

D&R

5/14/84

Mr. Steve Bell,  
ABC News  
1717 DeSales St., NW  
Washington, D.C. 20036

Dear Steve,

Update for your man who watches government efforts to withhold information.

Because of the importance of the precedents, the ACLU (Mark Lynch) is representing me in the appeal and what I think is the Public Citizen law group (Morriacn and Hitchcock) is representing my lawyer.

The briefs are due this coming Thursday. I've read the uncorrected drafts and will receive copies if your man would like them.

In the way of lawyers, especially those who do not want to confront the judges with issues the judges do not want to face, both brief avoid spelling out the danger to all lawyers and instead leave it to be obvious to the appeals court.

Likewise, the excellent brief Lynch has done for me does not spell out that the government is rewriting FOIA in a way that for all practical purposes negates it. In neutral language it states that the effort is to place the burden or proof on the requester/plaintiff whereas the Act places it exclusively on the government.

There are appeals and cross appeals. Their numbers are 84-5058, 84-5201; 84-5059 and 84-5202.

Best wishes,

Harold Weisberg