

# Milk Case Speedup Is Urged

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Consumer groups challenging a controversial 1971 increase in milk price supports have asked the U.S. Court of Appeals here to speed up their case.

In a motion filed late Tuesday, the groups, led by Ralph Nader's Public Citizen Inc., asked the court to approve, without hearing further arguments, the Aug. 1 decision of District Judge William B. Jones that the White House should release 67 memos to him.

If the appellate court declines to affirm Jones' order immediately, then it should expedite the process by which arguments on the case will be heard, the motion said.

Jones, in ordering production of the memos dealing with the price support decision, rejected a broad White House claim of executive privilege for them because he said it was too vague. He said he would examine the memos in private to see

whether any or all should be privileged.

But he delayed enforcing his order last week at the request of both the Justice Department and Special Prosecutor Archibald Cox.

Both argued that Cox's "direct confrontation" with President Nixon over his refusal to release nine tapes of White House conversations about the Watergate scandal was a better test of the executive privilege issue and should be resolved first.

Cox won his initial battle yesterday when Chief Judge John Sirica of the District Court ruled that Mr. Nixon should turn over the tapes to the court, but he, too, delayed enforcement pending appeal.

Attorneys William A. Dobrovir and Andra N. Oakes, in urging the appeals court to expedite their milk case, noted that it has been pending since January, 1972.

They said they needed to see the memos so they can take depositions from for-

mer Agriculture Secretary Clifford Hardin, who reversed his own decision not to increase price supports in 1971; Treasury Secretary George P. Shultz; former White House aides John D. Ehrlichman, H. R. Halderman, John W. Dean III, and Charles W. Calson; Agriculture Under Secretary J. Phil Campbell; and former Agriculture Assistant Secretaries Richard E. Lyng and Clarence D. Palmby.

The Nader suit has charged that the administration decision to raise milk price supports after initially refusing to do so was a payoff for \$422,500 in early contributions from the dairy industry to Mr. Nixon's 1972 campaign.

Attorneys Debrovir and Oakes argued that if their case is not expedited, it might not come to trial for at least a year "and the effects of the unlawful decision (to raise price supports) would continue to go unremedied."