

Dear Richard,

1/13/94

I'll mail what I've accumulated that is enclosed in the morning when I take ⁴il to the hospital for surgery. At least part of ~~the~~ today I'll spend trying to locate someone who can take us there and bring us home because the forecast is for the coldest temperature in years and with a very high windchill. And serious ~~windchill~~ ^{windchill} has been a real danger to me since my heart operation of more than four years ago and if I am lucky enough to get one of the handicap parking places at the hospital, the closest is the width of a football field or more from the closest entrance. And it will be ever so ~~much~~ much worse taking her home from the forecast. Aside from ^{the} ~~the~~ ^{the} knight, who teaches, all those I've been able to think of also should not be out in the predicted weather or have jobs to go to. So, perhaps my ~~mind~~ ^{own} mind is not as clear as it should be right now.

If not before, after speaking to you and Herman Graf I really rushed in the writing, ~~more~~ than for it and for myself I should have. Inevitably, after I finished some of it, while working on something else, I remembered what I had omitted that is important. I made a file of adds, notes in some cases, documents and xeroxes in others. Originally I planned to get someone local to do the rety ping. In fact, I got a friend to do that but first her son needed serious surgery, cancer, then she had to nurse him - and she is a nurse - and ^{then} the high holidays intervened. Then you said you'd get it rety ped up there. So I ~~continued~~ ^{continued} making reminds ^{and} for ^{and} additions for when I had the retyped ms. Only there is none. So, I'll send drafts of what I ~~intnded~~ ^{intended} to add to you, as I do here with.

None of my books was written to ~~exculpate~~ ^{exculpate} Oswald. ^{My} ~~work~~ ^{work} does that, but that was not my intent. However, especially with the title you prefer, Case Opened, which is an unintended double ~~netendre~~ ^{netendre}, I suggest that you think about making that explicit in this book. I believe the time has come for that and that what I think of as the intellectual judo provided by Posner's explicit intent to convict him it is more than merely appropriate. It meets him head-on, on his chosen field of literary battle, if not also evidentiary and judicial. It accepts his challenge, so to speak. And with any attention at all it should make that a serious ~~issue~~ ^{issue} question at this time. *Could, anyway.*

I do not mean to suggest that the major media will go for it. I think the opposite is likely. But with any attention this additional aspect could become somewhat of an issue, especially if you do not cut out, as I certainly hope you will not, what I develop as the great danger to justice and to all those not fabulously wealthy of the Failure Analysis approach being acceptable to the courts. I think the two, Oswald's innocence and the hoked up cases, the official, the Posner and the Failure Analysis, go ~~an~~ ^{an} hand in hand.

That is a real issue, as this book for the first time brings to public attention.

It should attract wide attention the extent of which I do not attempt to know. I think it can easily become a campus issue, if not not also on in law ~~schools~~ ^{schools} schools and perhaps among some lawyers. And I think it will not be easy to get as total an exposure of the danger to us all from it, including to lawyers in their professional

Lives as Posner gives us.

I think it is another and an important element of this book.

At least as I have written it. I have only the faintest glimmer of what you have in mind that I have and do agree with. But I do hope you are not planning to eliminate what can have so much national significance and be so important to the success of the book. It was never intended, as I told you when you raised the question right off, as an ad hominum attack on Posner and I did not write it so it could be misinterpreted that way. From the very first I have written about him and Random House as symbols. On a personal level, I do not give a shit about that shit of a Judenrat. I do address him as the ~~xx~~ fraud, sy shyster, phony, liar and commercializer that he is, but that is in the context of what he did. It is not personal. I am not suggesting that I think you have anything like that in mind and I do not.

In an unintended sense, unintended as I wrote, this book is an exculpation of Oswald that becomes naturally explicit where in my earlier writing it is only implicit. To most readers what I use of my earlier writing and what I add to it is entirely new fact about the assassination to them. It is also all official fact, unlike the various works of theory. My use of that, intended to add to the case of deliberateness on Posner's part and the case against the institutions for persisting in failure, does, I think, again without that having been my intent, make the case for an all-level, all-component frameup of a convenient patsy.

As it can serve the interest of book publishing, I believe these are added and valuable additional dimensions. I hope you will discuss this with both Herman Graf and Charlie Winton. My belief is that it will make much more of the book in all areas and in all interests. ...

I am keeping a separate file of these adds so I can respond to anything you may ask about them. I do not have ^{space} ~~room~~ for a ^{separate} file for each subject but they are all in an identified file folder in a box on my desk because of the problems I have in using files in file cabinets. That same box holds each chapter as written in a separate folder so I can retrieve them easily, too.

There is no reason to believe there will be any complications with the removal of the first cataract. Lil has them on both eyes. But she does have other and serious eye problems and for the first time in the more than 51 years we've been married she admitted last week what was more than merely obvious, that she is uneasy about it. I am much less uneasy about the removal of my second cataract, even though the hazard to me from bleeding is now much greater. I have little useful sight in that eye now so for me the risk is more than worth it. But for her she does not see it that way. This means that I will be taking even more ^{time} than I would have to make things easier for ~~me~~ her, to do for her what she ordinarily would do for herself. I hope that it will not take too much time from my work. I still intend to get all of this to you as fast as I can.

Best
Harold