

GOP Seeking Delay in Suit Over Bugging

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The Committee for the Re-election of the President, claiming the presidential campaign would be affected, has asked U.S. District Court to delay proceedings in the Democrats' \$1 million damage suit growing out of the Watergate "bugging" incident until after the November election.

In papers filed at the court, the committee said yesterday that actions in the case would involve demands for "confidential information . . . on the pretext of thorough discovery" and that events in the litigation would serve to publicize "unprovable" Democratic claims of Republican involvement in the case.

The court was told that campaign workers might be deterred by unfavorable publicity and that political contributors could withhold funds that otherwise would come to President Nixon's re-election campaign.

In another development yesterday a lawyer for three of the suspects in the break-in accused a D.C. Superior Court judge of trying to develop the prosecution's case through the setting of bail conditions.

"Clear Line" Seen

The Democrats' civil damage suit was filed against the Committee to Re-elect the President and five individuals after the intruders were apprehended inside Democratic party headquarters June 17.

At the time, Democratic National Chairman Lawrence F. O'Brien claimed he saw "a

developing clear line to the White House" in the break-in, in which he charged the Committee for the Re-election of the President, then headed by former Atty. Gen. John Mitchell, was involved.

An initial effort by the Democrats for speeded-up depositions from Republican figures failed, thwarting for the moment hopes by O'Brien and the party to secure prompt answers on the question of possible GOP links to the break-in.

The request to further delay proceedings until after the November election filed by the Committee for the Re-election of the President claimed that the civil lawsuit violates the committee's 1st Amendment right to carry on its efforts to return Nixon to the White House for a second term.

The committee asserted that "incalculable" damage would result should the court allow the Democrats "to utilize this lawsuit as a forum

from which to accuse this committee of complicity in criminal conduct throughout the 1972 election campaign."

Additionally, the committee maintained that further steps in the civil case should be halted until criminal cases against the five men apprehended inside Democratic headquarters have been completed. The GOP unit said there would be "no prejudice" to the Democrats in delaying the civil case.

Infringement Feared

In separate papers filed with the court, lawyers for the five suspects joined in the claim that any further proceedings in the civil case would be oppressive and infringe the suspects' constitutional rights.

The GOP committee, along with its request that the civil case be delayed, also asked the court to dismiss the Democrats' action on the ground that claims in the civil suit could not lie against an unincorporated association for trespass, invasion of privacy or denial of the Democrats' civil rights.

The attorney, Henry B. Rothblatt of New York City, said yesterday he will appeal the bail issue to Supreme Court Chief Justice Warren E. Burger in an effort to secure release of the men from D.C. Jail.

"What he's trying to do is prove the government's case," Rothblatt said. The lawyer charged that Judge James A. Belson has acted almost like a "co-prosecutor."

Belson two weeks ago refused to admit the suspects — Bernard L. Barker, Frank Sturgis and Virgilio R. Gonzalez — to bail unless they disclose the source of funds used to free them.

TUE JUL 11 1972

Rumor Denied

The D.C. Court of Appeals later upheld Belson's ruling.

Meanwhile, Chief U.S. District Court Judge John Sirica tomorrow was scheduled to hear a prosecution motion to compel a Washington lawyer linked to the case to give further testimony to a grand jury investigating the case.

The attorney, Douglas Caddy, originally helped the men arrested at Democratic headquarters arrange for counsel. After losing a bid for immunity from questioning because of a claimed attorney-client relationship, Caddy went before the grand jury at least twice.

The prosecution's motion indicated that Caddy now has balked again at answering at least some of the questions put to him.