

June 27, 1995

Today I reviewed, in the Federal Courthouse in New Orleans, the pleadings file and the trial transcripts from the case of United States v. Carlos Marcello. The files consisted of nine (9) cardboard boxes that contained the pleadings and the transcripts from the Marcello trial. The case, which is frequently known by its code name of Brilab, was prosecuted by the United States Attorney in New Orleans against Marcello and some of his associates in an insurance kickback case. The nine boxes were sent for our review from the Federal Records Center in Fort Worth, Texas. The purpose in reviewing the boxes was to determine whether there were any references to the Kennedy assassination. In my review of the materials, I found only two (2) very minor references to what might be assassination-related materials. The two references were contained in a motion to preclude the use of certain tapes by the defendant, Charles Roemer. The two references that apparently were contained in the tapes were from a June 25, 1979, wiretap that made reference to the assassination committee report (pages 7 and 8 of the transcript) and another wiretap on July 18, 1979, which was called the "Kennedy Report" (page 3 of the transcript). Defendant Roemer did not want either of those references to be given to the jury. In the material that I reviewed [tape seems to have run out here and after a beep and a pause Jeremy says "continued" but part of the dictation is missing because it picks up with:] The boxes contained no tape recordings or transcripts.

After reviewing the boxes, I asked the clerk whether any additional materials would be from the Brilab investigation. The clerk told me that it was his impression that Judge Saers probably had additional materials that he kept either in his chambers or in a separate filing system. The clerk also expressed his own surprise that the nine boxes that I had reviewed were filed in the Federal Records Center in Texas. The clerk said that Judge Saers attempts to keep very close control over the Brilab material, and he was surprised that he let the nine boxes go to Texas. I checked with the U. S. Attorney's Office in New Orleans to determine whether any of the attorneys involved in the case continue to be in the U. S. Attorney's Office. I learned that Albert K. Winter, who had been one of the prosecutors, is now the "No. 2 person in the U. S. Attorney's Office in New Orleans." I called Mr. Winters to see if he had any additional information that he could shed on the Kennedy assassination. Mr. Winters was very cooperative and was also willing to help us further, although he said he recollected himself no references to the Kennedy assassination in any of the transcripts or wiretaps or bugs from the Brilab investigation. He did say that he recollected that upon one occasion Judge Saers called in the attorneys, during the trial, and warned them about a television program that was being broadcast that alleged that Carlos Marcello and Santos Trafficante had been involved in the assassination of President Kennedy. Judge Saers was particularly concerned that the jurors might hear of these allegations and it might prejudice them against Mr. Marcello. Other than that one reference, Mr. Winter had no other recollections of the Kennedy assassination being involved in the Brilab case. Mr. Winter also acknowledged that he had been involved with many other matters since then and he may possibly have forgotten. I queried him whether he knew of any other person who may have a better sense of the Brilab investigation. He said that he is not able to think of anyone else. He did say, however, that the best source for an index of the transcripts as well

as the most knowledgeable authorities are in the Federal Bureau of Investigation in New Orleans. Mr. Winters suggested that we go through FBI Headquarters in order to be able to get a copy of the index and to learn present location of the Brillab tapes.