

NR_key_name: A7DFCFCE03DA7BDC8525653D00699325
SendTo: Judge.John.Tunheim @ usdcmn.cchub.com @ INTERNET @ INTERLIANT
CopyTo: Jeremy_Gunn @ jfk-arrb.gov;"Tom_Samoluk/ARRB%ARRB" @ jfk-arrb.gov
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From: CN=Jeremy Gunn/O=ARRB
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DisplayDate: 10/27/1997
DisplayDate_Time: 2:24:12 PM
ComposedDate: 10/27/1997
ComposedDate_Time: 2:13:09 PM
Subject: Re: Re[2]: Tom Rogers

I just received a call from Kummer who has given his okay. He said that Rogers should call you in a couple of days, but that you can call him as well. DOJ has asked that you not discuss any litigation strategy with Rogers. Kummer and I have maintained a very cordial relationship and there has been no posturing on either side. NBC's principal concern, as Kummer articulated it, is that NBC would be compromising Sheridan's sources if the records were to be made available to the Review Board. I personally doubt that there is really a source for Sheridan who is not already known--but that is speculation. I presume that the people at NBC who are making decisions are not familiar with how much is already known. Our principal arguments are: (a) releasing the records would be in the public interest and it would make NBC look good; (b) Sheridan had already placed the records in the government's hands when he sent them to the JFK Library for indexing; (c) litigation is a cost that none of us needs, particularly in light of (a) above; (d) NBC does not waive any general privilege by releasing this information in this particular context; and (e) if NBC loses a decision here, which it may well do, it could compromise its ability to protect sources in more important suits.

To: Jeremy_Gunn @ jfk-arrb.govcc: Tom_Samoluk/ARRB%ARRB" @ jfk-arrb.gov (bcc: Jeremy Gunn/ARRB)From: Judge.John.Tunheim @ usdcmn.cchub.com @ INTERNET @ INTERLIANT Date: 10/27/97 10:10:50 AMSubject: Re[2]: Tom Rogers Thanks. Please keep me posted and let me know if I should call Tom Rogers. JRT _____ Reply Separator

_____ Subject: Re: Tom RogersAuthor: "Jeremy Gunn"<Jeremy_Gunn@jfk-arrb.gov> at InternetDate: 10/27/97 10:24 AM I spoke with Daniel Kummer of NBC Legal again this morning. He has been incontact, directly or indirectly, with Rogers about speaking with you aboutthe Sheridan matter. He does not yet have an NBC answer, but promised tocall back as soon as he does.

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recstat: Record
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