

Department of Justice
Washington, D.C.

5/18/76

Dear Mr. Shea,

Jim Lesar, who represents me in C.A. 75-1996, is abroad for a month. He has asked me to prepare certain drafts for him by the time of his return. One of these drafts is a response to your affidavit attached to AUSA Dugan's Motion to Stay.

Your affidavit refers to certain determinations having to do with historical cases attributed to the Deputy Attorney General.

Some time ago AUSA Dugan made representations in court having to do with what the Attorney General had or had not said with regard to historical cases. These were represented as coming from you and as incorporated in an affidavit that had not been filed only because of a ~~slight~~ delay in reaching AUSA Dugan. It was, he represented, going to be filed momentarily, sworn to by you. Although this was quite some time ago to the best of my knowledge no such affidavit has been filed.

Because it was arranged for all these papers to be filed when it was known Mr. Lesar would not be able to do anything, with orders to be signed by the judge part of the filings, I am left without counsel. Because I did not want to act as my own I did ask Mr. Lesar to arrange for temporary counsel in the few moment he had before departure. I have written a lawyer with FOIA experience without response, so I assume he is on vacation. However, this leaves me with no choice but to write you because that promised but not provided affidavit is now necessary to me in preparing what Mr. Lesar has asked me to prepare for him. In addition, you omit this from the filed affidavit.

If the affidavit is not to be filed I need that information. If it is to be filed and you do not want to provide me with a copy in Mr. Lesar's absence merely knowing what it says on this point is adequate for my needs in this regard. Without this information I may be put to much needless work. I therefore hope you will provide it at your earliest convenience in any form that suits you.

On another matter there are requests and appeals under FOIA/PA on which I find not even acknowledgements. I have therefore requested a list of all with their sequence numbers. When I did not receive this I did file one or more appeals. I have not received acknowledgement or these numbers. I use this means of asking you in the event the appeal not responded to has not reached your desk. I would like them and I believe I need them if only to avoid much unnecessary work for me and for the Department. Because this is so simple a matter and because the request is of such long standing I do hope you will expedite it.

Sincerely,

cc: Jim Lesar

Harold Weisberg