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29 September 1966

MEMORANDUM FOR THE RECORD

1. [ ] Office of General Counsel, advised the undersigned that the Hearing on the HEINE/RAUS case, held on 28 September in U.S. District Court, Baltimore, Maryland, resulted in the presiding judge ordering HEINE/s lawyer, E. RASKAUSKAS, to read within seven days the contents of the sealed envelope (containing a paragraph from an NSCID) submitted by this Agency. RASKAUSKAS has previously refused to read it and, after being ordered by the judge to do so, indicated he will continue to refuse.

2. RASKAUSKAS requested that the affidavit, dated 22 April 1966, signed by Mr. HELMS, be re-worded to spell out that RAUS was "instructed by the Central Intelligence Agency to warn..." rather the present wording which reads that RAUS was "instructed to warn...". The judge indicated that he understood the wording of the affidavit clearly but RASKAUSKAS insisted that it be revised. [ ] stated that it has not been decided whether this request will be honored.

3. The judge spent a considerable portion of the three-hour session balancing the need of the government to protect its interests versus the interests of a private individual. It was the judgment of RAUS's attorney, [ ] that the judge was once more leaning in our direction and that the judge obviously became irritated by RASKAUSKAS' tactics and generally obnoxious behavior.

4. No date was set for rendering an opinion as to whether the trial will proceed or the case dismissed.

[ ]

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