

Dear Jim,

10/22/88

Excellent job in what you've filed in the Zapruder suit. Really fine! And to a layman, quite persuasive. Unfortunately, there was, as is inevitable, haste, and there are a few minor errors, including in Chip's excellent Declaration, and a few omissions some of which I think you can and should use, I'm sure effectively, when there is occasion.

And if a nonlawyer can presume to give advice to a lawyer, note depositions at the first possible moment. He'll cave, knowing how embarrassing it would be for him to have to testify and now for that prestigious law firm with which our friend Hoffman was once associated. Him and Dove. Like his father, he'll inevitably paint himself as greedy, with this the least of his sins.

I think you should have alleged greed and sycophancy where his personal career and income can benefit from his suppression of all uses not in support of the theory of the government before which he is in constant litigation.

I read and annotated the copies as soon as I got them and I'll continue with that. But first I don't want to forget and so you'll understand, I have stuff on file you can possibly use and some you forgot. He wrote you and it is not just belief that the copyright claim to be posed on the film is 1967. I'll enclose that with the other things. Also, again so I won't forget, the Archives make prints of frames of the Z film for me and I have one in my Z file. In the office. I'm sure there were more.

motion, page 1, line 2, delete "s" in "moves."

Memorandum:

Page 2, last graf: I hold the 1965 copyright, not Dell. I also made extensive use of the Z film in Whitewash II, which preceded the other works you cite here.

Page 6, line 8, KRON in NOT ABC. I think it is NBC.

Page 7, line 6: This I think you should correct before the judge makes improper use of it against you. It is not at frame 202 but in the "lost" or sprocket-hole material that Willis is seen at 202. (And it is not the material "between" the sprocket holes but what is between and outside of them.)

End of Graf 1; or my note is, belonging in next graf: Henry Zapruder agreed to this much earlier, as part of C.A. 78-0322 about which I'll enclose FBI records. I did write out the agreement he asked for and sent it to you much earlier than 1987. It is not in my office Z file so I presume it is in the 0322 file. You should have a copy. You later returned to this when he was not responsive. I have no reason to think you forgot to send it to him or notify him. I assured no commercial uses.

Page 11, general comment: the only uses ever authorized by Time or Zapruder are in support of the official account of the assassination. At first Time selected the frames it would sell. This is, I think, significant re First Amendment and the right of the people to know other than what government alleges, particularly in a crime of this magnitude. In this, whether or not he so intended, Zapruder was serving personal interest in that as a tax lawyer his business and the interests of his client and his income are not endangered and can be enhanced by his misuse of copyright to deny any use of the film not in accord with what the government wants to be said and believed.

Page 12, line 5 up, "and its investigations." Inserting this can be important, not now in this filing but in what you say hereafter in what follows.

Page 17: you go back only 13 years in uses of Z film. I first used it, copying from the WC volumes, in 1965. I also used other frames, also copied from the volumes, on TV from coast-to-coast, without a murmur from Time or Zapruder.

Page 19, three lines up, in your thinking and later arguments add to the thought here, "Any possible harm to the Zapruders comes from their greed only." When Chip offered

100% of his gross (boy was he nutty!) and they refused that, what else could it be, other than the omnipresent sycophancy?

Draft of Order, page 2, last line, "m" omitted in "Film."

Complaint, page 9: graf 37: I think your accounting is incorrect of the copies made 11/22/63. Of the three made in Dallas, I know one remained with Abe Z and I think that two were given to the Secret Service, which sent one to HQ that night. Life also then made an added copy, they said black and white, in Chicago. (See below)

Chip's page 10, in "c)", line three and later, it is not ~~W~~Pix but KPIX.

Now for the enclosures, selections from my office Z file. I've not checked the basement subject file, which should hold more, in the belief that you'll later know better what if anything you need or can use. Maybe you'll be here. Also, I've not checked the Dallas index, which should be done.

The late Meyer Silverman was a dear friend of Lil's and mine, beginning in about 1935, and he was our dentist until his death. Henry Zapruder also was his patient. Meyer offered to ask Henry to see me for me and he sent me this note in which he reports that Henry said he had nothing to talk to me about.

Next is the correspondence relating to the Z film and 78-0322, dated long before the correspondence you refer to. There is more, as I indicate above, what I did agree to and sign then. I've not reread my memo of 8/7/82 but I do presume that it was after this that I engaged in the agreement. As I now recall in any event.

62-109060-1094 confirms my recollection that SS got two copies of the film and we've long known that it loaned one to the FBI, referred to herein. This also establishes that it was within 0322 and this is what led to the negotiations to which Z agreed and then did nothing about, in 1082. *I also handled and made envelope on the Z film.*

62-109060-1132: It may be of interest to Chip that the FBI claimed to be able to make only a "rough approximation" of when the shots were fired. *(and you in argument)*

Serial 2366 may interest him more, in part because there was then disagreement within the staff on when Connally was hit and because the FBI did not admit there was a missed shot that hit Tague/never did, to the best of my knowledge, of the SS. This is numbering that was before Shaneyfelt numbered the frames and there was, I think, a copy of part of the film, with these numbers beginning with the first in that partial copy I've never seen mentioned. This is also the first record I recall that indicates the coming single-bullet theory and Specter is not mentioned among those present. It has Connally alone hit by the second shot.

2480 backs up the argument that meaningful inquiry requires frame-by-frame study. The FBI itself says so. And on exactly the point Chip addressed. ^{mem}This makes me wonder if the FBI has the slides and made copies for the Commission, whose records indicate that its slides were provided by Orth.

In any contact with the media I think we should say that by misuse of the copyright Zapruder was acting as a partisan, almost as an agent of the government, and that in this role he denied access to those known not to agree with the government.

Lil can't now do copying so would you please give Chip copies if he wants them and send a separate set of what you just sent me to Jerry McKnight at Hood? My copies are annotated and I may need and he may want for his class. Thanks and best,

Harold