

In Conclusions

1. The first part of the paper is devoted to the

study of the properties of the

operator T defined by

$Tf(x) = \int_0^x f(t) dt$

on the space L^p .

The shyster in Posner was overt when he was faced with criticism on the computer ~~new works~~ networks. Moving from then that one man had been denied access because another had threatened to file a libel action against him, Posner headed ~~one of his responses~~ "POSNER WARNS OF LIBEL." His October 17, 1993 threat was sandwiched between ~~trips of about 10 days each from what he said.~~

He began by characterizing criticism by David Scheinas as "misleading and potentially actionable." Scheim is the author of Contract on America: The Mafia Murder of President John F. Kennedy. (New York, Shapořsky Publishers, 1988)

^oWrite the "potentially." What Scheim said is or is not actionable to a lawyer, which at least by education Posner is. "notice"

In the next paragraph, he serves "note" that he is turning what Scheim said over not to his ^wlayer but to "independent counsel." Independent hell! If Posner is going to do anything, as he is not silly enough to do, he will have his own and very partisan lawyer. There is no "independent counsel" in a lawsuit.

^{He}Then qualifies what he says in inferring libel, "to determine whether his inflammatory language that characterizes my work as 'journalistic fraud' and/or 'journalistic misconduct' constitutes libel." ^{Again!} ~~Again~~ he does not say that it ~~does and lay~~ ^{is libel} ~~lay himself open.~~ His next ~~pi~~ statement that is meaningless except as a threat to others is "I shall not allow someone like Mr. Scheim...to damage my ^{professional} reputation with his actionable language."

There he does say that what Scheim said is actionable. But there is no word of his filing any suit against Scheim. ^{on his publisher}

Next he pontificates, with language he does not in practice follow, "It is the duty of good researchers to carefully examine a person's credibility across the board. ...I have carefully examined each of the nearly 200 persons I interviewed, and cross-checked ^{the} information I received against available documents ~~and~~ ...I never printed something ^{just} (because someone told me ~~that~~ . I omitted (what) I did not consider... absolutely reliable. In the final analysis the reader must trust my professional analysis and reading of the witnesses I have interviewed, and the material I include..."

2

What a bald-faced liar! As we have seen.

There are no more "available documents" that he had free access to here. Did he "cross-check" or do any kind of checking with that weird ^{collection} ~~colleges~~ of zanies of the extreme of the far right, like Bringuier and ^{Dud} Badaeux? ~~He~~ he check what he took and presented as his own work the faulted work of Failure Analysis with the records I have, he knew I have, and include the official testing of the ~~se~~ ballistics evidence or anything else, more than enough illustrations of which are in this book?

As from his law school alone Posner should know - and he has no other real experience in the law other than as a clerk working on discovery material - for him to be ^{able} to allege malice, ^{To sue} as a "public figure" he must show "malice." He makes no showing of malice against Scheim's criticisms.

And then there is what non-^wlayers generally are not aware of, in seeking damages he has to submit to examination of his reputation ~~and his reputation~~. He will be ruined by seeking damages, as this book also makes only too clear, ⁱⁿ with his reputation ~~damaged~~.

The reputation Posner made for himself ⁱⁿ is this indecency of his commercializing and exploiting the assassination is one that cannot be damaged more than he has himself damaged it.

So, even if he had been libelled, which he had not been and he is careful not to allege that he had been, how much can he and his lawyer hope to collect with the public spectacle he has made of his intended, omnipresent dishonesty ⁱⁿ his mistitled, scandalous book?

What he undertook to do in his threat is intimidate others against criticizing him and to mislead those who were impressed by his book and did not know enough about the subject matter to recognize it for the atrocity it ^{is} into believing that they can trust him, depend on his word.

As he allows himself to get carried away with himself he says that "hundreds of researchers" have attempted to and failed to find flaws in ~~the~~ ^{of} book, and that no critics have "attacked" it and "invalidated the core of my book."

He adds that arguments against it are "silly."

The reader^s and history - are now in a position to judge even if they had no access to the many valid criticisms of him of which he certainly knew, criticism that were published, some addressed to him.

His concluding threat is carefully "iffed." It is that "I... certainly will do everything in my power to validate my legal rights ~~if~~ if (emphasis added) they have been trampled on...."

Going back to that ~~malarkey~~ Posner's malarkey about his conscientious "cross-checking" and all that other baloney about his allaged diligence in publishing only what is "absolutely reliable," I remind the reader again that before reading ~~the~~ ^{his} book, having been told that what he says about me is without any sourcing, I wrote him on August 27 asking him for those sources he doesn't give, ¹disputing what he attributed to me and asking the source for that and asking him why he did not include Oswald in New Orleans in his bibliography. I told him that what he used from it to criticize me is uniquely ^ofrom it.

Elsewhere I address his lies in public about this when he was asked the same question, why does he not include Oswald in New Orleans in his bibliography when he uses from it what appeared in it alone.

He was questioned about his accuracy, accuracy at the very least, on August 27 and he has yet to respond. ^{Yet} ~~But~~ he says he has not been questioned.

~~By~~ ^{This is the man who} ~~But~~ he says the reader "must trust" him.

Trusting him is like anesthetizing ^{2/11/6} ~~him~~ all the chicken/ and then putting him ~~inside~~ inside the chickenhouse ⁽¹⁾

Subj: POSNER WARNS OF LIBEL
From: Gerald Posner
To: ALL

73700,2626

Section: Books & Articles
6441, 2 Replies
Date: 17-Oct-93 22:51

I have just picked up my CS messages for the first time in ten days, and although many of the "criticisms" directed against CASE CLOSED during the past six weeks have gone beyond the pale of legitimate debate and discussion, none have been so misleading and potentially actionable, from a legal standing, as those made by David Scheim, regarding my use of some quotations from personal interviews with former Dallas entertainment reporter, Tony Zoppi. I will not be near a computer for another nine days, so I will not be able to further respond until the end of the month, but I wanted to post this note immediately for two purposes.

1) I intend this note to serve as immediate notice to Mr. Scheim that I am turning over copies of his correspondence on the forum, as well as the press release created at his direction, to independent counsel, to determine whether his inflammatory language that characterizes my work as "journalistic fraud" and/or "journalistic misconduct" constitute libel. Mr. Scheim's analogies to instances at the Washington Post, where an article was fabricated, is further evidence of his intent to scurrilously attack my work. As an attorney myself, I can assure you that I shall not allow someone like Mr. Scheim, who is so cavalier with facts, to damage my professional reputation with his actionable language.

2) I only have a chance to summarize some brief points here, but basically Mr. Scheim is furious with Tony Zoppi and my use of him because Zoppi contradicts the very heart of Scheim's work. As with any serious historical work, the writer/researcher must make his own judgments as to the credibility of a witness. In many instances, a person may be truthful in some of what they say, and not in other instances. It is the duty of a good researcher to carefully examine a person's credibility across the board. Many of the witnesses in the assassination present the same problem, from Lee Oswald, Jack Ruby, Marina Oswald, Delphine Roberts, etc, etc. In CASE CLOSED, I have
[continued in the reply]

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From: Gerald Posner
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73700,2626
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Section: Books & Articles
6442, 1 Reply
Date: 17-Oct-93 22:51

[continued from message number 6441]

carefully examined each of the nearly 200 persons I interviewed, and cross-checked the information I received against available documents and other interviews. I never printed something just because someone told me. I omitted information and interviews which supported the final conclusions of my book if I did not consider them absolutely reliable. In the final analysis, the reader must trust my professional analysis and reading of the witnesses I have interviewed, and the material I include from those interviews in the book.

It is critical to note that I have no doubt about the complete accuracy and veracity of the statements to which Zoppi comments in the book. All he says is that Ruby was a real low level loser, had a terrible temper, and not a person the mob would ever trust. If Scheim is correct (and you should note that his information about Zoppi and organized crime is one built, at best, by guilt by association and insinuation) then Zoppi is even in a better position to draw his conclusions since he would have known both Ruby and the Dallas mobsters.

Moreover, while I consider Tony Zoppi's insights into Ruby to be good additions to the record, Zoppi is a very minor part of my overall work on Ruby. To say that the very heart of CASE CLOSED is tarnished because I quote Zoppi is preposterous, and shows the panicked overreaching that Scheim, Wecht, and others are apt to do. The very same points as those made by Zoppi are also made in my book by many of Ruby's employees, assistant district attorney William Alexander, and Ruby's brother, Earl. Mr. Scheim wants to ignore the people who really knew Ruby best, and instead rely on unsubstantiated raw intelligence in government files, material that is notoriously unreliable. CASE CLOSED has one of the most detailed presentations ever of Ruby's actions over the assassination weekend, and uses numerous sources not only for that period, but also in investigation of Ruby's biography. Remove Mr. Zoppi's

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Section: Books & Articles
6443, 1 Reply
Date: 17-Oct-93 22:51

[continued from message number 6442]

comments from my book, and any reader would still reach the same conclusion that is now drawn - the overwhelming evidence is that Jack Ruby, for his own warped and personal motivation, killed Lee Oswald. Ruby's mob and/or police contacts have nothing to do with his murder of Oswald. That Mr. Scheim wishes it was otherwise will not change the facts.

I am actually rather surprised that the greatest argument Mr. Scheim, a leading expert on the Ruby-mob conspiracy theory, could develop against CASE CLOSED was that he was angry I had quoted Zoppi. Mr. Scheim has failed completely, as have the other major critics, to attack and invalidate the core of my book. The central thesis stands despite the attempt of hundreds of researchers to find flaws in the book. I know of no other book that has been subjected to such a meticulous analysis, and still the critics' arguments are often reduced to those as silly as this Zoppi issue. Mr. Scheim is simply going to have to learn to live with the Zoppi comments because in the final analysis they are true, and as such, have a valid place in the historical record.

I was rigorous and consistent in selecting information contained in my interviews with Tony Zoppi. I resent any insinuation to the contrary, and certainly will do everything in my power to vindicate my legal rights if they have been trampled by Mr. Scheim's contentious and careless use of language.

Gerald Posner