

JAN 7 1976

JDW, HW We are not through the Fensterwald in the Ray case HW 1/6/75

This wretched business of Bud's in Potomac, the only thing about which I'm seen placid Jim genuinely angry, has me quite upset for other than the reasons in whatever I've sent you carbons of. In either case ~~this~~ they may be incomplete.

You will notice his talk about his travels with the former IRS agent. Well, none of that was genuine Ray investigating. Maybe tax-wrieoffs as such, maybe on other CTIA work,, maybe just craziness. Yet there has never been a penny for a single investigation. What I was able to do was incidental to something else.

I was never able to do some of what had to be done. When I did some of it he refused to pay the costs. When I told him he'd need this stuff and would then have to pay and I faced an in-court situation where he needed it and I asked him to pay - and it was for no more than 2 or 3 days in New York plus the cost of prints - he told me to "drown in your own bile."

We did have an agreement, although it was not reduced to writing at the time of the agreeing. It was, without dispote, after the first violation that came to my attention.. He has not disputed it and he cannot.

My problem is do I make the trouble I can? Which serves Ray 's interest? How is his defense to be financed?

We'll see if there is any reaction from Bud or his partner Bill first. Then I'll have to decide.

Yesterday Bill told Jim he thinks that what Bud said about me in ui! is not libel. I don't know but I do think that is not the only basis and I do know it was deliberately lying about a case he ruined after I had put it together the right way for him. This alone is defamatory enough by he addded that he refused to represent me in more cases whereas I refused to let him throw any more. The plain as simple truth may be no more than that he is yellow. He certainly was in Memphis, too. But I think the combination of all plus the commercial claims that can be made for his taking my work as his may be enough to ~~make~~ compel some kind of settlement that we can use in defending Ray. It is clear he'll drop out after 6th circuit no matter what happens, unless Jim can get him to pay the costs of going to the Supreme Court. He'll not be chief counsel at a trial. He'll get murdered, as he would have in Memphis in the part he handled had it not been for me. (The more he depends on me the more resentful he becomes.)

Meanwhile, there are other problems ahead. If the Downing resolution passes Bud is to be cheif counsel. He and Lane have been the major influences in what has gone wrong on this Hill to now. Howard's note on Lane's appearance there, where the only books he mentioned were worthless, not available or did not include Howard's or mine. He claimed even ~~is~~ not to know Howard, his book, etc. (Howard, please keep track of these things because they may assume importance yet.

I think I do have a real weapon or two if I have to use them with Bud. The question, as always, is will I. They can begin with taking him before the bar.

If I get no response in a reasonable time I may write a letter or two at a time to those he's been working with on the hill. He did keep my personal, legal files in with those of his committee and his committee did claim that my suits were its when he knew I would have not association with it. Minor as these may seem I believe that legally they are not minor. Breach of any kind of legal trust is a ~~is~~ serious offense, especially when it is commercialized. Anyway, I'm letting you know some and when there is more I'll let you know. This is typical of the whole situation and the lack of success it has meant.

Best, HW