Route 12 - Old Receiver Road
Frederick, Md. 21701

April 1, 1977

Lyndal L. Shaneyfelt
6125 Vernon Terrace
Alexandria, Va. 22307

Dear Mr. Shaneyfelt:

I have received your bill for falsely represented expert testimony at $35.00 an hour. Unspeakably arrogant and indecent as is this fraudulent misrepresentation, it is far from your worst offenses against decency.

You misused the processes of the court and the immunity it granted you to make false and defamatory remarks about me that were in no way relevant to the deposition's purposes or the questions asked of you. You said you had wanted to sue me over my writing in one book only, that which deals with the suppression of photographic evidence in the so-called investigation of the assassination of an American President. You, of course, were the photographic expert in that "investigation."

Your purposes were obvious, to try to poison the well of information available to judges and to pretend that I do not know what I say, that I have some kind of insidious ulterior purpose in an entirely unpaid labor of many years.

Now that book was published ten years ago. It was the third of the books in which I addressed your work. Whatever you may have discussed with the Office of Legal Counsel of the FBI ten years ago or at any earlier or subsequent time, neither you nor any other FBI agent nor any Warren Commission counsel or Member nor any other one person of all the hundreds about whom I have written in seven books has written or phoned me to complain of unfair treatment.

In the deposition you claimed a desire of ten years ago to sue me. You'll do that when shrimps whistle from the backs of cows jumping over a green-cheese moon! It would have been improper for me to respond when you pulled what I presume is the practice of a life-time of ex_perience at dirty tricks in the guise of testimony. However, at the end of the session I did tell Mr. Moschella of the FBI's Office of Legal Counsel that if you want to sue I'll be only too happy to waive any statutory limitations. You can accept this letter as that waiver.

I remember enough of what I wrote ten years ago to be confident you will not sue and will not subject to examination what you did and did not do as the photographic expert when your President was killed and you were among those whose responsibility it was to prevent harm to him.

You reenacted the crime = with the wrong camera and from the wrong place. Your reenactment of those six seconds that nullified our system of society was 30 percent in error as a result. You were aware of this error and assured those whose "expert" you were not to be concerned, that you had added a mark to indicate the point at which shots were fired.

Without your years of FBI training and experience, I would not call this charade a reenactment.

You testified to your numbering of the frames of the film of the assassination. In your numbering you just managed to skip from 207 to 212. You described as 212 what quite clearly is not 212 but is in part 212 and part 208. What a remarkable coincidence when in the official account it is at 210 that the President could have been hit for the first time.

On this crucial photographic evidence you testified to a straight-line relationship between this photographer, the late Abraham Zapruder, and another, Phil Willis. You even prepared an elaborate exhibit I reproduced in facsimile. It shows this straight-line relationship between both cameras, with the President between them. The photograph you selected for your exhibit was snapped, by universal agreement and 100 percent of the testimony, after the President had been hit.

Your expert testimony did not include whether or not Willis is shown inthe Zapruder film at this point, as is absolutely necessary for the official account of the assassination to be within possibility.

Nor did your expert testimony to the Commission include any information about what the motion picture film caputred and preserved that is not visible on projection. This is a matter about which in the testimony for which you now claim expert fees you also attempted to obfuscate.

On exposure that movie film caputred 20 to 25 percent more than is visible on projection. This film, between the sprocket holes, also just happened to disappear forever when those four frames were removed from the original. It is not duplicated in the copying process, as you also know and did not testify to. Thus, the one possible means of establishing photographically whether or not Willis was in Zapruder's film at the time he had to be for the FBI's explanation of the assassination to begin to be tenable disappeared forever - and this was not included in your expert testimony.

Without benefit of your years of FBI training and experience, I was able to address this definitively in a manner that escaped your vaunted expertise. I did examine this marginal material, this 20 to 25 percent of the film that you never once testified to when it was your solemn, I think close to sacred, obligation to testify to it. I examined this marginal material in the individual slides made by LIFE magaginze, in those frames that were not somehow destroyed without your giving any testimony on that, either. Examination of the frames prior to those destroyed shows that prior to Frame 210 Willis had taken his picture, removed his camera from his eye and had walked into the street, exactly as he testified.

This means, of course, that his picture of the President after the President had been shot was taken before Frame 210 and on this basis alone destroys you and the FBI's "solution" to the crime.

Consistent with this, you "re-enactment" of the crime was predicated upon that same shot having struck the President in the neck. With this preconception the photographs of the reenactment do show the impossibility of that shot also having inflicted all five wounds on Governor Connally, another requirement of the FBI's "solution" to that most horrible of crimes.

In my continuing work and thanks to FOIA, I was able to obtain other suppressed official evidence. Incredible as it may seem, the FBI never obtained the official certificate of death and in those boasted-of thousands of its reports and the Commission's 300 cubic feet of files there was no single reference to the existence of a death certificate. It was executed by the President's own physician, Admiral George Burkley. I recall no FBI interview with Dr. Burkley nor any indication of any FBI interest in a death certificate. Undaunted, you went ahead with your photographic expertise. And thus you had no interference from the fact that the death certificate shows your reenactment, based on all those years of FBI experience, was a fake. The President was wounded, in the words of that death certific ate, at the "level of the third thoracic vertebra." This is six inches lower than your expertise placed it in your "reenactment."

Without this very special kind of expertise, I am sure you can see the relevance of the foregoing to my continuing quest for the relevant scientific tests, including those allegedly performed on the President's garments.

Memory is fragile and compared to what it was mine has failed. These 13 years, years in which there was no FBI to pay me or reward me with a retirement while I undertook to do as much as I could of what the FBI was supposed to do and did not do, have taken a heavy toll. Perhaps the most difficult of these strains is the emotion of following up on such expertise as yours. My memory may be faulty, but I dot not recall your expert testimony on the Zapruder camera including either its slo-motion capability or the means by which it is activated. The motion of his finger of a fraction of an inch when he was shocked and trembling could have activated the slow motion. This, of course, would have reduced the few seconds of time even more.

Then there is the report of Dallas FBI Agent Robert M. Barrett in which he stated what you as an expert knew could not be true, that Zapruder had told him "the camera was set to take normal speed movie film or 24 frames per second." Your expertise did not include correcting this. Normal is indicated at 16 frames per second. Slow motion is 24 frames per second. Your complaints against me do not include my reproduction of this formerly suppressed Barrett report in facsimile.

These are not all the matters relating to you about which I have written. They also are not all the reasons you will not dare sue me.

I know of no errors in my work, large as my published work is, that do not come from trusting the FBI's word, as with this Barrett report you did not correct.

If what I have published is not enough to give you grounds for suit, then I here add more. I believe you failed in your obligations when you were responsible for part of the investigation of the assassination of a President, with all that means, including the negation of representative society. I believe your failure was not because you did not know better - that it was deliberate - and that the results include the misleading of a Presidential Commission and the deception of a grieving nation.

With these samples of your self-styled expertise, I think it is apparent that you are the last person in the world I would call as an expert witness. And you very well know, as does Mr. Frazier who made the same obscene demands upon me, that I called you pursuant to the decision of the federal court of appeals in its decision in No. 75-2021. While there is other relevant language in this decision, it should suffice to repeat:

> The data which plaintiff seeks to have produced, if it exists, are matters of interest not only to him but to the nation. Surely their existence or nonexistence should be determined speedily on the basis of the best available evidence, i.e. the witnesses who had personal knowledge of the events at the time the investigation was made.

Without possibility of doubt, this includes you, Mr. Frazier and others I should call but cannot begin to afford to call. Without possibility of doubt this precludes, and to the government's knowledge precludes, the possibility that you were called as an expert witness and are in any way entitled to such extortionate fees. Your questioning was limited to a narrow interpretation of the language of the decision.

While I cannot be certain until I read the transcript, I do believe that your testimony was not entirely faithful to fact. I have already inquired of the Archives about the enlargements showing the damage to the curbstone to which you testified. The Archives reports it has no such pictures by you.

Concepts of what is right and wrong, decent and indecent, are individual matters. As a prisoner of war escort guard in World War II I had extensive experience with men whose concepts were radically different from mine. They were men who considered anything done in pursuance of an order right and proper, men who never questioned an order. It has been anything but pleasant to study what is termed the official investigation of the assassination of a President, the investigation of which you were so important a part.

But I must tell you that in a long lifetime of having to deal with the sordid and the wrong-headed, I recall nothing as shocking and to me as obscene as your arrogant demand for payment at $35.00 an hour for court-ordered testimony.

Have you no shame?

Sincerely,

Harold Weisberg

cc; Hon. John Pratt
AUSA Michael Ryan

Route 12 - Old Receiver Road
Frederick, Md. 21701

April 1, 1977

Mr. Michael Ryan
Assistant United States Attorney
Federal Courthouse
Washington, D. C. 20001

Dear Mr. Ryan:

You recall, I am sure, my requests that you cease your persisting and deliberate misrepresentations to courts and deceptions of judges in my FOIA Cases. I believe that on the last of these occasions I asked you please not to do it again because if you did you would force me to make efforts to end them.

What dries you to these lies I do not know, but whether it be the requirement of holding your job or the hope of advancement or any other such motive, you appear not to be able to stop. It is reprehensible misconduct.

It is also costly to me. It is part of a systematic effort to negate the Act, to deny me my rights under it and to interfere with my work.

You have just lied again to Judge Pratt. There can be no accident in it.

You did deceive him. The record will show this damaged me much.

(Perhaps you are of the persuasion that it is right and proper to withhold the fact about a Presidential assassination. This also has been your consistent effort. May your God and your children forgive you; I do not.)

When I receive the transcript of the two more recent depositions I will have the direct quotations I need to do what you force upon me. Unless you have retracted the newest of your lies and undone the damage they have done, I will be raising all of this with the bar association.

I do not insist that you call yourself a liar nor do I expect that you say your misconduct is because it serves the interests of the defendant, your employer. I do expect a retraction that is a full retraction, however expediently you phrase it.

My interest is not vengeance. I am interested in the sanctity of what I regard as the most democratic of laws and the observance of my rights under it so that I may do the work I have undertaken.

Early on I cautioned you that you were on a course that meant you would, in my layman's concept, be suborning perjury. Despite this, you now have <u>three</u> sworn and <u>different</u> versions of a <u>single</u> material fact. There are other similar instances.

Sincerely,

Harold Weisberg

dlp 3/28

Lyndal L. Shaneyfelt

6125 VERNON TERRACE, ALEXANDRIA, VIRGINIA 22307 TELEPHONE (703) 765-1331

March 29, 1977

Mr. James H. Levar
Suite 600
910 Sixteenth Street NW
Washington, D. C. 20036

For professional services in the form of testimony for a deposition in the matter of Weisberg vs. U. S. Department of Justice - Civil Action No. 75-0226 at the quoted rate for expert testimony of $35.00 per hour plus expenses:

Fee amount for three hour on 3/28/77 - - -	$105.00
Mileage for 24 miles @15¢ per mile - - - -	3.60
Total fee and expenses - - - - - -	$108.60
Less your check dated 2/14/77 - -	21.40
Balance due - - - - - - - - - - - -	$ 87.20

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