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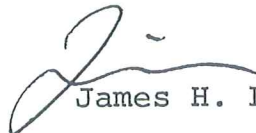
Dear Harold:

In regard to Case No. 79-1729, there are a couple of possibilities that occurred to me after we spoke. The first would be to file a motion for new trial in Civil Action No. 77-1997. Because more than a year has passed since the date of Smith's decision, only fraud is now a basis for reopening the case. Assuming that fraud was committed, the CIA can probably concoct a case, if it needs to, that will convince Smith that something other than fraud--mistake, inadvertence, ignorance--was responsible for the failure to process the missing tenth document referred to in the Liebenau Affidavit.

A second course of action would be to file a new suit for the "tenth document" and for those documents which appear to correspond to MURKIN serial 2404 and the other MURKIN serials which have been released after approval by the CIA. If we then get the "tenth document" or a sufficient description of it, we could then try and reopen 77-1997.

Possibly, we might try to do both more or less simultaneously. Conceivably a separate new suit might not be assigned to Smith, but I wouldn't want to bet on it.

Sincerely yours,


James H. Lesar