

MEMORANDUM FOR CONFERENCE WITH L. B. SULLIVAN

The following topics represent areas of proof for the trial on the merits:

1. Group libel—Readers connected advertisement with Police Commissioner.
2. Falsity of publication—
  - a. Leaders expelled from school because of Capitol singing.
  - b. Truckloads of police armed with shotguns and tear gas ring State College campus.
  - c. Dining hall padlocked in an attempt to starve students into submission.
  - d. "Southern violators" subjected King to intimidation and violence.
  - e. "Southern violators" bombed King's home.
  - f. "Southern violators" assaulted King's person.
  - g. "Southern violators" arrested King seven times.
  - h. Signatories at bottom; <sup>"warmonger"</sup>~~"warmongers"~~ endorsed the ad.
3. Malicious publication—
  - a. Prior knowledge of falsity.
  - b. Knowledge received after demand for retraction.
  - c. Reckless failure to check accuracy of material in ad or to check "authenticity of signatories."
4. Damages—
  - a. Persons who read advertisement.
  - b. Persons connected materially in ad with Police Commissioner.
  - c. Whether the person's estimate of the Police Commissioner would be affected if this person believed the material contained in the ad.