

Ms. Jill L. Smith  
1900 Avenue of the Stars, Suite 2000  
Los Angeles, CA 90069

11/2/91

Dear Ms. Smith,

Thank you very much for sending your letter of the 28<sup>th</sup> by certified mail. I do not mind a bit that this doubled the time required to reach me but I do appreciate that it meant I did not have to walk out to the end of our lane, which is usually the limit of my physical capabilities, to get the mail from the box.

You say that in your letter you respond to mine of October 5, You did not.

In the first line of that letter I refer to mine of August 25 to Oliver Stone. Apparently he did not give you a copy of it, you were not interested in it, or you did not <sup>care</sup> about it. It is, as is the letter you cite, quite specific in stating what Mr. Stone was doing that I objected to, "trading on my name." True of his coauthor Sklar, too, as I stated. And Sklar did state that Mr. Stone was using my work, the word I also used in my October 5 letter. In the penultimate paragraph of this letter I again use the words, "trading on my name." Later I use "exploit" referring to me.

I do not see anywhere in my letter what you say you address, any claim by me to "ownership" or allegation of "infringement," your words, not mine.

I do find it interesting because Mr. Stone has on the one hand claimed to be recording "history" and on the other hand to be immune to criticism and you say that "historical events cannot be the subject of ownership."

I do not know and I have no way of knowing what Mr. Stone says. My knowledge is limited to what I am sent. It does not always reach me promptly, as Mr. Stone's exploitation of my name to Jay Carr did. <sup>Carr</sup> He wrote an article for the Hollywood Reporter and one for the Boston Globe, which syndicated it, as I said in my August letter. Thus it was not until the end of last month that I saw the Oliver Stone interview in the April 14 Dallas Morning News. What Mr. Stone then said leaves without question his intent to trade on my name. I enclose <sup>of my letter to him</sup> a copy. I draw your attention to the sentence attributed to him, "Harold Weisberg in Washington has helped us." In this quotation I eliminate <sup>only</sup> what the paper added, the title of one of my books.

So I think it is clear that you elected not to address the crux of my complaint, which could not be more specific. And Mr. Stone has "traded on my name" repeatedly.

In addition to calling me a thief.

I presume that in saying the film "is based on extensive research encompassing numerous historical writings and source materials, including two well-known books" you are taking your clients' word. He also claims to be consulting with 10-15 "respected" researchers. I am familiar with those books and the other nutty stuff Mr. Stone refers to as "historical" when it is fantasy. It may not interest you but I tell you in any event that he has delibera-

<sup>help)</sup>  
avoid<sup>ed</sup> fact, which is the stuff of history, not the sick imaginings of commercializers, exploiters (as in "Camelot" and "JFK") particularly as reflected in those books. And it may interest you to know that Mr. Stone, ~~as all others have been and are,~~ could have (if he had had any real interest in "history" or "research" in other than irrational concoctions), ~~could have~~ had access to the 250,000 pages of once suppressed official records I got by a series of Freedom of Information lawsuits. He prefers his fiction, which is more dramatic and suggests the sinister, that none of those records would be available until at least 2039.

The reason I say you might be interested is that I believe the controversy Mr. Stone has started is not going to end with the appearance of his film. You or others in your firm may have occasion to write additional letters for Mr. Stone to others, especially, perhaps, those who can afford good lawyers. So, I suggest that if in your name or that of your firm you use some of the descriptions in your letter to me, you and/or the firm might wind up embarrassed.

I appreciate and accept your assurances that I will not be associated with the film in it-in any way. I do not know that anyone can get any meaningful assurance from Mr. Stone, and I say this based on quotations of him in what I've been sent, but if you can arrange for him not to tell reporters that I have helped him or that he is using my work, while that will not undo the harm he has done to my reputation and that of my work, it might at least eliminate his adding to the damage he has done, of which you now have his exact words, that I "helped" him.

Sincerely,

*Harold Weisberg*

Harold Weisberg