

Synanon -

4/27

11 Thank you for allowing this emergency SC
Problem is issuance of 4 summonses

Q It's due every two years - 9

Sum, opposition due 5/2

Summonses interfering w/ your opposition prep

11 Yes - we want add'l + + Ct Order that govt
will issue no other summonses

Q Yes mean govt can't investigate any agency bc it
interferes w/ prep for case lit?

11 '77-'78 - 2 subpoenas request records for those yrs
to det. liab now that exemption was revoked

But you are to det if revocation is correct

Until that's del'd shouldn't try to figure out if liab

We see no reason for the timing of the summonses

Why now while we're working on our opposition?

This is ev of bf. They can wait til after this suit

82-83 - 2 subpoenas to broken

If this case says revocation was improper burden will
be on govt to show revocation is proper for calater
yrs.

Govt cites 5 of L problem. We don't know if that so
but it couldn't apply to 80-83

1 subpoena to Synanon for all records 76-83

3 " to others

Q Affiant says IRS is doing this rld to some other investg.
We must assume regularity

Synanon filed no corp return after '78

Hff says IRS has been investigating

11 Hopkins will respond

There is a Ct order + appears to be bf here.

All govt is seen as one, IRS + justice

11 Hopkins This is a deal of case - expedited - special provision for exclud orgs.

50-60 cases have been decided under this provision

& no of no case where IRS has issued such subpoenas

Q Prosecutorial arm didn't subpoena
I don't think they violated the Ct Order

* Ct Order was directed at govt

They're seeking enormous info

If π prevails, all IRS summons will be for ϕ

But most imp't is the timing. Why were subpoenas issued
on the eve of prep of the opposition?

Q Look at Petition memo p. 6

Says parties may issue ~~the~~ subpoenae deus tecum + return to counsel
I put that in so subpoenas may be returned to counsel
needn't be returned to Ct.

Co needn't be admissible. Designed for records needed for any
proceedings

* Subpoena returnable to agents in Cal.

Gov asked Dep of Brainerd on 4/25 - it is that

should we wait on opposition or allow supplementation?

Q OK - D

D Case is lld to 77-78

Army says after '78 has ϕ to do w/ this case

π decided to file no return but had sublt ϕ eg sold
prop at \$6.4 gain

IRS has a duty to investigate Synanon tax bill

77-78 π did file returns. But IRS is delaying the
accuracy of those returns.

So L begins to run on them.

Before it is investig of π 's activities ^{to det if exempt} IRS is investig ~~of~~
whether returns are correct. This is quite diff.

We instructed IRS to give us no info.

Q They claim govt is outmaneuvering them.

But they seem to make emp to affid counsel

D yes. They're loaded

Q What's the harm in an extension?

4/27

- D No Obj to a brief extension.
- Jg I'd like to decide this in May
- 11 Can we respond 1 wk after Brandin depo?
- Would put ours on govt to schedule the depo
- D Didn't know depo was allowed.
- Syranian has habit of taking depositions for days on end
6, 7, 8, 9 days.
- Jg Not for this Ct
- Who will depose him?
- 11 Mr Bondette. He's in Cal.
- Jg Limit depo to areas of lawsuit - Only 6 hours - that's R
- Let there be no disputes over the depo or still fine you.
- When is depo?
- 11 Not scheduled?
- Jg Depo next wk. Oppositor due 5/11
- This motion is also a Motion to Quash Summonses?
- 11 No. Del is in dist where summonses were issued
- Jg To extent Ct has id, Motion to Quash will be denied.
- govt prep an Order.
- Bondette said he's a resident at Syranian. Are you?
- 11 No.
- Another Ct may defer on quashing summonses to this Ct
- Jg If nec. I'll preside over the depo
- D To extent govt wants to cross-x Braden we ask for
6 hrs too. It will be less
- Jg Now must be allowed a R to for cross-x
- 11 We need Syranian for 3 yrs. Alleged abuses are
non-existent
- There should be no presumption Syranian will abuse the
depo of Braden
- Jg I have no such presumption. Just feel attys should work out
discovery disputes themselves.
- I know I abt Syranian ~~etc~~ except that they're involved
in drug rehab.