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Kopeczne Case Data Ordered Released; New Appeal Filed

BOSTON, April 9 (AP)—The transcript of testimony and the inquest report on the death of Mary Jo Kopeczne may be released Wednesday, Superior Court Judge Wilfred J. Paquet ruled today.

The order came as lawyers for Sidney R. Lipman, a professional court reporter who took down the testimony at the Edgartown inquest last January, filed a new challenge to preparation of copies of the documents by Edward V. Keating, clerk of the Suffolk Superior Court.

Mr. Keating is to have copies made of the single set of documents on file, at the expense of the news agencies that want them.

Mr. Lipman, in a letter filed by his lawyers in the Supreme Judicial Court, asked for a reopening and hearing on his claim that he alone had a right to make copies, for a fee, for

The new appeal by his law distribution to the newsmen. ver, James D. St. Clair and Jerome P. Facher, was filed in a letter presented to the Supreme Court late in the day, after the court had adjourned until Monday.

The letter was filed only hours after the court rejected an oral plea Mr. Lipman made to the court through counsel yesterday. That plea resulted in a 24-hour order to the Superior Court to hold up release of the documents.

Mr. Lipman argued that he should have custody of the documents and that his concern—not Superior Court—was entitled to make copies of the impounded inquest records.

Mr. Lipman and his crew took the notes and typed the transcript during the 3½-day secret inquest at Edgartown last January into the drowning death of Miss Kopeczne, 28-year-old Washington secretary who was found dead in a car driven by Senator Edward M. Kennedy.

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Court Clears Kopeczne Notes

Boston

The Massachusetts Supreme Court removed yesterday the last hurdle to the release of the transcript and judge's report on the inquest into the death of Mary Jo Kopeczne.

The court turned down a bid by a court stenographer who claimed he alone had the right to make copies and sell the inquest record. Miss Kopeczne died in an automobile accident last summer in Senator Edward M. Kennedy's car.

The high court also ordered the clerk of Suffolk Superior Court to proceed with his plan to release the record next week.

The action came one day after the Supreme Court had ordered a temporary halt to release plans on a motion by Sidney R. Lipman, a professional court reporter.

Lipman claimed he should have custody of the documents and his firm—not Superior Court—was entitled to make copies of the impounded inquest records.

Lipman and his crew took the notes and typed the transcript during the 3½-day secret inquest at Edgartown last January into the drowning death of the 28-year-old Washington secretary.

Lipman's counsel, Jerome P. Facher, argued the case before five members of the Supreme Court Wednesday, winning an oral order directing Clerk Edward V. Keating in Superior Court not to release the papers pending further order.

Lipman, who was paid for his work by Dukes county, claimed he had "valuable property rights" in the transcript.

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