

Clapp affidavit; what the judge said and held; existence of record; assorted dirtyworks.

While Lil was copying those items in the Clapp file I'd indicated I went down to the celler to examine the file cabinet into which you and I think Ehke had moved all the records you did not take out of the boxes in which Clapp returned them. The cabinet is empty but one of the boxes is still atop a larger cabinet near it. I have not touched any of this file since you were here. I did not go into the various large envelopes of materials but I did look for file folders. One is labelled with the name of a book I'd planned on all of this, to be a combination of Mr. Blandings Builds His Dreamhouse and The Egg and I. This really is where I started with Crown the middle of 1963, when it became inevitable that we would have to liquidate and Morse had agreed to my proposals on how to liquidate to reduce the losses from an abrupt closeout. This is by way of explanation of something you may at some point need. My notes for it would probably be entirely accurate. In the case of the one memo in this file they are unembellished. I have enough recollection to know.

After I had Lil make copies for marking up and I read this I realized it must be a duplicate of what you found and mentioned to me yesterday. However, before then I had started to mark it up so I'll continue with points you may well have noted.

On page 1 the reference to what the judge said is the precise opposite of what Clapp swears to. I told you his swearing also was impossible. Here the judge even carried his position further, first with a refusal to accept an agreement that ignored the flock part of the case and then by stating it is an on-the-record agreement and that in his view having it on the record was in Lil's interest and mine. I take this to mean that the terms are officially recorded outside the transcript.

On page 2 I have marked in blue my belief there was a court reporter there. I have no independent recollection of one being there. Maybe I just assumed it. If there is no available court record recording the terms then it is certain there was a court reporter. This could be true with a court document filed recording the terms.

What is marked in both red and blue is the last of the dirtyworkings except for delaying the final payment. That took about three more months and cost us interest each of those three months. Each day, in fact, at I think  $7\frac{1}{2}\%$  of every penny.

When I tried to write bits and pieces for the book it became apparent that my emotional involvement precluded any possibility of an actual writing of such a book.