Collection Summary
Title: Robert H. Bork Papers
Span Dates: 1798-2003
Bulk Dates: (bulk 1973-1999)
ID No.: MSS65871
Creator: Bork, Robert H.
Extent: 160,000 items ; 567 containers plus 1 classified, 1 oversize and digital files ; 228.2 linear feet
Language: Collection material in English
Location: Manuscript Division, Library of Congress, Washington, D.C.
Summary: Lawyer, educator, and judge. Personal and official correspondence, lectures, legal briefs and opinions, legal case files, memoranda, speeches, writings, research notes, and other papers documenting Bork's career as a lawyer, legal scholar, professor of law, and federal appellate court judge. Also included is material relating to his unsuccessful nomination to the Supreme Court.

Selected Search Terms
The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

People
Bickel, Alexander M.
Bickel, Alexander M.--Correspondence.
Billington, James H.--Correspondence.
Bork family.
Bork, Charles E.--Correspondence.
Bork, Mary Ellen--Correspondence.
Bork, Robert H.
Calabresi, Steven G.--Correspondence.
Chaffetz, Hammond E.--Correspondence.
Colson, Charles W.--Correspondence.
De Grazia, Edward, 1927-2013--Correspondence.
DeMuth, Christopher C.--Correspondence.
Ford, Gerald R., 1913-2006--Correspondence.
Friedman, Milton, 1912-2006--Correspondence.
Garment, Leonard--Correspondence.
Goldwater, Barry M. (Barry Morris), 1909-1998--Correspondence.
Haig, Alexander Meigs, 1924-2010--Correspondence.
Haldeman, H. R. (Harry R.), 1926-1993--Correspondence.
Hatch, Orrin, 1934- --Correspondence.
Helmsley, Leona--Trials, litigation, etc.
Hueter, Ernest B., 1920-2010--Correspondence.
Kamenar, Paul D.--Correspondence.
Kimball, Roger, 1953--Correspondence.
Krane, Howard G.--Correspondence.
Kristol, Irving--Correspondence.
Leary, Thomas B. (Thomas Barrett), 1931- --Correspondence.
Marshall, Thurgood, 1908-1993--Correspondence.
Meyer, Eugene B.--Correspondence.
Mikva, Abner J.--Correspondence.
Neuhaus, Richard John--Correspondence.
Nussbaum, Bernard J., 1931- --Correspondence.
Olson, Theodore B.--Correspondence.
Read, Benjamin H. (Benjamin Huger), 1925- --Correspondence.
Rivkin, Donald H. (Donald Herschel), 1924- --Correspondence.
Rowe, Frederick M.--Correspondence.
Rumsfeld, Donald, 1932- --Correspondence.
Selleck, Tom, 1945--Correspondence.
Simpson, Alan K.--Correspondence.
Starr, Kenneth, 1946- --Correspondence.
Swedenburg, Juanita--Trials, litigation, etc.
Wallach, E. Robert, 1934- --Correspondence.
Wallach, E. Robert, 1934--Trials, litigation, etc.
Walsh, Lawrence E.--Correspondence.

Organizations
3M Company--Trials, litigation, etc.
Alcan Aluminum Corporation--Trials, litigation, etc.
American Airlines--Trials, litigation, etc.
American Enterprise Institute for Public Policy Research.
American Express Company--Trials, litigation, etc.
AT & T (Firm)--Trials, litigation, etc.
Brown & Williamson--Trials, litigation, etc.
Computer & Communications Industry Association (U.S.)--Trials, litigation, etc.
Edgewood School District (Edgewood, Pa.)--Trials, litigation, etc.
Festo Corporation (Hauppauge, N.Y.)--Trials, litigation, etc.
Freddy Mac (Firm)--Trials, litigation, etc.
General Atomic Company--Trials, litigation, etc.
Honeywell Inc.--Trials, litigation, etc.
Intel Corporation--Trials, litigation, etc.
Lepage's Inc--Trials, litigation, etc.
MasterCard International Incorporated--Trials, litigation, etc.
Microsoft Corporation--Trials, litigation, etc.
Mirage Resorts Inc.--Trials, litigation, etc.
Morgan Stanley & Co.--Trials, litigation, etc.
National Basketball Association--Trials, litigation, etc.
Netscape Communications Corporation--Trials, litigation, etc.
Peerless Importers Inc.--Trials, litigation, etc.
Project to Promote Competition and Innovation in the Digital Age--Trials, litigation, etc.
Puerto Rico Maritime Shipping Authority--Trials, litigation, etc.
Software & Information Industry Association--Trials, litigation, etc.
Trailer Marine Transport Corporation--Trials, litigation, etc.
Tōshiba, Kabushiki Kaisha--Trials, litigation, etc.
United States. Constitution.
United States. Court of Appeals (District of Columbia Circuit)
United States. Department of Justice.
United States. Supreme Court--Officials and employees--Selection and appointment.
United States. Supreme Court.
VISA International--Trials, litigation, etc.
VISA U.S.A., Inc.--Trials, litigation, etc.
Yale Law School.
Zapata Gulf Marine Corporation--Trials, litigation, etc.

Subjects
Antitrust law--United States.
Appellate courts--United States.
Capitalism--United States.
Civil rights--United States.
Constitutional law--Philosophy.
Constitutional law--United States.
Constitutions--United States.
Courts--United States.
Criminal justice, Administration of--United States.
Criminal law--United States.
Employee rights--United States.
Environmental law--United States.
Freedom of speech--United States.
Judges--Selection and appointment--United States.
Labor laws and legislation--United States.
Law--Political aspects--United States.
Law--Study and teaching.
Legislative power--United States.
Political questions and judicial power--United States.
Separation of powers--United States.
Social values--United States.

Places
United States--Civilization.
United States--Politics and government--20th century.
United States--Social conditions--20th century.
United States--Trials, litigation, etc.

Occupations
Educators.
Jurists.
Lawyers.

Administrative Information

Provenance
Part I of the papers of Robert H. Bork, lawyer, educator, and judge, were deposited in the Library of Congress by Bork in 1988. In 2004 Bork donated the collection to the Library. Several additions to the collection were sent to the Library by Bork between 1999 and 2012 and were processed as Part II of the papers. In 2015 his wife, Mary Ellen Bork, gave additional material that is also included in Part II of the collection.

Processing History
Part I of the Robert H. Bork Papers was arranged and described in 1998. The finding aid was revised in 2012. Part II was processed in 2015.

Transfers
Items have been transferred to other custodial divisions of the Library. Some photographs have been transferred to the Library's Prints and Photographs Division. Sound recordings and videotapes have been transferred to the Motion Picture, Broadcasting, and Recorded Sound Division. All transfers are identified in these divisions as part of the Robert H. Bork Papers.
Copyright Status

Copyright in the unpublished writings of Robert H. Bork in these papers and in other collections in the custody of the Library of Congress is reserved. Consult reference staff in the Manuscript Division for further information.

Access and Restrictions

Restrictions apply governing the use, photoduplication, or publication of items in this collection. Consult reference staff in the Manuscript Division for information concerning these restrictions. In addition, many collections are stored off-site and advance notice is needed to retrieve these items for research use.

Security Classified Documents

Government regulations control the use of security classified items in this collection. Manuscript Division staff can furnish information concerning access to and use of classified material.

Digital Format

Digital files were received as part of the papers of Robert H. Bork. Advance notice is required for access to digital content; consult reference staff in the Manuscript Division for more information.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Roman numeral designating the Part followed by a colon and container number, Robert H. Bork Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1927, Mar. 1</td>
<td>Born, Pittsburgh, Pa.</td>
</tr>
<tr>
<td>1944-1945</td>
<td>Attended University of Pittsburgh, Pittsburgh, Pa.</td>
</tr>
<tr>
<td>1945-1946</td>
<td>Member, United States Marine Corps Reserve</td>
</tr>
<tr>
<td>1948</td>
<td>B.A., University of Chicago, Chicago, Ill.</td>
</tr>
<tr>
<td>1950-1952</td>
<td>Member, United States Marine Corps Reserve</td>
</tr>
<tr>
<td>1952</td>
<td>Married Claire Davidson (died 1980)</td>
</tr>
<tr>
<td>1953</td>
<td>J.D., University of Chicago Law School, Chicago, Ill. Admitted, Illinois bar</td>
</tr>
<tr>
<td>1954-1955</td>
<td>Associate, Willkie, Owen, Farr, Gallagher &amp; Walton, New York, N.Y.</td>
</tr>
<tr>
<td>1955-1962</td>
<td>Associate and partner, Kirkland, Ellis, Hodson, Chaffetz &amp; Masters, Chicago, Ill.</td>
</tr>
<tr>
<td>1962-1965</td>
<td>Associate professor, Yale University Law School, New Haven, Conn.</td>
</tr>
<tr>
<td>1965-1973</td>
<td>Professor, Yale University Law School, New Haven, Conn.</td>
</tr>
</tbody>
</table>
1968  Consultant, Commerce Department  
Member, Presidential Task Force on Antitrust

1972  Consultant, Cabinet Committee on Education  
Special master, Connecticut General Assembly reapportionment

1973-1977  Solicitor general, Justice Department


1977  Admitted to District of Columbia bar

1977-1979  Chancellor Kent professor of law, Yale University Law School, New Haven, Conn.

1977-1982  Resident and adjunct scholar, American Enterprise Institute for Public Policy Research,  
Washington, D.C.


1981-1982  Partner, Kirkland & Ellis, Washington, D.C.

1982  Married Mary Ellen Pohl


1984  Recipient, Francis Boyer award, American Enterprise Institute for Public Policy Research,  
Washington, D.C.

1987  Nominee, United States Supreme Court

1988  Director, Institute for Educational Affairs, New York, N.Y.  
Governor, Smith Richardson Foundation, Westport, Conn.  
Legal advisor, National Legal Center for the Public Interest, Washington, D.C.

1988-1999  John M. Olin scholar in legal studies, American Enterprise Institute for Public Policy Research,  
Washington, D.C.

1989  Member, Permanent Committee for the Oliver Wendell Holmes Devise


1996  Published *Slouching toward Gomorrah: Modern Liberalism and American Decline*. New York:  
Regan Books.

Professor of law, Ave Maria School of Law, Naples, Fla.

Scope and Content Note

The papers of Robert Heron Bork (1927-2012) span the years 1798-2003, with the bulk of material dating from 1973 to 1999. The collection documents Bork's career as a lawyer, educator, legal scholar, federal appeals court judge, and his unsuccessful nomination to the Supreme Court. The collection consists of two parts with some topics and time periods common to both parts. Part I focuses mainly on Bork's career prior to 1982 as an educator, a lawyer in private practice, and solicitor general. Part II makes up the bulk of the collection and pertains chiefly to Bork's judicial career, his endeavors as an attorney and legal consultant, his activities and interests as a scholar with the American Enterprise Institute for Public Policy Research, and his nomination to the Supreme Court. The collection is in English.

Part I

Part I of the Bork Papers span the years 1924-1987, with the bulk of material produced during the period from 1962 to 1982. Part I is arranged into six series: Correspondence, Speeches and Writings, Subject File, Legal File, Classified, and Oversize.

The Correspondence file includes letters, memoranda, telegrams, and attachments exchanged between Bork and his professional colleagues and friends. The Speeches and Writings series includes speeches, drafts of published and unpublished writings, research notes, and classroom lecture notes on a variety of legal, social, and political topics, particularly antitrust law, the role of the Supreme Court, and the Watergate Affair. The Subject File contains material that documents Bork's association with Yale University, the Justice Department, and the American Enterprise Institute for Public Policy Research, as well as his professional interest in or involvement with Alexander M. Bickel, the Freedom of Information Act, legislative encroachments, the Supreme Court, and Watergate. The Legal File documents court cases argued by Bork before various tribunals and consultation projects that he undertook as a legal advisor. Included in the Legal File are correspondence, memoranda, research notes, legal briefs, and court opinions. Papers of Bork's tenure with the United States Court of Appeals are not included in Part I.

Part I of the papers is particularly noteworthy for its documentation of Bork's tenure as Richard M. Nixon's solicitor general, 1973-1977, as a law professor at Yale University, 1962-1973 and 1977-1981, and as a scholar with the American Enterprise Institute for Public Policy Research, 1977-1982. Files documenting his association with the Justice Department appear to be incomplete, but they do include correspondence, copies of internal Justice Department reports, and extensive newspaper and magazine articles concerning the Watergate Affair and Bork's firing of special prosecutor Archibald Cox.

Bork's teaching career at the Yale University Law School is represented by research notes, classroom lecture notes, tests, correspondence, and personnel records. Bork was a recognized scholar of the United States Supreme Court, particularly its functional role in a capitalist society. The collection documents his unsuccessful nomination to the Supreme Court in 1987, and his views of the court are reflected in correspondence, speeches, and writings produced during his affiliation with the American Enterprise Institute.


Part II

Part II of the Bork Papers spans the years 1798-2003 with the bulk of material dating from 1980 to 1999. Papers in this addition supplement Part I of the collection. The majority of the papers in Part II document Bork's tenure as a judge on the United States Court of Appeals for the District of Columbia Circuit, his work as an attorney and legal consultant, his unsuccessful nomination to the Supreme Court in 1987, and his long association with the American Enterprise Institute for Public Policy Research. The papers in Part II are organized into the following series: Correspondence, United States Court...
of Appeals File, Supreme Court Nomination File, Legal File, Subject File, Speech and Engagement File, Writings File, Closed, and Digital Files.

The Correspondence series, 1976-2003, documents Bork's activities and interests mainly during his tenure as a scholar and fellow with the American Enterprise Institute and his service as an appellate court judge. The correspondence is organized into four categories: chronological, general, transition memoranda, and unanswered. The chronological correspondence is comprised of outgoing letters. Sometimes a copy of an incoming letter is included (the original is located in the general correspondence) with an outgoing response. Most of the chronological correspondence from 1982 until February 1988 pertains to Bork's duties as an appellate judge for the District of Columbia Circuit. Much of the chronological correspondence after early 1988 relates to Bork's speaking engagements and travel arrangements, teaching and writing projects, and his work as a legal consultant and attorney. Correspondence for the years 1995 and 1996 is missing from the chronological correspondence.

The general correspondence, consisting mainly of incoming letters, reflects the range of Bork's activities and associations primarily from 1982 to 1999, and includes letters from scholars, lawyers, judges, journalists, former and current United States government officials, directors of organizations and foundations, business executives, former students, family, and friends. Most of the general correspondence relates to proposals and requests about speaking and teaching invitations, writing projects, political causes and campaigns, social invitations, job recommendations, and other requests, including government officials seeking Bork's legal advice about the constitutionality of legislation. Many of the requests and proposals, often for conservative causes and political campaigns, increased dramatically after Bork's failed Supreme Court nomination in 1987. The general correspondence contains some letters relating to Bork's Supreme Court nomination, but the majority of that correspondence is filed in the Supreme Court Nomination File. Interfiled with the general correspondence are newspaper clippings, newsletters, reports, and miscellaneous material sent to Bork.

The transition memoranda in the Correspondence series consist chiefly of cover sheets and include a few letters of response and legal documents faxed by Bork's staff concerning legal cases and projects that Bork was involved in. Other types of information found in the transition memoranda relate chiefly to speaking engagements and travel arrangements. Transition memoranda for the years 1997 and 1998 were not received by the Library. The unanswered correspondence, arranged by date received, is comprised of letters, mostly from the public, that were never answered by Bork or his staff. Correspondents for this series include Charles E. Bork, Steven G. Calabresi, Leonard Garment, Ernest B. Huetter, Paul D. Kamenar, Irving Kristol, Eugene B. Meyer, Richard John Neuhaus, Theodore B. Olson, and Kenneth Starr.

The United States Court of Appeals File, 1931-1988, is the largest series in Part II of the Bork Papers. It is organized into three categories: case file, opinions, and office file. The case file, 1982-1988, reflects the wide range of cases heard by the District of Columbia Circuit Court such as civil rights, separation of powers, freedom of speech, environmental law, worker safety and labor rights, and criminal cases. The majority of the case files are made up of cases heard by Bork as a member of a three-judge panel. Also represented in these files are en banc cases that are considered by the full court, and a few cases in which Bork participated as a panel member for special three-judge federal district court cases. The case file is arranged alphabetically by case title with the case number filed in parentheses after the title. Multiple numbers in parentheses are listed after a case title when the file contains combined cases that were handled together by the court as one case. Some cases may have the same title but are not combined cases because they are distinct cases that were considered separately by the judges. In that instance the case numbers are listed under the case title; for example, see "American Fed'n of Gov't Employees v. Federal Labor Relations Auth." in the Container List.

Also featured in the United States Court of Appeals File are the opinions and office file. The opinions, 1982-1988, consist of slip opinions written by Bork. The opinions are arranged alphabetically by case title, although partial lists of Bork's opinions precede the opinions. The office file, 1931-1988, contains material relating to Bork's appointment to the court of appeals and his resignation from that court, status books concerning open and closed cases, and other files relating to judicial issues.

The Supreme Court Nomination File, 1923-1992, chronicles Bork's unsuccessful nomination to the Supreme Court by President Ronald Reagan in 1987. The majority of this series consists of correspondence documenting the reactions by colleagues, current and former government officials, judges, friends, and the public to the contentious battle over Bork's proposed appointment. The bulk of the correspondence is from the public in support of Bork's nomination. These voluminous files of office mail are filed, as received by the Library, by date of receipt. Worthy of mention in the office mail correspondence are files entitled "letters awaiting Bork's response after Senate vote." These letters from judges, professors, current and former government officials convey their support to Bork and compliment him for his civility during the debate.
over his nomination. Correspondents include Gerald Ford, Richard Nixon, Donald Rumsfeld, Tom Selleck, and Alan K. Simpson. The home mail correspondence includes letters sent to Bork's wife, Mary Ellen, and letters that she had selected to answer pertaining to her husband's appointment. Also represented in the Supreme Court Nomination File are briefing books and briefing material relating to Bork's record as an educator, legal scholar, judge, and government official; files pertaining to his testimony before the Committee on the Judiciary; and a press file chronicling the nomination from its announcement on July 1 to the full Senate vote on October 23 denying Bork's confirmation.


The Subject File, 1897-2003, chronicles Bork's affiliation and involvement with various organizations and institutions, including the American Enterprise Institute for Public Policy and Research. It includes files pertaining to classes that he taught at Yale University Law School, the University of Chicago Law School, and the University of South Carolina; family papers; a small amount of material about his early service as solicitor general; and newspaper clippings about his role in the Watergate Affair. Other topics treated are antitrust, the Constitution of the United States, and the Supreme Court.

The Speech and Engagement File, 1975-1995, documents Bork's speaking engagements, interviews, and media appearances. In 1988 Bork resigned from the court of appeals to speak and to write about judicial and public policy issues such as the politicalization of the confirmation process of the Supreme Court, in particular his own nomination. In many of his speeches Bork equated the direction of the Supreme Court with American culture stating: "By controlling appointments to the Court, Presidents and Senators can win cultural and political victories that they could never achieve by democratic means." He continued to write about the Supreme Court and American culture in his books, The Tempting of America: The Political Seduction of the Law and Slouching toward Gomorrah: Modern Liberalism and American Decline, located in the Writings File, 1798-2003. Bork writes about his judicial philosophy of originalism and his unsuccessful nomination to the Court in The Tempting of America. Research files for The Tempting of America include material relating to Bork's nomination and complement the files in the Supreme Court Nomination File. Also featured in the Writings File are articles, book reviews, forewords and introductions by Bork, and files pertaining to his book Coercing Virtue: The Worldwide Rule of Judges.

The Digital Files, 1988-2001, appear to be text files that document Bork's correspondence, speeches, writings, and work as a legal consultant. Many of the files are probably duplicated in the analog portion of the collection.

## Arrangement of the Papers

This collection is arranged in fifteen series in two parts:

### Part I:
- Correspondence, 1953-1987
- Speeches and Writings, 1954-1981
- Subject File, 1924-1987
- Classified, 1973
- Oversize, 1953-1976

### Part II:
- Correspondence, 1976-2003
- United States Court of Appeals File, 1931-1988
- Supreme Court Nomination File, 1923-1992
- Legal File, 1969-2003
- Subject File, 1897-2003
• Speech and Engagement File, 1975-1995
• Writings File, 1798-2003
• Closed, 1980-2001
• Digital Files, 1988-2001
## Description of Series

<table>
<thead>
<tr>
<th>Container</th>
<th>Series</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOX I:1-8</td>
<td><strong>Part I: Correspondence, 1953-1987</strong></td>
</tr>
<tr>
<td></td>
<td>Letters, memoranda, telegrams, and attachments.</td>
</tr>
<tr>
<td></td>
<td>Arranged chronologically.</td>
</tr>
<tr>
<td>BOX I:8-16</td>
<td><strong>Part I: Speeches and Writings, 1954-1981</strong></td>
</tr>
<tr>
<td></td>
<td>Typed, printed, or handwritten copies of speeches, writings, and classroom lecture notes.</td>
</tr>
<tr>
<td></td>
<td>Arranged alphabetically by title.</td>
</tr>
<tr>
<td>BOX I:16-24</td>
<td><strong>Part I: Subject File, 1924-1987</strong></td>
</tr>
<tr>
<td></td>
<td>Awards, certificates, correspondence, desk calendars, financial records, magazine articles, military records, newspaper clippings, personnel records, photographs, press releases, printed matter, research notes, social invitations, travel records, and miscellaneous items.</td>
</tr>
<tr>
<td></td>
<td>Arranged alphabetically by topic or type of material.</td>
</tr>
<tr>
<td></td>
<td>Correspondence, memoranda, research notes, legal briefs, and court opinions.</td>
</tr>
<tr>
<td></td>
<td>Arranged alphabetically by name of client or case name.</td>
</tr>
<tr>
<td>BOX I:CL 1</td>
<td><strong>Part I: Classified, 1973</strong></td>
</tr>
<tr>
<td></td>
<td>Memorandum with attachments.</td>
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<tr>
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<td>Arranged according to the series, container, and folder from which the items were removed.</td>
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<tr>
<td>BOX I:OV 1</td>
<td><strong>Part I: Oversize, 1953-1976</strong></td>
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<tr>
<td></td>
<td>Certificate, licenses, and maps.</td>
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<td></td>
<td>Arranged according to the series, containers, and folders from which the items were removed.</td>
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<td>BOX II:1-127</td>
<td><strong>Part II: Correspondence, 1976-2003</strong></td>
</tr>
<tr>
<td></td>
<td>Correspondence and memoranda, including attachments, email, and faxes between Bork and friends, colleagues, judges, lawyers, government officials, acquaintances, and the public.</td>
</tr>
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<td>Arranged into four groups: chronological, general, transition memoranda, and unanswered, and therein chronologically by date or date received.</td>
</tr>
<tr>
<td>BOX II:128-277</td>
<td><strong>Part II: United States Court of Appeals File, 1931-1988</strong></td>
</tr>
<tr>
<td></td>
<td>Correspondence, memoranda, case files, notes, orders, briefs, opinions, vote sheets, status books, reports, oaths, a directory, lists, newspaper clippings, and background material relating to Bork's duties as a judge on the United States Court of Appeals for the District of Columbia Circuit.</td>
</tr>
<tr>
<td></td>
<td>Arranged alphabetically into the following groups: case file, opinions, and office file, and therein alphabetically.</td>
</tr>
<tr>
<td>BOX II:277-329</td>
<td><strong>Part II: Supreme Court Nomination File, 1923-1992</strong></td>
</tr>
<tr>
<td></td>
<td>Correspondence, briefing books, briefing material, questionnaires, statements and testimony, notes, transcripts, published volumes of the Senate Judiciary Committee hearings, reports, press clippings and articles, and other material.</td>
</tr>
<tr>
<td></td>
<td>Arranged alphabetically by type of material or topic.</td>
</tr>
</tbody>
</table>
Part II: Legal File, 1969-2003
Correspondence, memoranda, opinions, briefs, writs, motions, petitions, financial papers, exhibits, depositions, transcripts, reports, notes, interviews, printed matter, and background material.
Arranged alphabetically by name of client or case title.

Part II: Subject File, 1897-2003
Correspondence, memoranda, notes, biographical material, estate papers, class papers and rolls, photographs, newspaper clippings, and printed matter.
Arranged alphabetically by name of person, topic, or type of material.

Part II: Speech and Engagement File, 1975-1995
Correspondence, memoranda, speeches, notes, reports, background material, travel itineraries, clippings, and printed matter.
Arranged alphabetically by type of material. The chronological file is arranged by date of event.

Part II: Writings File, 1798-2003
Correspondence, memoranda, book drafts, articles, book reviews, forewords and introductions, outlines, notes, research material, speeches, royalty statements, contracts, permissions, press clippings, lists, travel itineraries, and other material. Also included are writings by others collected by Bork.
Arranged in two categories: writings by Bork and writings by others. Writings by Bork are arranged by type of material and therein chronologically or alphabetically. Writings by others are arranged chronologically.

Part II: Closed, 1980-2001
Sealed case files and legal files.
Arranged and described according to the series, containers, and folders from which the files were removed.

Part II: Digital Files, 1988-2001
Computer files documenting Bork's correspondence, speeches, writings and legal consulting work.
Unprocessed and unavailable.
## Container List

<table>
<thead>
<tr>
<th>Container</th>
<th>Contents</th>
</tr>
</thead>
</table>
| **BOX I:1-8** | **Part I: Correspondence, 1953-1987**  
Letters, memoranda, telegrams, and attachments.  
Arranged chronologically. |

| BOX I:1 | 1953, Feb.-1964, July  
(6 folders) |

(7 folders) |

(8 folders) |

(6 folders) |

(6 folders) |

(6 folders) |

(7 folders) |

| BOX I:8 | 1981, Jan.-1987, July, undated  
(3 folders) |

| **BOX I:8-16** | **Part I: Speeches and Writings, 1954-1981**  
Typed, printed, or handwritten copies of speeches, writings, and classroom lecture notes.  
Arranged alphabetically by title. |

| BOX I:8 | Antitrust manuscripts, 1964-1981, undated  
(15 folders) |

(2 folders) |

| BOX I:10 | Common law, undated  
Constitutional law, 1963-1980, undated  
(3 folders)  
(4 folders) |

(2 folders)  
Early development of the rule of reason, undated  
Exclusive dealing and requirements contracts, 1964, undated  
Fiction, undated  
First Amendment, undated  
(2 folders) |
"The Legality of Market Allocation Agreements Under Section 1 of the Sherman Act," 1954
"L M" miscellaneous, 1967-1978, undated
(2 folders)
"Notes on Principles of Economics," undated

BOX I:12
"N" miscellaneous, 1963, 1971
Public control of business II, 1964, undated
Role of the judiciary, 1977-1978, undated
(6 folders)
"R" miscellaneous, 1966-1978
Sherman Act and monopolizations involving consolidation, undated
"S" miscellaneous, 1967-1974, undated
Tying arrangements, 1970, undated

BOX I:13
Untitled and unidentified
1973-1978
(2 folders)
Undated
(4 folders)

BOX I:14
(7 folders)

BOX I:15
(6 folders)

BOX I:16
(1 folder)

BOX I:16-24 Part I: Subject File, 1924-1987
Awards, certificates, correspondence, desk calendars, financial records, magazine articles, military records, newspaper clippings, personnel records, photographs, press releases, printed matter, research notes, social invitations, travel records, and miscellaneous items.
Arranged alphabetically by topic or type of material.

BOX I:16
Agniew, Spiro T., 1973-1974
(2 folders)
American Bar Association, 1973-1976
(2 folders)
(2 folders)
American Philosophical Society, 1975-1976, undated

BOX I:17
(2 folders)
Awards, 1966, 1976-1977 See also Oversize
Bar memberships, 1953-1955, 1976, undated See also Oversize
Basic books, 1977-1978, undated
Bibliographies, undated
(5 folders)
Biographical file, 1974-1975, undated
Bork, Charles E. (son), 1976-1977
<table>
<thead>
<tr>
<th>Box</th>
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| BOX 1:18 | Bork, Harry Phillip, Jr., 1924-1929  
Bork, Lester Skene, 1971  
Brookings Institution, Washington, D.C., 1975  
Business Council, Washington, D.C., 1975  
Cabinet Committee on International Narcotics Control, 1973, undated  
Campaign reform, 1975-1976  
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Court reform, 1975-1977  
Creighton University, Omaha, Nebr., 1975  
Democratic Party, 1972, undated  
Desk calendars  
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(4 folders) |
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District of Columbia, 1976-1977, undated  
Executive branch reorganization, 1977  
Federal Bar Association, 1973-1976  
First amendment rights, 1974-1979, undated  
Ford, Gerald, presidency, 1974-1976  
Freedom of Information Act  
1973, May 8- Oct. 18  
(2 folders) |
(2 folders)  
Impoundment, 1973-1974, undated  
Intelligence, 1974-1978, undated  
(2 folders)  
Justice Department, 1968-1979, undated  
(2 folders) |
Kristol, Irving, 1972  
Law, 1974  
Law Club Chicago, Ill., 1974  
Law Day, 1976  
Legal education reform, 1969-1973, undated  
Legislative encroachments, 1974-1976  
(2 folders)  
Lupton, John M., 1974  
Military records, 1946, 1952-1957, undated  
National Endowment for the Humanities, 1974-1975 |
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| BOX 1:22  | Schedules and itineraries, 1974-1979, undated  
Separation of Powers Subcommittee, 1975, undated  
Speeches list, undated  
Supreme Court, 1972-1987, undated  
(2 folders)  
Tax control, 1978-1979, undated  
(2 folders)  
Thomas Jefferson Center Foundation, Charlottesville, Va., 1972-1976  
Travel, 1970, 1978, undated  
University of South Carolina, Columbia, S.C., 1974  
Vietnamese conflict, 1973-1974, undated |
(8 folders)  
Wilkes College, Wilkes-Barre, Pa., 1976  
(2 folders)  
Yale University, New Haven, Conn., 1962-1981, undated  
(3 folders) |
Correspondence, memoranda, research notes, legal briefs, and court opinions.  
Arranged alphabetically by name of client or case name. |
| BOX 1:24  | ARA Transportation Group, 1981  
Boston Home and School Ass'n v. Morgan, 1975  
Cummings v. Meskill, 1972-1976, undated *See also Oversize*  
(3 folders)  
de Kowin v. First Nat'l Bank, undated |
G. M. Leasing Corp. v. United States, 1976  
General Motors Corp., 1976-1980, undated  
(4 folders)  
Goldfarb v. Virginia State Bar, 1975  
Gregg v. Georgia, 1976  
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*In re* Plywood Antitrust Litig.  
1977-1978 |
| BOX 1:26  | 1979-1981, undated  
(8 folders) |
Irey v. Occupational Safety and Health Review Comm'n, 1976
(2 folders)

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Marquette Nat'l Bank v. First of Omaha Serv. Corp. *See same container; Minnesota v. First of Omaha Serv. Corp.*
Matthews v. Goldfarb *See same container, Matthews v. De Castro*
(2 folders)
Minnesota v. First of Omaha Serv. Corp.
(4 folders)

**BOX I:28**
1978, Dec.-1979, Feb., undated
(2 folders)
Mitchell v. Gautreaux *See Container I:25, Hills v. Gautreaux*
National League of Cities v. Secretary of Labor, 1975-1976
(3 folders)
(3 folders)
Parker v. Levy, 1973-1974 *See also Container I:29, Secretary of the Navy v. Avrech*
Reserve Oil and Minerals Corp. v. General Atomic Co., 1980
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(2 folders)

**BOX I:29**
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Secretary of the Navy v. Avrech, 1973-1974, undated
Superior Court v. Palmore, 1975-1976
Swain v. Pressley, 1977
Train v. Campaign Clean Water, Inc. *See same container, Train v. City of New York*
Train v. City of New York, 1974, undated
(2 folders)
United Jewish Org. v. Carey, 1974-1976, undated

**BOX I:30**
United Nuclear Corp. v. General Atomic Co., 1980
(2 folders)
United States Steel Corp., 1980, undated
United States v. Chavez *See same container, United States v. Giordano*
United States v. Giordano, 1972-1974, undated
(4 folders)
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(2 folders)

**BOX I:31**
United States v. Nixon, 1976
United States v. Pisacano *See Container I:30, United States v. Giordano*

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**BOX I:CL 1**

**Part I: Classified, 1973**

Memorandum with attachments.

Arranged according to the series, container, and folder from which the items were removed.

**BOX I:CL 1**

Subject File

Cabinet Committee on International Narcotics Control, 1973 (Container I:18)

**BOX I:OV 1**

**Part I: Oversize, 1953-1976**

Certificate, licenses, and maps.

Arranged according to the series, containers, and folders from which the items were removed.

**BOX I:OV 1**

Subject File

Awards, 1976 (Container I:17)
Bar memberships, 1953, 1973 (Container I:17)

Legal File

Cummings v. Meskill, undated (Container I:24)

**BOX II:1-127**

**Part II: Correspondence, 1976-2003**

Correspondence and memoranda, including attachments, email, and faxes between Bork and friends, colleagues, judges, lawyers, government officials, acquaintances, and the public.

Arranged into four groups: chronological, general, transition memoranda, and unanswered, and therein chronologically by date or date received.

**BOX II:1**

Chronological
1981-1982
(6 folders)
1983
Jan.-Aug.
(4 folders)

**BOX II:2**

Sept.-Dec.
(2 folders)
1984
(7 folders)
1985
Jan.-Mar.
(2 folders)

**BOX II:3**

Apr.-Dec.
(5 folders)
1986
Jan.-July
(6 folders)

**BOX II:4**

Aug.-Dec.
(4 folders)
1987
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Robert H. Bork Papers  19
### Part II: Correspondence, 1976-2003

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| BOX II:15 | 21-30  
May-Aug.  
(5 folders)  
Sept.  
6-21 |
| BOX II:16 | 22-30  
(4 folders) |
| BOX II:17 | 1984  
Jan.-Mar.  
(3 folders)  
Apr.  
3-6 |
| BOX II:18 | 11-30  
May-Nov.  
(8 folders) |
| BOX II:19 | Dec.  
(2 folders) |
| BOX II:20 | 1985  
Jan.-Mar.  
(7 folders) |
| BOX II:21 | Apr.-July  
(9 folders) |
(8 folders) |
| BOX II:23 | 1986  
Jan.-Apr.  
(7 folders)  
May  
1 |
| BOX II:24 | 5-30  
June-July  
(3 folders) |
| BOX II:25 | Aug.  
1-8 |
| BOX II:26 | 9-29  
Sept.-Nov.  
(5 folders) |
| BOX II:27 | Dec.  
(2 folders) |
| BOX II:28 | 1987  
Jan.  
(3 folders)  
Feb.  
1-2 |
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Part II: United States Court of Appeals File, 1931-1988

Correspondence, memoranda, case files, notes, orders, briefs, opinions, vote sheets, status books, reports, oaths, a directory, lists, newspaper clippings, and background material relating to Bork's duties as a judge on the United States Court of Appeals for the District of Columbia Circuit.

Arranged alphabetically into the following groups: case file, opinions, and office file, and therein alphabetically.

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Arranged alphabetically by type of material or topic.

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<td>United States Court of Appeals for the District of Columbia Circuit, portrait presentation ceremony for Bork, 1996</td>
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<td>University of Chicago Law School, Chicago, Ill. 1983</td>
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Part II: Subject File, 1897-2003

Container  Contents

War Powers Resolution, 1972-1988  
(2 folders)
Watergate Affair, 1973
Wodehouse Society, undated
Yale University, New Haven, Conn.
   General, 1968-1980
   Law School
      Alexander M. Bickel Professorship of Public Law, 1979
      Exams and class papers, 1982-1983
         (2 folders)
BOX II:446
   (6 folders)
   General, 1978-1981

BOX II:447-476  Part II: Speech and Engagement File, 1975-1995

   Correspondence, memoranda, speeches, notes, reports, background material, travel itineraries, clippings, and printed matter.
   Arranged alphabetically by type of material. The chronological file is arranged by date of event.

BOX II:447  Chronological file
   1975-1981
      (15 folders)
   1982
      Feb.
         (1 folder)
BOX II:448
   (1 folder)
   Mar.-June
      (10 folders)
BOX II:449
   Sept.-Dec.
      (7 folders)
   1983
      Jan.-Apr.
         (5 folders)
      May
         (1 folder)
BOX II:450
   June-Dec.
      (2 folders)
      (7 folders)
   1984
      Feb.
         (1 folder)
BOX II:451
   (3 folders)
   Mar.-May
      (6 folders)
   June
      (2 folders)
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(7 folders)  
1985  
Jan.-Mar.  
(4 folders)  
Apr.  
(2 folders) |
| BOX II:453 | (1 folder)  
May-Dec.  
(20 folders)  
1986  
Jan.  
(2 folders) |
| BOX II:454 | Feb.-Aug.  
(18 folders) |
| BOX II:455 | Oct.-Nov.  
(8 folders)  
1987  
Jan.-Mar.  
(4 folders) |
| BOX II:456 | Apr.  
(6 folders)  
May  
6-14  
(3 folders) |
| BOX II:457 | 16-25  
(3 folders)  
June-Dec.  
(6 folders)  
1988  
Jan.  
Feb.  
3-4  
(2 folders)  
8  
(1 folder) |
| BOX II:458 | 11-29  
(4 folders)  
Mar.  
(13 folders)  
Apr.  
4-5  
(2 folders) |
| BOX II:459 | 7-29  
(16 folders)  
May |
2-4
(3 folders)

BOX II:460
5-26
(11 folders)
June-July
(13 folders)

BOX II:461
Aug.
3-18
(7 folders)
26
(2 folders)

BOX II:462
Sept. See also Part II: Digital Files
(9 folders)
Oct.
5-7
(2 folders)

BOX II:463
8-31 See also Part II: Digital Files
(12 folders)
Nov.
2

BOX II:464
10-30
(7 folders)
Dec.
(7 folders)
1989
Jan.-Feb.
(5 folders)
Mar.
1

BOX II:465
3-17
(6 folders)
Apr.
5-26
(12 folders)

BOX II:466
27-29
(2 folders)
May-Sept.
(22 folders)
Oct.
3
(2 folders)

BOX II:467
11-24
(5 folders)
Nov.-Dec.
(6 folders)
1990
Jan.
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### Part II: Speech and Engagement File, 1975-1995

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| BOX II:475 | June-Dec. (6 folders)  
1994  
Feb.-Mar. (3 folders)  
Apr.  
5-22 (4 folders) |
| BOX II:476 | 23  
May-Nov. (9 folders)  
1995  
Jan.-Apr. (5 folders)  
May  
19-23 (2 folders) |
| BOX II:477-531 | Speech material about law and national security, 1978-1979 (2 folders) |

### Part II: Writings File, 1798-2003

Correspondence, memoranda, book drafts, articles, book reviews, forewords and introductions, outlines, notes, research material, speeches, royalty statements, contracts, permissions, press clippings, lists, travel itineraries, and other material. Also included are writings by others collected by Bork.

Arranged in two categories: writings by Bork and writings by others. Writings by Bork are arranged by type of material and therein chronologically or alphabetically. Writings by others are arranged chronologically.

#### BOX II:477
**By Bork**

**Articles**

1954-1985 (11 folders)  
1986 (1 folder)  

#### BOX II:478
1987-2000, undated (3 folders)  
Book reviews, 1980-1988 (7 folders)  

#### BOX II:479
Revised edition, 1985-1993 (2 folders)

*The Antitrust Paradox: A Policy at War with Itself* (1978)  
First edition, 1978
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<td>Drafts, 2001</td>
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<td>Hansen, Jared, 2000</td>
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# Part II: Writings File, 1798-2003

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| | 15-31  
| | (2 folders) |
| | Nov.  
| | (3 folders) |
| | Dec.  
| | 1-16  
| | (2 folders) |
| **BOX II:493** | 17-31  
| | (2 folders) |
| | 1997  
| | Jan.  
| | (4 folders) |
| | Feb.  
| | 2-14  
| **BOX II:494** | 15-28  
| | (2 folders) |
| | Mar.-May  
| | (5 folders) |
| **BOX II:495** | June-Dec.  
| | (7 folders) |
| | 1998  
| | (3 folders) |
| **BOX II:496** | Regan Books and related publisher letters, 1994-1997  
| | Drafts, 1996  
| | (3 folders) |
| **BOX II:497** | Epilogue for reprint edition, 2003  
| | (3 folders) |
| | Permissions, 1996-1998 |
| **BOX II:498** | Publicity, 1996-1997  
| | (6 folders) |
| **BOX II:499** | Research material  
| | Abortion and assisted suicide, 1989-1996  
| | (4 folders) |
| | Footnotes  
| | Introduction, 1974-1995  
| | Chapter 1, 1932-1995 |
| **BOX II:500** | Chapters 2-5, 1940-1995  
| | (4 folders) |
| **BOX II:501** | Chapters 6-9, 1926-1996  
| | (4 folders) |
| **BOX II:502** | Chapters 10-11, 1979-1996  
| | (3 folders) |
| **BOX II:503** | Chapters 12-13, 1963-1996  
| | (3 folders) |
| | Chapter 14, 1945-1996  
| | (1 folder) |
Part II: Writings File, 1798-2003

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| BOX II:512 | Record of Bork, 1987  
| | (3 folders)  
| | Senate, 1987-1989  
| | (5 folders)  
| BOX II:513 | Solicitor General, 1973  
| | Survey of voters, 1987  
| | Brest, Paul, 1976-1988  
| | (4 folders)  
| | Constitution, 1953-1989  
| | (3 folders)  
| | (2 folders)  
| | Grey, Thomas, 1975-1988  
| | (2 folders)  
| | Judicial activism, 1987-1989  
| | (3 folders)  
| | (3 folders)  
| | Kleeberg, John M., 1989  
| | Libel and slander, 1968-1988  
| | (4 folders)  
| BOX II:516 | Miscellaneous, 1798-1886, 1974-1990, undated  
| | (5 folders)  
| | Notebooks  
| | (1 folder)  
| | 1987-1988  
| | (1 folder)  
| BOX II:517 | Notes  
| | Original understanding, 1803, 1986-1990  
| | (2 folders)  
| | Political attitudes of academia, 1976-1989  
| | (1 folder)  
| | Precedent, 1987-1988  
| | (2 folders)  
| | (2 folders)  
| | (2 folders)  
| | (4 folders)  
| | Takings jurisprudence, 1986  

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| BOX II:520 | Vetoes, 1965-1988  
(3 folders)  
Forewords and introductions, 1982-1985, 1997  
(6 folders) |
| BOX II:521 | By others  
1967-1980  
(3 folders)  
1981  
(2 folders) |
| BOX II:522 | (3 folders)  
1982  
Jan.-Feb.  
(2 folders)  
Mar.  
(1 folder) |
| BOX II:523 | Apr.-Oct.  
(7 folders) |
| BOX II:524 | Nov.-Dec.  
No month  
(4 folders) |
| BOX II:525 | 1983  
Jan.-June  
(7 folders) |
| BOX II:526 | July-Oct.  
(3 folders)  
No month  
(3 folders) |
| BOX II:527 | 1984-1985  
(5 folders) |
| BOX II:528 | 1986  
(3 folders)  
1987  
Jan. |
| BOX II:529 | Mar.-Dec.  
(2 folders)  
No month  
(2 folders) |
| BOX II:530 | 1988-1999  
(2 folders) |
| BOX II:531 | 2000-2003  
(2 folders) |

BOX II:X532-536  Part II: Closed, 1980-2001  
Sealed case files and legal files.  
Arranged and described according to the series, containers, and folders from which the files were removed.
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| II: X 532 | United States Court of Appeals File  
Case file  
*In re* Sealed Case  
86-5246 (Container II:235)  
87-5208 & 87-5209 (Container II:235)  
87-5264 & 87-5265 (Container II:235)  
Legal File  
Federal Trade Comm'n v. B.A.T. Indus., 1994 (Container II:357)  
(3 of 6) (Container II:358)  
(4 of 6) (Container II:358)  
(6 of 6) (Container II:358)  
General Atomic Co. v. Exxon Nuclear Co.  
Appendices  
Supplemental appendix for reply memorandum of Gulf Oil Co. in support of motion for  
partial summary judgment, 1980  
(2 folders) (Container II:367)  
II: X 533 | Briefs  
Motion for partial summary judgment, 1980 (1 of 2) (II:367)  
*In re* Intel Corp.  
1999, Jan.  
(2 folders) (Container II:369)  
Reserve Oil & Minerals Corp. v. General Atomic Co.  
Affidavit and exhibits to Reserve's brief in opposition to motion for summary judgment, 1980  
Vol. 1  
(2 folders) (Container II:391)  
(1 folder) (Container II:391)  
Vol. 2 (Container II:391)  
Appendices to briefs, 1980  
(3 folders) (Container II:391)  
II: X 534 | Briefs and general case material  
1980, July-Sept. (Container II:393)  
Exhibits to briefs, 1980  
Vol. 1 (Container II:393)  
Vol. 2 (Container II:394)  
Supplemental brief supporting General Atomic Co.'s "act of state" motion, 1980  
(3 folders) (Container II:394)  
II: X 535 | United States v. Kelly  
1995, Apr.  
(2 folders) (Container II:408)  
II: X 536 | Part II: Digital Files, 1988-2001  
Computer files documenting Bork's correspondence, speeches, writings and legal consulting work.  
II: DF
Unprocessed and unavailable.

BOX II:DF

Correspondence

General
1996, Oct. 29 (Container II:101)
1998, Apr. 3 (Container II:111)

Legal File
American Gen. Life Ins. Co. v. Hooper, 1997 (1 of 4) (Container II:333)
Brown and Williamson Tobacco Corp.
(1 of 4) (Container 338)
Burns Philip Food, Inc. v. Rykoff Sexton, Inc., 1995 (Container II:341)
Festo Corp v. Shoketsu Kinzoku Kogyo Kabushiki Co.
Bennett, Anthony E., briefs and related material
"Festo I," 1994-2001 (1 of 3) (Container II:358)
National Basketball Association, 1992 (Container II:387)
United States v. Jackson
General case material
1994, Sept. (Container II:406)
United States v. Kelly
1994, Sept. (1 of 4) (Container II:407)

Speech and Engagement File
1988
Sept. 30 (2 of 2) (Container II:462)
Oct. 19 (Container II:463)

Unidentified