

Dear Dave,

10/15/97

Your 10/5, with the postmark 10/8, came yesterday. I enclose the face of the envelope.

The clippings are interesting and I'm keeping them. Thanks.

Jim was here and we spoke briefly. He did not tell me that the delay in the Hickey filing was Zaid's or that the case had been ~~th~~thrown out. I don't see how the ~~X~~ Constitution permits what the NH and Montana judges did.

He was here on his taxes.

I'm sorry for Exner, that he took her case, and that she has been so dishonest and caused so much trouble, perhaps harm.

Brief to make the mail and because this morning my blood pressure was high. I'm uneasy waiting for a call from the doctor, who was not in. It was 152/94.

Best,

Harold

Oct. 5

Harold Weisberg
RR 12 Old Receiver Rd
Frederick MD 21702

Dear Harold:

Enclosed are some clippings from the New York Times which I assume you might have had sent to you already. In the chance not I send them.

I also spoke with Jim Lesar this day. It seems he is busier than ever. His Exner case is in a tight situation. The opposing legal firm is sanctioning him heavily with great expense and using all types of stalling mechanisms as well as the most scurrilous attack information. He spent 3 days or so in Los Angeles recently futilely trying to move it forward. It seems Exner is terribly ill and could not be deposed. If she cannot be deposed the judge will rule against her. It is possible she might not recover. Jim thinks he will win if she can recover and then stand the physical and psychological strain of deposing. Apparently he expects any possible deposition to be something of exceptional ferocity.

The Maryland judge did toss out the Hickey case. It seems both the Montana and New Hampshire judges ruled Hickey had standing and could sue but moved the case to Baltimore to the Maryland judge who had another of the Hickey suits in his court. Zaid it seems waited until the end of September (96) to file the case, because the paperback explicitly said published October 1995. But the company proved it had been published in September for movement to bookshops and thus Zaid violated the statute of limitations by filing a week too late. But the question of venue arises. Since New Hampshire and Montana each rule Hickey had time under their laws can a Maryland judge toss out their cases too? Jim thinks this is good ground for appeal. The St. Martins' attorneys have 29 objections to his suit, each Jim says outrageous.

Regards



David R. Wrone