

ITT Case Called Politics

Denver

An attorney for Dita D. Beard charged yesterday that columnist Jack Anderson and Senator Edward M. Kennedy were conducting "a purely political game" in an effort "to get ITT and the administration" by alleging a deal over the settlement of three antitrust suits.

David W. Fleming, an attorney from Van Nuys, Calif., conceded at a news conference that his fees for representing Mrs. Beard, International Telephone and Telegraph Corp.'s Washington lobbyist, were being paid by the company.

He insisted, however, that if the interests of Mrs. Beard conflict with those of the company that is paying his fees, "ITT goes down the drain."

POLITICS

Fleming and his law partner, Harold E. White, said that they are and have been active in Republican politics in California, to the extent of contributing and loaning funds and managing the campaigns of Republican candidates for Congress.

The two lawyers called a news conference here to charge that Anderson's "cruel harassment" of Mrs. Beard was the direct cause of her present hospitalization with angina pectoris, a heart ailment.

She suffered what her doctors described as a recurrence of symptoms of that condition Sunday, as a Senate judiciary subcommittee was questioning her in a hospital room about a memorandum purportedly written by her and published last month by Anderson.



UPI Telephoto

DAVID FLEMING
'Purely political game'



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DR. L. M. RADETSKY
He talked of subpoena

The memorandum linked Justice Department settlement of three antitrust cases against ITT with a large financial commitment from ITT to help finance the 1972 Republican National convention.

Sunday the senators heard Mrs. Beard deny knowing of any link between the two events. They had questioned her for about two and a half hours when her seizure prompted them to call off hearings scheduled for yesterday and today.

At yesterday morning's news conference at the Rocky Mountain Osteopathic Hospital, Fleming presented Mrs. Beard's two physicians, Dr. Dave T. Garland and Dr. L. M. Radetsky. They said she was recovering "quite well" from Sunday's relapse.

'DANGEROUS'

But Garland said it "would be very dangerous" to Mrs. Beard's health for

her to go to Washington to testify within the next six months, and added that it would be difficult to say if she could ever testify in public hearings there.

Radetsky called upon the Judiciary Committee to quash its subpoena for Mrs. Beard's testimony, in order to ease her mind. He said he had been given "some reason to believe that the subpoena will be quashed," apparently referring to an expected move by Senator Marlow W. Cook (Rep-Ky.) to persuade the committee to lift the subpoena at the committee's executive meeting tomorrow.

Fleming issued a statement criticizing the fact that Brit Hume, Anderson's investigator, had given his notes to Kennedy's staff a week before he turned them over to the committee.

DISCLOSURE

Hume had first refused, on press freedom grounds, to surrender them when Senator Cook demanded them. But Hume gave them up "voluntarily" after it was disclosed that Kennedy had a copy.

"We feel that this is a purely political game and Mr. Kennedy and Mr. Hume are certainly working hand in hand to keep it that way," Fleming said.

He also charged that Anderson's testimony before the Judiciary Committee indicated "the zealouslyness of his desire to irreparably damage Richard Kleindienst and the administration that nominated him." Acting Attorney General Richard G. Kleindienst's nomination as attorney general is being held in the Senate until the ITT controversy is resolved.

FEEES

Fleming said that documents on file with the Judiciary Committee disclose that ITT has agreed to pay Mrs. Beard's legal costs. The letters disclose that he and White have billed ITT for \$15,000 as their initial retainer, and that the company has questioned the hourly or daily lawyers' fee being charged, and has denied responsibility for her investigators' expenses.

Fleming contended for the first time yesterday that Walter Benning, an ITT official from Fort Wayne, Ind., can testify that Mrs. Beard denied to Hume that she wrote the memorandum cited by Anderson.

According to Fleming,

Benning "was never more than 11 feet away" in a nearby room of Mrs. Beard's house during the February 24 interview, and that he "overheard the entire conversation."

SECRETARY

The lawyer said Mrs. Beard's secretary, Beverly Sincavage, was also present and overheard the conversation.

Miss Sincavage said at ITT's Washington office that she would have no comment. Benning could not be reached for comment.

In the three weeks of testimony to date, no witness, including Mrs. Beard, has claimed that anyone overheard her conversation with Hume.

Fleming also said that he had talked to Dr. Frank L. Liszka, Mrs. Beard's Washington physician, and that Liszka quoted Mrs. Beard as telling him that she did not write the memorandum. Liszka testified under oath that Mrs. Beard said she wrote the memorandum when she was "mad and disturbed."

Fleming said that this discrepancy might have been due to Liszka's unfamiliarity with English. He was a Hungarian refugee in 1957.

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