

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation

DATE: MAR 12 1975

FROM : Irving Jaffe
Acting Assistant Attorney General
Civil Division

IJ:JAxelrad pad
145-12-2317

SUBJECT: Harold Weisberg, et al., v. U.S.
Dept. of Justice, et al., USDC
DC, Civil Action No. 75-0226.

Ext. 3300

Enclosed is a copy of the complaint in the above-entitled matter filed pursuant to 5 U.S.C. §552.

Because the Freedom of Information Act provides that FOI cases take precedence on the docket, we would appreciate your providing us a litigation report in duplicate, by March 14, 1975 if possible, which report should include the following:

1. A statement as to the manner, place, and time of plaintiff's request to your office to make the records involved available for his inspection, including four copies -- one certified -- of any documents or other memoranda incorporating plaintiff's request.

2. Five copies -- one certified -- of any correspondence or memoranda of any communication, written or oral, between your office and the plaintiff concerning plaintiff's request for the records involved.

3. If the records have been identified and located a detailed description or summary of the records involved and a statement as to their current location. If it has not been possible to identify or locate the records, please include a statement to this effect.

4. Two copies of any correspondence or memoranda within your office showing the administrative processing of the plaintiff's request.

EX-107 10 1975

ENCLOSURE

12 MAR 18 1975

55 FEB 20 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

LEGAL COUNSEL

5. A statement of the reason or reasons why in the opinion of your office the record involved should not be made available. Such reasons should be related as directly as possible to the statute, as for example, that the record is available under subsections (a)(1) or (a)(2) of the Act, that the record is exempted from disclosure by some other statute or that the record is within one or more of the other exemptions of subsection (b) of the Act, or that the plaintiff did not comply with the applicable regulations in requesting the record. Where the record falls within one or more of the exemptions of subsection (b) of the Act, such exemption should be specifically identified and discussed.

6. If appropriate, a statement of facts demonstrating the manner in which production of the records requested would prejudice the operation of your Division.

7. Executed original and five copies of an affidavit setting forth facts establishing any defenses you think pertinent. If there are any questions on the form of this affidavit, Jeffrey Axelrad (187-3300) of our office will do his best to assist you.

8. The name and telephone number of the attorney in your office who will be familiar with this.

Enclosure

cc: Mr. Laurence H. Silberman
Deputy Attorney General
Room 4111

cc: United States Attorney
Washington, D. C.