In early February, 1963, at approximately 8:00 P.M., TABOR was at the Burgandy Room at the Adolphus Hotel. He was sitting at a table with two friends, also men from out of town.

TASBON knew JACK RUBY by sight having seen him on several occasions at various hotels in Dallas passing out cards advertising the Carousel Club. On this particular night, a short time earlier, TABOR had seen JACK RUBY at the Adolphus Hotel accompanied by an "exotic blonde," while in the Burgandy Room, JACK RUBY paused at the table where TABOR was seated and as he passed, TABOR made a remark to the effect "that crazy blond you had." JACK RUBY turned around and began beating TABOR savagely about the head. After RUBY had beaten TABOR to the floor, he immediately left the Burgandy Room.

TABOR was taken to the hotel office for first aid and while there, a police officer came in and TABOR made a complaint against RUBY. TABOR was able to write out the complaint, and the next day RUBY was found guilty of assault, he would probably be fined only about $100.

TABOR recalled that on the night he was attacked by RUBY at the Burgandy Room about 8:00 P.M., he received a telephone call at his home from a detective whose name he believed was Taborn and this Detective suggested that he drop the complaint against RUBY since if he were found guilty of a charge of assault, he would probably be fined only about $100.

TASBON said he had considered a civil suit against RUBY in connection with the assault on him, however, his attorney had determined that RUBY did not have a bank account or other property and even if a judgment were obtained against him, it would not be possible to collect the judgment.