

Dear both,

12/7/73

It is not often I have any "good" news to report, and I am aware that friends have some concern for the conditions or our lives. So, this is to report one down and nobody really knows how many to go.

Today I signed a general release to Dutton for all claim against them and their corporation formerly Outerbridge's, in return for which they are to send me a check for \$5,500. When I had it notarized at the bank prior to returning it, I also made arrangements to give them all but a small part, with their assurance that if, when tax time comes we can't pay the tax on it, they'll let me have that part back at the same interest rate.

The odd part is that neither Lil nor I were at all euphoric. When I worked the deal out she didn't even believe it. And today, when I went back to her office with it after getting it at the post office, she said that as I knew she no longer trusts anyone, so she did not believe until I had the proof in hand.

This tells you a little about what recent years have done to our emotions, our reactions.

Our debt will still be, for us, staggering. But we will have whittled the principal by about 24%. To the bank, that is. And we will have repaid a personal loan needed to meet the last payment on principal.

Part of what history this has may interest you. I think you know of some.

What I am actually getting is 100% of all that I claimed plus interest. All I compromised is what I could have sued for on non-performance. I am even getting the gross that David got when he sold the remainders after I bought them from him. And in addition to this, the remaining remainders are in our basement, delivered there at not a penny cost to us.

This may sound a bit like boasting. I do not intend it this way, although I am sure there may be an element of it. If David had not been as crooked as he was and if I had not assembled the evidence and then helped his lawyer make a better record for me, it would not have been possible. And had David performed as called for by the contract, we would, of course, be much better off. Boasting is not what I have in mind. It is another commentary on lawyers and "friends" who are lawyers.

In all our lives, Lil and I, whenever we have needed lawyers, have never benefitted from them and each "success" we have had was my doing, not that of the lawyers. Even when Lil's instincts told her years ago that I was about to be framed and she went out and got the evidence, in order to defeat the frame I had to fight my own pretigious lawyer.

Once I was violent, and as I look back after more than 30 years I am not at all certain that I would have not been more violent. That was when Walter Annenberg was gypping me after the America First Chicago banks which held his debt started squeezing him. I was about to enter the Army. Our lawyer, also a friend of that period, had let A's lawyer delay and stall. I insisted on a hearing before induction. We met in the NYC courtroom before the judge entered, that slick bastard said something about another stall and I grabbed him by both lapels and told him that not knowing whether I'd return from the Army or not I would as leave go to jail for what I would in ten seconds do to him. I was pretty husky then and he apparently felt my strength, saw my face and recognized the logic. I dropped him on his promise of payment of 100% of what was due me and that Lil had for emergencies when I was away.

Our original helicopter suit we won even though the judge said he didn't believe me and I was really our only witness. Our ADA high-shot lawyer didn't even prepare the case. I learned the lawyer's phrase, "Proof of loss," on the witness stand. The judge said he didn't believe me, but he did. The settlement was nominal but a new principle of law was made. It is premature to forecast the end, but in our present helicopter suit, after our present lawyer threw up his hands at the legal mess Edward Bennett Williams had made for us, I kept after him on moves and reasoning until he gave in, seeing no alternative anyway, and did what I asked. The result is that while we did not get all we could have on discovery, we got enough and we won on the point of law, whether or not the statute had run, getting the right to sue for 50% instead of almost nothing. Our personal position is bad because of what it will cost us emotionally to go through with a trial, but our legal position is now so good I have told him to tell the feds that if they want to avoid a trial they will settle for 100% net of what we on that day owed the bank. Unless they are really uncontrollably bitter about me, if he does his job they will, because as with Dutton, the alternative may well be

much worse. We have the same judge, he now knows I understated in the last trial and that the feds pulled dirty tricks to deceive him during the first trial and even more, he learned after that trial more about the lawyer who then represented us and gave him one of the classic judicial dressings down in open court. When I was pro se he told the assistant U.S. attorney about this in my presence! He also told him to stop stalling me, to accept my offers of all my files because the only question was how much damage I had been done. He had already ruled on the fact. Imagine having to push your own lawyer with this situation! So, I believe that if reason prevails the government will settle on my terms. If not we should, with a few days of pain that may be sharp for Lil, get even more. And, of course, with fairness. But none of this did our new lawyer, from the biggest firm in the state, do. I had to think it out and then persuade him to do it. Believe me, this says more about lawyers than it does about me, it was that obvious a need. And in doing this he is loaded for trial, because I found in the discovery material that the Air Force has a secret file on me. I got after him to demand it on discovery and the coazy government has thrice denied, including in writing, that it has such a file. They do not know that I have gone over all that paper and have the file identification. I think the conservative judge will thereafter believe nothing the government alleges.

My suit for the pictures of JFK's clothing, on the court records, was dismissed. In fact, in order to get the dismissal, the government had to give me all I asked for except prints to keep. (Sp, I traced what I wanted because they did have to make prints.) This was a victory and I was again pro se. Bud had nothing to do with this. The fact is that he was out of town when I got the summary judgment against Justice in my first suit. I did it. How his partner, a better lawyer, could not have seen the possibility I saw to this day I cannot understand, it was that obvious.

When I asked Bud, he would not take my case against David, with NYC co-counsel. I did turn it over to a "friend" who had been counsel to two large publishers. He reported he could do nothing. I'm talking about the guy who took Grove's "I Am Curious, Yellow" case to the Supreme Court and won it. He could have gotten enough more than I did from Dutton to give him a nice fee.

The only one of the crooked wholesalers I have been able to sue accepted my offer of a discount of 1/3 on what he owed me just before the case was called by the judge. If we had had a lawyer, we could not have done better after paying him, and to do as well we would have needed a 100% recovery.

There are other cases from the past. I was able to prevail in these cases only because the facts were as I represented them. I think what this partial record shows is that lawyers have to be fairly reflected by WG, they are that bad. Even the good ones. To date, to cite the record of one of your out-there good ones, I sent Bob Treuhart the files on the L.A. distributor last January and I haven't gotten acknowledgement yet. Not^{to} my more recent letter when they dunned me for money I do not owe them asking if that doesn't toll the statute.

Lawyers- ugh!

Except for some of the young one and some political cases.

A copy of the General Release being the next best thing to cash, we are going out to dinner tonight! The last time we were so extravagant I can't remember. This time it will not even be extravagance. Lil is keeping the books of the only local Chinese restaurateur, is doing it better than his former CPA who, like his former lawyer, made unnecessary messes for him, so she has finally agreed to accept his invitation. We celebrate!

And it will be, a celebration. This male chauvenist pig has done all the grocery shopping this year. We haven't averaged \$15 a week on vittles, ~~sk~~ including guests. And a 24-lb turkey for Thanksgiving.

If it is one helluva way to live, living is better and much more meaningful if you can continue trying. And fighting.

Despite lawyers!