

To Charles Kuhn via Jerry McKnight from Harold Weisberg 10/28/88

re slides of the Zapruder film of the JFK assassination.

If you saw the recent story in the local papers reporting that a Maryland/College Park graduate student and I had filed suit against the Zapruders for access to the film, this was almost the only correct statement in that story. The headline in particular was quite wrong.

Well, we won the suit today, in an out-of-court settlement about which I write you.

Garard Alexander (Chip) Selby spent three years preparing his thesis in the form of a documentary. He was stonewalled by Henry Zapruder, son of the deceased Abraham who took the motion pictures, for several years. Selby obtained a bootleg copy and used it. He has just won a prestigious award with it, in competition with professional documentary-makers, the "Golden Eagle" award of CINE, a professional ~~group~~ group about which I don't know much, and as a result his documentary on the JFK assassination will be shown around the world in various film and video competitions as representing the United States. He sued because he has an offer for his documentary from several cable TV channels and can't make a deal without either the right to use the film or facing suit over using it without that right.

I filed because Zapruder has been stonewalling me since 1982, when I was to have gotten copies in my FOIA lawsuit, C.A. 78-0322. He'd agreed and then stonewalled.

I wanted and now will be getting slides made from the original, which has about 20% exposed film that is not seen on copying or projection, the material between the left margin and the sprocket holes by which the film is moved, and between these holes. It happens that in at least one area this unseen film is quite significant.

In time you will be getting these 2x2 slides that will be made for me. I have therefore asked for an extra copy of the settlement and its terms for you and will be providing it for your understanding and protection. I will file my copy in the file on this lawsuit, one of the shortest on record, I presume.

Much of the language has no relationship to me and some is self-serving lawyer's language. What it amounts to is that I will make no commercial use of the film, will not give copies to others and will not publish it. There is a special proviso that I will give it to Hood, with the understanding that it abides by this agreement. It is stated that the film can and will be used for scholarly purposes and in this sense, other than in providing copies or publishing, there is no restriction or limit.

Separately I have several unauthorized prints, 8mm and 16mm, and these are not within the agreement. They have been shown at Hood several times. I think you have the best of these on videotape and that it not within the agreement, which is limited to the slides that will be made for me.

There is an odd provision insisted upon by Zapruder's lawyer that makes me and the lawyer who handled this suit for Selby and me wonder whether "time, which originally bought the rights from the Zapruders and returned them, may be planning to sue them.

The only version clearer than these slides is the original.

Until transfer to you students can use them here or probably at Hood, I'll have to find out about this. I think making independent studies of them may be worthwhile for some students. (I did this years ago at the Archives.)

A copy of all filings in the litigation is to be sent to Jerry.