12/4/75

Dear Jim,

This is off the top but there isn't time to put it together right. First off I wrote Jimmy so you wouldn't have to. As I did I realized I'd have to tell him much more, if elliptically, to keep him cool. I'd planned to put everything together for Mo before he gets here next and to do a thorough analysis of the papers we've gotten from the FBI. However, the way things are going and given Mo's and John's sharpness I think looking ahead may be the most immediate of all. In ~~past~~ the past I've made hints of what I have in mind to you and to Mo, who could do no more than suggest he'd take what I have up. He can make no commitment, of course.

John, who begins as a good reporter, has been making great progress and I am certain in the course of it learning more all the time. What he has told me is partly in confidence and because I can't distinguish (I'm not as weary but I'm far from back up) I'm keeping it all that way. Just take my word he has done very well and what it would have been impossible for me to have done.

I expect in addition what on balance will be good and helpful stories. It is possible the Timesm may want to do more. I can help them in this. In turn that will help Ray and doing something about the King assassination.

By now Mo and John probably know and what is more important understand more about this than any other reporters. The Times has made an investment that as I see it earns for it at least a first turndown. Benefits to us are getting more of the truth out faster. To them, journalistic accomplishment.

On our own we'll do all that is necessary in C.A.75-1996. But it will be harder and will take us longer. I think timing is very important in this. So, I'm going to make a formal proposal to Mo, an offer to join in this suit if the Times or he or John as individuals want to. If they do they'd have an exclusive with enough time because under the law I get first what then later becomes available to all. The other advantages to them are my knowledge, my files and my big lead in being in court. This knowledge will be partly on paper today if not by Monday, I hope. It means what is still withheld that is covered by the action and what in addition to what you'll think of we can add. With Green the judge and with what she did to them in other FOIA cases I for the first time have this advantage with DJ and FBI. But with the Times joined in any way, then there will be, I think, a real internecine struggle in which the lawyers and the agents will be more willing to give up what has been sequestered.

I'll wait several days for a decision and if it is negative, after their series appears will make the proposal elsewhere.

My feeling is that the way things are going and with what the Times doesn't know but I'll explain to Mo, the Post is off on another one they think will be big and the Times has already blown, the Times may not want to stop with a couple of stories that merely blows the case. I think they might well want to be in a position to do what the Congressional committees have not yet done or come to.

I don't anticipate the possibility of any of this being adverse to Ray's interest. My one personal precondition would be that residual rights to anything not completely public domain with us getting and their publishing remain with me. No, another: the reporters be Mo and or John, too. I have worked with both and this is an important factor.

Don't expect it. But unusual as it is, I think the Times will realize that unless they are joined in this the finks will leak everything in advance to its competition, as we caught them doing with me and CBS. More because they'll have a better chance of conning reporters who are now less informed. (Nobody has tumbled to what they are doing of this nature in the Rosenberg case, not from what has been printed that I've seen.)

I see as a possibility also, with or without them, the possibility if not the probability of felony charges being filed and considered and a step toward solving the crime itself. If this would work I'm prepared to go farthur. Hastily,