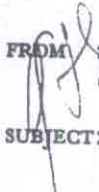


UNITED STATES GOVERNMENT

# Memorandum

TO : File

DATE: SEP 8 1978

FROM :  Quinlan J. Shea, Jr., Director  
Office of Privacy and Information Appeals

SUBJECT: Administrative Appeal of William H. and Nelson B. Hunt  
Attorney: John D. Grad

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This appeal concerns the response of the Criminal Division to the Hunts' request for access to all records pertaining to themselves [it is actually a renewal of an earlier request/appeal in which the Hunts were denied access to the information they now seek]. Mr. Grad also has filed suit on behalf of the Hunts to obtain these same records.

The focus of this appeal is on the difficulties the Hunts encountered as the result of their employment of private detectives to place wiretaps on the telephones of several former Hunt Oil Co. executives believed by the Hunts to have mulcted the company of substantial sums of money. This episode culminated in the indictment of the requesters, along with a series of Hunt attorneys, including Percy Foreman, for obstruction of justice in a subsequent investigation of the wiretapping. It appears that all charges against the defendants were eventually dismissed for reasons not entirely evident from these records, although the three detectives hired by the Hunts to conduct the wiretaps were convicted and sentenced to prison. A significant aspect of the investigation concentrated on efforts by the Hunts to contact various Government officials -- including former Assistant Attorney General Will Wilson, former Deputy Attorney General Richard Kliendienst, former Attorney General John Mitchell and Senator James Eastland -- in an attempt to have the case against the detectives "fixed" in Washington. Although none of these officials was indicted or accused of wrongdoing [it was recommended, however, that Senator Eastland be considered as a witness to corroborate the testimony of others on the attempts by the Hunts to have the case "fixed"], this and all other phases of the investigation received considerable exposure in the press.

The Criminal Division initially released 600 pages of material and the F.B.I. -- in a separate request/appeal -- has released substantially all underlying non-grand jury records. Involved in this appeal are the twenty-three documents listed



on Schedule II of the Criminal Division's response letter as being withheld in full [4,515 pages in all, 3,123 of which are exempt grand jury transcripts and 891 of which are handwritten attorney notes] and the excisions made from fifty other documents listed on Schedule I of the response letter. To permit consistency for purposes of the litigation, Deputy Assistant Attorney General Keuch has agreed to a supplemental release of all documents or portions thereof containing information previously released by the F.B.I. This action will result in the release of all information excised from the Schedule I documents except for grand jury material, agents' names, third party privacy material, and confidential source identity material. The privacy excisions consist primarily of information that in no way pertains to the requesters [substantially all information pertaining to co-defendants and others involved in the illegal interceptions directly or indirectly has been or is being released]. Lastly, Mr. Grad has specifically advised my staff that he is not interested in the material excised from document 14, Schedule I.

Mr. Grad has also stated that he does not contest the withholding of items 1 [the handwritten attorney notes] and 3, Schedule II [records denied in full]. Schedule II documents 2, 4, 5, 11, 13 and 15 will now be released in their entireties, and documents 9, 14, 16, 17 and 18 will be released in full except for the excision of grand jury material. Documents 6, 7, 8, 10, 12, 19, 21, 22 and 23 should continue to be withheld in their entireties pursuant to exemptions 1 [upheld by the D.R.C.], 3 [grand jury], 6 [medical summary on co-defendant of the Hunts], 7(C) and 7(D). Item 20 of Schedule II, the 381-page prosecution memorandum, will be processed for release within the next ten days. Quotations from grand jury transcripts comprise at least half of this document and this content will be withheld. The remainder of the memorandum will be released with the exception of third party privacy and confidential source identity material, which will be protected to the same extent it has been protected in the other relevant materials. This treatment of the prosecution memorandum is consistent with that accorded similar materials in other closed, non-organized crime cases in which there is no continuing investigative interest in the subjects or subject matter.