

P761181-0792

November 11, 1976

Ms. Nancy Rosner
401 Broadway
New York, New York 10013

Re: People of the State of New York v.
Zvonko Basic et al (Supreme Court
State of New York No. 3879/76)


Dear Ms. Rosner:

I refer to the subpoena duces tecum in the above matter directed to the Department of State. I regret that the Department of State is unable to respond to a subpoena from the Supreme Court of the State of New York inasmuch as the headquarters of the Department is located in the District of Columbia, outside the jurisdiction of that court. I note also there was no proffer of witness fees. To the extent the records sought relating to James O'Brien contain personal information about him protected by the Privacy Act (5 U.S.C. 552a), we would be able to disclose such information only pursuant to lawful order of a court.

I can tell you that Mr. O'Brien is not an employee of the Department of State, but we are familiar with his language capabilities because of contract services he has performed on occasion for the Office of Language Services of the Department of State.

If you wish to request further information, you may do so under the Freedom of Information Act. A copy of our regulations is enclosed.

Sincerely,


K. E. Malmborg
Assistant Legal Adviser
for Management

Enclosure:

As stated
L/M:KEMalmborg:ad

Concurrence: L/SFP - Mr. Fields

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