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**Collection:** Roberts, John G.: Files  
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THE WHITE HOUSE

WASHINGTON

November 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Westmoreland/CBS Trial

In Mr. Waller's absence I took a call from John Bates of the U.S. Attorney's Office here in the District concerning an imminent development in the Westmoreland/CBS libel trial. According to Bates, CBS will ask Judge Leval on Monday to permit it to ask questions of witness George Carver concerning what was discussed at meetings between former CIA director Helms and his staff. The minutes of those meetings are among the documents that the Government has thus far succeeded in shielding from disclosure during this trial. It will accordingly be necessary for the Government to argue, in response to the CBS request, that certain questions CBS will want to ask should not be permitted. Bates regards this possibility as a very minor but unavoidable departure from the policy of avoiding any Government involvement in the trial.

cc: David B. Waller

THE WHITE HOUSE

WASHINGTON

November 6, 1984

FOR: FRED F. FIELDING  
FROM: DAVID B. WALLER  
SUBJECT: Westmoreland v. CBS

John Roberts' memorandum to you of November 2, copy attached, advised you that we had been informed by the U.S. Attorney's Office that an issue had arisen in the referenced action that would require government involvement. Specifically, CBS had expressed an intention to seek permission from the Court to ask questions of witness George Carver concerning what was discussed at meetings between former CIA Director Helms and his staff. The minutes of that meeting had been withheld by the government under a claim of privilege and the U.S. Attorney's Office intended to argue that certain questions CBS would want to ask would be similarly privileged.

Judge Leval entertained CBS's argument yesterday and disposed of it with a ruling that the subject matter concerning which CBS sought to question Carver was irrelevant. The argument was made at side bar and was off the record.

cc: J. Roberts ✓