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January 17, 1974

The Honorable Charles R. Richey
United States District Court
Washington, D.C. 20001

Re: The Democratic National Committee, et al vs.
James McCord, et al, Civil Action No. 1233-72
and Consolidated Cases

Dear Judge Richey:

I am in receipt of a copy of a letter to Your Honor dated January 16, 1974 from Kenneth Wells Parkinson in which he states that his clients do not favor a formal request from the Court to the Senate Select Committee for a print-out of available, public information.

In my view, the reasons set forth by Mr. Parkinson are not valid and should be answered.

1. His statement that the computer material has been prepared at taxpayer expense is correct; however, the point is the expense to the taxpayer has already been incurred and that the material is available. To maintain that a purchase of the data for the cost of computer time alone is not sufficient begs the point that the taxpayer expense has already been incurred. It is not as though we were requesting an entire computer operation solely for the purposes of this lawsuit -- and asking taxpayer support. I would note that data obtained from the Government under the Freedom of Information Act requires payment only of the reproduction costs.

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2. The Watergate facts speak for themselves as they have been developed in the Senate hearings and elsewhere, and I do not agree with Mr. Parkinson that the people working on the computer program hold the views he ascribes to them. Again, it must be underscored that the information available would not be used for its own inherent probative value, but only to lead to other sources of information.

3. I must assume that the information will be made available only if the Senate Select Committee authorizes same.

4. Mr. Parkinson's assumption that the material is unreliable, etc. is merely that, an assumption.

5. & 6. Mr. Parkinson asserts that the qualifications of the persons responsible for the computer print-outs are questionable has no basis in fact. For his clients to engage in the additional expense of retaining experts for an evaluation of the computer operation, at the same time that he complains of the cost of the print-out, appears to create a totally inconsistent position.

There is no obligation on anyone to purchase the print-out. Anyone who does so recognizes that the computer material is simply a tool to aid the lawyers in these cases to prepare for depositions and for trial.

Accordingly, we again urge you, Your Honor, to make the formal request, as set forth in my letter of December 27, 1973.

Very truly yours,

BULMAN, GOLDSTEIN, FELD & DUNIE

BY:


MAURICE R. DUNIE

MRD:ds

cc: All Counsel