

Post 5/9/74

U.S. District Judge John J. Sirica was formally notified yesterday that he will have to preside over another show-down in the courts over President Nixon's Watergate tapes.

Mr. Nixon's chief defense lawyer, White House special counsel James D. St. Clair, and Watergate Special Prosecutor Leon Jaworski met with Sirica in a closed conference to report that attempts to reach a settlement had been dropped.

St. Clair said that the President would not surrender any more Watergate tapes. Jaworski said that he would continue to press for enforcement of his subpoena for recordings of the 64 White House conversations that he demanded last month for the forthcoming Watergate cover-up trial.

The battle was temporarily shelved Monday when the two lawyers said they were trying to work out an "accommodation." The next day, however, St. Clair announced that Mr. Nixon had turned down the approach on the grounds that he had already "made available to the public what he believes is the full Watergate story."

Sirica issued a short statement after yesterday's meeting saying that he would con-

60-5 17412 to Sirica

duct a hearing on the dispute Monday at 2 p.m.

The judge said he would hold another meeting in chambers Friday with White House lawyers, Watergate prosecutors and defense attorneys who are also demanding many of the tapes for their own use at the cover-up trial.

Reasserting the hard line that he first invoked for the tapes that he finally surrendered to Watergate grand jury last year, Mr. Nixon and his lawyers have moved to quash the new trial subpoena with the claim that "a President is not subject to compulsory process from a court." They also said that Jaworski had failed to show why the new tapes are needed.

The special prosecutor is scheduled to submit his response, presumably including a tape-by-tape rundown of the pertinence of each recording by Friday afternoon.

The materials at issue range from a conversation between Mr. Nixon and former White House special counsel Charles W. Colson on June 20, 1972, three days after the Watergate break-in and bugging were discovered, to a pair of phone calls the President placed to former White House chief of staff H. R. (Bob) Haldeman on June 4, 1973, shortly after Mr. Nixon spent 10 to 12 hours listening to a selection of presidential tapes bearing on the scandal.

Tape Batt US