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March 19, 1980

Freedom of Information Appeal Board
Central Intelligence Agency
Washington, D.C. 20505

Dear Sir:

We have been retained by Mr. Gary Shaw, 105 Poindexter, Cleburne, Texas 76031 (see attached), to appeal certain denials under the Freedom of Information Act, and to adjudicate the matter if all of the requested records (or justifications for withholding) are not forthcoming within the statutory period following this appeal.

1. On March 9, 1978, Mr. Shaw requested "all records, information and photographs pertaining to Jean Souetre, aka Michal Roux, aka Michal Hertz." F78-436 (open appeal)
2. On May 8, 1979, Mr. Shaw requested all records relating to Michael Victor Mertz and Christian David, giving descriptive material relating to both individuals. F79-505
3. On August 31, 1979, Mr. Shaw requested a copy of a cited photograph of Mr. Souetre. F79-912 (duplicative request)
4. On May 7, 1979, Mr. Shaw requested access to all records on Thomas Davis III, deceased. (d. 23 Apr 79) F79-456

Despite several dozen letters and phone calls, the Central Intelligence Agency has failed to produce the requested records. The Central Intelligence Agency has advised Mr. Shaw to be patient.

After two years, Mr. Shaw's patience has been exhausted. He is convinced that the whole purpose of the FOIA is being entirely frustrated by the Agency's bureaucratic foot-dragging. He has authorized me in writing to bring suit in the District Court if the records are not forthcoming within the next 30 days.

Sincerely yours,
Bernard Fensterwald, Jr.
Bernard Fensterwald, Jr.
Attorney for Gary Shaw

BF:cxf
cc: Mr. Gary Shaw