Reporting Office of Origin	Date	Investigative Period	
BALTIMORE	.6/26/59	6/18 - 23/59	
TITLE OF CASE	Report made by		Typed By:
HAROLD WEISBERG and LILLIAN			dck
WEISBERG, Plaintilis, v.	CHARACTER OF CA	LSE	
UNITED STATES OF AMERICA,			
Pefendant, U. S. District Court,			91.7
District of Maryland,	FEDERAL "	PORT CLATMS ACT	

FEDERAL TORT CLAIMS ACT

LEADS:

Civil #11036

THE WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Will interview

obtain from nim information requested by the United States Attorney set forth in details of report. United States Attorney requests interview be conducted promptly.

THE BALTIMORE OFFICE

AT BALTIMORE, MARYLAND

Will report final court action.

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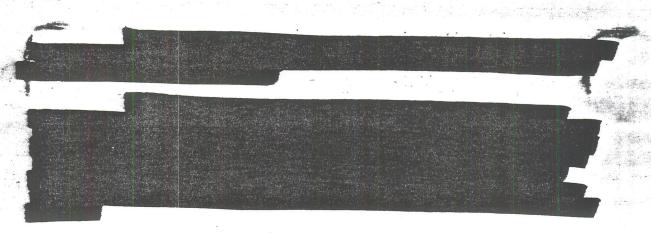
Office Memorandum. • UNITED STATES GOVERNMENT

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To Date 9/2/ To Att. Reads Pranch BUFILE # 120-5548 SAC Title HAROLD WEIS LILLIAN WEISBERG, tiffs, v. UNITED AMERICA, Defendant District Court, Defendant SE Maryland, Civil #7	BERG and Plain- STATES OF t, U. S.	
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Acknowledge Assign Reassign Bring file Call me Correct Deadline Return assignment of Return serials Deadline Search and return Delinquent Expedite File Initial & return Leads need attention Open Case Return with explanation or notation as to action taken. CC: WASHINGTON FIELD (120-489) Re Attached 0-17 and report SA 8/26/59. It is noted rerep was submitted with the sale and title is as above. BA copies and USA concorrected. Sac JAMES J. Kally	wFO d by proper py	
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FEDERAL BUREAU OF INVESTIGATION INTERVIEW REPORT

Date 8/26/59



advised he did no work in connection with the raising or caring for poultry and other fowls raised on the farm of the WEISBURGS and knew nothing concerning the operation of the farm.

He further advised that

WEISBURG for many years and would be in the best position to know the activities and operations of the poultry farm.

advised that he could furnish no specific information concerning operations of the Coq d'or Farm or whether any helicopters did or did not fly over the farm. He also said he knew nothing concerning any poultry losses by disease or otherwise or to what extent any alleged losses might have been if such alleged losses did occur.

Interview with		File #	120-489	
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on 8/19/59 at		Date dictate	d <u>8/20/59</u>	
by Special Agent	SW19M-R			
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STATES DEPARTMENT OF TICE

Copy to

1 - USA, Baltimore

Report of: Date:

6/26/59

Office:

BALTIMORE, MARYLAND

File Number:

BALTIMORE (120-198)

Title

HAROLD WEISBERG and LILLIAN WEISBERG, Plaintiffs, v. UNITED STATES OF AMERICA, Defendant, U. S. District Court, District of Maryland, Civil #11036

Character:

FEDERAL TORT CLAIMS ACT

Synopsis:

Plaintiffs have filed claim against the government totaling \$9,950 for damages allegedly sustained by them in their poultry business as a result of low-flying helicopters. USA requests interview of

- P -

DETAILS:

The Honorable LEON H. A. PIERSON, United States Attorney, Baltimore, Maryland, advised by letter dated June 8, 1958, that HAROLD and LILLIAN WEISBERG have made a claim against the government for \$9,950.00 for damages allegedly sustained by them in their poultry business as a result of a disturbance caused by low-flying helicopters. Mr. PIERSON requested that

be interviewed.

The following information was obtained by a review of the files of the United States Attorney's Office on June 18, 1959:

On November 19, 1958, HAROLD WEISBERG and LILL WEISBERG filed a complaint in U. S. District Court, District

BA 120-198

claims Act through their attorneys, JESSE H. CHESSIN, JOSEPH L. RAUH, JR., and JOHN SILARD, 705-09 Knickerbocker Building, Baltimore, Maryland.

Plaintiffs are joint owners of a 14 acre tract of land in Hyattstown, Maryland, on Route 109 between U.S. 240 and Maryland Route 355, upon which is their place of residence and upon which they operate the Coq d'or Farm, a business jointly owned by the plaintiffs. The principal business and source of revenue of the Coq d'or Farm is the raising of pheasant-chickens, Rock Cornish game hens, waterfowl and other poultry and the sale of poultry and their eggs.

This business, according to the complaint, requires the maintenance of a careful and controlled environment free from loud and disturbing noises which may produce shockinducing unanticipated and undesirable "moulting" and may reduce the egg-laying productivity of the poultry. The complaint alleges that on July 12, 1957, and on a considerable and continuing number of occasions in 1957 and 1958 a number of helicopters have flown directly over the plaintiffs' property and farm. These helicopters were allegedly owned by the United and control of Headquarters, Military District of Washington, U.S. Army. These flights were allegedly at various heights of less than 300, 200 and 100 feet.

According to the plaintiffs, these flights have caused them to suffer serious impairment in their poultry business in that the sudden and excessively severe noise accompanying the helicopter flights at low altitudes has induced unanticipated and undesirable "moulting" and various other injuries in the poultry and egg production of the Coq d'or Farm.

Plaintiffs ask that they be awarded a judgment against the United States of America in the sum of \$9,950.00 representing damages.

Mr. LEON H. A. PIERSON, United States Attorney, Baltimore, Maryland, advised on June 23, 1959, he desired fellowing information from

- 1. Details of the operation of the Coq d'or Far
- Did he ever see helicopters over this farm?
- 3. What were the real losses from the helicopters?
- Are losses exaggerated?
- 5. Were there any losses from poultry diseases or other natural causes?
 - Names and addresses of any other employees of the Coq d'or Farm.
- 7. Dates of semployment at Coq d'or Farm and his wages.

Mr. PIERSON said he obtained the name of and his address from the Department of the Army, Washington, 25, D. C., in a letter from Colonel E. W. SARGENT, JAGC, Chief of Litigation Division. This letter bears the initials of the person dictating it as JAGL and file number as The letter is captioned "Re: HAROLD AND LILLIAN WEISBERG v. UNITED STATES, Civil Action #11036." Mr. PIERSON said that in the event cannot be located at the address furnished, the Department of the Army may be able to advise the source of this address.

Mr. PIERSON requested that the interview with be conducted promptly inasmuch as the results of this interview are needed before he can proceed with the preparation of this case for trial.