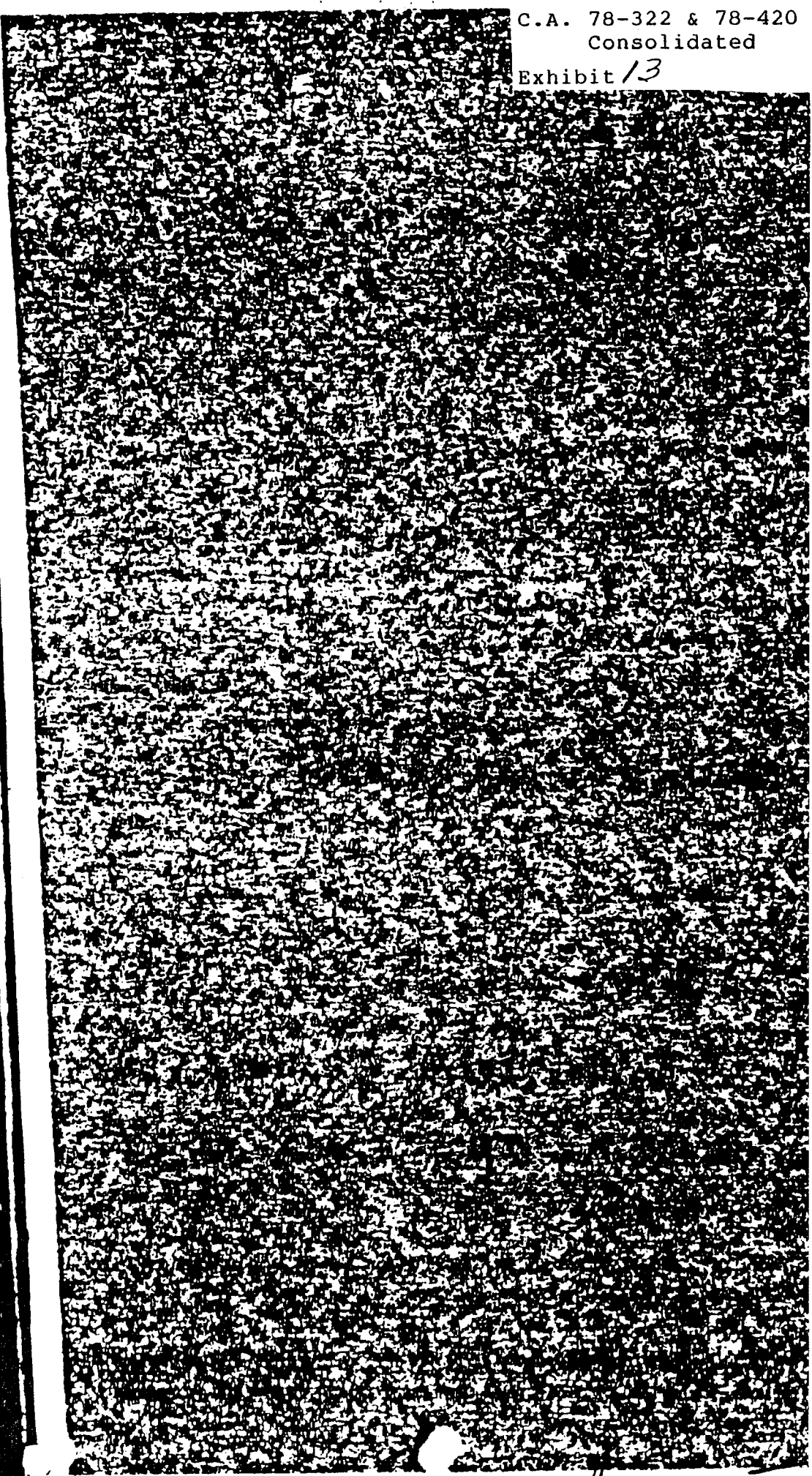
- 1 - WFO
- 1 - New York
- 1 - New Orleans

REL:llt:lan  
(7)

D



Source - Shaw Federal ID No.



MA

XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

6 Page(s) withheld for the following reason(s):  
CROSS Reference - See 62-107360-6653

☐ For your information: \_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:  
Garrison's Witnesses - Doc. # 1

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) (b)(7)(c) with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

GARRISON'S WITNESSES, Doc # 4

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX



XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) (b)(7)(C) with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

GARRISON'S WITNESSES - DOC. # 6

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) (b)(7)(c) with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:  
Garrison's Witnesses-Doc. # 7

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) (b)(7)(C) with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:  
GARRISON'S WITNESSES-DOC. #8

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

Exhibit 15

*Chambers*

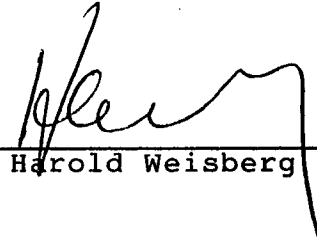
*DMY*

ANDREWS, DEAN ADAMS (JR)  
BANISTER, WILLIAM GUY  
BEAUBOUET, ALVIN R.  
BERTRAND, CLAY  
BLACKMON, ANDREW  
BRINGUIER, CARLOS (DR)  
BUNDY, VERNON WILLIAM  
BUZENERO, JULIO  
DALZELL, WILLIAM WAYNE  
DAUENHAUER, J. B.  
DAVIS, RUDOLPH RICHARD (JR)  
DURHAM, GRADY CLIFFORD  
FERRIE, DAVID WILLIAM  
HALL, GUY HERBERT  
LEWALLEN, JAMES RONALD  
LEWIS, DAVID FRANKLIN (JR)  
MANIX, SIDNEY L.  
MANNING, SIDNEY  
MARCELLO, CARLOS  
MARTENS, LAYTON PATRICK  
MARTIN, JACK S.  
NAGELL, RICHARD CASE  
NOVELL, GORDON D.  
ODOM, LEE  
OSWALD, LEON  
QUIROGA, CARLOS  
RUSSO, PERRY RAYMOND  
SEYMOUR, WILLIAM  
SHAW, CLAY  
SMITH, SERGIO ARCACHA  
STANLEY, CARL JOHN

CERTIFICATE OF SERVICE

I hereby certify that this tenth day of July 1985 I caused copies of the foregoing Rule 60(b) Motion to Vacate Judgment, Reopen Case and for Other Purposes to be mailed first-class, postage prepaid, to

Ms. Renee Wohlenhaus  
Department of Justice  
Room 3334  
10th & Constitution Avenue, NW  
Washington, D.C. 20530



---

Harold Weisberg

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.
V.	)	78-322 & 78-420
	)	
FEDERAL BUREAU OF INVESTIGATION,	)	(Consolidated)
	)	
Defendant.	)	
_____	)	

ORDER

Upon consideration of Plaintiff's Rule 60(b) Motion to Vacate Judgment, of Defendant's Opposition thereto and of Plaintiff's Response to Defendant's Opposition, and of the arguments of the parties, it appearing to the Court that Plaintiff having shown good cause, it is hereby

ORDERED, that the judgment is hereby vacated.

It is further

ORDERED, that this Court will determine at a time convenient to the parties whether or not the Defendant, as alleged by Plaintiff, engaged in fraud, misrepresentation and false swearing.

DATED: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE