

'Bug' Defendant Drops Florida Suit

Post 11/24/72
MIAMI, Nov. 20 (AP)—Watergate bugging defendant Bernard L. Barker Monday dropped a \$2 million suit against Dade County States attorney, Richard Gerstein, who successfully prosecuted Barker on a misdemeanor charge last month. Barker had filed suit against Gerstein, claiming he had damaged him through statements made before Barker was convicted in Miami last month of misusing a notary public seal on a Republican Party campaign check.

Barker, one of five men arrested inside Democratic Party headquarters at the Watergate complex in Washington last summer, was accused of falsely notarizing a \$25,000 GOP check signed by Kenneth Dahlberg, President Nixon's Midwest fund-raising chairman.

When Barker filed suit, Assistant County Attorney Jon Gordon, representing Gerstein, subpoenaed Barker to appear Monday and give testimony about the alleged damages.

Legal observers said any statements Barker made at that scheduled meeting could have been used by prosecutors in Washington when Barker stands trial in January on charges stemming from the

burglary and bugging of Democratic headquarters.

Barker, who received a suspended 60-day sentence in the Miami trial, did not have to testify after the suit was dropped, but Gordon said the suit was dismissed "without prejudice" and could be refiled.