

7/11/68 Judge Heebie

I spent some time midday with Richard Sobol, of the layers' constitutional committee and we talked about many things, including the litigation I wanted to engage in and defend. When we got talking about constitutional issues we also got to the current federal-court status of the Garrison case. He told me this story, in confidence, because he has 17 pending cases before Judge Heebie:

A short while ago he was approached by the judge, who asked him to prepare a brief amicus curae in the Shaw case. Sobol specialized in cases of federal-court interest to his clients, who seek relief from the burdens imposed upon them by state courts. When the judge explained what he wanted of Sobol, Sobol indicated his knowledge of the pertinent law was such that he was certain the law was all Garrison's way. Heebie told Sobol that he misunderstood, that the Wegmann-Dymond brief was wretchedly incompetent, one of the poorest he had even seen. He made his hatred of Garrison clear and said he wanted to help the defense, that they needed help urgently, that Sobol could become part of the defense and get the high fees.

Sobol, who wanted no part of this, said he'd think it over.

Meanwhile, Heebie called Dymond into his chambers and told him he had approached Sobol and that Sobol would be in his courtroom for a 1 p.m. case, for Dymond to get hold of him there. Dymond did. Sobol said he was pressed for time, with a case to try. Dymond gave him his card and asked Sobol to phone. When he did later Dymond asked help, offered a \$5,000 fee for the brief, and indicated he's be welcome among the defense lawyers. Sobol declined the offer, either then or a little later, I do not now recall which.

Now there was a case that had, because of the issues, been rushed before Heebie, for immediate decision. Heebie also has a number of urgent school cases for school opens in less than a month here. During one day of the trial in which Sobol is counsel, Heebie started acting funny on the bench, interrupting with extraneous comment, arguing with counsel, etc. It got so bad his clerk later commented on it. He left that night and did not return in the morning. Instead he went on vacation. He has not yet returned. The case on trial is suspended in mid-case, the others have little chance of being decided in time, strange indeed.