

August 21, 1996

BY FACSIMILE AND U.S. MAIL

Mr. Harrison E. Livingstone  
3025 Abell Avenue  
Baltimore, Maryland 21218

Dear Mr. Livingstone:

I received your letter dated August 20, 1996, upon my return to Washington. Because I understand that you are about to go on vacation, I want to get this letter to you before you leave.

When I met you at the Board's August hearing, you asked me for a copy of my resume. I don't have one with me today, but I will describe the basics. I have received three post-graduate degrees: a Ph.D. from Harvard, a J.D. from Boston University (*magna cum laude*), and an A.M. from the University of Chicago. After graduating from law school, I was a law clerk for a Federal judge in Massachusetts and I then was a litigator for several years with the law firm of Covington & Burling. During the time I worked at Covington, I was involved in the depositions of more than 100 witnesses on a wide variety of legal, medical, and technical issues. I hope this brief description helps.

As you know, rumors spread quickly in the JFK research community. Sometimes the rumors have little to do with reality. Sometimes people are quoted as having said things that they did not say. In order to help set the record straight, and to address issues raised in your letter, I thought it would be appropriate to make the following points without specifically commenting on your characterizations of what some researchers may or may not have said.

First, no one outside of the Review Board has seen the transcripts from any of the medical depositions. (The witnesses were, of course, allowed to see their own transcripts but not those of other witnesses.)

Second, the transcripts will not be disclosed until our work on the medical aspects of the case are concluded. This we are doing in order to isolate the witnesses' statements and to obtain more candid responses. The doctors all stated, under oath, that they would not discuss the substance of their depositions with anyone until the Review Board has completed its work on the medical evidence. I believe that it is a sound practice to keep one witness from knowing what another witness has said

under oath. If transcripts were to be released publicly, we would no longer be able to take advantage of that sound practice.

Third, once our medical work is concluded, the transcripts will be released to the public in their entirety.

Fourth, I have not discussed the witnesses' answers to my questions with anyone outside of the Review Board. We have scrupulously avoided giving any JFK researcher privileged access to information and that policy will continue. Thus, for the same reason that we have given no privileged information to Dr. Gary Aguilar (for example), so we cannot provide any privileged information to you. Just as you would think it would be unfair for us to give early access to the transcripts to someone other than yourself, you should be able to understand that others would believe it to be unfair if we were to give you privileged access to the information that you are requesting, even though you assure us that you "are discrete and would keep quiet what [the Review Board] is doing . . . ."

Fifth, I attempted to prepare myself thoroughly for the depositions. I read widely (including your books and correspondence with the Review Board) as well as information that was sent directly to the Review Board. We received many very valuable leads directly from researchers. I did my best to incorporate all of the useful information into my preparation.

Sixth, I attempted to conduct thorough and conscientious depositions of the autopsy doctors. I asked questions on a wide range of issues related to the autopsy (including, for example, the autopsy photographs and x-rays and records related to the autopsy). I asked questions that I believe should have been asked (but were not) by both the Warren Commission and the House Select Committee on Assassinations. Because I, like all human beings, am fallible, I am sure that additional probative questions might have been asked. My goal, however, was to conduct conscientious depositions.

I personally wish to avoid entering into the conflicts that exist among JFK researchers. The Review Board should not be taking sides in the conflicts related to beliefs about the assassination or about personalities. Rather, it is our mission to release records, clarify records, discover new records, and to help illuminate information surrounding the assassination. We always appreciate it when people such as yourself assist our mission by providing us with useful leads for the pursuit of additional information.

I hope you have a good vacation.  
Sincerely,

Dr. T. Jeremy Gunn  
General Counsel and  
Associate Director for Research & Analysis

cc: Michael Nurko

