

Westmoreland v. CBS:

Guide to the Microfiche Collection

Westmoreland v. CBS:
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Edited by Walter Schneir

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Introduction

In February 1985 the widely publicized libel case of *Westmoreland v. CBS* ended, leaving a rich research legacy for students of political science, history, law, and broadcast journalism. This unique and important material has been brought together in a microfiche collection that contains over 80,000 pages of testimony, legal arguments, and exhibits.

VIETNAM: A Documentary Collection—Westmoreland v. CBS provides the researcher with a data source of unusual diversity. The collection includes extensive testimony by civilian and military leaders of the Johnson administration, as well as by top CBS News executives. Many of the Vietnam-era documents available in the collection were classified "top secret" before they were obtained for use in the trial through Freedom of Information Act requests and other legal processes. They come from such varied sources as the CIA, the Department of Defense, the State Department, the President's Foreign Intelligence Advisory Board, and the Lyndon B. Johnson Library.

The case that generated this research bonanza had its origins on January 23, 1982, when the CBS television network broadcast the 90-minute *CBS Reports* documentary, "The Uncounted Enemy: A Vietnam Deception." On September 13, 1982, General William C. Westmoreland, who served for four years (1964–68) as commander of U.S. military forces in Vietnam, sued CBS, several CBS employees, and Samuel Adams (a former CIA analyst) for libeling him on the broadcast.

The result was a libel case that is unlikely ever to be rivaled in scope and complexity. Held in federal district court in New York City, the case was tried under the law established by the prevailing Supreme Court decision on public officials and libel, *New York Times v. Sullivan* (1964). In that decision the Court—to encourage vigorous debate on public issues—made it difficult for officials to win libel actions. To prevail in the suit Westmoreland's attorneys had to prove that the documentary's statements about the general were false and were made with "malice"—that is, with knowledge that they were false or with reckless disregard for the truth. Thus at issue were not only questions of truth and falsity, but also the states of mind of the accused journalists and their work methods. Each legal team made prodigious efforts to discover witnesses and physical evidence to support its position. Costs for the contesting parties are estimated to have totaled \$10 million. Much of that money was spent amassing the material now available in this collection.

Among the scores of Vietnam War officials who testified at the trial, and in pretrial depositions and affidavits, were Robert S. McNamara, Paul H. Nitze, Dean Rusk, Walt Whitman Rostow, William Bundy, Robert Komer, William Colby, and William C. Westmoreland. The large number of exhibits relevant to the war that are reproduced in the collection include not only official cables, memoranda, back-channel messages, and special reports to the President and Joint Chiefs of Staff, but also a miscellany of hundreds of other items such as personal letters, GI songs, and CIA congressional briefing packages.

For students of broadcast journalism, the collection contains voluminous material about the television program in question, including the script, the "blue sheet" proposing the documentary, the budget, researchers' notes, transcripts of interview outtakes, and testimony by journalist Mike Wallace, former CBS News president Van Gordon Sauter, producer George Crile, and dozens of other CBS employees who participated in the project at all levels. Thus the testimony details to an unprecedented extent the creative and administrative processes involved in the making of a major television documentary. Also provided is material concerning CBS's own internal investigation of the documentary.

For the legal scholar, the collection contains important and novel arguments for the broadening of the *Sullivan* decision so as to outlaw libel suits by public officials against critics of their conduct in office. Among the numerous other pleadings are extensive legal arguments for the admission of video cameras to courtrooms and for the release of classified papers in the possession of Congress and the CIA.

The enormous variety of the collection might seem at first glance to be an impediment to its use. Fortunately, that is not so. The tens of thousands of pages are easily accessible through the many indexes provided in this *Guide* (and in many cases repeated in the microfiche collection). Separate indexes (either alphabetized lists or tables of contents) are included for each of the categories that constitute the collection. If you follow the suggestions for the use of the indexes offered here, you should be able to acquaint yourself rapidly with the contents of the collection and to locate most items with relatively little effort.

The entire collection is reproduced on 1,010 consecutively numbered microfiche. The number appears on the upper right-hand corner of each fiche. Printed on the upper left-hand side of the header strip is the category of material on the card and other helpful information.

The collection is organized in six broad categories: PLEADINGS, SUMMARY JUDGMENT, DEPOSITIONS, AFFIDAVITS, JOINT EXHIBITS, and TRIAL TRANSCRIPTS. Each of these categories is discussed below.

PLEADINGS. The pleadings are reproduced on Cards 1-92. These documents relate to the pretrial (or, in a few instances, trial) legal proceedings of *Westmoreland v. CBS*. They consist of several hundred items ranging in length from one page to a few hundred pages.

The pleadings documents are collected in 23 numbered volumes. Each document is identified by a Tab number. (The terms "Volume" and "Tab" merely reflect the manner in which the hard-copy material reproduced on the microfiche was originally collected and stored.)

On the fiche, each of the 23 volumes of pleadings opens with an index. All 23 of these indexes are reprinted in the *Guide*. By scanning this master index, which contains a description of every pleadings document, you can obtain a fast but accurate picture of just what material is available in this part of the collection.

If you see an item described in the pleadings index that you would like to retrieve, note the Volume number and the Tab number. Then find the pleadings microfiche with matching Volume and Tab numbers (printed on the upper left-hand side of each fiche's header following the word "Pleadings"). On the fiche itself, the Volume and Tab numbers are set in eye-legible type. (Incidentally, the Tab numbering sometimes continues consecutively from one volume to another, then begins again at 1 at irregular intervals; in other instances, the numbering starts anew with each volume.)

Pleadings documents are arranged in roughly chronological order. Thus Volume I (on Card 1) begins with the initial legal complaint filed on behalf of General William C. Westmoreland on September 13, 1982, and Volume XXIII (Card 92) concludes with a request for charging the trial jury, dated February 15, 1984.

SUMMARY JUDGMENT. This material concerns an important phase of the case that was, in effect, the trial before the trial. Attorneys for CBS presented legal arguments—backed by exhibits, depositions, and affidavits—to convince Judge Pierre N. Leval to dismiss the libel suit. Attorneys for General Westmoreland presented their counterarguments and evidence to justify a jury trial of the issues.

Reproduced on Cards 93-132, the summary judgment documents consist of 3,201 pages arranged in ten separately titled and paginated volumes, eight of which have indexes. A review of the sequence in which these pretrial legal arguments were filed may be helpful because this is the order in which they are arranged on the fiche.

On May 23, 1984, defense attorneys filed with the court a "Memorandum in Support of Defendant CBS's Motion to Dismiss and for Summary Judgment." This memorandum (Cards 93-97) was accompanied by two additional volumes: "Appendix A . . . : (1) List of Persons Identified in Affidavits and Depositions (2) Summary Chronology (3) Rule 3(g) Statement" (Cards 98-99) and "Appendix B . . . : Affidavits Referred to in CBS's Memorandum" (Cards 100-106).

On July 20, 1984, opposing attorneys filed "Plaintiff General William C. Westmoreland's Memorandum of Law in Opposition to Defendant CBS's Motion to Dismiss and for Summary Judgment" (Cards 107-111) and with it three other volumes: "Appendix A: Affidavits Cited in Support of Plaintiff's Opposition to Defendant's Motion" (Cards 112-116), "Plaintiff's Counter-Statement of Undisputed Material Facts Relating to Local Rule 3(g)" [no index] (Card 117), and "Appendix B: Important Documents Cited in Support of Plaintiff's Opposition to Defendant's Motion" (Cards 118-123).

Finally, on August 15, 1984, defense attorneys filed "CBS's Reply to Plaintiff's Memorandum in Opposition to CBS's Motion to Dismiss and for Summary Judgment" (Cards 124–125) along with two additional volumes: "Appendix C . . . : CBS's Analysis of Plaintiff's Response to the Rule 3(g) Statement of Undisputed Material Facts" [no index] (Cards 126–128) and "Appendix D . . . : Select Exhibits Referred to in CBS's Memorandum" (Cards 129–132).

All indexes that appear in the summary judgment volumes are printed in the *Guide*. To retrieve information listed in the summary judgment indexes, obtain the volume title and page number for the item you want. Then find a card labeled "Summary Judgment" followed by the appropriate shortened volume title and page number (each volume is paginated separately). Note: For the September 24, 1984, "Opinion and Order" of Judge Pierre N. Leval denying summary judgment, see pleadings, Volume XIX, Tab 22 (Cards 73–74).

Many depositions, affidavits, and exhibits are cited or excerpted throughout the summary judgment material. Indexes are available in the *Guide* for retrieving depositions and affidavits; if you need help in using those indexes, consult the sections below devoted specifically to depositions and affidavits.

As for the exhibits cited in the summary judgment material, most are joint exhibits and have identifying numbers preceded by the letters "JX." These "JX" exhibits can be retrieved without difficulty. Simply look in the joint exhibits section of the collection (Cards 465–883) and find the matching exhibit number on the left-hand side of the fiche header. Some of the summary judgment exhibits with numbers preceded by letters other than JX are reprinted, either as extracts or in their entirety, in plaintiff's "Appendix B" (Cards 118–123) and defendants' "Appendix D" (Cards 129–132). See the indexes for both of those summary judgment volumes in the *Guide*. For further advice on the retrieval of exhibits, consult the paragraphs below devoted specifically to that category of the collection.

DEPOSITIONS. Cards 133–443 record the depositions taken by attorneys for both the plaintiff and the defendants. This is the second largest category in the collection. Ninety witnesses were deposed over a period of more than two years—starting in late 1982, continuing up to and during the trial, and concluding in February 1985, a few days before the trial's sudden end.

Depositions can be located easily by using the deposition index in the *Guide*. The deposition index lists alphabetically the names of deponents, and next to each name is the number of the card on which the individual's deposition begins. To find the card, look for the matching number printed on the right-hand side of the header; on the left-hand side you will see the word "Depositions," the name of the person deposed, and the date of the deposition.

In general, deposition fiche are arranged alphabetically by the names of those deposed. However, following the deposition of Joseph Zigman (Card 441) are a number of depositions (Cards 442–443) that are out of alphabetical order. These are depositions of several of General Westmoreland's South Carolina neighbors and a relative, all of whom were character witnesses for him.

Depositions of the same individual taken at different times are grouped together in chronological order, but they are not always paginated consecutively. Thus consecutive pagination is used for three Samuel Adams depositions taken in January, May, and December 1984. On the other hand, two Walt Rostow depositions (taken in April and October 1984) are not paginated consecutively.

Some depositions cite exhibits that the researcher may wish to retrieve. Exhibits with numbers preceded by the letters "JX" can be retrieved easily from the joint exhibits section of the collection (Cards 465–883); simply find the corresponding exhibit number on the left-hand side of the header. If the deposition exhibit you are seeking is an affidavit and you know the name of the affiant, the section below on affidavits will provide you with the information you need for retrieval. For all other non-JX lettered deposition exhibits, see the section below on exhibits for suggestions on how to locate such items.

AFFIDAVITS. The defendants' affidavits and the plaintiff's affidavits are grouped separately on the fiche, and two different indexes are provided in the *Guide* for retrieving this material. The index titled "Defendants' Affidavits" lists names chronologically, that is, according to the date on which the witness gave the affidavit. The names in the index are assigned Tab numbers that are keyed to Tab numbers on the left-hand side of the headers designated "Defendants' Affidavits" (Cards 444–451).

However, the defendants' affidavits of 29 individuals whose names are preceded by an asterisk in the index are not included on Cards 444-451. The reason is that these 29 affidavits are reproduced elsewhere in the collection—in the summary judgment section on Cards 100-106. To pinpoint their location, consult the summary judgment index in this *Guide* for "Appendix B . . . : Affidavits Referred to in CBS's Memorandum." This index also includes three names not listed at all in the previously mentioned index of Defendants' Affidavits (Burton Benjamin, Dorothy Meacham, and Van Gordon Sauter).

Plaintiff's affidavits are reproduced on Cards 452-457. The index "Plaintiff's Affidavits" lists alphabetically the names of those who gave such affidavits and identifies them with Tab numbers keyed to the cards. Incidentally, the same plaintiff's affidavits also appear in the summary judgment section (Cards 112-116) and may be located there through the use of the index for "Appendix A: Affidavits Cited in Support of Plaintiff's Opposition to Defendant's Motion."

In both the defendants' and the plaintiff's affidavits, any discrepancy concerning the date of an affidavit should be resolved in favor of the actual signature date to be found on the final page of the affidavit in question.

JOINT EXHIBITS. The largest single category of material in the collection, the joint exhibits, are reproduced on Cards 465-883. An effort was made to obtain the best possible copy of every exhibit for filming. If legibility of the microfiche is poor, it can be assumed that the "original" of the exhibit was similarly flawed. Some exhibits—particularly those consisting of entire books readily available elsewhere (for example, Exhibit 363, a published book by William Colby)—were not filmed. In such cases the words "NOT FILMED" appear on the fiche in eye-legible type. Similarly, some exhibits could not be filmed (for example, Exhibit 1A, a videotape of the broadcast), and this is also indicated on the fiche with the visible message "NON-FILMABLE ITEM."

The source of many exhibits was the Central Intelligence Agency and CIA representatives were present, as monitors of the agency's interests, throughout much of the trial. After the trial the CIA requested and obtained all copies that the agency could locate of a dozen or so exhibits—presumably because those exhibits had not been "sanitized" and still retained in-house identifying CIA markings. The exhibits were said to be CIA documents removed from the agency years before by Samuel Adams (a defendant in the suit), when he left his employment there. On the fiche these missing exhibits are designated in enlarged type "NOT AVAILABLE," but the editor believes that in all such instances a duplicate copy of the exhibit—without the special CIA markings—is available. For example, Exhibit 265 is missing, but the editor has had the opportunity to study it and can attest that Exhibit 265A is a retyped version that exactly duplicates the text of the "not available" exhibit.

If you know the number of a joint exhibit (JX), locating the fiche on which it appears is easy. Just find the card with that exhibit number printed on the left-hand side of the header following the words "Joint Exhibits." Often a card contains more than one exhibit; however, enlarged exhibit numbers on the fiche itself enable you to focus quickly on a specific exhibit.

If you do not know the number of a joint exhibit you are seeking, by far the most useful index is the "Joint Exhibit List," which is printed in the *Guide*. This 132-page index provides you with the JX numbers you need in order to locate any joint exhibit fiche. The "Joint Exhibit List" contains a description of each of the exhibits, so you can use this index to familiarize yourself with the thousands of exhibits available in the collection.

Other special-purpose exhibit indexes have not been printed in the *Guide* but are available on the fiche. An index of exhibits in "Chronological Order" (Card 460) covers the period from 1966 to 1968, though some exhibits are out of sequence and a few from later years are included. An index of "Exhibits Received in Evidence" (Card 461) contains notations beside each exhibit indicating which side offered it as evidence and the legal basis on which it was received by the court. (Similar but less detailed information also appears in the "Joint Exhibit List," which, however, includes exhibits not received in evidence.)

Throughout the collection, references are sometimes made to exhibits that are identified with numbers preceded by the letters DX, PX, or PTX. These exhibits were selected and assigned numbers early in the lawsuit before the court and the opposing attorneys agreed that the JX (joint exhibit) designation—with a different numbering system—would be used exclusively. Most

of these DX, PX, and PTX exhibits probably have been assigned new JX numbers and are available somewhere in the collection. Unfortunately, however, no list exists that provides a corresponding JX number for each of the DX, PX, and PTX numbers. So you will have to be somewhat of a detective to retrieve non-JX-numbered exhibits. Here are some suggestions:

(1) Check the summary judgment indexes in the *Guide* for plaintiff's "Appendix B"; defendants' "Appendix D"; and "CBS's Reply to Plaintiff's Memorandum in Opposition to CBS's Motion to Dismiss and for Summary Judgment," "Table of Exhibits," which among them include 44 non-JX exhibit numbers.

(2) The exhibit index "Defendants' Deposition Exhibits" (Card 459) provides the DX numbers and descriptions of hundreds of exhibits and, in some instances, offers the corresponding JX numbers. The exhibit index "Plaintiff's Deposition Exhibits" (Card 464) has its own unique, and therefore useless, numbering system but does supply exhibit descriptions and some corresponding JX numbers. Neither of these indexes is printed in the *Guide*.

(3) The exhibit index "Affidavits That Are Deposition Exhibits" (Card 458) lists many DX and PX exhibit numbers and the affidavits to which these numbers are assigned. For the retrieval of any of these affidavits, look for the name of the affiant in the index "Defendants' Affidavits," the index "Plaintiff's Affidavits," or the summary judgment index for "Appendix B . . . : Affidavits Referred to in CBS's Memorandum." Or consult the section above devoted to depositions.

TRIAL TRANSCRIPTS. The complete record of the four-month-long trial of *Westmoreland v. CBS*, conducted in New York City at Manhattan's federal courthouse on Foley Square, is reproduced on Cards 884-1010. The total transcript is 10,119 pages. (Included in the transcript are 273 pages dealing with the voir dire [jury selection] that were not previously available publicly, but were obtained from the court stenographer for this collection.)

A word about the dates of the trial and the pagination of the transcript: On October 4, 1984, attorneys for both sides appeared in open court before Judge Pierre N. Leval to discuss some ground rules for the upcoming trial. This discussion appears on pages 1-50 of the trial transcript and is reproduced on Card 884. However, the header on this card contains a date error: Transcript pages 51 to 92—the beginning of the voir dire—should have been dated October 9. (Note that page 51 here, which begins in mid-sentence, is the first page of the October 9 session as provided by the stenographer.) Similarly on Card 885, transcript pages 93-178, which also deal with the jury selection, are dated October 4; whereas the correct date is October 9. The numbering sequence of the transcript for the voir dire phase of the trial ends at page 374, after which the numbering begins again at 1 and thereafter continues consecutively.

Two indexes are available in the *Guide* for the trial transcripts. The first, arranged chronologically, lists the dates on which trial sessions were held, the testimony or other activity that occurred on that date, and the appropriate fiche numbers. The second, arranged alphabetically, lists the full names of the 49 different witnesses and the dates of their testimony (both direct and cross-examination).

On the morning of Tuesday, February 19, 1985, when the trial resumed after a weekend and holiday break, an attorney for General Westmoreland read to the jury a brief stipulation signed by both parties that dismissed the suit. Soon after, the judge adjourned the court, at which point the trial transcript concludes on page 9745. However, Card 1010—the last fiche in the collection—contains several additional short documents, including the stipulation ending the trial and a joint statement by the opposing parties.

On the final day of the trial, Federal Judge Pierre N. Leval summed up his impressions of the affair for the jury. "We have been participants in a most interesting and unusual proceeding, a trial seeking the judgment of history. There can be no such thing as the legal power to fix the judgment of history. Such judgments must be left to study, reflection and debate. We have watched the creation in this courtroom of an extraordinary, unique and rich record for historians to study. I suggest that the value of this proceeding may have more to do with the record it has created for history than with the verdict it could have produced."

With the publication of this documentary collection, that record is now available for public scrutiny.

Walter Schneir

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Plaintiff General William C. Westmoreland's
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GLOSSARY

A. Description of Relevant Entities

1. The *U.S. Mission* in Saigon, also known as the "Country Team," consisted of all the United States agencies with representatives in South Vietnam. The Country Team included advisors from the State Department, the Central Intelligence Agency, the Agency for International Development, the Joint U.S. Public Affairs Office, and the Military Assistance Command Vietnam. (JX 328, *A Soldier Reports*, p. 75) The head of the U.S. Mission was the U.S. Ambassador to South Vietnam who, as "the President's personal representative, . . . was charged with over-all responsibility for the coordination and supervision of U.S. activities in Vietnam." (JX 920, *Command and Control*, p. 24) In 1967 and 1968, the U.S. Ambassador to South Vietnam was Ellsworth Bunker. (Bunker Aff ¶ 1)

2. The *Mission Council* was a body composed of the "senior officials of the civil and military elements of the U.S. Mission meeting together on a weekly basis." (JX 920 *Command and Control*, p. 48) The Mission Council was chaired by the Ambassador (*Id.*) and membership included the Ambassador's deputy, "the embassy's political and economic counselors, and the heads of the other American agencies, including the military commander." (JX 637, Scoville, *Reorganizing For Pacification Support*, p.9).

3. The United States Pacific Command (PACCOM) was a unified or joint command, whose head, the Commander in Chief Pacific (CINCPAC) was in charge of all U.S. air, naval and ground forces in the Pacific, an area that extended "from the west coast of the United States to the Indian Ocean" and which included Vietnam. (JX 635, Sharp, *Strategy for Defeat*, p. xv). A joint command is a force with personnel from two or more branches of the armed forces "under a single commander, constituted and designated by the Joint Chiefs of Staff." (JX 920, *Command and Control*, pp. 3-4).

The U.S. Pacific Command had three components: the Pacific Air Force (PACAF), the Pacific Fleet (PACFLT) and U.S. Army, Pacific (USARPAC). (JX 635, *Strategy for the Defeat*, p. 27) Often, the Pacific Command was referred to in official communications by the title of its chief, the CINCPAC.

4. On February 8, 1962, President Kennedy and Secretary of Defense McNamara approved the establishment of the United States Military

Assistance Command, Vietnam (MACV) under Lieutenant General Paul Harkins. (JX 920, *Command and Control*, p. 27) MACV was also a joint or unified command. MACV was responsible for U.S. operations within the borders of South Vietnam. (JX 328, *A Soldier Reports*, pp. 75-76) General Westmoreland took over as Commander, U.S. MACV (COMUSMACV) in June, 1964. (JX 642, *Report On The War In Vietnam* p. 85). Westmoreland's military chain of command was to Admiral Sharp, the CINCPAC; he and Sharp reported in turn to the Joint Chiefs of Staff. (JX 328, *A Soldier Reports*, pp. 75-76). The Joint Chiefs reported to the Secretary of Defense and the President.

As of May 1967, and continuing through June 1968, General Westmoreland had two deputies: General Creighton Abrams, and a civilian, Mr. Robert Komer. (JX 642, p. 154) Komer had been a Special Assistant to the President and an Ambassador before coming to Vietnam. (Komer Aff. 2) His job in Vietnam was to take charge of the "other war"—the pacification program, which aimed at helping South Vietnam build a nation (Komer Aff. ¶¶ 6-7). Under COMUSMACV and his deputies, Westmoreland had a Chief of Staff and seven Assistant Chiefs of Staff. These officers were designated with a "J", (for example, "J-1") because MACV was a joint command. The J-1 was the Assistant Chief of Staff for personnel; the J-2, for Intelligence; the J-3, for Operations; the J-4, for Logistics; the J-5, for Plans, the J-6 for Communications-Electronics, the J-7, for CORDS. (JX 921 MACV Staff Chart)

5. The Republic of Vietnam or "RVN" (the South Vietnamese government) was defended by the Republic of Vietnam Armed Forces (RVNAF). The South Vietnamese had a small Air Force and Navy, but the bulk of their manpower belonged to the Army of the Republic of Vietnam (ARVN). (JX 642, pp. 216-19) General Westmoreland's staff coordinated their actions with the Republic of Vietnam Joint General Staff (JGS). (JX 920, p. 60)

B. The Intelligence Community

1. Responsibility for the collection, analysis and production of intelligence on Vietnam was shared by several agencies of the government. MACV, of course, had its own intelligence directorate, the Office of the Assistant Chief of Staff for Intelligence ("J-2 MACV"). Raw intelligence was gathered by the soldiers in the field on combat missions, in the form of documents taken from the enemy, the results of interrogations of prisoners,

by obtaining information from defectors and agents, and from observing enemy activity. (JX 638, McChristian, *Role of Military Intelligence*, p. 94). Each combat unit of company size or larger had its own intelligence officer. (Hankins Dep. Tr. 27). Combat units collected raw intelligence and were consumers of finished intelligence produced by more specialized elements such as J-2 MACV. (See generally, JX 638, pp. 94-125)

2. CINCPAC maintained its own intelligence analysis and production elements, as did each of the components under the command of CINCPAC (US Army Pacific, the Pacific Fleet and the Pacific Air Force). CINCPAC and the component commands received the reports, estimates, studies and documents produced by MACV. (See JX 227, Annex C; JX 638)

3. The Defense Intelligence Agency (DIA) was the intelligence arm of the Joint Chiefs of Staff (Williams Dep. Tr. 16). DIA monitored intelligence matters world-wide for the Joint Chiefs, and produced finished intelligence for the Chiefs and others (*Id.*) In addition to receiving the same reports, studies, estimates and documents as CIA and CINCPAC, DIA from time to time sent teams of analysts to Vietnam to review MACV's intelligence data and methods. (JX 227, Annex C; Brown Aff. ¶ 6)

4. Each of the Armed Services maintained an intelligence element. For example, the Chief of Staff of the Army had a general officer serve as his Assistant Chief of Staff for Intelligence (or ACSI). The services were on the distribution list for documents, reports, studies and estimates collected and produced by MACV. (McChristian 12/21/83 Aff. ¶ 4)

5. An agency referred to in this litigation as "Source X" maintained a highly sensitive collection effort in Vietnam that was coordinated and controlled in Washington, D.C. Source X was a consumer of MACV intelligence; additionally, MACV was a consumer of Source X-produced intelligence. Senior individuals in each agency mentioned herein also received this extraordinarily highly classified intelligence.

6. The Department of Defense maintained the capability to estimate the course of the war through its Office of International Security Affairs and the Systems Analysis Branch. (See JX 317, *The Pentagon Papers*)

7. The Central Intelligence Agency had its own sources for the collection and production of intelligence in Vietnam, as well as the capability for intelligence production at CIA headquarters in Washington. (Carver Dep. Tr. 310) Additionally, CIA was on the distribution list for the periodic

reports, studies and estimates produced by MACV. (*Id.*: JX 227. Honolulu Conference Report, Annex C)

8. The State Department and its Bureau of Intelligence and Research (INR) gathered and analyzed intelligence through the Department's representatives in Saigon and in Washington. State was a recipient of MACV's intelligence as well. (*See* JX 227)

9. The White House, of course, had access to all of the intelligence collected and produced by the respective agencies, and according to President Johnson's Special Assistant for National Security Affairs Walt Rostow, the President read such intelligence reporting "voraciously." (Rostow Aff. ¶ 2)

C. The Structure of MACV Intelligence

Although MACV came into existence in 1962, it did not begin to acquire a large and sophisticated intelligence capability until 1965-66. (McChristian Aff. 3/3/83, ¶ 7) In July 1965, General Joseph McChristian, in response to a request by Defense Secretary McNamara, compiled a "shopping list of men and material needed for a MACV intelligence organization." (JX 638 *Role of Military Intelligence* pp. 4-5)

In addition to some fairly standard intelligence components (such as a Counterintelligence Division, a Plans and Training Division, and a Management Division) McChristian established a number of elements in which American and Vietnamese intelligence officers worked side by side. McChristian called this "combined intelligence." (JX 638 pp. 21-24)

1. The Combined Military Interrogation Center (CMIC) was a central facility for obtaining information from prisoners of war and defectors. CMIC published bulletins with summaries of the relevant data gotten from the persons interrogated. (*Id.* pp. 26-32)

2. The Combined Document Exploitation Center (CDEC) was the recipient of enemy documents that were captured by U.S. troops. At CDEC, Vietnamese translators who had been given guidelines on what types of information the intelligence community needed scanned all documents. Summaries were prepared of the documents that appeared to have value. These summaries were distributed throughout the intelligence community on a regular basis. A recipient of a summary could request a full translation of any document that was summarized. When this occurred, the full translation was sent to all recipients of the original summary. (*Id.*, pp. 32-40)

3. The Combined Material Exploitation Center (CMEC) examined, identified, analyzed and evaluated captured enemy weapons, ammunition, medical equipment, rations, communications equipment, and logistical equipment. (*Id.*, pp. 40-44)

4. The Combined Intelligence Center Vietnam (CICV) was designed to be a facility that would produce intelligence jointly with the South Vietnamese on order of battle (enemy composition, disposition, strength, tactics, logistics, and combat effectiveness); area analysis (enemy transportation, communication and military geography); technical intelligence (capabilities and weakness of enemy equipment); imagery interpretation (analysis of enemy activity based on photographic and radar contacts); research and analysis (the economic, political, sociological and psychological characteristics of the enemy's military and political forces); and targets (location of the enemy). (JX 638, pp. 45-64)

5. The Current Intelligence Indications and Estimates Division (CIIED) gave the commander of MACV and his senior staff significant intelligence on current enemy activity using all sources of intelligence including sensitive information that could not be released to other nationalities. (Heon Aff. ¶¶ 2-3) CIIED produced a daily briefing for COM-USMACV, the Weekly Intelligence Estimate Update (WIEU), and studies and reports that could not be produced at CICV because they required the use of certain highly classified intelligence sources. (*Id.*; JX 638 *Role of Military Intelligence*, p. 127)

6. CICV and CIIED were elements of the Production Division of MACV J-2. Production elements were responsible for the production of finished intelligence. While CICV was a combined (U.S.-Vietnamese) intelligence effort, CIIED was staffed solely by Americans. CIIED regularly utilized intelligence and information that was considered too sensitive to disseminate to CICV, due to the high risk of security breaches in the combined operations. (JX 638, p. 127; Heon Aff. ¶¶ 1-2; Joyce Aff. ¶ 4)

7. "The most important part" of the production element "was the Estimates Branch." (JX 638, p. 129) Estimates was a "small, highly specialized group" that provided medium- to long-term assessments of the enemy's capabilities, vulnerabilities, intentions, and the quantity and quality of the enemy's available manpower. (*Id.*)

8. The Order of Battle Branch at CICV produced the MACV/JGS Monthly Order of Battle Summary, a large, printed document that compiled

intelligence on the enemy's current and past organization, size and location. (JX 638, p. 50) The Order of Battle Branch had three sections: (1) Ground Order of Battle, which maintained collateral intelligence files on enemy Main Force, Local Force and Administrative Service Units; (2) Strategic Research and Analysis, which produced studies and analyses on the political, economic and social situation in South Vietnam; a subpart of this branch maintained intelligence of the Viet Cong Political Infrastructure; and (3) Order of Battle Studies, which produced studies and some reports containing numerical compilations of documentable enemy strength. (*Id.*: JX 579, CIA Saigon 1/2/68 cable)

9. The Order of Battle Studies section was divided into four "teams": (1) an enemy logistics team; (2) an enemy combat effectiveness team; (3) an enemy tactics, training and miscellaneous data team; (4) an enemy strength, composition, and disposition team. (JX 638, p. 50)

D. MACV's Reports On The Enemy

Throughout the CBS Broadcast, in defendant's affidavits, and in Defendants' Motion for Summary Judgment, the terms "Order of Battle," "The Order of Battle Summary," "MACV official reports," and "estimates of enemy strength" are interchanged. While these terms are all related, they represent independent concepts and in the context of particular discussions the difference between them can be significant.

1. *Order of Battle*: "order of battle" is a generic term which means the composition, [or organization], disposition [location and deployment], numerical strength, training, tactics, logistics, combat effectiveness, and miscellaneous characteristics of enemy units.

2. *The MACV Order of Battle Summary*: The Order of Battle Summary was a periodic report issued by MACV generally on a monthly basis. The first Order of Battle Summary was published on January 21, 1966. (JX 638, *Role of the Military Intelligence*, p. 129) The Order of Battle Summary was a joint product of MACV and Vietnamese Joint General Staff. It was produced primarily by the combined efforts of Americans and Vietnamese at CICV. The data in the Order of Battle Summary was then coordinated to the extent possible by personnel in MACV J-2. In 1966 through 1968 the MACV Order of Battle Summary was a collateral order of battle. This means that no enemy unit of whatever size could be listed in the document unless there was some collateral evidence of existence available to CICV. (JX 227, Annex F) Collateral sources are things such as statements by

prisoners of war, statements by agents friendly to the allied effort, statements by defectors to the allies, and captured enemy documents. The reason that the MACV order of battle summary included only units that could be identified by collateral sources were twofold: (1) other intelligence sources were considered too sensitive to release to other nationalities, and in order to preserve these sources information obtained from them was not included in this particular report by MACV (JX 638); (2) General McChristian made a decision to sacrifice a degree of timeliness in exchange for a certain degree of firmness in order of battle holdings. General McChristian established the criteria which required collateral evidence of a unit's existence before acceptance of the unit into the Order of Battle Summary. (JX 227) General McChristian's requirement of collateral evidence remained in effect under his successor, General Phillip Davidson.

Particularly after the 1968 Tet Offensive, the CIA and defendant Adams increasingly expressed criticism of the criteria for unit acceptance used in the Order of Battle Summary. (See JX 715, 1968 Order of Battle Conference Report) Defendants decline to point out that these criteria had been put in place by General McChristian as early as January 1966.

3. *Estimates of Enemy Strength*: An "estimate" is an assessment of the enemy's current and future capabilities, vulnerabilities, intentions and likely courses of action. Manpower available to the enemy is an important consideration, as are matters such as the stability of the enemy's political system, his relations with his allies, materiel available to carry out the enemy's desired courses of action, and a host of other factors. (See JX 273, SNIE 14.3-67)

The word "estimate" is also used to mean assigning a number to, e.g. the size of an enemy force.

4. *MACV's official reports*. Contrary to the impression assiduously fostered by the defendants, the MACV Order of Battle Summary was not *the* "official MACV report" on enemy strength. The MACV Order of Battle Summary stated explicitly at the beginning of the document that it was limited to a listing of enemy that could be identified through collateral sources. (See JX 227 Annex C) Specified persons in headquarters other than MACV had access to all sources of intelligence, which could modify and refine the conclusions reached by analysts working on strictly collateral evidence.

By March 1967 MACV was producing at least 15 periodic official reports that contained or made reference to estimates of enemy strength in South Vietnam. (*See* JX 227, Annex C) Certain of these reports contained all source intelligence, whereas others used only collateral intelligence. (Heon Aff. ¶¶ 1-4) In order to get a full picture of MACV's view of the enemy (including enemy strength) it was necessary to combine the information contained in the purely collateral reports with the information contained in those reports using all source information. However, the MACV Order of Battle Summary was designed to be and explicitly was limited to collateral sources. (*Id.*; Joyce Aff. ¶¶ 4-5)

Appendix A:
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Opposition to Defendant's Motion

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DEPOSITIONS

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DEFENDANTS' AFFIDAVITS

(Note: The affidavits of persons whose names appear with an asterisk are printed in "Appendix B to Memorandum in Support of Defendant CBS's Motion to Dismiss and for Summary Judgment.")

<u>Affidavit</u>	<u>Date</u>	<u>Tab</u>
George Hamscher	2/3/83	1
* David Morgan	2/18/83	2
Joseph McChristian	3/3/83	3
* Russell Cooley	3/7/83	4
* Alexander Alben	3/22/83	5
* Marshall Lynn	3/23/83	6
Howard Daniel, III	5/10/83	7
Bruce Jones	7/12/83	8
* Richard M. Clurman	7/21/83	9
* Richard Kovar	7/27/83	10
Michael Fraboni	7/27/83	11
* Everette S. Parkins	8/3/83	12
John L. Michalski	8/8/83	13
Arthur Kess	8/15/83	14
Coleman Noahson	8/23/83	15
* Francis A. Braccio	8/25/83	16
George W. Allen	8/25/83	17
* Norman R. House	8/25/83	18
* Gains B. Hawkins	9/7/83	19

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David A. Fulgham (w/o Ex.)	9/15/83	20
Greg Rushford	10/7/83	21
Kelly Robinson (Def. Aff.)	10/23/83	22
* (Pl. Aff.)	7/25/83	
* Michael F. Dilley	10/28/83	23
* George Christian	11/30/83	24
John T. Moore	11/30/83	25
* William W. Cover	12/1/83	26
George Hamscher (Def. Aff.)	12/13/83	27
(Pl. Aff.)	11/18/83	
Joseph Gorman (Def. Aff.)	12/15/83	28
(Pl. Aff.)	10/11/83	
* David Elliott	12/22/83	29
Paul N. McCloskey	12/23/83	30
* Thomas Thayer	12/28/83	31
Robert G.M. Storey	12/29/83	32
Louis Sandine	1/17/84	33
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* John Dickerson	1/6/84	35
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* David S. Sennett	3/22/84	41
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* Carl Marcy	3/26/84	44
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PLAINTIFF'S AFFIDAVITS

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John Babashanian	1
John Bross	2
Grover Brown	3
McGeorge Bundy	4
William Bundy	5
Ellsworth Bunker	6
Edward Caton	7
William Colby	8
Michael Delpercio	9
Zane Finkelstein	10
James Fyock	11
Joseph Gorman	12
Philip Habib	13
Edward Hamilton	14
George Hamscher	15
John Hart	16
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Robert Heon	19
Roger Hilsman	20
Townsend Hoopes	21
Kenneth Houghton	22
Lawerence Houston	23
Ralph Hunt	24
Phyllis Hurwitz	25
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Paul Nitze	35
Coleman Noahson	36
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Bobby Overcash	38
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JOINT EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1	Broadcast Transcript (28 pp.) (#16478-16505)	P offers; no obj.	Rec'd--10/15
1A	Videotape of Broadcast (complete)	P offers; no obj.	Rec'd--10/15
2	Richard McArthur interview transcript (44 pp.) (#09481-09528)		
2A	Videotape of Richard McArthur interview		
2B	Designations from McArthur interview transcript	D offers	Rec'd--1/9 (on state of mind)
2C	Excerpts from videotape of McArthur interview	D offers	Rec'd--1/9 (on state of mind)
3	Joseph Hovey interview transcript (42 pp.) (#14633-14664, 09430-09433, 14669-14674)		
3A	Videotape of Joseph Hovey interview		
3B	Designations from Hovey interview transcript	D offers	Rec'd--1/9 (on state of mind)
3C	Excerpts from videotape of Hovey interview	D offers	Rec'd--1/9 (on state of mind)
4	Marshall Lynn interview (29 pp.) (#10394-10409, 11060, 10410-10421)		
4A	Videotape of Marshall Lynn interview		
4B	Designations from Lynn interview transcript	D offers	Rec'd--1/9 (on state of mind)
4C	Excerpts from videotape of Lynn interview	D offers	Rec'd--1/9 (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
5	George Hamscher interview transcript (41 pp.) (#09440-09442, 19957, 09444-09469, 19984, 09471-09478, 19993, 09480)		
5A	Videotape of George Hamscher interview		
5B	Designations from Hamscher interview transcript	D offers	Rec'd--1/9 (on state of mind)
5C	Excerpts from videotape of Hamscher interview	D offers	Rec'd--1/9 (on state of mind)
6	George Allen 2/20/81 interview transcript (88 pp.) (#25746-25833)	P offers; obj. P offers pp. 69-72; obj. D offers paragraph on p. 70 that P had blocked out; no obj. (1/3)	Rec'd--11/1 (in part) Pages 69-72 rec'd (in part)--12/12 Rec'd--1/3 (on state of mind)
6A	Videotape of George Allen 2/20/81 interview	P offers; obj.	Rec'd--11/1 (in part)
6B	Outtakes from Allen interview transcript designated by Plaintiff		
6C	Plaintiff's argument supporting materiality of subjects discussed during Allen interview No. 1		
6D	Outtakes from Allen interview transcript designated by plaintiff (redacted version)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
7	George Allen 5/25/81 interview transcript (88 pp.) (#25661-25745)		
7A	Videotape of George Allen 5/25/81 interview		
8	James Meacham 3/2/81 interview transcript (55 pp.) (#13974-14031) [Note: 2 internal pp. 35--second page 35 designated 35A]	P offers; no obj.	Rec'd--10/23
8A	Videotape of James Meacham 3/2/81 interview	P offers; no obj.	Rec'd--10/23
9	Gains Hawkins 3/8/81 interview transcript (82 pp.) (#25050-25131)	P offers; no obj.	Rec'd--10/23
9A	Videotape of Gains Hawkins 3/8/81 interview	P offers; no obj.	Rec'd--10/23
9B	Excerpts from Hawkins 3/8/81 interview transcript (#10635, 10670)	P offers; no obj.	Rec'd--1/7 (on state of mind)
10	Joseph McChristian 3/19/81 interview transcript (49 pp.) (#25361-25370, 14101-14139)	P offers pp. 21-22; no obj.	Rec'd--12/12
10A	Videotape of Joseph McChristian 3/19/81 interview		
10B	Outtakes from McChristian interview transcript designated by plaintiff	P offers	Rec'd--11/14
10C	11/12/84 letter from Riese to Boies re designations of McChristian interview		
10F	Interview transcript of Joseph McChristian (#11387-11437)		Dorsen reads from pp. #11419-20 but does not offer--2/6

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
11	Russell Cooley 4/9/81 interview transcript (91 pp.) (#25441--25455, 10318-10319, 25458-25462, 10325-10335, 25474-25485, 17391-17407, 25486-25514)	P offers pp. 17391-92, 25492-- 25505; no obj.	Pages 17391-92, 25492-25505 rec'd --12/13
11A	Videotape of Russell Cooley 4/9/81 interview		
11C	Excerpts from videotape of Russell Cooley 4/9/81 interview	D offers as to state of mind	Rec'd--2/5 (only on D's state of mind)
12	Samuel Adams 5/12/81 interview transcript (124 pp.) (#10183-10302, 10180-10182; gap between 10258-10259)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
12A	Videotape of Samuel Adams 5/12/81 interview		
12B	Designations from Adams interview transcript	D offers	Rec'd--1/10
12C	Excerpts from videotape of Adams interview	D offers	Rec'd--1/10
13	Daniel Graham 6/5/81 interview transcript (125 pp.) (#10055-10170)	D offers; obj.	Rec'd--11/1 (on state of mind, not truth)
13A	Videotape of Daniel Graham 6/5/81 interview	D; obj.	Rec'd--11/1 (on state of mind, not truth)
14	Walt Rostow 8/29/81 interview transcript (112 pp.) (#14353-14464)	D offers; obj.	Rec'd--12/6 (in part)
14A	Videotape of Walt Rostow 7/29/81 interview	D offers; obj.	Rec'd--12/6 (in part)
15A	Crile's typewritten notes on interview with Allen at Nathans (4 pp.) (#21289-21292)		
15B	Crile's handwritten notes on George Allen (6 pp.) (#19996-20001)		
15C	Crile's handwritten notes on George Allen (13 pp.) (#20002-20014)		
15D	Crile's handwritten notes on George Allen (11 pp.) (#20015-20025)		
15E	Crile's handwritten notes on George Allen (1 p.) (#21245)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
15F	Crile's handwritten notes on George Allen (9 pp.) (#21246-21254)		
15G	Crile's handwritten notes on George Allen (2 parts) (27 pp.) (#21261-21287)		
15H	Crile's handwritten notes on George Allen (2 pp.) (#21293-21294)		
15I	Crile's handwritten notes on Tim Hoopes and Walt Rostow (5 pp.) (#21319-21323)		
16A	Crile's typewritten notes on George Carver (2 pp.) (#21142-21143)	P. offers; obj.	Rec'd--11/8 (only for state of mind; subject to objections)
16B	Crile's typewritten notes on George Carver (2 pp.) (#21161-21162)	P. offers; obj.	Rec'd--11/13 (only for state of mind; subject to objections)
16C	Crile's typewritten notes on George Carver (2 pp.) (#23560-23561)	P. offers; obj.	Rec'd--11/13 (only for state of mind; subject to objections)
16D	Crile's handwritten notes on George Carver (9 pp.) (#21133-21141)	P. offers; obj.	Rec'd--11/13 (only for state of mind; subject to objections)
17A	Crile's handwritten notes on Russell Cooley (1 p.) (#21670)		
17B	Crile's handwritten notes on Russell Cooley (3 pp.) (#21671-21673)		
17C	Crile's handwritten notes on Russell Cooley (8 pp.) (#21674-21681)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
17D	Crile's handwritten notes on Russell Cooley (6 pp.) (#21694-21699)		
17E	Crile's handwritten notes on Russell Cooley (4 pp.) (#21708-21711)		
17F	Crile's handwritten notes on Russell Cooley (12 pp.) (#21682-21693)		
18	Crile's handwritten notes on J. William Fulbright (8 pp.) (#20026-20033)		
19A	Crile's handwritten notes on Bernard Gattozzi (4 pp.) (#19785-19788)		
19B	Crile's handwritten notes on Bernard Gattozzi (2 pp.) (#19789-19790)		
19C	Crile's handwritten notes on Bernard Gattozzi (19 pp.) (#19791-19809)		
19D	Crile's handwritten notes on Bernard Gattozzi (1 p.) (#19812)		
19E	Crile's handwritten notes on Bernard Gattozzi (7 pp.) (#19814-19820)		
20A	Crile's handwritten notes on George Godding (6 pp.) (#20509-20514)		
20B	Crile's handwritten notes on George Godding (1 p.) (#20515)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
20C	Crile's handwritten notes on George Godding (6 pp.) (#20516-20521)		
20D	Crile's handwritten notes on George Godding (1 p.) (#20522)	D offers on state of mind; no obj.	rec'd--2/9 (on state of mind)
20E	Crile's handwritten notes on George Godding (1 p.) (#20523)		
20F	Crile's handwritten notes on George Godding (1 p.) (#20524)		
20G	Crile's handwritten notes on George Godding (1 p.) (#20525)		
20H	Crile's typewritten notes on George Godding (1 p.) (#20526)		
21	Crile's handwritten notes on Arthur Goldberg (8 pp.) (#19821-19828)		
22	Crile's handwritten notes re Graham, Hawkins, Helms (9 pp.) (#21133-21141)		
22A	Crile's notes on Hoopes (2 pp.) (#21319-21320)		
22B	Crile's notes on Bill Corson (6 pp.) (#20497-20502)		
22C	Crile's notes on Carolyn Eyerdahl (2 pp.) (#20503-20504)		
23	Crile's handwritten notes on Dr. Hill (2 pp.) (#21444-21445)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
24	Crile's handwritten notes on Richard Holbrooke (8 pp.) (#19913-19920)		
25	Crile's handwritten notes on Jean Joyce (10 pp.) (#19866-19875)		
26	Crile's handwritten notes on Dr. Carl Kaysen (3 pp.) (#21441-21443)		
27	Crile's handwritten notes on General Kinnard (8 pp.) (#20480-20487)		
28	Crile's handwritten notes on Eric Kronen (2 pp.) (#20459-20460)		
29	Crile's handwritten notes on Robert Louder (3 pp.) (#20456-20458)		
30A	Crile's handwritten notes on Richard McArthur (1 p.) (#21707)		
30B	Crile's handwritten notes on Russell Cooley (4 pp.) (#21708-21711)		
30C	Crile's handwritten notes on Richard McArthur (2 pp.) (#19810-19811)		
30D	Crile's handwritten notes on Richard McArthur (1 p.) (#19902)		
30E	Crile's handwritten notes on Richard McArthur (1 p.) (#25952)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
31A	Crile's handwritten notes on Nguyen Cao Ky (8 pp.) (#20489-20496)		
31B	Crile's handwritten notes on William Corson and C. Eyerdahl (8 pp.) (#20497-20504)		
31C	Crile's handwritten misc. notes (on Rolands, Boyd, Cox) (1 p.) (#20505)		
31D	Crile's handwritten notes on Shandler, M. Taylor, Rushford, <u>et al.</u> (3 pp.) (#20506-20508)		
31E	Crile's typewritten notes on Joseph McChristian (1 p.) (#21564)		
31F	Crile's handwritten notes on Joseph McChristian (8 pp.) (#21565-21572)		
31G	Crile's handwritten notes on Joseph McChristian (11 pp.) (#21574-21584)		
31H	Crile's handwritten notes on Joseph McChristian (5 pp.) (#21585-21589)		
31I	Crile's handwritten notes on Joseph McChristian (11 pp.) (#21594-21604)		
31J	Crile's handwritten notes on Joseph McChristian (1 pp.) (#21605)		
32	Crile's handwritten notes on Senator McGovern (8 pp.) (#20034-20041)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
33	Crile's handwritten notes on Robert McNamara (2 pp.) (#23569-23570)		
33A	Crile's handwritten notes on McNamara (6 pp.) (#36262-67)		
33B	Crile's typewritten notes on McNamara (2 pp.) (#36268-69)		
33C	Crile's typewritten and handwritten notes on McNamara (7 pp.) (#36270-76)		
33D	Crile's typewritten notes on McNamara (2 pp.) (#56958-59)		
34A	Crile's handwritten notes on James Meacham (1 p.) (#19813)		
34B	Crile's handwritten notes on James Meacham (27 pp.) (#21641-21667)		
34C	Crile's typewritten/ handwritten notes on James Meacham (7 pp.) (#21705, 21701, 21704, 21703, 21706, 21702, 21700)		
35	Crile's handwritten notes on John Moore (#20475-20479)		
36	Crile's handwritten notes (2 parts) on Dick Moose (12 pp.) (#20461-20472)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
37A	Crile's typewritten notes on Charles Morris (6 pp.) (#21197-21202)	D offers; no obj.	Pec'd--2/8 (on state of mind)
37B	Crile's handwritten notes on Charles Morris (43 pp.) (#21203-21244, p. 21209A)		
38	Crile's handwritten notes on Nguyen Cao Ky (1 p.) (#20488)		
38A	Crile's handwritten notes on Nguyen Cao Ky (8 pp.) (#20489-20496)		
39A	Crile's handwritten notes on Everette Parkins (2 pp.) (#20846-20847)		
39B	Crile's handwritten notes on Russell Cooley (12 pp.) (#21682-21693)		
40	Crile's handwritten notes on Donald Press (4 pp.) (#20263-20266)		
41A	Crile's handwritten notes ("Best and Brightest") (1 p.) (#21400)		
41B	Crile's handwritten notes on Walt Rostow (7 pp.) (#21401-21407)		
41C	Crile's typewritten notes on Walt Rostow (1 p.) (#21466)		
41D	Crile's typewritten notes on Walt Rostow (8 pp.) (#21467-21474)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
41E	Crile's typewritten notes on Walt Rostow (3 pp.) (#21321-21323)		
42	Crile's Press Briefing Chrono. (7 pp.) (#20797-20803)		
42A	Crile's misc. notes (Shandler, M. Taylor, <u>et</u> <u>al.</u>) (3 pp.) (#20506-20508)		
42B	Crile's misc. notes (Rolands, Boyd and Cox) (1 p.) (#20505)		
42C	Crile's misc. notes ("Significance of battle over numbers") (1 p.) (#19621)		
42D	Crile's misc. notes ("Best and Brightest") (1 p.) (#21400)		
42E	Crile's misc. notes ("Dan Graham") (2 pp.) (#20013-20014)		
43	Crile's handwritten notes on William Westmoreland (6 pp.) (#21038-21043)		
44A	Crile's handwritten notes on Jerome Wiesner (2 pp.) (#21437-21438)		
44B	Crile's handwritten notes on Jerome Wiesner (1 p.) (#21439)		
44C	Crile's handwritten notes on Jerome Wiesner (2 pp.) (#21446-21447)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
45A	Crile's handwritten notes on John Barrie Williams (5 pp.) (#24980-24984)	D offers for state of mind; no obj.	Rec'd--1/3 (on state of mind)
45B	Crile's handwritten notes on John Barrie Williams (7 pp.) (#20805-20811)		
45C	Crile's handwritten notes on John Barrie Williams (8 pp.) (#24985-24992)		
45D	Crile's typewritten/ handwritten notes on John Barrie Williams (1 p.) (#24993)		
45E	Crile's handwritten notes on John Barrie Williams (6 pp.) (#24994-24999)		
45F	Crile's handwritten notes on John Barrie Williams (1 p.) (#25000)		
45G	Crile's handwritten notes on John Barrie Williams (Adams' note at 25002) (3 pp.) (#25001-25003)		
45H	Crile's handwritten notes on John Barrie Williams (1 p.) (#25005)		
45I	Crile's handwritten notes on John Barrie Williams (2 parts) (44 pp.) (#25006-25049)		
46A	Crile's overall chrono. I (39 pp.) (#19551-19589)		
46B	Crile's overall chrono. II (50 pp.) (#19590-19620, 19622-19640)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
46C	Crile's overall chrono. III (48 pp.) (#19641-19688)		
46D	Crile's overall chrono. IV (8 pp.) (#19689-19696)		
47	Adams' Order of Battle Chrono. (142 pp.) (#4126-4267)	P offers p. #04142; obj.	Page #04142 rec'd--12/10.
		P offers pp. #04140, 04141, 04147; obj.	Pages #04140, 04141, 04147 rec'd--12/11
		P offers pp. #04159-61	Pages #04159-61 rec'd 12/11
47A	Adams' Order of Battle Chrono. (144 pp.) (original; unstamped)		
48	Adams' George Allen Chrono. (45 pp.) (#4268-4312)		
49	Adams' George Carver Chrono. (8 pp.) (#4314-4320)		
50	Adams' Davidson/Graham Chrono. (66 pp.) (#4321-4386)		
51	Adams' Bernard Gattozzi Chrono. (19 pp.) (#4387-4405)		
52	Adams' George Hamscher Chrono. (13 pp.) (#4406-4418)		
53	Adams' Richard Helms Chrono. (35 pp.) (#38721-38755)		
54	Adams' Robert Komer Chrono. (23 pp.) (#4420-4442)		
55	Adams' Scott McCausland Chrono. (30 pp.) (#4443-4472)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
56	Adams' Joseph McChristian Chrono. (19 pp.) (#4473-4491)		
57	Adams' Robert McNamara Chrono. (10 pp.) (#4492-4501)		
58	Adams' James Meacham Chrono. (53 pp.) (#4502-4554)		
59	Adams' Richard Moose Chrono. (28 pp.) (#4555-4582)		
60	Adams' Everette Parkins Chrono. (17 pp.) (#4583-4599)		
61	Adams' Joseph Price Chrono. (12 pp.) (#4600-4611)		
62	Adams' Kelly Robinson Chrono. (20 pp.) (#4612-4631)		
63	Adams' Maxwell Taylor Chrono. (37 pp.) (#4632-4668)		
64	Adams' William Westmoreland Chrono. (28 pp.) (#4669-4696)		
65	Adams' John Barrie Williams Chrono. (17 pp.) (#4697-4712, including one unnumbered page)		
66	Adams' notes on David Acheson (7 pp.) (#26336-26342)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
67	Adams' notes on George Allen and Daniel Armet (219 pp.) (#26543-26561, 26343-26547)		
67A	Adams' notes on George Allen (205 pp.) (#26343-26547)		
68	Adams' notes on David Belt (4 pp.) (#26562-26565)		
69	Adams' notes on William Benedict (4 pp.) (#26566-26569)		
70	Adams' notes on Thomas Black (22 pp.) (#26570-26591)		
71	Adams' notes on Donald Blascak (9 pp.) (#26592-26600)		
72	Adams' notes on Peter Braestrup (6 pp.) (#26895-26900)		
73	Adams' notes on Erwin Brigham (26 pp.) (#26869-26894)		
74	Adams' notes on Mervin Brock (7 pp.) (#26601-26607)		
74A	Excerpts from Adams' notes on Mervin Brock (2 pp.) (#26601, 26605)	P offers; obj.	Rec'd--11/7
75	Adams' notes on George Carver (12 pp.) (#26608-26619)		
76	Adams' notes on Silas Chumley (5 pp.) (#26620-26624)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
77	Adams' notes and material on William Colby (63 pp.) (#38642-38704)		
78	Adams' notes on James Colletti (5 pp.) (#26625-26629)		
79	Adams' notes on Charles Cooke (3 pp.) (#26630-26632)		
80	Adams' notes and material on Russell Cooley (93 pp.) (#26633-26725)		
81	Adams' notes on William Cover (42 pp.) (#26726-26767)		
82	Adams' notes on Phillip Davidson (20 pp.) (#26768-26787)		
83	Adams' notes on Michael Delpercio (16 pp.) (#26788-26803)		
83A	Excerpts from Adams' notes on Michael Delpercio (2 pp.) (#26788, 26793)	P offers; obj.	Rec'd--11/7
84	Adams' notes on Vincent Demma (6 pp.) (#26804-26809)		
85	Adams' notes on David Depeder (6 pp.) (#26810-26815)		
86	Adams' notes on William DePuy (13 pp.) (#26816-26828)		
87	Adams' notes on Michael Dilley (18 pp.) (#26829-26846)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
88	Adams' notes on Samuel Dowling (6 pp.) (#38905-38910)		
89	Adams' notes on Daniel Ellsberg (8 pp.) (#26847-26854)		
90	Adams' Notes on Michael Fraboni (17 pp.) (#26855-26871)		
91	Adams' notes on Bernard Gattozzi (90 pp.) (#26872-26959) (2 pages unstamped between 26947-26948)		
92	Adams' notes on George Godding (24 pp.) (#26960-26983)		
93	Adams' notes on Arthur Goldberg (4 pp.) (#26984-26987)		
94	Adams' notes on Leon Goche (37 pp.) (#26988-27022; 2 pages unstamped between 26988-26989)		
94A	Excerpts from Adams' notes on Leon Goche (2 pp.) (#26988, 27005)	P offers; obj.	Rec'd--11/7
95	Adams' notes on Joseph Gorman (46 pp.) (#27023-27068)		
96	Adams' notes on Daniel Graham (287 pp.) (#27069-27352); one page between 27095-27096; two pages between 27158-27159		
97	Adams' notes on Nelson Hallmark (43 pp.) (#27353-27395)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
98	Adams' notes on Morton Halperin (2 pp.) (#27396-27397)		
99	Adams' notes on George Hamscher (57 pp.) (#27398-27453) (one page unstamped between 27439-27440)		
100	Adams' notes on Edward Hamilton (5 pp.) (#27454-27458)		
101	Adams' notes on William Hammond (6 pp.) (#27459-27464)		
102	Adams' notes on Walter Hancock (8 pp.) (#27465-27472)		
103	Adams' notes on Michael Hankins (33 pp.) (#27473-27505)	P offers pp. 1 and 24; obj.	Pages 1 and 24 rec'd--1/17
104	Adams' notes on William Hanson (6 pp.) (#27506-27510, including one page on back of 27508)		
105A	Adams' notes on Gains Hawkins (251 pp.) (#27838-28058, 6 pages at 27857; 3 unstamped pages between 27886-27887; one unstamped page at 27893)		
105B	Adams' notes on Gains Hawkins (2 pp.) (#30632-30633)		
106	Adams' notes on Robert Heon (26 pp.) (#27511-27536)		
106A	Excerpts from Adams' notes on Robert Heon (2 pp.) (#27511, 27531)	P offers; obj.	Rec'd--11/7

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
107	Adams' notes on Richard Holbrooke (15 pp.) (#27537-27551)		
108	Adams' notes on David Hope (37 pp.) (#27552-27586, including one unstamped page following 27584)		
109	Adams' notes on Norman House (17 pp.) (#27587-27603)		
109A	Excerpts from Adams' notes on Norman House (2 pp.) (#27587, 27600)	P offers; obj.	Rec'd--11/7
110	Adams' notes on Joseph Hovey (234 pp.) (#27604-27837; pages 27723 and 27724 are copies)		
111	Adams' notes on LBJ (22 pp.) (#28059-28080)		
112	Adams' notes on Thomas Johnson (10 pp.) (#28081-28090)		
113	Adams' notes on William Jordan (9 pp.) (#28091-28099)		
114	Adams' notes on Jean Joyce (26 pp.) (#28100-28125)		
115	Adams' notes on Donald Kerr (4 pp.) (#28126-28129)		
116	Adams' notes on Arthur Kess (14 pp.) (#28130-28142, including one unstamped page following 28132)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
117	Adams' notes on Douglas Kinnard (32 pp.) (#28143-28174)		
118A	Adams' notes on John Kizirian (10 pp.) (#28175-28184)		
118B	Adams' notes on John Kizirian (2 pp.) (#28185-28186)		
119	Adams' notes on Robert Komer (73 pp.) (#28187-28259)		
120	Adams' notes on Eric Kronen (25 pp.) (#28260-28284)		
121	Adams' notes on Nguyen Cao Ky (44 pp.) (#28285-28327, including one page following 28296)		
122	Adams' notes on George LaBreche (16 pp.) (#28328-28342)		
123	Adams' notes on John Lantermann (40 pp.) (#28343-28381, including one page attached to p. 28344)		
124	Adams' notes on John Lantermann (40 pp.) (#28343-28381, including one page attached to p. 28383)		
125	Adams' notes on Lawrence Leahy (10 pp.) (#28407-28416)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
126	Adams' notes on William Lemos (12 pp.) (#28417-28428)		
127	Adams' notes on Robert Leverone (20 pp.) (#28429-28448)		
128	Adams' notes on Karl Liewer (14 pp.) (#28449-28462)		
129	Adams' notes on Ho Van Loi (3 pp.) (#28463-28465)		
130	Adams' notes on Stuart Loory (7 pp.) (#28466-28472)		
131	Adams' notes on Joseph Lorfano (3 pp.) (#28473-284)		
132	Adams' notes on Robert Louder (4 pp.) (#28476-28479)		
133A	Adams' notes on Marshall Lynn (60 pp.) (#28480-28539)		
133B	Adams' notes on Marshall Lynn (3 pp.) (#30620-30662)		
134	Adams' notes on James Mauze (15 pp.) (#28540-28554)		
135	Adams' notes on Richard McArthur (162 pp.) (#28555-28713, including two unstamped pages at 28583)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
136	Adams' notes on Scott McCausland (27 pp.) (#28714-28740)		
137	Adams' notes on Buford McCharen (6 pp.) (#28741-28746)		
138	Adams' notes on John McIntosh (9 pp.) (#28747-28755)		
139	Adams' notes on Joseph McChristian (72 pp.) (#28756-28827)	P offers last ¶ on p.20; obj. (hearsay, relevance, scope)	Ruling deferred--2/6
139A	Excerpts from Adams' notes on Joseph McChristian (5pp.) (#28756, 28771-28774)		
140	Adams' notes on Joseph McGlade (15 pp.) (#28828-28842)		
141	Adams' notes on Robert McNamara (32 pp.) (#28843-28874)		
142	Adams' notes on Joseph McNeil (26 pp.) (#28875-28900)		
143	Adams' notes on Patrick McGarvey (32 pp.) (#28901-28932)		
144	Adams' notes on George McGarrigle (4 pp.) (#28933-28936)		
145	Adams' notes on James Meacham (238 pp.) (#28937-29172; including two unstamped pages at 28950 and one unstamped page at 29055; 29040-29041 double stamped)	P offers pp. 29086-98; obj.	Pages 29086-98 rec'd--12/13

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
146	Adams' notes on Lewis Miller (4 pp.) (#38859-38862)		
147	Adams' notes on Robert Montague (24 pp.) (#29173-29196)		
148	Adams' notes on John Moore (29 pp.) (#29197-29223, including two additional pages at 29216)		
149	Adams' notes on Richard Moose (57 pp.) (#29224-29273, including one unstamped page following 29242)		
150	Adams' notes on David Morgan (68 pp.) (#29274-29341)		
151	Adams' notes on Charles Morris (17 pp.) (#29342-29358)		
151J	Notes re George Allen (6 pp.) (#21255-60)		
152	Adams' notes on Coleman Noahson (15 pp.) (#29359-29373)		
153	Adams' notes on Phillip Odeen (3 pp.) (#29374-29376)		
154	Adams' notes on John O'Donnell (87 pp.) (#29377-29463)		
155	Adams' notes on Jim Ogle (47 pp.) (#38758-38804)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
156	Adams' notes on Bobby Overcash (21 pp.) (#29553-29573)		
156A	Excerpts from Adams' notes on Bobby Overcash (2 pp.) (#29553, 29571)	P offers; obj.	Rec'd--11/7
157	Adams' notes on William Oxnard (13 pp.) (#29574-29586)		
158A	Adams' notes on Everette Parkins (20 pp.) (#29483-29502)		
158B	Adams' notes on Everette Parkins (11 pp.) (#29509-29519)		
158C	Adams' notes on Everette Parkins (19 pp.) (#29464-29482)		
158D	Adams' notes on Everette Parkins (6 pp.) (#29503-29508)		
158E	Adams' notes on Everette Parkins, Otis Pike and James Reston (33 pp.) (#29520-29552)		
158F	Adams' notes on Everette Parkins (4 pp.) (#29520-29523)		
159	Adams' notes on Larry Pensinger (63 pp.) (#29587-29648 and unstamped page following)		
159A	Adams' notes on Otis Pike (26 pp.) (#29524-29549)		
160	Adams' notes on Lewington Ponder (7 pp.) (#29649-29655)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
161	Adams' notes on Joseph Price (18 pp.) (#29656-29673)		
162	Adams' notes on John Rains (7 pp.) (#29674-29680)		
163	Adams' notes on James Reid (15 pp.) (#29701-29715)		
163A	Adams' notes on James Reston (3 pp.) (#29550-29552)		
164	Adams' notes on Walter Rhame (7 pp.) (#29681-29687)		
165	Adams' notes on Jerome Rinkus (13 pp.) (#29688-29700)		
166	Adams' notes on Kelly Robinson (31 pp.) (#29716-29746)		
166A	Excerpts from Adams' notes on Kelly Robinson: (#29716, 29724, 29728, 29734, 29737, 29738) (6 pp.)		
166B	Excerpt from Adams' notes on Kelly Robinson (1 p.)		
167	Adams' notes on Walt Rostow (126 pp.) (#29747-29872)		
168	Adams' notes on Charles Ruddie (18 pp.) (#29873-29890)		
169	Adams' notes on Gregory Rushford (6 pp.) (#29891-29896)		
170	Adams' notes on Philip Ryan (16 pp.) (#29897-29912)		166

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
171	Adams' notes on Peter Sanndman (32 pp.) (#30139-30170)	P offers 3 pp. #30146, 30155, no obj.	Pages #30146, 30155 rec'd--12/10
172	Adams' notes on Jonathan Saphier (14 pp.) (#30171-30184)		
173	Adams' notes on Louis Sarris (4 pp.) (#30185-30188)		
174	Adams' notes on Charles Schwarz (6 pp.) (#30189-30194)		
175	Adams' notes on Neil Sheehan (11 pp.) (#30195-30205)		
176	Adams' notes on Winant Sidle (6 pp.) (#30206-30211)		
177	Adams' notes on David Siegel (21 pp.) (#30212-30232)		
178	Adams' notes on Walter Slocum (2 pp.) (#30233 and unstamped page following)		
179	Adams' notes on John Slonaker (14 pp.) (#30234-30247)		
180	Adams' notes on Pat Sloyan (2 pp.) (Unstamped page followed by #30630)		
181	Adams' notes on Lowery Smith (34 pp.) (#30248-30281)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
182	Adams' notes on Arthur Staubach (5 pp.) (#30292-30296)		
183	Adams' notes on Richard Steadman (4 pp.) (#30297-30299)		
184	Adams' notes on Robert Storey (33 pp.) (#30291-30323)		
184A	Excerpts from Adams' notes on Robert Storey (2 pp.) (#30291, 30317)	P offers; obj.	Rec'd--11/7
185	Adams' notes on Maxwell Taylor (75 pp.) (#30324-30398)		
186	Adams' notes on Thomas Thayer (9 pp.) (#30399-30407)		
187	Adams' notes on Charles Thomann (28 pp.) (#30408-30435)		
188	Adams' notes on Lucius Thornburg (8 pp.) (#30436-30443)		
189	Adams' notes on Don Tomajan (65 pp.) (#30444-30506 with unstamped pages between 30444 and 30445 and unstamped page between 30504 and 30505)		
190	Adams' notes on Dennis Warner (2 pp.) (#30507-30508)		
191	Adams' notes on William Westmoreland (226 pp.) (#29913-30138)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
192	Adams' notes on Paul Weiler (6 pp.) (#30509-30514)		
193	Adams' notes on Harry White (14 pp.) (Unstamped page followed by #30515-30527)		
194	Adams' notes on Robert Wickham (10 pp.) (#30528-30537)		
195	Adams' notes on John Barrie Williams (62 pp.) (#30538-30598 with unstamped page between 30538 and 30539)		
196	Adams' notes on Joseph Zengerle (20 pp.) (unstamped page followed by #30599-30617)		
197A	Cable 31 May 67 COMUSMACV to State Dept. Monthly Report of NVN Infiltration info SVN 10/1/65-5/31/67		Rec'd--per 11/28/84 conference with Judge (on truth and state of mind issues for purpose of showing what MACV reported)
197B	Cable 1 July 67 COMUSMACV to State Dept. Monthly of Report of NVN Infiltration into SVN 10/1/65-6/30/67		Rec'd--for same purposes as 197A
197C	Cable 31 July 67 COMUSMACV to State Dept. Monthly Report of NVN Infiltration into SVN 10/1/67-7/31/67		Rec'd--for same purposes as 197A

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
197D	Cable 1 Sept. 67 COMUSMACV to State Dept. Monthly Report NVN Infiltration into SVN 10/1/65-8/31/67		Rec'd--for same purposes as 197A
197E	Cable 2 Oct. 67 COMUSMACV to State Dept. Monthly Report NVN Infiltration into SVN 10/1/65-9/30/67	P offers; no obj.	Rec'd--10/30 (not on state of mind)
197F	Cable 31 Oct. 67 COMUSMACV to State Dept. Monthly Report NVN Infil- tration into SVN 10/1/65-10/31/67	P offers; no obj.	Rec'd--11/1
197G	Cable 1 Dec. 67 COMUSMACV to State Dept. Monthly Report NVN Infiltration into SVN 10/1/67-11/30/67		Rec'd--for same purposes as 197A
197H	Cable 1 Jan. 68 COMUSMACV to State Dept. Monthly Report of NVN Infiltration into SVN 10/1/65-12/31/67		Rec'd--for same purposes as 197A
197I	Cable 1 March 68 COMUSMACV to State Dept. Monthly Report NVN Infiltration into SVN 10/1/65-2/29/68		Rec'd--for same purposes as 197A
197J	Cable 2 April 68 COMUSMACV State Dept. Monthly Report of NVN Infiltration into SVN 10/1/65-3/31/68		Rec'd--for same purposes as 197A
197K	Cable 2 July 68 COMUSMACV State Dept. Infiltration Cable		Rec'd--for same purposes as 197A

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
197L	Cable 1 August 68 of COMUSMACV to State Dept. Monthly Report of NVN Infiltration into SVN 10/1/65-7/31/68	D offers; no obj.	Rec'd--10/24
198A	Extract from MACV OB Sum- mary 3/16-31/66 (2 pp.)		Rec'd--per 11/28 conference with Judge (on truth and state of mind issues for purpose of showing what MACV reported)
198C	Extract from MACV OB Sum- mary 5/1-31/66 (2 pp.)		Rec'd--for same purposes as 198A
198D	Extract from MACV OB Sum- mary 6/1-30/66 (2 pp.)		Rec'd--for same purposes as 198A
198E	Extract from MACV OB Sum- mary 7/1-31/66 (2 pp.)		Rec'd--for same purposes as 198A
198M	Extract from MACV OB Sum- mary 5/1-31/67 (2 pp.)		Rec'd--for same purposes as 198A
198MM	MACV OB Summary 5/1-31/67		
198N	Extract from MACV OB Sum- mary 6/1-30/67 (2 pp.)		Rec'd--for same purposes as 198A
198NN	Extract from MACV OB Sum- mary 6/1-30/67 (infiltra- tion data) (18 pp.)		Rec'd--for same purposes as 198A
198O	Extract from MACV OB Sum- mary 7/31/67 (2 pp.)		Rec'd--for same purposes as 198A
198OO	Extract from MACV OB Sum- mary 7/1-31/67 (infiltra- tion data) (26 pp.)		Rec'd--for same purposes as 198A
198P	Extract from MACV OB Sum- mary 8/1-31/67 (2 pp.)		Rec'd--for same purposes as 198A
198PP	Extract from MACV OB Sum- mary 8/1-31/67 (infiltra- tion data) (23 pp.)		Rec'd--for same purposes as 198A

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
198Q	Extract from MACV OB Summary 9/1-30/67 (2 pp.)		Rec'd--for same purposes as 198A
198QQ	Extract from MACV OB Summary 9/1-30/67 (infiltration data) (25 pp.)		Rec'd--for same purposes as 198A

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
198R	MACV OB Summary, 10/1-31/67 (complete) (159 pp.)	P offers; no obj.	Rec'd--10/22
JX 198RR	Extract from MACV OB Sum- mary 10/1-31/67 (2 pp.)		Rec'd--for same purposes as 198A
JX 198S	Extract from MACV OB Sum- mary 11/1/67-12/31/67 (2 pp.)		Rec'd--for same purposes as 198A
198SS	Extract from MACV OB Sum- mary, 11/1-12/31/67 (in- cluding Viet Cong Polit- ical Infrastructure and Infiltration Data) (33 pp.)		Rec'd--for same purposes as 198A
JX 198T	Extract from MACV OB Sum- mary 1/1-31/68 (2 pp.)		Rec'd--for same purposes as 198A
198TT	Extract from MACV OB Sum- mary 1/1-31/68 (including Viet Cong Political Infra- structure and infiltra- tion data) (26 pp.)		Rec'd--for same purposes as 198A
JX 198U	Extract from MACV OB Sum- mary 2/1-29/68 (2 pp.)		Rec'd--for same purposes as 198A
198UU	Extract from MACV OB Sum- mary 2/1-29/68 (including Viet Cong Political Infra- structure and infiltra- tion data) (31 pp.)		Rec'd--for same purposes as 198A
198V	Extract from MACV OB Sum- mary 3/1-31/68 (including Viet Cong Political In- frastructure and infil- tration data) (34 pp.)	D offers; no obj.	Rec'd--11/6
JX 198VV	Extract from MACV OB Sum- mary 3/1-31/68 (2 pp.)		Rec'd--for same purposes as 198A

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
JX 198W	Extract from MACV OB Summary 4/1/-30/68 (2 pp.)		Rec'd--for same purposes as 198A
198WW	Extract from MACV OB Summary 4/1-30/68 (including Viet Cong Political Infrastructure and infiltration data) (31 pp.)		Rec'd--for same purposes as 198A
198X	Extract from MACV OB Summary 5/1-31/68 (including Viet Cong Political Infrastructure and infiltration data) (35 pp.)	D offers; no obj.	Rec'd--11/6
JX 198XX	Extract from MACV OB Summary 5/1-31/68 (2 pp.)		Rec'd--for same purposes as 198A
JX 198Y	Extract from MACV DB Summary 6/1-30/68 (2 pp.)		
198Z	MACV OB Summary, 2/1-29/68		Rec'd--for same purposes as 198A
199	USMACV PERINTREP February 1967 (i-x; 1-52; A1-A36; B1-B2; C1)		Rec'd--per 11/28 conference with Judge (on truth and state of mind for purpose of showing what MACV reported)
199A	USMACV PERINTREP February 1967 extract	D offers; no obj.	Rec'd--11/29
200	USMACV PERINTREP March 1967 (i-xi; 1-53; A1-A21; A23-A33; B1-B5; C1-C11; D1-D4; E1-E1; F1)		Rec'd--for same purposes as 199
201	USMACV PERINTREP April 1967 (i-xii; 1-46; A1-A38; B1-B5; C1-C14; D1-D2; E1)		Rec'd--for same purposes as 199
202	USMACV PERINTREP May 1967 (i-xii; 1-56; A1-A44; B1-B3; B1-C1)		Rec'd--for same purposes as 199

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
203	USMACV PERINTREP June 1967 (i, iii-xii [p. ii missing]; 1-54; A1-A44; B1)	D offers; no obj.	Rec'd--10/24
204	USMACV PERINTREP July 1967 (i-xii; 1-54; A1-A41; B1-B12; C1)	D offers; no obj.	Rec'd--10/24
205	USMACV PERINTREP August 1967 (i; 1-16)		Rec'd--for same purposes as 199
206	USMACV PERINTREP September 1967 (i; 1-7, 10-13 [pp.8-9 missing])		Rec'd--for same purposes as 199
207	USMACV PERINTREP October 1967 (i; 2-11 [p.1 missing])		Rec'd--for same purposes as 199
208	USMACV PERINTREP November 1967 (i; 1-16)		Rec'd--for same purposes as 199
209	USMACV PERINTREP December 1967 (i; 1-16)		Rec'd--for same purposes as 199
210	USMACV PERINTREP January 1968 (i; 1-21)		Rec'd--for same purposes as 199
211	USMACV PERINTREP February 1968 (i; 1-22)		Rec'd--for same purposes as 199
212	USMACV PERINTREP March 1968 (i; 1-21)		Rec'd--for same purposes as 199
212C	USMACV PERINTREP June 1968 (20 pp.)		
213A	Letter from Hawkins to his wife, 8/28/67 (2 pp.)		
213B	Letter from Hawkins to his wife, 5/29/67 (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
213C	Letter from Hawkins to his wife 3/21/67	P offers on state of mind and as prior statement of Hawkins; no obj. on state of mind; obj. to offer of prior statement.	Rec'd--2/13 (solely on D's state of mind)
213D	Letter from Hawkins to his wife 5/4/67	P offers ¶ in the middle of page 2 ("Haven't heard to "all wrapped up") on state of mind, no obj.	This paragraph rec'd--2/13 (solely on D's state of mind)
213E	Letter from Hawkins to his wife 5/11/67		
213F	Letter from Hawkins to his wife 5/17/67	P offers ¶ on page 2 ("Admiral Sharp" to "4 months off"); no obj.	This paragraph rec'd--2/13
213G	Letter from Hawkins to his wife 5/22/67		
213H	Letter from Hawkins to his wife 5/24/67		
213I	Letter from Hawkins to his wife 5/25/67		
213J	Letter from Hawkins to his wife 5/31/67		
213K	Letter from Hawkins to his wife 6/10/67		
213L	Letter from Hawkins to his wife 6/13/67		
213M	Letter from Hawkins to his wife 6/14/67		
213N	Letter from Hawkins to his wife 4/10/67		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
214A	Meacham letter No. 70 (3 pp.) (#33755-33757)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214B	Meacham letter No. 114 (4 pp.) (#33869-33872)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214C	Meacham letter No. 173 (2 pp.) (#34018-34019)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214D	Meacham letter No. 212 (4 pp.) (#31021-31024)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214E	Meacham letter No. 213 (2 pp.) (#31025-31026)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214F	Meacham letter No. 223 (3 pp.) (#31027-31029)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214G	Meacham letter No. 230 (4 pp.) (#31030-31033)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214H	Meacham letter No. 231 (3 pp.) (#31034-31036)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214I	Meacham letter No. 259 (7 pp.) (#31037-31043)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214J	Meacham letter No. 303 (3 pp.) (#31044-31046)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
214K	Meacham letter No. 304 (2 pp.) (#31047-31048)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214L	Meacham letter No. 311 (2 pp.) (#31049-31050)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214M	Meacham letter No. 312 (3 pp.) (#31051-31053)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214N	Meacham letter No. 237 (2 pp.) (#34236-34237)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214O	Meacham letter No. 254 (4 pp.) (#34279-34282)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214P	Meacham letter 6/10/80 (1 p.) (#29084)	D offers on truth issue; obj.	Rec'd--per 11/28 conference with Judge (on state of mind)
214Q	Meacham Letter 14 (#33561-64)		
214R	Meacham Letter 21 (#33589-94)		
214S	Meacham Letter 28 (#33616-619)		
214T	Meacham Letter 30 (#33622-24)		
214U	Meacham Letter 32 (#33630-33)		
214V	Meacham Letter 35 (#33641-43)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
214W	Meacham Letter 36 (#33644-48)		
214X	Meacham letter 37 (#33649-51)		
214Y	Meacham letter 40 (#33665-67)		
214Z	Meacham Letter 48 (#33689-92)		
214AA	Meacham Letter 54 (#33705-711)		
214BB	Meacham Letter 62 (#33732-34)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
214CC	Meacham Letter 73 (#33764-65)		
214DD	Meacham Letter 78 (#33775-78)		
214EE	Meacham Letter 80 (#33781-83)		
214FF	Meacham Letter 81 (#33784-85)		
214GG	Meacham Letter 84A (#33795-97)		
214HH	Meacham Letter 86 (#33800-01)		
214II	Meacham Letter 88A (#33806-07)		
214JJ	Meacham Letter 90 (#33811-12)		
214KK	Meacham Letter 92 (#33815-16)		
214LL	Meacham Letter 93 (#33817-19)		
214MM	Meacham Letter 94 (#33820-21)		
214NN	Meacham Letter 98 (#33829-31)		
214OO	Meacham Letter 102 (#33839-40)		
214PP	Meacham Letter 110 (#33859-60)		
214QQ	Meacham Letter 120 (#33884-85)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
214RR	Meacham Letter 123 (#33892-94)		
214SS	Meacham Letter 124 (#33895-97)		
214TT	Meacham Letter 128A (#33907-10)		
214UU	Meacham Letter 147 (#33959-61)		
214VV	Meacham Letter 164 (#33997-99)		
215	2/8/66, "1966 Program to Increase the Effective- ness of Military Opera- tions and Anticipated Results Thereof", by Bundy and McNaughton (2 pp.)		
215A	2/8/60, "1966 Program to Increase The Effective- ness of Military Opera- tions and Anticipated Results Thereof", by Bundy and McNaughton (2pp.)		
215B	5/27/78 letter from Westmoreland to Ed Simmons, with attachment	D offers; obj.	1st and 2nd ¶'s of page 3 and attached memo rec'd--11/26
215D	2/8/66, "1966 Program to Increase the Effective- ness of Military Opera- tions and Anticipated Results Thereof", by Bundy and McNaughton, with handwritten notes (2 pp.)		Rec'd--per 11/28 conference with Judge (on truth and state of mind)
216	Memo for A. Smith from Layton, 8/18/66 (CIA #2) (3 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
217	CIA Report, 8/26/66, "The Communist Will To Persist" (CIA #248) (a-b; i-xi; 1-21; II-139; III- III1; III1-III25; IV1-- IV27; V1-V20; VI1-VI17; VII1-VII5; VIII1-VIII9; IX1-IX7; X1-X8; XI1-XI10; XII1- XII51)		
217A	8/26/66, extracts from CIA Publications (11 pp.) (#05327-05337)		
218	Chart, 11/7/66, "Forces in South Vietnam" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
219	Memo, 11/7/66, from Adams to Chief, Indochina Division (CIA #256) (3 pp.)		
220	Cable, 8/29/67, from Carver to Saigon (CIA #103) (4 pp.)		
220A	Cable, 8/29/67, from Carver to Saigon		
220B	Cable, 8/29/67, from Carver to Saigon (CIA # 103) (4 pp.) (additional material added)	P offers; obj.	Rec'd--11/8 (on state of mind and fact sent)
220BB	Cable, 8/29/67, from Carver to Saigon (additional material added)	P offers; obj.	Rec'd--11/8 (on state of mind and fact sent)
220C	Cable, 8/29/67, from Carver to Saigon (additional material added)	D offers; no obj.	Rec'd--11/13
221	Memo, 11/22/66, from Carver to Komer (CIA #25) (8 pp.)		
222	Memo, 12/2/66, from Adams to Chief, Indochina Division (CIA #27) (5 pp.)		
223	Cable, 12/13/66, from Hebert and Bearman to Saigon (CIA #34) (2 pp.)		
223A	Cable, 12/13/66, from Hebert and Bearman to Saigon (CIA #34) (2 pp.)		
224	Memo, 12/19/66, from Adam to Director, OCI (CIA #35) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
225	Memo, 1/9/67, from Office of National Estimates to Director (CIA #265) (24 pp.)		
226	Memo, 1/11/67, from Carver to Deputy Director for Intelligence (CIA #995) (2 pp.)		
226A	Memo, 1/11/67, from Carver to Deputy Director for Intelligence (2 pp.)	D offers; no obj.	Rec'd--11/3

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
227	Report of the Honolulu Intelligence Conference to Standardize Methods for Developing and Presenting Statistics on Order of Battle, Infiltration Trends and Estimates (110 pp.)	D offers; no obj.	Rec'd--10/22
227A	Excerpts from the Report of the Honolulu Conference (17 pp.)		
228	Article, 3/67 <u>Army Digest</u> , "The Hidden Enemy" (4 pp.)	D offers on truth and state of mind; obj. (relevance and hearsay)	Not rec'd (per 11/28 conference with Judge)
229	Memo, 3/12/67, from McChristian to Sandine, re captured notebooks (CIA #66) (3 pp.)	P offers on truth and state of mind; D reserves their position; D offers; no obj.	Decision reserved--per 11/28 conference with Judge Rec'd--1/22
230	Cable, 3/2/67, from COMUSMACV to II Corps Advisory Group (PX #64) (5 pp.)		Rec'd--per 11/28 conference with Judge (on truth issue for purpose of showing it was sent and received)
231	Cable, 3/9/67, from Wheeler to Westmoreland (1 p.)	D offers; no obj.	Rec'd--10/18
231A	Cable, 3/9/67, from Wheeler to Westmoreland (1 p.)		
232	Cable, 3/10/67, from Colby and Carver (signed by Allen) to Saigon (CIA #63) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
232A	Cable, 3/16/67, from Colby and Carver (signed by Allen) to Saigon (CIA # 63) (1 p.) (additional material added)		Rec'd-- per 11/28 conference with Judge (on truth issue for purpose of showing it was sent and received)
233	Cable, 3/11/67, from Wheeler to Westmoreland (5 pp.)	D offers; no obj.	Rec'd--10/18
233A	Cable, 3/11/67, from Wheeler to Westmoreland (5 pp.)		
234	Memo for the Record, 3/23/67, from Adams re Communist Forces in Vietnam (CIA #1008) (2 pp.)		Rec'd--per 11/28 conference with Judge (on state of mind)
235	Memo, 4/3/67, from Carver to Komer (CIA #280) (3 pp.)	P offers on truth issue; obj.	Exhibit withdrawn without prejudice to later offer-- per 11/28 conference with Judge
236	Congressional Record, Volume 113, Part 9, April 28, 1967 (Westmoreland's address to Congress) (4 pp.)		
237	5/23/67, Central Intelligence Agency, "The Vietnam Situation: An Analysis and Estimate" (CIA #283) (215 pp.) (Ch. X, p. 6; Ch. XII not included)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
237A	5/23/67, extracts from CIA Publications (11 pp.) (#05338-05348)		
238	May 1-31, 1967, MACV Monthly Order of Battle Summary (189 pp.)	P offers; no obj.	Rec'd--10/18
239	Cable, 6/2/67, from Adams to Sandine (CIA #85) (5 pp.)	P offers; no obj.	Rec'd--11/8
239A	Cable, 6/2/67, from Adams to Sandine (CIA #85), (additional material added)	D offers; no obj.	Rec'd--11/13
239B	Cable, 6/2/67, from Adams to Sandine (additional material added)	D offers; no obj.	Rec'd--11/13
240	Cable, 6/9/67, from Saigon to Helms (CIA #87) (1 p.)		Exhibit withdrawn without prejudice to later offer on either state of mind or truth or both--per 11/28 conference with Judge
241	6/29/67 MACV J-2 CICV Study 67-037: Strategy Since 1954 (49 pp.)		
242	Cable, 6/10/67, from Sharp to Westmoreland (PX 65) (1 p.)	P offers; no obj. (10/22--obj.)	Rec'd--10/18
243	Cable, 6/14/67, from Westmoreland to Sharp (1 p.)	P offers; obj.	Rec'd--11/16 (for fact sent; not for truth of what is said in it; not for state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
244	Memo, 6/14/67 from Seltzer to Evans, Easton and Kim, and attachment (CIA #88) (57 pp.) (pp. 29, 37 not included)		
245	Cable, 7/10/67, from Carver to Helms (CIA #91) (4 pp.)	D offers; no obj.	Rec'd--10/17
245A	Cable, 7/10/67, from Carver to Helms (CIA # 91) (4 pp.) (additional material added)	P offers; no obj.	Rec'd--11/8 (for same purpose as 245)
245B	Cable, 7/10/67, from Carver to Helms (additional material added)	D offers; no obj.	Rec'd--11/13
246	Handwritten letter, 7/26/67, from McArthur to his parents (PX 50) (9 pp.)		
247	Handwritten letter, 8/11/67, from McArthur to his parents (PX 51) (5 pp.)		
247A	7/19/67, McArthur letter to parents (4 pp.)		
247B	8/13/67, McArthur letter to father (3 pp.)		
247C	9/20/67, McArthur letter to parents (4 pp.)		
247D	10/10/67, McArthur letter to parents (3 pp.)		
247E	11/16/67, McArthur letter to parents (4 pp.)		
247F	11/20/67, McArthur letter to father (2 pp.)		
247G	1/30/68, McArthur letter to family (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
247H	2/5/68, McArthur letter to family (4 pp.)		
247I	2/16/68, McArthur letter to parents (2 pp.)		
247J	2/24/68, McArthur letter to father (3 pp.)		
247K	2/28/68, McArthur letter to mother (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
248	Copies of MACV viewgraph slides for August NIE conference (#05502-05522) (21 pp.)	P offers; obj.	Rec'd--10/15 (on state of mind and fact Adams got from Hawkins at NIE. Page 5512--all purposes.) Rec'd--10/25
248A	Excerpts of MACV viewgraph slides for August NIE conference (# 05502, 05512)		
249	Notes of 8/18/67 meeting with Rusk, McNamara, Wheeler, Rostow in Cabinet Room, from Jim Jones to the President (11 pp.)		
249A	Notes of 8/18/67 meeting with Rusk, McNamara, Wheeler, Rostow in Cabinet Room, from Jim Jones (11 pp.)		Rec'd--per 11/28 conference with Judge (all references to "the President" excised) on issue of truth for purpose of showing what was reported
250	Cable, 8/19/67, from Komer to Carver (CIA #98) (2 pp.)	P offers; no obj.	Rec'd--10/15
251	Cable, 8/19/67, from Davidson to Godding (1 p.)	P offers; no obj.	Rec'd--10/18
251A	Retyped Cable, 8/19/67, from Davidson to Godding (1 p.)	D offers; no obj.	Rec'd--10/24
252	Cable, 8/20/67, from Abrams to Wheeler, Sharp, Westmoreland (2 pp.)	P offers; no obj. (10/22--obj.)	Rec'd--10/18 (not for truth of estimates)
252A	8/20/67, Abrams cable (#06066-06068) (3 pp.)	P offers; no obj.	Rec'd--11/8 (for same purpose as 252)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
252B	Cable, 8/20/67, from Abrams to Wheeler, Sharp, and Westmoreland (2 pp.)		
253	Cable, 8/20/67, from Westmoreland to Wheeler, Sharp (CIA #99) (1 p.)	P offers; no obj.	Rec'd--11/16
253A	Cable, 8/20/67, from Westmoreland to Wheeler, Sharp (1 p.)		
254	Message, 8/24/67, from Goddling to Davidson (2 pp.)	D offers; no obj.	Rec'd--10/29
255	Cable, 8/25/67, from Westmoreland to Sharp (1 p.)	P offers; no obj.	Rec'd--11/19 (for fact sent and received; not for state of mind)
256	Cable, 9/11/67, from Carver to Helms (CIA # 293) (5 pp.) (additional material added)	P offers; no obj.	Rec'd--11/9 (on state of mind and as a report of what happened at the meetings; not rec'd for truth of statements made at the meetings)
256B	Cable, 9/11/67, from Carver to Helms (5 pp.) (additional material added)	D offers; no obj.	Rec'd--1/10 (for same purposes as 256)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
257	Cable, 9/11/67, Helms to Carver (CIA #952) (1 p.)		
257A	Cable, 9/11/67, from Helms to Carver (CIA # 952) (1 p.) (additional material added)		
258A	Cable, 9/12/67, from Carver to Helms (CIA #292) (9 pp.)	P offers; obj	Rec'd--11/9 (on state of mind and as a report of what happened at the meetings; not rec'd for truth of statements made at meetings)
258AA	Cable, 9/12/67 from Carver to Helms, (7 pp.)		
258B	Cable, 9/12/67, from Carver to Helms (CIA #291) (7 pp.)	P offers; obj.	Rec'd--11/9 (for same purposes as 258A)
258BB	Cable, 9/12/67, from Carver to Helms (CIA # 291) (7 pp.) (additional material added)		
258C	Cable, 9/12/67, from Carver to Helms (CIA # 292) (9 pp.) (additional material added)		
258D	Cable 9/12/67, from Carver to Helms (9 pp.) (additional material added)	D offers; no obj.	Rec'd--11/13
258E	Cable, 9/12/67, from Carver to Helms (7 pp.)	P offers; no obj.	Rec'd--11/13 (for same purposes as 258 B)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
259	Cable, 9/13/67, from Carver to Helms (CIA #294) (6 pp.)	P offers; obj.	Rec'd--11/9 (in part; on state of mind and as a report of what happened at the meetings; not rec'd for truth of statements made at meetings)
259A	Cable, 9/13/67, from Carver to Helms (CIA # 294) (6 pp.) additional material added)		
259B	Cable, 9/13/67, from Carver to Helms (6 pp.)	P offers; no obj.	Rec'd--11/13 (for same purposes as 259)
260	Cable, 9/14/67, from Carver to Helms (CIA #295) (2 pp.)	P offers; obj	Rec'd--11/9 (in part; for same purposes as 259)
260A	Cable, 9/14/67, from Carver to Helms (CIA # 295) (2 pp.) (additional material added)		
260B	Cable, 9/14/67, from Carver to Helms (3 pp.)	P offers; no obj.	Rec'd--11/13 (for same purposes as 260)
261	Memo, 9/15/67, from Carver to Ambassador Bunker (CIA #296) (3 pp.)	P offers; obj.	Rec'd--11/9 (for same purposes as 259)
262	Cable, 10/12/67, from COMUSMACV, signed by Kérwan, to VMAC (2 pp.)		
263	Memo, 10/10/67, from Henkin to Carver (CIA #467) (11 pp.)		
264	Cable, 10/7/67, from American Embassy to Secretary of State (#05420-05431) (12 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
265	Memo, 10/11/67, from Walsh to Carver (2 pp.) (#05814-05815)		
265A	Memo, 10/11/67, from Walsh to Carver (2 pp.)	D offers on state of mind; no obj.	Rec'd--1/3 (on state of mind)
266	Memo, 10/13/67, from Carver to Goulding (CIA #300) (5 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
267	Cable, 10/28/67, from Bunker to Rostow, LBJ (1 p.)	P offers; obj. as to truth	Rec'd--10/15 (for fact sent)
268	Memo, 11/3/67, from Carver to the Director (CIA #129) (9 pp.)		
268A	Memo, 11/3/67, from Carver to the Director		
269	Memo for the Record, 11/9/67, by Adams (CIA #131) (8 pp.)	P reads from this but does not specifically offer it into evidence--1/16	
270	Memo for the Record, 11/13/67, from Smith re MACV Press Briefing of 11/11/67 (CIA #306) (3 pp.)		
271	Article, 11/12/67, New York Times, "U.S. Aides Say Fc 's Strength And Morale Are Declining Fast" (1 p.)	D offers on issues of damages and state of mind.	Rec'd--12/3 (on issues of damages and state of mind)
272	Article, 11/13/67, Wall Street Journal re charges that Administration offi- cials been deliberately misleading the public, the press and Congress (1 p.)		
273	11/13/67, SNIE 14.3-67, "Capabilities of the Vietnamese Communists for Fighting in South Vietnam" (#05390-05419) (30 pp.)	P offers; no obj.	Rec'd--10/17

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
274	<u>Washington Daily News,</u> <u>11/18/67, (3 pp.)</u>		
275	Article, 11/20/67, New York Times, "War of Attrition Called Effective by Westmoreland" (#05282) (1 p.)	D offers on issues of damages and state of mind; no obj.	Rec'd--12/3 (on issues of damages and state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
276	Transcript of "Meet the Press" interview with Bunker and Westmoreland (#13765-13777) (13 pp.)	P offers; obj.	Pages 18 and 10 rec'd--12/12 and those portions to be received as they become relevant
276A	Excerpts from WCW Meet the Press interview (#18906-07) (2 pp.)		
277	MACV Briefing on Enemy Order of Battle, 11/24/67 (PX 93) (9 pp.)		
277A	11/22/67, WCW Pentagon briefing (2 pp.) (#05377-05378)		
277B	11/24/67 MACV Briefing on Enemy Order of Battle (9 pp.)		
278	Memo for the Record, 11/24/67, Subject: Vietnamese Communist OB, signed by Hyland (#21815) (1 p.)		
278A	Memo for the Record, 11/24/67, Subject: Vietnamese Communist OB, signed by Hyland (1 p.)	D offers on state of mind; obj.	Rec'd--1/3 (only on D's state of mind)
279	Article, 11/22/67, New York Times, "Washington: Why Westmoreland and Bunker Are Optimistic" (#21590) (1 p.)		
280	Article, 11/22/67, New York Times, "Westmoreland Says Ranks of Viet Cong Thin Steadily" (#05294) (1 p.)	D offers on issues of damages and state of mind	Rec'd--12/3 (on issues of damages and state of mind)
71	Article, 11/23/67, New York Times, "Westmoreland Sure of Victory" (#06447) (1 p.)	D offers on issues of damages and state of mind	Rec'd--12/3 (on issues of damages and state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
282	Cable, 11/27/67 (CIA #143) (2 pp.)		
283	11/67, Westmoreland, Notes for talk with the President (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
284	Memo, 11/67, from Rostow re charts compiled at headquarters of Military Assistance Command Vietnam (MACV), in Saigon (20 pp.) (CIA #1101 & 1101A)	D offers; no obj.	Rec'd--10/16
284A	Memo, 11/20/67 from Rostow to LBJ re charts compiled at headquarters of MACV (11 pp.)		
284B	Charts compiled at headquarters of MACV (19 pp.)	D offers; no obj.	Rec'd--1/28
284C	Memo, 11/67, from Rostow with attached chart; VC/NVA Strength (2 pp.)	D offers; no obj.	Rec'd--11/26
285	Cable, 11/26/67, from Westmoreland to Abrams (2 pp.)	D offers; obj.	Rec'd--11/21
285A	Cable, 11/26/67, from Westmoreland to Abrams (2 pp.)	D offers; obj.	Rec'd--11/21
286	Memo, 12/68, from Hughes to Secretary of State (4 pp.)	D offers on truth issue; obj. (hearsay and relevance)	Not rec'd--per 11/28 conference with Judge
287	Article, 12/16/67, <u>The New Republic</u> , "Westmoreland's Progress Report" (4 pp.)		
288	12/12/67, Text of MACV Briefing on Enemy Order of Battle, from Bunker (10 pp.)		
289	Article from <u>U.S. News & World Report</u> , 12/25/67, "A Report of Success in the War" (#05233-05234) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
290	Efficiency Report rendered on Lieutenant Col. Everette S. Parkins for the period 1/9/67-1/4/68 (including 1/25/72 cover letter) (#35042, 35038-35041) (5 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
290A	1/25/72, letter from Lewington Ponder re efficiency report (#35042) (1 pp.)		
290B	Efficiency Report rendered on Lt. Col. Everette S. Parkins for the period 1/9/67-1/4/68 (#35038-35041)		
291	CIA Draft Working Papers "The Probable Strength of the VC Main and Local and NVA Forces in SVN, 1/31/68" (CIA #223) (34 pp.)		
292	Memo for the Record, 1/31/68, from Adams to Carver (#164) (2 pp.)		
292A	Memo for the Record, 1/31/68, from Adams to Carver (2 pp.) (#05383-05384)	D offers; no obj.	Rec'd--11/14
292B	Retyped copy of Memo for the Record, 1/31/68, from Adams to Carver (2 pp.)	D offers; no obj.	Rec'd--11/14
293	Letter, 2/9/68, from Fulbright to McNamara (CIA #330A) (5 pp.)		Exhibit withdrawn without prejudice to later offer on either state of mind or truth or both--per 11/28 conference with Judge
294	Letter, from Secretary of Defense to Fulbright, with attachments (11/67 MACV Briefing on Enemy Order of Battle) (CIA #330 D) (17 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
295	NY Times article, 2/9/68, "Excerpts from Text of Kennedy Speech" (1 p.)	D offers on truth, state of mind and damages; obj. (relevance)	Decision reserved--per 11/28 conference with Judge
295A	Videotape of Kennedy Speech	D offers; no obj.	Rec'd--2/8 (on state of mind)
295B	Excerpts from Kennedy Speech, 2/8/68 (4 pp.)	D offers; no obj.	Rec'd--2/8 (on state of mind)
296	Cable, 2/18/68, from Carver to Saigon (CIA #175) (2 pp.)		
296A	Cable, 2/18/68, from Carver to Saigon (2 pp.)	D offers; obj.	Only first ¶ Rec'd--11/13 (for impeachment)
		D offers for state of mind (1/3); no obj.	Rec'd--1/3 (on state of mind)
		D offers for state of mind (2/8); no obj.	Rec'd--2/8 (on state of mind)
296AA	Cable, 2/18/68, from Carver to Saigon (CIA # 175) (2 pp.) (additional material added)		
297	Cable, 2/20/68, from Carver to Saigon (#05834-05842) (9 pp.)		
297A	Cable, 2/20/68, from Carver to Saigon (9 pp.)	D offers; obj.	Rec'd--11/13 (in part; only ¶, 3, 5, 14) (for impeachment)
		D offers for state of mind (1/3); no obj.	Rec'd--1/3 (on state of mind)
		D offers on state of mind (2/8); no obj.	Rec'd--2/8 (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
298	Memo for the Record, 2/27/68, re preliminary views of the Office of Economic Research on the Communist organized man- power base in South Vietnam, 1/30/68 (CIA #325) (4 pp.)		
298A	Memo for the Record, 2/27/68, re preliminary views of the Office of Economic Research on the Communist organized man- power base in South Vietnam, 1/30/68 (CIA #325) (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
299	Memo, 3/18/68, from R. Taylor to Deputy Director for Intelligence (CIA #330) (1 p.)		
300	Memo of conversation, 3/18/68, between Allen and Thomann (2 pp.)	D offers on issue of truth, for purpose of showing that statements made were made and on state of mind; obj.	Rec'd--1/14 (only on state of mind; ruling on P's objections deferred)
301	Article, 3/19/68, New York Times, "US Under-valued Enemy's Strength Before Offensive" by Neil Sheehan (2 pp.)		
302	4/9/68, Briefing Notes for DD/OER (CIA #208) (8 pp.)		
302A	4/9/68, Briefing Notes for DD/OER (CIA #208) (8 pp.)		
303	Memo, 4/9/68, from Helms to Taylor (CIA #342) (3 pp.)		
304	Draft Working Paper, "The Viet Cong Self Defense Forces" (CIA #219) (10 pp.)		
305	Report, 4/10-16/68, on the Conference on DCI Assessment of Enemy Strengths (CIA #343) (12 pp.)		
306	Cable, 4/27/68, from Westmoreland to Wheeler, Sharp (1 p.)	D offers for truth; obj.	Rec'd--12/3
306A	Cable, 4/27/68, from Westmoreland to Wheeler, Sharp (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
307	Memo, 5/2/68, from Walsh to Director of Central Intelligence (CIA #349) (4 pp.)		
308	Cable, 8/2/68, from Bundy to Bunker, Calhoun (3 pp.)	D offers ¶ 5A; obj.	Rec'd--11/20

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
309	Memo, 10/22/69, from R. Smith re Chronology of the VC/NVA OB Problem (CIA #410) (9 pp.)		
310	Article, 10/31/75, United Feature Syndicate, "Num- bers Racket' in Vietnam War" (#36099-36100) (2 pp.)		
311	House of Representa- tives--Hearings before the Committee on Select Committee on Intelli- gence: Tet (12/3/75) (pp. 1651-1727) (#2812-2888) (77 pp.)		
311A	House of Representa- tives--Hearing before the Select Committee on Intelligence: Tet (#01166-03139)		
311B	Adam's Statement before Pike Committee (#01793, 01849-01885)	P offers; no obj.	Rec'd--1/16
311C	Graham's Statement before Pike Committee (4 pp.) (#2727, #02826-02828)		
311CC	Graham's Statement before Pike Committee (#2727, 2812-2845)		
311D	McArthur's Statement before Pike Committee (#02726, 02817-02818)		
311E	Correspondence between Westmoreland and Milford (6 pp.) (#03159-03164)	P offers	Rec'd--1/8 (on state of mind)
311F	Proceeding on December 3, 1975, before Pike Committee (#02812-88) (same as 311).		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
311H	House of Representa- tives--Hearings before the Select Committee on Intelligence (#02726, 02845-02879)	P offers on state of mind; no obj.	Rec'd--1/4 (on state of mind)
311I	House of Rperesenta- tives--Hearings before the Select Committee on Intelligence (#02726, 02880-02888)	P offers on state of mind; no obj.	Rec'd--1/4 (on state of mind)
311J	Excerpt from Hearings Before the Select Committee on Intelligence (#02726, 02828)	P offers; obj.	Not rec'd--1/10

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
312	Memo for Helms from Graham and Hamscher re MACV/CINCPAC views--"CINCPAC/MACV Dissent to the CIA OB Analysis, South Vietnam" (CIA#505) (13 pp.)		
313	Monograph by Allen "Indo- China Wars--1950-1975" (pp. 260-347) (89 pp.)		
314	<u>Pentagon Papers</u> (Gravel ed.) Vol. I		
315	<u>Pentagon Papers</u> (Gravel ed.) Vol. II		
315A	<u>Pentagon Papers</u> Vol. II excerpts (15 pp.) (pp. i, 290-303)		
315B	<u>Pentagon Papers</u> (Gravel ed.) Vol. II excerpts (p. 575)		
316	<u>Pentagon Papers</u> (Gravel ed.) Vol. III		
316A	<u>Pentagon Papers</u> (Gravel ed.) Vol. III excerpts (pp. 438-441)		
317	<u>Pentagon Papers</u> (Gravel ed.) Vol. IV		
317A	<u>Pentagon Papers</u> (Gravel ed.) Vol. IV excerpts (pp. 124-126, 136-139, 192, 234-235, 368-370, 382-384, 539, 546-547)		
317B	<u>Pentagon Papers</u> (Gravel ed.) Vol. IV excerpts (p. 479)	D offers	Rec'd--10/16

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
317C	<u>Pentagon Papers</u> (Gravel ed.) Vol. IV excerpts (p. 420)		
317D	<u>Pentagon Papers</u> (Gravel ed.) Vol. IV excerpts (pp. 530-532)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
318	BDM study--"A Study of Strategic Lessons Learned in Vietnam", Vol. VI--"Conduct of the War" (pp. iv, xii, xxii, xxvi, I-34, 8-2 to 8-31 missing from original)		
318A	BDM study--Vol. VI, pp. 3-26--27 (4 pp.)		
318B	BDM study--Vol. VI, pp. 3-32--33 (4 pp.)		
318C	BDM study--Vol. VI, pp. 3-58--59 (4 pp.)		
319	<u>Soldiers, Statesmen, and Cold War Crises</u> (Cambridge: Harvard Univ. Press), by Richard K. Betts (304 pp.)		
319A	Excerpts from <u>Soldiers, Statesmen, and Cold War Crises</u> (Cambridge: Harvard Univ. Press), by Richard K. Betts, pp. 192-195, (5 pp.)		
320	<u>CIA: The Myth and the Madness</u> (Baltimore: Penguin Books), by Patrick J. McGarvey (#00478-00730) (253 pp.)		
320A	Excerpts from <u>CIA: The Myth and the Madness</u> (Baltimore: Penguin Books), by Patrick J. McGarvey, (#00478, 00616-00620) pp. 133-137		
321	<u>The Best and the Brightest</u> (N.Y.: Random House), by David Halberstam (695 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
321A	Excerpts from <u>The Best and the Brightest</u> (N.Y.: Fawcett Crest), by David Halberstam, pp. 786-788		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
321B	Exerpts from <u>The Best and the Brightest</u> (N.Y.: Random House), by David Halberstam, pp. 631-632, 648-649		
322	<u>The Unmaking of a President: Lyndon Johnson and Vietnam</u> (Princeton Univ. Press), by Herbert Y. Schandler (#00731A, 00731B, 00731-01165, 01165A, 01165B) (440 pp.)		
322A	Excerpts from <u>The Unmaking of a President: Lyndon Johnson and Vietnam</u> (Princeton Univ. Press), by Herbert Y. Schandler, pp. 259-261 (4 pp.)	D offers for state of mind; no obj.	Rec'd -- 12/18 (only on state of mind)
323	<u>The Man Who Kept the Secrets: Richard Helms and the CIA</u> (N.Y.: Knopf), by Thomas Powers (#00014A, 00014, 00014B, 00015-00477, 00477A) (467 pp.)		
323A	Excerpts from <u>The Man Who Kept the Secrets: Richard Helms and the CIA</u> (N.Y.: Knopf), by Thomas Powers, pp. 212-224 (14 pp.)	D. offers for state of mind; no obj.	Rec'd -- 12/18 (only on state of mind)
324	<u>The Vietnam Experience: Nineteen Sixty-Eight</u> (Boston: Boston Publishing Company), by C. Dougan and S. Weiss (189 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
324A	Excerpts from <u>The Vietnam Experience: Nineteen Sixty-Eight</u> (Boston: Boston Publishing Company), by C. Dougan and S. Weiss, pp. 22-23 (3 pp.)		
325	<u>Twenty Years and Twenty Days</u> (N.Y.: Stein and Day), by Nguyen Cao Ky (#3269A, 3269B, 3269-3494, 3494A) (229 pp.)		
325A	Excerpts from <u>Twenty Years and Twenty Days</u> (N.Y.: Stein and Day), by Nguyen Cao Ky, pp. 161-163	D offers on issue of damages; no obj.	Rec'd--12/3 (on issue of damages)
326	<u>The Vantage Point</u> (N.Y.: Holt, Rinehart and Winston), by LBJ (645 pp.)	D offers p. 384 subject to P's right to add additional pages from this chapter; no obj.	Rec'd--2/8 (on state of mind)
326A	Excerpts from <u>The Vantage Point</u> (N.Y.: Holt, Rinehart and Winston), by LBJ, pp. 384-386 (4 pp.)		
327	Palmer, <u>Readings in Current Military History</u> Part II (pp. iv-xiii, 45-149) (113 pp.)		
327A	Excerpts from <u>Readings in Current Military History</u> by Palmer (pp. 101-107)	D. offers for state of mind; no obj.	Rec'd -- 12/18 (only on state of mind)
328	<u>A Soldier Reports</u> , by William Westmoreland		
328A	Excerpt from Westmoreland biography (#21592-93) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
329	New York Times article, 2/21/73, "A CIA Analyst Disputes General in Ellsberg Trial", by Arnold (#4979) (1 p.)		
330	Article from New York Times, 2/26/73, "CIA Agent Wages Lonely Battle for Vietnam Data" (1 p.)		
331	New York Times article, 3/7/73, "Ellsberg Witness Asserts Military Falsi- fied Reports", by Arnold (#4984) (1 p.)		
332	Washington Post article, 3/7/73, "Viet Reports Falsified, CIA Analyst Says", by Ungar (#4983- 4983a) (2 pp.)		
333	Article from Washington Post, 3/8/73 "CIA Analysis Attacked at 'Papers' Trial" (1 p.)		
334	New York Times article, 3/9/73, "Ellsberg Trial Told About 'Lie'", by Arnold (#4986) (1 p.)		
335	Article from New York Times, 4/8/73, "CIA Witness for Ellsberg Asserts Agency Has Apparently Ousted Him" (1 p.)		
336	Boston Herald American article, 5/23/73, "Vet CIA Expert, Sam Adams, Calls Reports 'Monuments of Deceit'", by Sloyan (#4991) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
337	Boston Herald American article, 5/24/73, "CIA Faking of Reports on Vietnam Exposed", by Sloyan (#4992-4993) (2 pp.)		
338	Article from Albany Times-Union, 5/24/73, "U.S. Effort to Fail in Indochina, CIA 'Boat Rocker' Warns" (#4996-4997) (2 pp.)		
339	Washington Post article, 4/24/75, "'67 Viet Data Said Concealed", by Cannon (#5002) (1 p.)		
340	Article, May 1975 <u>Harper's</u> : "Vietnam Cover-Up: Playing War With Numbers" by Adams (00001-00013) (13 pp.)		
341	New York Times article, 9/19/75, "False Troop Data in Vietnam Cited", by Crewdson (#5003-5004) (2 pp.)	D offers on state of mind and damages issues; obj. with respect to state of mind	Rec'd--12/3 (only on issue of damages; as to state of mind, ruling deferred until further foundation is established)
342	Wall Street Journal article, 9/19/75, re ex-agent says CIA underestimated VC strength at Army urging (#5007) (1 p.)		
343	Daily News article, 9/19/75, "Faked Viet Data and It Cost Lives: CIAer", by Van Riper (#5006) (1 p.)	D offers, obj.	Rec'd--12/3 (for same purpose as 341)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
344	Washington Post article, 9/19/75, "False Data Blamed in '68 Tet Surprise", by Lardner (#5008-5009) (2 pp.)	D offers on state of mind and damages issues; obj. with respect to state of mind	Rec'd--12/3 (only on issue of damages; with respect to state of mind, ruling deferred until further foundation is established)
345	New York Times article, 9/22/75, "Using Your Intelligence", by Lewis (#05016) (1 p.)	D offers; obj.	Rec'd--12/3 (for same purpose as 344)
346	New York Times article, 10/18/75, letter to the editor by Moore, "American Intelligence 'A Page Shame'" (#05020) (1 p.)		
347	New York Times article, 10/18/75, "U.S. Intelligence System: How Well Does It Do Its Job", by Crewdson (#05021) (1 p.)		
348	Washington Post article, 10/31/75, "Numbers Game on Tet Offensive", by Anderson and Whitten (#05022)	D offers; obj.	Rec'd--12/3 (for same purpose as 344)
349	William C. Westmoreland interview transcript (102 pp., 2 page 32, no page 75) (#14465-14566)	P offers; no obj.	Rec'd--12/5
349A	Videotape of William C. Westmoreland's interview	P offers; no obj.	Rec'd--12/5
350	USMACV PERINTREP January-July 1966 (67 pp.)	D offers; no obj.	Rec'd--10/18
351	USMACV PERINTREP July-August 1966 (82 pp.)	D offers; no obj.	Rec'd--11/26
351A	Extract from USMACV PERINTREP July-August 1966		
352	USMACV PERINTREP September 1966 (81 pp.)	D offers; no obj. 216	Rec'd--10/16

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
353	USMACV PERINTREP October 1966 (101 pp.)		
354	USMACV PERINTRFP November 1966 (97 pp.)		
355	USMACV PERINTREP December 1966 (85 pp.)		
356	SAGA article, 12/68, pp. 14-17, 68-72	D offers on issue of damages; cbj.	Rec'd--12/3 (on issue of damages)
357	Wall Street Journal article, 7/20/82, p. 30		
358	Memo, 10/24/67, from McCafferty to Rostow (12 pp.)		
359	CIA (Helms) Congressional Briefing Package, 1/68 (9 pp.) (#30956-30964)		
360	Transcript, 11/21/67, Westmoreland speech to National Press Club (12 pp.)		
360A	New York Times article, 11/22/67, WCW speech (1 p.) (#05295)		
361	Washington Post article, 11/14/82, p. C-42		
362	Memo, 4/28/67, from Allen (5 pp.) (CIA No. 74)		
363	<u>Honorable Men</u> , by William Colby (Simon and Schuster) (491 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
363A	Excerpts from <u>Honorable Men</u> , by William Colby (Simon and Schuster) (pp. 230-231; 236-237; 266-277)		
364	Article, 11/30/67 by Jack Anderson (3 pp.) (No. 36096-36098)		
365	Memo, 1/12/67, for DDI et al. (4 pp.) (CIA No. 266)		
366	Letter, from Adams 1/13/82, to Crile (#57178)	D offers; no obj.	Rec'd--1/21
367	Memo, 7/12/82, from Colloff to Sauter (4 pp.) (#34599-34602)		
368	<u>Newsweek</u> article, 6/14/82, "Who Broke the Rules?" (2 pp.) (#53060-53061)		
369	<u>The Nation</u> , 7/26/82, "The Vietnam Numbers Game"		
371	Memo, 7/5/67, from Adams (3 pp.) (CIA No. 1011)		
372	Sauter Memorandum (PX 6) (9 pp.) (#53094-53102)		
373	Cable, 4/2/68, re Tet (CIA #339) (8 pp.)		
373A	Cable, 4/2/68, re Tet (PX 19) (8 pp.)		
374	Transcript, 2/6/70, "Halt the Bombing" (PX 35) (#07861-07875) (15 pp.)		
375	Blue Sheet (PX 38) (#24083-24099) (17 pp.)	P offers; no obj.	Rec'd--12/5

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
375A	Page from bluesheet (#24091) (1 p.)		
376	CBS News Standards (PX 40) (50037-50114) (88 pp.)		
377	7/5/67, memo from Allen (CIA #286) (3 pp.)	P offers; obj	Rec'd -- 11/8 (on state of mind and fact that statements in it were made)
378	Hawkins memo book (PX 70) (6 pp.)		
379	1/16/68, Adams memo of conversation with Gains Hawkins and Ron Smith (PX 72) (6 pp.)	P offers; no obj.	Rec'd--1/17
380	Adams letter to Hawkins Wed. AM (PX 90) (2 pp.)	P offers; no obj.	Rec'd--1/21
381	2/16/76 Article from Village Voice "The Pike Papers: House Select Com- mittee on Intelligence CIA Report" (DX 119) (36 pp.)		
382	2/20/68, Halpin memo (PX 49) (3 pp.)	P offers	Rec'd--1/8 (on state of mind and for fact sent and received)
383	2/10/68, Adams memo re Allen's statement (PX 104) (1 p.)		
384	12/20/67, cable from Westmoreland to Sharp (PX 110) (7 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
385	Advertisement for Broadcast (PX 115) (1 p.)	P offers	Rec'd--1/8 (on state of mind and on issue of the content of the broadcast)
386	12/14/79, Adams letter to McChristian (PX 122) (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
387	12/20/67, New York Times article (PX 124) (3 pp.)		
388	On-air promotion spot (37336) (PX 127) (1 p.)		
389	12/22/78, Adams letter to Taylor (PX 128) (7 pp.)		
390	6/9/81, Westmoreland let- ter to Wallace & Crile w/enclosures (#20944, 20952-63, 20875-20882, 21018-21029, 20883-98) (49 pp.)	P offers; obj.	Rec'd--11/19
391	7/9/81, Westmoreland letter to Crile (DX 16) w/envelope (#21093-95)	P offers; obj.	Rec'd--11/19 (only for state of mind)
392	6/14/67, CIA memo re SNIE draft (#30889-30945) (57 pp.)	D offers; no obj.	Rec'd--1/10
393	8/9/67, CIA memo re SNIE draft (#31875-31884) (10 pp.)		
393A	8/9/67, CIA memo re SNIE draft (CIA #96) (10 pp.)	P offers; obj.	Rec'd--1/30 (as evidence that it is a draft of SNIE)
394A	CDEC Bull. No. 4530 re enemy document (DX 64) (1 p.)		
394B	CDEC Bull. No. 7216 re enemy documents (DX 76) (5 pp.)		
394BB	CDEC Bull. No. 7216 re enemy documents (CIA #108) (5 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Exhibit Notations</u>
394C	2/28/67, CDEC Bull. No. 2558 (#05375-76) (2 pp.)		
394D	CDEC Bull. No. 8540 (#31601-06) (6 pp.)		
394E	CDEC Bull. No. 5154 (#32163-64) (2 pp.)		
394F	CDEC Bull. No. 689 (#32328-30) (3 pp.)		
394G	CDEC Bull. No. 7216 (#33002-06) (5 pp.)		
395	7/11/67, Sandine cable (DX 84) (4 pp.)		
395A	7/11/67, Sandine cable (CIA #92) (4 pp.)		
396	<u>6/30/68, Report on the War in Vietnam</u> (DX 96)		
397	Interim Report, "Intelligence Warning of the Tet Offensive in South Vietnam" (DX 102) (9 pp.)		
398	2/20/68, cable re Giap strategy with one page handwritten note (14 p.)		
399	1/14/68, Westmoreland cable to Sharp (DX 106) (1 p.)		
400	1/15/68, Westmoreland cable to Sharp (DX 107) (2 pp.)		
401	1/25/68, Westmoreland cable to Sharp (DX 108) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
402	1/21/68, Westmoreland cable to Sharp (DX 102) (4 pp.)		
403	4/22/68, Westmoreland cable to Sharp and Wheeler		
403A	4/22/68, Westmoreland cable to Sharp and Wheeler	D offers for truth; obj.	Rec'd--12/3
404	3/6/67, CIA cable, Wash- ington to Saigon (DX 141) (6 pp.)		
404A	3/6/67, CIA cable, Wash- ington to Saigon (32888-23894) (6 pp.)		
405	5/15/81, Crile letter to Westmoreland (DX 147) (#23925-26) (2 pp.)	P offers; no obj.	Rec'd--11/19
407	Taylor & Graham letters to <u>Harper's</u> (#03157-58) (2 pp.)		
408	Adams' Ellsberg Testimony (#03495-4125) (621 pp.)	P uses in Adams' cross	1/21--Transcript does not reflect exhibit was offered or received, but p. 14774 was read into record from "Then, sir . . ." to ". . . part of the problem".
409A	7/13/67, WCV/LBJ press conference (#22211-17) (7 pp.)		
412	11/17/67, LBJ press con- ference (#04911-15) (11 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
413	1/29/78, Oberdorfer article on Tet (#05111-16) (6 pp.)		
414	4/22/79, New York Times article on Revisionist History of Vietnam (#05284) (1 p.)		
415	4/25/67, WCW speech, New York Times (#05296-301) (6 pp.)		
418	9/8/66, draft memo re strength VC irregulars (#05432-41) (10 pp.)		
419	4/2/68, Adams's memo re strength estimates (#05459-65) (7 pp.)		
420	12/15/67, Carver memo to Rostow, with attached 12/8/67 memorandum (26 pp.)		
421	6/23/67, draft memo by Adams on NIE session (#05523-26) (4 pp.)	P offers; no obj.	Rec'd--1/16
422	Page entitled "Excerpts from a CIA memorandum prepared for McNamara" (dated 1/9/67), with one-page attachment (#05449-50) (2 pp.)		
423	1/9/68, WCW cable to Sharp (#05808) (1 p.)		
425	1/20/68, WCW cable to Sharp (#05811-13) (3 pp.)		
426	5/27/68, Adams's memo to CIA Inspector General (#05887-95) (9 pp.)		
427	2/6/68, Rostow memo to LBJ (#05957-60) (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
429	2/14/68, Rostow memo to LBJ (#05964) (1 p.)		
432	8/29/66, Rostow memo to LBJ (#05972) (1 p.)		
433	2/7/68, Rostow memo to LBJ (#06025-26 (2 pp.)		
434	2/12/68, Rostow memo to LBJ (#06027-28) (2 pp.)		
435	9/18/67, Carver memo to Helms (#06070) (1 p.)	P offers	Rec'd--1/8 (on state of mind)
436	12/8/72, Adams' memo to CIA Inspector General (#06365-69) (5 pp.)		
437	12/27/67, New York Times article "Vietnam Report: The Foe is Hurt" (#06420-06422) (3 pp.)		
438	1/11/82, CBS Press release (#11885-11886) (2 pp.)		
440	GSN handwritten "Press list for Vietnam" (#11888)		
441A	1/14/82, letter from Sharpe-Newton to Wickes (#11889)		
441B	1/14/82, letter from Sharpe-Newton to Reston (#11890)		
441C	1/14/82, letter from Sharpe-Newton to Rosenthal (#11891)		
441D	1/14/82 letter from Sharpe-Newton to Martin (#11892)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
441E	1/14/82, letter from Sharpe-Newton to Sheinman (#11893)		
441F	1/14/82, letter from Sharpe-Newton to Goldman (#11894)		
441G	1/14/82, letter from Sharpe-Newton to Wechsler (#11895)		
441H	1/14/82, letter from Sharpe-Newton to Martz (#11896)		
441I	1/14/82, letter from Sharpe-Newton to Middleton (#11898)		
441J	1/14/82, letter from Sharpe-Newton to Smea (#11899)		
441K	1/14/82, letter from Sharpe-Newton to Weighart (#11900)		
441L	1/14/82, letter from Sharpe-Newton to Cave (#11901)		
441M	1/14/82, letter from Sharpe-Newton to Elson (#11902)		
441N	1/14/82, letter from Sharpe-Newton to Navesky (#11903)		
442	1/13/81, memo Goodman to Colloff (#11906-07) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
444	12/16/70, MACV infiltration study (#12007-12) (6 pp.)		
445	Eight pages of typed notes first page headed "Westmoreland Interview" (#12115-12122) (8 pp.)		
446	"Statement on Sam Adams" by George Carver (#12128-51) (24pp.)		
448	4/28/81, memo from Shulman to Colloff/Baker (#12626-39) (14 pp.)		
449	Two pages of handwritten notes, first page headed "Westmoreland" (#12655-12656) (2 pp.)		
450	Three pages of handwritten notes, first page headed "Graham" (#12657-12659) (3 pp.)		
451	5/18/81, Crile memo to Colloff re WCW interview (#12661) (1 p.)		
452	One page CBS memo to "Joe" (#12799) (1 p.)		
453	Taped excerpt from 2/12/68 report of the Joint Chiefs of Staff (#12802)		
454	List of CBS Vietnam Programs (#13211-13222) (12 pp.)		
455	9/15/81, Zigman memo to Crile (#13798)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
456	6/5/81, Graham letter to Wallace, and enclosure (#15686-06)		
457	10/14/81, Bobrowsky typewritten notes (#16014)		
459	7/21/81, letter from Veth to Alben (#16474-75)		
461	Memo, 5/27/68, from Adams to CIA Inspector General CIA (9 pp.) (No. 230)		
462	Memo, 9/20/68, re Average Battalion Strengths (3 pp.) (CIA No. 378)	P offers; no obj.	Rec'd--1/17
463	Cable, 2/19/68, from Saigon Station to Director (6 pp.) (CIA No. 176)		
464	Telegram, 1/24/82, from McChristian to Westmoreland (1 p.) (CLF No. 2407)		
465	Memo, 11/26/68, from Appeal (4 pp.) (CIA No. 398)		
466A	Letter, 7/28/70, from Dindinger to Daniel, with attachment from Clowry (2 pp.)		
466B	Letter, 8/9/70, from Case to Daniel (1 p.)		
466C	11/18/82 letter from Daniel to Hawkins		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
467	New York Times article, 11/24/67, "Optimists vs. Skeptics", by Smith (1 p.)		
468	Excerpts from 3/84 Washington Monthly "Adding Insults to Injury"		
469	10/28/82 letter from Murry to Hamscher w/attachments		
470	2/29/68 Congressional Record--Senate, pp. 4691-4696 (Testimony by Richard Moose) (7 pp.)		
471	Letter, 6/23/75, from John T. Moore to <u>Harper's</u> Magazine (2 pp.)		
472	CIA Draft Working Paper "Administrative Services" (CIA No. 320) (7 pp.)		
473	CICV Pictorial Study, ST-67-052 (51 pp.)		
477	Memo, 12/6/67, from Hughes to Rusk (11 pp.)		
478	3/31/81, Alben letter to Enthoven (17595-95A) (2 pp.)		
479	CBS Memos re "polls" (#18217-56) 27 sheets		
480	1/31/68, Motrey memorandum for the President (#18313-15) (3 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
481	1/30/68, McCafferty memorandum for the President with Rostow's metaphors (#18328-30) (3 pp.)		
482	11/29/67, McCafferty memorandum for Mr. Rostow (#18334-35) (1 p.)		
483	CBS memo, "Meeting at R" (#18503) (1 p.)		
484	MacDonald, "Communist Threat - the Tet Offensive of 1968" (#18712-23) 12 pages		
485A	Questions for Graham (#19257-66)		
485B	Questions for Graham (#19273)		
485C	Questions for Graham (#20366-440)		
488	McNamara chrono (#19766-74)		
489	Questions (#19876-96)		
490	Hawkins' chrono (#19928-44)		
492	Organizational chart-- chain of command (#20542-45)		
493	10/9/81, Crile letter to Spivak (#21069-70)	P offers; obj.	Not rec'd--12/12
494	Westmoreland chrono (#21102-09) (8 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notatic:</u>
495	Handwritten memorandum re enemy strength at Tet (#21132)		
496	Adams' Carver chrono (#21145-52) (8 pp.)		
497	Crile memo to Wallace (#21326)		
498	Questions for Rostow interview--2nd draft (#21408-20) (13 pp.)		
499	Questions for Rostow interview--3rd draft (#21511-39)		
500	Alben memo re infiltration (#22967-69) (3 pp.)		
503	Notes for Adams interview (#24636-38) (3 pp.)		
504	5/11/81, Crile memo to Wallace (#24658-59)	P offers; no obj.	Rec'd--12/17
505	5/18/81, Crile memo to Wallace (#24660)		
506	Questions for Westmoreland interview (#24661-709)		
506A	Questions for Westmore- land interview (#24673-709)	P offers p. 24683 and part of p. 24682; obj.	Rec'd--12/10 (all of p. 24683 and p. 24682 from top to last sentence above #9; on state of mind)
507	Interview with General Walt (#24977-79)		
508	Memo "Origins of Post-Tet Plans" (#26297-327) (31 pp.)		
509	4/15/81, CBS reports re WCW retirement (#29915-22) (8 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
510	5/13/75, letter Sidle to Lapham (#30208-09) (2 pp.)		
511	Adams' notes on Hankins (#30735)		
512	1/19/67, Wheeler memo (#30756-57) (2 pp.)		
513	5/23/67, Extracts from CIA Publication, "A Synthesis" (#30879-81)		
514	10/10/67, Carver memo to DDI, etc., re MACV Briefing (#30946-55) (10 pp.)		
515	2/19/68, CIA cable Saigon to Director (#30966-71) (6 pp.)		
515A	2/18/67, CIA cable Saigon to Director (CIA #176)		
517	11/25/67, Washington Post "Foe's Forces Dip in '67, U.S. Says" (#31122) (1 p.)		
518	Treatment of Indications in Finished Intelligence (#31137) (1 p.)		
519	3/25/69, Adams' IG chron (#31138-43)		
520	Chart re enemy (#31324) (1 p.)		
521	2/28/68, Adams' memo re conference with Hawkins (#31498-502) (5 pp.)		
523	11/67, CIA cable from Saigon to Washington (#31568-69) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
524	8/22/67, Revised section of NIE 14.3-67 (#31576-94) (19 pp.)		
525	12/29/67, CIA cable from Saigon to Washington (#31597-99) (3 pp.)		
525A	12/29/67, CIA cable from Saigon to Washington (CIA #155)		
526	12/20/67, CIA cable from Saigon to Washington (#31600)		
526A	12/20/67, CIA cable from Saigon to Washington (CIA #153)		
528	12/8/67, CIA intelligence memo (#31614-22) (9 pp.)		
530	CIA memo, Enemy Forces in South Vietnam (#31628-31) (4 pp.)		
530A	CIA memo, Enemy Forces in South Vietnam (CIA #145)		
532	11/20/67, Adams memo re Studies in Intelligence (#3165658) (2 pp.)		
532A	11/20/67, Adams' memo re Studies in Intelligence (CIA #139)		
533	11/18/67, CIA memo re VC reporting allied casualties (#31659-62) (4 pp.)		
533A	11/18/67, CIA memo re VC reporting allied casualties (CIA #138)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
537	8/2/67, Memo re research on VC (#31869-74) (6 pp.)		
538	8/9/67, Draft changes in NIE (#31876-84) (9 pp.)		
539	8/9/67, Draft changes in NIE (#31885-94) (10 pp.)		
541	8/67, CIA index cards (#31908-09) (2 pp.)		
541A	8/67, CIA index cards (CIA #101, 102)		
542	7/11/67, CIA cable Saigon to Washington (#31916-18) (3 pp.)		
542A	7/11/67, CIA cable Saigon to Washington (CIA #93)		
543	7/11/67, CIA cable Saigon to Washington (#31925-29) (4 pp.)		
543A	7/11/67, CIA cable Saigon to Washington (CIA #92)		
545	9/28/67, DOD memo and draft press briefing (#31937-47) (11 pp.)		
546	10/23/67, Walsh memo (#31963) (1 p.)		
547	"Insert end para 23" (#31965) (1 p.)		
554	9/15/67, CIA memo re SNIE (#32113-14) (2 pp.)		
554A	9/15/67, CIA memo re SNIE (CIA #109) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
555	9/1/67, MACV study on infrastructure (#32134-52) (19 pp.)	P offers on issue of truth & falsity of broadcast and state of mind; obj.	Rec'd--2/5 (as document that Elascak saw. Judge rules that jury may consider it as to Adams' state of mind if they believe Adams saw it; not rec'd for truth of anything document says in it at the present
556	"Definitions" (#32170) (1 p.)		
557	9/10/67, Note (#32179A) (1 p.)		
558	4/2/68, CIA cable re MAC briefing to Mission council (#33238-45) (3 pp.)		
558A	4/2/68, CIA cable re MACV briefing to Mission council (CIA #204) (8 pp.)	P offers on state of mind and fact that it was sent and received; no obj. on state of mind; obj. on fact sent and received	Rec'd--1/22 (on state of mind and fact sent and received)
559	9/28/66, Carver Memo (#32295) (1 p.)		
562	1/27/67, State Dept. Airgram from Saigon to Washington (#32590-99) (10 pp.)		
563	1/26/67, CIA cable Washington to Saigon (#32600) (1 p.)		
563A	1/26/67, CIA cable Washington to Saigon (CIA #151) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
564	1/26/67, CIA cable Saigon to Washington (#32603-04) (2 pp.)		
564A	1/26/67, CIA cable Saigon to Washington (CIA #47)		
565	1/23/67, Memo re Saigon cable (#32605)		
565A	1/23/67, Memo re Saigon cable (CIA released copy)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
566	1/20/67, Memo on Notebook B (#32611-19) (10 pp.)		
567	1/13/67, Adams' memo re VC irregulars (#32620-21) (2 pp.)		
567A	1/13/67, Adams' memo re VC irregulars (#32620-21) (2 pp.)		
570	4/28/67, Memo Order of Battle Concept for Vietnam (#32862-66) (5 pp.)		
570A	4/28/67, Memo Order of Battle Concept for Vietnam (CIA #74) (5 pp.)		
572	3/28/67, CIA message (#32872) (1 p.)		
572A	3/28/67, CIA message (CIA #71) (1 p.)		
573	3/23/67, CIA cable, Washington to Saigon (#32877-78) (2 pp.)		
573A	3/23/67, CIA cable, Washington to Saigon (CIA #68) (2 pp.)		
574	3/27/67, Adams memo, Communist Forces in Vietnam (#32876) (2 pp.)		
574A	3/27/67, Adams memo, Communist Forces in Vietnam (CIA #69) (2 pp.)		
575	3/23/67, CIA cable, Saigon to Washington (#32881)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
576	3/6/67, CIA cable re Notebooks, Washington to Saigon (#32888-92) (5 pp.)		
576A	3/6/67, CIA cable re Notebooks, Washington to Saigon (CIA #61) (6 pp.)		
577	Notebook A (#32895-96) (2 pp.)		
578	5/24/67, draft Adams memo on captured Viet Cong Documents (#32917-25) (9 pp.)		
579	1/2/68, CIA cable Saigon to Washington (#33032) (1 p.)		
579A	1/2/68, CIA cable Saigon to Washington (CIA #158) (1 p.)		
580	1/4/68, CIA cable Saigon to Washington (#33034-51) (18 pp.)		
580A	1/4/68, CIA cable Saigon to Washington (CIA #159) (18 pp.)		
581	3/1/68 Memo, Adams to Hawkins (#33139) (1 p.)		
581A	3/1/68, Memo Adams to Hawkins (CIA #187) (1 p.)		
582	2/19/68, CIA cable, Saigon to Washington (#33150-55) (6 pp.)		
582A	2/19/68, CIA cable, Saigon to Washington (6 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
583	2/8/68, Adams' memo on enemy forces in current offensive (#33183)		
583A	2/8/68, Adams' memo on enemy forces in current offensive (CIA #171)		
586	5/27/68, Complaint to IG re research on VC (#33466-75) (10 pp.)		
587	Adams Book, Chapter 5 (#34603-34697) (95 pp.)	<p>P offers pp. #34614-19; no obj.</p> <p>P offers page #34608 through the word "fuming" on page #34610. P offers page #34615 from the word "gentlemen" through the words "of course you can" on page #34616. P offers page #34635 from the words "The conference room" through the words "came to order" on page #34636.</p>	<p>Pages #34614-19 rec'd--12/11 (on state of mind issue)</p> <p>These portions rec'd--1/16</p>
588	Adams Book, Chapter 6 (#34698-34770) (73 pp.)		
589	Adams Book, Chapter 10 (#34771-34786) (16 pp.)		
590	Adams Book, Chapter 11 (#34787-34886) (100 pp.)		
591	Adams Book, Chapter 4 (#34921-34973) (53 pp.)		
592	Adams Book, Epilogue (#35589-35592) (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
593	Graphic, Tet Casualty Broadcast Graphic (#34989A)		
594	Graphic, pic LBJ & WCW for bumper (#35001-01A)		
595	Graphic, 8/20/67 cable (#35004A)		
596	Graphic, pic LBJ & WCW, Legacy of Lies (#35010)		
597	12/31/80, Adams agreements with CBS (#35211-24)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
598	6/16/81, Amendment to Adams Agreement (#35214-15) (2 pp.)		
599	6/16/81, Amendment to Adams Agreement (#35211) (1 p.)		
600	WCW press conference transcript (#35225-301)		
601	Crile note to Wallace (#35785)	P offers; no obj.	Rec'd--12/13
602	1/22/68, McNamara testimony before Congress (Appendix IV; Braestrup, <u>The Big Story</u>) (#35793-802)		
603	Broadcast Budget (#35956)		
604	Budget amendment (#36018)		
605	1/15/82, Crile letter to Rostow (#36051-52)		
606	8/10/81, Crile letter to Rostow (#36053)		
607	10/29/81, Spivak letter to Crile and enclosures (#36059-62)		
608	1/22/82, Memo re Sidle conversation (#36072-75)		
609	1970, CICV outcountry and infiltration estimate (#36125-26)		
611	Advertising spots (#37334-36) (3 pp.)	P offers	Rec'd--1/8 (on state of mind)
612	1/15/82, Advance Program Information (#37350)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
614	List of affiliates carrying Broadcast (#37356)		
615	Print advertisements (#37397-98)	P offers	Rec'd--1/8 (on state of mind)
616	12/2/67, CIA memo (#38835-40) (6 pp.)		
621	1/68, MACV Directory (#38961-66) (6 pp.)		
622	Adams' Colonel Hawkins' chrono--two sets of books, 1/1/67-4/5/67 (#39374-98) (25 pp.)		
623	Adams' Chrono, OR, 11/1/66--12/31/66 (#39399-414) (16 pp.)		
624	Adams' Chrono, Crossover, 3/20/67--4/10/68 (#39415-25) (11 pp.)		
625	Adams' Chrono, fourteen three, 6/10/67-11/13/67 (#39426-69) (44 pp.)		
626	Adams' Chrono, Dream World, 11/11/67-1/30/68 (#39470-508) (39 pp.)		
627	Adams' Chrono, Crossover, 11/9/67-11/13/67 (#39509-11) (3 pp.)		
628	Adams' Tet chrono (#39512) (1 p.)		
629	Adams' Tet chrono (#39514-15) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
630	Adams' Tet chrono, 2/1/68-- 5/25/68 (#39516-64 and one unstamped page between 39545 and 39546) (51 pp.)		
631	Adams' Chrono, B 689, 8/18/66-10/31/66 (#39572-87 and 1 unstamped page between 39586 and 39587) (19 pp.)		
632	2/11/68, Memo delivered from Rostow to LBJ re infiltration (2 pp.)		
633	Hoopes, <u>The Limits of Intervention</u>		
634	Palmer, <u>Summons of the Trumpet</u>		
635	Sharp, <u>Strategy for Defeat</u>		
636	Pike, <u>Viet Cong</u>		
637	Scoville, <u>Reorganization for Pacification Support</u>		
638	McChristian, <u>Military Intelligence</u>		
639	Oberdorfer, <u>Tet</u>		
640	Rostow, <u>The Diffusion of Power</u>		
641A	Braestrup, <u>Big Story</u> , Vol. I		
641B	Braestrup, <u>Big Story</u> , Vol. II		
643	Taylor, <u>Swords and Plowshares</u>		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
644	12/68, Marine Corps Gazette article, "Tet Offensive: Victory or Defeat?" by Kriegel (6 pp.)		
645	4/68, Army Magazine article, "The Tet Offensive: A Setback for Giap, But Just How Big?" by Douglas Pike (5 pp.)		
646	Foreign Affairs article (date unknown) by Henry, "February 1968" (16 pp.)		
647	Wilson Center paper by Douglas Pike, "The Vietnam War, the View from Hanoi" (28 pp.)		
648	1/29/78 Washington Post magazine article, D. Oberdorfer [19916-22], (7 pp.)		
649	1/30, 1/31/68, MACV Daily Staff Journal (41 pp.)		
650	12/70, CICV Study ST 70-05 "North Vietnam Personnel Infiltration Into the Republic of Vietnam" (128 pp.)		
651	6/28/67, MACV J2 Brief- ing, Subject: Current Intelligence Estimate and appended Summary of Questions and Answers, (29 pp.)		
652	3/1/67, MACV Fact Book No. 11 (94 pp.)		
653	3/18/67, MACV Fact Book Vol. II (Gen. Westmoreland) (10 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
656	11/15/67, Cable, Abrams to Westmoreland MAC 10031 (2 pp.)		
657	11/23/67, Cable, Abrams to Westmoreland MAC 11275 (2 pp.)		
658	11/30/67, Department of State Airgram from Embassy Saigon, subject: Assessment of the Current Enemy Situation (15 pp.)		
659	Message from White House Situation Room to Walt Rostow CAP 671105 (text of MAC 12397) (4 pp.)		
661	4/4/68, Cable, COMUSMACV to RUEPJS/NMCC, 09465 (CIA #504) (4 pp.)		
662	3/24/67, Estimate of Viet Cong Irregular Force Strength in Vietnam (74 pp.)	P offers as a document to show the kind of reports MACV J-2 was producing in area of irregu- lars; obj.	After sidebar with Judge, P defers on this exhibit; not rec'd--1/17
663	8/1/67, The Strength of Viet Cong Irregular Forces (52 pp.)	P offers page 9 through the end; obj. P offers; obj.	Objection sus- tained; not rec'd--1/20 P defers offer-- 2/5
664	2/12/68, Memo, Wheeler to Westmoreland, JCS 01695 (2 pp.)		
667	4/22/68, Cable, Westmoreland to Sharp and Wheeler, MAC 5321 (3 pp.)		
668	4/5/68, Cable, Davidson to Westmoreland, MAC 4572 (4 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
669	1/20/67, Cable, Wheeler to Westmoreland, CJCS 547-67 (4 pp.)		
670	5/28/67, Memorandum for Record by A. M. Hendry (3 pp.)	P offers; obj.	Rec'd--10/16
671	5/26/67, DIA Contribution to NIE 14.3-67 (56 pp.)		
673	6/27/67, Sharp cable to Westmoreland (1 p.)	P offers; no obj.	Rec'd--11/16 (for fact sent and received; not for truth of what is said in it; not for state of mind)
674	6/29/67, Westmoreland cable to Sharp (1 p.)	P offers; no obj.	Rec'd--11/16 (for same purposes as 673)
675	11/22/67, Memorandum from Richard Helms to the President on VC Loss data (6 pp.)		
676	9/27/66, Memorandum from Komer to Rostow with attached memo from Montague to Komer (3 pp.)		
677	3/10/68, MACV memo, "Promulgation of Strategic/Tactical Study" (8 pp.)		
678	5/9/68, Cable, Westmoreland to Wheeler, MAC 6055 (3 pp.)	P offers on issue of truth; obj.	Rec'd--12/4 (for purpose of showing it was sent and received and its bearing on Westmoreland's state of mind at the time)
679	8/25/67, Memo by Col. Hallenbeck on JCS meeting re the NIE Strength Figures (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
680	8/29/67, Cable, Wheeler to Sharp and Westmoreland re visit of DIA/CIA team visit to MACV (2 pp.)	P offers; no obj.	Rec'd--10/18
681	8/26/67, Cable, Sharp to Wheeler re Revision of Enemy OB Strength in SVN (1 p.)	P offers; no obj. (Obj.--10/22)	Rec'd--10/18
682	3/25/67, Cable, Fowler to Brown (DOD Document No. 28) (2 pp.)		
683	5/67, CDEC, VC Terminology for Irregular Forces (14 pp.)		
684	9/7/67, Memo, Komer to Davidson, re NIE 14.3-67 (CLF No. 2598) (2 pp.)		
685	Paper, "Origins of the Post-Tet 1968 Plans for Additional American Forces in RVN" by Miles (31 pp.)		
687	3/26/68, CIA Saigon to Director re new OB strength estimates (CIA #198), (1 p.)		
688	3/6/68, White House, The Enemy Offensive (LBJ Library 22), (3 pp.)		
689	9/16/67, Cable, Bunker to White House, 9/16/67 (LBJ 20-C) (1 p.)	P offers; obj. as to truth	Rec'd--10/15 (for fact sent)
690	11/6/67, Agenda (LBJ 11-h) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
691	2/21/68, CIA Memo, Communist Forces Used in the Tet Offensive (LBJ 23) (6 pp.)		
692	12/67, Southeast Asia Analysis Report (LBJ 5) (5 pp.)		
692A	12/67, CIA document, Revised Estimates of VC/NVA Order of Battle (CIA #311) (13 pp.)		
693	2/28/68, Note by the Secretaries to the JCS, on Situation on Vietnam (LBJ 46a) (12 pp.)		
694	5/4/68, Memo, Clifford to LBJ re NYT Editorial (LBJ 89) (5 pp.)		
695	1/11/68, Memo, Hughes to Secretary re Selected Military Statistics on Hostilities (LBJ 83) (11 pp.)		
696	2/7/68, Memo, Rostow to LBJ, with Text of Cable Bunker to President (LBJ 28, 88a) (4 pp.)		
697	12/18/67, Address by Gen. Earle G. Wheeler (CLF 2622) (9 pp.)		
698	3/18/67, An Assessment of the Enemy Situation (9 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
699	2/21/68, Memo, State Dept. Query Regarding Viet Cong Order of Battle Around Saigon Area (CIA #323) (3 pp.)		
700	First approximation of 1967 Viet Cong Recruitment Estimate (CIA #302) (11 pp.)		
701	12/20/66, CIA Saigon to DCI comments on MACV's initial irregulars estimate (CIA #37) (23 pp.)		
702	1/24/67, DIA TO CINCPAC discusses Wheeler's request re OB problems (CIA #50) (2 pp.)		
703	3/6/67, DCI to CIA Station re Notebooks A and B (CIA #61) (6 pp.)		
703A	3/6/67, DCI to CIA Station re Notebooks A and B (6 pp.)		
704	3/23/67, CIA station to Director re MACV's response about CDEC translations (CIA #67) (4 pp.)	P offers on state of mind and fact that it was sent and received; no obj.	Rec'd--1/22 (on state of mind and fact that it was sent and received)
704A	3/23/67, CIA station to Director re MACV's response about CDEC translations (4 pp.)	P offers on state of mind and fact that it was sent and received; no obj.	Rec'd--1/22 (on state of mind and fact that it was sent and received)
705	3/23/67, DCI to CIA Saigon on Adams' rationale re assault youth (CIA #68) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
707	8/9/67, CIA draft language, NIE (CIA #96) (10 pp.)		
708	7/11/67, CIA Saigon to DCI re SNIE draft (CIA #93) (3 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
709	9/67, Guerrillas added by MACV to the numbers listed in the strength of the Viet Cong irregulars (MACV drops study) (CIA #107) (4 pp.)		
710	11/14/67, Ron Smith re The Crossover Memo (CIA #307) (19 pp.)		
711	11/15/67, CIA memo re controversial judgments in the SNIE (CIA #308) (7 pp.)	P offers with words "For President Johnson" deleted; obj.	Ruling deferred--11/9
712	11/27/67, Carver memo re White House meeting on casualty figures (CIA #310) (3 pp.)		
713	2/68, CIA memo on Communist units participating in Tet offensive (CIA #324) (15 pp.)	P offers; no obj.	Rec'd--1/17
714	4/5/68, CIA memo, MACV's OB Strength Change (CIA #341) (4 pp.)	P offers; no obj.	Rec'd--1/29
715	5/2/68, CIA memo on Results of Community Negotiations on Enemy Strength in South Vietnam with attachments (CIA #349) (59 pp.)	P offers on state of mind and as document prepared by Smith's South Vietnam branch as a report to DCI on occurrences at 4/68 OB conference	Rec'd--1/30 (on state of mind and as document prepared by Smith's South Vietnam branch as a report to DCI on occurrences at 4/68 OB Conference
715A	5/2/68, CIA memo on Results of Community Negotiations on Enemy Strength in South Vietnam (#30972-31020)	P offers on state of mind and as document prepared by Smith's South Vietnam branch as a report to DCI on occurrences at 4/68 OB conference	Rec'd--1/30 (on state of mind and as document prepared by Smith's South Vietnam branch as a report to DCI on occurrences at 4/68 conference

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
716	2/11/68, CIA memo on main and local forces since Dec. 67 (CIA #322) (2 pp.)		
716A	2/13/68, CIA memo on communist units at Tet (CIA #324) (15 pp.)	P offers on state of mind; obj.	Rec'd--1/29

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Collections</u>	<u>Court Notations</u>
719	4/9/68, Helms to Taylor re OB conference (CIA #342) (3 pp.)		
720	Report on the Conference on DCI assessment of enemy strengths 10-16 April, 1968 (CIA #343) (12 pp.)		
722	5/17/68, DCI to CIA Saigon re info from MACV promised by Graham (CIA #352) (5 pp.)		
725	11/9/68, CIA cable re distinction between OB and NIE totals (CIA #392) (2 pp.)		
727	8/7/68, JCS cable re MACV infiltration estimates (CIA #442) (4 pp.)		
729	9/13/67, DCI Cable to Carver (CIA #954) (1 p.)		
730	9/13/67, DCI Cable to Carver (CIA #955) (1 p.)		
731	7/9/67, later version of Allen 7/5/67 memo (CIA #1010) (3 pp.)		
732	8/4/67, Adams memo re decline in irregular strength (CIA #992) (1 p.)		
734	9/14/67, Davidson to chief of Staff re SNIE (CIA #1012) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
735	CBS Annual Report (most recent at time case submitted to jury)		
736	3/8/73, NYT, Arnold, "Army Is Defending The Troop Data" (#57347) (1 p.)		
737	9/21/75, Washington Post, Broder, "Ford Urges Balanced Tet View" (1 p.)		
738	9/29/75, NYT, Komer, Letter to Editor (#28190) (1 p.)		
739	11/16/75, Washington Star, Komer, "The Tet Intelligence Flap: One Out of Step or Many?" (2 pp.)		
740	9/23/75, NYT, "Ex-CIA Analyst Denies Distortions of Tet Troop Data" (#22024) (1 p.)		
741	12/4/75, NYT, "U.S. Intelligence Chiefs Denying Falsifying Vietnam Troop Data"		
742	Russel Cooley audiotape transcript (#23479-23502) (24 pp.)	P offers pp. 23481 and 23482; no obj.	Pages 23481 and 23482 rec'd--12/13
743	Bernard Gattozzi audiotape transcript (#23504-23528) (25 pp.)		
744	Winant Sidle audiotape 1/22/82 (45 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
745	10/3/67, cable from COMUS MACV to RUHHHQ/CINCPAC, Subject: Captured Docu- ments Screened at CDEC, Saigon (U) (5 pp.)		
750	2/19/68, CIA cable (#33150-55) (6 pp.)		
750A	2/19/68, CIA cable (#33150-55) (6 pp.)		
751	Adams' draft article on failure of intelligence (#33167-80) (14 pp.)		
752	2/8/68, Adam's memo (#33183) (1 p.)		
757	Same as 558		
758	4/15/68, Report on political infrastructure (#33403-C4) (2 pp.)		
758A	4/15/68, Report on political infrastructure (CIA #213) (2 pp.)		
759	2/11/68, VC/NVA strength (33411-29) (18 pp.)		
760	5/27/68, Complaint to IG re research on VC (#33466-75) (10 pp.)		
761A	58231 (excerpt from Adams' notes) (1 p.)		
761B	58274 (excerpt from Adams' notes) (1 p.)		
761C	58329 (excerpt from Adams' notes) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
761D	58335 (excerpt from Adams' notes) (1 p.)		
761E	58404 (excerpt from Adams' notes) (1 p.)		
761F	58417-18 (excerpt from Adams' notes) (2 pp.)		
761G	58491-94 (excerpt from Adams' notes) (4 pp.)		
761H	58546 (excerpt from Adams' notes) (1 p.)		
761I	58560 (excerpt from Adams' notes) 1 page		
762	1/12/68, Miama Herald, Oberdorfer, "New Hanoi Goal: Force Coalition Deal?"		
763	12/21/67, Meeting of the President with the Australian Cabinet (#36204-13) (10 pp.)		
765	9/22/75, DIA memo re formal statement of Samuel Adams (DB-2C1 055) (18 pp.)		
767	4/10/67, Barrie Williams memo--trip report (DB-2C1 066) (14 pp.)	P offers; obj.	Rec'd--10/18 (for fact info was communicated to Williams from MACV)
768	5/19/67, cable from Brown to Peterson re NIE 14.3-67 (DB-2C1 045) (2 pp.)		
769	8/19/67, cable from Goddard to Peterson (DB-2C1 050) (3 pp.)	P offers	Rec'd--10/15

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
771	8/25/67, cable from Goddard to Peterson and Davidson (DB-2C1 101) (2 pp.)	P offers; obj.	Rec'd--10 29 (for fact sent and received)
772	8/29/67, cable from Goddard to Peterson and Davidson (DB-2C1 099) (2 pp.)		
773	11/13/67, cable from Brown to Peterson and Davidson (DB-2C1 051) (2 pp.)		
775	8/24/67, cable from Davidson to Godding (DB-2C1 104) (1 p.)	P offers; no obj.	Rec'd--10 29
776	8/25/67, cable from Westmoreland to Wheeler, Sharp	P offers	Rec'd--10 19
777	8/28/67, cable from Sharp to Wheeler		
778	8/26/67, cable from Peterson to Brown (DB-2C1 100) (2 pp.)	P offers; no obj. (Obj.--10/22)	Rec'd--10 19
778A	8/26/67, cable from Peterson to Brown (retyped)(2pp.)	P offers; no obj. (Obj.--10/22)	Rec'd--10 19
779	10/13/67, cable from Peterson to Glass (DB-2C1 087) (8 pp.)		
780	11/14/67, DOD cable from CINCPAC to RUEKD/DIA (DB-2C1 053) (3 pp.)		
781	11/8/67, CICV, VC NVA Sapper/Engineer Order of Battle (477 pp.)		
782	Map of Vietnam, Laos and Cambodia (1 p.)		
783A	1/15/82, The Commercial Appeal, John Knott, "Dixie Dialing - U.S. Military's Vietnam Actions Probed" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
783B	1/21/82, San Francisco Chronicle, "CBS Says U.S. Hushed Up Enemy Buildup in Vietnam War" (1 p.)		
783C	1/21/82, New Bedford Standard Times AP, "Vietnam troop strength data were altered - report" (1 p.)		
783D	1/21/82, Christian Science Monitor, Arthur Unger, "Vietnam, Did Army Undercount Viet Cong?" (1 p.)		
783E	1/21/82, New York Post. "Military Gave LBJ False Info on Viet" (1 p.)		
783F	1/21/82, Washington Post, Robert Kaiser, "Falsified Reports Laid to General" (1 p.)	Offers; obj.	Rec'd--11/20 (for fact article appeared; not for truth of article)
783G	1/21/82, New York Times, Charles Mohr, "Vietnam Post-Mortem: Did Army Alter Facts?" (1 p.)		
783H	1/21/82, St. Louis Post-Dispatch, "Analysts Manipulated Reports of Enemy in Vietnam, CBS Says" (1 p.)		
783I	1/21/82, Milwaukee Sentinel, Ron Legro, "TV Today - Deception by Military in Vietnam Documentary"		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
783J	1/21/82, The Boston Globe, AP, "US Analysts Falsified Data on Viet Enemy, CBS says" (1 p.)		
783K	1/22/82, Los Angeles Times, Howard Rosenberg, "Vietnam Facts: Shocking Report" (1 p.)		
783L	1/22/82, San Francisco Chronicle, Eric Mink, "Army Conspiracy" (1 p.)		
783M	1/22/82, New York Times, John O'Connor, "TV Weekend" (1 p.)		
783N	1/22/82, Rocky Mountain News, Walter Saunders, "Mike has Mike, Camera, Spotlight" (1 p.)		
783O	1/22/82, The Atlanta Journal, Michele Greppi, "Mike Wallace Pulls Threads Together to Weave Tale of Vietnam Deception" (1 p.)		
783P	1/22/82, Dallas Times Herald, Kenneth Clark, UPI, "Mike Wallace Report Puts Westmoreland on Defensive" (1 p.)		
783Q	1/22/82, The Indianapolis News, Richard Shull, "Where Numbers Could Kill" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
783R	1/22/82, Albany Times Union, Phil Strickland, "'CBS Reports' unfolds Bizarre Tale on the War in Vietnam Saturday" (1 p.)		
783S	1/22/82, The Boston Globe, Robert Healy, "The Other Side of Vietnam: A Story of Deception in High Places" (1 p.)		
783T	1/22/82, Newsday, Harriet Van Horne, "Shocking Exposure of a Vietnam Cover-Up" (1 p.)		
783U	1/22/82, The Hollywood Reporter, Gail Williams, "TV Review - The Un-counted Enemy: A Vietnam Deception" (1 p.)		
783V	1/27/82, Charleston, W. Va. AP, "Westmoreland Seeks Apology After Network's Vietnam Report" (1 p.)		
783W	1/23/82, New York Post, Eleanor Terzian, "Weekend Highlights" (1 p.)		
783X	1/23/82, Edmonton Journal, Mike Hill, "America's Biggest Vietnam Lie Comes to Light in Documentary" (1 p.)		
783Y	1/23/82, Albuquerque Journal, TV Previews (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
7C3Z	1/23/82, The Hartford Courant, Owen McNally, "It's Wallace v. Westmoreland in CBS Special" (1 p.)		
783AA	1/23/82, Washington Post, Peter Osmos, "Number That Lied - The Uncounted Enemy in Vietnam" (1 p.)		
763BE	1/23/82, The Dallas Morning News, Ed Bark, "'Uncounted Enemy' Blasts Westmoreland" (1 p.)	P offers; obj.	Pec'd--11/20 (for fact article appeared; not for truth of article)
783CC	1/24/82, New York Times, Editorial, "War, Intelligence and Truth", (1 p.)	P offers; obj.	Rec'd--11/20 (for fact article appeared; not for truth of article)
783DD	1/27/82, Washington Post, Robert Kaiser, "Westmore- land Denounces TV Program Accusing Him of Cover-Up" (2 pp.)		
783EE	1/28/82, Norfolk, Virginian Pilot, "A Vietnam Deception", (1 p.)		
783FF	1/28/82, Ozark Spectator, "Lied to Again" (1 p.)		
783GG	1/28/82, Victorville Daily Press. Steve Williams, "Our Opinion - The General" (1 p.)		
783HH	1/28/82, Greenwich Time, William Buckley, "Westmoreland Melts Before Mike Wallace" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
783II	1/28/82, Indianapolis News, William Buckley, "Warring with Wrong Numbers", (1 p.)		
783JJ	1/28/82, Ashland Independent, William Buckley, "Investigation of Vietnam Conduct Needed" (1 p.)		
783KK	1/28/82, Macomb Journal, William Buckley, "The Uncounted Enemy" (1 p.)		
783LL	1/28/82, Baltimore News American, William Buckley, "The Westmoreland Debacle" (1 p.)		
783MM	1/28/82, Kansas City Star, William Buckley, "Incrimination Documentary on Vietnam Points up Need for Investigation" (1 p.)		
783NN	1/28/82, Jackson News, William Buckley, "General's 'Uncounted Troops' Alter Context of Vietnam War" (1 p.)		
783CO	1/28/82, Auburn Citizen, William Buckley, "Lies and Deceit in Vietnam"		
783PP	1/28/82, Utica Observer-Dispatch, William Buckley, "Cruel Numbers Came in Vietnam" (1 p.)		
783QQ	1/28/82, New York News, William Buckley, "Vietnam: The Short Count" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
783RR	1/28/82, Bowling Green Sentinel Tribune, Leon Daniel, "Westmoreland Denies Altering Estimates of Enemy Strength" (1 p.)		
783SS	1/28/82, Cleveland Plain Dealer, William Buckley, "Viet War Cries Out for Probe" (1 p.)		
783TT	1/28/82, Pittsburgh Post-Gazette, William Buckley, "Gen. Westmore- land's Appalling Conduct" (1 p.)	P offers; obj.	Rec'd--11/20 (for fact article appeared; not for truth of article)
783UU	1/28/82, Philadelphia Bulletin, William Buckley, "What Westmoreland Withheld" (1 p.)		
783VV	1/29/82, Worcester Gazette, "The Westmoreland Deception" (1 p.)		
783WW	1/29/82, Jupiter Courier Editorial, "Vietnam Again" (1 p.)		
783YY	1/27/82, Newsday, "Westmoreland Denies Altering of Data"		
783ZZ	1/27/82, Christian Science Monitor, "Westmoreland Disputes Charges Raised by CBS Documentary" (1 p.)		
783AAA	1/23/82, Dallas Morning News, "Westmoreland Disputes Report About Vietnam"		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
784	Crile White Paper (#56851-57160)	P offers; obj. P offers p. 56916 (bottom para- graph); no obj.	Page #56914 Rec'd--12/10 Page #56916 (bottom paragraph) rec'd--12/12
822	1/23/82, Crile handwrit- ten memo of conversation with Joseph McChristian (#36252-57)		
823	1/24/82, Crile hand- written memo of conversa- tion with Gains Hawkins (#36260-61)		
826	5/3/67, cable Bunker to Department of State (A-623) (8 pp.)		
827	8/11/67, General West- moreland's Military Assessment for July 1967 (LBJ 11) (12 pp.)		
828	9/6/67, General West- moreland's Military Assessment for August 1967 (LBJ 21d) (13 pp.)		
829	10/14/67, Rostow memo to the President (LRJ 44) (1 p.)		
829A	10/10/67, General West- moreland's Military Assessment for September 1967 (LBJ 44a) (attached to LBJ 44) (22 pp.)		
830	11/14/67, Rostow memo to President (LBJ 27) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
830A	11/14/67, Memorandum for the President, Summary of General Westmoreland's Assessment for the Month of October (LBJ 27a) (attached to LBJ 27) (6 pp.)		
830B	11/12/67, General Westmoreland's Monthly Military Assessment for the Month of October (LBJ 27b) (attached to LBJ 27) (page 11 missing) (13 pp.)		
831	12/16/67, General Westmoreland's Monthly Military Assessment for November 1967 (LBJ 14) (27 pp.)		
832	10/23-25/67, Briefing, Preparedness Investigating Subcommittee, Senate Committee on Armed Forces (39 pp.)		
835	11/25/67, Washington Post (1 p.)		
837	1/26/82 CBS Evening News Excerpt (#57177) (1 p.)		
839	11/9/66, State Department cable, Hughes to Secretary (CIA #22) (6 pp.)		
840	11/22/66, Walsh memo (CIA #25) (8 pp.)		
841	1/23/67, Adams memo (CIA #49) (2 pp.)		
842	1/27/67, Adams note (CIA #53) (1 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
844	2/11/68, Adams article, "Vietnam: A Failure In Intelligence" (CIA #174) (14 pp.)		
846A	10/4/67, Bunker cable to LBJ, No. 23 (13 pp.)		
846B	10/12/67, Bunker cable to LBJ, No. 24 (page 4 missing) (9 pp.)		
846C	10/18/67, Bunker cable to LBJ, No. 25 (11 pp.)		
846D	10/25/67, Bunker cable to LBJ, No. 26 (10 pp.)		
846E	11/2/67, Bunker cable to LBJ, No. 27 (11 pp.)		
846F	11/8/67, Bunker cable to LBJ, No. 28 (9 pp.)		
846G	2/4/68, Bunker cable to LBJ, No. 37 (#05990-06000) (11 pp.)		
847	11/6/67, draft of MACV Press Briefing (LBJ 5-d) (9 pp.)		
848	7/10/67, N.Y. Times, "Komer's Critics Concede Gain in Vietnam Pacification Drive" (#57298-99) (2 pp.)		
854	4/28/82, letter Vietnam Veterans Inc. (Fittsburgh) to Wallace (#55008) (1 pp.)		
854A	2/15/82, press release (attached to 854) (#55009-10) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
869	8/22/67, CIA Memo (CIA #100) (20 pp.)		
870	11/9/66, State Department cable from Hughes to Secretary (CIA #22) (6 pp.)		
871	4/23/68, CIA memo re administrative services (CIA #214) (4 pp.)		
879	10/1/67, State Department Study, "The NVT Role in the War's SVN" (LBJ 45) (76 pp.)		
880	1/5/68 memo Rostow to LBJ (LBJ 90) (1 p.)		
881	Adams' Prospects List (#4713-43)	P offers; no obj.	Rec'd--12/10 (on issue of Def.'s state of mind)
882	11/20/67, memo W.P. Bundy, "Suggested Changes in MACV draft of 6 November" (LBJ 11) (1 p.)		
883	Random House, <u>Dictionary of the English Language</u> (1981) (p. 313) (2 pp.)		
884	<u>Webster's New Twentieth Century Dictionary of the English Language</u> (Unabridged 2d ed.) (p. 391) (2 pp.)		
885	CIA report, Saigon, Information as of 1600, 29 January 1968 (#05661-62) (2 pp.)		
886	2/24/68, memo Rostow to President (LBJ 58) (3 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
887	12/21/67, memo McCafferty to Rostow (LBJ 7)		
888	5/7/68, memo Rostow to President (LBJ 34)		
889	9/15/67, memo Rostow to President (LBJ 17) (2 pp.)		
890	12/4/67, memo Rostow to President (LBJ 63) (1 p.)		
890A	12/1/67, memo McCafferty to Rostow (attached to 890) (LBJ 63a) (3 pp.)		
891	8/26/67, memo Westmoreland to Wheeler (LBJ 58c) (21 pp.)		
892	11/16/71, letter by Charles Morris re Clarification of Service Requirements--LTC John L. Michalski (attachment B to Michalski 4/18/84 Affidavit) (3 pp.)		
893	5/18/67 Estimate of VC irregular strength and McChristian cover letter dated 5/21/67 (71 pp.)	P offers; obj.	Rec'd--10/16 (for truth only)
893A	MACV J-2 "Estimate of CV Irregular Strength"--Comments (3 pp.)	P offers; obj.	Rec'd--10/16
893C	Estimate of VC Irregular Strength (Excerpt of 893--cover page and McChristian cover letter) (2 pp.)		This is an excerpt of 893 which was received on 10/16
894	5/30/67 Hawkins letter to his wife (PX 85) (2 pp.)	P offers on state of mind; no obj.	Rec'd--1/17 (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
895	4/1/67 CIA cable (Saigon 4688) (CIA #73) (2 pp.)	P offers; obj.	Rec'd--11/8 (in part; for fact sent. ¶ 3--not rec'd)
		P offers ¶ 3; obj.	¶ 3 rec'd--12/11 (only on issue of Defendants' state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
896	8/29/67 cable from Bunker to Rostow (CLF 2624 pp. 2-3) (2 pp.)	P offers; obj. as to truth	Rec'd--10/15 (for fact sent)
897	1/16/67 Department of Defense cable from McChristian (3 pp.)		
898	3/1/68 CIA Memo--"The Communists' Ability to Recoup their Tet Military Losses" (CIA #327) (15 pp.)		
899	CIA inventory of documents (print-outs)		
900	9/68 Southeast Asia Statistical Tables (5 pp.)		
900A	8/67 Southeast Asia Statistical Tables (9 pp.)		
900B	8/68 Southeast Asia Statistical Tables (5 pp.)		
901A	11/15/67 MACV Military Intelligence OB Acceptance Criteria (2 pp.)		
901B	6/16/67 MACV Military Intelligence OB Acceptance Criteria (4 pp.)		
901C	7/24/69 MACV Military Intelligence OB Acceptance Criteria (4 pp.)		
902	8/20/67 MACV cable from Aorams to WCW (MAC 7941) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
903	1/21/82 CBS Morning News transcript (5 pp.)		
903A	Videotape of 1/21/82 morning news	P offers; no obj.	Rec'd--11/20
905	10/2/67 memorandum from Bunker to Bundy and Hughes (CLF 2624 pp. 4-5) (2 pp.)		
905A	10/2/67 memorandum from Bunker to Bundy and Hughes		
906	11/9/66 CIA cable (CIA #20) (4 pp.)		
907	1/11/73 Adams memorandum to Army IG (#06355-60) (2 pp.)		
908	1/16/73 Adams memorandum to Army IG (#06355-57) (3 pp.)		
909	2/10/81 Crile letter to McChristian (#21606-07) (2 pp.)	P offers; no obj.	Rec'd--12/10 (as evidence of Crile's state of mind)
910	2/10/81 Adams letter to McChristian (#21608-09) (2 pp.)	P offers; no obj.	Rec'd--12/17
911	Crile/Wallace memo (#24106-07) (2 pp.)	P offers; no obj.	Rec'd--12/17
912	8/21--12/26/67 Westmoreland History notes (CLF 2141) (113 pp.)	P offers pp. 25-26 re 9/13/67; obj.	Rec'd--11/19

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
913	Adams note to Crile (37280) (1 pp.)		
915	11/11/67 COMUSMACV Back- grounder (CLF 08578-99) (22 pp.)		
916	Political OB Chronology (35078-83) (6 pp.)		
919	3/10/68, NYT article "Westmoreland Requests 206,000 More Men, Stirr- ing Debate in Administra- tion" (4 pp.)		
920	Eckhardt, George S., <u>Command and Control</u> <u>1950-1969, Vietnam</u> Studies, Department of the Army		
921	MACV Staff Chart 11, 67 (CLF 2528) 1 larger page		
922	7/1/67, CICV Study "Assault Youth" (DB-2CI 028) (35 pp.)		
923	Elegant, Robert, "How to Lose a War" (#35922-39) (18 pp.)		
928	9/19/67 memo to Carver from Davidson re J2 MACV Comments of NIE 14-3-67, August 29, 1967 (CIA No. 1007) (4 pp.)		
929	3/20/68 memo to Rostow from Ginsburgh re Order of Battle (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
930	4/29/68 memo to the secretary from Hughes re Conflicting MACV and CIA Assessments of Enemy Strength in SVN (4 pp.)	D offers; obj.	Not rec'd--11/20
930A	4/29/68 memo to The Secretary from Hughes re conflicting CIA assessments of enemy strength in SNV (4 pp.)	D offers on state of mind and truth; obj.	Judge ruled that this be split up into two documents: 930AA-truth version 1635-state of mind version
930AA	4/29/68 memo to the Secretary from Hughes re conflicting MACV and CIA assessment of enemy strength in SVN (redacted for truth issue)		
931	5/4/68 cable to Sharp and Westmoreland from Wheeler (3 pp.)	D offers; obj.	Rec'd--12/3
932	4/28/75 letter to Davidson from Graham attaching extract from 4/23 Congressional Record	D offers	Rec'd--10/31
933	7/6/67 Washington Post article "Viet War Strategy" by G. Wilson (1 p.)		
934	2/29/68 cable from Bunker to the President re 41st weekly message (11 pp.)		
934A	2/29/68, cable from Bunker to the President re 41st weekly message (#22817-27) (11 pp.)	D offers on state of mind; no obj.	Rec'd--2/8 (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
935	3/67 MACV HONEVAL Report (80 pp.)		
936	Excerpt from 9/66 PERINTREP (3 pp.)		
937	7/2/81 Letter from Crile to Wallace (#56958-56959) (2 pp.)		
938	26 <u>Congressional Quarterly Weekly</u> , 22 February 9, 1968		
939	MACV OB, 10/1-31/67 (158 pp.)		
940	Washington Post article by Hawkins, "Vietnam Anguish: Being Ordered to Lie", 11/14/82		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
941	Letter, 6/21/82, from Hawkins to Sauter		
942	Letter, 6/29/82, from Allen to Sauter		
943	Letter, 7/6/82, from Adams to Benjamin		
944	Letter, 6/18/82, from McArthur to Sauter		
945	Letter, 2/1/82, from McCloskey to Crile		
946	Letter, 6/25/82, from Hamscher to Sauter		
947	Letter, 6/23/82, from Powers to Sauter		
948	Letter, 6/21/82, from Rushford to Sauter		
949	Matters Admitted by Plaintiff	D offers; no obj.	Rec'd--10/17
949A	Paragraphs of the 1976 Report of the House Select Committee on Intelligence admitted in evidence	D offers on issues of damages and state of mind; no obj.	Rec'd--12/3 (on issues of damages and state of mind)
950	Disposition Form	D offers; obj.	Not rec'd--10/24
951	Memo, 8/15/67, from Davidson to Deputy J2, Production	D offers; obj. (10/24)	
951A	Memo, 8/15/67, from Davidson to Deputy J2, Production	D offers; obj. (10/24)	
952	Letter, 7/2/82, from Sprey to Sauter		
953	Memo for the record, 9/20/68, re Average Battalion Strengths-- Documentary Evidence versus MACV's OB		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Citations</u>
954	Wall Street Journal article, 9/30/75		
955	Memo, 5/19/67, from McNamara to the President re Future Actions in Vietnam	D offers on issue of truth of broadcast; no obj.	Rec'd--12/6
956	Department of the Army pamphlet--"Training-- Operations-Lessons Learned", 7/1/68		
957	"New Developments in the Guerrilla War in South Vietnam" by Cuu Long, 11/13/66		
958	Affidavit of Kelly Robinson, 10/28/83	D offers ¶¶5-11; obj.	First sentence in ¶8 rec'd; ¶¶9 and 10 rec'd; ¶¶5, 6, 7, 11 not rec'd-- 11/26
958A	Paragraphs of Kelly Robinson affidavit received in evidence		
959	2/23/68, Letter from Taylor to Helms re questions regarding possible intelligence failure during Tet, enclosing letter to DCI		
960	11/8/67, Notes of the President's meeting with the National Security Council		
961	8/13/67, Memo from Jordan for the President re Questions and Answers on Viet Nam w/attached memo re the situation in Viet Nam and U.S. Policy		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
962	12/16/67, Handwritten note from McPherson to Rostow enclosing memo from McPherson for the Chairman, Joint Chiefs of Staff & LBJ re Interdiction of NVN Reinforcements		
963	11/15/67, Memo from Rostow to the President enclosing memo from Helms to the President re new Nat'l Intelligence Estimate		
964	11/10/67, Memo from Rostow to the President enclosing texts of cables from Embassy Saigon re Measurement of Progress		
965	11/8/67, Summary Notes of 578th NSC meeting, by Bromley Smith		
966	Memo, 8/1/67, from Rostow to LBJ	D offers; obj	Not rec'd--12/6
967	<u>The President Steps Down,</u> by George Christian		
967A	Excerpts from <u>The President Steps Down</u> , by George Christian (pp.116-117)		
968	Plaintiff's Response to Defendants' First Set of Interrogatories, 10/29/82		
969	Plaintiff's Response to 40 of Defendants' 60 Designated Discovery Requests, 9/28/84		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
970	Notes of the President's Meeting with Senior Foreign Policy Advisors, 3/4/68		
971	2/16/68 Memo from Rostow to LBJ	D offers; no obj.	Rec'd--10/16
972	6/8/67, Memorandum from General Carroll (LBJ 49, 49a) (59 pp.)		
973	7/22/68, Rostow Memorandum to the President enclosing 7/19/68 JCS memorandum (LBJ 12a, 12b) (8 pp.)		
974	5/1/67 to 8/18/67 Westmoreland History Notes (CLF 2146) (97 pp.)	P offers; obj.	Rec'd--11/15 (only pp. 17, 18 (except ¶ 3) and 19)
975	1/20/67, Rostow memorandum to the President on size of enemy OB in Vietnam (LBJ 100) (2 pp.)	P offers; obj. as to truth	Not rec'd--10/15 (Jan. 1967 is irrelevant)
976	8/18/67, memorandum for Rostow from Robert Ginsburgh on imminent new intelligence estimates (LBJ 12) (4 pp.)	P offers; obj. as to truth	Not rec'd--10/15 (don't know if came from MACV)
977	10/28/67, memorandum for Rostow from Ginsburgh on communist strengths in South Vietnam (with attachment) (LBJ 38) (6 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
97A	11/15/67, Rostow memorandum for the President on Helms' memo on new National Intelligence Estimate of 11/14/67, attached (LBJ 9) (9 pp.)	P offers; obj. as to truth	Not rec'd--10 15
979	11/21/67, Rostow memorandum to the President on issues to confront in the weeks ahead (LBJ 43) (1 p.)		
980	1/18/68, Rostow memorandum for the President on Tet standdown (LBJ 62d) (1 p.)		
981	Copy of MAC 01049 from General Westmoreland, 1/22/68 (LBJ 23a) (1 p.)		
982	1/19/68, Rostow memorandum to the President on Tet standdown with attachments (LBJ 62) (3 pp.)		
983	11/10/68, memorandum for Rostow from Helms on reassessment of the number of North Vietnamese troops in South Vietnam (LBJ 23) (2 pp.)		
984	CIA draft working paper, "The Viet Cong Self-Defense Forces" (DX 63) (10 pp.)		
985	11/17/67, President Johnson press conference (#16305-13) (9 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
986	Audiotape of Crile conversation with McNamara, Goldberg, Ridgeway		
987	MACV Order of Battle Reference Manual (LBJ 52) (54 pp.)		
988	3/1/68, JCS Memorandum on Casualties (LBJ 45) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1000A	Defendants' designations from the deposition of Alex Alben		
1001A	Defendants' designations from the deposition of George Allen		
1002A	Defendants' and plaintiff's designations from the deposition of Thomas Becker	D offers on state of mind and truth	Rec'd--1/10 (on state of mind and truth)
1003A	Defendants' and plaintiff's designations from the deposition of Colonel Russell Cooley	D offers	Rec'd--2/5 (for truth) Rec'd--2/12
1004A	Defendants' and plaintiff's designations from the deposition of Colonel William Cover	D offers	Rec'd--1/29
1005A	Defendants' designations from the deposition of General Phillip Davidson		
1006A	Defendants' designations from the deposition of Vincent Demma		
1007A	Defendants' and plaintiff's designations from the deposition of Bernard Gattozzi	D offers	Rec'd--1/30
1008A	Defendants' designations from the deposition of General George Godding		
1009A	Defendants' and plaintiff's designations from the deposition of Colonel George Hamscher	D offers for state of mind and truth	Rec'd--1/9 (on state of mind and truth)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1010	Defendants' and Plaintiff's designations from the deposition of Michael Hankins	P offers	Rec'd--11/5
1011A	Defendants' designations from the deposition of Colonel Gains Hawkins		
1012A	Defendants' designations from the deposition of Bruce Jones		
1013A	Defendants' designations from the deposition of Richard Kovar		
1014A	Defendants' designations from the deposition of Colonel Norman House		
1015A	Defendants' designations from the deposition of General Joseph McChristian		
1015B	Plaintiff's designations from the deposition of Joseph C. McChristian		
1016A	Defendants' designations from the deposition of Secretary of Defense Robert McNamara		
1017A	Defendants' designations from the deposition of Paul Marr		
1018A	Defendants' designations from the deposition of Colonel Elmer Martin		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1019A	Defendants' and plaintiff's designations from the deposition of John Moore	D offers	Rec'd--1/29
1020A	Defendants' and plaintiff's designations from the deposition of Colonel David Morgan	D offers on state of mind and truth	Rec'd--1/9 (on state of mind and truth)
1021	Defendants' designations from the deposition of Sergeant John O'Donnell		
1022A	Defendants' designations from the deposition of Douglas Parry		
1023A	Defendants' designations from the deposition of Gregory Rushford		
1024A	Defendants' designations from the deposition of Dean Rusk		
1025A	Defendants' designations from the deposition of Ronald Smith		
1026A	Defendants' designations from the deposition of Pierre Sprey		
1027A	Defendants' designations from the deposition of Colonel John Barrie Williams		
1029A	Defendants' and plaintiff's designations from the deposition of Joseph Zigman	D offers for state of mind	Rec'd--1/8 (on state of mind)

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1030A	Defendants' and plaintiff's designations from the deposition of Dwain Gatterdam	D offers on truth and state of mind	Rec'd--1/8 (on state of mind and truth)
1031A	Defendants' and plaintiff's designation from the deposition of James Johnson	D offers for state of mind and reputation of plaintiff	Rec'd--1/9
1201	Benjamin Report (excluding "Recommendations" and attachments) (#34451-513 (first three lines), 515-21)		
1202	Crile letter to Wallace (PX 114) 6 pages		
1202A	Excerpts from Crile letter to Wallace (PX 114)	P offers	Rec'd--1/8 (on state of mind)
1203	Carolyn McDaniel letter to Alben (#12170) (1 p.)		
1204	Complaint to News Council and decision, "Gay Power, Gay Politics" (43 pp.)		
1206	7/25/82, CBS transcript (#54922-23) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1207	6/21/82, Wallace letter to Benjamin (PX 5)		
1208	Kowet tape of Howard Stringer		
1208A	Transcript, Kowet tape of Howard Stringer (35 pp.)		
1209	Kowet tapes of Sam Adams		
1209A	Transcript of Kowet tapes of Sam Adams.	P uses in Adams' cross	1/21--Transcript does not reflect exhibit was offered or received, but Adams read por- tions of p. 11 into record and Dossen quoted sections of exhibit
1210	Benjamin Notes--Adams (typed) (#38153) (1 p.)		
1211	Benjamin Notes -- Adams (typed) (#38154) (25 pp.)		
1212	Benjamin Notes--Adams (typed) (#381779-90) (12 pp.)		
1213	Benjamin Notes--Adams (typed) (#38192-206) (15 pp.)		
1214	Benjamin Notes--Adams (typed) (#38207-21) (15 pp.)		
1215	Benjamin Notes--Adams (typed) (#38222-23) (2 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1216	Benjamin Notes--Colloff (handwritten) (#38260-73) (14 pp.)		
1217	Benjamin Notes--Colloff (typed) (#38276-85) (10 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1218	Benjamin Notes--Colloff (typed) (#38286-95) (10 pp.)		
1219	Benjamin Notes--Colloff (typed) (#38296-308) (13 pp.)		
1220	Benjamin Notes--Crile (handwritten) (#38309-65) (57 pp.)		
1221	Benjamin Notes--Crile (typed) (#38367-438) (72 pp.)	P offers the sixth and seventh line above bottom of page #38390 (from "G" to . . .); no obj.	These lines rec'd--2/8
1222	Benjamin Notes--Crile (typed) (#38439-42) (4 pp.)		
1223	Benjamin Notes--Lack (handwritten) (#38483-97) (15 pp.)		
1224	Benjamin Notes--Lack (typed) (#38499-501) (3 pp.)		
1225	Benjamin Notes--Lack (typed) (#38503-09) (7 pp.)		
1226	Benjamin Notes-- Stringer (handwritten) (#38532-42) (11 pp.)		
1227	Benjamin Notes-- Stringer (typed) (#38544-52) (9 pp.)		
1228	Benjamin Notes--Wallace (typed) (#38554) (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1229	Benjamin Notes--Wallace (handwritten) (#38555-59) (5 pp.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1230	Benjamin Notes--Wallace (typed) (#38563-64) (2 pp.)		
1231	7/27/81, Rostow letter to Crile and Wallace (#57010-11) (11853-11854) (2 pp.)		
1231A	Excerpt from Rostow, "The Diffusion of Power" (attachment to 1231) (#11855-11877) (23 pp.)		
1232	8/12/81, Rostow letter to Wallace (#57012-13) (2 pp.)	P offers	Rec'd--10/15 (in part)
1232A	8/11/81, Rostow memo for record (attachment to 1232) (#57014-17) (4 pp.)	P offers	Rec'd--10/15 (in part)
1233	8/13/81, Crile letter to Rostow (#57019) (1 pp.)		
1234	2/11/68, Memo to LBJ (#53242-44) (3 pp.)		
1235	Morris post-Broadcast audiotape		
1235A	Transcript of Morris post-Broadcast audiotape, (19 pp.)		
1236	Defendant's answers to plaintiff's interroga- tories (portions to be selected)		
1237	Hankins deposition transcript		
1238	United States-Vietnam Relations, 1945-1967 (DOD Study, Book 5)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1239	11/17/67, Westmoreland interview with Steven Rowan---transcript		
1240	11/21/67, Westmoreland address at National Press Club--transcript		
1241	Deposition of Sam Adams		
1242	Deposition of Burton Benjamin		
1243	Deposition of George Crile		
1244	Deposition of Andrew Lack		
1245	Deposition of Van Gordon Sauter		
1246	Deposition of Howard Stringer		
1247	Deposition of Mike Wallace		
1400	4/27/67, Notes on Discussions with the President, (3 pp.)		
1400A	4/27/67, Notes on Discussions with the President, (3 pp.)		
1401	2/6/68 President Johnson's Notes on conversation with Secretary McNamara		
1402	11/16/75, Washington Star article, R. Komer, "The Tet intelligence flap: one out of step, or many?" (1 p.)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1403	4/8/84 Letter from Morris to Boies and Burt		
1403A	4/8/84 Letter from Morris to Boies and Burt		
1404	March 1966 MACV OB		
1405	May 1966 MACV OB		
1406	June 1966 MACV OB		
1407	July 1966 MACV OB		
1408	June 1967 MACV OB		
1409	July 1967 MACV OB	D offers; no obj.	Rec'd--10/31
1410	August 1967 MACV OB		
1411	September 1967 MACV OB		
1412	January 1967 PERINTREP		
1412A	January 1967 PERINTREP extract	D offers; no obj.	Rec'd--11/29
1413	Nov.-Dec. 1967 MACV OB		
1414	Affidavit of Everette S. Parkins, 8/3/83		
1415	March 1958 MACV OB		
1416	10/12/67, Bunker to LBJ, 24th weekly telegram		
1417	April 1968 MACV OB		
1418	May 1968 MACV OB		
1419	January 1968 MACV OB		
1420	July 1968 PERINTREP		
1421	August 1968 PERINTREP		
1422	September 1968 PERINTREP		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1423	October 1968 PERINTREP		
1424	November 1968 PERINTR		
1425	December 1968 PERINTRAP		
1426	December 1968 MACV OB, Volume I		
1427	December 1968 MACV OB, Volume II		
1428	1/18/71 article, Time Magazine "Of Guilt and Precedent"	D offers; obj.	Rec'd--11/29 (only on issue of plain- tiff's reputation)
1428A	2/7/68, article, New York Post "Time for a Change?"		
1428B	6/11/68, article, New York Post "The 'Winning' General"		
1428C	11/13/67, article, New York Post "McNamara vs. Westmoreland"		
1429	5/26/67 cable from Wheeler to Sharp and Westmoreland		
1430	6/13/67 cable from Sharp to Westmoreland		
1431A	2/16/68 article, Time Magazine "The War--the General's Biggest Battle"	D offers on issues of damages and state of mind	Rec'd--12/3 (on issues of damages and state of mind)
1431B	2/10/68 article, The Washington Post, "Gen. Westmoreland Ouster is Urged"		
1431C	6/11/68 article, New York Post, "The 'Winning' General"		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1432	7/17/67 article, Newsweek, "Now the Ninth Coming"	D offers	Rec'd--12/6
1433A	Excerpts from The Death of the Army (New York: Saturday Review Press), by Edward L. King, pp. 75-76	D offers cover page and p. 75 on issue of reputa- tion 12/4--P waives his objection (see Trial Tran- script 4736)	Ruling deferred--12/3 (until D can show book was dis- tributed to some reasonable degree)
1500	Chart of MACV intelli- gence structure		
1501	6/14/67 Cable from Davidson to Peterson	P offers; no obj.	Rec'd--10/23 (for fact sent and received, not on state of mind)
1502	Efficiency Report ren- dered on Lt. Col. D. Graham for the period 6/16/63-4/30/64		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1503	Efficiency Report rendered on Lt. Col. D. Graham for the period 5/1/64-5/28/65		
1504	Efficiency Report rendered on Lt. Col. D. Graham for the period 1/ /68-7/9/68		
1505	Efficiency Report rendered on Col. D. Graham for the period 7/10/68-7/9/69		
1506	Efficiency Report rendered on Col. D. Graham for the period 7/10/69-1/11/70		
1507	3/22/67, Special Orders No. 56, for D. Graham		
1508	9/14/67 Cable from Westmoreland to McConnell and Sharp	P offers; no obj.	Rec'd--11/19
1508A	9/14/67 Cable from Westmoreland to McConnell and Sharp	P offers; no obj.	Rec'd--11/19
1509A	CICV OB Summary, July 1972, Vol. I		
1509B	CICV OB Summary, July 1972, Vol. II		
1509C	Excerpts from CICV OB Summary, July 1972, Vol. II		
1510	1/22/68 letter from Rostow to LBJ enclosing Westmoreland's assessment of situation		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1511	Schedule of Events for Westmoreland, 1967	P offers; no obj. P offers page 3 re events of 9/13/67--11/19; no obj.	Rec'd--11/15 (only dates 5/18/67-5/20/67) Rec'd--11/19 (p. 3 re 9/13/67)
1512	8/31/67 cable from Sec. State to Amembassy Saigon	P. offers; obj.	Rec'd--11/19 (except for first two sentences of ¶ 3)
1512A	8/31/67 cable from Sec. State to Amembassy Saigon	P offers; obj.	Rec'd--11/19 (see 1512)
1514	1/26/82 letter from Linda Shelton to Westmoreland	P offers; obj.	Rec'd--11/20 (for fact sent and received)
1516	2/10/82 <u>Valley Morning Star</u> cartoon	P offers; obj.	Rec'd--11/20 (for fact cartoon appeared)
1519	5/20/67 Memorandum for Record by Hendry	P offers for same purpose as 670; obj. (lack of foundation)	Rec'd--12/4 (as evidence of what occurred at 5/19/67 CIIC meeting)
1520	4/15/81 CBS Reports: "Vietnam"--General Westmoreland Retirement [#18433-40]		
1524	2/5/82 article, The Washington Post "The Hatchet Job on Westmoreland"		
1551	Affidavit of George Crile, 6/14/83	P offers first 2 sentences of ¶ 5; D obj.	First 2 sentences of ¶ 5 rec'd--12/10
1553	Amended Response of Defendants to Plaintiff's Third Set of Interrogatories, 2/15/84	P offers pp. 218-222; no obj.	Pages 218-222 rec'd--12/10

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1600	3/18/70 memorandum from Peers to Chief of Staff re the Son My Incident		
1601	Plaintiff's Response to Defendants' First Set of Interrogatories, 10/28/82	D offers; no obj.	Rec'd--12/3
1601A	Plaintiff's Supplemental Answers to Defendants' First Set of Interrogatories, 1/15/83		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1605	8/12/67 cable from Westmoreland to Wheeler and Sharp		
1605A	8/12/67 cable from Westmoreland to Wheeler and Sharp	D offers; obj.	Rec'd--11/26
1606	1/21/82 handwritten notes by McChristian		
1607	8/8/67 cable from Wheeler to Westmoreland and Sharp		
1607A	8/8/67 cable from Wheeler to Westmoreland and Sharp	D offers; obj.	Rec'd--11/26
1608	2/9/68 Notes of the President's Meeting with the Joing Chiefs of Staff		
1609	2/10/68 Notes of the President's Meeting with the Senior Foreign Affairs Advisory Council		
1610	11/70 article, Harper's Magazine, "Westmoreland Appraised: Questions and Answers"		
1611	3/26/68 Notes of the President's Meeting with Wheeler and Abrams (2 pp.)		
1611A	3/26/68 Notes of the President's Meeting with Wheeler and Abrams (7 pp.)		
1621	Affidavit of Andrew Jacobs, Jr., 12/1/84		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1622	Plaintiff's Response to 40 of Defendants' 60 Designated Discovery Request, 9/28/84	D offers; no obj.	Rec'd--12/3
1623	Videotape--"CBS Reports: Viet Cong"		
1624	Videotape--"VC Film"		
1625	6/29/82, letter from R. Moose to Sauter (#56828-30)		
1635	4/29/68 memo to the Secretary from Hughes re conflicting MACV and CIA assessments of enemy strength in South Vietnam (redacted version of 930A)	D offer on state of mind	Rec'd--1/22 (only on Adams' state of mind)
1636	"Handbook for U.S. Forces in Vietnam", 6/10/66	D offers; no obj.	Rec'd--2/4
1636A	Excerpt from "Handbook for U.S. Forces in Vietnam" (3 pp.)	D offers; obj. to offer of excerpt of 1636. D therefore only offers 1636	
1637	Fragmentation grenade ("Pineapple")		
1638	1/21/82, handwritten notes of Joseph McChristian's telephone call from Westmoreland (2 pp.)		Boies reads from this but does not offer--2/6
1639	4/2/82 letter from McChristian to Holyoak with attachments (4 pp.)	D offers handwritten paragraph at top of page 2	This paragraph rec'd--2/6

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1640	6/24/84 handwritten note of McChristian re phone call from Westmoreland		Boies reads from but does not offer--2/6
1641	Hand grenade ("Beer can" type)		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1700	6/10/68 note attaching letter of 6/9/68 from Hayden to LBJ re weekly casualty figures	D offers	Rec'd--11/7 (only up through 4/6/68, as piece of intelligence data that was made at that time. With respect to U.S. casualty figures, rec'd as to truth, up through 4/6/68.)
1704	Card entitled "Guidance for Commanders in Vietnam", 7/66	P. offers; no obj.	Rec'd--11/16
1775	Kowet/Klein transcript, tape 7/8		
1775A	Kowet/Klein transcript, pp. 2 and 3 of tape 7/8	D offers; no obj.	Rec'd--1/7
1775B	Portion of audiotape of Kowet/Klein interview that corresponds to 1775A	D offers; no obj.	Rec'd--1/7
1776	Handwritten note written by Klein during his trial testimony	P offers; obj.	Not rec'd--1/7
1777	Page 151 from <u>A Matter of Honor</u> , by Kowet	P offers; obj.	Rec'd--1/7 (to show what is written in book is consistent with what Klein says he told Kowet. Court defers ruling on whether exhibit will be provided to jury in jury room)
1780	6/17/82 Congressional Record (Testimony of McCloskey) (#54527-54540)	P uses in McCloskey cross	P reads in portion of p. 54529 re Adams "afraid of being executed," but does not offer--1/28
1781	Statement made by Adams at Ellsberg trial	P offers; obj.	Rec'd--1/17

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1782	Statement made by Adams at Ellsberg trial	P offers; obj.	Pec'd--1/17
1803	10/5/67, Sec. of Defense McNamara--Background Briefing for the Press, With Deputy Sec. of Defense Nitze	D offers Q & A on bottom of p. 1 and top of p. 2 on truth issue; obj.	Rec'd--12/6
1804	8/25/67, Hearings Before the Preparedness Investigating Subcommittee of the Committee on Armed Services--U.S. Senate--Air War Against NVN--Testimony of McNamara	D offers Q & A on bottom of p. 300 and top of p. 301, on truth; no obj.	Rec'd--12/6 (p. 297, p. 300 and p. 301--in part)
1805	Supplemental Defense Appropriations for 1967--Hearings Before Subcommittee of the Committee on Appropriations--House of Representatives		
1806	7/5/67, Sec. of Def. McNamara's Remarks to the Press, with Wheeler, as Departing for Vietnam	D offers Q & A on p. 1 ("Does it seem to you . . .?"); no obj.	Rec'd--12/6
1807	7/11/67, Sec. of Def. McNamara's Remarks to the Press Upon Departing Vietnam		
1818	Excerpts from the deposition of Burton Benjamin, 5/15/84 (pp. 48-52)		
1819	Excerpts from Defendants' First Requests for Admissions, 12/20/82		
1819A	Paragraph 78.0 from Defendants' First Requests for Admissions, 12/20/82		

<u>Exhibit No.</u>	<u>Description</u>	<u>Specification of Objections</u>	<u>Court Notations</u>
1829	"The IndoChina Wars, 1950-75" by George Allen		
1829A	Excerpts from "The IndoChina Wars, 1950-75" by George Allen, pp. 319-335	P offers; no obj.	Rec'd--1/24 (not on D's state of mind)
1830	10/18/83 draft statement by George Allen	P offers; no obj.	Rec'd--1/24/ (not on D's state of mind)
1832	Admissions of Defendant CBS	P offers	Rec'd--2/4 (only as to D's state of mind)
1833	Excerpts from the deposition of Howard Stringer and from a tape recorded telephone conversation Stringer had with a reporter sometime between 1/23/82 and 5/29/82	P offers	Rec'd--2/4
1834A	Kowet/McChristian telephone interview - Tape #32		Dorsen reads from p. 10, but does not offer--2/6
1837	Affidavit of Joseph McChristian, 12/21/83		
1839	Draft by Hawkins entitled "The Enemy Order of Battle in the Republic of Vietnam--1966-67" (58 pp.)	P offers ¶ on page 6 ("Colonel McChristian" to "was concerned"); no obj.	This paragraph rec'd--2/13
1850	Videotape of Briefing at the LBJ Ranch, 8/66	D offers on state of mind; no obj.	Rec'd--2/7 (on state of mind)
1850A	Transcript of Briefing at the LBJ Ranch, 8/66	D offers on state of mind; no obj.	Rec'd--2/7 (on state of mind)

TRIAL TRANSCRIPTS

The Trial Transcripts are filmed in chronological order. The first table below gives Card numbers for the Transcript dates, along with the names of the witnesses who testified on those dates. The second table is an alphabetical listing of the witnesses with the dates of their testimony.

<u>Date</u>	<u>Witness(es)</u>	<u>Card No.</u>
10/4/84	[Pretrial]	884
10/9/84	[Voir Dire]	884-885
10/10/84	[Voir Dire]	886-888
10/11/84	[Plaintiff's Opening] [Defendants' Opening]	888-889
10/12/84	[Defendants' Opening]	889-890
10/15/84	[Legal Discussion] Walt Rostow	890-892
10/16/84	Walt Rostow Robert Komer	892-894
10/17/84	Robert Komer	894-896
10/18/84	Robert Komer Edward Caton Chesley Peterson	896-897
10/22/84	Chesley Peterson Charles Morris	898-899
10/23/84	Phillip Davidson	899-900
10/24/84	Phillip Davidson	900-902
10/25/84	Robert Heon George Godding	902-904
10/29/84	George Godding	904-906
10/30/84	Everette Parkins Danny Graham	906-907
10/31/84	Danny Graham	908-910
11/1/84	Danny Graham Robert Leverone	910-911
11/5/84	Robert Leverone Michael Hankins John Stewart	912-913
11/6/84	John Stewart	914-915
11/7/84	John Stewart George Carver	916-917

<u>Date</u>	<u>Witness(es)</u>	<u>Card No.</u>
11/8/84	George Carver	918-919
11/9/84	George Carver	920-921
11/13/84	George Carver	922-923
11/14/84	George Carver	924-925
11/15/84	William Westmoreland	926-927
11/16/84	William Westmoreland	928
11/19/84	William Westmoreland William Bundy	929-930
11/20/84	William Bundy William Westmoreland	931-932
11/21/84	William Westmoreland	933-934
11/26/84	William Westmoreland	935-936
11/27/84		937
11/29/84	William Westmoreland	938-939
12/3/84	William Westmoreland	940-942
12/4/84	William Westmoreland Paul Nitze	943-944
12/5/84	William Westmoreland George Crile	945-946
12/6/84	George Crile Robert McNamara	947-948
12/10/84	George Crile	949-950
12/11/84	George Crile	951-952
12/12/84	George Crile	953-954
12/13/84	George Crile	955-956
12/17/84	George Crile	957-958
12/18/84	George Crile	959-961
1/3/85	George Crile	962-963
1/4/85	George Crile	964-965
1/7/85	Ira Klein	966-967
1/8/85	Joseph Zigman Dwain Gatterdam	968
1/9/85	James Johnson David Morgan Marshall Lynn George Hamscher	969-970

<u>Date</u>	<u>Witness(es)</u>	<u>Card No.</u>
1/10/85	Thomas Becker Samuel Adams	971-972
1/14/85	Samuel Adams	973-974
1/16/85	Samuel Adams	975-976
1/17/85	Samuel Adams	977-978
1/21/85	Samuel Adams	979-980
1/22/85	Samuel Adams George Allen	981-982
1/23/85	George Allen	983-984
1/24/85	George Allen Douglas Parry	985-986
1/28/85	Douglas Parry John Dickerson Paul McCloskey	987-988
1/29/85	Ronald Smith John Moore William Cover	989-990
1/30/85	Ronald Smith Richard Kovar Bernard Gattozzi	991-992
1/31/85	Joseph Stumpf Gregory Rushford	993-994
2/4/85	Daniel Friedman Howard Embree Joseph Fackovec Howard Stringer	995-996
2/5/85	Donald Blascak Russell Cooley	997-998
2/6/85	Joseph McChristian	999-1000
2/7/85	George Crile	1001-1002
2/8/85	George Crile	1003
2/11/85	Michael Dilley	1004-1005
2/12/85	Russell Cooley Gains Hawkins	1006-1007
2/13/85	Gains Hawkins Norman House	1008-1009
2/17-19/85	[Stipulations and Statements]	1010

<u>Witness</u>	<u>Date(s)</u>
Adams, Samuel	1/10/85 1/14/85 1/16/85 1/17/85 1/21/85 1/22/85
Allen, George	1/22/85 1/23/85 1/24/85
Becker, Thomas	1/10/85
Blascak, Donald	2/5/85
Bundy, William	11/19/84 11/20/84
Carver, George	11/7/84 11/8/84 11/9/84 11/13/84 11/14/84
Caton, Edward	10/18/84
Cooley, Russell	2/5/85 2/12/85
Cover, William	1/29/85
Crile, George	12/5/84 12/6/84 12/10/84 12/11/84 12/12/84 12/13/84 12/17/84 12/18/84 1/3/85 1/4/85 2/7/85 2/8/85
Davidson, Phillip	10/23/84 10/24/84
Dickerson, John	1/28/85

<u>Witness</u>	<u>Date(s)</u>
Dilley, Michael	2/11/85
Embree, Howard	2/4/85
Fackovec, Joseph	2/4/85
Friedman, Daniel	2/4/85
Gatterdam, Dwain	1/8/85
Gattozzi, Bernard	1/30/85
Godding, George	10/25/84 10/29/84
Graham, Danny	10/30/84 10/31/84 11/1/84
Hamscher, George	1/9/85
Hankins, Michael	11/5/84
Hawkins, Gains	2/12/85 2/13/85
Heon, Robert	10/25/84
House, Norman	2/13/85
Johnson, James	1/9/85
Klein, Ira	1/7/85
Komer, Robert	10/16/84 10/17/84 10/18/84
Kovar, Richard	1/30/85
Leverone, Robert	11/1/84 11/5/84
Lynn, Marshall	1/9/85
McChristian, Joseph	2/6/85
McCloskey, Paul	1/28/85

<u>Witness</u>	<u>Date(s)</u>
McNamara, Robert	12/6/84
Moore, John	1/29/85
Morgan, David	1/9/85
Morris, Charles	10/22/84
Nitze, Paul	12/4/84
Parkins, Everette	10/30/84
Parry, Douglas	1/24/85 1/28/85
Peterson, Chesley	10/18/84 10/22/84
Rostow, Walt	10/15/84 10/16/84
Rushford, Gregory	1/31/85
Smith, Ronald	1/29/85 1/30/85
Stewart, John	11/5/84 11/6/84 11/7/84
Stringer, Howard	2/4/85
Stumpf, Joseph	1/31/85
Westmoreland, William	11/15/84 11/16/84 11/19/84 11/20/84 11/21/84 11/26/84 11/29/84 12/3/84 12/4/84 12/5/84
Zigman, Joseph	1/8/85