



United States Attorney
District of Massachusetts

COPY

1107 J.W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109

August 18, 1992

BY FAX (617) 782-2582

Jefferson W. Boone, Esquire
Boone & Henkoff
138 Brighton Avenue
Allston, MA

RE: Thomas A. Shay

Dear Jeff:

I just returned from being on vacation for two weeks. Having now reviewed your letter dated August 1st, I have a few comments:

1. I am informed that Tom essentially admitted to "feigning" hypnosis, thus confirming the earlier opinion of Dr. Rogers and myself.
2. I understood that you already had a copy of our written agreement, but if that is not the case please let me know.
3. Quite frankly, I do not recall what information from Tom "we know to be false." Vacation has somehow erased that from my memory. Perhaps if I have an opportunity to review the videotape I can get back to you on this. I can tell you, however, that it was not anything substantial... more like minor factual details.

Please inform Tom that we were not surprised or angered by what transpired at the first session. While we would have preferred him to have acknowledged that he was never in a hypnotic state, Dr. Rogers tells me that an occurrence such as this is not necessarily uncommon.


As I now understand it, a person must want to be hypnotized in order to achieve a successful and productive hypnotic trance. If Tom wishes to try again, I will be happy to accommodate him, so long as the session is scheduled to occur within the next two weeks (on or before August 31, 1992).

I would appreciate it if you would share this letter with Tom. I look forward to your reply.

Very truly yours,

A. JOHN PAPPALARDO
United States Attorney

By:



PAUL V. KELLY
Assistant U.S. Attorney