

Bar Operator Charges Libel

Davis Says NBC Story Called Him Bertrand

A \$250,000 libel suit was filed Monday in Federal District Court against the National Broadcasting Co. by a New Orleans bar and restaurant operator who claims that he was damaged by an NBC news release growing out of District Attorney Jim Garrison's prosecution of Clay L. Shaw on a charge of conspiring to murder President John F. Kennedy.

The suit was filed by Eugene C. Davis, operator of Wanda's Bar, 704 Iberville, and Gene's Restaurant, 611 Iberville, who alleges that newspaper stories on Aug. 11, 1967, based on an NBC release entitled "An Editorial-NBC meets its Obligation," falsely identified him as "the real Clay Bertrand," a name which Garrison has claimed was used by Shaw.

It is charged that as a result of the circulation of the story Davis has suffered a substantial loss in his business because he allegedly was linked with the assassination of the President, and with being a co-conspirator with allegedly known homosexuals.

Damages of \$50,000 are sought for the alleged business losses and another \$200,000 for mental anguish and shock to the plaintiff's nervous system.

Upon circulation of the story by various news media, the suit charges, the plaintiff was interviewed by agents of the Federal Bureau of Investigation who demanded to know if he was or was not the party described as Clay Bertrand in the Shaw case.

The suit claims that Davis denied that he has ever used the name and has never

known anyone named Clay Bertrand.

Nevertheless, it is charged, as a result of the publication Davis was arrested, harassed, "and repeatedly defamed publicly because of various aspects of all or part of said . . . libelous story."

Davis claims in the suit that

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the matters in the news release were grossly false and circulated recklessly without any substantial investigation and were persisted in long after a real investigation would have shown them absolutely false. The suit asks for a jury trial.