

3. The brief by Carr assumed, either from ignorance or malice, that both of the above had in fact been done. Zack and Gaffey were never summoned to testify, and the Carr brief was exposed in subsequent trial testimony.

The first two statements can be verified by reading the paper by Zack and me which is listed as Reference 4 in the newsletter article. Since this paper is mentioned neither in Jenkins' memo nor in the extract from Carr's brief that allegedly accompanied it I am curious, to put it mildly, about where you found it. In any case either you read it and lied about its contents or you didn't bother to read it. I assume the latter, at least for the moment. (But who fed you the reference, and why?) The third statement can be verified from the trial record. I rather think that Mr. Carr has a copy, but I bet he wouldn't be happy to show it to people.

Mark Twain once said that a lie can go around the world seven times before truth can get its boots on, so in a sense the falsehoods you promulgated are permanent and cannot be taken back. However, a formal retraction, containing the three points I mentioned above, will enable me to respond in the future to charges based on your newsletter by saying that the charges were retracted.

I urge you to take no action until you show both the newsletter article and this letter to your attorney. This will improve your position, because if he tells you that I don't have a case and you subsequently lose the lawsuit, you may be able to recover your money by suing him.

I expect to hear from you in this matter by May 15.

Yours sincerely,

William R. Gaffey

William R. Gaffey, Ph.D.
11269 Pineside Dr.
St. Louis, MO 63146

COGALL