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CITE DIRECTOR

TO: PRIORITY TEHRAN.

RYBAT EYES ONLY

TO AMBASSADOR HELMS FROM WARNER

1. THE FOLLOWING AFFIDAVIT WAS PREPARED BY MR. DONNENFELD TO BE FILED IN THE NEW YORK GROVE PRESS CASE IN SUPPORT OF A MOTION TO DISMISS THE SUIT AGAINST YOU. WOULD APPRECIATE YOUR REVIEWING THIS AFFIDAVIT. IF THERE ARE ANY PROBLEMS YOU COULD ADVISE US BY CABLE. OTHERWISE IT CAN BE EXECUTED IN DONNENFELD'S OFFICE WHEN YOU ARRIVE NEXT WEEK.

RICHARD M. HELMS, BEING FIRST DULY SWORN, DEPOSES AND SAYS AS FOLLOWS IN SUPPORT OF THE MOTION TO DISMISS FILED ON HIS BEHALF IN THE ABOVE-CAPTIONED CASE:

(1) THAT AFFIANT IS PRESENTLY THE UNITED STATES AMBASSADOR TO IRAN, A POST HE HAS HELD SINCE MARCH 17, 1973. AS SUCH, AFFIANT MAINTAINS HIS RESIDENCE AT THE UNITED STATES EMBASSY IN TEHRAN, IRAN, AND, SINCE MARCH 17, 1973, HAS MAINTAINED NO RESIDENCE IN THE UNITED STATES.

(2) THAT FOR APPROXIMATELY TEN YEARS PRIOR TO HIS APPOINTMENT AS AMBASSADOR TO IRAN, AFFIANT WAS A RESIDENT OF EITHER THE STATE OF MARYLAND OR THE DISTRICT OF COLUMBIA, BUT HE NEVER HAS BEEN A RESIDENT OR DOMICILIARY OF NEW YORK.

(3) THAT AFFIANT DOES NOT NOW OWN, AND HAS NEVER OWNED, ANY INTEREST IN NEW YORK REAL PROPERTY, NOR HAS AFFIANT EVER OWNED ANY CONTROLLING INTEREST IN ANY BUSINESS ENTITY CONDUCTING OPERATIONS IN NEW YORK. AFFIANT HAS NEVER PAID TAXES IN NEW YORK, HAS NEVER MAINTAINED ANY BANK ACCOUNT THERE, AND HOLDS NO LICENSES OR PERMITS ISSUED BY NEW YORK.

(4) THAT, ALTHOUGH AFFIANT HAS VISITED NEW YORK STATE WITHIN

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APPROVED FOR RELEASE  
DATE: MAR 2008

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PAGE 2 DIRECTOR [REDACTED] S E C R E T  
RECENT YEARS FOR SOCIAL, RECREATIONAL, AND OTHER PURPOSES, NONE OF  
THESE VISITS DEALT IN ANY WAY WITH GOVERNMENTAL ACTIVITIES DIRECTED  
AT GROVE PRESS, INC., BARNETT LEE ROSSET, JR., OR FRED JORDAN,  
ASSUMING THAT THERE WERE ANY SUCH PROGRAMS. AFFIANT, WHILE HE WAS  
IN NEW YORK, COMMITTED NO TORTS AGAINST THE PLAINTIFFS IN THIS CASE,  
WHETHER AS ALLEGED IN THE COMPLAINT OR OTHERWISE.

(5) THAT AFFIANT HAS NEVER AUTHORIZED ANY EMPLOYEE OF THE  
DEPARTMENT OF STATE TO ACCEPT SERVICE OF PROCESS ON HIS BEHALF, IN  
THIS OR ANY OTHER CASE RELATING TO MATTERS UNCONNECTED WITH HIS  
DIPLOMATIC DUTIES.

2. NEEDLESS TO SAY, I WAS OVERJOYED WITH DECISION BY DEPARTMENT  
OF JUSTICE NOT TO GO FORWARD IN FAIRFAX CASE. I THINK THEY COULD  
HAVE REACHED THAT DECISION 6 MONTHS AGO IF THEY HAD CONCENTRATED  
THEIR EFFORTS TO REACH AN EARLY DECISION. NEVERTHELESS, A GOOD  
DECISION WAS REACHED. REGARDS. E2 IMPDET.  
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