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On 1 February 1953, Paul Luth, former chairman of the League of German Youth (BDJ), was instructed to present his defense during the Hessian pre-trial examination along the lines agreed in the recent Telecon and reported in reference B. Luth agreed and also informed us that his own and Erhard Peter's lawyers had prepared a written brief taking exception to the jurisdiction of the Hessian Court and recommending that the case be transferred to the Federal Court on the grounds that the Federal Prosecutor was already investigating the same case. During the first formal hearing on 2 February, the Judge advised that the objection would be referred for decision to the 3-Judge trial court (Strafkammer). Luth believes that a favorable decision will be forthcoming by 6 February and that the case will be referred to the Federal Court. In the meantime, the German Mission is continuing its attempt to have the Federal Court order that the case be removed to the Federal level.

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