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Subject: Re: Nixon Tapes

As I understand it, Jack Miller convinced the court that the papers (tapes) had been subject to a taking for which just compensation was due. Once that decision had been reached, the question was "how much are the tapes worth?" This has been the subject of the negotiations for the past few years. I don't think that the criminal evidentiary value of the tapes was a factor. It certainly was not a factor with respect to Nixon, who received the (unconstitutional in my personal opinion) pardon from President Ford. For practical purposes, there is no criminal evidentiary value in the tapes because the statute of limitations has now run. (There is, however, no statute of limitations on murder.)The Zapruder film would proceed very generally along the same lines. Once it was determined that there had been a taking (by a court or by DOJ), the parties would attempt to negotiate the value. If they were unsuccessful, then the Court of Federal Claims would decide.

To: Jeremy_Gunn @ JFK-ARRB.GOV (Jeremy Gunn) @ internetcc: bcc: Jeremy Gunn/ARRB)From: ANELSON @ american.edu ("Anna K. Nelson") @ INTERNET @ WORLDCOM
Date: 04/08/97 05:15:18 PM CDTSubject: Re: Nixon TapesJeremy, A serious question on the Nixon papers. Why are they negotiating to compensate Nixon's family with such a large sum of money. Is it because there records were subject of a "taking?" If they were taken to assure their preservation than the Zapruder's can make a good case for compensation. If they were taken because of the possibility of a criminal action, isn't that a different ball game?

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