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BULMAN, GOLDSTEIN, FELD, & DUNIE
ATTORNEYS AT LAW
1101 LANDOW BUILDING
7910 WOODMONT AVENUE
BETHESDA, MARYLAND 20014
(301) 656-1177

SIDNEY M. GOLDSTEIN
ARTHUR S. FELD
MAURICE R. DUNIE
LAWRENCE Z. BULMAN
IRWIN G. MEISELMAN
JOHN F. BURKE
MARTIN H. FREEMAN
ALAN S. FELD
OF COUNSEL
GILBERT B. LESSENCO

JOSEPH D. BULMAN
(D.C.)
JOHN T. MORRIS
(D.C. AND VA.)
1730 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20036
(202) 872-0158

November 23, 1973

The Honorable Charles R. Richey
U. S. District Court for the
District of Columbia
Washington, D.C. 20001

*File in "Civil"
in "Jud"*

Dear Judge Richey:

You will recall that at one of our scheduling conferences several months ago you mentioned the computerized information operation of the Senate Select Committee on Presidential Campaign Activities.

In the last few weeks, I have had several discussions with Mark Biros, Esquire, a member of the Select Committee Staff who is in charge of this project, and I have examined the kind of information available from the computer.

Apparently, the Senate Select Committee, working with the Library of Congress, has put into the computer all available information relative to the Watergate and related activities. The computer contains not only the public hearings of the Committee, but also many of the depositions taken in our case, newspaper clippings from The Washington Post, The Washington Star-News and The New York Times, and the L. Patrick Gray confirmation hearings. The computer has also been fed a great deal of non-public information, i.e., executive sessions of the Committee, etc.

It is my understanding from Mr. Biros, who consulted with Samuel Dash, Esquire, Chief Counsel of the Committee, that all of the

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public information could be made available to counsel in this case, and that the public information is easily retrieved from the computer while the executive session hearings and similar non-public material is kept confidential.

As noted above, I personally examined, albeit briefly, the general kinds of information which would be available to us. It would be all information on a given person with a reference to the source of the information; for example, a reference to a transcript page of the Senate hearings or to a deposition page or a particular newspaper clipping. The information is so arranged that it would be of immense value not only in preparation for trial, but also for preparation and taking of depositions. There is no doubt that the availability of this information to attorneys would save an incalculable number of hours of hard work. It also would reasonably shorten deposition time and, probably, trial time.

I have been told that this computer prints 1,000 lines per minute, and I think the lines are probably about 24 inches long. To retrieve from the computer the total amount of public information which could be made available to us would take about six hours of computer time. Although Mr. Biros has been unable to provide me with a firm figure on the cost per hour, he estimates it would be somewhere between \$400-\$500 per hour.

Our discussions have reached a point where the plaintiffs in Civil Action No. 1233-72 are prepared to purchase this information. However, Mr. Biros informed me on Wednesday, November 21, 1973, that Mr. Dash would prefer that the request for the information come from the Court. Apparently, there is some sort of an accounting or billing problem involved and some question as to whether the Library of Congress can bill directly to counsel; however, there apparently is no problem if the Court should order the material and then make it available to counsel who would pay the Court the costs of the computer time.

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At the scheduling conference at which you mentioned the computer data, you remarked that you would be willing to use your good offices and provide any assistance that may be necessary in obtaining this information if counsel saw fit to pursue the matter. Accordingly, I am herewith requesting that you contact the Senate Select Committee to determine what would be necessary for the Court and counsel to obtain copies of the non-confidential computer data. In this connection, I also am assuring you that the plaintiffs in Civil Action No. 1233-72 will purchase the computer print-out of the information available to the public.

I would appreciate being advised by the Court if there is any further assistance we can render in helping obtain this data. Meanwhile, I want to notify the Court that we will be resuming depositions on December 11, 1973, and if this information can be made available prior to that time, it would be most helpful to all counsel. Incidentally, I am advised by Mr. Biros that once he has the approval to proceed, the print-outs would be available on very short notice.

Very truly yours,

BULMAN, GOLDSTEIN, FELD & DUNIE

BY:


MAURICE R. DUNIE

MRD:ds

cc: Samuel Dash, Esquire
Mark Biros, Esquire
All counsel in C.A. 1233-72
All counsel in C.A. 1207-73
All counsel in C.A. 1630-73