

6/27/70

Dear Bud,

Here is a copy of the Washington Post story on the Department of Justice blinking when we had them eyeball-to-eyeball for James Earl when you see him. I do not know whether you were in town when the story appeared.

There is a carbon of this note for him. I think I have discovered another large and important lie in the federal statements. Rather than say what it is and thereby direct your thinking and his, let me instead suggest that you ask him to tell us every letter he wrote to every government official, of any government, any unit.

If he has copies, then we should examine them. If he doesn't, perhaps he can recall what he said or asked or both.

The one clue I think cannot influence either of you and may encourage him just a bit is that if my suspicion is correct, then this relates very much to the conscious and deliberate denial of his rights.

Now that he has read my work, if he'd care to call to my attention anything he regards as a major error or any areas in which he thinks I might do more work, I'd like to hear about it.

Sincerely,

Harold Weisberg

6/10/70

Dear Bud,

Thanks for the copies of the papers filed in court in our action. Glad to have a complete set. I've done an article on it for the National Enquirer, which will make it conform to their style before publication, date not yet set. I'll let you know when I know. As of now, because they are paying me for it (slight as their rate is) I'm looking for no publicity on it and, in fact, inclined to shun it. Once out, it does provide a forum for other things.

Should not there have been a copyright notice or patent mark on your "motion For Case to be Set at Head of Docket"? My contact with the law and its forms is slight, but this is a motion of which I'd never heard before! Which makes it even better!

I've sent you my letter to Rolapp. No response yet. Mitchel did reject appeals on panel raw materials, spectro only. I'll bring copy in. You know his unusual letterhead. Well, he also has spotted envelopes to match!

I have gone through the FOI Center report. Several of these cases look like they may be relevant. I list them below in the event it presents no special problem to you to get copies.

Under Appeals Court, the 3 and 8 items: Skolnick v. Parsons 397 F 2d 759 (1968); and Amer. Mail Line Ltd v Gulick, 411 F 2d 696 (1969)

Under District: (2), Shell Oil and Shale v. Udall, CA67C321, rule 9/18/67, appeal 9/25/67; Benson v GSA 289 Supp 590 (1968); (12) Matonie v FDA, CA No 479 -68, prelim motion injunction denied 4/8/68, gov't motion granted 5/8/68 DC for DC; (19) Epstein v Stanley Resor 296 F Supp 214 (1969); (20) Consumers' Union v VA, order 7/10/69.

Under Pending: (13) Rayner & Stonington, Inc. v US FDA CA No. 68-1995, order 8/14/69.

There are several items I'd like to go into with you in detail when it is possible. Until then, may I urge these things upon you: get copies of all of Huie's letters to Ray (I have far from all and only some relating to money), and any of Hanes' and Foreman's. Ask him to write out in detail his account of "Raoul's" flight and dropping of the stuff, his position and that of the car, and since you do not know why, you cannot tell Ray if he asks. It is important, I am certain. I want to avoid any possibility of feedback, which I am certain you also do. I already have something here and he may make more important to him quite possible. He may not know the significance of what he can say and at all costs I do not want him to have any idea why I want this, for I was whatever he says as untained as it can be (and not for publication, for your use ONLY and in court at the right time. Get from him as detailed as possible a description of the second man, the one with Raoul, when he went to Mexico. And you should be able, despite the court's recent ruling, to get all records of all prints found in the flophouse, on the various items, including especially what might be overlooked, the car and the butts and other items like these in the car.

Let me know when we can get together and I'll come in.

Sincerely,

I'd like the copy of the new pleadings whenever possible. I'd like to be able to go over them to know what you used and how and of the new ones of which I had no advance knowledge. From the brief item in the S-1. I think your defeat was a success

4/18/70

Dear Gary and Paul (to go no further than Hal and Jim-or the Whites),

When it was too late, the other counsel sent Bud the utterly unimaginative and entirely incompetent document they had prepared for the next Ray action, scheduled for the coming week. Bud phone me yesterday, asked to abstract from both COUPs what I regard as viable legal (as separated from evidentiary and factual) point to include. I did a hasty, unorganized memo for him. He spent most of the day here (Lil's birthday, too!) and, while we didn't go over all the points, I am comforted that he is in agreement with all we did discuss. There will be a fresh approach for the first time, a documentation of the real deprivation of rights and of what amounts to a conspiracy against the client by all the lawyers, of the violation of the canons by all lawyers on both sides and by the judge (Bud flipped over the Battle and Foreman stuff, which he hadn't read).

If there is time for me to go over what he prepares, I'll do that. Unless he wires for and gets an extension, there will be no time. He has my last extra copy of both parts of COUP, including Ch 18 and appendix and will pay Paul for making me another. There is no rush, Paul.

This will, I think be an aggressive approach, not an apologetic one, a vigorous attack on everyone involved, including the public defender (State employee, please note), all documents as you know it is documented, all improper, not designed as defense of the accused, all denying him his rights. He will insist the competence of counsel is not the issue, that performance, complications and the most greivous and inexcuseable conflicts of interest are, that the denial of Ray's most fundamental rights was the only manner in which these lawyers could milk him for the anticipated enormous sums. To this end he is now armed with the evidence I had, including Foreman and Huie on tape, of which we made dubs.

Fact is, I haven't yet had a chance to read what I wrote, not even to correct typos. However, it was simple to pinpoint and present him with everything he wanted, thanks to the excellent index, still on cards and not quite complete, that Lil has made. I hope she can complete it soon.

I can make you no promises on the outcome, but I'll try and keep you posted. However, it now looks as though the Ray defense is COUP II. If the new trial is granted, and there can be more steps before it is if the ruling is favorable, I then anticipate the defense will be buolt around the other element of COUP II, that dealing with fact and evidence. What a career for a book that cannot be printed!

Gary, the enclosed letter to Chris is for any comment you may want to add, with a carbon for you. I had to be forceful. I will waste no more time with him. The difference between him and Epstein is that he apologizes.

Hastily,