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TORONTO 1

7th March 1967

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DECLASSIFIED AND RELEASED BY CENTRAL INTELLIGENCE AGENCY SOURCES METHODS EXEMPTION 3B2B NAZI WAR ERIMES DISCLOSURE ACT DATE 2003 2006

## Re: Parkma et al v. Heine et al

We are ... Ing a great deal of difficulty in the examination of Heine, as his counsel take encless objections, and instructs the witness not to answer questions that I would have thought were eminently relevant. We had to adjourn the examination this afternoon to bring a motion to determine these issues, and either get a ruling in our favour or be told that I am wrong.

The two areas of objection now are as to Heine's claim to be a militant foe of communism from his early days, which appears in his Statement of Defence, and, of course, opens up all the things that we would like to know about prior to his arrival in Toronto.

The second area of objection is with respect to his conduct after the anonymous bulletins ceased in December, 1964. We have been refused answers to questions dealing with statements of his and actions taken by him, proof of which it seems to me are cogent evidence of express malice.

I am afraid it will be April now before we get back at him.

On his examination today, however, he stated that he was questioned by the R.C.M.P. starting in September, 1964, and throughout the rest of that year, and that he told them that he was the author and publisher of these anonymous bulletins. This is a variation on the statement that he is reported to have made to Berme immediately after he was served with the Whit in this action last fall. I am putting what enquiries I can to the R.C.M.P., but whether they will be free to disclose anything to me . A is another

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Paul R. Connolly, Esq., page 2, 7th March 1967.

question. Have you any sources of information that would assist in providing me with information as to enquiries made in Canada of this man that would be helpful insofer as his credibility is concerned?

He is an extremely puzzling witness to me. He answers questions with the most apparent candor, giving answers that would seem to leave him without a shred of defence to the action brought against him here.

Were it not for the accusations made against him in the U.S.A., it would be very easy to put him down as an irresponsible right wing fanatic. This, of course, is no defence to a libel action, but it could influence a court into thinking that the storm he kicked up in the Estonian community in Toronto was a very local tempest in a very local teapor.

If he manages to create this impression, he could easily escape with nominal damages.

Anything that you can advise me about that would tend to unmask this man will be greatly appreciated.

Yours faithfully, .

Donald A. Keith

