

7.3.86

Dear Jim,

I've written ~~MEMO~~ Moschella as you would not have and I do not expect him to like it or to follow the suggestion I made. If he does not and you litigate you may find it helpful to provide the part of the record he omits.

And who knows, few as they are, you might be before a judge who has not been overjoyed at some of the FBI's distortions and misrepresentations of the past.

I did handle that appeal with Shea myself because you had not gotten around to the appeals in the litigation but I sent a copy to you and you have it. I decided to refer to it not only because it is appropriate, indeed, necessary, but because it is an undenied blast against them and their premeditated dishonesties. If you get a judge like Gesell or Reene or Green(s), it ought be pretty effective because it is entirely undenied. And, as you may recall, that master with a law degree and dignified white hair Bill Cole made it up as he went. (His variant of Gilbert & Sullivan.) And, they just can't answer it now because it is entirely false, vicious and wrong because Cole lacked that authority. This, of course, is one of the reasons it was omitted in the letter Moschella quote and, I'm sure, believes. I also wanted him to remember a little about me and to worry about getting boobytrapped by those he follows. As, before a decent judge, he may well be.

Shea never acted on my appeal because he knew he was being forced out and he was afraid he'd speed that up if he did. But he also never acted on Cole's lies. And nobody else ever did. So, as I understand it, I still have a fee waiver that was never rescinded. And, in fact, nobody else ever did. I don't see how they can make it retroactive now or how they can get around not charging me for any records since. Cole's excesses will also do him in because he phrased it to include records in 1996 and we sure as hell got them after that from the FBI without any request for any payment. Ditto for the field offices cases. But the Cole action was to have been all-inclusive.

Until now I had thought that you'd fled but Bud just called for Noah Griffin, who'll be up early in the morning. We've never met, although I did his show by phone a number of times.

I'm pretty conscientious about what he call Hufnagelling and it is close to that time. He told me to lie down twice a day for at least an hour minimum, preferably two hours, and I've compromised on at least an hour and a half. It is coming up on the time for the half hour. I keep my legs elevated and I'm flat on my back, his instructions. This time it is while I listen to the Christian Science Monitor news on NPR. Not convenient holding a book in that position.

Best,