



DAVID G. BRESS  
... picked for bench

## Bress Named To District Judgeship

By David A. Jewell  
Washington Post Staff Writer

President Johnson nominated U.S. Attorney David G. Bress, to a District Court judgeship yesterday.

The Texas White House also announced that the President was naming attorney George R. Gallagher to the new fourth judgeship on the D.C. Court of Appeals.

Both appointments are subject to Senate confirmation.

Gallagher was for nine years assistant general counsel and general counsel for the Subversive Activities Control Board in the 1950s.

Bress has been U.S. attorney here since August, 1965. His appointment at that time was surrounded by controversy.

His name came up last month in the Senate hearings being conducted into the President's nomination of Abe Fortas to be Chief Justice of the United States.

At the hearings before the Senate Judiciary Committee, Fortas, a long-time friend of Bress, denied that he had intervened with the President to get a judgeship for Bress.

In 1965 the Senate took

three months to confirm the nomination of Bress for U.S. attorney.

The delay followed the revelation that Bress had been attorney for Robert G. (Bobby) Baker's vending machine company at the time Baker was the subject of a Federal grand jury investigation here. Baker later was indicted on charges of income tax evasion.

Bress and the then-acting Attorney General, Nicholas deB. Katzenbach, assured the Senate that the Department of Justice would handle the Baker investigation and not Bress.

A second stumbling block appeared when it became known that local attorney Bruce Sundlun had filed a  
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## LBJ Appoints Bress As District Judge

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complaint with the U.S. attorney's office charging that Bress's law firm had falsified stock certificates. Bress testified that if any changes in certificates had been made, he was unaware of them.

Sundlun had opposed Bress in a complicated civil suit in a legal battle among heirs to the multimillion dollar estate of Melvin A. Viner, founder of the Arcade Laundry.

Bress secured a \$1 million settlement for Viner's widow.

When called before the Senate committee considering Bress's appointment, however, Sundlun testified in favor of Bress.

Bress is known as a tough, no-nonsense attorney with a broad knowledge of the law, especially civil law. When in private practice here, he was regarded as an aggressive court room foe, and has extensive trial and appellate experience.

In one well-known case, he represented families of 49 victims of a plane crash at National Airport and won more than \$2 million in settlements after a seven-year court battle that went to the Supreme Court.

Bress, who is 60, was born in New York City. He grew up in Norfolk, Va. He graduated from the University of Virginia and from Harvard Law School.

He was in private practice here for 19 years. For eight years he was a professor of law at Georgetown University Law Center.

As a Federal judge, he would receive \$30,500 a year. His appointment would bring to 15 the number of active judges in District Court, a full complement.

Gallagher has been in private practice here since giving up his post as general counsel of the Subversive Activities Control Board in 1959.

He argued many cases before the U.S. Court of Appeals in his private practice, and as counsel for the SACB, he twice appeared before the Court of Appeals to contest challenges to the law involving registration of the Communist Party.

Gallagher, who is 53, was born in West Haven, Conn. He came here at the age of 9 with his parents. He attended St. John's College High School here for two years, and graduated from the old Columbus University Law School in 1936.