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Nixon's Night Call To Kalmbach Cited

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President Nixon, in a post-midnight telephone call March 7, assured Herbert W. Kalmbach that he understood Kalmbach and his law partner, Frank DeMarco Jr. were not responsible for Mr. Nixon's tax troubles, the Los Angeles Times has learned.

The call, which Kalmbach has recounted to Watergate Special Prosecutor Leon Jaworski's office, could be important if Jaworski's investigation of the preparation of Mr. Nixon's 1969 income tax return results in fraud charges.

DeMarco, along with Mr. Nixon's Los Angeles tax accountant, Arthur Blech, are understood to be under investigation for their part in preparing the President's 1969 return.

It was in that return that Mr. Nixon claimed the first portion of a \$576,000 tax deduction for the gift of his presidential papers to the National Archives, a deduction that has since been invalidated.

According to Kalmbach's account, he received the phone call in his room at the Madison Hotel here at 1:45 a.m.—10 days after he had pleaded guilty to unrelated federal campaign law violations.

Mr. Nixon was said to have dismissed the questions over his taxes as a "crock of ---," and to have told Kalmbach that he knew the information used in preparation of the return was supplied by others at the White House.

The President was said to have told Kalmbach that he would ask Kalmbach and DeMarco to work on his tax returns again in 1975, after the



HERBERT K. KALMBACH
... call in the night

furor over the papers deduction had subsided.

A spokesman for Jaworski would neither confirm nor deny that information about the call had been given to Jaworski's staff. Kalmbach was traveling and could not be reached for comment.

A White House official, who declined to be identified, said of the report: "I don't know if he talked to Kalmbach or not. I can't confirm it. I didn't ask. But if he did call, it was general in nature—on a human basis—and not related to anything specific, like a tax return.

"It would be the natural thing to do, to reassure and to talk about the human side."