



EX ANTE

OUR MISTAKES

We just noticed (more than ten years after the fact) that our citation of Neal Devins’s “Bearing False Witness” article on page 137 of our Winter 2002 (vol. 5, no. 2) issue should have been to 148 U. Pa. L. Rev. 165, not 148 U. Pa. L. Rev. 163. We are clumsy sometimes. That sad truth is illustrated again.

And then there is the nice catch by attentive reader Ed Whelan:

I was surprised to see the passage on pp. 172-173 [of the Winter 2013 issue of the *Green Bag*] where Chief Justice Rehnquist states that he was “one of a small minority which felt that the year 2001 – not the year 2000 – was the bicentennial year.” Given the context (especially the sentence that follows), it seems clear that he meant to say something like “was the beginning of the new millennium.”

We agree with Whelan.

THE BEGINNING OF THE STORY

When we published Eugene Fidell’s memoir of the lawsuit triggered by the 1973 U.S. bombing of Cambodia, we included a facsimile of the letter he received from Assistant Secretary of Defense Dennis J. Doolin. See Eugene R. Fidell, *Why Did the Cambodia Bombing Continue?*, 13 GREEN BAG 2D 321 (2010). We did not include Fidell’s own letter that prompted Doolin’s, because he could not find it. Now he has and here (turn the page) it is . . .

Ex Ante

Eugene R. Fidell
1845 47th Place N. W.
Washington, D. C. 20007
August 6, 1973

Honorable James R. Schlesinger
The Secretary of Defense
The Pentagon
Washington. D.C.

Dear Mr. Secretary:

In connection with Representative Holtzman's suit to terminate the bombing of Cambodia prior to the August 15 deadline, I was alarmed to note that bombing activities apparently continued between the time Mr. Justice Douglas dissolved the stay of Judge Judd's injunction and the time the Supreme Court reinstated the stay later on August 4.

It would be appreciated if you could confirm whether air operations were suspended during the period in question. If such operations were not suspended, your comments on the reasons therefor are solicited.

Your prompt attention to this inquiry will be appreciated.

Very truly yours,

Eugene R. Fidell

bcc: Honorable Robert F. Drinan
Honorable Elizabeth Holtzman
(U.S. House of Representatives)

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