

WAS THE WRITING ON THE WALL?

The Long, Tangled Tale Of Seymour Hersh And the Fake JFK Papers

By Lloyd Grove
Washington Post Staff Writer

The strange and twisted saga of the JFK file is part cautionary tale, part slapstick farce, a story of deception and self-delusion in the service of commerce and journalism. It is a story of parts—so many parts it could begin almost anywhere.

It could begin with the documents: Astonishing documents, more than 300 of them, apparently written in John F. Kennedy's own hand, linking the late president to all sorts of sinister activities, from Mafia intrigue to tax evasion to hush money for his putative lover, Marilyn Monroe.

It could begin with the journalist: Seymour Hersh, legendary investigator, the reporter who broke the My Lai massacre story and penetrated the CIA.

It could begin with the man who says he discovered the documents: Lawrence X. "Lex" Cusack III, son of a prominent New York lawyer and himself a rather dashing figure in his Navy uniform bedecked with ribbons. (Not that he was ever in the Navy...)

It could begin with the money: As much as \$6 million paid by about 140 investors nationwide for the documents, plus millions more spent by two major television networks in hopes of airing a high-rated special on the JFK file.

No matter where it began all the parts would quickly

tangle, because:

Hersh wooed Cusack to get the documents for a lucrative blockbuster book.

Cusack needed Hersh to make his documents famous—and worth more money.

The documents were sold to investors lured by the aura of the great journalist.

The money rested on the authenticity of the documents.

And so on, each leaning on the others—encouraging one another with visions of fame and wealth—like the proverbial house of cards.

Almost three years after the parts came together, the story has collapsed into an embarrassing scandal involv-

See **HERSH**, C4, Col. 1

HERSH, From C1

ing a duped reporter, dismayed investors, chagrined networks, a grand jury and federal investigators probing possible fraud, and a host of forensic experts alleging a forgery on a par with the Hitler "diaries."

Selling Time

The tale can begin with an Annapolis businessman named Hal Kass.

At 67, Kass is a wealthy collector of historical manuscripts and has a cameo role to play in this story. Unwittingly, Kass yoked all the parts together.

After Cusack turned up the juicy documents—under circumstances that aren't clear—he arranged to sell them through two well-known dealers, John Reznikoff, 37, of Stamford, Conn., and Thomas Cloud, 47, of Atlanta.

Reznikoff—who once boasted, "I'm the Indiana Jones of paper and relics," in an interview with the New York Times—dropped out of Fordham University at age 19 to pursue his passion for merchandising history. His University Archives, dealing in autographs, documents and stamps, claims annual revenues of \$6 million.

Among his customers was Hal Kass. In 1994, when the JFK file was known only to a select few, he let Kass in on the secret, and arranged for Cloud to show him bits and pieces.

"I am a serious manuscript collector and I thought, 'They're good. They're damned good,'" Kass recalled. "If you know Kennedy stuff—and I've seen a mess of it—this was better than a lot of the stuff I'd come across. . . . But when my wife took a look at the prices, she got very expressive eyes." (No wonder: They ranged from \$7,000 for an innocuous 3-by-5 card with JFK's purported handwriting on it to \$450,000 for the stunning typed trust agreement allegedly signed by Kennedy and Monroe.)

Reznikoff mentioned to Kass that he was searching for a big-name author to write a book about the documents. According to the marketing strategy, such a book would turn the papers into a media sensation, setting the stage for a major auction at which original investors could resell the papers for much higher prices. He asked if Kass could sound out Tom Clancy. Kass, however, wasn't acquainted with the best-selling novelist.

But he did know how to make contact with Seymour Hersh—which he did through a mutual friend.

The Pulitzer Prize winner was already at work on a book debunking the Kennedy legacy, and he jumped at the prospect of documentation to support his thesis. In December 1994, Kass says, he alerted Hersh to the

existence of the JFK file.

On Dec. 22, Hersh flew to Atlanta to meet Cloud in the red-brick low-rise where he deals in autographs, gold bullion, coins, gems and financial advice. Cloud dazzled Hersh with a display of what he said were JFK's handwritten notes discussing his alliance with Mafia boss Sam Giancana, and a purported trust agreement funneling \$600,000 in hush money from Kennedy to Marilyn Monroe.

"He tells me what he has to tell me, shows me some paper, makes it clear how big it is," Hersh recalled in an interview. "Gets me all *ginned up*. . . . He showed me originals from a vault. I'm aware he's a great salesman, but then, he had some good stuff."

Hersh, a man of knockabout charm and sharklike focus, was excited.

"Anybody would be," he insisted. "Anybody who says they weren't should be in another business."

The issue of Cloud's criminal record came up. Over a barbecue lunch, Hersh was reassured by the salesman's forthright explanation of his 1992 guilty plea to conspiring to restructure bank deposits in order to evade federal income taxes—for which he was sentenced to three years' probation, five months' home confinement and six months' community service. "Totally convincing," Hersh recalled. "He's a totally reputable guy."

Their talk turned back to the papers. Tantalizing Hersh with irresistible nuggets—such as a \$10,000 personal check ostensibly drawn on JFK's account to be paid to Monroe—Cloud told the journalist that the documents indicated Monroe extorted the president for three years. Unless she was paid off, Cloud went on, the movie siren was threatening to reveal her liaison with Kennedy, including her abortion of his baby, and tell all she knew about Kennedy's alliance with Mafioso Giancana and American attempts to topple Cuban dictator Fidel Castro.

More than 100 index cards—bearing typed quotations from Sherlock Holmes stories (a supposed code) and Kennedy's apparent handwritten replies—revealed a president fearful of the omniscient FBI director, J. Edgar Hoover, Cloud told Hersh.

The JFK file was said to be the fruit of a secret relationship between the president and Manhattan attorney Lawrence X. Cusack—father of Lex—who died in 1985 without anyone knowing that he had been Kennedy's adviser and confidant.

Cloud assured Hersh that top handwriting specialists—including the renowned Kennedy expert Charles Hamilton and the nation's foremost Kennedyana collector, Robert L. White of Baltimore—had examined the archive and pronounced it genuine.

But only Lex Cusack, Cloud said, could decide whether Hersh got permission to make use of the documents. And Cusack was considering writing his own book.

Over the next six months, Hersh mounted a full-court press to cajole Cusack into granting him access. His near-constant appeals, over the phone and in writing, mixed the hard sell with the high-flown, along with

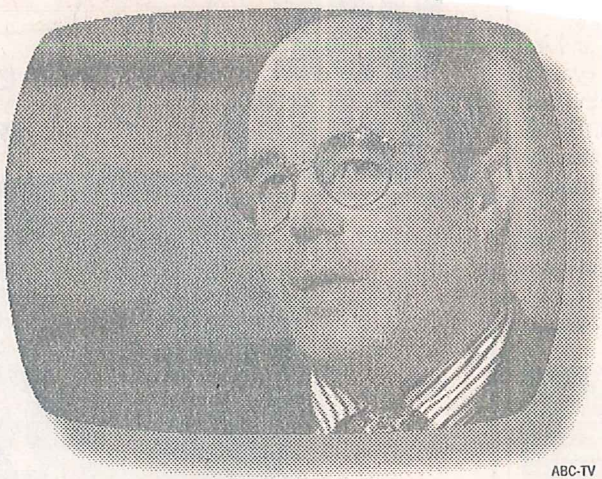
homey anecdotes about the Hersh family dog and Hersh's avuncular concern for Cusack's three young children.

He appealed to Cusack's sense of history: "You and I are not dealing in memories, but in truth," he wrote in one letter. And he repeatedly touted the financial rewards his book would bring to the owners of the file. In April 1995, he wrote to Cusack, Cloud and Reznikoff that "There is no question that the value of the historical documents would increase dramatically if they were shown to be a key part of a major new interpretation of the Presidency of John F. Kennedy. Once we have published . . . I believe that your documents will have even greater value and be more in demand—especially by Hollywood."

In early July, Cusack granted Hersh permission to use the file and authorized Cloud to start giving Hersh copies of the papers as they sold. Eventually, Hersh saw everything. "I had to romance Lex," he explained.

The dealers were delighted with Hersh, just the sort of big-name author they had been seeking. In an undated letter to an Atlanta gallery owner, one of Cloud's associates expressed the excitement:

"All of the many problems that have long been rumored to haunt JFK during his presidency, not only are unequivocally proven in this file, but the file also introduces other problems no one has ever hinted might exist!" wrote David Wiley. "The method of bringing the



Les Cusack claimed the documents tying JFK to illegal activities were from his late father's legal files.

file public initially will be a major block-buster book whose author is . . . Seymour Hersh."

Other dealers, he wrote, "will not have access to any of the documents until the book is published, at which time they will have the opportunity to acquire items from the file from our clients at prices several times their original cost."

The Front

Did Hersh question whether the documents were fakes?

Former congressional researcher Michael Ewing was

Hersh's co-author until an acrimonious split over money last year. He remembers being suspicious of Cusack from the start, during their first meeting in April 1995, over dinner at a Manhattan steakhouse with Cloud and Reznikoff also present.

According to Ewing, an assassination and organized crime expert, "Lex Cusack sat down, told Sy, 'I've read all your books,' and then launched into a long description of his career in Navy intelligence, full of details about the different theaters he'd served in and the different actions he'd been involved with."

Ewing, a compulsive researcher, recalled that as the dinner party broke up, he confided to Hersh: "Great. We can check with all of his commanding officers and confirm his military career."

"But Sy said, 'It's all bull. He wasn't in Navy intelligence. He doesn't know any of the lingo,'" Ewing recalled. "I told Sy that this was horrifying. Here's the man who found these papers and he has no credibility. But Sy brushed it off."

"Mike remembers me saying a lot of things," Hersh scoffed. He pointed out that Ewing came up with powerful evidence to corroborate the file—a mention of Lawrence Cusack Sr.'s legal work for Marilyn Monroe's mother in the tangled proceedings of the Monroe estate. Instead of confronting Cusack, Hersh flattered him in a letter written a few days after their New York meeting: "One final thought: we got along so well at that dinner Tuesday night because, I like to think, we are all what we seem to be."

If he had asked around back then, Hersh might have learned that Cusack had a penchant for pretending he was a Naval Reserve officer. He's still listed as such on the rolls of the U.S. Naval Institute, a historical organization of which he's a dues-paying member. In August 1994, Cusack had turned up for Parents' Weekend at the U.S. Naval Academy decked out in a dress uniform. Hal Kass, the document collector, volunteers as a civilian sponsor of the academy's underclassmen and regularly has midship-

men to his home for dinner—among them Cusack's sister-in-law, Susan Rush, then an Annapolis plebe.

"I remember that we were talking together on the steps of the academy's Roman Catholic chapel," Kass recalls. "Lex had come in full uniform, wearing his lieutenant commander's uniform with a chest full of ribbons and a name tag that identified him as a Naval Reserve officer."

If Hersh had contacted the Naval Reserve's personnel command in New Orleans, he would have found no record of

Lt. Cmdr. Lawrence Cusack. Asked about that in a recent interview, Cusack admitted that he has never served in the military. He sighed, but offered no explanation.

"It's irrelevant," Cusack maintained. "This is 'shoot the messenger,'" he angrily added. "It's innuendo and hearsay based on the statements of people who are biased . . . people who have too many agendas."

Cusack, 47, lives with his wife and children in Southport, Conn., a gilded suburb of New York City, in a

rambling, white 19th-century Greek Revival house brimming with antiques. Next to an expansive backyard lawn, a Range Rover, a Mercedes and a gleaming Porsche sit parked outside the garage.

Until three years ago, he worked as a paralegal at his father's law firm, Cusack and Stiles, making a top salary of \$40,000. He purchased the Southport property last year for \$1.3 million and put it in the name of his wife of six years. Jennifer Cusack, 30, is also listed as the owner of their \$540,000 weekend house in South Hampton, N.Y. Cloud estimates that Cusack has so far netted \$2.2 million after taxes from the sale of the papers.

There are other anomalies in Cusack's résumé. A December 1991 wedding announcement in the New York Times described Cusack as a *cum laude* recipient of a master's degree in architecture from Harvard University. Actually, he now says, he once audited an architecture course at Harvard. He explained that his wife's parents mistakenly filled out the wedding questionnaire, but Jennifer Cusack insisted that she did.

One thing is certain: Lawrence X. Cusack III (who went by "Lawrence X. Cusack Jr." until he was 40) is the second of five children of a respected Wall Street lawyer who advised the Roman Catholic Archdiocese of New York. Lex Cusack claims his father also counseled Kennedy (pro bono, apparently, because no billing record exists) on religious, personal and political issues from the late 1950s until the president's murder in 1963.

Starting in 1996, Hersh says, he aggressively tried to corroborate Lex Cusack's story with the law firm of Cusack and Stiles, rousting up senior partners at home and asking pointed questions. None definitively refuted

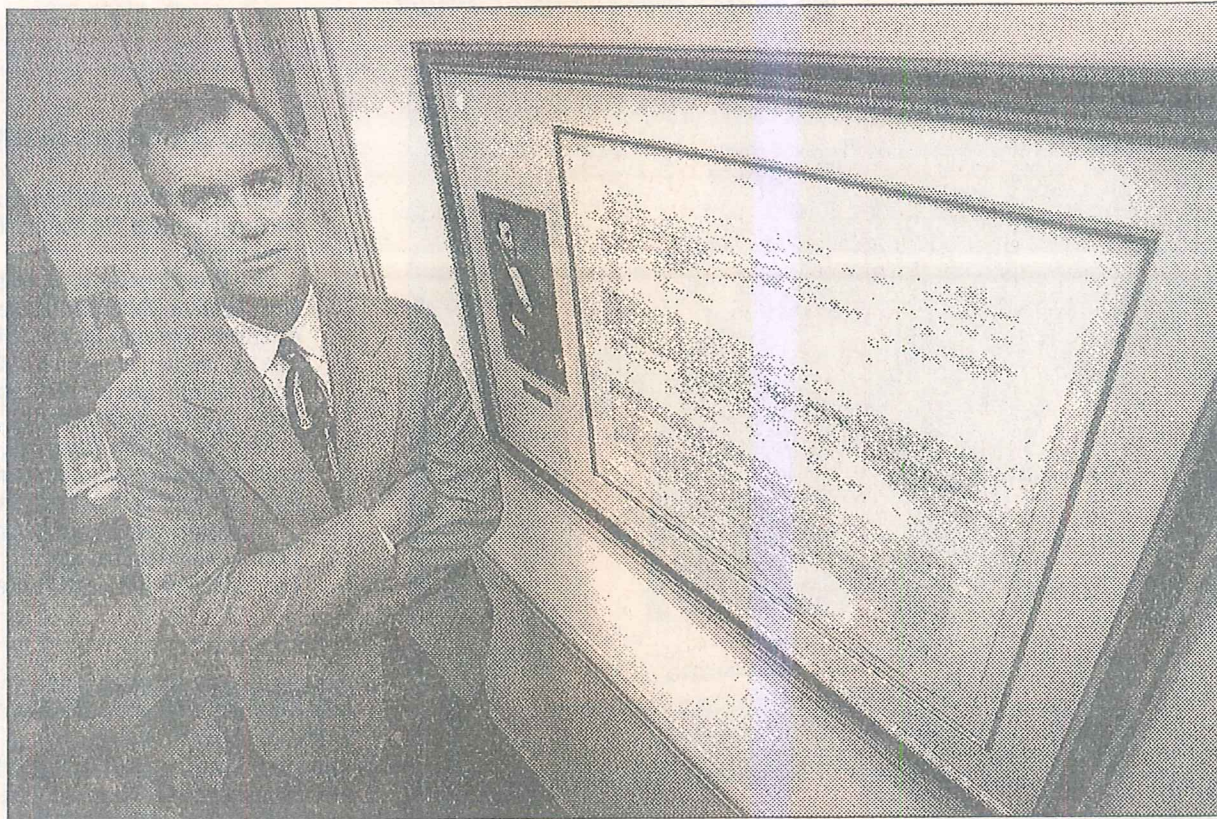
the tale, he says—though no one could substantiate it. Hersh acknowledges, however, that he didn't start focusing on Lex Cusack himself until early this year, when he heard many troubling recollections about the man who discovered the file.

Today lawyers at Cusack and Stiles express withering skepticism that the elder Cusack—a stickler for ethics and legal propriety—ever advised Kennedy on how best to commit felonies such as tax evasion (one of the inescapable implications of the JFK file). "Mr. Cusack would have no more done that," said one of his associates who asked not to be named, "than he would have put on a wig, a dress, high-heeled shoes and gone out dancing Saturday night."

What's more, the lawyers contradict the younger Cusack's claim that he found the Kennedy papers while going through his father's files after his death at the firm's request. That task, they say, was assigned to Lawrence Cusack's longtime secretary, who had the keys to his two private file cabinets. The secretary, an employee of the firm since 1954, said in an interview that she methodically separated the late senior partner's personal papers from his current client files—which were promptly parceled out to the other attorneys in the firm. She said she discovered no papers with anything resembling JFK's handwriting on them.

At least, not until 1995, several months after Lex Cusack left the firm to capitalize on the JFK file. In one of the many boxes he left behind, the secretary said she found two sheets of the elder Cusack's personal stationery bearing the address: "61 Broadway, New York, N.Y. 10006."

They were similar to a half dozen sheets in the JFK file. Each was dated Jan. 9, 1961—before the advent of Zip codes—and each bore the same words in tremulous



BY ERIK S. LESSER FOR THE WASHINGTON POST

Atlanta documents dealer Thomas Cloud served as a go-between for file owner Lex Cusack and investors.

handwriting: "Receipt of gift as listed on Marilyn Monroe's checklist is hereby acknowledged as a check from Lawrence Cusack for gift to Marilyn from my account, John F. Kennedy."

To the lawyers at Cusack and Stiles, it looked like somebody had been practicing Kennedy's handwriting.

Cusack has repeatedly denied forging the documents.

The Unraveling

In 1995, with the JFK file in hand, Hersh turned to Mark Obenhaus, an ABC News producer who was planning to leave the network to form an independent television company. Together, they hoped to sell a television special based largely on the spectacular documents.

By the fall, Hersh and Obenhaus were meeting with some of the leading powers of TV, shepherded by Alan Berger, the head of television at the powerful International Creative Management agency. First Obenhaus pitched the Kennedy documentary to former Sony Pictures executive Peter Guber, who was starting up a television division at his new company, Mandalay Entertainment. Then Hersh and Obenhaus outlined their project to executives at HBO. Briefly they struck a deal with "Frontline" for a four-hour film on public television, but sufficient money was not forthcoming.

Money was never far from the center of this story. In February 1996, at Cloud's request, Hersh met with two JFK file investors and briefed them on his book-in-progress. Hersh said he did it under protest. "I was sandbagged," he complains.

But Cloud, who says the meeting lasted "between 30 and 40 minutes" in his suburban Atlanta office, maintains Hersh gave a hearty pitch. He offers what he claims is a fragment of a letter written by one of the investors briefed

by Hersh. In it, the investor reports to other JFK file buyers that Hersh was bullish.

"Seymour also told us that the book's title will use the word 'Camelot' and some descriptive phrase to show its darker side," the letter fragment says. "As Seymour left to go to the airport, he turned to us and said, 'If I could own any of these documents, I would mortgage my house.' Tom Cloud told us that Seymour's wife tried to buy two documents and Time Warner [the corporate parent of Hersh's publisher, Little, Brown] vetoed the transaction."

Hersh, his wife, Elizabeth, and Carol Ross, Time Warner's corporate counsel, all deny that any such transaction was ever under consideration.

Hersh, however, doesn't dispute the essence of the letter fragment.

"I sat down with the two guys and talked about the book," he said. "I mean, if you want to know the truth, I was also in a terrible position because I wanted more [documents from the file]. . . . You know, I wanted that paper. And that's my job. . . . If somebody had said to me, 'Would you buy these?' I would have certainly said, 'I'd mortgage my house, I'd sell my wife into white slavery.'"

Early in 1996, the television deal gained traction. Hersh and Obenhaus attracted the attention of Warren Littlefield, president of top-rated NBC Entertainment. Littlefield was clearly excited by the possibilities of a juicy prime-time Kennedy exposé. In June of that year, they met with Littlefield in Los Angeles.

"He was enthusiastic about the whole enterprise," Obenhaus recalled, "and I was quite taken with him."

Hersh decided to sign a deal with NBC's entertainment division, rather than its news side, because he was worried about possible interference from the network's journalistic bureaucracy. "I just had an image that we wouldn't be able to have the freedom we wanted with a

network news division," Hersh explained. "I thought, here's NBC with the highest ratings and 'ER' and they've got the best shows and they've got the biggest audience."

NBC agreed to underwrite the project to the tune of \$2.5 million. Hersh was already getting about \$920,000 from the advance for his book, and he figured to earn at least another \$180,000 on the television special. But before the project could go forward, NBC required that the papers be authenticated.

The network retained Washington lawyer Harry Mc-

Pherson to oversee the examination. First McPherson brought in the eminent historian Robert Dallek, who spent a day studying the JFK file and pronounced the papers "plausible." Then the lawyer enlisted two forensic document examiners to analyze originals at Tom Cloud's office in Atlanta. At length, the examiners produced a confidential report.

Hersh seemed exasperated by NBC's exhaustive vetting process. Co-author Ewing, who was upset at his minimal share in the television deal, had a final lunch with him in Washington on July 12, 1996. That night, Ewing wrote in a memo: "Sy then said he believes that NBC is pushing him more strongly for authentication as a result of what he believes is some form of pressure from the Kennedy family."

NBC finally gave the go-ahead and in August Hersh and Obenhaus began filming. But they had barely begun when Littlefield called to say that the network had decided to pull out of the project. Hersh says that when he asked Littlefield why, he couldn't get a straight answer.

"We heard two pieces of gossip," Hersh said. "That Warren got his head handed to him by Don Ohlmeyer [NBC's West Coast president], and that Maria Shriver was upset about it. Either one."

Ohlmeyer and Littlefield declined comment, while an NBC spokeswoman said the gossip "is untrue." NBC News correspondent Shriver, a member of the Kennedy clan, responded: "I had absolutely nothing to do with Seymour Hersh, and have never gone to NBC and asked them to stop any Kennedy project."

Why NBC killed the special, having spent about a million dollars on it, remains the subject of intense speculation—especially at ABC News, which picked up the project for an additional \$2.5 million in November 1996. Littlefield recently told the *New York Times* that he informed Hersh that "in our investigation of the documents, serious questions have been raised that we cannot answer." Hersh vehemently disputes that recollection.

But in a January 1997 letter to Cloud—warning of dire consequences if Cusack sold use of the file to a tabloid for \$500,000—Hersh's partner, Obenhaus, wrote: "The ABC project would be canceled. It would be the second network to do so and both would have cited 'problems with the papers' as their reason."

Today Obenhaus explains that he was referring to "problems" of credibility and exclusivity—not authenticity.

This summer, forensics experts hired by Obenhaus and ABC came to the conclusion that at least some of the papers were fakes: Because of the typewriter technology employed, the Monroe trust documents—the most sensational in the file—couldn't have been typed before the early 1970s, the experts concluded. ABC News ran a report debunking, rather than trumpeting, the JFK file, and Hersh rushed to purge his book of all references to the notorious archive.

"The Dark Side of Camelot," minus the once-coveted documents, will be published next month.

The Washing of Hands

Reznikoff had been in charge of authentication. Now his business is in turmoil, his reputation gravely injured. A federal grand jury is looking into the JFK file, and the experts who once lent their support to the papers are warily backing away, many of them claiming to have been used. Collector Robert White, auction cataloguer Herman Darvick, and David Lowenherz, a leading autograph dealer, are among those who have withdrawn their certifications.

"For approximately one day I was misled into believing that the documents had been authentic, but I ultimately came to the conclusion that I'd been using a great number of bad exemplars," said New Jersey document examiner Richard Galasso, whom Reznikoff, Cusack and Cloud have invoked as a champion of the file. Galasso said he spent three days in Reznikoff's conference room in late August, scrutinizing about 40 pieces. "I told [Reznikoff] that at the end of my preliminary examination, I felt these documents are not written by John F. Kennedy."

Darvick said he examined eight to 10 pieces from the file in the spring of 1993 after hearing the story of their discovery from Lex Cusack.

Last month, at Reznikoff's behest, Darvick wrote that he had "certified many items" as genuine from "an archive of material"—the word "archive" was urged on him by Reznikoff, he said.

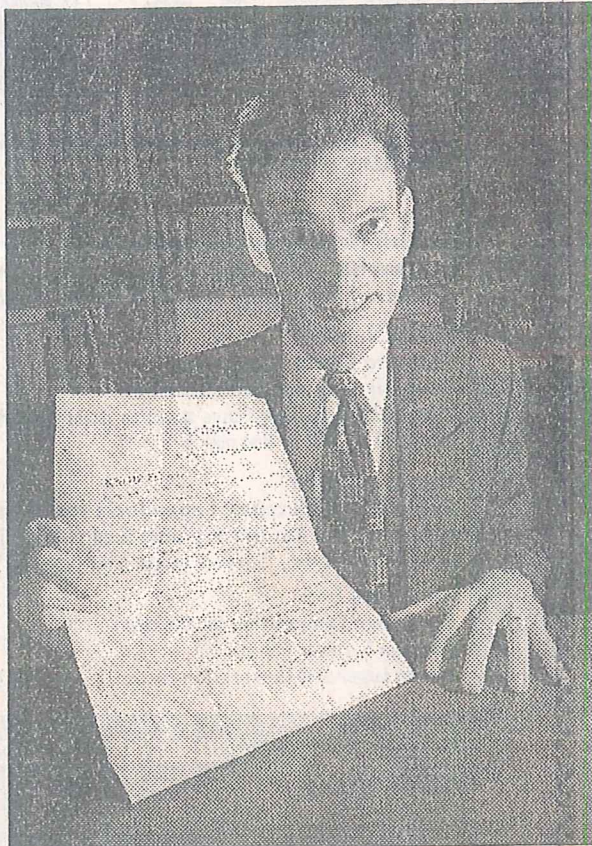
"Little did I know that the word 'archive' actually applied to more than 300 items," Darvick said. "Definitely I was misled into writing that letter. And, I would now say, without a doubt, that these items are a forgery."

"Isn't this interesting? Now everybody jumps ship because they think they look foolish or they think they've been wrong," scoffed Russell Gioiella, who recently signed on as Reznikoff's attorney. "But when they were asked for their honest opinions, they gave them. . . . Seymour Hersh had access to the whole thing. He's a Pulitzer Prize-winning investigative reporter. He claims to have investigated it. And, until recently, he was 100 percent behind it."

Hersh offers no apologies for having been a believer.

"We found a lot of very sophisticated reasons to believe it," he said during a recent interview in his office. "They were *not* unbelievable. They were quite believable. They were believed by a lot of people on their face. Five networks were bidding on it. I didn't hide anything from them. And no matter how much I might have wanted them, I was always open to the possibility they weren't true. . . ."

"Yes, I liked the papers, I wanted them to be true," he said. "But I can tell you right now, they're not in my book."



BY MICHAEL McANDREWS—HARTFORD COURANT

Dealer John Reznikoff once boasted, "I'm the Indiana Jones of paper and relics."

Dear Jack,

I am sorry but I am t
that the agreement must no
changed in any way. I pr
that I will keep your sec
I hope you will keep you
I also hope that we will
friends even though I know it will
be hard to be friends after all.
this.



FILE PHOTO

Love,



FILE PHOTO

OF EXECUTION OF TRUST AGREEMENT

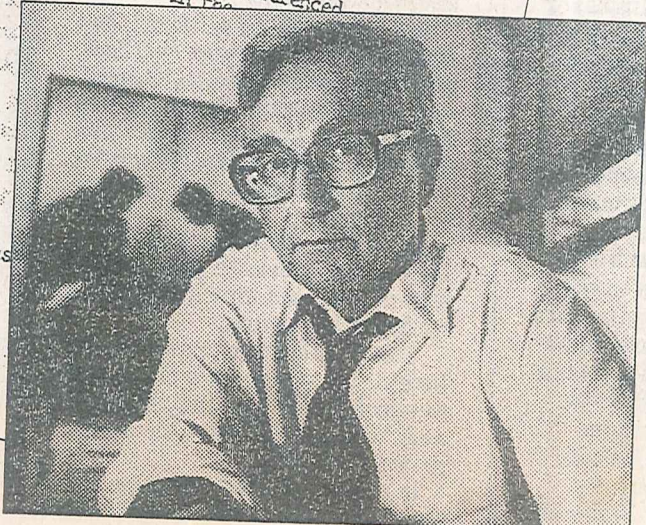
May 9, 1960

...the Carlyle Hotel, The Individuals named below attended a meeting
to execute a trust agreement in New York City. The purpose of the meeting was
Attorney for the trust agreement which was in a form prepared by the
trustee named below. The form is that of the trust department of the
Chemical Bank of New York.
The form was completed by inserting the names of the donor, beneficiaries
and trustees, which was done in longhand. This was done as a precaution,
due to the confidential nature of the trust document.
An original trust agreement and a conformed copy bearing original
signatures were executed. The signatures were verified by a notary public
who confirmed the identity of each person signing the agreement and
witnessed the signing of the agreement. The notary completed the verification
of the signatures and affixed her seal.
The original trust agreement was presented to the corporate trustees,
the conformed copy with original signatures, which is a counterpart
original was retained by the undersigned.
The following individuals were present at the above referenced
meeting and acknowledge this fact by signing below in the

John F. Kennedy, as Donor

Robert F. Kennedy, as
Individual and Corporate Trustee

Marilyn Monroe, as
Corporate Trustee and Secretary-Treasurer



COPYRIGHT JONATHAN BECKER—LITTLE, BROWN

LXC:LXC

Documents allegedly tying President Kennedy to sinister activities, including the payment of hush money to Marilyn Monroe, pulled author Seymour Hersh into a web of deception. "You know, I wanted that paper," says Hersh, above.