

UNITED STATES GOVERNMENT

Memorandum

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| Tolson | _____ |
| DeLoach | _____ |
| Malone | _____ |
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| Rosen | _____ |
| Sullivan | _____ |
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| Tele. Room | _____ |
| Holmes | _____ |
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TO : Mr. W. C. Sullivan

DATE: 3/6/70

FROM : W. A. Branigan

- 1 - Mr. C. D. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. W. A. Branigan
- 1 - Mr. T. N. Goble

SUBJECT: DEPOSITIONS IN THE GORDON NOVEL CASE

On 3/4/70, Mr. David Krupp, Chicago attorney for HMH Publishing Company, called at the Bureau and at his request presented to SAs W. A. Branigan and T. N. Goble his views concerning the deposition furnished by SA J. Peter Chase on 2/22/70. Memorandum 2/26/70 in this matter, noted by the Director, advised that Gordon Novel had brought a libel suit against the publishing company and in connection with the suit had furnished a deposition alleging an exchange of information between himself and two SAs, Chase and Roger A. Bombardier. The Department approved our recommendation that these Agents be deposed by Mr. Krupp to refute Novel's untrue allegations, and SA Chase was deposed on 2/22/70. Mr. Krupp has indicated he was impressed with SA Chase but felt Chase might have been overzealous in his concern for the Bureau in declining to answer certain questions.

Mr. Krupp, on 3/4/70, noted five areas of questioning where SA Chase declined to furnish answers and requested these be reviewed for a determination as to whether answers could be permitted. Mr. Krupp was advised we would study the areas and refer the matter to the Department.

OBSERVATIONS: The five areas concern substantive investigative matters of the FBI and do not directly deal with the refutation of Novel's untrue allegations. Chase did refute these. As noted above, Department has already decided SAs Chase and Bombardier should furnish depositions to refute the untrue allegations. Departmental Order 381-67 requires that the Attorney General be immediately notified of any demand for the disclosure of information acquired by any employee as a part

Enclosure *sent 3-6-70*
62-113030
1 - 62-109060 (Assassination of President Kennedy)

TNG:mkl/rad (6)

CONTINUED - OVER

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5-770
T. A. Goble

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RE: DEPOSITIONS IN THE GORDON NOVEL CASE
62-113030

of his official duties. We should refer the present request of Mr. Krupp, which goes beyond his original request, to Department and we should recommend that SAs Chase and Bombardier not be permitted to respond to the questions noted by Mr. Krupp for the reasons set out immediately above.

ACTION: Attached for approval is letter to Department spelling out the requests of Mr. Krupp and setting forth our recommendation. Appended thereto is note for SACs, wherein instructions are given to New Orleans concerning forthcoming deposition to be furnished by SA Bombardier.

M/S *ozew*
wcys *W*
WBS