8/21/70

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

The long-delayed picture sought in Civil Action No. 718-70 came in the mail today. After receiving it I phoned my lawyer's office and learned that a xerox of the file cover is there. The picture is without postmark, and the enclosed note bearing Mr. Kolapp's typed name also is undated.

Of the things I originally requested, this leaves only the letter assuring me that I was, in fact, given access to the entire file. In court, of course, this would have been automatically assured.

If you reviewed your correspondence on this matter, as I requested in my last letter, it should be obvious to you that Mr. Bardley's representation of what he says he had been told of undescribed "informed" communication to him is utterly without meaning. There is almost no account of the file cover that he did not, at one time or another, provide me, no one of which is accurate.

When I handed him the list of what I was then requesting, back in May, and he told me, forthrightly, in the presence of my lawyer, that he would not give me this cover or this letter, I suggested to him that your purposes also are served by such a letter, and that it should be from the one who has custody of the file I examined, no other person having first-hand knowledge of its contents. Prior to this, the Civil Division had rushed into court with two frivolous motions, both alleging the suit was moot, although I had not yet been shown anything. Therefore, aside from any concern you may or may not have about abiding with the "Freedom of Information" law, I think you should want me to have this assurance, in some meaningful form.

Because the personnx who showed me the file was not its custodian, I know, of course, that this personx does not have first-hand knowledge of what was handed to me. Therefore, to simplify this for you, I will accept a letter from this person describing the contents of the file, with page numbers.

Frankly, I can conceive of no reason consistent with honesty of intent for this letter to be denied me. You did, after all, assure the court of this on more than one occasion, in every case before it was done. I do hope there will be no further hang-ups.

Sincerely,

Harold Weisberg