

Court Dismisses Nader Appeal Against I.T.T.-Hartford Merger

By LAWRENCE FELLOWS
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HARTFORD, March 29 — An appeal by Ralph Nader against the merger of the International Telephone and Telegraph Corporation and the Hartford Fire Insurance Company was dismissed in Superior Court here today.

The decision, handed down by Judge Walter J. Sidor, cleared the last of the pending court obstacles to the corporate marriage, a highly controversial one and the biggest in United States history.

Referring to Mr. Nader, the consumer advocate, Judge Sidor wrote, "He claimed to be aggrieved on the basis of special interest in consumers affairs." The judge then cited a ruling of the Connecticut Supreme Court to the effect that a special interest was not enough:

"It is a fundamental concept of judicial administration that no person is entitled to set the machinery of the courts in operation except to obtain redress for an injury he has suffered or to prevent an injury he may suffer."

As Mr. Nader was injuriously affected in neither his property or other legal rights, he had no standing in court, Judge Sidor ruled.

Neither, he decided, did the other three plaintiffs, although one was a shareholder in International Telephone and Telegraph, one was a shareholder in the Hartford Fire Insurance Company and the other was a policyholder with Hartford Fire.

"You've got to show you lost money," Dwight Owen Schweit-

zer, the attorney for Mr. Nader and the other plaintiffs, said afterward, registering his disappointment.

"This does have a certain chilling effect on environmental protection groups and others trying to protect the public interest," Mr. Schweitzer said.

He also said tonight that it would not be decided immediately whether to carry the case against the merger to the Connecticut Supreme Court.

There was some speculation outside the courtroom this morning that Mr. Nader and his lawyer are still pondering whether the decision in this court is weighty enough to be cited as legal precedent for other cases that might follow in other courts and in other states.

The case stemmed from the approval of the merger by the State Insurance Commissioner William R. Cotter on May 23, 1970.

Mr. Cotter, who has since been elected a United States Representative, at first disapproved the merger. He relented, he explained, when he was satisfied that the Hartford stockholders understood and approved the arrangement that gave them a share of I.T.T. preferred stock for each share of Hartford stock they held.

The Federal District Court in Hartford also approved the merger, but it has continued to be the subject of much dispute.

Mr. Nader alleged that the



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REJECTS NADER CASE: Judge Walter J. Sidor, in Superior Court in Hartford, dismissed appeal against merger of I.T.T. and Hartford Fire Insurance Company yesterday.

merger was not accomplished in keeping with the requirements of Connecticut law, that the exchange of shares was never adequately explained to shareholders, and that the exact nature of the antitrust suit brought against I.T.T. by the Federal Government had also not been explained to the shareholders.

Mr. Nader has a home in Winsted. The other plaintiffs were Mrs. Margaret H. Curtin of Wethersfield, Peter B. Cooper of New Haven, and Reuben B. Robertson of Washington.