Dear Jerry, 9/1/94

In my Case Open I refer to Gerald Posner as a shyster, a literary thief, a know-it-all liar and a man who has trouble telling the truth even by accident.

The sole ~~re-pense~~ defense he is able to make in the Anchor reprint of his ~~kaxxingly~~ admittedly mistitled Case Closed is, in full:

"Harold Weisberg, one of the deans of the conspiracy press, found his first publisher (he had previously self-published six conspiracy books) to bring out a book titled Case Open, a broadside attack attempting to diminish the impact of my work." (xiii-xiv)

He also says my sales were "dismal". (451)

And he refers to himself as "the Salmon Rushdie of the assassination world."(page xiv)

He is in fact its Clifford Irving!

Carroll & Graf is in fact my sixth publisher. Editions of several of my books have been published commercially 13 times, some originally.

Rather than being the first by Carroll & Graf it is the third they published, with the fourth scheduled for March.

My Whitewash, the report in the Warren Report, rather than having ~~the~~ "dismal" sale went through five of my own printings, the smallest of over 5,000 copies and the last of over 8,000 in only a few months before Dell's first of four reprintings of it was of 250,000 copies. (How "dismal" can sales be when that one Dell edition was ever so much larger than all of Random House's printings of Posner's book?)

Whitewash was also published in England and in Italy. It would have been published in Germany, too, if that publisher's mail had not been intercepted. Nooh of it ever reached me. (I'll use Fischer, H.G.)

One change Posner had to make for the Anchor reprint was with one of his plagiarisms from the work of Failure Analysis Associates. I exposed that in Case Open including with its letter to me. (pages 59-64) In his lengthy footnote on page 317 he still fails to acknowledge that he did plagiarize that work and he grossly misrepresents the side of that work he pretended did not exist, the defense side, as the letter to me leaves without

any question at all. Random House defines plagiarism as,

"1. Appropriation or imitation of the language, ideas and thoughts of another author and representation of them as one's original work; 2. Something appropriated and presented in this manner."

This particular Posner plagiarism was so successful the Philadelphia Inquirer ran an editorial praising him for going to all that trouble and expense.

Random House defines shyster as,

"1. A lawyer who uses unprofessional or questionable methods; 2. One who gets along by sharp practise."

Here is what I wrote about this (page 173) that is one of the innumerable proofs that Posner is a shyster and what forced him to his further indulgence of that of his many skills for misrepresentation in which he still does not admit that he used that work as his own:

> There are few people bolder than Posner in his dishonesty, few who respond to criticism by making personal attacks on those who criticize him more than he does.
>
> One of the many illustrations of this is when Dr. Cyril Wecht, to Posner's face on CNN, said that Posner had used Failure Analysis's work as his own. Posner launched a false and a personal, attack on Wecht instead of addressing the obvious truth Wecht spoke. That was, as Wecht soon proved, a false attack—another Posner lie. But in responding to Posner's false attack Wecht used up all the time, Posner got away with it and was even able to add to his lies that Wecht had "distorted" in telling the literal truth.
>
> Posner got away with the same thing in a letter to the Washington *Post*'s weekly Book World section. In a perceptive review, reporter Jeffrey Frank had noted the same factual and truthful criticism that Posner used Failure Analysis' work as his or for him. Here is Posner's response, which is not only not a response but is a carefully-designed lie: the *Post* accommodated him by publishing it in its December 12, 1993 issue:
>
> "The insinuation that I claimed that FAA's enhancements were commissioned for the book is false. In the book, the citations to FAA's work and Dr. Piziali's testimony refer to the 1992 ABA mock trial which is a matter of public record."
>
> In this Posner intended to lie, having no real choice.
>
> *There is no mention in his book of the American Bar Association or its mock trial or* of "testimony" there by Piziali!

> If Posner had mentioned any of that he could not have gotten away with his studied pretense that all that work was for him. That the mock trial was a matter of public record is irrelevant. Posner's shyster-like reference to it here is to say that he told all of that in his book, which he did not.
>
> Had he, he would have exposed himself and his book and he would have killed it in the writing.
>
> He is clever at such deceptions and his practise of them never ends.

(Dr. Robert Piziali phonied up the obviously faulty ~~xxxx~~ prosecution side of the case that was presented to the American Bar Association 1992 convention as an illustration of how lawyers can use modern technologies. Posner demonstrates how lawyers ~~and~~ can mis-use those technologies.)

The plagiarism is one of the two bases for Posner's work. The other is his representation that Oswald was a born assassin awaiting his historic moment. His source on this is a New York shrink, Dr. Renatus Hartogs. Hartogs examined Oswald as a little boy truant for New York City.

~~Mr~~ Posner and his Random House editor, Bob Loomis, who is also its executive editor and vice president, both insist that this new psychological version of Oswald is what is most important in their book. Hartogs' is Posner's sole basis for it from both editions:

> Hartogs's diagnosis was "personality pattern disturbance with schizoid features and passive-aggressive tendencies. Lee has to be seen as an emotionally, quite disturbed youngster who suffers under the impact of really existing emotional isolation and deprivation, lack of affection, absence of family life and rejection by a selfinvolved and conflicted mother."[65] Although Hartogs thought he "was quite clear" in emphasizing Oswald's potential for violence by "the diagnosis of passive-aggressive," he did not explicitly state it since that would have mandated institutionalization. Instead, he recommended that Oswald be placed on probation so long as he was under guidance, preferably from a psychiatrist.* (Page 13)

This is in the reprint aft er Posner read what I wrote about it in Case Open:

"Posner begins his book with his fabrication that Oswald was that born assassin. At the very outset, in carrying this fiction forward, he says that Oswald was so pleased with himself after assassinating the President he 'smirked' repeatedly." Posner repeat-

edly says that, using that word twice on page 4 alone, for example.

"I checked all Posner's sources out. Like Renatus Hartogs. Posner cites their Warren commission testimony. Not one of his claimed sources used that word or even suggested it!" (page 174)

After having his deliberate lie called to his attention in Case Open, Posner repeats it in this reprint.

That same question came up before the Warren Commission. Wesley Liebeler is the Commission counsel who questioned Hartogs:

> Mr. LIEBELER. It would not appear from this report that you found any indication in the character of Lee Oswald at that time that would indicate this possible violent outburst, is there?
> Dr. HARTOGS. I didn't mention it in the report, and I wouldn't recall it now.
> Mr. LIEBELER. If you would have found it, you would have mentioned it in the report?
> Dr. HARTOGS. I would have mentioned it; yes. I just implied it with the diagnosis of passive-aggressive. It means that we are dealing here with a youngster who was hiding behind a seemingly passive, detached facade aggression hostility. I mean this is what I thought was quite clear. I did not say that he had assaultive or homicidal potential.
> Mr. LIEBELER. And in fact, as we read through the report, there is no mention of the words "incipient schizophrenic" or "potentially dangerous" in the report.
> Dr. HARTOGS. No; I don't know where she has it from, but these are my words. I use it in other reports, but here it is not.

Posner did quote Hartogs' Commission testimony- both sides of this page but not this page, it is in Volume 8, page 221.

The report referred to is the one Posner claims as his source!

If when Posner was here and had free and unsupervised access to all my files he had looked in my Hartogs file he would have learned, assuming he did not already know it, that Hartogs is one of those shrinks who got freesex from his women patients. Free to him, that is. They paid him for it!

Until, that is, he was forced in court to pay one of those women $350,000 for it, as the New York Times of March 25 and TIME magazine dated March 20, 1975, both reported,

The totality of deliberate error and dishonesty in Posner's formule book- he even admitted he saw a market created for that side by the Oliver Stone movie JFK - the formula of which required dishonesty - is the only thing that made Posner's book possible, as I document in Case Open. Case Open which he read and is not truthful about in his lies about it, a few of which we have seen above. My original manuscript was of at least 200,000 words

When I decided that enough is enough, without exhausting the opportunities the totality of Posner's deliberate lying and misprepresentations afford.

There is one, however, that is too rich to overlook.

Posner and Random House both boasted of his use of modern technologies not available to the Commission. On reprint pags 320 he refers to some of these as "enhancements " of the famed amateur movie taken by Abraham Zapruder. In his account of how he discovered his alleged timing of the shooting in those "enhancements" there and on the next page.

I cite the reprint, which is identical with the hardback on this, because after the hardback was out and while Posner was correcting innumerable minor errors he made no change in this.

And that after I exposed it in Case Open (~~pages 28-9~~) (28-9) as cribbed from the inaccurate work of a 15-year-old boy!

When that boy, David Lui, was a freshman at Brown University he wrote a lengthy article on his assassination research. It was syndicated by the Los Angeles Times. Lui is from that area.

If this is not enough for a self-portrayal by Posner, what makes it even worse is that he not only did not use any "enhancements" other than of what Lui wrote, he did not even examine that film itself!

Lui said what he saw in the film he saw with the naked eye, not "computer enhancement" posner claims he used.

Posner bases his timing from all of this on his saying that a 10-year-old girl is shown to react to the first shot fired in the assassination by turning and looking at its alleged source, the sixth floor of the Texas School Book Depository.

She does not!

Because of the curve of Elm Street at that point, without precise analysis, which is not needed, it is not possible to say with complete accuracy where she is looking. But the film shows her looking not upward at all and either to the Presidential limousine

or over it toward the Grassy knoll.

As I said in Case Open, besides referring to Posner as a shyster, a plagiarist, a liar who has trouble telling the truth even by accident and other no more complimentary things, his is the most deliberately dishonest of all the many books that commercialized and exploited the JFK assassination.

He has made no complaint or protest to me, nor has his publisher or any lawyer speaking for either of them.

And now he conforms my Case Open against him all over again in his reprint in which he did makes changes, one cited above based on my exposure of him and his plagiarism and lies, while leavin those lies I exposed in his reprint unchanged and unchanged.

He had no choice. If he eliminated what I referred to as his deliberate lies and misrepresentations he would not have had any book remaining at all.

It is that deliberately dishonest.

Salmon Rushdie?

Move over and make room for the new champ, Clifford Irving!

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As so often happens, Jerry, as I wrote this it grew into what I hope some publication can get interested in. It is, I think, the major publishing scandal of our time - and except in my book which he cannot and thus does not dare try to refute, it is unknown and unreported.

I add, in the event you may know someone in New York who might be interested, that although I did not check my copies of the Zapruder film, having given them and all my slides that I used in appearances, along with my other movies, to Hood College, where all my records will be, a man who read Case Open sent me a slow-motion version of the Zapruder film for research on a VCR cassette. He studied it. I did not, not needing to now. His interpretation is that the girl and others are actually looking toward that knoll. He is Richard Harrell, 78-23 73 Pl., Glendale, NY 11385.

Before returning it to Harrell, I loaned it to Hood, which has a dub in the library

for students to use. I know its antecedents and in fact go into that in my almost completely drafted Inside the JFK Assassination Industry.

It was made professionally for the man who stole from NBC-TV its print that was made either from the original or from one made from the original. So, it is quite clear.

It may also interest you to know that in an unsuccessful lawsuit filed against Posner and RH over the unauthorized use of a face in an ad an affidavit coming entirely from Case Open was used to refute the cheap trick used to influence the judge, giving him a copy of Case Closed and a thick stack of reviews praising it. By those none of whom checked him out. There was not even a gesture at refuting that affidavit. And it is written as vigorously as my book and this letter.

Best wishes,

Harold

Harold Weisberg

Are you beginning to get a notion of the riches of the information for Inside the JFK Assassination Industry? And the need for that information to be known?