12/24/72

Dear Jim,

While writing to John to thank him for his thoughtful card (and it is) something occurred to me. While I know of anyone with means who has done less to justify thought and effort by others in an effort to conserve them, I have always tried to keep Bud from screwing himself. (Thus, for example, on my own I took care of his not being in a position recognized by IRS to charge off his legitimate Ray costs.)

I have in mind two things: the State's asking for transcripts of the depositions in the civil action and Ray's continuing and in this case, in the present court, legal standing a s a legal pauper. So far as the courts are concerned and in relaity, and I emphasize as the State knows, from before that civil action Ray has been a pauper.

Therefore, in asking for copies of these depositoons of Bud when they are otherwise available to the State, and faster and in legally more acceptable form, they are blooding and harrassing Bud and they know it. The y can obtain pristine copies from the court reporter, who is or can readily be known to them, bu a phone call.

In addition, you don't have full and complete and untouched copies and you can't authenticate your copies. When I last looked at my set, exhibits were missing. I know you lost at least one and made copies of mine. Mine had things added which are not the business of the State and to which it is not under any circumstances entitled. It is my "work product". Hell, they even call official exhibits their "work product".

So, now that in this court James is a pauper, I'm suggesting that you begin using that small break. I think it should be done as fast as possible, meaning on the first legitimate occasion, and not alone in Bud's interest. I think it will be good for the State to learn fast that harrassment will be politely labelled as such and that the costs will not be Bud's. In this case, if you have time, I think you should refer them to the court reporter or the court files and remind them that Ray is a pauper and you don't think one lawyer wants to bleed another without need. At the same time you should tell them that you can't certify the authenticity of the copies you have or their completeness, even if you believe they are authentic.

You might also refer them to Hooker, who has them locally and completely, or to Ryan, for Bud was not counsel in that case and Hooker and Ryan were.

I think the fast you start giving them the idea you don t want them to play games but have a few if they insist, and don't want them piling unfecessary costs on Bud, the better the whole thing will be, the better it will go, and the less inclined they will be to toy. They'll have a dependable reading on Bud from Werdig and others and will be tempted to exploit it. Let' begin by discouraging that and altering the reading I would expect to be dependable. For an experienced trial lawyer Bud will be an easy enough mark in the courtroom, so let's not help them establish an psychological advantage in their own minds.

Best,