

July 23, 1998

BY TELECOPIER

James L. Silverberg, Esq.  
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Washington, D.C. 20006

Re: Photographing the Abraham Zapruder Film Depicting the Assassination of President Kennedy

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Dear Jamie:

I am writing to follow up on the discussions regarding Rollie Zavada, a consultant to Kodak, who wishes to have photographs taken of a few discrete frames of the "original" Zapruder film and similar frames from the three "first-day copies" of the film. I am also attempting to respond to the suggestions you forwarded to Jeremy Gunn in your (draft) letter dated July 7, 1998, as well as your subsequent discussions with Kodak. It is my hope that with this letter and the attached (Draft) Deed of Gift that we will have been successful in addressing your concerns.

Mr. Zavada wishes to have photographs taken of the original Zapruder film as well as comparative photographs of the three "first-day copies" for the purpose of preparing a technical and scientific report on the development and processing of these films and to document such matters as "edge prints," exposure (or "bracketing") information, and leaders. Mr. Zavada may subsequently seek to publish a shortened version of his report in an appropriate professional journal. Mr. Zavada is preparing this report as a consultant to Kodak, his former employer. He wishes to include copies of the photographs in his report to illustrate his findings. Copies of his report will be provided to the Review Board for transmission to the National Archives, and Kodak wishes to retain one copy for its own internal archives.

James L. Silverberg, Esq.

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It is our understanding that two of the three "first-day copies" currently are housed in the National Archives, and that the third is in your custody. It is our understanding that you have agreed in principal to permit us to borrow the copy in your possession for the purpose of having technical photographs taken to document Mr. Zavada's work. It is our understanding that Jeff Kleinman from your office will accompany your "first-day copy" of the film and that he will retain custody throughout the procedure. It is also our understanding that LMH is prepared to provide a photographer to assist in the process. It is also our understanding that the photographic stock, developed negatives, and resulting prints from Mr. Zavada's photographs will be the property of LMH Company until such time as the materials may be donated to the government and Kodak.

I am writing this letter, in addition to enclosing a (Draft) Deed of Gift, to assure you and the LMH Company that by your agreeing to this procedure you do not waive or forfeit any copyright interests in the Zapruder film that you may otherwise possess. The (Draft) Deed of Gift includes language that prohibits NARA from making copies of the Donated Materials unless it receives prior written consent from LMH. We also understand that LMH will continue to license the Zapruder film in accordance with its usual practices, granting licenses on a case-by-case basis and that it is willing to consider granting such a license for an appropriate scholarly article by Mr. Zavada.

I would also like you to know that we very much appreciate your willingness to cooperate in this endeavor that is designed to clear up as much uncertainty about the films and their processing as possible.

Sincerely,

Ronald G. Haron  
General Counsel

Enclosure