2/22/71

Dear Cyril,

Tomorrow I'm going to Memphis for the rest of the week. The publication date of my book on this case has been set back to 3/24, everybody is very much afraid, and the pre-pub review in the trade paper, Publisher's Weekly, is a rave.

Without time to get into more research or writing, I have time to fill you in a bit. I filed a book in response to the government's belated motion to dismiss. They didn't file it until 1/13, whereas the complaint was in August. In short. this was a case they wanted to go to court. When I filed a motion for summary judgement, and their again belated response was to move to dismiss. At that point they started inventing new dirty tricks, and I do not know if they have yet exhausted what resourcefulness they have. There was no single accurate or complete citation in anything they filed, distortion so bald it is hard to believe they'd dare it, omission so gross that they ought have expected it to react against them with a decent judge. They did not serve what they certified they served on me, and I had to make three requests before I got it. When I did, it became obvious that in this case they even got Rhoads to perjure himself. Meanwhile, having immediately decided that I had to make a complete record in response, at the risk of antagonizing the judge, I began to do it. Each of the two times thereafter that they provided what they had withheld-the second case when there was no w rking day between time of receipt and the day the papers were due, they required an addition, for it was not possible to redo the papers already typed for filing. The result is that I actually filed 110 pages, plus 28 exhibits, I charged perjury and impropriety in withholding, and the federal attroney even tried to boobytrap me.

The question arises, why are they so uptight? So obvious in it?

I think the answer is in what all of this means. Some of it I have already. Some I can get in graphic form with the pictures they refuse, and it is inevitable that the proper pictures will disclose what the available ones do not.

They even got Rhoads to swear that I had never asked for what I seek in the suit, and I have at least three letters from him, personally, refusing it. Could anything be more mateirial? I suggest this shows their feeling, their appraisal of the potential.

The immediate problem is the judge confronted with 110 typed pages fromsomeone from whom, if he has heard anything, he probably regards a s a nut. I suspect that it will be set for hearing soon.

And then we'll see. If both motions are denied, then there will be the evidentiary hearing. If I win, they'll appeal, and that set of problems I'll face when I have to.

But, if there is any prospect of reaching any Kennedy person, now, with what I already have and with what they have just done, is the time. I have exhausted my possibilities.

As a matter of law, I am satisfied I presented more than enough to warrant summary judgement. They had no single accurate citation of the law and eliminated the relevant to hoke up a case. There was no excepting in my presentation. I provided full texts. I would like to thing that this and the applicable regulations, carefully withheld from the judge as from me, which I got only because they had made a prior use, ought leave no legal doubt. Wouldn't that be something, like lightening striking twice, for a non-lawyer to win such a case in briefs alone!

I'll keep you posted.

Sincerely,