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NOT ADMITTED IN D.C.

1320 NINETEENTH STREET, N.W., WASHINGTON, D.C. 20036

AREA CODE 202
298-2121
CABLE ADDRESS: WALHARK

OF COUNSEL
PHILIP ELMAN
NEAL P. RUTLEDGE



June 22, 1973

Honorable Walter W. K. Bennett
Post Office Box 185
Pinehurst, North Carolina 28374

Dear Chairman Bennett:

In Mrs. Golden's last regular report to the Board, dated June 15, 1973, we indicated that we would make a full report on completion of documentary production at the pre-hearing conference which was scheduled for Wednesday, June 20, 1973. Since that conference was subsequently postponed, I wish to submit the following account in lieu of the report we had planned to make at the pre-hearing conference.

By Order dated June 1, 1973, the Board shifted the date for completion of production from June 1 to June 15, 1973. This change was made with the concurrence of all parties. We anticipated we could have substantial compliance by that date. Our production of documents has continued in regular increments and substantial quantities since our last communication to the Board. Despite intense effort, involving many hours of overtime by the team working on the project, we were unable to achieve fully our objective of being substantially finished with production by June 15. The end, however, is now clearly in sight. As I write this letter, we have produced in excess of 82,000 pages of documents. There remain for final processing a few thousand more pages. We are sufficiently close to completion that I can now say that by the middle of next week we can inform the discovering parties that the last of the production is available.

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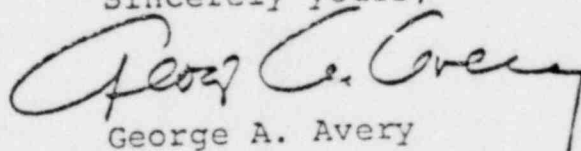
There will be two areas which might subsequently require the Board's attention in connection with our production. We will, as requested by the joint discoverers, be furnishing a list of legally privileged documents. In addition, there will be a limited number of documents as to which we will be seeking a protective order concerning use and disclosure. We will present these matters to the Board shortly after completing production of all other documents as discussed in the preceding paragraph.

In short, the prodigious effort to comply with the documentary discovery sought by the joint discoverers is approaching its completion. We have up to this juncture, not sought formal modification of the June 15 deadline as set forth by the Board in its Order of June 1, 1973. It had been our expectation that we would discuss the entire question at the pre-hearing conference. Moreover, I was hesitant to ask for another precise date until I had a firm grasp on when we could actually finish.

We regret that production was not completed by June 15. I wish to assure the Board that this brief additional period was not the product of inadequate effort. The level of effort made by the team assigned to this task has exceeded what anyone might reasonably expect. The additional time has been necessary because of the sheer volume of the material called for by the broad nature of the requests with which we are complying.

We will follow this letter up next week with a final report and whatever formal requests for Board action are appropriate.

Sincerely yours,


George A. Avery

cc: Hon. John B. Farmakides
Hon. Joseph F. Tubridy
All Parties