

Warner Prepares to Sell An Ex-Prexy's X-Rated Executive Office Chats

If the Supreme Court rules this year that the infamous Nixon tapes should be available for public listening—as observers of the legal battle between Richard Nixon and the broadcast industry expect—it should only take two weeks to ship the product to your local record store.

Poised to market the President's executive office conversations is Warner Communications, who along with four television networks has spent hundreds of thousands of dollars in legal fees to carry the fight to the Supreme Court. Their argument: broadcasters have as much right to the conversations as the print media, which first printed the X-rated transcripts when they were made public in a Washington courtroom in 1974.

"I've been up and down the roller coaster so many times that I guess the day they tell me I have the tapes,

I won't know what to do with them," says Mickey Kapp, the Warner executive preparing the two-record set of the tapes.

Actually, Kapp only needs a couple of weeks after receipt of the tapes to place them on store shelves, though for competitive reasons he is reluctant to discuss Warner's specific marketing plans.

Three years ago, when it appeared the tapes might be available to the public, Kapp rented a suite at the St. Regis in New York, flew in special audio equipment and hired a writer and researcher to begin packaging them for commercial sale.

But complications followed the December 1974 ruling by U. S. District Court Judge Gerhard Gesell that the tapes were in the public domain because they had been played during a Watergate trial. Nixon appealed the decision, and the Supreme Court verdict is due this year. If the ruling is

against Nixon, Warner has already chosen the two hours' worth of material from some twenty hours of Nixon conversations. Actor George C. Scott will narrate the record, based on research by Washington Post reporter Walter Pincus and television and dramatic writer David Davidson. Technical consulting was provided by one of the experts who examined the eighteen-minute gap, Jay McKnight. Cover jackets are designed and the two-record set, with a printed transcript included, should retail for about \$15.

The big question is: Does anyone care?

Kapp laments the time the legal proceedings have taken—"I'm pleased to live in a democratic land where they can't yank me out and jail me on three minutes' notice," he says dryly, "but somewhere between that and three years . . . I think the public will be interested. If only to hear what a President sounds like swearing."