

The Times-Picayune Publishing Corporation

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The Times-Picayune
MORNING AND SUNDAY

September 12, 1968

NEW ORLEANS
STATES-ITEM
EVENING

GEORGE W. HEALY, JR.
Vice-President
The Times-Picayune Publishing Corp.
Executive Editor
The Times-Picayune
and New Orleans States-Item

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

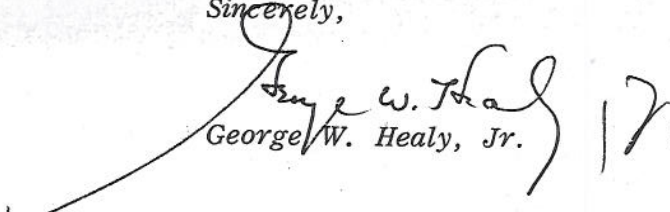
Dear Mr. Weisberg:

Acknowledging your letters of September 10 and September 6.

I have read our news story of September 5 to which you took exception in your earlier letter and consider it a fair report of the action in Civil District Court in which Carlos Bringuier won a \$5,000 libel award. This news story reports very plainly that while you were a co-defendant with the Canyon interests, there was no ruling against you.

With regard to your complaint about a summary of this action which we published on September 8, I attach hereto a verifax copy of a memorandum prepared by Mr. Howard Jacobs, the gentleman who wrote this summary.

Sincerely,


George W. Healy, Jr.

Enclosure

Sept. 12, 1968

Memo to Mr. Healy:

Re Harold Weisberg complaint of inaccuracy in NEWS OF THE WEEK item that Carlos Bringuier won a \$5000 award in civil district court against Canyon Books and Canyon Distributing Co., here are facts:

The item was a condensation of a news story Sept. 5, 1968 which told that Cuban exile Bringuier brought the suit against Canyon, Weisberg's publishers, on grounds author Weisberg maliciously and libelously connected him with Lee Harvey Oswald. However, Weisberg was not ruled against by Judge David Gertler, and attorneys for Bringuier said there is no jurisdiction over Weisberg in New Orleans.

In protesting the condensation as inaccurate, Weisberg complains that "you say two things that are entirely false: that '...Carlos Bringuier...won a \$5000 award...against author Harold Weisberg...' and...Judge David Gertler..dis not rule against Weisberg for lack of jurisdiction."

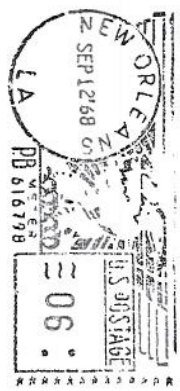
In "quoting" the item, Weisberg has taken it out of context and has obviously distorted what it really said. The item read:

"Cuban exile Carlos Bringuier, local businessman and a figure in the Kennedy assassination probe, won a \$5000 award against Canyon Books and Canyon Distributing Co. of New York for alleged 'unwarranted, false, malicious and libelous attack' against author Harold Weisberg for his book 'Oswald in New Orleans---Case for conspiracy with the C. I. A.' Judge David Gertler in Civil District Court, in ruling for Bringuier, did not rule against Weisberg for lack of jurisdiction."

Use in the news item of the second "against" could have been--and apparently was--misinterpreted by Weisberg. Had the passage been "by author Harold Weisberg..." possibly his protest could have been avoided. Also, the quote that Judge Gertler "did not rule against Weisberg for lack of jurisdiction" came from Bringuier's attorneys, and not from Judge Gertler. It was quoted because that seemed the logical explanation. Certainly the book must have been considered libelous or the judge would not have ruled against the publishers. It naturally follows that if he considered it libelous that the author was equally guilty, but beyond reach of his jurisdiction.

Howard Jacobs

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