

Gen. Committee 56.01

OFFICE OF U. S. CHIEF OF COUNSEL
APO 403 - U. S. ARMY

PLANNING COMMITTEE
22 November 1945

RESTRICTED

The Planning Committee met at 2045 hours, 22 November 1945, in Room 316. Present were:

- Robert G. Storey, Chairman
- Maj. Gen. William J. Donovan
- Mr. Sidney S. Alderman
- Mr. Thomas J. Dodd
- William H. Baldwin, Exec. Secretary

- Colonel Telford Taylor
- Lt. Col. George Seay
- Major William F. Walsh
- Lt. Roger Barrett

Colonel Storey reminded the meeting that Major Lawrence Egbert, Room 403, is in charge of the distribution of briefs and document books.

It was strongly emphasized as absolutely essential that copies of the brief or manuscript used by a lawyer in presenting a case in Court be in the hands of Colonel Dostert the night before the day of presentation. It was decided that the person presenting a case must assume the responsibility of getting to Colonel Dostert on the day previous to the presentation a minimum of five copies of the manuscript or brief used in addressing the Court, and must, further, make any special arrangements necessary with Colonel Dostert for the presentation.

The Committee discussed Mr. Gordon Dean's request that he have by 1730 hours each afternoon an outline of what is scheduled for presentation on the following day, including a brief mention of special documents, special witnesses, movies, etc., that will be highlighted. It was the Committee's decision that the trial lawyers should deliver to Major Baldwin not later than 1600 hours each day an outline of what is expected to be proved and any particular documents, witnesses, etc., that will be emphasized on the following day, so that the outlines may be consolidated and forwarded to Mr. Dean in four copies by 1730 hours.

Colonel Storey advised the meeting that due to the fact that confusion existed in today's sessions about the procedure for placing documents in evidence, all documents

and charts offered as evidence up to this time will be re-offered in tomorrow's (23 November) session. In the future, each lawyer, when offering a document in evidence, will hand it to Lt. Barrett who will assign a U. S. exhibit number to it; thereupon the lawyer will announce over the multi-lingual system the document series number and the exhibit number assigned to the document by Lt. Barrett and will ask if the exhibit number is correct. Thus the document series number and the corresponding U. S. exhibit number will be made a matter of record. It was suggested that the lawyer make a marginal notation of the U. S. exhibit number on his manuscript in case a reference should be made to the same document later.

With regard to offering document books in evidence, it was the Committee's opinion that the documents in the books should be given individual exhibit numbers by Lt. Barrett prior to the presentation, following other U. S. exhibits in proper order, and that the book as a whole should be given a letter designation, as it is the Court's desire that document books be marked in some way to indicate that they are a part of the record. Document books so far handed to the Court have been marked A, B, C, etc. It was suggested that the lawyer, when handing up a document book, explain that it consists of English translations of the German documents.

The questions was raised as to what provisions had been made for furnishing copies of briefs to the Defense Counsel; it was decided that Major Egbert should deliver their copies to the Defendants' Information Center.

The Committee discussed the procedure for submitting briefs in the future. The decision was reached that one week would be allowed for the completion of a brief after its subject had been presented in Court, and that the brief would then be submitted to the Planning Committee for review.

Lt. Barrett stated that copies of the daily testimony to date had arrived in the Document Room, and asked that the lawyers on the trial staff send for them daily. Lt. Barrett will circulate a memorandum to the Trial Staff and Section Chiefs indicating that copies of transcripts are available in his room.

The point was made that during the offering of a document as evidence, the Court might ask whether the defendants had seen it. To avoid opposition, it was the

Committee's decision that it is the obligation of the trial lawyer to give a list of documents he will offer in evidence to Lt. Barrett in order that Lt. Barrett may make those documents available to the defendants in the Defendants' Information Center.

Meeting adjourned at 2000 hours.

Distribution:

Mr. Justice Jackson
Mr. Robert G. Storey
Maj. Gen. William J. Donovan
Mr. Sidney S. Alderman
Mr. Thomas J. Dodd
Major William H. Baldwin
Files