

6/2/70

Mr. Sherman Carmell
Carmell & Charbone
29 S. La Salle St.,
Chicago, Ill. 60603

Dear Mr. Carmell,

It would be ungentlemanly, indeed, downright discourteous, which is neither my intent nor my manner, to assume that the departures from reality in your letter of ~~April~~ May 28 originate with you, so I assume they were presented to you by your client, WCFL.

I also recognize that the tardiness in responding to my letter of April 8 is not your fault, for I know, as you also do if the letter was given to you in the envelope in which I mailed it, that your client is on it represented as "unknown" to the Post Office in Chicago! If they failed and you have any interest in this, my second letter, requested by your client by phone, was also returned to me, also marked "unknown", and that one I did not insist the post office deliver.

Your letter addresses one wee part of the long discussions I had with representatives of your client and it is not a part I assume nor does it address the damage done me by your client. It is irrelevant and immaterial for you to tell me that "they did not participate in either the formulation or preparation of the lawsuit" (you dignify that frivolity) filed by Sherman Skolnick.

I had three phone conversations with representatives of your client. The first was when the news director took the call I addressed to the manager. The second was by the reporter he had assigned to work with Skolnick, and the third was with the news director, after his long silence, when he had promised to send me several simple things and he did not. I suggest correspondence between us would be more productive and the problems and costs of your client will be diminished if they are more forthright with you. They should tell you, for example, that I repeatedly encouraged them to record our conversation, as I did, so that their superiors would know the fact as I informed them. You see, my initial assumption was that your client was, in part, victimized by an unscrupulous self-seeker from whom I felt we both needed protection, and my purpose was to make it possible for your client to diminish the damage done me and that which he might yet do himself, as these tapes will make clear. I did not assume malicious intent by your client, else I'd not have phoned and written him but would have sought counsel. However, your client's subsequent behavior is not consistent with innocence, whether or not my initial assumption was the correct one.

I would prefer to deal openly with you and will make the effort, as I did with your client. To this end I suggest you ask him if he did do as I encouraged and taped our calls. If he did not, I will give you when I can a transcript of any portions you may want.

Next, if he has not done so, I take the liberty of suggesting you encourage your client to the belief his interest is served by telling his lawyer the truth and the whole truth, as I suggest to you nothing is accomplished by the semantics in pretending my concern is with your client's alleged participation in the preparation of Skolnick's "suit".

For your initial consideration I present these facts:

I spent a great amount of time and effort in the researching, investigating and writing of a very long book that was copyrighted prior to your client's interest in the subject matter. Sherman Skolnick, by deception and misrepresentation, was able to obtain some of the documents in it and some used in its preparation but not reproduced in facsimile init. Your client assigned a reporter (Pahn) to work with Skolnick for at least several weeks. Your client told me he "checked out" what Skolnick told and showed him. Had he done this, had he exercised the normal prudence and good judgement expectable, all of this would have been avoided. For example, Skolnick showed him one of my letters, from which I had, for special reasons, cut out the name of the addressee. Now a reasonably prudent man would have had deep concern about something like this. Another example is the allegation that the Warren Commission suppressed the evidence that the alleged assassination rifle was purchased in Chicago. The fact is this proof is central to the Warren Commission, and by simply consulting it your client would have learned the truth. Need I tell you he also could have phoned the Chicago supplier, with little difficulty? He'd have learned the truth, indeed that an executive of the supplier testified at some length and with some detail before the Warren Commission. So, if your client did not trust that of which he certainly knew and that which it is his business to know, the most severe denunciations of Skolnick's character and practises by your local courts, the internal evidence of that with which he was presented and that with which he worked was more than enough to alert him to what he was getting into and what its consequences might be. I do not here cite all such internal evidence.

The material aired without authority by your client is mine under both the common and copyright laws. He aired it prior to the filing of the suit and after working at some length with Skolnick, so the filing of the suit bestows upon him no immunity. Moreover, your client did issue a press release on this and did lend his reputation to Skolnick's wrongful, illicit and demaging activities. Without your client's lending his effort and reputation to Skolnick, what Skolnick did would not have received the attention it did internationally, which compounds the damage done me. If you were made aware of the fact that Skolnick earlier aired my material on WRSV and got attention in the Chicago press only with it, I think you can readily understand this. If your client has not given you copies of his press release (which he discussed with me by phone) or the major Associated Press story flowing therefrom, I think these also would help your understanding. In these undenied and undeniable activities as well as in airing my property your client did damage me.

I now have time for no more. I do look forward to hearing from you. I close addressing another point in your letter. There is an added reason for your client to keep his promise and provide me with the tapes, and that is the "fairness doctrine", which requires it of him. And as to your suggestion that I "look to Mr. Skolnick", first I remind you that your client operates the radio station, not Skolnick, and next I tell you that I am filing an action in Chicago. Skolnick has a copy of it and can let your client or you see it. In telling you this, I also encourage you to accept my word that nothing Skolnick tells you can be accepted as truthful without independent check.

Sincerely,
Harold Weisberg

LAW OFFICES
CARMELL & CHARONE
BARRISTER HALL
29 SOUTH LA SALLE STREET
CHICAGO 60603
CENTRAL 6-8033

May 28, 1970

Mr. Harold Weisberg
Coq d'Or Press
Route 8,
Frederick, Md. 21701

Dear Mr. Weisberg:

Your letter of April 8, 1970 to the Manager of Radio Station WCFL has been referred to us as its counsel.

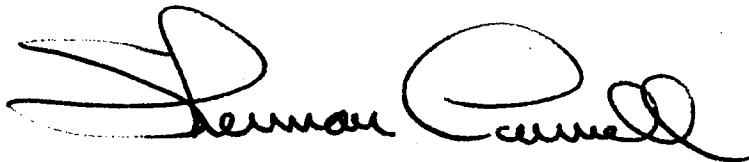
Apparently your letter was directed to the radio station because of the reported statement that representatives of WCFL "worked with Skolnick in its preparation."

Our clients advise us that they did not participate in either the formulation or preparation of the lawsuit. We are further advised that the already prepared lawsuit was seen by one of our client's newsmen and that the filing of the suit was announced either just prior to or contemporaneously with the filing of the suit.

We therefore see no reason to forward any tapes of news broadcasts pertaining to this incident. Further, for any damages which you may have sustained, we respectfully suggest that you look to Mr. Skolnick.

Very truly yours,

CARMELL & CHARONE

A handwritten signature in black ink, appearing to read "Sherman Carmell". The signature is fluid and cursive, with a large initial "S" and a distinct "Carmell" at the end.

SC:imd

Sherman Carmell

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