

*Tells the Facts and Names the Names*

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## Were the Snoops "Journalists"? The Case of the ADL Spies

The organization's main "fact-finder" was doubling as a spy for the white South African government while his buddy, a San Francisco cop who had tutored El Salvadoran death squads on the finer aspects of torture, was providing its officials with personal information on the organization's putative enemies when the story broke in San Francisco in December, 1992. The organization was the Anti-Defamation League.

The ADL claims to be the nation's leading defender against prejudice and bigotry but in this instance its targets were members of the African National Congress and its supporters, and apparently everyone, Arab and non-Arab, who had the temerity to criticize Israel. This included some who drove to Arab community events where the ADL's "fact-finder," Roy Bullock, and the cop, Tom Gerard, took turns writing down their license plate numbers, which Gerard turned into addresses thanks to his access to California motor vehicle records.

Their spying efforts proved to be part of a much larger intelligence gathering operation that targeted some 12,000 individuals and more than 600 left-of-center organizations in northern California.

After the first flurry of publicity, the ADL's spin doctors successfully kept the story from receiving the national coverage that the situation warranted. But the story hasn't gone away.

Last November the California Court of Appeals handed down a decision that paves the way for a major test later this year of the ADL's penchant for spying on its enemies. It was the most significant episode in a slow-moving class-action case filed in 1993 by 19 pro-Palestinian and anti-apartheid activists who claim to be victims of the ADL's snooping operations.

The plaintiffs say they were illegally spied on by Bullock, then considered the ADL's top "fact-finder" by his now deceased chief, Irwin Suall, and that such spying constituted an invasion of privacy under the provisions of the California Constitution.

The ADL's defense, accepted by the court in 1994, is that the Jewish defense organization is, collectively, a "journalist" and, therefore, can legally engage in information-gathering activities regardless of the source. At question was access by the plaintiffs to information contained in 10 boxes of files seized by the San Francisco police from the ADL's San Francisco office in April, 1993, and placed under court seal where the ADL has fought fiercely to keep them. In the years since then, efforts by the court to settle the case have foundered on the ADL's refusal to allow potentially embarrassing depositions taken by plaintiffs' lawyer ex-Congressman Paul (Pete) McCloskey of Bullock, ADL officials and police officers to be made public and its files opened. The plaintiffs have been unwilling to compromise on either of these issues.

Then, in September, 1997, Judge Alex Saldamondo ruled that McCloskey's clients were entitled to see what the ADL had on them in its files. Two plaintiffs, Jeffrey Blankfort and Steve Zeltzer, co-founders of the Labor Committee on the Middle East, who had "outed" Bullock as an ADL spy after he infiltrated their group in 1987, received an extract of their files from the DA's office the day before they were ordered sealed. Both contain illegally obtained information, much of which, say Blankfort and Zeltzer, is erroneous.

When ADL's appeal of that decision  
(ADL continued on page 5)

# Our Little Secret

## WHO BOMBED JUDI BARI?

Nearly nine years after a homemade bomb almost killed forest activists Judi Bari and Darryl Cherney in their car in Oakland, Don Foster, the scholar who made his reputation by identifying Joe Klein as the "Anonymous" of Primary Colors, has buttressed suggestions by a California north coast writer, Ed Gehrman, that investigators of the bombing should focus far greater scrutiny on Bari's former husband, Mike Sweeney.

In an upcoming edition of Flatland magazine, published out of the old timber mill town of Fort Bragg on the Mendocino coast, Foster contributes an essay entitled "The Bari Bombing: Pen Names, Pyrotechnics, and Paranoia in the Timber Wars". In the same issue is a long article by Gehrman, "The Bombing of Judi Bari and Darryl Cherney". Gehrman, a long-time resident of the north coast, offers a richly detailed account of the circumstances of the bombing that almost cost Bari her life. Nearly crippled by the explosion, Bari succumbed to cancer in 1997. Initially, the FBI and Oakland police department charged Bari and Cherney with knowingly carrying the bomb. But the

Bureau's charges came under heavy criticism and were effectively finished off by a public television documentary by Steve Talbot. Bari herself claimed that she and Cherney had been the targets of a COINTELPRO-style conspiracy sponsored by the FBI.

At the time of her death, Bari was well on the way towards winning a substantial settlement from the Bureau. Additionally, Bari helped point the finger at Irv Sutley, a former Marine and left political organizer. Talbot lent to credence to this theory when he uncovered a snitch-letter to the Ukiah Police containing little known details of Bari's organizing activities, plus

### A former Marine had been asked to kill Bari's estranged husband for \$5,000.

charges that she and her Earth First! colleagues were engaged in weapons training. This accusation was buttressed by a photograph included in the Argus package of Bari toting an Uzi, in the famous "Tanya" pose popularized by Patti Hearst. The anonymous letter to the Ukiah cops, signed "Argus" (many-eyed watchdog of Greek myth), also stated that Bari had posted marijuana in the US mail on a specific date. (Gehrman notes that Bari had admitted that the marijuana was a gift to friends.)

It was the photograph that fixed suspicion on Sutley when Talbot unearthed the Argus packet. In a well-known incident, Sutley, a gun enthusiast, had once visited Bari, Cherney and friends, bringing along weapons from his armory for some target practice in the woods. To publicize a record album she and Cherney had put together, Bari and Cherney posed with the automatic weapons and this photograph ended up in the pages of the Anderson Valley Advertiser, California's foremost radical weekly. Sutley had sent the photograph to the AVA, and many, including the AVA's editor, Bruce Anderson, saw this action as being that of a provocateur and possible police undercover agent. No formal charges were ever laid against Sutley and no other suspect has come un-

der serious scrutiny by the police or the FBI.

After Bari filed her suit, the FBI lapsed into inactivity and no local police department pursued the case, though there were inviting leads. Aside from the Argus letter, which was mailed to the Ukiah police a year before the bombing, there was an anonymous, threatening letter to Bari mailed a few weeks before the ill-fated trip to Oakland, saying she should "get out". Finally, there was a letter to Mike Geniella, a reporter for the Santa Rosa Press Democrat, who was covering the timber wars at the time, signed by "the Lord's Avenger." This letter mailed five days after the bombing displayed detailed knowledge not only of the explosive device placed in Bari and Cherney's car, but of another homemade bomb that exploded prematurely, without injuring anyone, at the Louisiana-Pacific mill outside the small timber town of Cloverdale earlier in the year. Written in archaic biblical terminology, the Lord's Avenger letter seemed clearly designed to suggest that the bomber of the was a rightwing religious nut, violently enflamed by Bari's public stand in favor of abortion.

Gehrman, who has been investigating the Bari bombing for years, argues strongly in his lengthy piece in Flatland magazine, scheduled for publication in early March, that Sutley has been unfairly accused, not least by Bari herself. He produces the results of a polygraph voluntarily undertaken by Sutley and suggests that among the reasons for Bari's hostility to Sutley was that a close friend of Bari's, Pam Davis, had repeatedly asked the former Marine to kill Bari's estranged husband, Mike Sweeney, for \$5,000. Sutley says he had energetically declined the proposal on four different occasions. Bari did subsequently admit, in the wake of the polygraph test in which Sutley stated the offer had been made, that Sutley had been approached in this manner, but that it was all a joke.

In Flatland, Gehrman explores Sweeney's background in some detail, tracing his past from the anti-war turbulence of the Stanford campus in the early 1970s, where, among other activities, radicals burned down a branch of the Bank of America, to a later arson designed to halt development at the Santa Rosa airport. Although estranged, Sweeney and Bari lived on the same property in Redwood Valley and shared parenting responsibilities for their two children. Gehrman scru-

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tinizes in close detail the chronology of the bombing, calculating that given the 12-hour clock activating the bomb, it is quite possible that the bomb was placed under the driver's seat at the property owned by Sweeney and Bari or when the car was parked and left unlocked in Ukiah near the Mendocino Environmental Center. Gehrman counters, as a false lead, the claim by the Lord's Avenger that the bomb was put in the car in Willits where, in fact, it was locked and parked outside a police station. Gehrman cites friends who were told by Bari that Sweeney had used violence against her several times. Gehrman does not state whether Sweeney knew of Davis and Bari's efforts to hire Sutley to kill him. Gehrman does emphasize that Sweeney had a financial interest in the property he and Bari shared.

Gehrman says he enlisted Foster's help after hearing of his success in identifying Joe Klein as the author of *Primary Colors* and that Foster became increasingly interested in the case. These days Foster has a national reputation as a literary detective, working pro bono on criminal cases. Aside from the work on Klein, perhaps his best known coup is the identification of William Shakespeare as the author of a little known Elizabethan elegy.

Gehrman supplied Foster with writings by many of the suspects in the Bari bombing, including material from Sweeney. Among examples of Sweeney's writing were some pages of a roman a clef, he had been writing, including a portrait of Bari. Using his techniques of stylistic comparison and typographical analysis, Foster states in his article: "There is, of course, no guarantee that the Flatland archive includes writing by the actual bomber of Judi Bari, but among the examined documents, only one writer emerges from the pack as a plausible author of the Lord's Avenger letter: Mike Sweeney." Foster also says that the "Argus, Warning, and Avenger texts bear a family likeness .... Though inconclusive, this overlapping web of textual and stylistic similarities indicates that all three anonymous letters may have been written by the same subject." Foster avers that the Lord's Avenger letter and memos written by Sweeney to a colleague on environmental matters were produced by the same brand of type-writer.

It seems that those arousing suspicions about Sweeney are seeking to push newly elected Mendocino District Attorney Nor-

man Vroman into convening a grand jury. But Vroman, taking over an office left in a state of spectacular disorganization by his predecessor Susan Massini, seems unlikely to plunge into so fraught an affair, at least at the outset of his term. (Flatland's website is: [www.flatlandbooks.com](http://www.flatlandbooks.com).) As we go to press efforts to reach Sweeney have been unavailing.

## HENRY THE KLEPTO

From a Chinese technician intimately familiar with the imbroglio at the time it occurred we have learned the following, deeply enjoyable anecdote about Henry Kissinger. It's 1971 and Henry the K is secretly in Peking, setting the stage for Nixon's historic visit of 1972. Kissinger's Chinese hosts install him in a commodious

## The master potter worked against the clock to throw the fake and glaze it.

residence, decked out with princeless Chinese antiques from the national collection.

As Kissinger's visit draws to a close one of the Chinese government security snoops masquerading as a maid reports that one of these ancient treasures—a vase—has migrated from its shelf into Kissinger's baggage, ready for surreptitious exit from Peking. The Chinese are in a dilemma. On the one hand, they don't want to lose a part of China's national heritage. On the other, they didn't want an embarrassing confrontation and—who knows?—a setback to US/China entente policy. What to do?

The solution, according to the Chinese technician, was of consummate tact. A Chinese master potter was delegated to make a copy, convincing at least to Kissinger's inexperienced eye, of the vase. The fake was substituted, and duly made its way back to the United States.

## ST. ATHANASIOS V. BFI

On January 26, a Catholic school in the south Bronx called St. Athanasios sent two busloads of seventh and eighth graders to the Brooklyn offices of Browning-Ferris Industries, the Houston, Texas-based waste giant run by former EPA head Bill Ruckelshaus. The student's mission: compel BFI to take down two smokestacks and remove two incinerators at a medical waste facility located near the school.

"What we're breathing is toxic air",

explained 13-year-old Emmarie Velasquez, a former asthma sufferer in Ms. Alviar's eight-grade class. Emmarie's brother, aunt and grandmother all have respiratory problems. "The incinerators cause people to have asthma", said her classmate Charlie Samboy, himself an asthmatic. "We want them to close down the stacks because they're not healthy for breathing the air". Poor neighborhoods in the Bronx suffer an infestation of incinerators and waste transfer facilities, and also experience asthma mortality rates as high as 18 per 1,000, many times the urban national average.

Pressure from community organizations has shut down the incinerator for the time being, but BFI has balked at removing the stacks and burners, despite demonstrations in December 1997 and May 1998. The facility still has a permit to incinerate. By law, a health care provider must oversee the incineration of medical waste. Bronx-Lebanon Hospital fills that role. "Bronx-Lebanon gave life to that animal in our community", says Carlos Padilla of the South Bronx Clean Air Coalition. "The hospital with a heart? The hospital with a pocket is more like it". Currently the site receives medical waste from 23 countries as far away as Connecticut and Pennsylvania.

Padilla accuses BFI of bad faith for holding the stacks "as threats over the heads of our children". Union workers agree that BFI is a sleazy corporate citizen. Turning out in solidarity with the youth was Mike Hellstrom, newly installed president and business manager of Laborers Local 958. The local has been placed under trusteeship by the international because the previous leadership had negotiated substandard contracts with BFI, and an internal investigation found them to be corrupt. Under the old contract, which expires June 30, workers at BFI make \$5.45 per hour—30 cents above the minimum wage—even as the company grosses \$5 billion in revenues. "We want a living wage", says Hellstrom. "A day's pay for a day's labor." He warns that the union may start picketing on June 30th, if a new, just contract is not in place. Union men inflated a giant balloon rat which towered at eye level with the second-floor windows of BFI's offices, while a Teamster named Lou taught the Catholic school children to chant the chorus of "Solidarity Forever".

## *As the Door Revolves*

# The Arms Pushers

Last November, Secretary of State Madeline Albright denounced the "unregulated and illegitimate" sale of small arms at a gathering of the International Rescue Committee. "It is a trade carried out by profiteers, abetted by corruption, creating a bottomless armory for rogue militias, criminal empires, and bands of thugs," the secretary thundered righteously.

Albright's speech was part of a campaign by the Clinton administration to crack down on the illegal trade in firearms. But the administration is far less interested in cracking down on the legal trade in weaponry, and it's easy to see why. With exports valued at \$26 billion in 1997, the US is the world's No. 1 weapons dealer, thus accounting for a 43 percent market share.

The heart of the government's sales program is the Defense Security Assistance Agency, the Pentagon bureau that handles the government's Foreign Military Sales program. The DSAA has a staff of about 5,000 people working out of U.S. embassies and field offices in more than 100 countries. The DSAA receives a 3 percent commission per sale, which provides about 80 percent of its budget. DSAA racked up so much money from the 3 percent kickback that in 1992 Congress placed a \$300 million cap on the funds the agency could accumulate in its account.

The US military establishment is now trying to boost overseas sales even more. As part of that effort, deputy defense secretary John Hamre last year ordered a review of the Pentagon's foreign military sales program with an eye towards cutting red tape that slows shipments abroad. The "study group" heading up the review is composed of military officials, industry leaders and even representatives of foreign governments who purchase American weaponry.

The study group has fallen to its task with vigor. A January 18 Defense News story about its progress said that the Pentagon is seeking to "break down bureaucratic barriers that have prompted many U.S. friends and allies to shop elsewhere for military goods and services...Officials at the Pentagon have engaged in massive introspection with an eye toward reinventing its costly, cumbersome and

often condescending arms export system".

A chief problem for the Pentagon, the story added, is that a buyer's market has developed in the post-Cold War period and "increasingly savvy and demanding international customers can often dictate the terms of a deal". Hence, an "attitudinal sea change" is needed so that weapons customers are "treated as partners rather than aid recipients".

When it comes to peddling arms, the Pentagon gets plenty of help from private industry. And there are no better salesmen than the officials who previously worked

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### The US is the world's number arms dealer, accounting for 43 percent of the global share.

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at the DSAA. Of the agency's last ten directors going back to 1971, nine went on to work for the arms industry, and seven of those were employed by firms that sell weapons or military services abroad.

To see how the revolving door in arms sales works, we offer here a post-government service career summary of former heads of the DSAA.

1/ Lieut. Gen. Thomas Rhame, September 1993 to August 1997: During his tenure, Rhame opened the spigot for funding to subsidize deals to former communist regimes in Eastern Europe. Rhame tried retirement directly after discharge, but says "you can only golf so many days a week". He soon took a vice president position at the Association of the United States Army, a private organization that lobbies the government to maintain "a strong national defense".

2/ Lieut. Gen. Teddy Allen, August 1990 to August 1993: The day after he retired from DSAA Allen took a job as a consultant to Hughes, offering them advice on sales to Egypt. Allen now consults for the ACI Group International, a firm that helps companies penetrate foreign markets by using its "access to government and...contacts to government and industry

both here and abroad."

3/ Lieut. Gen. Charles Brown, October of 1987 to August of 1990: Soon after retiring, Brown took a post with Military Professional Resources Inc., a firm that trains foreign armies and instructs them in the fine art of buying US military equipment. Brown says the company hired him because it assumed he had strong international contacts from his days at DSAA. In 1995, Brown headed a Pentagon panel that looked to private industry to see what the Pentagon could learn about "streamlining and reorganization". Though Brown has now retired from Military Professional Resources Inc. and lives on his family cattle ranch in Rushville, Nebraska, he comes back to Washington three or four times a year to do consulting work for private firms.

4/ Lieut. Gen. Philip Gast, August 1982 to August 1990: Before heading to DSAA Gast served as the head of the U.S. Military Advisory group to Iran, where he helped funnel weaponry to the Shah's regime. He's now a vice president for international operations at Burdeshaw Associates, whose self-described mission is to help clients "compete and win in global defense and government markets".

5/ Lieut. Gen. James Ahmann, March 1982 to May 1982: Upon retirement, he became a vice president at BDM, a company headed by former Secretary of Defense Frank Carlucci. BDM's subsidiary Vinell trains the Saudi Arabian National Guard, a Praetorian Guard for the royal family. From BDM, Ahmann went on to work for Northrop and General Dynamics.

6/ Erich von Marbod, July 1981 to January 1982: Before taking his short-lived post at DSAA, von Marbod ran all US military assistance to Vietnam and next became the senior US defense representative to Iran, where he helped push the Shah into buying huge amounts of American weaponry. While at the DSAA, Marbod—along with Iran/contra figures Thomas Clines and Richard Secord—quietly became a partner in a shipping company

We assure any CounterPunch readers under the impression we've fled the country that we've merely been reorganizing our phone numbers and address and there were a few days at the start of the month when we were unreachable. As noted in our masthead, our address is now: CounterPunch, 3220 N. Street, N.W., Suite 346, Washington, D.C., 20007. Our phone is 1-800-840-3683 and our fax is 1-800-967-3620.

called Eatsco. In 1980, that firm was found to have overbilled the Pentagon \$8 million on arms shipments to Egypt. After retiring from government, Howard Fish, a predecessor at DSAA (see No. 8) hired von Marbod to work at the Paris offices of armsmaker LTV.

7/ Lieut. Gen. Ernest Graves, March 1978 to July 1981: The only head of the DSAA who didn't go on to work for the defense industry (other than a few freelance consulting jobs). Graves, who since retiring has worked as a military analyst at Georgetown's Center for Strategic and International Studies, says two weapons makers offered him jobs promoting overseas sales, but that he turned them down. "I just wasn't comfortable with the notion of trading commercially on relationships I had formed when I was working for the government," he says.

8/ Lieut. Gen. Howard Fish, August 1974 to August 1978: The classic revolving door story. Fish was a big backer of foreign sales while at DSAA, especially to the Middle East. After resigning he went to work for LTV and soon turned up in Malaysia where he was hawking the company's A-7 fighters. He next turned up as head of international marketing for Loral, and then took charge of the American League for Exports and Security Assistance, a trade group that lobbies for foreign sales. Fish left ALESA in 1997 and now serves as a consultant to Lockheed Martin.

9/ Vice Admiral Ray Peet, June 1972 to July 1974: After stepping down from the DSAA he worked for two defense contractors, Cubic Corporation and Teledyne Ryan, where now serves as vice president.

10/ Lieut. Gen. George Seignious, August 1971 to June 1972: In his post-DSAA career, Seignious became chairman of GRC International Inc., a defense and national security consulting firm.

This revolving door from DSAA is typical of the unceasing migrations from the military and the private sector. Between 1992 and 1995, number 3,288 Pentagon employees - of whom 2,482 were officers with the rank of colonel or above made — the jump to industry. It's impossible to determine how fast the revolving door is now spinning because at the request of the Pentagon, Congress in February of 1996 repealed the law that mandated such reporting, a move that apparently was never noticed by the mainstream press. ■

(ADL, continued from page 1)

was rejected by Court of Appeals Judge Anthony Kline, the ADL persuaded the State Supreme Court to return the case to the full court for a hearing. On November 15, 1998, the court reaffirmed ADL's status as a journalist and acknowledged its right to maintain files and obtain information on all but two of the remaining plaintiffs on the basis that they are "limited-purpose public figures", which it defined as having been publicly engaged and identified in activities around a particular issue, in this instance opposition to Israeli occupation and/or South African apartheid. There is no protection, said the court, for obtaining information illegally on non-public figures.

The court made an important qualification, however, ruling that for "lim-

## The ADL spy's locker contained an executioner's hood, CIA manuals, and photos of dark-skinned men, bound and blindfolded.

ited purpose" figures, the journalist's shield only applies if the information obtained is to be used for journalistic purposes. It does not protect the ADL from charges that it passed information about the plaintiffs to "foreign governments (in this instance, Israel or South Africa) or to others", which is what the plaintiffs claim the ADL has done.

Although the Court of Appeals vacated Judge Saldamando's decision, it did state that representatives of the plaintiffs had the right to request a review of ADL's files to discover possible constitutional violations, each of which would be worth \$2500. While this may seem a small sum, there are hundreds of Arab-Americans and anti-apartheid activists whose names appear in the ADL's files who potentially could collect if the ADL loses in court or is forced to settle the case.

The origins of the story are murky. What the press reported was that the SFPD acted on a tip from the FBI, which was supposedly concerned about files on the Nation of Islam that were stolen from

its local office, and arrested Gerard, who allegedly had done the pilfering. In Gerard's computer they found files on more than 7,000 individuals, many of them Arab-Americans, as well as information on hundreds of left-to-liberal organizations filed by Gerard as "pinko". In his locker, they found a black executioner's hood, a number of photos of dark-skinned men bound and blindfolded, CIA manuals, a secret document on interrogation techniques, stamped "secret" and referring to El Salvador, and numerous passports and IDs in a variety of names, all with his picture.

This splendid fellow began meeting with Richard Hirschhaut, chief of the ADL's San Francisco office in 1986, during which, according to a "confidential" Hirschhaut memo to the aforementioned ADL chief "fact-finder" Suall, he provided "a significant amount of information" on "the activities of specific Arab organizations and individuals in the Bay Area". That memo hasn't been made public but what was reported created a nightmare for the ADL when it turned out that Gerard had been exchanging non-public, personal information from government files with Bullock, a paid informant for the ADL since 1954 and whose own computerized "pinko" files on leftish and liberal folks, when seized by the police, proved to be a third again

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as large as Gerard's. According to police, his computer contained the names of nearly 12,000 individuals, 77 Arab-American organizations, 29 anti-apartheid organizations, and more than 600 "pinko" groups which included such revolutionary outfits as the NAACP, Asian Law Caucus and SANE/FREEZE, as well as 20 Bay area labor unions including the SF Labor Council. There were in addition, files on 612 right-wing organizations and 27 skinhead groups.

According to SF police inspector Ron Roth, 75 percent of their contents was non-public information illegally obtained from government agencies.

After indicating that the ADL would be charged with violating the California's Business and Profession's code, SF District Attorney Arlo Smith did an extraordinary thing. He made available to the public, merely for the copying costs, some 700 pages of documents incriminating the ADL in a nation-wide intelligence gathering operation run out of New York by Suall. One of the significant parts of that report was Bullock's admission that he was paid by a South African intelligence agent to spy on anti-apartheid activists (which he was already doing for the ADL.) He had reported on a visit to California by the ANC's Chris Hani, ten days before the man expected by many to succeed Nelson Mandela, returned home to be brutally murdered.

The ADL attempted to portray Bullock as a free-lance investigator, but no one was convinced, because

since 1954 Bullock had been paid through a cutout, an ADL lawyer in Beverly Hills. After his exposure, Bullock was put directly on the ADL's payroll.

ADL's position on the ANC was identical to that of the South African government — they considered it to be a "terrorist", "communist" organization. At the time, Israel was furnishing arms to maintain the apartheid regime in power.

In 1994, Smith announced that he would not prosecute either the ADL or Bullock since it would be "expensive and time-consuming both to the SFDA and the defendants," a curious judgement

### **Three-quarters of the ADL's files were illegally obtained from government agencies.**

considering the overwhelming evidence in his possession.

In its settlement with the city, the ADL, admitted no wrongdoing, agreed to restrain their operatives from seeking non-public data on ADL's enemies from government agencies and, putting a happy face on the story, promised to create a \$25,000 Hate Crimes Fund and another \$25,000 for a public school course.

Another class-action case filed by the American-Arab Anti-Discrimination Committee and other spied-upon groups such as CISPES, the Bay Area Anti-Apartheid Network and the National Lawyers Guild, was settled in 1996, also under conditions favorable to the ADL,

but without the approval of some of the suing groups.

In that instance, again without admitting wrongdoing or opening its files, the ADL agreed: to remove questionably obtained information from its files; that it would not seek non-public information on individuals from government employees and would pay \$25,000 to a fund to improve relations among Jews, blacks and other minorities. A similar deal was offered to McCloskey's plaintiffs but they turned it down since it would let the ADL off the hook and allow its secrets to be kept intact.

**B**oth sides will be back in Judge Saldamando's court in March to hear a new discovery motion from McCloskey and probably to set a trial date, something the ADL has been trying to avoid, given the embarrassment that would inevitably ensue, whatever the outcome. Its latest ploy has been to ask the judge for a summary judgement, in other words, dismissal of the case, something he is unlikely to do.

The deaths of veteran journalists Colin Edwards and George Green reduced the number of plaintiffs by two and subsequently four others, whose political activities were relatively limited, were dropped from the case. McCloskey, himself a victim of ADL attacks and whose wife Helen is one of the plaintiffs, is pursuing the case pro bono. Typically he is faced in court by four or five lawyers for the ADL. Contributions for the plaintiffs may be sent to Paul N. McCloskey, Jr. Atty., 333 Bradford St., Redwood City, CA 94063 (For more information see: [www.adlwatch.org](http://www.adlwatch.org) or e-mail at [melblcome@igc.org](mailto:melblcome@igc.org).) ■

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