4/11/72

Dear Jim,

Thanks for the May decision 2/16. Feeling kind of punk, I read it under less than the most alert conditions. I have marked several parts if you should care to discuss them in the future, esp. preparatory to federal court. Of course, it is a prejudiced decision in which even gratuities of unjustified language are dragged in. My strongest single impression relating to how to cope with it in the future may, as a matter of law, now be irrelevant. But if you will go back to the very first "legal" memo i drafted you will find that the single most often emphasized in it and at greatest length is precisely the copout the court elected. That Bob undertook to overcome this omission verbally before Williams could not begin to overcome the liability of its not being in the pleadings on paper. Great as was the length to which I then went, in haste and off the top of my head, I am confident it did not exhaust that area.

From Jimmy's letter of 3/20, should Jenkins have disqualified himself?

I havenot yet read Chavez, although I have noted Jimmy's comment on it. In general, my view is unchanged from what it was at the very beginning: the major problem is to have a live defendant for the ultimate decision, and that can be addressed, I think, by collateral means now. I recently suggested one of a series of possibilities, civil suits not as incompetent as Stoner's. I think he can even file civil actions against Canale, Dwyer and Carlisle at the very least; against Esquire and Shaw; against Frank and Doubleday and NBC and God knows who not by the time any papers can be prepared. Perhaps Hoover, too, and remember, this all permits the taking of depositions and the alternative of interrogatories. I realize the magnitude of the problems and the extent of the cost. Thus I realize it may be impossible, but I did make a few alternative suggestions along these lines, with no assurance they can be accomplished.

I will want to talk to you and Bud about if and how I address Stoner either if and when I see Jimmy in May or write if he responds to my yesterday's modest representation of Stoner's letter and its timing.

In this connection, what I did not want to emphasize over the phone or in letters to others is the interpretation you did not put on his still having friends in Louisiana (and why still? Could he have meant more than Perez and a few of like ilk?) and on the spinning of wheels. This need not be interpreted only as reference to wasting time. Even Hil had no difficulty reading threats into that short note.

Compared with the past, and at a time when such groups are not flourishing, the NSRP seems to be enjoying somewhat better circumstances, of which getting their own headquarters and equipping it is but one manifestation.

With each new letter, to whomever, Jimmy shows signs of maturing rapidly in some areas. Whether it can include the political if a question. This also is something I should like to address with you both, for I think I alsone can address it without jeopradizing all lawyers' relations with him.

The CA decision in Schapiro v SEC is great. I'd like to believe it accpunts for both the delay in scheduling our case and the short time assigned. It completely vindicates our pisition, regardless of the ultimate decision.

I have taken what steps I can-and regard this as highly confidential - to learn who may by friends in Louisiana. By a means unknown to any of you, and it will have to remain that way. If is not JG or any of his gang. At this point they are of greater interest, especially if Bud decides I should see Raul with Guy Johnson.

If we do not get a chance to talk before Bud leaves for Tenn., as of now I recommend against his leaning on JGR over these leads. He should not alienate. Hurriedly,