

Dear Jim,

5/16/86

Before I get to my purpose in writing, slings and asses, on which I ought perhaps start a new file to memorialize the condition in which you'll be unless, Ldl reminds me that among the things you've ignored for some time is our return of the Panic Press bill for correction of arithmetical error. In fact, we've heard nothing from you about this. Perhaps it now would be best, if you have not taken it up with them, to correct their arithmetic instead of waiting for a new bill, paying it, and then Ldl can send you a check for the correct amount.

After writing you the brief memo enclosed I thought to write Lynch and, probably not for the first time, raise the new evidence questions. I know I've written you about this often, with attachments, and I do not recall hearing anything from you about it. I think we probably both forgot it the few times we were together briefly. I think it is very, very important, for both of us and in terms of Foching the DJ Boches. I think it can be important in many ways, but it is a means of putting them on the defensive and without even mentioning the word "perjury" proving it all over again. But the main thing is that we have what we did not have and the FBI did have when it lied, proof that, as I tell Lynch, it needed and knew it needed no discovery from me and that no discovery from me could enable it to prove what it represented, that it had compiled and provided all the relevant info of which it knew.

Unless there is some compelling reason for not making this effort - and I do not mean that you and Cornish Hitchcock do not remember it from law school - I believe that it is essential to both of us and to those who will be so much influenced by what does or does not happen to us. I also believe that it requires very little work. You have all my memos and they all have the proper attachments, I do, and the briefing is quite simple: we have new evidence that the misrepresented "discovery" and the whole thing ought be just thrown out. It would be much better, in the long run, if they objected, but either way we can't lose and can profit very much. In addition to which we'll leave an important record for history, one that can in the present get attention if handled correctly.

I'm not suggesting ranting and raving and I am not asking more than was agreed to at the outset, vigorous treatment of the facts. My hunch is that Lynch will not be happy and that Hitchcock may be even unhappier. But I believe strongly that the effort must be made and right now by you.

Now if you insist on sitting back and letting them sling your ass for the FBI and DJ, that is your right, but I want to know because it effects me, too.

Meanwhile, I've learned nothing about what happened last week from Lynch or from you. I guess this represents the attitude reflected in no prior discussion of any filing, the one least involved and who need not be informed is the client. I just cannot understand it or the attitude reflected. Maybe Fitzgibbon does from his experiences to which he once made passing reference.

As usual, there are other good reasons. One is that anyone other than a mongolian idiot or a sympathizer ought be able to see that this administrations is establishing an Ameriform fascism and that anything that can in any way deter it is important to the nation and its future as well as its present. When we are faced with official corruption we have only two choices, capitulation and opposition. Despite the continuing Reaganizing of the courts (subject of current Judicature) the present moment is better than the situation of months ago. Except that for the time no moment is good.

Once again I remind you of your promise early this year, to file against FBI and DJ and Huff by 4/8 if they did not provide the Nosenko and DPD broadcast info. I see no conflict between that filed in Baltimore and new evidence here and if you want me to do it pro se, let me know and please tell me what I need to know. As you know, I'd not have written Huff as I did without your solemn promise. Best,

B