

6/1/72

Dear "ou,

When I got to writing, other things leave my mind. I had to go into town early this a.m., and my mind wandered back to our last evening's conversation. Slowly a conviction about Pershing that goes back to the first memos I wrote you when the papers started printing the affidavits is fixing itself. I'll not go into it now, but especially if I am correct are the new possibilities not only enormous but I think in some ways beyond the normal thinking of the skilled lawyer. I have a high opinion of the competence of the Bailey office, and I have seen Jim brilliant in some of his moves. But I am certain there are things obvious to me from my work that will not occur to them.

As a general philosophy, I believe the only way the weak can succeed against the strong is by a combination of what I call intellectual judo, or using the strength of the strong against the strong, and by taking and keeping the initiative, attacking, not defending. I am not up to date on any of the legal situations, but I think if it has not yet come the time for attack will be soon, and I have in mind something other than what can be done with the Pershing situation.

You are into too much to keep all the details of the assassination business in mind. So I remind you of what I forgot to mention in writing you last night, another detail that might or might not be significant about Perry Russo. During all the time he was supposed to have been Jim's star witness he maintained a friendly relationship with Layton Hartens. Hartens was then under indictment and was known as a friend of Shaw's. Perry had at least one side-line that made him then vulnerable to federal pressure, pornography. Your people never pumped him. Never tried, I suspect, because he is easy. I never once looked him up to try it, never once prepared to, spoke to him only when I bumped into him in your offices.

That strange chick you people never believed because she lied was my source. She is perhaps the biggest liar I have ever met, but she spoke much truth. There is nothing of the tremendous amount that I got from her that I checked (and I discarded a great amount) that did not check out 100%. Last time I was there I let her invite me to dinner (and, as I expected, she let me pay for it) and I didn't lean on her. I merely asked why she would not ever sit down with me and separate the wheat from the chaff, tell me which were lies and what was truth of what I hadn't checked out. I can't evaluate her answer, so I give it to you as she gave it to me. "I'm afraid." I asked her, "Of whom?" She said "Layton and then." I let it go at that. "Despite the office messing up of the Philip story by violating its agreement with me, it checks out with confirmation from both his parents, the father before he died, and the mother before and after, after to the shock of Judge Trent's wife, Lillian Cohen, who was in on my interview at my insistence as Philip's lawyer. So, I was willing to believe her story of socializing repeatedly with Perry and Layton together and I got confirmation from Perry himself. There is no part of her story about this that he did not confirm and there is nothing he said that in any way disputes what she said. Now I think it was passing strange for your star witness to be so friendly with a man who, as Perry himself told me, lived beyond his invisible means of support, dropping as much as \$40 at a time gambling, driving that sports car, and with known income only from part-time employment with the educational station down there.

On the Shaw thing, there is more than the witnesses I have on tape never interviewed by anyone in your office. There again is an attack approach I am confident the competent lawyers will never think of, a law it will never occur to them to invoke, as it never did to Jim, with clear precedents unknown to lawyers who never get into that area. But I don't even know who the lawyers are in the civil suit and have never met the T & C people like Rault, Robertson and Shilstone. When the time comes, if any want to speak to me to learn what I have and think, there will be no obligation if my work is not used and the only cost will be for someone to come here or for me to go there. If you trust the lawyers, I also will. I am certain the civil suit need never get before a jury...A final thought about Russo. I told you Sal told me he had much he didn't use. One possible explanation is that he didn't need it. But one that should not be avoided is what it might have been, where it might have done damage. Sal claimed they never got any inside from the feds, which may or may not be true, but I am certain they didn't want to do anything to hurt the feds. Best,