1/17/69 9:45 p.m. Brief notes on court today. Judge Halleck. Chief DJ lawyer (and there seemed to be many, quite a number besides those at counsel table (every chair folled).

There was a man in court with a tape recorder, cassette, unimpeded, left with it under his arm and none of DJ lawyers, who should have seen, tyey having just the left, did or said anything.

At the time it became clear the judge was not unfriendly to Bertel, there was a call for him on the clerk's desk, phone, in court, apparently from Charlie Ward. Bertel kept saying he couldn t talk, that he was in the courtroom, that they were in the middle of arguments, and whoever he was talking to kept talking to him. But it soon became apparent, although I did not immediately recognize its significance, that Bertel's approach and attitude changed, entirely. He had agreed to put me on agreed, that with what I had found in the DJ statement and new medical report it would be important, ruinous to the other side. The judge was begging for a witnessxx, presumed openly Bertel would put one on, so openly the press pressed him on this point alone at noon recess. He then told us Charlie Ward had told him specifically not to put me on. He spoke to Ward from Bud's office, refused to tell Ward I wanted to speak to him, told me Ward said he didn't want to speak to me. As soon as he told me this I put in a call to Ward, got the report from the switchboard operator that he was not there, to which I replied I knew he was, I was sitting next to bertel who had just spoken to him. She said he didn't answer the page. I asked for Alock and Sciambra, was told neither was in, asked that they be told immediately This was most urgent. Sciambra later told me g he got no message at all. ~~[illegible]~~ Bertel phoned back, spoke to Louis while he waited for Ward, told me he had to wait because Ward was atlking to Garrison, and I briefly explained some of the urgent stuff to Lou. When Ward refused to talk to me the second time, I again phoned Lou, who said he couldn't talk because he had the press there and he hung up. When we left court at the end of the day, when I got in the car a block away and started the motor, there was a CBS newscast attributed to Garrison the statement that because they had been denied the pictures and X-rays, they could not proceed with the case. This had to be before the decision, and there was no contact between Bertel and the office after about 1p.m. Bertel gave no such indication to the office. Thus it became clear the statement was issued before the decision, which did anything but deny the office what it sought. When I did not get to talk to anyone I told Bertel I would ask the juxgde to recognize me as a friend of the court which I did, never Bertel's effort to speak of other things. The judge would not but I did get into the transcript the fact that I believed the court had been imposed upon, that there had been deception and misrepresentation, and that there were none of those involved who knew this or understood it.

Right after Bertel got the phone call Bud and I each reminded him he was supposed to put me on but he would not.

I did not notice him when I first entered the courtroom, but about a half hour later I saw Marion Johnson, who remained for the entire processing.

Among the things I briefly note or that the new medical study does not at all support the autopsy, although it says it does. In fact, quite the opposite is true.

In having this study made secretly, Clark either violated the agreement or acknowledges the existence of an investigation of the assassination, which is not consistent with confidence in the Report. The released this so hurriedly they missed the early morning editions, had their pr staff stay at night to get it out, and still did not have enough copies. They never did give Bertel a copy, promised me one after lunch and did not have it.

The attached Thoads affidavit seems to say he is responsible for the files that were leaked against Garrison.

DJ asked for the recess and in telling the judge misprese misrepresented Bertels lack of opposition to a joint request.

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