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September 18, 1973

Mr. James Meyer  
Research and Projects Editor  
Virginia Law Review Association  
University of Virginia  
Charlottesville, Virginia 22901

Dear Jim,

It's good to hear that you find the issue of the territorial clause a fitting subject for a possible law review article. I share your views about the importance and difficulty of the subject, and will be happy to assist in whatever ways are appropriate.

As we discussed on the telephone, we both must face one major question before I assist you and before you proceed with your research. An attorney-client relationship exists between this law firm and the Marianas Political Status Commission (MPSC). I have ethical obligations arising from this relationship, and you presumably feel similarly bound since you worked here. However, this relationship only places certain limits on what we can do, and does not prevent all dissemination of our research and thinking. After a discussion with Howard Willens, I suggest that your student author(s), you, and I agree to the following guidelines:

1. You will keep to yourself any and all information about the private correspondence and discussions between the MPSC and this law firm. You will also keep to yourself any of the discussions between you and me (or other members of the firm) about the advisability of particular approaches or tactics in the negotiations.

2. After receiving assurances from your student author that he will not disclose the contents of the memoranda to anyone else in any way, you can let him read the memoranda and notes you prepared this summer. Additionally, you can let him read any of the materials prepared by other summer associates. (Any other WC&P memoranda will have to be cleared by me on an item-by-item basis.) You or the student author can of course use the legal theories and research in the cleared memoranda to assist your research, but, again, neither of you should ever cite the source in conversations with others or in any documents.

3. You or the student author will only cite those parts of the U.S.-Marianas negotiating record which are public. (The basic position papers of both sides at the last negotiating round have been released to the press.)

Why don't you call me and we can discuss these guidelines further. If they and the general spirit underlying them is acceptable to you and your student author, I expect that we can make much progress. Specifically, I can send you the memorandum which Gil Kujovich wrote on the "outside-inside" approach to the territorial clause as well as the May 1973 position paper of the Marianas Political Status Commission on future political status. Moreover, when your student author has neared the end of his research, he might visit us for some informal, off-the-record discussions of the legal issues. (You might use his visit as an excuse to come see us again and to take a tour of the new offices.)

Sincerely,

Barry Cartor

P.S. As I wrote you before, it was a pleasure working with you this summer and you did an excellent job for us on the Marianas questions.