Dear Jim, Kaiser/Rolling Stone 4/13/75

I stayed up late last night to try and make a dent in the accumulation of unread clippings. The last was Rolling Stone, in which I'd read Kaiser only when we spoke.

Whether or not we will want to or be able to do anything about this plagiarism I don't know but because you felt we should I'll add a few things.

There was a dead giveaway in the Kaiser piece I've forgotten but have marked. It is with his use of the transcript but not in or from that transcript.

There is a box on Ford as perjurer. I have compared this with what I wrote. It is not a word more nor a word less than what I wrote. However, what I wrote is not all that Ford testified to. They also omitted exactly what I omitted.

The plagiarism in Groden is extensive. There is a disclaimer that disclaims nothing, I would hope, as amatter of law. Merely saying that some of what he says was published by others while saying it is the result of his own work seems to me to admit the plagiarism rather than circumvent it. His work began with me and his finding a copy of Whitewash. He thereafter told me he did it for me and he did nothing he did not bring down and go over with me. This includes his man on the knoll, now with a possible backup added.

I know Robert. He doesn't read. He hasn't finished reading my work yet. He repeats what he is told.

The editing of the Zalruder film is first in my work. I don't believe either Epstein or lane went into it and I was before both. I discovered it not in the slides but in Liebeler's questioning of Zapruder, where I also discovered more. That is still marked with what I used before the day of felt-tipped pens, the absence of frame 210. It is an upper left-hand page, near the top, mark. I recall my shock when I marked it thus where I marked it.

There are other things like this. I think there is other plagiarism, including Marcus and Thompson. That from Thompson is also senseless.

Motive may be relevant so I address that.

Kaiser knew about the work you and I have been doing and its successes, past and coming. I told him. You will note that I asked for the tapes he had agreed to provide for oral histories because he forecast going into those kinds of areas. While I did not ask this with what I had in mind with Justice, his failure to produce them will have the same effect.

What makes this more interesting is the total absence of any use of any of this. We can't jump to the conclusion that he did it for another purpose, but we also can't overlook that possibility. Why go into all of my past for this kind of piece? Stay here until 1 a.m. for <u>that</u>? For no more than a ripoff? He didn't even have to come here for that. So why did he come here at all?

One possible alternative answer is that he was ordered not to write what he planned by Rolling Stone.

Back to our successes: instead he has credit to nothing-what Lane is not doing but says he will. This is what we have been doing, and I think it addresses motive because he knew as did Rolling Stone.

I think it worth recalling the past, without checking my files.

He did an outrageous piece on the "critics" for the LATimes Sunday mag. I wrote a strong complaint and asked to be permitted to write the other side. No answer. He did nothing against me in it but it was indecent, an assault upon all.

Then there was his sickness about Bud's abortion at Georgetown.

Then Jon Newhall told me that Rolling Stone had commissioned him to do a piece on the critics. I wrote Rolling Stone with some point, predicting accurately what emerged and saying that this was not a field for toying with kids' minds and Kaiser didn't know enough to do a responsible piece and had a past of irresponsibile writing in the field to live with and that he could not now write other than he had.

Prior to this we had something to do with WWIV. I offered them the book for Straight Arrow and the ancillary rights. They turned them down. Long before Kaiser. Whether or not this makes any difference in their ripoff I don't know. Newhall remembers all this. Now I'd also heard that Rolling Stone was not satisfied with what

he turned in. I think Jerry or Newhall told me. And the only reason they did anything is because of the amount of money they had already invested. Jerry told me they paid him less than he expected. The obvious conclusion to draw from this, particularly because it is other than what they began with, is that the ripping off of the transcript and what goes with it was necessary to make any kind of piece at all.

They are both pissed off at me because I gave them hell for irresponsibility. That Rolling Stone edited out the few nice things he said about me goes to this motive because the rest is bullshit, not real work by anyone. Example: Mary and Bud (didn't I tell you this would be it?) going to the USAttorney for Dallas. With what that is within his jurisdiction? Lane about to start something is news and my long record isn't? My FOI record isn't? All that work not mentioned, more than that of all he mentions combined isn't?

I don't know what the law is. I do know that we have no copyright on the transcript. But we do have a copyright on the use and the anthological rights. He has added no use and nothing not in this anthological treatment. In fact a large part of what he used is indexed on the back cover and the rest we discussed. He was, in fact, to have proposed ancillary rights to them again, agreed to, and I have a letter in response to his telling him I presume his silence on this was their refusal again. He did not write to say I said what was not so.

And he ain't no John Alden.

You have probably seen enough for yourself to know that a minor industry has grown up around ripping me off. The extent may surprise you. Part is envy and jealousy. Where there has been this bad treatment by those who have done respectable work it has not influence me and my willingness to work with those people. If you want a conspicuous example, not Sylvia's dating of the writings as they appeared. She deliberately corrupted the entire sequence. This also was not accident. She once showed me proofs and I gave her the correct dates. She refused to change the incorrect dating.

Popkin even picked up one of my rare typos (in print, citations). He also changed his attitude toward some of my work between the mag piece and the book where he changed from putdown to serious treatment where he presented it as his own.

Lane yanked pictures Holt had advertised in a double truck in Publishers Weekly and replaced them with text from me and Epstein poorly disguised as "appendix" when it belonged in the text. But by then it would have required remaking the entire book.

Every citation to "according to a document recently discovered in the National Arcgives" in Thompson's book is from WW II only. Not even other or my work.

I don't have to tell you about Flammonde. Or others. It is an industry.

The question is what if anything we can do.

While this is off the top of the head on getting up, I suggest that you speak to Richard Goodwin, who is their Washington rep. It is possible that he is not a whore.

Jerry, meanwhile, is going to sue them in small-claims court in New York because of what he considers too small a payment for his squib.

If Mr Goodwin leads to nothing. I'd then write Wenner personally. He is the one with the money and the say and the responsibility.

If you do I would not specify the other indications of ripoff. I think I have done enough to begin with in asking Kaiser to show me his check in payment to the Archives. As a matter of law this may mean nothing but let us see how they take it. If they say anything about public domain I'd merely ask where they got the text and joke about, without naming Popkin, the picking up of an error.

If you decide to do anything I don't think the Rolling Stone machismo will like having all they presented as their own work pinpointed by source to my uncredited work and that of a few others and the rest proven to be absolutely worthless raving mania. I'd give Goodwin to understand this as I would Wenner. Let them think it is paranoia.

FYI: the funniest case was Garrison, who alsways broke up when he stole the exact words that so appealed to him from PW, p. 9, thegag about the faggots. He thought of Shaw and Walter Jenkins, to whom he attributed a connection. And of Johnson as wired both ways.

Doing anything means that those already delayed matters of consequence to me are further and perhaps permanently delayed. Best,