

Mark Shaw
1085 Santa Clara Street, #7
Santa Clara, CA 95050
mshawin@yahoo.com
415.940.0827

September 24, 2019

Mr. Ken Paxton
Attorney General State of Texas
300 West 15th Street
Austin, Texas 78701

Re: Sixth Floor Museum at Dealey Plaza Operation/Texas Deceptive Practices-
Consumer Act (DTPA) Violations

Dear Mr. Paxton,

Based on a recent personal interaction with the powers-that-be at the Sixth Floor Museum at Dealey Plaza in Dallas, and further probe of its operation, I believe a thorough investigation by the Attorney General's office is warranted to decide whether the museum has been before, and is now, in violation of the Texas Deceptive Practices-Consumer ACT (DPTA) at Section 17.41 of the Business and Commerce Code.

This action seems necessary since it appears clear that the museum leadership and its board of directors have systematically perpetuated a scheme to deliberately hide from the public, due to intentional restrictive policies, information and educational materials contrary to its promotion for decades of the ill-founded "Oswald Alone" theory regarding the assassination of President John F. Kennedy. By doing so, all signs point to the museum, which boasts on its website that "The goal of the Museum is to recount, as accurately as possible, the history of assassination, and to identify the major areas of controversy as well as recent developments," having initiated a plan to the opposite by infecting promises of "accuracy" about the "history of the assassination" with propaganda which has deceived the general public and literally hundreds of thousands of visitors (the museum boasts of 400,000 per year) and researchers visiting the museum. If so, this amounts to specific violations of the DPTA as noted toward the end of this letter since the board of directors and museum leadership has had full knowledge that its

promotion and advertising methods have been fraught with at best, half-truths or skirting the truth about the museum's operation which has caused an unsuspecting public, including children, young adults, their parents and teachers to spend millions of dollars purchasing tickets to the museum. While doing so they have been deliberately been deprived of the true story about JFK's assassination and that of Lee Harvey Oswald.

This potential scheme has only become known to this investigative reporter and author during the past few months when he offered to donate more than 100 items of extreme historical value to the museum which provide substantial eyewitness accounts of the truth about what happened in Dallas before, during and after the twin assassinations. Among the items to be gifted free of charge to the museum was the research conducted by heralded journalist and investigative reporter Dorothy Kilgallen, the only reporter to have interviewed Jack Ruby at his trial triggering an intensive 18-month investigation by Kilgallen, the most compelling in history and, without question, the most accurate. In addition, the donation included a hard copy of the Jack Ruby trial transcripts, 2000 pages in length, which provide primary source, shocking testimony by eyewitnesses to the actions of Ruby before he shot Oswald proving without any question a plot to assassinate the president and in the process, destroying any semblance of truth to the ludicrous "Oswald Alone" theory which the museum has used as the foundation for its operation for years despite being aware of the contrary evidence.

Instead of making the public aware of the testimony (see below), the museum has purposely hidden it from the public since Ruby's actions before he shot Oswald threaten any existence of Oswald having acted alone. This extends to never making the transcripts, of any excerpts, part of any museum exhibit, any audio tour, or other means of knowing of the transcript's existence. In effect, when a visitor or researcher begins their tour of the museum, they have no idea the transcripts even exist.

This said, the means by which I arrived at the doorstep of the DPTA and then decided to call your attention to misgivings about the museum's operation is a convoluted journey. To understand, we begin with a review of what transpired between the museum and me over the past few months leading to my withdrawal of a donation I intended to make. I certainly did so with a heavy heart since the donation was to be part of my contribution to history, to the truth about what really happened in Dallas in 1963/4 based on the very best primary sources available since the tragic death of JFK, a senseless death for sure.

Believing that the donation would be readily accepted, I was ready to include the good news in a third book I am writing about Ms. Kilgallen. It will be the fourth one I have written about the assassinations based on more than 15 years of research. The books are:

“Melvin Belli: King of the Courtroom” (Jack Ruby’s attorney);

“The Poison Patriarch: How the Betrayals of Joseph P. Kennedy Caused the Assassination of JFK”;

The bestselling “The Reporter Who Knew Too Much: The Mysterious Death of What’s My Line TV Star and Media Icon Dorothy Kilgallen” (TRWKTM), being developed as a motion picture;

“Denial of Justice: Dorothy Kilgallen, Abuse of Power and the Most Compelling JFK Assassination Investigation in History” (DOJ)

In order to evaluate my credibility, you may read *Denial of Justice*, my 27th published book, which I have included with this letter, and/or visit two presentations of mine about TRWKTM and DOJ, one at a prestigious bookstore in the San Francisco area and the other at the Commonwealth Club of San Francisco. They may be viewed at <https://www.youtube.com/watch?v=pw4y3bWZWnE> and <https://www.youtube.com/watch?v=9vUA4TSYLyI> All told these presentations on YouTube have been viewed by more than 82,000 people to date with all of my presentations, interviews, etc. about Kilgallen and the assassinations viewed by more *than one million people* with plaudits all around for my providing a logical, common sense, educational approach to the tragic events in Dallas based on primary source information, not speculation.

Of paramount importance in TRWKTM and in DOJ, and in the presentations is undisputed proof of J. Edgar Hoover having covered up the truth as evidenced by his immediately directing his agents to “Have something issued so that we can convince the [American] public that Oswald is the real assassin.” Hoover also called White House aide Walter Jenkins, telling him, “The thing I am most concerned about and so is Mr. Katzenbach [Deputy Attorney General], is having something issued so we can convince the public that Oswald is the real assassin” while instructing aide Clyde Tolson to “prepare a memorandum to the Attorney General setting out the evidence that Oswald was responsible for the shooting that killed the president.” Hoover’s cover-up of the truth thus began and that cover-up

is now perpetuated by the museum's continued focus on the "Oswald Alone" theory, which is bogus by its very nature.

The new book about Kilgallen will also include fresh evidence I have uncovered about Kilgallen's tragic death in 1965 now being considered in a New York court (I have requested that her body be exhumed for DNA comparisons with the main suspect in her murder, still alive today), while dealing for sure with the impact the existence of the shocking excerpts from the trial transcripts should have on everything ever reported about the assassinations.

My continuing investigation is thus focused on the bogus Warren Commission, which apparently never considered the trial testimony from sworn witnesses to be relevant and never called Kilgallen to testify, and the House Select Committee on Assassinations, which did likewise. Also, after the museum made it impossible for me to follow through with the donation as noted below, I decided to dig deeper into the museum's operation and its policies in an attempt to discover the real reason why the donation did not work out causing confusion, frustration and for certain, disappointment on my end.

In case you are not aware of Kilgallen's crusade to discover the truth about the assassinations, because of her stellar reputation as a journalist and investigative reporter, she had the most reliable sources regarding what happened before, during and after the assassinations. To that end, Kilgallen, who had exposed the Jack Ruby testimony before the Warren Commission *before* its release date, as described in "Denial of Justice," was about to expose the truth about who masterminded JFK's demise in a book for Random House when she was found dead in her NYC townhouse under suspicious circumstances. In DOJ will read that the conclusion was that she died of an overdose of barbiturates combined with heavy alcohol intake but through examination of the faulty autopsy report and other evidence, I proved that she was murdered. Thus, Kilgallen's life ended at age 52 with no investigation of her death, a true injustice for sure that I have attempting to remedy for the last several years.

When I first contacted museum curator Stephen Fagin once *Denial of Justice* was published, my gift, as noted, was to include more than 100 items of historical value including my four books, books by others touching on Kilgallen's life and times, videotaped interviews about Kilgallen's life and times and mysterious death, videotaped interviews detailing her 18-month investigation of the assassinations including one of great interest with Joe Tonahill detailing how Kilgallen, called by the *New York Post*, "the most powerful female voice in America," became the only

reporter among 400 at the trial to interview Jack Ruby, twice and Tonahill's viewpoint regarding the veracity of what Ruby told her. There were also many photos, newspaper excerpts about the assassinations, several of Kilgallen's explosive columns about JFK and Oswald's deaths including her "The Oswald File Must Not Close" one *six days* after JFK was killed when she had learned that J. Edgar Hoover's shouting of the "Oswald Alone" proclamation was nothing but part of a carefully designed strategy to brainwash the public, the media, and later the Ruby trial jury (proof in excerpts from juror's journals included in DOJ) from realizing there was an actual plot to kill the president, a distortion of history that has lasted for fifty years. (Donation list attached)

While you may read all of Kilgallen's columns in the copy of DOJ provided, here is part of what she wrote in "The Oswald File Must Not Close":

If Oswald is President Kennedy's assassin, he is the most important prisoner the police in this country had in 100 years and no blithe announcement in Dallas is going to satisfy the American public that the case is closed. The case is closed, is it? Well, I'd like to know how, in a big, smart town like Dallas, a man like Jack Ruby—owner of a strip tease honky tonk—can stroll in and out of police headquarters as if it was at a health club at a time when a small army of law enforcers is keeping a "tight security guard" on Oswald. Security! What a word for it.

Kilgallen then added words of warning: "Justice is a big rug. When you pull it out from under one man, a lot of others fall too."

Without question, Kilgallen's words from a celebrated journalist with impeccable credentials who was actually in Dallas, in Dealey Plaza, sitting in the front row at the Ruby trial courtroom, unlike so many so-called "experts" who were not, is of vital importance to the truth and that is why I included them in the donation.

Of even more paramount importance, I also felt, was a well-preserved hardcopy version of the 2000+ page Ruby trial transcripts which I had exposed through shocking excerpts for the first time in DOJ after they had been buried for 50+ years. These excerpts, without question, prove there was a plot to kill JFK since it is apparent from the sworn testimony that:

According to two eyewitnesses at the *Dallas Morning News*, **Jack Ruby actually watched the JFK assassination while it was happening** from a window in that building facing Dealey Plaza;

One day before he shot Oswald, Ruby said “**he would be there**” when Oswald was going to be transferred during a phone conversation overheard by G. C. Hallmark, General Manager of a parking lot located across the street from the Carousel Club (here’s the actual testimony from the transcript page);

A The conversation was about the -- what I understood to be, the almost immediate transfer of Oswald from the City to the County Jail. Mr. Ruby informed whoever he was talking to, that people were strewing flowers at the scene of the assassination, and that possibly the transfer would be delayed.

THE COURT: The what?

A Delayed.

Q Now, did Ruby say anything with reference to whether or not -- concerning whether he would be there or not; what did he say on that?

A He told whoever he was talking to, that he would be there.

Q He would be there?

A Yes.

Ruby explained that he “**made like a reporter**” to enter the DPD basement;

Ruby said he had **help from friends at the DPD** to do so.

This undisputed testimony, from sworn eyewitnesses on the scene during the assassinations, cannot be disputed as it the best possible primary source evidence regarding the actions of Ruby before, and the during, the time he shot Oswald, prima facie evidence of his having not only watched JFK being murdered proving he knew about the JFK assassination *before* it happened but then stalked Oswald before killing him by gaining entry into the DPD basement making like a reporter with help from his friends at the DPD. If this prima facie evidence doesn’t shock

you as it did me when I first read it, I assume it will now and yet, as shocking as it is, one would think any museum charged with the responsibility of providing the public with the true facts about what happened would display the testimony front and center in the museum while extensively promoting it. To be certain, this has not occurred, not through the years, and certainly not during present day.

To make certain that there is no question of the authenticity of this historically important testimony, I embedded the actual, pertinent pages like the one on the previous page in DOJ for the world to read. You may find them, others facts of note, and commentary about them, at pages 123-156. The appropriate pages are also posted on my website as www.markshawbooks.com. and I discuss them in my Commonwealth Club YouTube presentation noted earlier.

Like so many so-called “experts” who have written about the assassinations for years on end, I first missed looking at these transcripts, actually hiding in plain sight and known to the museum’s curators, and only did so when Greg Mullanax, an attorney and avid reader of my first book on Kilgallen sent me a copy while telling me that Fagin had asked him for a copy since the museum only had one that was not in good condition. This apparently filled a void that was hard to believe since these documents should have been part of the museum’s collection for years at the museum since they are, without doubt, the most authentic and accurate account by eyewitnesses of what happened in Dealey Plaza and with the shooting of Oswald, whom Ruby had obviously stalked. Why they were not presented in an exhibit for the world, especially students and researchers, to view for five decades and counting, is beyond comprehension since while the museum is apparently not supposed to favor one theory about the assassinations over another, these are primary source documents, public record, that should have been showcased for sure.

In fact, if anyone, especially journalists other than Kilgallen, had paid attention at Ruby’s trial, there would have never been “the greatest murder mystery in history,” the death of John F. Kennedy since the testimony I exposed would have launched an investigation aside from Hoover and the Warren Commission’s bogus ones and led to those involved tracing Ruby’s actions before he shot Oswald to the real perpetrators of the president’s assassination. There was hoax then, and unfortunately, the hoax continues today perpetuated by people like Gerald Posner, Fagin King, Bill O’Reilly and Hugh Aynesworth who has told people Kilgallen never interviewed Ruby and that anyone like me who speaks about her research or the Ruby trial transcripts, which he must not have ever read, should be dismissed as unreliable.

On Fagin's end, he and I talked about the donation list, etc. without his objections and he was quite excited including his being interested in DOJ. Just before he left for a vacation, I told him of my Commonwealth Club of San Francisco YouTube presentation on the book which, as noted, includes discussion of the trial transcripts and he said he would view it. I also offered to send him a copy of DOJ, and ultimately did, for his reading pleasure and he said he would read it, although I do not believe he did so, based on an email message he sent along. Somehow I began to suspect that the trial transcript excerpts, which throw a monkey wrench into every single bit of information about the assassinations written for five decades due to their undeniable credibility, had spooked him since all of the documentation, exhibits, audio tour, etc. at the museum regarding the "Oswald Alone" theory are reduced in stature, if not dismissible, for certain due to the testimony about Ruby's actions before he shot Oswald. Only someone with no brain would believe otherwise, that is for sure, but many people, perhaps Fagin and his cohorts at the museum including the board, want to ignore these historically important documents since, like many authors through the years, they completely blunt the possibility that Oswald acted alone. Read the transcript excerpts and I believe you will agree to their importance.

My suspicions about Fagin and the transcripts had actually begun when I learned there was a program at the museum forthcoming where HSCA attorney G. Robert Blakey was debating someone connected to the bogus Warren Commission. I sent Fagin an email telling him of the shocking Ruby trial transcript revelations and that they should be part of the mix at the debate. He completely ignored my emails and my bet is that during that debate, the document excerpts were never mentioned causing the program to lack any semblance of historical value. This meant those attending, apparently by paying to do so, were not told of the transcript excerpts existence and their being ignored by both the WC and HSCA meaning the consumer was duped for sure even though Fagin had been warned that the transcripts were going to be published.

Certainly, on my end, I was excited too because I believed that what I was giving to the museum fell strictly in line with what it posted, as noted, on the museum's website: "The goal of the Museum is to recount, as accurately as possible, the history of assassination, and to identify the major areas of controversy as well as recent developments." Without question, the materials I was donating, especially the Ruby trial transcripts and Kilgallen's and my research, would add to the accuracy of the museum's collection with all aspects of the donation a "recent development," one that could be characterized, I suppose, as even a "major area of

controversy” although the Ruby trial transcripts by no means fit that description due to the excerpts un-challengeable authenticity.

While considering the donation, I realized how it would provide a significant historical value to the museum collection since, as noted, that there appeared to be a lack of information available other than that which pointed to Oswald’s part in the assassination, a scenario Kilgallen had disputed from day one after JFK was killed. She realized, as I soon did, that Oswald was confusing figure, a real dead-end ruse in many ways with the whole Sixth Floor business thrown in for good measure but that Ruby was the key to learning the truth about who, why and how JFK was assassinated. I had an edge here since as a former criminal defense lawyer specializing in high profile murder cases as well as a network legal analyst for the Mike Tyson, O. J. Simpson and Kobe Bryant cases working for ABC, CNN and USA today, I looked at the JFK assassination through a different lens than anyone else – *why Bobby Kennedy was not killed instead of why JFK was.*

This perspective was based on motive since Bobby, as Ruby prosecutor Bill Alexander told me, had many more enemies than JFK did. This made sense and since I had proven in *The Poison Patriarch* that Joe Kennedy’s double cross of underworld figures during the 1960 election. I had also proven in that book and in the Melvin Belli book that he had knowledge of JFK’s being marked for assassination due to comments he made after Oswald was killed to the effect, “now I will have to represent Ruby,” which mean he was part of the plot to kill JFK as well as Ruby. And he certainly did, silencing Ruby per his orders to do so while making him look crazy, which he wasn’t when he shot Oswald as proven by the trial transcript excerpts mentioned. No matter, Oswald, a loose end, was dead, and Ruby was portrayed as insane causing anything he said after the trial to be discounted.

Regardless, all seemed in good shape with the donation and then I received a rather terse email from Lindsey Richardson., whom Fagin had introduced me to by email, stating that the entire donation was being refused because I could not produce “originals” whether they were documents, videotaped interviews, trial transcripts, etc. and that this problem violated museum policies. Such a response was a complete surprise since instead of a welcoming mat being provided to a donor of what obviously was an important addition to the museum’s collection that the public is paying to view, a roadblock of extreme proportions was being thrown my way. Does the museum really want the donation, I asked myself, or are the powers-that-be scared of the impact such a donation may have on the main scope of the collection, the “Oswald Alone” theory?

Considerations of simply accepting Lindsey's proclamation ran through my mind, but instead, I spend considerable time sending a lengthy email (available for reading) to her countering that argument explaining that the authenticity of the documents and their historical value outweighed any issues with "originals." I also decided, without any notice to Lindsey beforehand which meant she never told me not to do so, to send the actual documents, videotaped interviews, books, a hard copy of the transcripts, etc. to her so she could see firsthand the validity of these items being accepted for the museum collection. I strongly suggested that the museum's collection could not be looked upon as complete in any manner and be "as accurately as possible" about the assassinations without many of the aspects of the donation. This is, of course, quite true of the trial transcripts.

Shortly after the donation materials, including the hard copy of the transcripts were delivered to the museum at my expense, I suddenly received an email from Lindsey saying that donation would be accepted. I took this to mean that the essence of my lengthy email made sense and we were back on track with Lindsey telling me an agreement would be forthcoming. Smooth sailing appeared to be on track, but I was wrong.

After a bit of a time lapse, the agreement was sent, but to my shock, it was an agreement (attached) that I could not possibly sign since there was, among other matters, the requirement that I transfer all of the copyrights to my books and *those of books that I did not even write and publish* to the museum and that they would have the right to "reproduce, make derivative works, distribute by sale or other means, perform the work publicly, display the work publicly, and perform sound recordings by means of digital audio transmission." In addition, a "transfer of ownership" would take place" while the museum would have "no obligation to retain any material or the rights therein and may dispose and modify any material and the rights therein within the guidelines as approved by the Board of Directors."

When I received the agreement, I could not even imagine how Lindsey or anyone else including Fagin and Nicola Langford, who signed the agreement as Chief Executive Officer, could in their wildest imagination believe I could transfer copyrights, something they had to know was impossible, since publisher agreements for my books and of course, those in place for the books I did not write, prohibited such transfers. Also, I did not own the copyrights to many of the articles, videotapes, etc. and thus any transfer was impossible there as well and I could not, of course, authorize the right to make derivative works or permit sound recordings to be made, again because of publisher commitments.

Based on the agreement's language, there was no assurance that my donation materials might not end up in the trash bin at some point or that any exhibits might be made available especially with regard to the Ruby trial transcripts. The whole copyright issue most inflamed me and I reacted by crossing out areas of concern, adding some protections on my end that the donation materials would not be destroyed, that an exhibit of the trial transcripts and Kilgallen's research would be established, and that there would be a press release announcing the donation, etc. When Lindsey was taken aback with the crossing out actions that I meant as showing my disdain for her sending such a ludicrous agreement, I apologized and she accepted.

It should be noted that during all of this time, I repeatedly asked Fagin to permit me to speak at one of the museum's programs about Dorothy Kilgallen's research and the Ruby trial transcripts. He emailed me that the former wasn't possible without much of an explanation but that he would go to the board to see I could speak about the transcripts. I believed that would certainly be approved in lieu of the transcripts historical value, that there would be great excitement about my having provided the transcript excerpts, a breakthrough for sure, unless, and this is a big unless, there existed within Fagin, Langford and the board an attempt to continue to bury the most important documents about the JFK and Oswald assassinations in history as had apparently been the case for 50+ years. Once again suspicions appeared causing me to wonder whether the museum was really interested in accuracy, the truth about what happened in Dealey Plaza.

At this point in time, I nearly told Lindsey I was going to pass on providing the donation, but her assuring me that a new agreement would be forthcoming that would not involve my having to transfer the copyrights, caused me pause. I expected an agreement that I could sign sooner than later but time passed causing frustration on my end and concern that the museum wasn't really interested in closing the deal. Also, I had once again asked to speak about the trial transcripts and was awaiting Fagin's okay for that but never heard anything from him. Then, when I ask Lindsey where the agreement was, she said she had to check with her copyright expert which was the final straw, since we had already been through the whole copyright issue and I didn't want to have to debate that absurd point of contention again.

Finally, my instincts kicked in that once again that an obstacle was going to be put in front of my donation and I just didn't want to deal with that insurmountable issue again. I had also not heard from Fagin re the presentation and the whole scenario

reminded me of suspicions others and I in Dallas have had for years that the museum has stonewalled efforts by any number of people including viable researchers through the years to present material that is in opposition to the Oswald Alone theory (even the museum name points to this conclusion). With all this mind, I emailed Lindsey and told her I was withdrawing the donation due to the delay in getting an agreement while asking that all of the donation materials be sent back to me.

When the materials arrived, I noted that all was well but that the box of Ruby trial transcripts was not among them. I sent a cordial email to Lindsey asking her to return them but apparently struck a nerve since she sent back a terse email with an angry tone even using capital letters that she had told me NOT to send the transcripts in the first place and therefore if I wanted the box of transcripts back I would need to pay for them. As noted, her telling me to not send them in the first place never happened since she had no idea that I was sending them at all. The angry tone, I believe was born out of Lindsey's disappointment of losing the donation by mishandling various aspects of the donation process as noted in this letter.

As part of Lindsey's email, she also informed me that the transcripts were being posted online. I welcomed this happening but how in the world is anyone going to know they exist if the museum does not promote their existence, to visitors, researchers and the general public. At the very least, there needs to be an exhibit, which I ask for several times, where the physical stack of documents may be viewed with charts indicating the crucial trial testimony noted in this letter so everyone can see that from the get-go, there was no question of there not being a plot to kill JFK. I shouldn't have to emphasize this point again, but unlike all of the books about the assassinations, including three of mine, all of the articles written, interviews, everything of interest about the assassinations, these documents don't shy away from the truth, they are prima facie evidence where accuracy is not a question.

To clear the air, and to ask several questions I had in mind regarding information about the donation fiasco to be included in the new book, I had sent Fagin, the curator, the boss at the museum, emails which he never answered requesting that we speak since lack of personal communication, I believed, was a major cause of the friction leading to the donation withdrawal. I had to ask several times to speak whereupon he finally sent an email paragraph full of reasons why he favored email and that if we did speak there were many topics we could not even talk about. He wrote:

I would prefer to answer whatever questions you may have via e-mail, so that I have appropriate time to consult resources and provide the best information possible, as I do for any and all research inquiries. However, I should be at my desk tomorrow around 10AM. That said, please understand that I cannot discuss with you any potential programs or speaking engagements here at the Museum. Also, please understand that the Museum does not take a position on the Kennedy assassination, nor are we able to critique or endorse any individual research efforts. Therefore, I cannot engage in conversation with you about your research and supply feedback or personal views. If you have additional information beyond your books that you would like to share, I would encourage you to send it via e-mail so that the Museum can do what it does best – archive and preserve information from all points of view. If you have questions regarding a potential donation to the Museum, please reach out to Lindsey Richardson directly, who is copied here.

This email message on August 5, 2019 was a complete departure from when we had spoken early on in the process of my providing the donation and I finally gave up trying to communicate with him. By all appearances, the curator was roadblocking a personal conversation about anything important regarding what had happened during the course of our attempting to sort through the problems with the donation, etc. One must ask why this attitude existed, why Fagin will not even engage in a conversation so I may better understand why my educational material had been blocked from being part of the museum's collection and how to perhaps remedy the situation.

Looking back, I realize that while others have apparently offered donation materials adverse to the "Oswald Alone" theory that could easily be refused, I threw a curveball with my donation materials, including the Kilgallen items and especially the trial transcripts since I was offering more than one hundred items, all of which cross hairs with the "Oswald Alone" materials in the museum collection. I could not be easily dismissed so there appears to have been some considerable thought given to how obstacles could be thrown in my way with the hope that I would finally give up. Why else would the outlandish agreement be sent in the first place, one I could not possibly sign?

The first accepting of the donation, then refusing it because of the "originals" question, then accepting the donation, then sending the bogus agreement, then agreeing to send another one without the copyright issue, then delaying sending

that agreement due to checking with the museum's copyright expert, must signal a "yes, we better accept the donation; no we can't, yes, we should, no we can't" sort of attitude with the hope I might go away. In the end, I decided that I had good reason to believe that even if I provided the donation, there was the distinct possibility it would be hidden from public view or even destroyed at some point and I just couldn't take that chance without the protections I sought in my counter to the agreement forwarded.

On a larger scope, as briefly noted, there are real questions about the priorities at the museum to be accurate and address controversial issues about the assassinations as boasted about on the website. The presentations at the museum deal these days with such obscure matters as magazine covers and Fagin apparently even agreed to a Q&A with intent to publicize the museum in the History Channel's publication about recent exposure by the government of assassination documents that are supposed to some sort of breakthrough which apparently means the museum endorses documents that added little, if anything, to the truth about what happened. Even the headline on the cover is misleading, as Fagin must have realized: "Who Killed Kennedy: The Declassified Documents that Expose the Facts" when the exposed documents did nothing to expose "the Facts" as if they solved the crime. Certainly nothing in that publication, released in 2018, is mentioned about the Ruby trial transcripts. Or about Kilgallen's eyewitness research. Instead, the magazine presents mostly a regurgitation of old information about the assassinations pointing, as the museum does, heavily in favor of the "Oswald Alone" theory.

During a Q&A, Fagin makes the following statement, "Our museum does not take a position on the assassination," which in lieu of the total emphasis on the "Oswald Alone" theory in the museum's collection is less than truthful. He also says the museum "features a panel detailing some of the more popular conspiracy theories. These include theories which implicate the CIA, FBI, organized crime, and the Soviet and Cuban governments." Apparently on purpose, he says nothing about the Kilgallen research or the Ruby trial transcripts, both of which he knew about in 2018 when the magazine was published. Pointing to conspiracies, an unnecessary use of that toxic word, while knowing that the new research and the transcript excerpts prove without question a plot to kill the president is once again hoodwinking the public by avoiding including this research in the mix.

Of even more concern is noticing that on the museum website in the "Education Program" area, a program the museum sells about "Myths and Conspiracy Theories." One must question why the museum would promote such nonsense to

6th to 12th graders (\$100 at Museum, \$125 at School, \$100 Distance Learning), but doing so is further proof that the museum is lacking in caring about the truth by only focusing on the “Oswald Alone” theory which is already perpetuated, as stated, by the name of the museum pointing to the Sixth Floor and thus to Oswald who is a complete, as noted, a dead end with regard to learning that truth about what happened in Dealey Plaza. These distortions of the truth are certainly known to Fagin, Langford and the board members who must know, as exposed in DOJ, that in DPD Jess Curry’s autobiography, he admits that after hearing the shots that killed JFK, he sent his officers not to the book depository but to the overpass, a fact Kilgallen included in one of her early scathing columns about the assassinations. They must also be aware that Kilgallen, as noted, was never interviewed by the Warren Commission, the rubber stamp that J. Edgar Hoover ruled to perpetuate his shouting “Oswald Alone” to the world, a distortion of the truth that has lasted half a century in part because of the museum’s half-truths which include no denouncing of the WC Report.

One must also wonder whether the program entitled, “Ask the Expert” provided by museum staff (\$75 at Museum, \$100 Distance Learning) provides any information that the Ruby Trial Transcripts even exist, any anything about Kilallen’s research, her columns, etc. My bet is that there is no mention of these vital, critical documents where accuracy cannot even be debated for all of the reasons included in this letter.

In effect, as strange as it may seem, through my four books about the assassinations, especially TRWKTM and DOJ interviews and presentations on YouTube watched by *more than a million people* thus far, I am educating the public to the truth while the museum is distorting that truth. Imagine that.

To add to my concern about the museum’s credibility, I received an email advertisement entitled “North Texas Giving Day 9.19.19” on the 9th of this month. Included with the email message are the following words: “Help us give all of north Texas the chance to visit **this Dallas historic landmark that changed the world.**” Keeping in mind the Ruby trial transcript excerpts and the mountains of evidence destroying any semblance of the “Oswald Alone” theory exposed by Killgallen and me, this statement, inferring, even boasting, that the book depository building “changed the world” is outrageous, certainly misleading to the prospective donors since valid questions about what transpired there when JFK was assassinated have arisen for decades especially when museum officials know, or should know, through the Ruby trial transcripts that at the actual time shots rang out Ruby was watching the assassination from the Dallas Morning News offices.

Thus, there is much more to be learned now about what happened in the building but to say it “changed the world” is at the least a complete exaggeration intentionally employed to raise funds.

In fact, the building still existing is nothing but a negative not a positive, a stain on Dallas that should be removed so that the public is not hoodwinked into believing that the “Oswald Alone” theory is alive and well especially when such a large percentage of people in the world scoff and even laugh when anyone even brings it up.

To this end, colleagues in Dallas tell me that the museum was originally the idea and then funded by those who wanted to perpetuate the “Oswald Alone” theory, also known as the “one nut” theory, that a lone nut completely masterminded JFK’s assassination so that the city of Dallas had no responsibility for what happened which would have been the case if there had been a plot to kill the president. If so, this attitude and strategy has been carried forward for far too long and a close examination by your office should confirm that changes need to be made to the museum’s policies and operation or best of all, that the museum be forced to close. Whether the museum attempting to raise money through email and mail is a deceptive practice under the TDPA or may be considered mail fraud is also something to be considered by your investigators but no doubt the language in the flyer is a distortion of history, deceptive in nature.

All this is occurring, and apparently authorized and approved by the board directors despite knowing for sure now based on the Ruby trial transcript excerpts and other evidence I have exposed that there is absolutely no truth whatsoever to any semblance of the “Oswald Alone” theory or any “Myths and Conspiracy Theories” that should be paraded before students, museum visitors or researchers thus confusing the issue of what really happened in 1963. In effect, the museum powers-that-be are living a falsehood knowing it to be a falsehood while preventing, it would appear, any evidence like that gathered by Kilgallen or me that counters the absurd theory. Present all sides of the story, as the museum purports to do, is a good thing, but when the most important one of all, the no-one-can-question in an authoritative manner the trial transcripts, the museum ceases to be a repository for the truth as it professes to be.

Important to understand is that when I exposed the Ruby trial transcript in full (there are many other testimonial items that shed light on destroying the “Oswald Alone” theory as noted in “Denial of Justice”), or before when anyone at the museum, or board, knew of the shocking testimony pointing to a plot to kill JFK,

they realized that the testimony changes everything, that the prime facie evidence completely debunks the museum's main theme, the basis for its existence, in fact, that Oswald acted alone. Imagine the reaction especially when I not only offer a donation of the hard copy transcripts which have never been accessible, or even known, to the public or researchers but also Kilgallen's eyewitness accounts of what happened in her columns which also blunt the "Oswald Alone" theory.

Immediately, the decision must have been made to do everything possible to deter me from going through with the donation. By throwing the roadblocks at me as noted in this letter, they finally succeeded and one must imagine a sigh of relief when I finally did so believing, based on Richardson's confusing actions, that I could not trust the museum to preserve the important material I wanted to donate.

My apologies for the lengthy letter, but in lieu of the facts I have presented, I am of the belief that a thorough examination of the museum's policies and operating procedures should be subject to review by your office to see whether there are violations of the TDPA. Certainly the section which states, "false, misleading and deceptive acts or practices in the conduct of any trade or commerce are hereby unlawful" would appear to cover the false advertising and promotion being carried on a daily basis to the general public who are paying ticket prices and specifically to those being solicited for donations via email. Criminal penalties may be possible especially since there appears to be little question that the museum's powers-that-be and the board have possessed the intent to deceive through false, misleading and deceptive acts designed to promote the museum's credibility when nothing could further from the truth.

All of those having contact with the museum are expecting it to live up to the website promise of being accurate, being honest about what the collection entails, consumers who pay to visit (\$18, \$16 and \$5 for student meaning that with 400,000 visitors a year the revenues are in the millions of dollars with limited expenses), and or donate as requested. No question exists that, as noted, half-truths at the very best, are used to exploit people's interest in the museum when the powers-that-be know, especially for certain now with the exposure of the trial transcripts and Kilgallen and my research, that there is not one scintilla of evidence promoting the "Oswald Alone" theory but proof positive because of the primary source transcript testimony, that there was a plot to kill JFK involving many people including Ruby who knew about the assassination before it happened. Without including the material in my donation which deals with truth, and especially without including the trial transcripts in an exhibit, the audio tour, "Ask the Expert," etc. with ample promotion so the public is aware of these important

documents and information before one more person buys a ticket or makes a donation, appears unlawful under the guise of the DTPA.

Section 17.46 (b) provides what is called a “Laundry List of Acts and Practices Made Illegal by the DTPA.” Included in item 24 is the language:

“The failure to disclose information concerning goods or services known at the time of the transaction was used to induce the consumer into a transaction whom otherwise would not have entered had the information been disclosed.”

Simply put, this section, the interpretation appears to be that the Section:

prohibits a seller from failing to disclose information known by the seller at the transaction if such withholding of information is intended to induce the consumer into a transaction, and if the information is such that had the consumer known it at the time, the consumer would not have made the purchase.

Suffice it to say that any consumer interested in visiting the museum and thus being involved in a transaction where goods or services are sold (programs, books, etc.), or donating to it (per the email solicitation), knew that the collection is certainly tilted, or more likely restricted to goods or services squarely pointed in the direction of the “Oswald Alone” theory, thus making the collection incomplete to the extent of distorting history for instance by hiding the Ruby Trial transcripts from view, would not enter into the transaction. Worse, these unsuspecting consumers don’t know what they are missing since they are never told that nothing about the Ruby trial transcripts including the shocking excerpts noted even exist little alone are displayed for public view. Putting them online does not change this perception since the transcripts are not promoted either on the website, in an exhibit or during the audio tour. It is as if the transcripts don’t exist, exactly the plan the museum has to drive consumers away from the “Oswald Alone” theory or toward some crazy conspiracy theories that only enhance the belief that the theory must be the best explanation for happened in November 1963.

By not disclosing this information for 50 years and running and especially now when the museum power-that-be including the board are aware of the shocking testimony about Ruby’s actions before he shot Oswald proving a plot to kill JFK, is “false, misleading and deceptive” for certain, and thus “unlawful.” That the

museum doesn't want the transcripts, or Kilgallen's research, or mine to date, exposed to consumers is proven by the powers-that-be to hide for all practical purposes, the transcripts from view, make it virtually impossible for my donation to happen by throwing roadblocks in the way until I could not trust them to safeguard the books, rare and otherwise, videotaped interviews, Kilgallen columns, and photos.

There are many examples of why refusing to cooperate with the donation blunts any possibility of the museum being the truthful depository for education about the JFK and Oswald assassinations. Nearly all of the donation items may be seen at www.thedorothykilgallenstory.org but most importantly is the videotaped interview of Joe Tonahill explaining from his home office how Kilgallen landed the Ruby interviews. This is prima facie evidence of that interview occurring which smashes any accusation that it did not and every person who attends the museum should see it. Also, Kilgallen appearing at a news conference with Belli and Tonahill is primary source evidence of her appearance at trial, proof of her eyewitness accounts of the assassinations coverage which no other journalist was able to report. Again, this is historical material every attendee should watch but because of the restrictive policies of the museum and the failure of those in charge to guarantee that these videos won't be thrown in the trash, no one visiting the museum will know they exist meaning when they pay their money, they are getting their money's worth.

Significant here as well is the museum's refusal to permit me to speak about either Kilgallen's research, my own, or, most importantly, the Ruby trial transcripts. This is censorship of the worst kind, yet another attempt to suffocate the truth by keeping the truth from the public including consumers who are planning to visit the museum. At one point, Fagin said I could at least do an oral history but then never mentioned it again. Either way, by speaking publicly or through an oral history, certainly a poor second choice, the public/consumer suffers since important primary source evidence is kept from those who need to know so they can make a logical decision as to whether to pay money to visit the museum or donate to it.

In essence, the museum's conduct has resulted in a continuation of the cover-up which began one minute after JFK was killed. The truth was suppressed then, and, though it is hard to believe, is being covered up now by those in power at the museum and by those who control the actions of the museum, the board of directors. This has to stop and stop now and I trust that with all of these facts in mind regarding the status of the museum at this point in time, your office's investigation of the policies and operation (perhaps also a look into the museum's

501 (c) (3) status?) will commence before one more visitor enters the museum entrance or one more person is sent a donation invitation by email or mail. Temporarily closing the museum may be an advisable option so that consumers may be protected until changes in the policies and operation are made as soon as possible to make certain that there is a level playing field where all of the important information about the assassinations, especially the Ruby trial transcripts, is displayed for the world to see not just that slanted toward the “Oswald Alone” theory either directly or subliminally by using sleight of hand to advocate a theory which should have been buried long ago.

While nothing may be done to correct the repercussions of the museum having distorted the truth which stretches to every visitor of the museum since its inception who has been deprived of the full story about what happened in 1963/4 and especially researchers who have relied on museum documents and other resource tools without being made aware of the Ruby trial transcript testimony, or, for that matter, Kilgallen’s research, the complete reorganization to prevent deceptive practices will be fruitful. By admitting changes need to be made to the exhibits, the educational programs including exclusion of the “Myths and Conspiracies” one, for sale, the audio tour, the “Ask the Experts, program, the promises made on the website, etc., the museum has a chance to right a wrong and begin doing business unless it is closed in a viable and legal manner.

This certainly may be possible especially if it permits, sooner than later, a program about the Ruby trial transcripts and the impact the testimonies have on the “Oswald Alone” theory. This must happen since, as the museum powers-that-be and the board members know, there is absolutely no way to reconcile continuing focus by the museum on the “Oswald Alone” theory in lieu of the trial testimony. None.

To ensure that concerns about the museum are addressed, the Houston Archaeological and Historical Commission which issues and reviews Certificates of Appropriateness for historical landmarks, certain members of the media and Ms. Rena Pederson, a Dallas woman of the truth who was kept abreast of the difficulties I was having with the museum donation, have been copied on this letter. Hopefully Ms. Pederson, whose reputation is impeccable, could lead the charge to change the museum’s way to doing business and its collection truthfulness with the media warning consumers immediately that the museum is not what it appears to be based on its distortions of history. When this happens, there may be, in fact, consumers who will seek damages from the museum for its deceptive practices as they have a right to do under the TDPA.

In closing, I want to assure you that there is no personal animosity on my part with the way I was treated by the museum's powers-that-be and that treatment has not entered into my decision to contact you and your offices. I would welcome a fresh start regarding the donation but changes have to be made before that may be considered since I do not feel, at present, that the items I intended to donate should be part of a museum that is less than truthful with the public/consumers who trust it to be historically accurate. Hopefully your actions will trigger changes at the museum regarding policies and operation or they will be in-house so that in the future, visitors may be assured of getting the complete story about the tragic events in Dallas so long ago.

I look forward to hearing of action being taken by your office and my cooperation is certainly a given.

Sincerely,

Mark Shaw

Enclosures:

Mark Shaw Donation List

Proposed Museum Donation Agreement for Shaw Donation

Museum Flyer Soliciting Donations sent via Email

History Channel pages re Fagin interview

Selected Excerpts from Jack Ruby trial transcripts

Copy of "Denial of Justice"