

IAMHIST

The International Association for Media and History is an organization of some 750 members worldwide, made up of scholars, teachers, archivists and practitioners, with members in thirty-five countries. Its president is David Ellwood, University of Bologna; its Secretary General is Piet van Wijk, Stichting Film en Wetenschap, Amsterdam; its Treasurer is Dan Leab, Editor of Labor History. IAMHIST sponsors international congresses every other year; the next will meet here in Washington and Salisbury, Maryland, July 24-30, 1997; the opening session to be held at National Archives II, will focus on history and television. The conference theme is "Knives, Fools, and Heroes: Film/TV Representations of the Cold War Era." IAMHIST sponsors the Historical Journal of Film, Radio, and Television, published by Carfax in Oxford, England, four times a year. Oxford University Press will publish in July, 1996, the revised contents of a special issue of the HJERT, edited by John Chambers and David Culbert, entitled World War II, Film, and History. Erik Barnouw has provided a Foreword; two of the chapters focus on television documentaries dealing with World War II.

IAMHIST'S OFFICIAL STATEMENT OF PURPOSE

The Aims of the Association are to further the use of audio-visual media for teaching and research in history, and in particular:

to encourage and facilitate research in the use of audio-visual media and materials as sources for study of history and the social sciences, including research in the development and the impact of audio-visual media in mass communication,

to improve the preservation of audio-visual materials as documents and to improve the access to archive institutions and collections housing audio-visual materials,

to promote the international exchange of information and the development of international projects within its field of interest,

to further research in the use of audio-visual media and materials at all levels of historical education.

IAMHIST organises international conferences: past meetings in the United States, the Soviet Union, Austria, Denmark, Germany, The Netherlands, the United Kingdom and Italy.

IAMHIST publishes The IAMHIST Newsletter and Studies in History, Film and Society.

IAMHIST sponsors The Historical Journal of Film, Radio and Television.

Outline of Remarks by David Culbert
The Current State of American Television and Video Preservation
Library of Congress, Washington, DC, March 26, 1996

- I. Problems of Access and Utilization:
- A. No complete data about use of television in the classroom
 - B. Video is not a good archival medium:
 - 1. Cheap and dirty home video copies disappear in a few years
 - 2. NTSC much less precise standard than PAL and SECAM
 - 3. Tri-standard playback machines extremely uncommon in America; common in Europe
 - 4. Most home video is feature film; little use of television news and very few television programs
 - C. Finding Aids--Few teachers know about Bowker's Complete Video Directory of Anjanelle Klisz's, Video Source Book; few would pay such large sums to purchase copies; these guides never have complete information for the many companies which change business addresses or go in and out of business.
 - D. The networks are not in the business of promoting scholarship or access to materials foreducators.
 - 1. We will not "sell the face or voice of a network broadcaster"
 - 2. Current status at CBS: Pre-pay, wait 4 to 6 weeks, take what you get (my experience ordering classroom use material in February-March, 1996)
 - E. The Vanderbilt Television News Archive as major exception yet continued lack of use by scholars and teachers
 - F. The Vanished Source?: Local television news; the importance of the holdings of the Mississippi State Archives and its published finding aids
 - G. The double standard in scholarly publishing--conservative historians hardly fault the scholar who writes about a topic for which television is central yet only studies print sources or printed accounts of television coverage
 - H. The Power of Tradition: those who study the media focus mostly on film, rarely on television, and almost never on radio
- II. The Reproduction of production stills and frame enlargements in scholarly publishing about film and television
- A. Utter lack of certainty among publishers, archivists, and scholars as to what is or is not allowed (I plan to read relevant conflicting statements from various publishers on this matter)
 - B. Congressional rulings make for excessive timidity on the part of archives
 - C. Technical considerations--the tremendous problem of providing effective frame enlargements from poor-quality video
 - D. The chilling effect of a possible CD-Rom-driven golden future for old footage, either film or television
- III. A Gloomy Prognosis: television has done a worse job than film in preserving its past; television news has hardly been studied in comparison with print journalism thanks to problems of access and utilization; video is not a preservation medium, in my opinion;

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the costs of purchasing television footage to use in the classroom or for scholarly research are a serious problem to teachers and scholars in a day of impossibly-restricted university budgets for travel and research; the historical profession is exceedingly slow to recognize the importance of visual materials in writing the history of the 20th-century; bright promises about access to such resources as the West Coast Museum of Television and Radio conveniently ignore the reality: no copying of material. Hence the irony of the recent remarks of Robert M. Batscha: "We're effectively the first public library of the work that's been created for television and radio. You don't have to be an academic. You don't have to be in the television business. Anybody can have access to the collection." Not true. Try to purchase or borrow materials for classroom or scholarly use.



LOUISIANA STATE UNIVERSITY
AND AGRICULTURAL AND MECHANICAL COLLEGE
Department of History

March 1, 1996

FAX 1-212-975-9214
Doug McKinney, Archivist
CBS News
524 W. 57th St.
New York, NY 10019

Dear Doug:

Bill Murphy suggested I contact you. I want to purchase on video 1/2-inch for classroom use a copy of a CBS special, "1968: a Look for New Meanings," broadcast on August 25, 1978, with Harry Reasoner. I believe it was two hours in length. I am interested in getting a transcript as well (if possible) and want the section(s) relating to the 1968 Democratic Convention in Chicago. What will this cost me? Is it possible to rent this from a supplier? Can you recommend something else which focuses even more directly on what CBS showed television viewers on August 26, 1968? I believe CBS also broadcast a program on July 28, 1978, entitled "The Battle of Chicago."

I know you are extremely busy but hope you will find time to call or fax me at my home phone/fax 504-344-8612 so that I can get this program just as soon as possible.

I edit a scholarly journal published in England, The Historical Journal of Film, Radio, and Television. I have agreed to testify at the Library of Congress on March 26 about the preservation of television news for classroom and research purposes. I hope to be able to make use of this request as part of my testimony.

Thanks very much for your assistance.

Sincerely,
David Culbert
David Culbert
Professor

CBS NEWS SALES AND LICENSING DEPT.

DATE: March 8, 1996
TO: DAVID CULBERT
COMPANY: LOUISIANA STATE UNIVERSITY
FAX #: 504-344-8612
PHONE #:
FROM: Neil Waldman, Director
Sales & Licensing
CBS News Archives
524 WEST 57 ST.
NEW YORK, NEW YORK 10019
FAX#: 212-975-5442
PHONE#: 212-975-2875

No. of Pages (including cover sheet) 1

We are in receipt of your request. CBS News licenses its material based on usage and markets of distribution.

For usage described: CLASSROOM USE
If available, the approximate cost would be: 100.00 - 200.00

If you wish to order, please confirm. At that time someone will get back to you with information regarding availability to license and a complete break down of total cost including sales tax and shipping.

Please allow 4 to 6 weeks for delivery.

Sincerely,

Neil Waldman, Director
Sales & Licensing
CBS News Archives

CBS NEWS

NO. 32019

A Division of CBS Inc.
524 West 57 Street, New York, New York 10019

ARCHIVES DEVELOPMENT

DATE: March 15, 1996

PROJECT # 6364

CUSTOMER # 106514

ORGANIZATION: Louisiana State University

CONTACT: David Culbert

ADDRESS: Department Of History
Baton Rouge, LA 70803-3601

PHONE: 504-388-4471

FAX: 504-388-4471

DESCRIPTION: CBS News Special : 1968

MEDIA: VHS Cassette

TERM: CLASSROOM/LIBRARY USE ONLY. NO COMMERCIAL DISTRIBUTION, DUPLICATION OR PROMOTION RIGHTS GRANTED

CHARGES:

	Quantity	Price	Amount
VHS Tape	0.00	\$ 0.00	\$ 0.00
CLASSROOM/SCHOOL LIBRARY	2.00	100.00	200.00
SHIPPING 2ND DAY AIR	1.00	7.00	7.00
AMOUNT DUE THIS CONTRACT (Non-Refundable)			<u>\$ 207.00</u>

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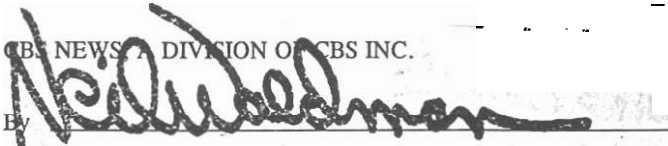
Please sign both copies and return to Director, Archives Development, CBS News, at the address indicated above. A Copy will be returned to you for your files.

- 157 -

CBS NEWS, DIVISION OF CBS INC.

LICENSEE:

By



By _____

24FL

Neil Waldman to David Culbert, March 15, 1996

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The Confused Situation Concerning
Publicity Stills and Frame Enlargements
from Film and Video

All the following examples are from situations that have occurred within the past twelve months.

University Press A (October 1995): Does not seek permission to use publicity stills. "Publicity stills are created for the purpose of advertising. The studios send them out freely. That creates a situation of "fair use" of these materials which indeed are designed and distributed to promote viewing of the film." This is the same position taken by a federal institution which publishes a successful mass audience journal. The situation for frame enlargements is different.

University Press B (November 1995): "We consider publicity stills to be just that, still pictures for publicity. I talk on panels and with lawyers on panels and all of the lawyers have said that our policy makes sense to them. There is no risk involved. We can claim "fair use." We would not ask you to write to anyone for permissions. If they come from MOMA we would just credit MOMA. . . . Frame enlargement is absolutely fair use. We are not interfering with commercial use of the film and it is a fraction of what appears in the film.

Film Clips and Stills Licensing Department, Major Hollywood Studio (April 1995) We hold copyright to all stills and frame enlargements for film X. Each still requires a permission fee of several hundred dollars (our lowest fee). You must sign a contract which, among other things, requires that what you publish in no way criticize our studio, or the Hollywood industry in general. You must also provide written releases from each individual, or the estate of each individual, in the still. You must also get a release from any labor union which represented anyone appearing in the still.

Bettmann Film Archive (February 1996) A publicity still from the same film X sold to another large commercial publisher to use as an illustration. Clearly the Hollywood studio does not have control over stills in the Bettmann archive, or does not wish to sue the new owner of the Bettmann archive.

Technological Problems with Frame Enlargements
from Poor-Quality Videos for the Home Market

Example A: Color Frame Enlargement done on a commercial Panasonic Video Printer, of commercial video--judged by the art department of a major scholarly press to be too poor to reproduce

(See Examples at left)

Example B: Black & White frame enlargement shot by professional photographer using camera on tripod to photograph the same image on freeze-frame of the same print of the same film--judged by the same art department of the same scholarly press to be too poor to reproduce.



FORUM

The Heinrich Hoffmann Photo Archive: Price vs. United States (Final Judgment, 19 May 1993)

DAVID CULBERT, *Louisiana State University*

A suit with wide-ranging implications for those who use photographs as illustrations for scholarly and popular books has finally advanced to the point where it can be appealed to the federal Court of Appeals. Billy F. Price is a successful manufacturer of compressors used in drilling oil wells, with corporate headquarters in Houston, Texas. Some years ago, he began collecting watercolours painted by Adolf Hitler, and amassed a large collection, including a number of fakes. He paid to publish an elaborate hard-bound guide, in colour, to his collection. Price has since sold his collection to someone else; the terms of sale include his promise not to reveal the purchaser's name [1].

The story of a rich Texas oilman buying fake Hitler paintings by the carload (Hitler's lack of technical facility makes it easy to copy such art) occasioned much merriment in America, Britain and Germany. And though fake paintings have nothing to do with fake diaries, the scandal of the Hitler Diary forgeries suggested a connection to some. Robert Harris, *Selling Hitler* (1986) has fun belittling Price, though the latter had nothing to do with forged diaries. Price takes no pleasure in being portrayed as a buffoon [2].

Heinrich Hoffmann was Hitler's official photographer. By the late 1930s he oversaw an immense organization, with branches in Berlin and Munich, and photographic files containing hundreds of thousands of images. In 1945, the Americans seized the Berlin images which had been moved to Bavaria towards the end of the war. Hoffmann's son was ordered to arrange the collection for use in prosecuting Nazi war criminals at Nuremberg. Then the collection, "seized enemy property", was taken to Washington DC. In 1951 it was placed in the custody of National Archives, where it is located today. It is a rare book or television documentary on the Third Reich which does not use images from this collection [3].

To the victor belong the spoils. What legal right does National Archives have to this collection? The enabling legislation goes back to World War I, to an omnibus piece of legislation, the Trading with the Enemy Act. This gives the federal government wide-ranging powers in time of crisis (a tortured construction of one clause allowed Franklin Roosevelt to transfer 50 destroyers to Britain in September 1940—the so-called Destroyer Deal). The act creates an Alien Property Custodian; in 1917 this office transferred German patent rights to American firms without compensation (including Bayer aspirin and the Bosch magneto).

In 1962 the US Congress amended the Trading with the Enemy Act relating to "divestment of copyrights: definition of 'copyrights' . . . and suits for infringement". According to this new legislation, "all copyrights vested in the Alien Property Custodian"

dian or the Attorney General under the provisions of this Act . . . subsequent to 17 December 1941, . . . are hereby divested as a matter of grace . . . and the persons entitled thereto shall . . . succeed to the rights, privileges and obligations arising out of such copyrights". The vesting order for the Hoffmann photographs, 17952 (16 FR 6162) was an enumerated *exception*, however, meaning that these copyright benefits were retained by the US government [4].

Billy Price did not set out to collect damages for the most extensive collection of Hitler photographs in existence. He set out to buy from Hoffmann's heirs four oil paintings by Hitler which he had given to Hoffmann in 1936, paintings which had also been seized by American authorities in 1945 and which eventually found their way to an army warehouse in Colorado, where other confiscated Nazi art is stored.

Government officials refused to let Price buy the paintings, claiming this was confiscated art. Price, in keeping with the mythology of the rich Texas oilman, did not like being given the run-around by the federal government. In 1983 Price sued in the US District Court in Houston, in the meantime purchasing the rights to the Hoffmann photographs from the heirs. Since one of the German heirs was the former wife of Hitler Youth Minister Baldur von Schirach, it seemed unlikely that these German nationals would find relief in an American court.

On 10 February 1989, federal district judge Lynn N. Hughes handed down an opinion in favour of Price and the Hoffmann heirs (that opinion and all subsequent court documents consistently spell Hoffmann as Hoffman). The conclusion left nothing in doubt as to what Judge Hughes thought of the matter:

After five years of litigation, the United States has been unable to contest factually the title of the Hoffmans or the nature of the government's acquisition of their property. Instead of property law arguments, the government relies on political denigrations of the artist and the archivist. Equal justice under law protects people without exceptions for those people whose father's politics were wrong.

The motion of the United States to dismiss will be denied, and a summary judgment will be granted for the plaintiffs for title and possession. A hearing will be set on damages and on the mechanics of restoration of possession.[5]

Such a decision was, as might be expected, an immense surprise to the US government. The National Archives, having dozed as this case proceeded through a Houston district court, awakened to discover that it now had the much harder task of overturning the ruling, something as yet unrealized. The next stage involved determining what property was involved, and its fair market value. National Archives was represented in this suit by the US Department of Justice.

In August 1989, Christopher Runkel, Attorney-Advisor, Legal Services Staff, National Archives, wrote a careful letter outlining the Price case and its implications for scholarly access to the Hoffmann photographs. The letter, in language accessible to any lay person, is worth quoting in its entirety:

Document 1: Runkel to Culbert, 9 August 1989

Dear Professor Culbert:

In response to your recent request, I am writing to briefly describe the National Archives and Records Administration's (NARA) policy with respect to the use, by private persons, of photographs from the Heinrich Hoffmann Collection.

Title to the Hoffmann Collection, which is comprised of photographs, negatives, and

other photographic and finding aid materials created by Heinrich Hoffmann, Sr. and his son, Heinrich Jr, was vested in the United States in 1951 by the Department of Justice's Office of Alien Property (OAP) pursuant to the Trading with the Enemy Act. In addition to vesting title to the Hoffmann Collection's tangible property, the OAP's vesting order also vested the United States with title to any copyrights then existing in individual Hoffmann images contained within the Collection.

As the Government agency with control of the Hoffmann Collection, NARA could restrict the use of copyrighted images from the Collection. We have chosen, however, to treat all of the images in the Hoffmann Collection as being in the public domain. This means that anyone who obtains a copy of a Hoffmann photograph from NARA may use that copy without restriction. We charge no permission fee for the use of Hoffmann photographs, only a fee set to recover the costs of reproducing individual images. Similar fees are charged for all materials deposited with the National Archives of the United States. We do ask that the Archives be credited as the source of photographs obtained here; our Still Picture Branch can provide you with an appropriate credit line.

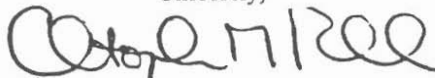
At the present time, the Government is defending a lawsuit brought by members of the Hoffmann family and an American national named Billy F. Price to recover the Hoffmann Collection. In February 1989, a federal judge in Houston, Texas ruled in the plaintiff's favor on the question of liability. The judge has not yet ruled on whether the Government must return the Collection or pay money damages, or both.

Although the Government is confident that this decision will be reversed, it is possible that the Collection may eventually pass out of our hands. If this were to happen, we do not know how individual Hoffmann images would be handled. At the present time, however, our policy of not restricting the use of Hoffmann materials remains in effect.

To summarize, NARA treats materials from the Hoffmann Collection as being in the public domain. Therefore, requesters may use these materials freely, at least in the United States. Notwithstanding this policy, we recommend that you consult with your attorney or publisher concerning the use of specific images.

I may be contacted at (202) 523-3618 if you have other questions concerning this matter.

Sincerely,



CHRISTOPHER M. RUNKEL

Attorney-Advisor

Legal Services Staff

The next step involved Judge Hughes signing a statement, the "Findings of Fact" relating to the value of the Hoffmann property in question, something he did on 20 June 1990. This document, incidently, establishes the value of the four paintings at a level which could not be realized easily in the current Munich art market. At Munich's major dealer in Hitler art, an absolutely-genuine Hitler watercolour can be purchased for approximately DM 20,000 (\$13,000 at current exchange rates) [6]. The fair market value for the Hoffmann photographs as of 1983 is certainly based on very rough estimates. The "Findings of Fact" are also worth reproducing in their entirety, to see

see how imprecise the law can be in determining the value of property. (Judge Hughes seems to consider watercolours and paintings as one and the same.)

Document 2: Judge Lynn N. Hughes, Findings of Fact, *Price vs. United States*, Civil Action H-83-4969, United States District Court, Southern District of Texas, 20 June 1990 [7].

1. The fair market value in 1983 of the painting by Adolph Hitler *Alte Hof* was \$55,000. It was done in 1914. It depicts an archway and residential buildings in Vienna. It is signed by Hitler.
2. The fair market value in 1983 of the painting by Adolph Hitler *Ratzenstadt* or *Street Scene in Vienna* was \$37,500. The painting was done about 1909-1912 in Munich by Hitler as a hopeful artist-architecture student. This watercolour shows a street scene. It is signed by Hitler.
3. The fair market value in 1983 of the painting by Adolph Hitler *Ruins* was \$28,000. It was done in 1917. It is a watercolour depicting a war-devastated small town whose focal point is a damaged church. It is signed by Hitler.
4. The fair market value in 1983 of the painting by Adolph Hitler *Train Embarkment* was \$28,000. It was done in 1917. It is a semi-impressionist quick sketch of a railroad cut, telegraph lines, soldier, and a shell explosion. It is signed by Hitler.
5. The fair market value of the four paintings as a group in 1983 was \$177,600.
6. The fair market value in 1983 of the photographs at Carlisle Barracks was \$9,000.
7. The fair market value in 1983 of the photographs at the National Archives was \$2,625,000, including:
 - A. Contact prints,
 - B. Nitrate negatives, and
 - C. Glass negatives.
8. The fair market value in 1983 of the glass negatives seized and lost by the United States was \$4,022,307.69.
9. The reasonable time value of money between 1982 and 1989 without a risk premium was 7.8% per annum.
10. Approximately 15,000 images of marketable value can reasonably be expected among the over 200,000 images for insertion licensing at a rate of \$60 to an upper limit of about \$5,000. The annual rate of licenses per year would be about 2,500 for an annual income of about \$150,000. The minimum annual yield to a licensor through an agent of \$25,000 to \$100,000.
11. Approximately 425 images of marketable value can reasonably be expected among the over 200,000 images for art print sales at a museum's average rate of \$205.
12. The fair market value of the loss of use of the Carlisle and Archives photographs from 1983 through 1988 is \$182,000 per year.
13. The fair market value of the loss of use of the four paintings collectively from 1983 through 1988 is \$4,000 per year.
14. The only apparent political content of the paintings is the signature, unless *Train Embankment* and *Ruins* could be imagined to depict either the horror or glory of war.
15. The photographs cover journalistic images including some studio work, from 1890 to 1945. Although most of the attention has been given the images from the Third Reich, the photographs include political figures and scenes from the Weimar

Republic and the German empire under Kaiser Wilhelm II as well as non-political social, individual, and architectural.

16. An owner who licenses use through an agent receives a royalty of 25% to 50% of the gross hire.
17. The entry cost to licensing reproduction is minimal. The testimony to the contrary was without foundation, speculative and arithmetically wrong.
18. The paintings are substantially more valuable because they are by Hitler than they would be if they were by an obscure early twentieth century German watercolor artist.
19. The photographs are valuable because of the historical importance of the people, places, and events they captured. They include such rare images as:
 - A. Rudolf Hess with his family;
 - B. Nazis engaged in horse play;
 - C. Mickey Mouse painted on a Nazi aircraft; and
 - D. Adolf Hitler and the Navy.
20. Hoffman was a capable photographer, but his association with the photographs is significant almost entirely as an element of provenance—authenticity.

Signed on June 20 1990, at Houston, Texas

A good bit of "procedural sparring by the parties" took place between February 1989, when Judge Hughes ruled in favour of Price as to the government's liability, and 19 May 1993, when he issued his final judgment. This extended period of time left the case in limbo, as Christopher Runkel explained in a letter which he sent me in February 1991. The situation, he explained, made it

difficult to proceed. Judge Hughes did not . . . enter a final decision as to what damages are due the plaintiffs. Without a final decision, plaintiffs may not move to collect their damages and, more importantly to the National Archives, the Government may not appeal Judge Hughes' decision to the federal Court of Appeals.[8]

On 19 May 1993, Hughes handed down final judgment in favour of Billy Price, a full 10 years after litigation began. The one-page statement is seemingly straightforward:

Billy F. Price takes from the United States of America: A. \$7,949,907.69 [Findings of Fact, items 7 and 8] B. Prejudgment interest dating from June 25, 1990, of 8.24% C. Postjudgment interest of 3.25%; and D. Costs of court.

Hughes then dismissed "with prejudice" any claims which Hoffmann's German heirs might seek to bring, since they had clearly sold their legal interest in the matter to Price. "With prejudice" simply means that the German heirs may never again bring this matter before an American court.

No sooner had the final judgment been handed down than Price's attorneys rushed to enter an Amended Final Judgment on 8 June 1993. The US Federal Tort Claims Act prohibits an award of pre-judgment interest against the Government (item B in the Final Judgment), so Price's attorneys filed a request for a final judgment which omits this from the decision of Hughes on 19 May.

The final outcome of this case is likely to take a considerable amount of time (another 10 years?). Once an amended final judgment has been signed by Hughes, the attorneys for the USA will obviously appeal to the federal Court of Appeals (eight million dollars is not an insignificant sum). No money will change hands until all avenues of appeal

have been tried. In the meantime, it seems likely that National Archives will continue to make images from the Hoffmann collection available to scholars, with the sort of prudent proviso that one should consult one's attorney or publisher as well.

Correspondence: David Culbert, Department of History, Louisiana State University, Baton Rouge, LA 70803 USA FAX 504-388-6400

NOTES

- [1] Price and his wife kindly let me spend the night at their ranch south of Houston in April 1990, in guest quarters where, Price told me, David Irving has spent some six months while writing his recent biography of Goering.
- [2] Concerning the diaries, see also CHARLES HAMILTON, *The Hitler Diaries: fakes that fooled the world* (Lexington, KY, 1991). *Schtonk*, a comedy about the Hitler diary forgeries, was the most successful German film in 1992. See HELMUT DIETL, *Schtonk: Eine Filmkomödie* (Zurich, 1992).
- [3] The elder Hoffmann was sentenced by a Munich court to ten years in prison in 1947. Repeated appeals led to a reversal in 1956; he died the next year. See RUDOLF HERZ & DIRK HALFBRODT (1988) *Revolution und Fotografie München 1918/19* (Berlin), pp. 277-288. In English one should consult HEINRICH HOFFMANN (1955) *Hitler was my Friend* (London). An exhibition concerning Hoffmann's photography will open at the Stadtmuseum München, January 11, 1994.
- [4] 50 *United States Code Appendix* Section 42 (c).
- [5] Lynn N. Hughes, Opinion on Partial Summary Judgment, *Billy F. Price et al. vs. United States of America*, Civil Action H-83-4969, February 9, 1989 (15 pages).
- [6] Interview with Rudolf Herz, Munich, 23 June 1993; interview with Peter Wagner, Munich, July 21, 1993. Wagner kindly showed me lists of prices he realized for Hitler water colours at recent auctions: Hermann Historica, Maximilianstr. 32/IV, 80539 Munich, Germany. Fax 011 49 (0)89 291 35 06.
- [7] I am grateful to Frederick Schiff for getting to me promptly the recent documents as filed in the US District Court, Houston.
- [8] Runkel to Culbert, 22 February 1991.