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Doc No	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	MEMO	JOHN ROBERTS TO FRED FEILDING RE EARL BERGER (PARTIAL)	1	2/13/1984	B6	739

Freedom of Information Act - [5 U.S.C. 552(b)]

- B-1 National security classified information [(b)(1) of the FOIA]
- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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THE WHITE HOUSE

MEMORANDUM

February 13, 1984

MEMORANDUM FOR FRED P. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Earl C. Berger

Earl C. Berger, a California attorney, has written several brief letters to Craig Fuller, threatening to place a lien on the White House to satisfy what he considers to be an outstanding judgment against the United States. Fuller has not responded. Berger was the lead attorney in the successful class action brought against the United States by certain public school teachers, March v. United States, 506 F. 2d 1306 (D.C. Cir. 1974). Berger contends that the United States has not complied with the Court of Appeals instructions on remand, both as to payments owed the teachers and attorneys fees owed him.

In fact, according to Ted Grossman, the Justice Department attorney handling the case, [REDACTED]

[REDACTED] The litigation has been largely resolved, consistent with the Court of Appeals opinion. This week Grossman intends to go into court seeking to vacate the judgment against the United States under Federal Rule of Civil Procedure 60(b), with the consent of the plaintiff class (now represented by counsel other than Berger). The basis for the motion will be that the judgment has been satisfied.

b6

[REDACTED]

b6

Since this matter is still technically an active case, I recommend referring Berger's letters to Justice for whatever reply the attorneys handling the case consider appropriate. A memorandum to Jensen accomplishing this is attached.

Attachment