

7/26/77,

Dear Howard,

Tells you how I'm feeling.

Your 7/19

I saw a good local doctor this a.m., got about as much reassurance as he can give, then this afternoon took less of a wallop than before and had a different and disconcerting reaction that lingered. I'm anxious for Monday to come when I have an appointment with a real specialist. Good enough to have been called in for a surgical consultation with Nixon.

Too early for ~~work~~ bed and I'm not concentrating well enough for other work so I'm catching up on small things.

I received several other FOIA things from you. They called for no comment.

If Jim has had any contact with a nice woman in the DJ Office of Legal Counsel office I do not recall his telling me about it.

He seems to be working well with a woman in the FOIA litigation unit. She is to become head of that litigation unit. Axelrad is moving to torts.

I hope that what this means is that those who are in DJ and closer to the word from the AG's office have come to believe that maybe he means what he said <sup>May</sup> 5.

It is Jim's belief that she really would like to work things out and get this long and nasty King case over with.

This part, the stipulations to which I've made some additions, really seems to have started with an FBI supervisor. He had put much time in on this, had been getting what you have seen is some pretty hard stuff from me, and then got a dose of the AUSA in court June 30. He started working on stipulations the next day, after a rough session he and two of his and an FBI OLC type. He came to realize with a Vaughn v Rosen facing him that he had to and that he had to bypass the hardhead, hardmouthed AUSA to do it. We think he may have. The Dugan can fight for the regular divisions. And they can dance the Vaughn v Rosen tune.

They, meaning Jim, this woman, Lynne & Zusman and an OPR person, are meeting on the stipulations Thursday. Jim has come to see that aside from what he has gotten, which we should have gotten in 1996, nothing remains but what is covered by 1996. He may work out a deal to dismiss that case if they'll stipulate to supply in mine. If OPR does not want to do it there seems to be little point in going there except to perhaps get a feel.

There is no rush on the affidavit. Jim will say when there is.

Bill is over-working to retype a very long affidavit for 226. I have to move that from where it is and where Jim and I are. I think I probably sent you a copy of what I wrote him on this. I have a faith in the making of records that lawyers, from a long tradition of corrupting, misusing and failing to make records, do not ~~share~~ share. If there is a record it can be used. If there is no other course, make a record. If the record is made, try to use it. If nothing else Dave will use this one.

Bill has just quit for the night. More than 180 paragraphs retyped so far. I'd have liked to have cross-referenced them but there was no time. Not quite a dozen and a half exhibits. I think some may attract a little judicial attention and that they are relevant.

Glad you are so happy in your new job, with its nice typewriter.

Best,

Hope Duane is happy in his, too.

7/19/77

Dear Harold,

Just a very quick note. A very nice woman lawyer from the Office of Legal Counsel, DJ, called about my request re you, and asked if I could provide a release from you. The OLC has been the most cooperative with me so far. I wrote the attached release so that it could cover all the DJ requests without having to make out a separate one for each office. If you return it to me signed, I'll send you and JL copies.

By the way, assume from now on that any FOIA things I send you I've also sent to JL under separate cover. I hope this will be more convenient for you. Thus, the FOIA things enclosed have also gone to JL. I didn't know if you had Bell's letter and thought it would be important to you.

I'll prepare an affidavit soon and have it notarized. Please understand I'm very pressured right now--bar exam in a week. I have found out that I passed the first part, so I am relieved to that degree.

Just a cautionary note re your estate. I get the impression from what you write that even if you do not have a will your expressions of your desires contained in letters to me, JL and others will have legal effect. This is not true. If everyone concerned agrees, then there is no problem. But to make your testamentary desires legally binding, you must make a will in conformity with statutory requirements--signed by you at the end and witnessed by 2 people, preferably who have no interest. Some states recognize holographic wills w/o witnesses, (I don't know if Md does), but to be valid it must be entirely in the handwriting of the testator. So it may be to your advantage to have JL draw up just an interim will properly executed. It is a difficult thing for me to talk or think about, but I know how serious you are in your desires and I don't want to see them unfulfilled when you are not here to enforce them.

Best,

*Howard*