

April 4, 1975

Mr. James L. Fox  
Moses, Gibbons, Abramson & Fox  
Attorneys and Counselors  
33 North Dearborn Street  
Chicago, IL 60602

Dear Mr. Fox:

Thank you for your letter of 31 March. I look forward to our meeting "informally" on 8 April.

This is to correct the record that I was the source of the misunderstanding on our meeting. I have a detailed record of our 21 and 24 March conversations indicating that you would contact the FTC lawyers on 24 March concerning my 21 March request that they be present at our meeting because "it is too late today on Friday to contact them" and other remarks on the availability of government employees. Your compromise offer of 24 March of a type recorder in your hands was unacceptable to me. You had failed as we had agreed to contact the FTC lawyers in order to meet my simple and normal conditions of their presence.

I interpreted your failure to meet this simple condition and your action on the Subpoena as an adversary one and hereafter have protected myself by obtaining private counsel from the firms of O'Connor & Hannan in Minneapolis, and in Washington, who will accompany me in all dealings with your office and at the hearing, as well as FTC lawyers.

I am, of course, pleased that we have an acceptable informal agreement for 8 April, and I will do my best to meet the conditions agreed between the FTC and your office of providing the records you desire. I warn you that relatively few significant statements or communications exist which are under my control and are relating to the content you specify. Most are in the public domain through scientific publications. But I will produce all those available.

Sincerely,

Henry Blackburn, M.D.  
Professor and Director

HB:jp