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POLICE FACE SUIT IN KENNEDY CASE

CBS Wants Secret Data on Slaying of the Senator

Special to The New York Times

LOS ANGELES, Aug. 1—Two men and CBS-TV announced today that they would sue to force disclosure of police evidence in the assassination of Senator Robert F. Kennedy.

An official Police Commission said yesterday that it would not release a secret 10-volume summary of the investigation, because, according to its president, Samuel Williams, "more compelling weight fell on the side of protecting the confidentiality of those involved."

The two men are Paul Schrade, a former United Auto-workers official who was shot in the forehead when Mr. Kennedy was killed June 5, 1968, and former Representative Alard K. Lowenstein, who is now a consultant to Gov. Edmund G. Brown Jr.

For the last two years, the two men have been trying to gain release of the police summary and inspect the physical evidence in the case, including the Ambassador Hotel pantry's ceiling panels, which were riddled with bullets the night Mr. Kennedy was killed.

A CBS-TV attorney, Howard Privett, said that the network was filing suit separately today under the Freedom of Information Act to force the police to make the report available. Meanwhile, a court here ruled yesterday in favor of an evan-

gelist, Oliver E. Owen, who charged that he was slandered when a Los Angeles television executive accused him of criminal involvement in the killing of Senator Kennedy.

The defense in the case hired Vincent T. Bugliosi, the prosecutor in the Charles M. Manson case. It tried unsuccessfully to prove that Mr. Owen had in fact had criminal involvement in the killing of Senator Kennedy through association with Sirhan B. Sirhan, Mr. Kennedy's convicted assailant. Damages for Mr. Owen will be fixed later.