

11/15/90 - copies for working, panel, memo traces file

11/15/90- Jim, re: Wellford v. Hardin-

175- 4, records: direct comparison in letters, emails accidentally seen when mis-
filed in Archives in which Archives gets SS to rephrase what they have written
about my requests. We should remember this for when in court on clothing suit.

Axelrad seems to be a FOI specialist, figuring in other suits also. I think
in *In v. Shaw*, *Top*, and *Nichols*!

175 note this persistent dependence upon Tuchinsky, here said misplaced, as with us.

177 Mortarone's first paragraph on Tuchinsky is worth remembering because of the
limitation it imposes on interpretation of significance, which is other than DJ's.

Did they not also cite the reversed *Bristol-Myers* on us?

178 The *Bristol-Myers* interpretation of law-enforcement exemption is very narrow,
restricting it to only -emphasis- "premature discovery", i.e., not even discovery
where there is nothing before a court.

II (4) here is a parallel, in arguing before Cessell, to ask that all negotiations
on the letter agreement and memo transfer be produced in camera. here, in addition,
the Clark memo on what a plaintiff can know should be invoked.

179-no blanket on interagency relevant to Arch-SS corres; letter-agreement, memo
transfer arguments.

And, although it is under "interagency", there is this that is so relevant in
spectro, I'm surprised you didn't mark it:

"Purely scientific, factual reports and scientific studies cannot be
cloaked in secrecy by an exemption..." and here it goes into the intent of the
exemption, the real intent.