

Russo Must Stand Trial With Ellsberg

LOS ANGELES — (AP) — A federal judge ruled today that Anthony Russo, a former Rand Corp. researcher, must stand trial with Daniel Ellsberg despite his once being granted immunity in return for grand jury testimony about the Pentagon Papers case.

Russo never testified, as a result of numerous legal tangles.

U.S. District Court Judge Matthew Byrne Jr. said the law "provides that the immunity attaches at the time that the testimony is given and that the scope of the immunity is determined by the testimony. . . ."

After conferring with attorneys, Byrne postponed the trial until May 9 because of Ellsberg's attorney's involvement in the Harrisburg, Pa., trial of The Rev. Phillip Berigan and seven others.

Russo, 35, is charged with receiving stolen government documents — the papers relating the origins of the Vietnam War — and of conspiring with Ellsberg to copy and distribute them to the news media.