

Harold Weisberg  
Route 8, Frederick, Md. 21701  
3/15/73

Dear Mr. Hirschkop,

Your letter of March 1 suggested that I recontact you after your return from Japan, scheduled for yesterday. Accordingly, I write.

This time of the year my wife is employed as a tax consultant. If it suits you, it would be better for me if you can see me some morning about 10 a.m. This would permit me to drive to your office directly from hers and would allow time for other business in Washington before I have to pick her up. The trip is about 50 miles and takes a little over an hour. I can be at your office earlier or later if you prefer. Wednesdays for the weeks in the immediate future I have another obligation.

By an interesting coincidence, the day my delayed letter reached your office the U.S. Court of Appeals for the District of Columbia handed down a decision in my suit against the FBI for withheld "public information", ruling in my favor. I think it is one of the better decisions on 5 U.S.C. 552. In remanding it directed Sirica to give me a full opportunity to explore a false affidavit executed by an FBI agent who was not competent to make it.

I believe and I believe the appeals court realized that this FBI affidavit is perjurious. The most recent proof of one of the perjurious statements comes from L. Patrick Gray!

The government is going to move for a rehearing, en banc.

If you would like a copy of this decision, I will be glad to bring it. If a non-lawyer's opinion is worth anything, I believe this law has some possibilities of usefulness in criminal/political cases. I have used it once myself this way, successfully. There was a point in the Rap Brown case where I believe it could have been done. In similar cases in the future, the same possibility may exist.

Jim Lesar did the appeal memorandum. I have an extra copy if it can interest you or anyone you know.

I look forward to your finding the time.

Sincerely,

Harold Weisberg

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March 1, 1973

Mr. Harold Weisberg  
Route 8  
Frederick, Maryland 21701

Dear Harold:

Your letter of February 23 arrived in my office on February 28. As I will be leaving for Japan tomorrow morning, would you please recontact me after March 14.

Very truly yours,



PHILIP J. HIRSCHKOP

PJH:hns