

Dear Mark,

8/7/85

Hope you had a good vacation, at least when you weren't working.

I'm trying to think ahead and of a Motion for Reconsideration I may want to file if and when Smith flails his rubber stamp. I'm inclined to believe he will and will ~~base~~<sup>base</sup> himself on the statute of limitation.

With all the laws and decisions and rules there ought, I think, be a provision that covers willful withholding such as, without dispute, I allege. I was trying to lay the basis for this in claiming that it is ~~what~~<sup>is</sup> basic tenet of our law and concepts of law that one may not be the ~~the~~ beneficiary of his own misconduct. Like you can't collect on an insurance policy if you are the murderer.

I'll argue that the defendant made it impossible for me to provide the new evidence within a year by simply withholding it while being aware of its relevance.

As you've seen if you read what I sent, they do not dispute that Phillips is the supervisor on the Allen case also.

So, if and when you have time to think about this, if you can be helpful I'd appreciate it.

If I did not explain when I sent you a copy of my letter to Weld as USA for the DC, I know that Di Genova is and that Weld is USA in Boston. But I wanted to underscore the undependability of almost anything they say in my litigation, whatever their record may be in other cases. Thus I said in that letter that I address him as USA because he is signatory and has jurisdiction when I allege a crime was committed. If I am going to get a response, I haven't.

Best wishes,