

DRAFT LETTER TO THE FIRM OF MacDonald, Illig

January ___, 1997

Managing Partner
MacDonald, Illig, Jones & Britton
100 State Street, Suite 700
Erie, Pennsylvania 16507-1498

Dear Mr. _____:

I am writing on behalf of the Assassination Records Review Board, a Federal agency created pursuant to The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107n. (Supp. V 1994).

I would like to request your assistance in helping us locate records that we have reason to believe may be in your firm's custody related to the late William F. Illig's representation of the late George G. Burkley, a Vice Admiral in the U.S. Navy and the former physician of President John F. Kennedy and President Lyndon B. Johnson.

In the late 1970s, during the period that Mr. Illig represented Admiral Burkley, Congress conducted an investigation of the assassination of President Kennedy under the auspices of House Select Committee on Assassinations (HSCA). Recently, in the course of our declassifying records from the HSCA, we identified a document from the files of the (then) Chief Counsel, Mr. Richard A. Sprague of Pennsylvania, that refers to Mr. Illig's having contacted the HSCA on the behest of his client. (Copy enclosed with record identification aid).

We would like to ask for your assistance in searching any files that may be in the custody of your firm (or with Mr. Illig's family) that would relate to Mr. Illig's representation of Admiral Burkley.

We have contacted the descendants of Admiral Burkley to obtain their consent to a waiver of any attorney-client privilege that might attach. We have ascertained that the Executrix of the Burkley estate is the Admiral's daughter, Nancy Burkley Denlea, of Los Angeles, California, with whom he was residing at the time of his death. [I am enclosing a signed waiver by Ms. Denlea for the purpose of our locating records related to the assassination.]

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We wish to be clear, both to you and to Ms. Denlea, that the only records (or photocopies) in which we might be interested in adding to the JFK Collection at the National Archives would pertain to information about the assassination of President Kennedy.

It is our understanding that Ms. Denlea will be leaving shortly for an extended trip in New Zealand. To the extent that you have any questions, I would urge that you contact Ms. Denlea promptly.

I very much appreciate your attention to this matter and I will attempt to contact you by phone shortly. Please do not hesitate to call me (collect) if there are any questions that I might be able to answer.

Sincerely,

T. Jeremy Gunn
General Counsel

Enclosures

cc: Ms. Nancy B. Denlea

WAIVER OF ATTORNEY-CLIENT PRIVILEGE
ON BEHALF OF THE ESTATE OF THE LATE VICE ADMIRAL GEORGE G. BURKLEY
BY NANCY BURKLEY DENLEA, EXECUTRIX OF THE ESTATE

My name is Nancy Burkley Denlea. My father was the late Vice Admiral George G. Burkley, the personal physician to President John F. Kennedy and to President Lyndon B. Johnson. I am the executor of my father's will.

It is my understanding that my father retained the firm of MacDonald, Illig, Jones & Britton of Erie, Pennsylvania, to represent him on some legal matters, and that his personal attorney was the late William F. Illig.

By this document, I hereby waive any applicable attorney-client privilege to papers or records related to my father that may be in the custody or control of the law firm of MacDonald, Illig, Jones & Britton, for the purpose of allowing a duly-authorized attorney from the Assassination Records Review Board, a Federal agency, to determine whether such records might include any records related to the assassination of President Kennedy.

This waiver extends only to the right of the Assassination Records Review Board to search for any assassination-related records. This letter does not authorize copies of any such records to be made without my further consent.

Date: _____

Nancy Burkley Denlea
Executrix of the Estate of George G. Burkley
2798 McConnell Drive
Los Angeles, California 90064
(310) 836-1416

January 14, 1997

Ms. Nancy Burkley Denlea
2798 McConnell Drive
Los Angeles, California 90064

Dear Ms. Denlea:

Thank you for talking to Doug Horne yesterday and to me earlier today. As he mentioned, our agency was created by The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994). I am enclosing a brochure describing our agency. It is our goal to create the most complete documentation possible for the National Archives for records related to the assassination of President Kennedy.

Many people have contributed records to the JFK Collection at the National Archives. Last year, for example, James Rankin, the son of the Warren Commission's General Counsel, donated all of his father's assassination-related papers. Bequests such as his help complete the historical record. We hope that you might also contribute to the record by helping us locate any records that your father may have had related to the assassination.

As we discussed, I am enclosing for your review a draft letter to the law firm that performed some legal work for your father, along with a statement by your father's attorney, Mr. Illig, revealing that your father did have information he wished to communicate to others. I am also enclosing two copies of a "Waiver of Attorney-Client Privilege." I would be most appreciative if you might sign one copy and send it to us in the enclosed prepaid Federal Express package. The other is for your records.

As I mentioned, I also am enclosing copies of documents that refer to your father. I hope to send you some additional information from the Archives. Please do not hesitate to call (collect) if you have any questions.

Sincerely,

T. Jeremy Gunn
General Counsel

Enclosures