

Mr. Mark Lynch
122 Maryland Ave., NE
Washington, D.C. 20002

7/14/84

Dear Mr. Lynch,

I regard the DJ's assault upon Jim as also hurtful to me and what I want not to forget, my rights as well as my obligations. (I do not lose sight of the fact that it is FOIA's intent that whatever be disclosed to me be available to anyone and I have gone to some trouble and expense to make this possible. I therefore have the obligation, with regard to my requests, to serve the interests of the people, not only my own.)

The brief seriously misrepresents the position in which DJ had put him, and that, too, is hurtful to me and to the interests I seek to serve to the best of my ability.

I regret that Hitchcock did not use what I called to Jim's attention for him to ask Hitchcock to use, the Stanton case, of which I enclose a copy that I marked up for my own earlier reasons. In an academic sense I can understand Hitchcock's omission of this because, academically, he might have considered it unnecessary. But all my cases have been political as treated by the government and the courts, and in a political sense, as the brief now makes clear, it was necessary. Hurt to him is hurt to me. So also is mere harassment of him, although I think it is now clear that they intend more, and this strengthens my determination to fight this as vigorously as possible. As I think I've indicated, I believe that what he has been and is about to be subjected to and the possible consequences threatens all lawyers and is so intended.

One aspect of the political may be apparent if you consider that LBJ in appointing the Warren Commission did what is unprecedented: he placed five Republicans, a large majority, on his seven-man body and chose two of the most conservative of Democrats to be a small minority instead of the traditional majority. Since then those who had a high regard for Warren (as believe me or not I did and do) and those who had a high regard for the conservatives - and the agencies - have been defenders and unthinking, unquestioning defenders. Oh! how I have faced this! (Except for the ultraconservative Russell, who developed grave doubts, was in the last minute double-crossed and to his dying day encouraged me to continue what I was doing. He asked me to get the proof that he was double-crossed for him and when I did he went public, as you probably never noticed, before he died.) In any event, these attitudes are found in the judges and their clerks and what they do and do not do and are willing or unwilling to even consider. It therefore often is necessary to offer them something that avoids these problems for them, and I have succeeded in this in the past, as I'm sure Lesar will remember when I faced Gesell, who I knew did not like the Act. I gave him something I knew he would not go along with as well as something else, what I did very much want, and he did go along with it, giving DJ hell at the same time. All six of their then "get Weisberg crew of lawyers.")

I did not know ^{of} the Stanton decision, if it had been handed down by then, and in my affidavit I made no reference to it. I did state clearly that I knew what was involved, that he had urged me vigorously to follow his advice, and that I refused for my own reasons. What DJ did whipsawed him and me with him, because I am entitled to the services of my lawyer "to seek a client's lawful objectives," marked in blue in the third column of the first page, enclosed. This decision also states that the client decides what he wants to do and after the lawyer has given his advice he is bound to do as his client decides. So, Jim had no alternative but to do as I asked, and I then asked, and the record is clear on this, that he take the question up on appeal and ask the judge to expedite this. The judge refused. But we did ask.

In even trying to put my lawyer in this whipsaw position, where whatever he did he could be subject to sanctions, I believe DJ went too far and denied me and others through me of ^{out} my rights under the law and ~~theirs~~'s.

Perhaps I feel this more strongly than some others, perhaps from my background and heritage as a first-generation American, perhaps from the pogroms my parents left young so they and unborn I could be free, perhaps because I was old enough to understand what was happening to freedom before World War II. I remember the bending of the law and complaisance from those who should not have tolerated and accepted it and I remember quite clearly the consequences, some still visible and not entirely unknown to younger people.

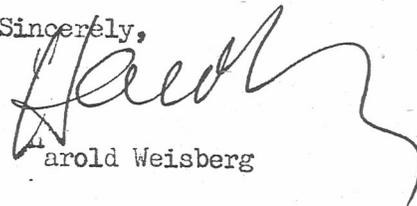
I regard what I face from DJ, FBI and the CIA as different only in degree from what has been done by the Gestapp and the KGB. The difference is, of course, vast, but in principle it is the same. And I will not accept it or be part of it, in any even small way. This is one of the reasons the case records of my cases are thoroughly documented and quite comprehensible in what they say and prove.

Robert Kennedy had his own corruption of Dante, that a special place in hell is reserved for those who in time of moral crisis are silent and accept wrongdoing. If this is not from Dante, I agree with it and have tried to live by it. I intend to as long as I am able to. This is one of the reasons I want to make full exposure and proper and lawful use of the possibilities presented to me by their serious misconduct that, basically, I believe also is vital to this litigation.

I raise for your consideration in your reply and/or at oral argument the question of the official denial of my rights under law and those of the people through me under FOIA.

In the course of searching in my office for other proofs of overt lying, like saying that they needed discovery to prove a good-faith search, I noticed something that bears on it and I attach two pages, which I believe may be enough. There is no question but that Marguerite Oswald, a major Commission witness and a large part of the FBI's investigation, is within my requests of both offices. Even the phony N.O. search slips include her. There is no Dallas search slip and in addition to the records I correctly identified earlier there was another file. These enclosed records were disclosed to another litigant, mark Sllen. As you can see, FBIHQ directed both offices to establish this special file on her, Serial 1, and to the knowledge of both FBIHQ and Dallas, the Dallas file is 105-2190. This was not disclosed until fairly recently, after the case record was closed. But again, it simply is not possible for this file not to have been indexed at FBIHQ, Dallas and N.O. and for it not to have shown if there had been a search.

Sincerely,



Arnold Weisberg

Also enclosed are a few documents from the case record, with explanatory notes.

I am also concerned that you are running out of time without speaking to me.