

Stans Threatened With Contempt

By Morton Mintz
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Common Cause will warn President Nixon's chief fundraiser, Maurice H. Stans, that it may seek to have him held in contempt of court for failing to produce an elusive batch of election campaign financing records that have been in and out of a New York City warehouse, a spokesman for the citizens' lobbying organization said yesterday.

The spokesman, Kenneth J. Guido, associate general counsel of Common Cause, said he plans to warn two lawyers for the Finance Committee to Re-elect the President, Kenneth W. Parkinson and Daniel Webster Coon, that a motion for a contempt citation could include them as well as others associated with the committee.

Guido said he will meet Monday with the lawyers, who could not be reached yesterday. Stans, chairman of the finance committee, also was unavailable. A committee spokesman, DeVan L. Shumway, said "I think in this case we have shown our good faith,



MAURICE STANS
... records sought

and our attorneys will continue so to do."

The dispute arises from a suit filed by Common Cause last September to compel the committee to bare its financing under the Corrupt Practices Act, the election financing law that was displaced by

See CAUSE, A9, Col. 1

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a new statute on April 7, 1972.

In a partial settlement Nov. 1, the committee agreed to turn over to U.S. District Judge Joseph C. Waddy all documents "pertaining to campaign contributions and expenditures" between Jan. 1, 1971, and April 7, 1972.

The committee did supply the names of contributors. Those who gave before March 10 were disclosed by the committee five days before the presidential election; those who gave between March 10 and April 7 were filed with the court, but their public release depends upon the outcome of the litigation.

However, except for a brief period in 1971, no expenditure records—including a large volume of items such as budgets,

invoices and vouchers—have been turned over to the court, although they were to have been furnished in early November, Guido said.

Stans, in a deposition Oct. 20 that now has become available in partial form, swore that he had directed removal of the records to the New York warehouse. But, he said, "they were brought back to Washington and turned over to counsel during the past few days." He referred to lawyer Paul L. O'Brien.

The retrieval of the records was apparently unknown to their official custodian, committee treasurer Paul E. Barrick, Stans indicated.

Throughout the week of Oct. 23, Guido said, lawyers for the committee and Stans, who as its chairman is also a defendant, assured Common Cause that the records were being inventoried in preparation for turning them over to the court.

In court on Oct. 27, Common Cause argued a motion to compel the committee to supply the records. The committee tried to fend off the effort with a letter from Stans saying that he had retained lawyer Coon to take custody of the records only one day earlier.

Judge Waddy termed the abrupt transfer of custody "unfortunate, most unfortunate," and "a shock." He then signed an order to Coon to produce the records. A new subpoena for the records, at the same time, was served on Stans.

But Stans refused to turn over the records. So did Coon, who said in a deposition of his own that he had taken possession of the records from O'Brien and Parkinson.

On Oct. 29, Common Cause prepared a motion to hold in contempt Stans—a former Secretary of Commerce and a former president of the American Institute of Certified Public Accountants—and lawyers Coon, O'Brien and Parkinson.

Common Cause hand-delivered a copy of the proposed motion to Parkinson, saying it would be filed Monday unless the documents were submitted.

On Nov. 1, the committee signed the stipulation to file the records but this has not been done.

Wednesday, Stans went to Common Cause to discuss a possible settlement of the suit. He said the records may be with a small-accounting firm in Bethesda, and would see what he could do to supply them, Guido reported.