

Mr. Tony Marro
Newsday
Long Island, N.Y. 11747

2/20/85

Dear Tony,

When I did not accept your invitation to phone but wrote instead it was to enable you and Les to think, not merely react spontaneously. I do this again.

Unless it is killed, the use of some of that material I asked you not to get interested in then is now scheduled. It will be in the briefest form and it may or may not attract wider attention. I think it is worth serious attention and I hope you do when you see it.

If you do I can, I believe, be of help. It can be fleshed out into something worthwhile with what I can provide and with what quotable sources might well be willing to say when they learn what they did not know.

Les, for whom I enclose a copy, has what I refer to, the attachments to the addition to the en banc petition I filed. I hope that in the coming week you and/or he can find time to read them.

I'm sorry that what I filed pro se as it relates to government lawyers and agents and the courts did not seem newsworthy to you. But you are not alone in this. But it does seem remarkable to me that nothing has been rejected although the later and related DJ/FBI en banc petition was rejected promptly. Ordinarily the appeals court frowns, its word, on requests for greater length, late filing and anything not in the case record. I've exceeded the maximum length twice, filed late once and did provide new evidence - and only the government's petition has been rejected.

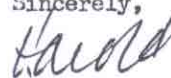
Jim Lesar and I had only a moment to discuss the situation because he was about to leave the country. While we have no way of knowing, he thinks that it may be that the full court has designated a lawyer to go over the case record in the light of the serious charges I made. When I used it, after some thought, I knew that the courts abhor use of the word "lie" but I hoped it would attract someone's attention. Maybe it has and maybe they are taking time to clobber me with more care.

But I'd like you and Les to think about this in its potential if they are not taking time just to be less vulnerable in a new clobbering. Can you, with all your Washington experience, recall anything like what it would be and mean? And, if you've read what I sent Les, you know I have them dead to rights on deliberate lying to the courts, district and appeals, and the lying is basic to the litigation and its outcome.

When I look up from the typewriter in my small and very crowded office I see, as perhaps Les may recall, a rectangle of marble with an inscription given to me years ago by a student. It is a quotation (or a misquotation) of Andy Jackson, "One man with courage makes a majority." I remember it as "determined man." When I was determined years ago it led to the system working as we were taught in school and Congress amended the investigatory files exemption of FOIA over that earlier corruption. This is specific in the debates. Can an old and ailing man, still determined, still caring, do it a second time - make the system work as it is supposed to work?

If in the end I do not the crooked government will be collecting my Social Security checks for a while and will have established several evil precedents to use against others.

Sincerely,



Harold Weisberg
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