

# Sirica Seals Memo

## Seeking More Tapes

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Watergate Special Prosecutor Leon Jaworski pressed his subpoena for dozens of President Nixon's Watergate tape yesterday with a detailed memo randum evidently laced with secret grand jury testimony.

U.S. District Court Judge John J. Sirica quickly ordered the memo sealed and imposed a strict gag order on all the attorneys involved in the new court battle.

Sirica also said "it may be necessary" to hear oral arguments Monday in secret. He had originally scheduled the hearing for open court, in accordance with customary practice.

The judge prohibited public disclosure of Jaworski's brief after a closed meeting with Watergate prosecutors, White House lawyers and attorneys for the seven former presidential aides and campaign advisers who have also demanded the tapes for their own use at the forthcoming Watergate cover-up trial.

In a three-paragraph statement after the 45-minute session, Sirica said, "The

court will have no comment regarding what was discussed at the meeting, and has instructed all counsel and their clients similarly not to comment."

Only Jaworski's pleadings were put under seal. Defense motions made public later in the day showed clearly that the prosecutor's memo relies on secret grand jury testimony as a justification for subpoenaing the tapes.

Lawyers for former White House chief of staff H. R. (Bob) Haldeman and former White House domestic affairs adviser John D. Ehrlichman said in one filing that Jaworski had asked "for authority to disclose matters occurring before the grand jury" in connection with the subpoena.

The attorneys, John J. Wilson and Frank H. Strickler, protested that they could not even "intelligently comment" on the prosecutor's move since they did not know what Jaworski wants to disclose. They said it might prejudice Haldeman's and Ehrlichman's rights to a fair trial.

In contesting the sub-

poena, the President's lawyers complained last week that Jaworski had failed to show why the tapes were needed for the cover-up trial.

There was speculation that Jaworski's response deals heavily with evidence of Mr. Nixon's involvement in the Watergate scandal. The subpoena, issued April 18, calls for the tapes and other records of 64 post-Watergate conversations, most of them involving Mr. Nixon, between June 20, 1972, and June 4, 1973.

The White House has indicated that it will carry the fight over the subpoena all the way to the Supreme Court if necessary.

Earlier this week, St. Clair had indicated that some "accommodation" might be reached, but Mr. Nixon decided against it the next day. The short-lived inclination to compromise grew out of talks between St. Clair and Jaworski last Sunday, when the special prosecutor apparently warned the White House that a court fight would require disclosure of some painful details.