

Mr. Bernard Fensterwald
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Washington, D.C. 20006

5/29/76

Dear Bud,

Lately Jerry Kay has been communicating with me by tape. I've been keeping Jim informed of the little he intersperses between plugs for Reagan and what he calls singing. I'm sorry that in responding to the one that came today I did not think until I was about finished that your interest indicates I should give you a copy. Sorry it isn't as clear as it otherwise would have been. It is a copy I intended for a duplicate filing I can dispense with.

Jerry is still saying that Jimmy will file a civil suit against McMillan in two weeks. Two weeks ago he was saying two weeks before filing. This time he also asks me for the return of a tape he gave me several years ago. There is a certain amount of this I'm willing to do but not piecemeal. There is more of it I'm not willing to do. I say this, I hope clearly enough, in the enclosed. If he comes up with another Stoner or Schoolfield type I doubt I'll take the time I don't have for any of it unless I am required to. I won't voluntarily. It would not help Jimmy and as everyone has understood from the beginning I regard my work as my own.

There may well be things I've given you that you did not use in or see as part of Jimmy's defense. It is my desire that you give none of this to anyone else, especially this new and to me unknown lawyer, without my agreement. This is to say I'm postponing a decision on what to do until I know more about the future and the new lawyer. However, if you believe something else is required of me I'd appreciate your thoughts.

As you are aware much of my work was not in Jimmy's defense. You should remember some I did when you said it was not in his defense. One example is currently a problem for me. Jim was to have mentioned this to you about two months ago. This week when I asked him he said he hadn't gotten around to it. I need the pictures it cost me about \$250 to get. I made another trip to get them, increasing the cost, only to learn that they no longer exist at the original source. The explanation to me, if it doesn't make sense, is that these kinds of pictures are destroyed on a regular basis when there is need for the filing space.

Jim's idea was that because these are my personal property you ~~should~~ could ask the court to make and keep copies. That would be fine if you can do this. I do know I need them and not only for reproduction, which I do intend. I need them right now to work with.

Jimmy is not levelling with any of us as of this minute. Not only in what he is and has been up to but with regard to what others are doing. You and Jim can take this any way you want. I take it the way I've indicated to Jerry. He does his thing, I mine. Don Freed, for one example, is trying to con him. He has written him. Jimmy has not told any of us. Freed blabbed and it came back to me from the most solid of sources. No matter what allowances I make it still comes out that I am in debt for this work and Jimmy behaves as he does. So, I'm trying to look out for my interest in the way I believe best serves his and I believe does not intrude upon yours or Jim's. I do think that any premature filing by any underinformed lawyer is against Jimmy's interest no matter how much it may be his desire. I have reason to believe any immediate filing is premature and can hurt Jimmy's most important interests in other ways.

If I hear nothing from you I'll assume you have nothing to say.

Sincerely,