

(Mount Clipping in Space Below)

Novel Bids To Remain in Ohio for Suit

Steven Plotkin, attorney for Gordon Novel in Novel's multimillion dollar suit against District Attorney Jim Garrison and members of Truth and Consequences Inc., told a federal judge today that a deposition from his client should be taken outside Louisiana.

Novel, the elusive witness in Garrison's John F. Kennedy murder probe, is suing for damages, claiming a loss of civil rights and character assassination.

Plotkin told Federal District Judge James A. Comiskey that under the law the court has unlimited discretion to take Novel's deposition elsewhere, "namely in Columbus, Ohio," or to proceed by submitting written questions to Novel to answer.

THE ATTORNEY POINTED out that there are criminal charges brought by Garrison pending against Novel.

Plotkin asked Judge Comiskey to consider issuing an order protecting Novel from arrest and incarceration should the court rule that Novel's deposition should be taken here Friday before U.S. Commissioner Fritz Windhorst.

Otherwise, Plotkin said, Garrison will have accomplished in a civil action what he has not been able to do otherwise—get Novel back to New Orleans for questioning as a material witness in the probe.

MALCOLM W. MONROE, representing Garrison, argued that the law already provides Novel protection against arrest and incarceration. He said Novel chose to file his civil action in this district and that, therefore, Novel's deposition should be taken in this district. Monroe said he does not see why the defense should have to bear the expense of traveling elsewhere to take the deposition.

He asked Judge Comiskey to issue an order obligating Novel to pay for expenses incurred by the defense if the court rules the deposition will be taken outside Louisiana.

Waiting to present his argument was Claude W. Duke, attorney for Willard E. Robertson, one of the group of businessmen who are bankrolling Garrison's probe and are now being sued by Novel.

Judge Comiskey said he would rule on the matter this afternoon.

On another front of Garrison's controversial probe, attorneys for Clay L. Shaw have indicated they may call Lee Odom, whose name appears in Shaw's notebook, to testify at a hearing here Monday.

The Monday session before Criminal District Court Judge Edward A. Haggerty Jr. will open what may be a long series of pre-trial battles in Dist. Atty. Jim Garrison's Kennedy death plot investigation.

SHAW'S LAWYERS yesterday asked the court to subpoena 32 witnesses, including the DA, seven criminal court judges and the entire Orleans Parish Grand Jury, to appear.

The hearing's main action will revolve around Shaw's plea to quash the indictment which charges him with complicity in the murder of President John F. Kennedy.

Odom is the Irving, Tex., man whose name appears in Shaw's address book above the notation "P.O. Box 19106," which Garrison contends is the enciphered version of Jack Ruby's 1963 unlisted telephone number at Dallas.

The DA said he found identical references to the post office box number in the notebooks of Shaw and accused presidential assassin Lee Harvey Oswald.

Both numbers decode, Garrison has said, to the telephone number of Ruby, who gunned down Oswald in the Dallas police station two days after Kennedy's slaying.

MONDAY, Garrison charged that Shaw met with Ruby and Oswald at Baton Rouge in the fall of 1963 to make further plans for the President's assassination. He said Shaw gave both men money.

Shaw has said the presence of the post office box numbers in the two books is a coincidence. He said Odom is a friend who gave him the box number in 1966. Odom, who said he met Shaw while he was trying to find someone to promote a bull fight, has confirmed the Shaw statement.

Defense Attorney Irvin Dymond would not say definitely whether Odom will be asked to appear Monday.

"If we want him, we're going to have him here," the lawyer added.

(Indicate page, name of newspaper, city and state.)

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STATES-ITEM

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