

11/3/70

Mary, Paul,

I've just returned from DC and before I get onto the things I must, I report, send and ask help. Bud was galavanting, on the Sirhan case in LA, which tended to make for an informative day and some clear agreements, on steps it and on probabilities.

Although Bud hasn't told me (why should he, since this is the only case in which he represents me, the only JFK case he has filed for me?), there is to be a hearing in about two weeks on the spectro case. In this hearing, the question will be the government's motion to dismiss. After his motion that says fragments of the bullet were found on the curbstone in Jult, I'd feel a bit better if I were consulted. I'll keep you posted.

I will be sending Mary a copy of the government's answer to my complaint on the clothing/pix. If you go over it with care, be sure to be seated and with a weight on the head to keep the mind from blowing. Mary can zerox better. Which reminds me, somebody to whom I sent the complaint on this hasn't returned it and hasn't told me of making copies available to others.

I am fortunate in having this case, in which I am my own lawyer, before one who seems to be a fine judge and is not in awe of the government, executive or legislative.

Now it turns out there are some things I can do, although before the plane left I'd been told otherwise, before the hearing and at the hearing some things may be important. Among those I do not have are the history of the transfer of the WC documents to the Archives, the purposes, the White House (Bandy) and DJ positions and interpretations and declarations, etc. Paul had sent me some and I left Bud have them a year or so ago when he was supposed to be representing me in all the litigation, and I've not seen them since. I think it important that I have whatever you can let me have as fast as possible, for the may be of greatest significance in the trial. My planning on this, by the way, has advanced to the potential witnesses I'll call, and with Bud away, his partner, Jim and I had a chance to discuss this at lunch and are in accord. What I want to do is proper and should be possible.

On the spectro, the hearing will be for a summary judgement by the government. I do not for a minute think Bud wants to blow it, and that is the only way we can lose here. This seems to be no more than an argument on the law, not on the facts. Not the real case. For that he has done no preparing. I assume he has the law down, between what he knew and what I gave him.

Because of time pressure, even if what Mary may send duplicates what Paul does, it is better that way, for there may be cases that are not duplications and we'll need more than one set anyway. I'll need at least one to file or have for the witnesses, aside from the one I use and mark up.

Paul has been unusually silent of late. I hope this is because his work keeps him so busy. If he is not going to send this to me or cannot, I'd appreciate knowing immediately, for I'd best know if I am to be without it. He may immediately see the relevance when he gets a copy of the gov't's "answer" and defense, in which they alleged the inapplicability of the law, the immunity of the Archives, the fact that this stuff is not evidence and a few other such things. The other side of the coin is that for all of us, I'd better not lose this one!...If I win, I assume the government will appeal, and what I'll do then I do not know. I can hardly pose as an appeals lawyer. Bad enough to have to try and be a trial lawyer!

Sincerely,

-this will also give a reading on Paul as of now. If he doesn't respond promptly or doesn't come across, there will, in my mind, be no reason to ponder the why of his Hochus Focus opus. Please also ask Arch, even if it is for something he gave Budm for getting that may be a problem, at least in time, especially because Bud is spending much time away and others can't get many things when he is not there. Example: today, a memo on cases under this law.